

**TOWN OF KIRKWOOD
TOWN BOARD MEETING**

March 5, 2019

A regular meeting of the Kirkwood Town Board was held on March 5, 2019 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
Marchie Diffendorf, Planning Bd. Chairman
Duane Travis, ZBA Chairman

PLEDGE OF ALLEGIANCE:

APPROVAL OF MINUTES: February 5, 2019 Town Board Meeting

PUBLIC PARTICIPATION: None.

COMMUNICATIONS: None.

COMMITTEE REPORTS:

Street Lights.

Councilman Diffendorf reported that a lot of street lights have been turned in to NYSEG and hopefully they'll be back on soon. He also said NYSEG is willing to convert all 261 cobra head streetlights in the Town to LED street lights for \$8,755.10. According to NYSEG the annual savings for the Town would be approximately \$21,369, with a simple payback of around five months. Councilman Grubham said something must have changed because I checked into this a few years ago and it wasn't in our best interest to do it. Mr. Finch said I'm sure NYSEG is using NYSERDA to help pay for this. Councilman Diffendorf said there are white and yellow lights and we will have to decide if we want them all white, all yellow or a mixture. We will most likely want the wattage of the LED replacements to be equivalent to what we have now. The majority of the Board indicated they would like white lights but Councilman Grubham said he would prefer yellow, especially on Main Street. Councilwoman Yonchuk said that's a huge savings and I want to know where those numbers came from. We need to see a comparison for a six-month time frame of how much money the Town of Kirkwood has spent on street lighting. Councilman Diffendorf will contact NYSEG for more information.

Insurance.

Councilman Weingartner reported that the Town's liability and casualty insurance renewals have been completed and premiums will be \$3,000 less this year, with no loss in coverage.

BAR Vacancy.

Supervisor Kniffen said at this point a replacement has not be found for the vacant position on the Board of Assessment Review so we we may have to advertise.

OTHER:

County Executive's 2019 State of the County

Marissa Lamphere, Broome County Opioid Overdose Prevention Coordinator, provided information as to her background and the opioid crisis which was one of the points of the County Executive's State of the County address. She said my position was put in place in February 2018 to help fight the opioid epidemic and over the last year I've worked successfully with several different partners and this year with BOAC (Broome Opioid Awareness Council) and we've been able to decrease fatal overdoses by 58 percent, but there's still a lot of work to do. I'm partnering with schools, treatment providers, universities, and all sectors of the community to fight this. The main part of Executive

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Garnar's address is about the power of partnerships and this involves the AnSCO Camera Factory, which is pretty much a warehouse, and they are in the process of renovating it. Apartments will be available there with the goal of getting young professionals to stay in the area. For the first time in 14 years there is a tax cut and Executive Garnar is continuing to grow the fund balance. Broome County has recently purchased property in the Town of Binghamton for veterans' services which will be a one stop shop for all of the veterans programs and is slated to be completed late 2020. Blighted properties are being eliminated and he is doing partnerships with The Agency on rehabilitating homes lot by lot within the County. The Impact Program is expanding work force development by working with manufacturing and CDL type positions and this past year there were 21 graduates from the program. The goal this year is to increase that to 100 people. There are over 4,000 jobs available in Broome County but a lot of applicants are failing the drug screening so it's a challenge to find people to fill the jobs. Opportunity Impact is a six-week work force development program and they're hoping to have 100 people graduate this year. There was the largest public safety initiative in decades with upgrades to radio communications to bring it into the 21st century. Some of the equipment was from the 1970's. This will impact 55 first responder agencies in Broome County. The County Executive has a new program called Broome Includes which aims to help people of all abilities, including seniors with disabilities. The County has a strong working relationship with municipal leaders from the Small Communities Grant Fund to demolish blighted properties through the City of Binghamton and the Broome County Land Bank.

Airport.

In response to Supervisor Kniffen, Ms. Lamphere said she has no information as to the status of the Binghamton Regional Airport, but she will look into it.

Mental Health.

Councilman Diffendorf questioned where a person goes in Broome County for mental health help that doesn't take months of waiting. Ms. Lamphere said that is definitely a huge problem in our area. We encourage people who are on a long waiting list to utilize their EAP (Employees Assistance Program) if they have one through their work. A lot of businesses have them for their employees free of charge so a lot of times people can use that as a bridge, depending on the level of care they need. Councilman Diffendorf said we spend a lot of money on opioid overdose prevention and people are dying from them, but in every case these are choices that people make but with mental health it's not a choice, it's something that they have and need help. I think we don't pay any attention to it in this County and even in the State and no one can tell you where to go for help. Ms. Lamphere said a majority of the people that struggle with drug abuse also have a co-existing mental health disorder. We have the Mental Health Association of the Southern Tier in the County, but it all depends on individual situations as to where a person would be referred to. I totally agree that there's not enough mental health services. If youth are involved there are programs at schools, Lourdes Mental Health has a youth program, and Family & Children's Society. Councilwoman Yonchuk said a lot of employers do provide an EAP program but I don't think employers always do a good job informing employees that the program is available. Ms. Lamphere agreed that there is a need to do a better job of informing people.

Tick Problem.

Councilman Diffendorf said we have a major tick problem in this area. If people get Lyme disease and don't get treated right away they are affected for the rest of their life. Ms. Lamphere said the Health Department has a whole tick prevention program. They give out kits with prevention information, a tick remover and information as to what steps to take if you find a tick on you. Councilman Diffendorf questioned what we are doing to get rid of the ticks, stating that it's a serious problem and I think it needs to be addressed.

Veterans Facility.

Marchie Diffendorf said I think they picked the worst spot in Broome County for the veterans' facility. It's a long way to travel for people that live in Whitney Point, Windsor, etc. and it's one of the highest mountains in the area so there is a concern about road conditions during the winter. Ms. Lamphere said it was recently approved by the Broome County Legislature and the building on the property will be renovated. Councilwoman

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Yonchuk said I can think of a number of facilities that have not been used for quite some time that would be significantly better located.

Ms. Lamphere said she will take all the questions and concerns mentioned back to Executive Garnar and will respond to Supervisor Kniffen with any additional information she obtains.

EAP. (Employees Assistance Program)

Supervisor Kniffen noted that there is an EAP program available to town employees and that employees are made aware of it. Councilwoman Yonchuk said her concern is that with larger employers, such as school districts, employees are not aware that it's available and what it can provide for them.

OLD BUSINESS:

Councilwoman Yonchuk moved to adopt resolution authorizing the Supervisor to enter into an agreement with Vieira & Associates, CPAs, P.C. regarding the Justice Court finances and records, in accordance with the attached agreement. Councilman Diffendorf seconded.

49-19
Justice Court
Finances
Agreement –
Vieira

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 Johnson, Lauder & Savidge, LLP regarding the 2018 flood remediation, in accordance with the attached agreement. Councilman Grubham seconded.

50-19
2018 Flood
Remediation
Agreement –
Johnson,
Lauder...

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 amending Resolution # 1-19, Roger Studer, d/b/a Studer's Body Shop & Garage to increase the tow charge from \$50.00 to \$150.00. Councilman Weingartner seconded.

51-19
Amend
Reso 1-19
Studer's
Towing
Agreement

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 appointing Marc Latini as Ad Hoc Member to the Zoning Board of Appeals, effective March 6, 2019 for the remainder of 2019. Councilwoman Yonchuk seconded.

52-19
Appoint
M. Latini
ZBA Ad Hoc

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

MOTION CARRIED.

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53-19
Amend
Reso 44-19
C. Moran
Training

Councilwoman Yonchuk moved to adopt resolution amending Resolution # 44-19 authorizing Chad Moran to attend the New York State Code In-Service Training on May 9, 2019, June 20, 2019, and October 10, 2019 at Binghamton University, at a cost of \$120.00, with all reasonable expenses paid. Councilman Diffendorf seconded.

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

MOTION CARRIED.

54-19
Purchase
Monitoring
System for
Sewer Stations

Councilman Diffendorf moved to adopt resolution authorizing the purchase and installation of monitoring systems for the Penske and Lower Industrial Park pump stations by Scadatek, Inc., at a cost not to exceed \$6,920.00, in accordance with the attached quote. Councilman Grubham seconded.

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

MOTION CARRIED.

55-19
Purchase
Booster Pump
City Line
Booster Station
- Water

Councilman Grubham moved to adopt resolution authorizing the purchase and installation of a Wilo inline submersible turbine booster pump at the City Line Booster Station, in accordance with the attached quote. Councilman Weingartner seconded.

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

MOTION CARRIED.

56-19
J. Finch
Training for
WTO Operator

Councilman Weingartner moved to adopt resolution authorizing John Finch, Jr. to attend the New York Rural Water Association's 40th Annual Technical Training Workshop at the Turning Stone Resort in Verona, NY, to be held Tuesday, May 21, 2019 and Wednesday, May 22, 2019 at a cost of \$240.00. Councilwoman Yonchuk seconded.

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

MOTION CARRIED.

57-19
Work Day
Reporting –
Retirement
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.

NEW BUSINESS:

Discussion – Intermunicipal Agreement Regarding Emergency Water Supply with the City of Binghamton.

Mr. Blaise provided an agreement for the Board's review and the City of Binghamton's consideration and approval for if and when the city line booster station is activated and water is drawn from the City. The primary points are: The booster station will be activated and put into service by the Town only in emergency situations and with the consent of the City, with the exception for routine maintenance or repair. The Town will

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exercise and test the pumps on a yearly basis for a short period of time and will notify the City. The Town will report the amount of water that is drawn through the pumps to the City and the parties will negotiate the rate for that usage, if any. The agreement will be renewed on an annual basis unless either side cancels.

In response to Councilman Grubham, Mr. Finch said hopefully they won't charge us for just routine maintenance, only when it's used for an emergency. I can ask them what their rate is now for outside users. Mr. Blaise said if you put something like that in the agreement it's more than likely what you'll be charged. Our thinking is if we don't put a rate in there then maybe you won't get charged. Mr. Finch said it could be like a shared services agreement with the City. If they let us use the water we could help them out with doing something on Hiner Road for example. I plan on giving this to the head of their Water Department for his response before we actually send it to the City and Mr. Blaise agreed. Mr. Blaise said it allows for flexibility without putting a rate in. Councilwoman Yonchuk questioned if there is not a rate in there, if they would be able to charge us more than the going rate for an outside user. Councilman Diffendorf said this is for emergency use and our history has shown that we don't need it very often. Mr. Blaise said there's a benefit and there's a risk. Supervisor Kniffen said I don't know why they would charge Kirkwood more than other outside users.

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 # 2113 through # 2264 in the total amount of \$ 824,150.94, which includes prepaid claims as authorized by resolution adopted January 2, 2019. Councilman Grubham seconded.

Discussion: Councilman Grubham questioned Mr. Finch about a voucher for \$4,700 for turf mixes, which is \$1,600 to \$1,700 more than we paid last year. Mr. Finch said that bill will be submitted to FEMA. In response to a question from Councilman Grubham regarding design work for the Johnson Road water tank, Mr. Finch said an inspection showed that the overflow discharge is deteriorating so John Mastronardi came up with a design to reinforce it. Councilman Grubham requested that Mr. Finch supply the Board with a list of truck numbers to identify every truck, so that when vouchered payments for repairs are submitted indicating the truck number only, the Board will know which truck it actually refers to.

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

MOTION CARRIED.

ADJOURNMENT:

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

MOTION CARRIED.

Meeting adjourned at 6:45 P.M.

Respectfully submitted,

Gayle M. Diffendorf
Town Clerk

58-19
Audit/Pay