

**TOWN OF KIRKWOOD
TOWN BOARD MEETING**

November 2, 2015

A regular meeting of the Kirkwood Town Board was held on November 2, 2015 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: Herbert Kline, Town Attorney
Gayle Diffendorf, Town Clerk
Raymond Coolbaugh, DPW Commissioner
Marchie Diffendorf, Planning Bd. Chairman
Duane Travis, ZBA Chairman

PLEDGE OF ALLEGIANCE:

APPROVAL OF MINUTES:

October 6, 2015 Town Board Meeting
October 27, 2015 Public Hearing

PUBLIC PARTICIPATION:

Supervisor Kniffen introduced Chad Phillips and his father Parker Phillips. Chad is a Boy Scout who is trying to reach his goal of becoming an Eagle Scout. He is attending this meeting as a requirement to learn how town government works. Supervisor Kniffen noted that Mr. Kline is an Eagle Scout.

COMMUNICATIONS: None.

COMMITTEE REPORTS:

Councilman Diffendorf reported there was an accident last Friday involving a highway employee who was using equipment from the Town of Chenango when a car ran into the back of it on Foley Road. The highway employee was not injured but the 2 people in the car were injured. They do not see any liability on the part of the Town regarding this.

Supervisor Kniffen reported a meeting will be held at the Town Hall on Wednesday, November 4th at 10:00 AM regarding Upper Court Street. He explained there is an issue with flooding in that area specifically near the motel and adjacent to DOT. In 2006 they tried to get DOT to divert the stream, which runs along the road by all the businesses in the area and then goes under Route 11 to the river, to go under Route 11 before it gets to the motel. There have been problems with funding and design. They would like to determine where this project stands and if there is light at the end of the tunnel.

Supervisor Kniffen provided an update on the issue regarding a railroad crossing near homes on Rogers Mountain Way and the new road that the Town of Dickinson is putting in. He met with a representative from the railroad last week and took him to the site. The railroad will look into the issue of trains stopping to change shifts which blocks the crossing and if that stops the problem will be eliminated. They will get back to Supervisor Kniffen in early November.

OLD BUSINESS:

Councilwoman Yonchuk moved to adopt resolution, after a Public Hearing, Adopting Annual Budget for 2016, in accordance with the attached resolution. Councilman Diffendorf seconded.

Discussion: Mr. Kline explained that Budget Officer James Smith had to make some slight adjustments to the preliminary budget due to some additional expenditures required by the new Collective Bargaining Agreement which amounted to \$1,259.00. Mr. Smith subtracted from other budget lines so the budget would balance. Supervisor Kniffen added that the tax increase for next year remains the same.

Roll Call Vote: Councilman Weingartner - yes

125-15
Adopt
2016 Budget

**TOWN OF KIRKWOOD
TOWN BOARD MEETING**

November 2, 2015

Councilman Grubham - yes
Councilwoman Yonchuk - yes
Councilman Diffendorf - yes
Supervisor Kniffen - yes

MOTION CARRIED.

126-15
Award
Dump Truck
Bid

Councilman Weingartner moved to adopt resolution awarding sealed bid for a new 2016 International Model 7600 Dump Truck with Henderson Equipment to Stadium International of Liverpool, NY, being the lowest responsible bidder at \$ 174,759.00, in accordance with the attached resolution. Councilman Grubham seconded.

Discussion: Ray Coolbaugh said this is the lowest bid. He said he changed his opinion after speaking with other municipalities who have the truck about their concerns.

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

MOTION CARRIED.

127-15
Award
Loader Bid

Councilman Grubham moved to adopt Resolution Awarding Sealed Bid to Other Than Low Bidder for a 2016 or Newer 20,544 LB Backhoe Loader to Monroe Tractor of Binghamton, NY, at \$ 63,860.00, in accordance with the attached resolution. Councilman Weingartner seconded.

Discussion: Ray Coolbaugh said there were a number of things on the specs that the low bidder did not meet.

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

MOTION CARRIED.

128-15
Sched PH
2016 W&S
Rolls

Councilman Weingartner moved to adopt resolution scheduling a Public Hearing for November 24, 2015 at 6:00 PM on the Year 2016 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.

129-15
Sched PH
2016 Fire
Contracts

Councilwoman Yonchuk moved to adopt resolution scheduling a Public Hearing for November 24, 2015 at 6:05 PM on the Year 2016 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.

NEW BUSINESS:

130-15
Assessment
Rev Settle.
MECCAS

Councilman Diffendorf moved to adopt resolution Authorizing Settlement of Pending Assessment Review Proceeding Commenced by MECCAS, LLC, in accordance with the attached resolution. Councilman Grubham seconded.

Discussion: Mr. Kline explained that Dan Giblin, Town Assessor, has been negotiating with MECCAS and he was able to negotiate a compromise of \$211,500, even though

**TOWN OF KIRKWOOD
TOWN BOARD MEETING**

November 2, 2015

MECCAS was looking for a much lower reduction. The original assessment was \$232,000. It was noted 1111 Route 11 is the dental office.

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 authorizing the Transfer of Funds, in accordance with the attached Budget Adjustment Sheet. Councilman Weingartner seconded.

131-15
Transfer of
Funds

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 6, 2015, all in accordance with the abstract of claims on file in the Town Clerk's Office. Councilwoman Yonchuk seconded.

132-15
Audit/Pay

Discussion: Councilman Grubham questioned if the Town will be reimbursed for invoices submitted by Griffiths Engineering for work they did on the Willow Run project. Marchie Diffendorf explained this was for SPR for Willow Run to add 2 truck bays, fuel islands, parking for 50 additional employees because they have gotten 2 new contracts in the past year, and he requested Griffiths Engineering to review the Storm Water Management plan. It then got into DEC and possible endangered species and also historical preservation archeological dig. Griffiths Engineering completed their review and signed off on it. The project was approved and a permit has been issued. He said reimbursement was not discussed. Mr. Kline said according to the Town's Professional Consultation Fees Local Law, since the project was approved, the Town will incur the cost of engineering fees. Councilman Grubham said they may want to discuss this at another time since there may be some future projects that will be extremely large and his question is if the Town is willing to foot the bill for thousands of dollars for fees.

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 6:26 PM.

Respectfully submitted,

Gayle M. Diffendorf
Town Clerk