

**TOWN OF KIRKWOOD
TOWN BOARD MEETING**

August 3, 2010

A regular meeting of the Kirkwood Town Board was held on August 3, 2010 at 6:55 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: Herbert Kline, Town Attorney
Gayle Diffendorf, Town Clerk
Richard Jones, DPW Commissioner

PLEDGE OF ALLEGIANCE:

APPROVAL OF MINUTES:

July 20, 2010 Public Hearing
July 20, 2010 Special Town Board Meeting, approved with the amendment that Colesville Road, including NYSDOT, is not within the area serviced by the Stratmill Road Pump Station but the old Universal property on Stratmill Road is.

PUBLIC PARTICIPATION: None.

COMMUNICATIONS: None.

COMMITTEE REPORTS:

Councilman Weingartner reported that Windsor Youth Football will not be using the football field at Veterans River Park since it is not large enough and would be too dangerous.

Councilman Weingartner presented to the dog control report for July 2010.

Mr. Jones reported that Friday, August 6th at 2:00 PM the town's engineer and NYSDOT will be doing the final inspection on Barlow Road so that it can be turned in for payment.

OLD BUSINESS:

Councilwoman Yonchuk moved to adopt resolution authorizing Ward Coe to attend the 2010 Continuing Judicial Education Program at the New York state Magistrates Association Annual Conference in Callicoon, NY at the Villa Roma Resort & Conference Center, September 26, 2010 – September 29, 2010 at a cost of \$50.00 for registration, \$588.00 (\$196.00/night) for lodging, with one nights lodging and mileage reimbursed back to the Town by the State through the Unified Court System.

128-10
W. Coe
Education

Councilman Diffendorf seconded.

Discussion: Councilwoman Yonchuk said she realizes the justices have to be recertified each year and some of the conferences are more comprehensive than others, but there are also local meetings that offer certification. Supervisor Kniffen said that Judge Coe told him that because most of the justices in New York State attend this, there is a certain learning benefit that he would get at this conference that he would not get locally. Councilwoman Yonchuk noted that even the NYS Association of Towns, which has their annual meeting each year in NYC, is looking to hold mini workshops in different regional areas, which will ultimately be a cost saving measure. She feels financial guidelines should be looked at for attending conferences in the future. Supervisor Kniffen did note that there is a limit of one conference per year.

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

MOTION CARRIED.

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129-10
Settlement
Asmnt Rev.
Inland

Councilman Grubham moved to adopt resolution Authorizing Settlement of Pending Assessment Review Proceeding Commenced by Inland Paperboard Corporation, in accordance with the attached resolution. Councilman Weingartner seconded.

Discussion: Councilman Diffendorf said that he is not in agreement with this. After seeing the paperwork on this in Executive Session and the amount of rent that is derived he does not feel the assessment needs to be lowered.

Roll Call Vote: Councilman Weingartner - yes
 Councilman Grubham - yes
 Councilwoman Yonchuk - no
 Councilman Diffendorf - no
 Supervisor Kniffen - yes

MOTION CARRIED.

130-10
Agreement
Amended
Outside
Sewer Users

Councilman Weingartner moved to adopt resolution Authorizing Supervisor to enter into an amended agreement with the Towns of Binghamton, Conklin, Dickinson, Fenton, and the Village of Port Dickinson regarding Outside Sewer Users, in accordance with the attached agreement. Councilwoman Yonchuk seconded.

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

MOTION CARRIED.

131-01
Sched PH
Amend
Sr Tax
Exempt LL

Councilwoman Yonchuk moved to adopt resolution scheduling a Public Hearing on September 7, 2010 at 6:00 PM regarding the amendment to the Senior Citizen Tax Exemption Local Law. Councilman Diffendorf seconded.

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

MOTION CARRIED.

132-10
Agreement
Stratmill Rd
Pump Sta
Pinnacle

Councilman Diffendorf moved to adopt resolution authorizing Supervisor to sign agreement regarding the Stratmill Road Pump Station on August 20, 2010 with Pinnacle Construction, Inc., being the lowest responsible bidder at \$176,273, unless litigation contesting validity of July 20, 2010 Bonding Resolution is commenced by August 19, 2010. Councilman Grubham seconded.

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

MOTION CARRIED.

133-10
Sched PH
Temp
Storage
LL

Councilman Grubham moved to adopt resolution scheduling a Public Hearing on September 7, 2010 at 6:05 PM regarding proposed local law for Temporary Portable Storage Container. Councilman Weingartner 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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Councilman Diffendorf moved to adopt resolution authorizing the advertising for Sealed Bids for the Demolition of the Concrete Water Tank at Highland Heights, with bids returnable to the Town Clerk's Office on September 7, 2010 at 4:00 PM, to be publicly opened and read at the 6:00 PM Work Session meeting. Councilwoman Yonchuk seconded.

134-10
Bids
Water Tank
Highland
Hts

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:

Councilman Weingartner 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 5, 2010, all in accordance with the abstract of claims on file in the Town Clerk's Office. Councilwoman Yonchuk and Councilman Diffendorf seconded.

135-10
Audit/Pay

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 Grubham seconded. All voted in favor.

136-10
Adjourn

Meeting adjourned at 7:12 P.M.

Respectfully submitted,

Gayle M. Diffendorf
Town Clerk