

**TOWN OF KIRKWOOD
TOWN BOARD MEETING**

June 5, 2018

A regular meeting of the Kirkwood Town Board was held on June 5, 2018 at 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., Commissioner of Public Works
John Mastronardi, Engineer
Marchie Diffendorf, Planning Bd. Chairman
Duane Travis, ZBA Chairman

PLEDGE OF ALLEGIANCE:

Supervisor Kniffen welcomed students from the Susquehanna Valley High School attending the meeting as a requirement of their government class and encouraged them to ask questions as the meeting progressed. He explained that the Board held a work session last week where the items to be voted on at this meeting were discussed.

APPROVAL OF MINUTES:

May 1, 2018 Public Hearing
May 1, 2018 Town Board Meeting

PUBLIC PARTICIPATION:

COMMUNICATIONS:

Supervisor Kniffen noted that all town officials received a letter from the Kirkwood Fair Committee inviting participation in the parade. The fair will be held August 9th-11th.

COMMITTEE REPORTS:

Supervisor Kniffen explained that Katie Legg is chairing a committee and will address the Board in regard to having more activities, such as music, in our Town parks.

Farmers Market Food Truck Rally.

Katie, accompanied by committee members Angela Meeks, Renee Swan Demarco and Sandy Wasson, explained this is really more for Kirkwood Happenings. She said last year she put a post out asking our community what they would like to see happening in our town and one of the things that got the most comments was a farmers market. We did have a small one years ago but it didn't get a lot of traffic. She said they feel maybe the timing, day of the week and location may have played a role. They are hoping through Kirkwood Happenings the Board will allow them another opportunity to bring a farmers market to our parks. Katie said they feel they would need to add other things to draw people so they would like to do a farmers market food truck rally on Thursday, July 19th at Valley Park from 4 to 8 PM on the bridge side. It needs to be located in an area where it will be seen so people will stop if they haven't heard about it. They will try to get a minimum of six farm vendors, and preferably a lot more, and since food trucks are now the trend they would like to get them involved to include dinner. Katie added they would love to add entertainment, so it would be like a picnic in the park, shopping at the farmers market and grab a bite to eat at the food trucks. She said if they can't get enough food trucks they would utilize local clubs. This is one of the ideas they came up with to bring people together. She said they realize they would have to deal with parking and will include that in the planning process.

**TOWN OF KIRKWOOD
TOWN BOARD MEETING**

June 5, 2018

Fitness and Wellness.

Katie explained they would like to use the walking track at Valley Park possibly one or two days a week where they could set up signs along the track indicating high and low impact workouts. Their thought is they could talk to one of the local gym teachers to come up with a fitness circuit along the track. If it works well and they see a lot of people doing it, it would be something they could incorporate permanently. Katie noted there would be no involvement by the Town other than allowing them to do this.

Katie said another idea is to have Yoga, Pilates and Zumba classes in one of the parks. She noted for that they would have to pay an instructor so a donation would be required for those interested in attending. Approval from the Board would be needed.

Katie added that another idea is to work with the Cooperative Extension to have demonstrations in the park regarding healthy living, snacks, fitness, etc. on a specified night. Permission from the Board would be needed for this as well.

Concerts in the Park.

Katie said they would like to possibly have concerts in the park throughout the summer. They would like to get school groups involved and local bands. She said they would preferably like to do this at Veterans River Park.

Mural at Valley Park.

Katie explained they would like to see a mural painted on the building at Valley Park. They would try to find someone to do a nice design on the largest wall and present it to the Board for approval. This could possibly be the starting point of having art in our park. Supervisor Kniffen added that one of the things the Beautification Committee has done is to add Kirkwood in big letters on the bank on the walking track side of Valley Park. Although they looked for the best place for that, there basically is no best place, that other than being in the park there is no best way to see that. He suggested it might be a good idea to have Kirkwood painted on the building. Katie added that if this works out they might want to extend this to another building in the parks.

Councilman Grubham suggested the committee check on softball games that might be scheduled in the park. Katie said the reason they picked a Thursday night for the Farmers Market is to accommodate the farmers who go to the Cooperative Extension on Saturday. In regard to the food trucks, Katie said they have been advised to be sure they have insurance and Health Department approval. Councilman Grubham also suggested the committee check with local groups about serving food, since that would be a good way for them to make money. He also noted that food trucks would be required to get a Peddlers License from the Town if they're not non-profit.

Councilwoman Yonchuk said the idea of student art work is really extraordinary for kids and since there are four school districts in Kirkwood she suggested maybe something could be done collaboratively through the district art teachers. She also offered to share information she has from Windsor regarding concerts in the park.

All Inclusive Playground.

Katie said she will provide an update to the Board in a couple of weeks on the progress of the playground and noted that things are going really well. She added that the playground committee is planning on doing a 50/50 raffle at the farmers market as part of their fund raising. Supervisor Kniffen added that the Town hired a grant writer for any number of projects and asked them today about the playground. He said he was told a grant can be applied for either by the Town or the committee and could possibly get 75%.

OTHER:

City Line Booster Station.

John Mastronardi reported he finalized the design on the project but before he and John Finch ask the Board to go out to competitive bid he asked W2O for an estimate to see what we might expect from bids. The estimate he received for the two submersible turbine pumps is \$46,000 and \$20,600 for the controls package to run the pumps. A municipal meter is required to measure flow and John said he estimates the cost of that at \$26,000.

**TOWN OF KIRKWOOD
TOWN BOARD MEETING**

June 5, 2018

He noted that's quite pricey but it's a 12" municipal meter, not the typical ¾". Councilman Grubham questioned if we know what our agreement initially was with the City before we let this get into disrepair. He said we had it built without a meter in it, so questioned why a meter is now required. John Finch said it did have a meter but it was under old electronics which have long been abandoned. It was noted that there are two pumps and John Mastronardi said usually one pump is in use at a time but both could be used together. John Finch said typically they are alternated. He said there is a leak they found outside that needs to be repaired, it's on the City side but it's going to our pit and the estimate to fix it is \$7,600. He added that the lead has been abated and the electric has been updated. He said the original estimate for this project was about \$60,000 with two pumps, electric and lead abatement. He said at that time we didn't anticipate there would be a meter installed and although we're only going to need it for emergency services the City is requiring us to have one so that brought the price up considerably. He added with the controls being variable speed that adds quite a bit to the cost of \$20,000. Councilman Grubham said he knows that's the better way to go if you're using the pumps all the time but these are emergency situations so we might never need them, they would probably be used once a year when we test them so maybe we don't need to spend that extra money. John Finch said he's going to check with W2O about this, and he'll check with our electrician for his recommendation. Supervisor Kniffen questioned when we get to the bottom line where we will be getting the money from. John Finch said there is a water reserve fund and we'll also look to the grant writers for money, noting it is a shared service with the City and the City may look into also with their grant writer. Councilman Diffendorf questioned if we can pump water to the City in the event they had a break. John Finch said it would depend on the motor, noting that we did that quite a few years ago. John explained that process.

John Mastronardi said the City is more than willing to supply water to us but they will want to be recouped for it and there is no way to measure it without a meter. John Finch added that we could get fairly close by the level of the tanks, but obviously they want an accurate number. Councilman Diffendorf said it seems like we could negotiate with them because it's only for emergency use and we would be willing to pay a higher price for an emergency. He noted the meter was never used in the past because it was never needed and although we need this as a backup the high cost of the meter is a concern. John Finch said he would like to have another meeting with the Mayor to try to negotiate this. A meeting will be set up.

Highway Garage Drainage Cost Estimate

John Mastronardi explained that initially he provided the Board with a design for a gravity system that replaces an old antiquated failing pipe system behind the garage and installing new pipe with a catch basin that eventually discharges into the creek. The estimate of \$182,000 includes paving all the unpaved surface of the front parking lot. At the Board's request he looked into a pump station option and the cost of that is \$220,000. He said the biggest cost for both of these is the paving. He estimates using 1,055 tons of asphalt at a cost of \$126,600. Supervisor Kniffen said that again is one of the projects that we are looking at grant money for and now that we have this information we can contact our grant writer to see what the possibilities are. He explained to those present that we are talking about the drainage around the garage. He said in 2006 and 2011 we had catastrophic flooding of that area, and we also have flooding with heavy rain from time to time and when that happens water gets in the basement of the troopers building as well as some of the homes so we're looking at this to try to mitigate the problem. He added that we have a lot of things going on in town and we're just getting started with these grants. He noted that we are very excited about it, that it's good for the town and good for the taxpayers since it will be less money that we will have to pay through our taxes.

Salt Barn.

Supervisor Kniffen reported that the salt barn needs to be fixed. He said after all these floods we have been looking at whether we should rebuild the town garage or move it, so with that thought in mind we did buy some land at a higher altitude that is free from flooding. Now, instead of repairing the salt barn where there are drainage problems, we are considering locating that on the lot we purchased adding that now we don't think we're going to relocate the highway garage up there. Supervisor Kniffen added that between our

**TOWN OF KIRKWOOD
TOWN BOARD MEETING**

June 5, 2018

existing property and the property we purchased, called the Armstrong property, there is a property that we should purchase so we have to discuss this with the land owner to see if we can do that.

Blight.

Supervisor Kniffen explained there are a lot of blighted properties in Kirkwood, one being the Ritter property on Route 11, and the Code Department has identified 27 different properties that we are trying to find out who the owners are to get them fixed up. Another property that is an eyesore for all of us coming in and out of Kirkwood through our major thoroughfare of Upper Court Street is the old motel that has been flooded many times. The Town finally has the opportunity to gain possession of that since the property owner forfeited their taxes and the Town can purchase it for \$1 from Broome County. However, we don't want to purchase it yet because we have to remove the motel at a cost of about \$200,000 and we don't have that kind of money. He said that possibly there is grant money to help with that, the County may have some money to help us with, and we may have a potential developer to participate. Supervisor Kniffen said that's an ongoing project and it would be very exciting if we could get that cleaned up and possibly combine it with some of the DOT property.

OLD BUSINESS:

102-18
Sewer Station
Stair/Ladder
Bids -
Rejected

Councilwoman Yonchuk moved to adopt resolution rejecting all Sealed Bids received for the purchase and installation of Stair/Ladder Work at the Main Sewer Station and authorizing re-advertising for Sealed Bids, returnable to the Town Clerk's Office on June 26, 2018 at 3:00 PM, to be publically opened and read at the June 26, 2018 6:00 PM Work Session. Councilman Diffendorf seconded.

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

MOTION CARRIED.

103-18
T. Everett
Laborer
Parks Dept.

Councilman Diffendorf moved to adopt resolution, ratifying a resolution hiring Terry Everett as Laborer to work in the Parks Department effective May 9, 2018 for 90 days at a rate of pay of \$12.82 per hour. Councilman Grubham seconded.

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

MOTION CARRIED.

104-18
A. Haskell
Laborer
Highway
Dept.

Councilman Grubham moved to adopt resolution, ratifying a resolution hiring Austin Haskell as Laborer to work in the Highway Department and Water & Sewer Department effective May 30, 2018 for 90 days at a rate of pay of \$12.82 per hour. Councilman Weingartner seconded.

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

MOTION CARRIED.

105-18
Replace Roof
Covered
Bridge
Valley Park

Councilman Weingartner moved to adopt resolution authorizing Weathermaster Roofing Co., Inc., to replace the roof on the coverage bridge at Valley Park at a cost of \$10,200. Councilman Diffendorf seconded.

Discussion: Lois Whittemore stated that's a lot of money and said it didn't cost half that much to redo the roof on her house, questioning why it is so expensive. Councilman Grubham said the entire roof that is there now has to be torn off and we are going to put on a metal shingle and it is very difficult to work on because it is hanging out over the creek.

**TOWN OF KIRKWOOD
TOWN BOARD MEETING**

June 5, 2018

John Finch added that we have to pay prevailing wage rates as well. This was the lowest of three bids.

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 accepting the donation of real property on Route 11 from the O’Dea family to the Town and authorizing the Supervisor to sign all necessary paperwork to effectuate said transfer. Councilman Diffendorf seconded.

106-18
Accept
O’Dea
Property

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 Supervisor to enter into an agreement with Strong Capital X, LLC, regarding Railroad License Fees, in accordance with the attached agreement. Councilman Grubham seconded.

107-18
Agreement
RR License
Fees

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 transferring \$10,000 from the Sign Reserve Fund to account “A-5031-00 Inter-Fund Transfers” of the General Fund for the purpose of purchasing a new electronic sign board, subject to Permissive Referendum. Councilman Weingartner seconded.

108-18
Sign Reserve
Fund Transfer

Discussion: Councilwoman Yonchuk asked for clarification as to whether this is part of the original appropriation that we voted on. Mr. Blaise said this is just to reimburse General Fund, that we’re taking \$10,000 out of the Sign Reserve. Supervisor Kniffen explained that the Sign Reserve was established when the Beautification Committee wanted to put welcome signs at all the entrances to Kirkwood, knowing that they would need maintenance. He said we feel that we have more than enough in the fund for that. Mr. Blaise added this is just an accounting transfer.

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 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 9, 10, and 11, 2018 without any permit fee to guarantee proper clean up after each use. Councilwoman Yonchuk seconded.

109-18
Issue Permit
Town Fair
Use of Park

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

MOTION CARRIED.

**TOWN OF KIRKWOOD
TOWN BOARD MEETING**

June 5, 2018

110-18
PAL
Agreement

Councilwoman Yonchuk moved to adopt resolution authorizing Supervisor to enter into an agreement with Police Athletic League (PAL) for the 2018 Summer Program, in accordance with the attached agreement. Councilman Diffendorf seconded.

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

MOTION CARRIED.

111-18
ACHIEVE
Agreement

Councilman Diffendorf moved to adopt resolution authorizing Supervisor to enter into an agreement with ACHIEVE for the 2018 Summer Camp 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.

Discussion: Supervisor Kniffen explained to those present that we donate to the PAL Camp because Kirkwood kids go there every summer. He noted that at one time we were going to build a park on Old State Road but the residents turned that down so as an alternative we help fund the PAL Camp. In regard to the ACHIEVE Program, he said we have one participant and one instructor, so we support that as well.

112-18
Justice Court
Audit Report

Councilman Grubham moved to adopt resolution acknowledging that the calendar year 2017 internal audit of the Justice Court records and dockets were examined by Budget Director, James Smith, and the fines therein collected have been turned over to the proper officials of the Town as required by law, pursuant to section 2019-a of the Uniform Justice Court Act, in accordance with the attached report dated April 19, 2018. Councilman Weingartner seconded.

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

MOTION CARRIED.

NEW BUSINESS:

113-18
Approve
Kirkwood
Fire Co.
Roster

Councilman Weingartner moved to adopt resolution pursuant to Not-For-Profit Corporation Law Section 1402 (c) (3) approving the Membership Roster for Kirkwood Fire Company, with the understanding that the members so approved will be assigned for which they have been qualified, in accordance with the attached roster. Councilwoman Yonchuk seconded.

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

MOTION CARRIED.

114-18
Funding
Application
NYSDEC
(Salt Barn)

Councilwoman Yonchuk moved to adopt resolution Authorizing Submission of an Application For Funding From New York State Department of Environmental Conservation (DEC) – Water Quality Improvement Project Program. Councilman Diffendorf seconded.

Discussion: Supervisor Kniffen explained that this is for the salt barn grant.

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

**TOWN OF KIRKWOOD
TOWN BOARD MEETING**

June 5, 2018

MOTION CARRIED.

AUDIT AND PAYMENT OF CLAIMS:

Councilman Diffendorf 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 2, 2018, all in accordance with the abstract of claims on file in the Town Clerk's Office. Councilman Grubham seconded.

115-18
Audit/Pay

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

MOTION CARRIED.

EXECUTIVE SESSION:

Councilman Weingartner moved to adopt resolution to adjourn this meeting to conduct an Executive Session pursuant to section 105 paragraph h of the Public Officers Law to discuss the proposed acquisition, sale or lease of real property. Councilwoman Yonchuk and Councilman Grubham seconded. All voted in favor.

116-18
Exec. Sess.
Property

MOTION CARRIED.

ADJOURNMENT:

Councilman Weingartner moved to adopt resolution to adjourn the meeting. Councilwoman Yonchuk seconded. All voted in favor.

MOTION CARRIED.

Meeting adjourned at 7:50 P.M.

Respectfully submitted,

Gayle M. Diffendorf
Town Clerk