

**TOWN OF KIRKWOOD
TOWN BOARD MEETING**

October 26 2010

A regular meeting of the Kirkwood Town Board was held on October 26, 2010 at 7:55 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:

October 5, 2010 Board Meeting

PUBLIC PARTICIPATION:

Mr. Egan questioned if the Town was considering having Broome County take over Joyce Ottens' duties due to the fact that she is retiring. It was explained that there is currently no assessor at the county level. The Town has advertised for the position and a committee will interview the candidates.

COMMUNICATIONS:

Retirement Letter from Joyce Ottens

COMMITTEE REPORTS:

Councilwoman Yonchuk reported that she and Councilmen Weingartner and Diffendorf are planning to complete the interviews with the applicants for the assessor's position in one day, hopefully by November 8th.

Mr. Kline reported that Coughlin & Gerhart is holding a seminar Thursday, November 4, 2010 at the Regency to review 6 different possible local laws that towns can adopt for road use dealing with gas drilling.

Councilwoman Yonchuk reported on a meeting she attended with a presentation by Environmental Engineer, Bob Williams, who is working with a number of gas coalitions in this area on protecting the environment. She noted that he had very good information as to why the problems that are happening in Pennsylvania won't happen in New York due to the environmental laws that New York has.

Supervisor Kniffen questioned if it would be beneficial to send code office personnel to take a rig tour in Pennsylvania so that they might be more prepared if and when gas drilling takes place in New York. Mr. Kline explained that towns are pre-empted by DEC as far as enacting or amending local laws but they can regulate the use of roads and taxation. Marchie Diffendorf noted that Bob Kiberd, Code Enforcement Officer, will most likely get a lot of questions when gas development does start so he would be much more informed if he took a rig tour. Marchie will set that up.

Mr. Jones said that he attended a budget meeting held by the Broome County Transportation and Rural Development Committee and there seems to be no change in the County's position on plowing the roads. As of right now the County will be doing it in January.

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OLD BUSINESS:

165-10
Sched PH
Dog License
LL

Councilwoman Yonchuk moved to adopt a resolution scheduling a Public Hearing for November 30, 2010 at 6:00 PM regarding the proposed Local Law for the Licensing of Dogs. Councilman Diffendorf seconded.

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

MOTION CARRIED.

166-10
Adopt
2011 Budget

Councilman Diffendorf moved to adopt resolution Adopting Annual Budget for 2011, in accordance with the attached resolution. Councilman Grubham seconded.

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

MOTION CARRIED.

167-10
Release
Retainer
Barlow Rd
Project

Councilman Grubham moved to adopt resolution authorizing Release of Retainer Funds pursuant to NYS DOT requirement regarding Barlow Road Culvert Project. Councilman Weingartner seconded.

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

MOTION CARRIED.

168-10
Sched PH
2011 W&S
Rolls

Councilman Weingartner moved to adopt resolution scheduling a Public Hearing for November 30, 2010 at 6:05 PM on the Year 2011 Water and Sewer Rolls.

Councilwoman Yonchuk seconded.

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

MOTION CARRIED.

169-10
Sched PH
2011 Fire
Contracts

Councilwoman Yonchuk moved to adopt resolution scheduling a Public Hearing for November 30, 2010 at 6:10 PM on the Year 2011 Fire Contracts. Councilman Diffendorf seconded.

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

MOTION CARRIED.

170-10
Oppose Dog
Fees to NYS

Councilman Diffendorf moved to adopt resolution Opposing Dog Licensing Fees for New York State as of January 1, 2011, in accordance with the attached resolution.

Councilman Grubham 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 Grubham moved to adopt resolution authorizing the Supervisor to sign the NYS DOT Use & Occupancy Permit Application for the Stratmill Road Pump Station, in accordance with the attached application. Councilman Weingartner seconded.

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

171-10
DOT
Occupancy
Permit
Stratmill Rd
Pump Sta

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 seconded.

172-10
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 Diffendorf seconded. All voted in favor.

173-10
Adjourn

MOTION CARRIED.

Meeting adjourned at 8:11 P.M.

Respectfully submitted,

Gayle M. Diffendorf
Town Clerk