

**TOWN OF KIRKWOOD  
TOWN BOARD MEETING**

**June 6, 2017**

A regular meeting of the Kirkwood Town Board was held on at PM 6:00 PM at the Joseph A. Griffin Town Hall with Supervisor Gordon Kniffen presiding.

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

Also Present: Oliver Blaise III, Attorney  
Gayle Diffendorf, Town Clerk  
John A. Finch, Jr., DPW Commissioner  
Marchie Diffendorf, Planning Bd. Chairman  
Duane Travis, ZBA Chairman  
Jessica Kinney, Deputy Town Clerk

**PLEDGE OF ALLEGIANCE:**

**APPROVAL OF MINUTES:**

May 2, 2017 Town Board Meeting  
May 30, 2017 Public Hearing

**PUBLIC PARTICIPATION:**

Ann Belles thanked John Finch and his crew for taking care of the water issue on her Crescent Drive property, noting that the water is now flowing.

**COMMUNICATIONS:** None.

**COMMITTEE REPORTS:**

Councilman Diffendorf reported that the Town received a Certificate of Achievement from PERMA for submitting claims on time.

In regard to a proposed dog beauty show at the town fair, Councilman Weingartner reported he spoke with Pat Regan, the Town's insurance advisor, who said if this is third party involvement, there are insurance requirements and he will have to contact the town fair officials. Councilman Weingartner said he thinks it will be tough for them to have this at the fair because of everything that is involved. In addition to the insurance requirements, they would need a specific area, a tent, a place to keep the dogs separated to protect them, etc. It doesn't look good for this event.

John Finch reported that he contacted Senator Akshar who is potentially going to secure \$400,000 towards the bond for the road rehabilitation project. John will meet with Jim Smith tomorrow to get the application submitted as soon as possible.

As a follow-up, Supervisor Kniffen reported regarding a concern brought up last week by Mrs. Guthrie about the fundraiser held by the Kirkwood Fire Company for the Brown family. Mrs. Guthrie questioned why the money or gifts had not been turned over to the family. Supervisor Kniffen said he talked with members of the fire company and, under the advisement of a lawyer that they hired, they set up a bank account, which in effect is the trust fund. They will be giving all of the funds to the family and have notified the family of this. Supervisor Kniffen said he spoke with Mrs. Guthrie about this and she is going to go to the Attorney General of New York State.

**OTHER:**

**Judge Hawkes and Judge Coe.**

Judge Coe read a letter from Judge Hawkes' Court Clerk, Paula Hashem, regarding the issue of the pay rate for the Clerks of the Court. Among other things, she stated that there is a very high volume of work in the Kirkwood Court, with a lot of responsibility and she compared the court clerk positions in Kirkwood to the duties of a Chief Clerk at the State

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level, and referenced the salaries of full time clerks in Broome County. She also noted that she feels the other full time clerk in Kirkwood has now learned the position and feels their salaries should be comparable. The letter is on file in the Town Clerk's Office.

Judge Coe reviewed the written information he provided to the Board. In referencing the activity for 2016 for his side of the court only, he noted how busy the clerk has been, adding that the work load is now leveling out. In 2016 Judge Coe had 2,590 cases. Since Judge Hawkes only started serving in January of 2017 there are no figures to provide for 2016 for him, and the cases for Judge Weingartner (retired) are not in the system any longer. Judge Coe said there were 4,110 cases for both judges in 2016. At that time his side of the court was doing over 1,500 cases more than the other side of the court. From January to May of 2017 the caseload for Judge Coe was 992 cases and 724 for Judge Hawkes. He said that is quite a difference than what they were going through in 2016. He noted that he feels the fact that the cases were distributed unevenly last year was because the officers writing the tickets didn't want to tax the retiring judge and feels they will be more even from now on.

Judge Coe reviewed the pay rates from 2015 for various court clerks in Broome County; Conklin \$37,250 – 900 to 1,000 cases a year, Fenton \$30,000 – less productive than Kirkwood, Vestal over \$35,000, Dickinson over \$34,000, Johnson City over \$31,000 and Chenango over \$45,000 (about 40 years of experience).

Judge Coe said his clerk, Erin, started at \$26,500 and at that time there was talk that after she was on the job a year (or a probationary period) she would get some additional compensation but that did not happen. Currently Erin's salary is \$27,155. The salary for Judge Hawkes' clerk, Paula, is \$30,249. Judge Coe noted that the part time clerk in their court is making more per hour than the full time clerk. Supervisor Kniffen said the part time clerk makes \$16,234 and started in 2006.

Councilman Grubham questioned how long the other court clerks in Broome County that Judge Coe referenced had been on the job. Supervisor Kniffen responded that in Dickinson the court clerk had been there 14 years. He also noted that his information is that the salary of the court clerk in Conklin is \$32,800. He added they did not check with Fenton, Vestal or Johnson City because they are not towns similar to Kirkwood but added that Kirkwood has a higher volume of court actions compared to towns of a similar size, because of the number of highways in Kirkwood. He said Kirkwood ranks 50<sup>th</sup> out of 1,500 courts in New York State.

Councilman Grubham questioned how much of the \$156,156 Judge Coe collected in fines for 2016 came to the Town of Kirkwood. Judge Coe said there is a percentage involved and now it is so much different because of the diversion program, which is totally separate. He said for every \$200 in that program, \$100 comes back to the Town. If there is a case through diversion, they are paying \$200 to have the case dismissed and that goes through the DA's office and it has to be dismissed by a judge. Judge Hawkes added the \$100 does not come back to the court, but directly to the Town. The Town Court does not account for any of those funds. When the ticket comes in, the question is whether or not it is eligible for diversion, they then refer the defendant to the DA's office. If it is eligible, the Town Court is out of it. In regard to the percentage of total fine money that the Town of Kirkwood gets, Judge Hawkes said different types of cases warrant different amounts to the Town, it is based on the charge. Supervisor Kniffen said, in looking at the budget, of the total that is sent to Albany every year, the Town gets back 25%. It was noted that all surcharge money goes to the State.

Councilman Grubham said there was a time when the Kirkwood Court produced a surplus for the Town and that has now drastically changed so the money the Town gets back does not cover the cost of the court any longer. He said he is not blaming anyone, apparently less tickets are being written. He said that the State's taking money, and they are in good shape, and the taxpayers of Kirkwood are paying extra to cover the cost of the court. Supervisor Kniffen added that two significant factors are that the weigh station is closed and the State Police are now in the Town of Chenango. The speed limit in Chenango was reduced to 55 and they are writing a lot of tickets there. Councilman Grubham said that's

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why it's happening, but now every taxpayer in the Town of Kirkwood is paying more to keep the court here, that it's not close to being even. If they decide to do something here, it would be more money coming out of the taxpayers' pockets to do it.

Councilwoman Yonchuk questioned if the clerks used as comparisons in Conklin, Dickinson, Fenton and Chenango are the only court clerks and if they are full or part time. Judge Coe said they work full time. It was noted that there is only one clerk in Conklin which has much less productivity than Kirkwood. Fenton has one full time clerk, Dickinson and Chenango have two full time clerks and one part time clerk.

In response to Councilman Diffendorf, Judge Coe said the full time clerks would like to work 40 hours because in addition to their daily work it is time consuming to do the scanning of all the back files, etc. which would eliminate all the old tickets and storage space requirements. Supervisor Kniffen said he thinks the 40 hours should be set aside, it would just be adding to the cost of that department. In the past they have tried to cut costs, like cutting hours in the Code Enforcement Department, and with the intent to save money there have to be sacrifices. He said if the court clerks' work gets behind a little more because they need five more hours, so be it. He questioned Judge Coe as to what he wants for his clerk, noting that Judge Coe agreed to the salary last year. Judge Coe said he wants a raise for Erin, to bring her salary up close to what Paula is making. He said Erin now knows the job pretty well and she feels if she is doing the same job so she should be getting somewhat of a similar pay to Paula. Supervisor Kniffen said Paula's salary is \$30,248 and Erin's salary is \$27,154. Judge Coe said he is asking for \$29,000 for Erin.

Councilman Weingartner said he would like more time to review this and suggested it be discussed at budget time. Councilwoman Yonchuk said according to Paula's letter, she feels she should be making more money as well, so they would have to look at that and then where does the commensurate measure of Erin's salary come in. They will have to look at the whole picture and they have to factor Kathy's salary in as well. Judge Coe said he is looking for something comparable to the other towns. Both judges said the amount of work the clerks do is incredible, that the phone never stops ringing and there is someone at the window all the time and they have to handle all the paperwork at the same time, that the work is non-stop. Judge Hawkes said without the clerks the court does not run.

Supervisor Kniffen said the Town Board has a lot of responsibility to the people that employ them. He said the Board appreciates what the clerks and justices do. He said it is not like when a manufacturing company has to increase wages, they can just increase the product and it will cost more. If the Board increases their product it's the taxpayers that have to pay and they have had it with taxes. He said the Board wants to be fair and will take time to think about this, noting they can't jump up \$2,000 without giving it some serious thought.

**Mowing of 8 Dennis Street and 50 Francis Street.**

Supervisor Kniffen explained that this comes up every year with the code department where the grass has grown high on certain properties and the owner cannot be located, many times a bank is involved. The town has to take care of it and then the cost is added to the tax bill. In addition to the two properties listed above, Councilman Grubham noted that Chad has informed him there are additional properties that will have to be added, that people are just walking away from their properties and in many cases banks have not taken them over yet. Mr. Blaise said Chad will get three quotes from vendors to mow the properties. Councilwoman Yonchuk said the question was posed in the past if this could be done by town employees and questioned if the town workers do it if there is an easy way to bill it back. Mr. Blaise said it would be billed by their hourly rate or the Board could pass a resolution as to a flat charge per lawn would be covered by the town's insurance and they would be using the town's fuel and equipment. If a vendor does it they would be covering the workers comp and all supplies. Councilman Grubham said he would rather hire vendors so that town employees can do their own work. Mr. Blaise said his suggestion is they set something up at the beginning of a season and Chad can call the vendors with the list of properties that need mowing. Councilman Grubham questioned if they have to go through the process of notification to property owners. Mr. Blaise said they are supposed to be given a 30-day notice, when the property owner can be located.

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Due to the fact that there are so many variables with lawns, such as the height of the grass, Councilman Diffendorf said he thinks they should set up a contract for next year, like they do with abandoned vehicles, so they have someone to call to do the mowing. Mr. Blaise said if it is a code violation the Dept. of State says that a 30-day notice to remedy has to be issued and after that they can proceed. Here there is no one to issue a ticket to so after the notice period goes by someone should be sent out to mow the lawn.

Supervisor Kniffen said they should have Chad get three quotes and they will assume someone will be picked that can do the job, so it will be a matter of cost and they will take the low bidder. That could be set up as an annual agreement. Chad could get started right away and the Board could ratify it at the next meeting. Mr. Blaise said the Board could pass a resolution at this meeting authorizing the Code Enforcement Officer to get quotes. Councilman Diffendorf said it should only be for the two properties submitted, because the Board has to authorize every property to be mowed.

**Dedicating Bridge at Valley Park. (JAF)**

John Finch said he would like to suggest dedicating the covered bridge to his father, John Finch Sr. He said his father is the one who had the bridge built and it has become a symbol of the town. It is used on all the logos and it was also on WBNG for quite a while. John Finch Sr. had 28 years of service with the town and John Jr. said he personally knows how much time and effort he put into the town. He thinks it would be a nice gesture to offer a little gratitude for his time of service. John Sr. will be in town the week of the town fair and if the Board is in favor of this they could have a dedication ceremony after the parade.

Councilman Weingartner said this has come up previously and there are a lot of things that a lot of people have done for the town that their names aren't on and it's something he would have to think about it. Councilman Grubham said he would not want to denigrate John's father at all, but there are also lots of other people that have done some really nice things for the town and for a longer period of time. He said they had this discussion some time ago about the park on Grange Hall Road and the consensus was that they shouldn't be naming anything after anybody because they just leave people out. Councilwoman Yonchuk said she knows they can't possibly recognize everyone by naming something after them since there are many people that have done tremendous things for the town but they have named things for people that have done significant things. She said she doesn't feel it is a "we will do it or we won't do it issue". Councilman Diffendorf said it sounds easy when presented but people will be offended. He noted when the Veterans Memorial was put in at Veterans River Park there was an issue. He said it's very hard to do. Supervisor Kniffen said there is a concern because even when you are thanking people in a speech you are bound to miss someone and there is nothing worse than to hurt someone's feelings that deservedly has done something good for the town. In this case, the covered bridge is only there because John Finch Sr. put it there and they should think about it before deciding. Held for the June 27<sup>th</sup> meeting.

**OLD BUSINESS:**

91-17  
Adopt EAF  
Solar LL

Councilwoman Yonchuk moved to adopt resolution, after a Public Hearing, adopting the Short Environmental Assessment Form regarding Local Law No. 1-2017 entitled "Solar Energy Systems Local Law", in accordance with the attached Short EAF. Councilman Diffendorf seconded.

|                 |                        |       |
|-----------------|------------------------|-------|
| Roll Call Vote: | Councilman Weingartner | - yes |
|                 | Councilman Grubham     | - yes |
|                 | Councilwoman Yonchuk   | - yes |
|                 | Councilman Diffendorf  | - yes |
|                 | Supervisor Kniffen     | - yes |

MOTION CARRIED.

92-17  
Adopt LL #1  
Solar LL

Councilman Diffendorf moved to adopt resolution, after a Public Hearing, adopting Local Law No. 1-2017 entitled "Solar Energy Systems Local Law", in accordance with the attached resolution. Councilman Grubham seconded.

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**Discussion:** Supervisor Kniffen thanked the committee of Marchie Diffendorf as Chairman, Oliver Blaise, Councilman Diffendorf, Todd Grubham, and Chad Moran for the great job they did working on this complex issue to come up with a local law.

Roll Call Vote:        Councilman Weingartner     - yes  
                             Councilman Grubham         - yes  
                             Councilwoman Yonchuk      - yes  
                             Councilman Diffendorf      - yes  
                             Supervisor Kniffen         - yes

MOTION CARRIED.

Councilman Grubham moved to adopt resolution authorizing the purchase of a utility box for the Water Department truck from Kurtz Truck Equipment at a cost of \$9,834.00. Councilman Weingartner seconded.

93-17  
Purchase  
Utility Box  
For Water  
Dept.

Roll Call Vote:        Councilman Weingartner     - yes  
                             Councilman Grubham         - yes  
                             Councilwoman Yonchuk      - yes  
                             Councilman Diffendorf      - yes  
                             Supervisor Kniffen         - yes

MOTION CARRIED.

Councilman Weingartner moved to adopt resolution authorizing the purchase of a JJAG Wing from Trux Outfitter at a cost of \$5600. Councilwoman Yonchuk seconded.

94-17  
Purchase  
JJAG Wing

Roll Call Vote:        Councilman Weingartner     - yes  
                             Councilman Grubham         - yes  
                             Councilwoman Yonchuk      - yes  
                             Councilman Diffendorf      - yes  
                             Supervisor Kniffen         - yes

MOTION CARRIED.

Councilwoman Yonchuk moved to adopt resolution amending the Expenditure of Highway Moneys and authorizing Highway Superintendent to enter into an agreement with the Town Board, in accordance with the attached agreement. Councilman Diffendorf seconded.

95-17  
Highway  
Money  
Agreement -  
Amend

Roll Call Vote:        Councilman Weingartner     - yes  
                             Councilman Grubham         - yes  
                             Councilwoman Yonchuk      - yes  
                             Councilman Diffendorf      - yes  
                             Supervisor Kniffen         - yes

MOTION CARRIED.

Councilman Diffendorf moved to adopt resolution authorizing hiring Austin Haskell as Laborer to work in the Water & Sewer Department and the Highway Department effective June 13, 2017 for 90 days at a rate of pay of \$12.82 per hour. Councilman Grubham seconded.

96-17  
Hire  
A. Haskell  
Laborer  
W&S/Hwly

**Discussion:** John Finch reported that they interviewed three applicants and all three were excellent high school or college kids. He would like to hire one additional laborer in the Water & Sewer and Highway Department. He provided a list of the things that need to be done during the summer. He said the town is in disarray when it comes to the guard rails, posts, and roads haven't been maintained. If he could hire one more person they could get the guardrails and posts and I-beams painted. John said there is a lot of trimming that needs to be done and they could use another flagger in the Highway Department on the bigger jobs and a flagger when the mowing is being done along the roads. It would be helpful in keeping the equipment clean at the end of the day and any extra help would be great. He noted they used to have more than one laborer in the Highway Department part time in the summers, but they got away from that and the Town is starting to show the lack of getting those extra things done. Supervisor Kniffen said it would cost about \$4,800 to add another laborer for ten weeks. Councilman Diffendorf said if another laborer is hired they shouldn't work together because young people that are learning need adult supervision. John said the only time they would work together would be when flagging. Councilman Grubham said almost all of the things, mowing and trimming, has been done for years without anyone. John said the Water Department does the mowing and trimming

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of the cemeteries, FEMA buyouts, sewer and water stations, etc., but the big thing is the guardrails, posts that are overgrown and there is no manpower to get to them to paint them and dress up the town. Councilwoman Yonchuk questioned if the Board decides to hire a second person this summer, if it would be something that would be needed every summer, the painting type work. John said sometimes they can go two seasons without painting but trimming always needs to be done and he thinks people would be surprised at how many guardrails and posts there are in the town that haven't been touched in years. It was noted that some guardrails are galvanized while some are painted. Councilman Grubham said although it's not a lot of money it seems as though they are making the job bigger and bigger and it is costing more money all the time. John Finch said it would make the town nicer too. Councilman Grubham said the taxpayers have to pay for that and sometimes the Board has to question whether people can afford to pay for some of these things. Councilman Diffendorf said that's true, because they just talked to the judges about a concern with a \$2,000 raise. Supervisor Kniffen said he is all for cleaning up the town, noting he spoke to John and they will be coming to the Board on cleaning up the potholes and mud and cleaning up around the town garage. He said if they had an extra young person his hope is they could do other things to dress up the town. He said he supports this. Councilman Diffendorf said he could be for it for this year if they could get things cleaned up but basically one extra helper at the most in the summer is what they need. Councilman Weingartner said that they have three now, with two in the parks as well. Councilwoman Yonchuk said she is not convinced they have to do this. Supervisor Kniffen said the first laborer will start June 13<sup>th</sup> so the sooner they can get kids out there the better and if they wait until the next meeting to decide they would lose a whole month. Councilman Weingartner said he is against it because they already have two others mowing. John Finch said there is only one extra in the parks at a time. When the first one is finished in July the next person will take over in the parks. Councilmen Weingartner and Grubham and Councilwoman Yonchuk said they would not vote in favor of hiring a second laborer.

Roll Call Vote:            Councilman Weingartner     - yes  
                                 Councilman Grubham         - yes  
                                 Councilwoman Yonchuk      - yes  
                                 Councilman Diffendorf      - yes  
                                 Supervisor Kniffen         - yes

MOTION CARRIED.

97-17  
MOU –  
Teamsters -  
Hwy Summer  
Hours

Councilman Grubham moved to adopt resolution ratifying a resolution authorizing the Supervisor to enter into a Memorandum of Understanding with Teamsters Local 317 regarding summer hours for the highway department, in accordance with the attached MOU. Councilman Weingartner seconded.

**Discussion:** Councilman Grubham questioned how they will decide if this is working or not. Supervisor Kniffen said it will be based on the feedback from John Finch and the union.

Roll Call Vote:            Councilman Weingartner     - yes  
                                 Councilman Grubham         - yes  
                                 Councilwoman Yonchuk      - yes  
                                 Councilman Diffendorf      - yes  
                                 Supervisor Kniffen         - yes

MOTION CARRIED.

98-17  
MO-Trim  
Reach Mower  
Switch

Councilman Weingartner moved to adopt resolution authorizing Monroe Tractor to switch the MO-Trim Reach Mower from the Ford tractor to the New Holland tractor at a cost not to exceed \$11,500. Councilwoman Yonchuk seconded.

Roll Call Vote:            Councilman Weingartner     - yes  
                                 Councilman Grubham         - yes  
                                 Councilwoman Yonchuk      - yes  
                                 Councilman Diffendorf      - yes  
                                 Supervisor Kniffen         - yes

MOTION CARRIED.

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Councilwoman Yonchuk moved to adopt resolution authorizing the repair and restoration of the tennis courts at Veterans River Park with the work to be done by B&G Sealcoating at a cost of \$24,239.00, with that amount to be withdrawn from the Tennis Court Reserve Fund. Councilman Diffendorf seconded.

99-17  
Repair  
Tennis Courts  
VRP  
Pay – Tennis  
Court Res.

**Discussion:** Councilman Diffendorf said they have been spending a lot of money since the flood of 2006 on these tennis courts. He said if they aren't going to last longer, they have to start thinking about if they are worth keeping and if the cost is really worth it. Councilman Grubham said there were cracks in the courts before at a cost of between \$16,000 and \$18,000, and one of the current bidders fixed all the cracks and painted it. Now there are additional cracks and it is expensive. The thinking is the previous repairs were covered by FEMA due to the 2006 and 2011 floods. Councilman Diffendorf said they spent a lot of money in the past to have them repaved. Councilman Grubham said the fencing has been there since they were built and although the gates need to be fixed they haven't spent the money on that. Supervisor Kniffen said when the Board set up this reserve fund they must have been thinking this would be high maintenance and the reserve fund would be needed so there would always be money there. He noted there will only be a few hundred dollars left in the fund and the reason to do that is because they want to replenish the fund and if there is a zero balance they might have to start over. He said that Councilman Diffendorf's point is well taken but the tennis courts are a nice compliment to the park and it seems to work as long as they can do it by adding a few thousand every year. It was noted that the schools do use the tennis courts. Supervisor Kniffen noted that the basketball courts used to look terrible and people drive by them all the time, and now they look good and he thinks they are a compliment to the park.

Roll Call Vote:        Councilman Weingartner     - yes  
                             Councilman Grubham         - yes  
                             Councilwoman Yonchuk      - yes  
                             Councilman Diffendorf      - yes  
                             Supervisor Kniffen         - yes

MOTION CARRIED.

Councilman Diffendorf moved to adopt resolution authorizing the replacement of tennis court gate at Veterans River Park with the work to be done by Budget Fence of America at a cost of \$1,251.00, with \$761.00 of that amount to be withdrawn from the Tennis Court Reserve Fund and the balance of \$490.00 to be paid from general fund. Councilman Grubham seconded.

100-17  
Replace  
Tennis Ct  
Gate - VRP

Roll Call Vote:        Councilman Weingartner     - yes  
                             Councilman Grubham         - yes  
                             Councilwoman Yonchuk      - yes  
                             Councilman Diffendorf      - yes  
                             Supervisor Kniffen         - yes

MOTION CARRIED.

Councilman Grubham moved to adopt resolution ratifying a resolution authorizing Highway Superintendent to sign an agreement with Auctions International, in accordance with the attached agreement. Councilman Weingartner seconded.

101-17  
Agreement  
Auctions  
International  
Ratify

Roll Call Vote:        Councilman Weingartner     - yes  
                             Councilman Grubham         - yes  
                             Councilwoman Yonchuk      - yes  
                             Councilman Diffendorf      - yes  
                             Supervisor Kniffen         - yes

MOTION CARRIED.

Councilman Weingartner moved to adopt resolution, on recommendation and approval of the Code Enforcement Officer, pursuant to section 304.3 of the Mobile Home – Trailer Ordinance, authorizing the Town Clerk to issue license for the following mobile home – trailer parks, such license is for the year 2017:

102-17  
Issue Trailer  
Park Lic –  
Moore

Moore Mobile Home Park, 376 Johnson Road, Kirkwood, NY 13795

Owner: Josh Hunt

Councilwoman Yonchuk seconded.

Roll Call Vote:        Councilman Weingartner     - yes  
                             Councilman Grubham         - yes

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Councilwoman Yonchuk - yes  
Councilman Diffendorf - yes  
Supervisor Kniffen - yes

MOTION CARRIED.

103-17  
Issue Town  
Fair Permit

Councilwoman Yonchuk moved to adopt 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 the Town Clerk to issue a permit to the Kirkwood Town Fair, Inc., for the use of the entire Kirkwood Veterans River Park on August 10, 11, and 12, 2017 without any permit fee to guarantee proper clean up after each use. Councilman Diffendorf seconded.

Roll Call Vote: Councilman Weingartner - yes  
Councilman Grubham - yes  
Councilwoman Yonchuk - yes  
Councilman Diffendorf - yes  
Supervisor Kniffen - yes

MOTION CARRIED.

104-17  
PAL  
Agreement

Councilman Diffendorf moved to adopt resolution authorizing Supervisor to enter into an agreement with Police Athletic League (PAL) for the 2017 Summer Program, in accordance with the attached agreement. Councilman Grubham seconded.

Roll Call Vote: Councilman Weingartner - yes  
Councilman Grubham - yes  
Councilwoman Yonchuk - yes  
Councilman Diffendorf - yes  
Supervisor Kniffen - yes

MOTION CARRIED.

105-17  
ACHIEVE  
Agreement

Councilman Grubham moved to adopt resolution authorizing Supervisor to enter into an agreement with ACHIEVE for the 2017 Summer Camp Program, in accordance with the attached agreement. Councilman Weingartner seconded.

Roll Call Vote: Councilman Weingartner - yes  
Councilman Grubham - yes  
Councilwoman Yonchuk - yes  
Councilman Diffendorf - yes  
Supervisor Kniffen - yes

MOTION CARRIED.

106-17  
Retirement  
Wk Days –  
J. Hawkes  
J. Finch  
J. Kinney

Councilman Weingartner moved to adopt resolution establishing the attached as the Standard Work Days for the Justice of the Peace and Highway Superintendent and approving the Standard Work Day and Reporting Resolution for Elected and Appointed Officials for Jeffrey Hawkes, John A. Finch, Jr., and Jessica Kinney, in accordance with the attached resolution. Councilwoman Yonchuk seconded.

Roll Call Vote: Councilman Weingartner - yes  
Councilman Grubham - yes  
Councilwoman Yonchuk - yes  
Councilman Diffendorf - yes  
Supervisor Kniffen - yes

MOTION CARRIED.

107-17  
Retirement  
Wk Day –  
C. Radicchi

Councilwoman Yonchuk moved to adopt resolution approving the Standard Work Day and Reporting Resolution for Elected and Appointed Officials for Christina Radicchi, in accordance with the attached resolution. Councilman Diffendorf seconded.

Roll Call Vote: Councilman Weingartner - yes  
Councilman Grubham - yes  
Councilwoman Yonchuk - yes  
Councilman Diffendorf - yes  
Supervisor Kniffen - yes

MOTION CARRIED.



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**NEW BUSINESS:**

Councilman Diffendorf moved to adopt resolution authorizing John Finch, Jr. to attend the 2017 Highway School at Ithaca College on June 12-14, 2017 at a cost of \$150 for the registration fee. Councilman Grubham seconded.

108-17  
J. Finch  
Education

Roll Call Vote:      Councilman Weingartner      - yes  
                         Councilman Grubham                      - yes  
                         Councilwoman Yonchuk                      - yes  
                         Councilman Diffendorf                      - yes  
                         Supervisor Kniffen                              - yes

MOTION CARRIED.

Councilman Grubham moved to adopt resolution authorizing the expenditure of up to \$39,000.00 to cover the costs related to the “Park Pavilion Project” and “Park Basketball Court Project,” as awarded at the May 2, 2017 regular meeting, from the Park Development Reserve Fund, subject to permissive referendum. Councilman Weingartner seconded.

109-17  
Auth. Spend  
Res Fund  
Pavilion &  
BB Court

**Discussion:** In response to Councilman Diffendorf, Mr. Blaise said this is subject to permissive referendum because the Park Development Reserve Fund is a generic type of fund and it’s being done out of order since it has already been paid out of the Reserve Fund. Mr. Blaise said they will have to deal with it if someone goes through the petition process and the Board should proceed with adopting this resolution. He noted that it’s different for the tennis courts since there is a specific reserve fund for them.

Roll Call Vote:      Councilman Weingartner      - yes  
                         Councilman Grubham                      - yes  
                         Councilwoman Yonchuk                      - yes  
                         Councilman Diffendorf                      - yes  
                         Supervisor Kniffen                              - yes

MOTION CARRIED.

Councilman Diffendorf moved to adopt resolution authorizing the Code Enforcement Officer to solicit quotes for 2017 summer mowing on abandoned properties located at 8 Dennis Street and 50 Francis Street that are in violation of the tall grass and weeds code with Board approval required for each additional property. Councilman Grubham and Councilwoman Yonchuk seconded.

110-17  
CEO Quotes  
Mowing

Roll Call Vote:      Councilman Weingartner      - yes  
                         Councilman Grubham                      - yes  
                         Councilwoman Yonchuk                      - yes  
                         Councilman Diffendorf                      - yes  
                         Supervisor Kniffen                              - yes

MOTION CARRIED.

**AUDIT AND PAYMENT OF CLAIMS:**

Councilwoman Yonchuk moved to adopt resolution authorizing the audit and payment of the following claims: General and Highway Funds, Special Districts (Fire, Light, Water and Sewer Districts), Professional Services, Capital Projects and Reserve Funds claims, and ratifying the payment of the prepaid claims as authorized by resolution adopted January 3, 2017, all in accordance with the abstract of claims on file in the Town Clerk’s Office. Councilman Diffendorf seconded.

111-17  
Audit/Pay

Roll Call Vote:      Councilman Weingartner      - yes  
                         Councilman Grubham                      - yes  
                         Councilwoman Yonchuk                      - yes  
                         Councilman Diffendorf                      - yes  
                         Supervisor Kniffen                              - yes

MOTION CARRIED.

Councilman Grubham moved to adopt resolution to adjourn this meeting to conduct an Executive Session pursuant to Section 105 of the Public Officers Law paragraph h to discuss the proposed acquisition, sale or lease of real property, when publicity would substantially affect the value thereof. Councilman Councilwoman Yonchuk seconded. All voted in favor.

112-17  
Exec. Sess.

MOTION CARRIED.

**TOWN OF KIRKWOOD  
TOWN BOARD MEETING**

**June 6, 2017**

**ADJOURNMENT:**

Councilwoman Weingartner moved to adopt resolution to adjourn the meeting.

Councilwoman Yonchuk seconded. All voted in favor.

MOTION CARRIED.

Meeting adjourned at 8:20 P.M.

Respectfully submitted,

Gayle M. Diffendorf  
Town Clerk