

**TOWN OF KIRKWOOD
TOWN BOARD MEETING**

April 2, 2019

A regular meeting of the Kirkwood Town Board was held on April 2, 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.

Absent: 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

PLEDGE OF ALLEGIANCE:

APPROVAL OF MINUTES: March 5, 2019 Town Board Meeting

PUBLIC PARTICIPATION:

COMMUNICATIONS: Resignation Letter from Robert Green, Jr.

COMMITTEE REPORTS:

Intermunicipal Agreement – Emergency Water Supply with City of Binghamton.

Mr. Finch said the City wants to review the agreement further and will get back to me.

Stairs – Main Sewer Station.

Mr. Finch said I have the final draft of the new design for review and we are hoping to go out to bid and have a bid opening at the end of May. Also, we are waiting for the pumps for the state line booster station to come in to start the work on that.

OLD BUSINESS:

Discussion – Paid Family Leave.

Supervisor Kniffen said we received a reply from Karen Walsh and Bob McKertich in this regard. Mr. Blaise explained that if it is already a past practice, particularly with your bargaining unit employees, that you allow time to accrue while an employee is out of work, the State looks at it the same way with your non-union employees. If you're not letting people accrue leave time when they're out for other reasons, you wouldn't have to do it if you institute Paid Family Leave. Supervisor Kniffen said we were also looking at some of our current policies, particularly in regard to the sick leave benefit, since right now it is limited to the employee being sick and we might want to consider allowing it for the care of a sick family member as well. Councilman Weingartner said that would be similar to the federal FMLA sick leave policy. Supervisor Kniffen said a concern was noted that this may be abused by some of our employees. Also, it's only in the second year so we may want to wait and see what kind of feedback we get from people. Both Mr. McKertich and Mr. Blaise said the towns they represent have not offered this.

Councilman Grubham said I think we should wait and see how it all plays out. It's hard to believe that the money they are going to put in is ever going to be enough and I think after it's in affect for a few years the employee's contribution will go up fast. Councilman Weingartner said I agree but I would also like to look at possibly changing sick or vacation time to include an employee's care for a sick family member, similar to the federal law. Mr. Finch said currently you can use vacation days whenever but with sick time if you're out for more than two days you need a doctor's excuse. Councilman Diffendorf noted that currently if an employee was out for only two days you don't know if he is sick or taking care of someone that is sick. He said I don't think we need to do anything with the Paid Family Leave. Supervisor Kniffen said we'll take this to the Benefits Committee for their consideration.

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59-19
Hire E.
Benedict as
90-Day
Laborer - DPW

Councilman Diffendorf moved to adopt resolution hiring Everett Benedict as Laborer to work in the Department of Public Works effective April 17, 2019 for 90 days at a rate of pay of \$12.82. Councilman Grubham seconded.

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

MOTION CARRIED.

60-19
J. Finch
Education -
Highway

Councilman Grubham moved to adopt resolution authorizing John Finch, Jr. to attend the 2019 Highway School on June 3-5, 2019 at Ithaca College at a cost of \$110, with all reasonable expenses paid. Councilman Weingartner seconded.

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

MOTION CARRIED.

61-19
Purchase
controls -
Scadatek
water tank
upgrades

Councilman Weingartner moved to adopt resolution authorizing the purchase of 4 additional control modules from Scadatek, Inc., for the water tank upgrades, at a cost not to exceed \$6090.00, in accordance with the attached quote. Councilman Diffendorf seconded.

Discussion: Mr. Finch clarified that this is the additional charge and will be in addition to the \$9,920.

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

MOTION CARRIED.

62-19
Appoint
F. Nichols
BAR

Councilman Diffendorf moved to adopt resolution appointing Fred Nichols as Member Board of Assessment Review to fill the unexpired term of Jason Griffin, which will expire on September 30, 2023. Councilman Grubham seconded.

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

MOTION CARRIED.

63-19
C. Moran
Education

Councilman Grubham moved to adopt resolution authorizing Chad Moran to attend STBOA training on April 24, 2019 at the Port Watson Mini-Conference Center in Cortland, NY at a cost of \$35.00. Councilman Weingartner seconded.

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

MOTION CARRIED.

64-19
Amend
Procurement
Policy

Councilman Weingartner moved to adopt resolution amending the Town of Kirkwood Procurement Policy to delete Town Attorney or Deputy Town Attorney and replace with Attorney for the Town, in accordance with the attached policy. Councilman Diffendorf seconded.

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

MOTION CARRIED.

65-19
LED Street
Lights -
NYSEG
Agreement

Council Diffendorf moved to adopt resolution authorizing the Supervisor to sign the NYSEG proposal for the replacement of street lights with LED lights, in accordance with the attached proposal. Councilman Grubham seconded.

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

MOTION CARRIED.

NEW BUSINESS:

Discussion – Early Voting.

Mr. Blaise, Commissioner of Elections, provided an overview of Early Voting in New York State and how it will affect the Town. He said the number of locations required for early voting is based on the population of the county, and Broome County falls in the range of being required to have two early voting sites, but can have more. The Broome County Board of Elections is planning on having two voting sites for the whole county and looking into having three or four, but that's not likely. We're looking at one site along the Vestal Parkway area and the other site is the Cornell Cooperative Extension. We may add one or two more sites, and one of them might be in the City, but there is a parking issue with that location. It's unlikely the Board will decide to locate an early voting site in Kirkwood. There are a lot of logistics that go into these early voting sites. The letter that Kirkwood received asking you to consider being a site was sent to 20 or 25 other locations. There is concern with what a voting site might charge, if it's a secure site according the Board of Elections regulations, etc. For the general election in November 2019, early voting will be from October 26th through November 3rd. There are a lot of details that have to be worked out for this to happen considering there are 141 election districts in Broome County, meaning there will be 141 different ballots that we have to deal with. So, if you come in to vote early say in Vestal, we have to have the ability to check that and ensure that you can't come to Kirkwood and vote on Election Day. We either have to do that at the end of each night for all 141 districts or we have to wait until the voting is over on Sunday and have it done before Election Day for all the thousands of people that may vote early. An alternative is for an early voter to cast their vote electronically. It would be recorded and also reported back to headquarters and in real time it will update our records that we need for Election Day. This was all done after the County adopted a budget for 2019 and the estimate that we did in Senator Akshar's office for the cost of tablets and Wi-Fi connections for the software is \$1 million. At this point it looks like the expectation from the State is this will be funded by the County. There are 130,000 registered voters in Broome County and even if five percent vote, and we're not using the electronic system, that's 6,000 votes that we have to cross check in all the books, and have all the ballots ready because anyone can show up at either place at any time to vote, and then figure out how to get that cross checked into their own ballot folder in less than 24 hours from Sunday when the voting closes until Tuesday morning of election day. Although basically there is currently early voting by absentee ballot, you have to show cause of being either medically unfit or plan to be out of the County on election day. There is a proposal to change that but to do so you would have to have a Constitutional Convention. Senator Akshar is on the Election Reform Committee but was not able to slow this process down to determine how it will impact everyone. This is presenting a real challenge to us.

Councilman Diffendorf moved to adopt resolution amending Resolution #26-19 to purchase a 2019 Silverado 2500 double cab 4X4 at a cost of \$29,843.92. Councilman Grubham seconded.

66-19
Amend Reso
#26-19
Purchase 2019
Silverado

Discussion: Mr. Finch said the additional \$100 is for an LED light.

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

MOTION CARRIED.

Councilman Grubham moved to adopt resolution designating May 13, 2019 – May 16, 2019 for Municipal Clean Up in the Town of Kirkwood, in accordance with the attached resolution. Councilman Weingartner seconded.

67-19
Municipal
Clean Up

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

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Supervisor Kniffen - yes

MOTION CARRIED.

Discussion – Appliance & Brush Pick-Up.

Mr. Finch reported that the pick-up dates are April 29th to May 3rd from the city line to Ostrum Road and May 6th to May 10th from the state line to Ostrum Road.

Councilman Weingartner moved to adopt resolution hiring Ray Rose as MEO Heavy effective April 17, 2019 at a rate of pay of \$18.00 per hour. Councilman Diffendorf seconded.

68-19
Hire R. Rose
MEO Heavy

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

MOTION CARRIED.

Councilman Grubham moved to adopt resolution authorizing William J. Diffendorf, Jr. to attend a safety meeting for PERMA in Greene, NY to be held April 9, 2019, with all reasonable expenses paid. Councilman Weingartner seconded.

69-19
W. Diffendorf
PERMA Mtg

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

MOTION CARRIED.

OTHER:

Mr. Finch said we've had an issue at the highway garage with the grating system for our drainage on our floors. We fixed that all in house by chiseling out the concrete, we poured new concrete and ordered new grates. The grates cost about \$1,900. We eliminated two bays for the drainage and shored it up so it all comes to the center bays. We've never been able to get a contractor to give us a price on it but were able to do this after hiring Joe Barton, who has concrete experience. This saved us a lot of money since I think it would have cost at least \$10,000 through a contractor, not including materials. This will be safer. Councilman Diffendorf said this is something that needed to be done, it was a safety hazard and it looks good.

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 # 19002265 through # 19002423 in the total amount of \$ 348,840.64, which includes prepaid claims as authorized by resolution adopted January 2, 2019. Councilman Grubham seconded.

70-19
Audit/Pay

Roll Call Vote: Councilman Weingartner - yes
 Councilman Grubham - 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 6:34 P.M.

Respectfully submitted,

Gayle M. Diffendorf
Town Clerk