

**TOWN OF KIRKWOOD**  
**WORK SESSION**  
**May 26, 2015**

Present: Supervisor Gordon Kniffen  
Councilman Robert Weingartner  
Councilman Lewis Grubham  
Councilwoman Linda Yonchuk  
Councilman William Diffendorf, Jr.

Also Present: Herbert Kline, Town Attorney  
Gayle Diffendorf, Town Clerk  
Raymond Coolbaugh, Commissioner of Public Works  
John Finch, Jr., Chief Water Treatment Plant Operator  
Marchie Diffendorf, Planning Board Chairman

Supervisor Kniffen mentioned that a Kirkwood resident, George Hamar, recently passed away. His son played Little League for the Dodgers in Kirkwood and George always thought a lot of the youth activities in Kirkwood. George's family has asked that anyone wishing to make a donation in his memory consider making a donation to Kirkwood youth activities.

Supervisor Kniffen reported that Putnam recently closed and it looks like a holding company called Equilibrium Associates may purchase the building. They would like their assessment to go down which will be an issue to be addressed by the Assessor and the Town Board as some point in the future. They would certainly like to see jobs there. Mr. Kline said there are many factors that have to be considered.

1. Margaret Scarinzi – Broome County Land Bank.

Margaret Scarinzi addressed the Town Board in regard to the Broome County Land Bank which is basically a new entity in Broome County. It is a stand-alone, not-for-profit created in 2013 with management policies put into place in 2014. It is a community and economic development tool to help revitalize and stabilize neighborhoods. The mission of the Land Bank is to focus on vacant, under-utilized, abandoned, tax-foreclosed properties by acquiring, managing and developing them. Each property is assessed to determine whether it can be rehabbed or needs to be demolished. This helps to stabilize neighborhoods if it is a residential property, since it helps to remove blight, and eliminates problem properties. In some instances they can hold property and keep acquiring neighboring properties to bundle them and get a large enough developable parcel together to perhaps put a bigger project in motion, something that would be a need for the community. Both commercial and residential property can be rehabbed. They stabilize the building and get it ready for resale, sell it and get the property back on the tax rolls. The Land Bank applied for and received three grant awards so far. The projects involved with those grants were reviewed. The last grant for \$750,000 is strictly a rehab program for residential properties outside the urban core. Binghamton and Union are not eligible for those funds. They are looking for rural properties that are candidates for rehab that communities in Broome County have identified as being a problem. The majority of the grant funds are spoken for at this point. The Land Bank is completely grant funded. The goal is for the Land Bank to take title to the property, either rehab or demo it, sell it to a developer or property owner and create a revenue stream. The revenue stream will not only keep the office going but it will allow them to continue to pick properties they would like to help out. There are many issues with properties throughout Broome County. Grant money came from the Attorney General's Office two years in a row but that funding source has dried

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up. There are also federal funds available which are for rural areas only. Another round of funds to be applied for opened May 1<sup>st</sup> and applications are due by July 1<sup>st</sup>. Awards were be announced in the fall. It is an on-line application process and it can be found on the Regional Economic Development's website. It is an involved process. They are looking for additional sources of funding as well. Ms. Scarinzi said if Kirkwood has any problem properties, that by removing or rehabbing would enhance a neighborhood or help to bolster the Main Street district, she would be willing to work on it. At this time basically all of the \$750,000 has been spoken for. Only a candidate for rehab would possibly be considered at this time and the property the Board had in mind would need to be demolished. A possible scenario was reviewed for the future for that demo property. It was noted that there is a possibility that funds may be available for demo if the Attorney General allows them to reallocate some funds that were originally slated for the Big Lots project in Binghamton.

2. Discussion – Susquehanna Lane Water Line Extension (GEK)

As a result of prior discussions Mr. Kline said it is his understanding that the Board said they would put a line in from the north side of Route 11 to the south side of Route 11. Revisions would be needed to the Town's ordinance to do this. Supervisor Kniffen said in the past there were 3 options. The Board chose not to pass it on to the Consolidated Water District because of the impact it would have on those that are in the district. At that time everything stopped. Now the residents on Susquehanna Lane have decided to run the line and pay for it. They are asking that the Town fund the meter pit which the Town offered as an Option 1 in the past. He feels the Town is now obligated to pay for it even though they did not vote on it at the time. Mr. Kline said if the Town opts to pay for the meter pit it would require an amendment to the Water Rate Ordinance, which would require 3 Board members to agree. In regard to determining whether the property falls within the 250 feet requirement, Mr. Willis said he has a Route 11 address that is within 250 feet. Mr. Kline said the starting point is where the district presently exists, which is the north side of Route 11. This could be done within the current local law that says anyone within 250 feet who wishes to do so and petitions the Board pays 1 ½ times and be served. John Finch said the meter pit would be within 250 feet of Route 11 and it would be on the Willis property. Mr. Kline said then he can be served. John Finch said the cost of the entire installation, including bringing the line from the north side to the south side and the meter pit, will be \$6,240. It was determined installation, maintenance and repair of the line to the meter pit would be the responsibility of the Town. It was clarified that Mr. Willis is allowed to connect if he is within 250 feet but that does not mean the Town has to go 250 feet.

Supervisor Kniffen said since the Board offered this in the past and now Mr. Willis is asking for it he feels they should fund this. Councilman Diffendorf questioned why the law has to be changed to do this since they do the same thing with Conklin. He said there is a pit and meter which they own. Mr. Kline said with Conklin there is an Inter-municipal Agreement which addresses possible problems, leaks, etc. In this case it would be a change to the Water Rate Ordinance which would allow the Board to have an agreement with these people. If another request comes to the Board in the future they could decide at the time how to handle it. Resolution to schedule a public hearing for 6/30/15.

3. Discussion – Add generator installation and playground installation to the list of items on the fee schedule that require building permits. (GEK)

Held.

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4. Recertification of the Record of Activities for:

Cyndi French, Dog Control Officer

James Smith, Budget Director

Supervisor Kniffen explained that employees in the NYS Retirement program have to recertify their hours from time to time. Resolution.

5. Discussion – Coyne Textile Services. (HAK)

Mr. Kline said Coyne signed the addendum so this is all set. They also clarified previous questions. Ray Coolbaugh added that they have been having a problem with the current service with supplying wet carpets and asked to have them removed. He has not been able to reach them since so there currently are no carpets. The contract is up with Ameripride in August and they have been contacted that their contract will not be renewed. Resolution.

6. 2015 Agreements:

Police Athletic League (PAL)

ACHIEVE

Jackie Cooper – Head Counselor – Summer Fun

Tysen Gates – Student Counselor – Summer Fun

Fletcher R. Weingartner – Student Counselor – Summer Fun

Town of Conklin and Susquehanna Valley Central School District

Mr. Kline explained that the last agreement on the list now includes the SV School District because they are providing food, through BOCES, for the children participating in the program. It will be held at Donnelly School this year. Resolutions.

7. Resolution pursuant to section 3A(e) of Local Law No. 2-1976 entitled “A Local Law Regulating the Use of Parks of the Town of Kirkwood”, authorizing Town Clerk to issue a permit to the Kirkwood Town Fair, Inc., for the use of the entire Kirkwood Veterans River Park on August 6, 7, and 8, 2015 without any permit fee to guarantee proper clean up after each use.

Resolution.

8. Discussion – Dog Control Officer-OC Appointment. (GEK)

Supervisor Kniffen reported that the Dog Control Officer passed the civil service test for her position with the County and she has to be reappointed. Resolution.

9. Discussion – IMAP Program. (HAK)

Mr. Kline has been advised by the State that everyone in the state is in this program unless they opt out. If there is a real emergency and the Town wants to borrow equipment from another town or village they

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don't have to enter an Inter-municipal Agreement as long as the other municipality is willing to let another town use the equipment they are covered. Whoever might damage any equipment would pay for it. This is automatic and no action is needed.

**10. Discussion – Purchase new Flail mower – CHIPS money funding. (RJC)**

Ray Coolbaugh said they can use CHIPS funding for this purchase because it will be used to maintain the roads. The quoted price is \$8,123.80, which is off the National Joint Power Alliance, which is like a state bid, but federal. This has been in effect 3 years. The old mower is a 1998 and they spend more time fixing it than using it. All the tractors will work with the new mower. Resolution.

**11. Audit of Claims.**

Councilman Diffendorf questioned 2 vouchers. Velano Pipe: Ray said the 18 foot pipe was put in under the road just below Dick Jones' house on Gorman Rd. Affordable Auto Glass: 3 truck windshields were scratched up over the winter. Resolution.

**12. Road Use Law.**

Mr. Kline said the plan was to have Dan Scofield come and advise the Board on what was needed to be done to get the \$10,000 from Broome County. He had Broome County Attorney Bob Benke provide him with the latest records in that regard. Mr. Kline received a copy of the Local Law that Broome County was going to adopt for anyone who wanted to use a county road. Mr. Kline wanted information for people who wanted to use town roads. His firm met with Debbie Preston and noted to her there may be some towns that don't want to adopt the County Local Law, but they want them to be in a position to get the money. His firm drew up a resolution establishing the policy that the Town will cooperate with the County but not use the County Local Law to get the money. There are certain reasons for not wanting to adopt the County law, one being it would only apply to new developers in the town and they feel it should affect everyone. The resolution Mr. Kline provided "A Resolution Adopting Road Use and Preservation Policy" is being looked at by other towns and it does not require towns to give up their own local law for town roads. This does not obligate the Town to use the County's Local Law and they will still get the money.

**14. Highway Agreement.**

Ray Coolbaugh said he is waiting on 2 bids from Vestal Asphalt and Suit Kote to determine highway expenditures. He will have that ready for the next meeting. Councilman Grubham said no one wants to do this because they are unsure of CHIPS money, but why can't it be done and if they don't get CHIPS money then they just can't do it. Ray said also they don't know what damages they have. This year there is a lot of damage so they aren't going to be able to use as much towards paving as they will for fixing them. Councilman Grubham said that actually they are supposed to have the money before they even vote on the agreement. Ray said there is always a question as to whether or not they are going to get it. Resolution.

**15. Parks - Light Poles.**

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Councilman Grubham said light poles seem to be getting knocked down pretty regularly in the parks and he feels they should look at a more substantial product when they are replaced. The most recent one was knocked over with a bicycle.