

TOWN OF KIRKWOOD TOWN BOARD MEETING

December 29, 2015

A regular meeting of the Kirkwood Town Board was held on December 29, 2015 at 6:30 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
Duane Travis, ZBA Chairman

PLEDGE OF ALLEGIANCE:

APPROVAL OF MINUTES:

December 1, 2015 Town Board Meeting

PUBLIC PARTICIPATION:

Pat Griffin questioned what the status is of the motel next to DOT on Upper Court St. Supervisor Kniffen said they have been paying their taxes so there is no way for the County to foreclose on the property. Mr. Kline said he thinks the County would be afraid to foreclose on it for environmental reasons. In the past they took other properties and then had to rehab them. Supervisor Kniffen said the owner wants to sell the property for possibly \$750,000 to \$800,000. He said that is directly related to the Stratmill Creek flood issue. Since 2006 the Town has petitioned DOT to change the direction of the creek. Currently it runs parallel to Route 11 to Dunkin Donuts and then goes under Route 11 to the river. The Town wants it to go directly under Route 11 prior to the motel. They were originally going to do that but at the time Frito Lay was going to expand and they didn't want it in their way. A meeting was held recently with DOT Director Jack Williams, Cliff Crouch, and Kirkwood to try to get this project moving. Now it is 9 years later and the DOT Director said they will finish the design but they are not going to do the project. That is key to the motel issue because it gets flooded all the time. Businessman Mike Maciak told DOT at that meeting that if they did the project this would be prime property because it would not flood again. This is around a \$2 million project and now they have to start all over again to try to get funding. There was talk about elevating this property as they did with the Clements Tire property but there is a concern with that because it displaces water and then it would flood someone else. He said they are very disappointed with DOT. He noted if they had known this when FEMA was still around they might have gotten some relief. Pat Griffin added this is unfortunate because it is an eyesore.

COMMUNICATIONS: None.

COMMITTEE REPORTS:

Supervisor Kniffen provided an update in regard to the issues with the Binghamton Johnson City Joint Sewage Facility. He noted that Kirkwood is the second biggest outside user because of Frito Lay. There have been problems through the years with management and costs have gone out of sight since the Bell School sewer district was added. Now the capital costs are about \$250 million and Kirkwood is locked into this. In looking ahead at the next few years, 2016 will most likely be pretty stable and in 2017 and 2018 there will be minimal increases but in 2019 they most likely will get hit hard. About \$50 million of the \$250 million will come from insurance, grants and FEMA but that leaves a lot of money to bond for. To keep the price down, the longer they can bond for the better. He is working with Budget Officer, Jim Smith, to put something together so the users in Kirkwood can have an idea of what is ahead of them and plan for it. They are even looking at increasing rates between now and then to build a surplus to help alleviate future increases.

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OLD BUSINESS:

142-15
Studer's
Body Shop
Agreement

Councilwoman Yonchuk moved to adopt resolution authorizing Supervisor to enter into an agreement with Roger Studer d/b/a Studer's Body Shop & Garage, in accordance with the attached agreement. Councilman Diffendorf seconded.

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

MOTION CARRIED.

143-15
So Tier Zoo
Agreement

Councilman Diffendorf moved to adopt resolution authorizing Supervisor to enter into an agreement with Southern Tier Zoological Society, Inc., in accordance with the attached agreement. Councilman Grubham seconded.

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

MOTION CARRIED.

144-15
Petty Cash
For 2016

Councilman Grubham moved to adopt resolution authorizing the continuation of petty cash funds for 2016, subject to audit by the Budget Director, for the following departments at specified amounts, pursuant to town Law Section 64, Paragraph 1(2):

Bookkeeper	\$100
Building & Code Inspector	\$100
DPW Commissioner	\$200 and \$35 for Water Department
Supervisor	\$200
Town Justice	\$200
Town Justice	\$200
Town Clerk	\$200

Councilman Weingartner seconded.

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

MOTION CARRIED.

145-15
Reappoint
Woolbaugh
Pl Bd

Councilman Weingartner moved to adopt resolution reappointing Walter G. Woolbaugh to the Planning Board for a term to expire December 31, 2020. Councilwoman Yonchuk seconded.

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

MOTION CARRIED.

146-15
Reappoint
C. French
ZBA

Councilwoman Yonchuk moved to adopt resolution reappointing Cyndi French to the Zoning Board of Appeals for a term to expire December 31, 2020. Councilman Diffendorf 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 Transfer of Funds, in accordance with the attached Budget Adjustment Sheet. Councilman Grubham seconded.

147-15
Transfer
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 Grubham 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.

148-15
Audit/Pay

Councilman Weingartner seconded.

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

MOTION CARRIED.

Councilwoman Yonchuk moved to adopt resolution to adjourn this meeting for the purpose of seeking legal advice regarding Item #9 on the December 29, 2015 work session agenda.

149-15
Legal
Advice

Councilman Diffendorf seconded.

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.

Councilwoman Yonchuk seconded. All voted in favor.

MOTION CARRIED.

Meeting adjourned at 7:10 PM.

Respectfully submitted,

Gayle M. Diffendorf
Town Clerk