

**TOWN OF KIRKWOOD  
TOWN BOARD ORGANIZATIONAL MEETING**

**January 5, 2016**

An organizational meeting of the Kirkwood Town Board was held on January 5, 2016 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: Oliver Blaise III, Deputy Town Attorney  
Gayle Diffendorf, Town Clerk  
Raymond Coolbaugh, DPW Commissioner  
Duane Travis, ZBA Chairman

**PLEDGE OF ALLEGIANCE:**

**APPROVAL OF MINUTES:**

December 29, 2015 Town Board Meeting

**PUBLIC PARTICIPATION:** None.

**COMMUNICATIONS:**

Letters of Re-Appointment for Clerks to Justices Full Time and Clerk Part Time, Deputy Town Clerk, Deputy Commissioner of Public Works, and Town Historian.  
Letter of Resignation from Herbert A. Kline as Town Attorney.  
Letter of Resignation from Oliver N. Blaise, III as Deputy town Attorney

**COMMITTEE REPORTS:**

Supervisor Kniffen stated that the Town Board held an Executive Session prior to this meeting which was convened at 5:30 to discuss a personnel matter.

**OLD BUSINESS:**

Councilwoman Yonchuk moved to adopt resolution Approving the Standard Work Day and Reporting Resolution for Elected and Appointed Officials for various appointed officials, in accordance with the attached resolution. Councilman Diffendorf seconded.

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

1-16  
Approve  
Work Day  
Reso for  
Officials -  
Retirement

MOTION CARRIED.

**Discussion – Anticipated Road Work for 2016.**

Ray Coolbaugh explained he took the money they had for 2015 in CHIPS and Permanent Improvement and increased it 10%. If the prices increase more than 10% they will probably have to cut back. In March they should find out if CHIPS will be raised or stay the same. He noted that blacktop prices were lower in 2015 than they have been since 2008 so that helped out a lot.

**NEW BUSINESS:**

Councilman Diffendorf moved to adopt resolution appointing the Press & Sun-Bulletin as the official newspaper for 2016 and designating The Country Courier, pursuant to Town Law Section 64 (11), as a supplemental newspaper for publication of all legal notices of the Town for 2016, and requiring the applicant on a zoning matter or an environmental matter to pay the cost of such publication in the official newspaper of the Town, and the Town to pay the cost of such publication in the supplemental newspaper. Councilman Grubham seconded.

2-16  
Appoint  
Press Official  
Newspaper  
Courier  
Supplement

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

MOTION CARRIED.

3-16  
M&T  
Depository  
Town  
Funds

Councilman Grubham moved to adopt resolution naming M & T Bank as the depository for town funds for the Supervisor for 2016. Councilman Weingartner seconded.

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

MOTION CARRIED.

4-16  
Appoint  
Supervisor  
Service  
Officer

Councilman Weingartner moved to adopt resolution appointing the Supervisor as Service Officer for 2016. Councilwoman Yonchuk seconded.

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

MOTION CARRIED.

5-16  
Supervisor  
Invest  
Funds

Councilwoman Yonchuk moved to adopt resolution authorizing the Supervisor to invest general funds, special district funds and highway moneys not obligated or required for immediate expenditure in United States treasury bills, savings accounts, time deposit or time certificates of deposit through Charter One, Manufacturers & Traders Trust Company, Tioga State Bank, Chemung Canal Trust Company, NBT Bank, Wilber National Bank and First Niagara Bank; said investments to be payable or redeemable at the option of the Supervisor within such times as the proceeds may be needed to meet expenditures for which the moneys were provided, all pursuant to the provisions of the Investment Policy for the Town of Kirkwood adopted July 3, 1993. Councilman Diffendorf seconded.

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

MOTION CARRIED.

6-16  
Exp. Reimb.  
Mileage

Councilman Diffendorf moved to adopt resolution establishing reimbursement of expenditures incurred in 2016 as follows:

- Mileage reimbursement at current Federal Government rate for job related travel;
- Attendance at job related meetings not to exceed \$20 per meeting (other than New York City);
- Attendance at job related meetings in New York City at \$88 per day for meals only.

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 designating the following Tuesdays of each month as Town Board meeting nights to be held at 6:00 PM at the Joseph A. Griffin Town Hall:

7-16  
Mtg Nights  
Designation

First Tuesday - Regular Town Board Meeting  
Last Tuesday - Work Session

Councilman Grubham seconded.

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

MOTION CARRIED.

Councilman Weingartner moved to adopt resolution requiring all itemized vouchers to be submitted to the Town Clerk's office before noon of the Friday prior to the last Tuesday of each month, and vouchers for reimbursement of medical and optical expenses to be submitted to the Town Clerk's office before noon of the Thursday prior to the last Tuesday of each month to qualify for audit and payment at the next regular Town Board meeting.

8-16  
Voucher  
Submittal

Councilwoman Yonchuk 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 establishing hourly rates of pay for Public Works personnel for 2016, pursuant to Collective Bargaining Agreement with Teamsters 317 effective January 1, 2016 and with rate sheet from DPW Commissioner for all non-union employees of the DPW. Councilman Diffendorf seconded.

9-16  
Pay Rates  
DPW

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

MOTION CARRIED.

Councilman Diffendorf moved to adopt resolution establishing hourly rates of pay for independent contractors and Board of Assessment Review, in accordance with the attached resolution. Councilman Grubham seconded.

10-16  
Pay Rates  
Independ.  
Contract.

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 establishing salaries for all elected and appointed officials and employees as set forth in the 2016 budget. Councilman Weingartner seconded.

11-16  
Salaries  
Elected &  
Appointed  
Officials

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

MOTION CARRIED.

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12-16 Councilman Weingartner moved to adopt resolution appointing the following persons to  
Appoint the designated positions for 2016, in accordance with the resolution. Councilwoman  
Various Yonchuk seconded.

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

MOTION CARRIED.

13-16 Councilwoman Yonchuk moved to adopt resolution authorizing Supervisor to submit to  
Annual the Town Clerk by March 31, 2016, a copy of his Annual Report to the State Comptroller  
Report and directing the Town Clerk to cause a notice to be published within ten (10) days after  
Due receipt of said report in the official newspaper and supplemental newspaper of the town  
that a copy of such report is on file and available for inspection in Town Clerk's office.  
Councilman Diffendorf seconded.

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

MOTION CARRIED.

14-16 Councilman Diffendorf moved to adopt resolution authorizing the payment of utility bills,  
Prepay town real property tax bills and postage prior to audit pursuant to Town Law Section 118  
Utility & (2). Councilman Grubham seconded.

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

MOTION CARRIED.

15-16 Councilman Grubham moved to adopt resolution reaffirming and re-adopting resolutions  
Cash establishing Cash Management Policies/Procedures adopted June 5, 1990 and the  
Manage, Procurement Policy adopted December 6, 1994 and revised December 3, 2013 and the  
Procure, Investment Policy adopted July 3, 1993. Councilman Weingartner seconded.

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

MOTION CARRIED.

16-16 Councilman Weingartner moved to adopt resolution authorizing the Commissioner of  
DPW Public Works to purchase equipment and tools not to exceed a total of \$2,000.00 per year  
Equip. without prior Town Board approval, providing such purchases are consistent with a  
Purchases resolution adopting a Procurement Policy enacted December 6, 1994 by Kirkwood Town  
Board and reviewed and reaffirmed herewith. Councilwoman Yonchuk 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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**Comments regarding the following 4 resolutions.**

Supervisor Kniffen stated that Herb Kline has resigned his position as Kirkwood’s Town Attorney. He feels this is a day they did not want to happen but they knew eventually an employee’s connection to the Town has to come to an end. Herb will still be employed by Coughlin & Gerhart and as a result, the Town’s Deputy Attorney is resigning as well so Kirkwood no longer has an attorney or deputy. This will be covered with an annual retainer policy with Coughlin & Gerhart. The retainer fee for the first year will be based on some actuals in the budget which will result in some changes in budget line items. The Town will not be disassociated with Herb. The Town now has all the resources of Coughlin & Gerhart, not just Oliver Blaise, who will be the attorney designated to cover Kirkwood. He is sure Oliver will go to Herb from time to time since Herb has been here longer than anyone and has such knowledge of the Town and its history. Mr. Blaise provided written resignations from Mr. Kline and himself that the Town Clerk read into the record as listed in communications above.

Supervisor Kniffen said that because Herb has over 50 years of service, and specific to his position as Town Attorney, the Board wanted to acknowledge not only his years of service but the quality of his service, so by resolution at this meeting, if it passes, the Board wants to pay for health insurance into retirement for Herb and his spouse.

Councilwoman Yonchuk moved to adopt resolution accepting the written resignation and retirement of Herbert A. Kline, Esq. as Town Attorney, effective 12:00 a.m. on January 6, 2016. Councilman Diffendorf seconded.

17-16  
Resignation  
H. Kline  
Tn Attorney

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

MOTION CARRIED.

Councilman Diffendorf moved to adopt resolution accepting the written resignation of Oliver N. Blaise, III, Esq. as Deputy Town Attorney, effective 12:00 a.m. on January 6, 2016. Councilman Grubham seconded.

18-16  
Resignation  
O. Blaise  
Deputy Tn.  
Attorney

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 appointing Coughlin & Gerhart, LLP as Attorneys for Town, effective 12:00 a.m. on January 6, 2016, pursuant to the attached Retainer Agreement, and authorizing the Supervisor and Town Clerk to execute said agreement. Councilman Weingartner seconded.

19-16  
Appoint  
C&G  
Town  
Attorneys –  
Retainer  
Agreement

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

MOTION CARRIED.

Councilman Weingartner moved to adopt resolution consolidating Account Numbers 1-A-1420-1-010, 1-A-1420-1-011 and 1-A-1420-4-044 of the Town budget under a single Account Number, to have the Account Description of “Law – C&G general retainer.” Councilwoman Yonchuk seconded.

20-16  
Consol.  
Budget  
Lines – Re  
Attorney

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

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Supervisor Kniffen - yes

MOTION CARRIED.

Councilwoman Yonchuk moved to adopt resolution adopting amendments to the Town of Kirkwood Benefit Plan, as set forth in the attached version thereof. Councilman Grubham seconded.

21-16  
Amend  
Benefit  
Plan

**Discussion:** Councilman Diffendorf said he has worked with Herb for almost 40 years and he has the utmost respect for him and his knowledge but he cannot agree with this agreement that is completely tailored toward him with benefits that no other retirees will ever get and he doesn't think it is fair to draw a line. He thinks everyone that retires from the Town of Kirkwood should be treated equally and fairly and he thinks this is unjust and not fair to the other retirees at all. He cannot support this.

Supervisor Kniffen said although he understands Councilman Diffendorf's position on this, how many times will they have someone serve this town for over 50 years and serve in the manner Herb did. He said it happens in industry, in companies and municipalities that people are honored for their retirement in what value they have been. There are retirement incentives that people have been paid so they will retire and save the company or municipality money. He thinks this is a special occasion and he would hate to see Herb retire without some acknowledgement in this manner. He said he thinks this is justified.

Councilman Weingartner said there have been situations in the past where there have been things tailor made to fit certain categories of other people retiring. Although this is something that is being specifically tailor made to Herb he does believe it has happened in the past and he supports it.

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

MOTION CARRIED.

Councilman Diffendorf moved to adopt resolution pursuant to section 123 of the Town Law engaging Budget Officer, James Smith, CPA, to make an annual audit of the books and records of each person who as a town officer or employee received or disbursed any moneys in calendar year 2015 and also each Town Justice for the year 2015 including the criminal and civil dockets to determine that the fines and fees shown thereon that have been collected and were turned over to the proper officials as required by law, and to complete said audit by February 28, 2016. Councilman Grubham seconded.

22-16  
Annual  
Audit  
Budget  
Officer

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 reappointing John Mastronardi of Griffiths Engineering as the Stormwater Management Officer for the year 2016. Councilman Weingartner seconded.

23-16  
Reappoint  
Mastronardi  
Stormwater  
Management  
Officer

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

MOTION CARRIED.

Councilman Weingartner moved to adopt resolution appointing William Diffendorf as Safety Officer for the year 2016 at an annual salary of \$1500. Councilwoman Yonchuk seconded.

24-16  
Appoint  
William  
Diffendorf  
Safety Officer

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

MOTION CARRIED.

Councilwoman Yonchuk moved to adopt resolution reappointing Jason Griffin as Temporary Ad Hoc Member of the Zoning Board of Appeals, pursuant to Local Law No. 11-1986; to be compensated at \$30.00 per meeting attended, upon submission of a voucher to the Town Board. Councilman Diffendorf seconded.

25-16  
Reappoint  
J. Griffin  
Temp. Ad  
Hoc - ZBA

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

MOTION CARRIED.

Councilman Diffendorf moved to adopt resolution reappointing Thomas Tracy as Ad Hoc Member to the Planning Board, pursuant to Local Law No. 1-2004; to be compensated at \$30.00 per meeting attended, upon submission of a voucher to the Town Clerk. Councilman Grubham seconded.

26-16  
Reappoint  
T. Tracy  
Ad Hoc  
Planning Bd

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

MOTION CARRIED.

**Discussion – Revisions to Reimbursement Policy for Employee Training Expenses.**

Supervisor Kniffen noted that discussion has been held concerning the Town's reimbursement policy for people they train and what occasions there would be that they would have to reimburse the Town for the training expenses. As a result of that they asked Mr. Blaise to look at it and recommend changes to the policy.

Mr. Blaise said the discussion basically revolved around what the policy said versus what was intended so he tried to capture what the Board was expressing at the meeting as to what was intended when the policy was put in place. That is if someone went to work somewhere else working in the same field in which they received their training from Kirkwood that would trigger reimbursement. He provided language for the Board's consideration under subsection (4) of the Reimbursement Policy that reimbursement would be triggered if the person having accepted employment with the Town fails to continue such employment for a period of 5 years from completion of said training program and within that 5 year period accepts a position performing the same or substantially similar work for another employer that the employee performed for the Town. So in other words, if they go to work somewhere else doing the same thing they were trained for in Kirkwood and it is within 5 years of getting the training they will owe reimbursement to the Town. He feels this is what the intent was. He said if this is compared with subsection (3) which is the language in the current Policy and what Roy Tondeur brought up at the meeting, it says basically if you get the training and don't stay for 5 years for any reason, other than death or disability, you owe the reimbursement. The Board needs to choose between the 2 options. The reason this is significant tonight is because the new Code Officer is supposed to be getting his training at the end of the month.

Councilman Weingartner said he thinks when the Board originally did this it had nothing to do with code but everything to do with the water department. Water department employees were taking tons of courses dealing with stuff they did not have to have. One employee was a laborer and the Town did not need him to be a water plant operator and that is when they decided to do something about it. He does believe the way it is written

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about going to a different job tailors itself towards code. If someone were to get the opportunity to work someplace else, which has nothing to do with code but they could make more money for their family taking that position, he questions whether the Town should hold someone for doing that. He feels as an employer it is a risk they take by giving them the training. If they do go someplace else because they can get more money doing the same work they should have to pay for their training. Mr. Blaise said that Scott Russell went to another job doing something different with only a minor overlap of his code training responsibilities that he got in Kirkwood, but it is a better job opportunity. This is covered in paragraph (4) and the Board needs to decide if they want to keep paragraph (3) in there or go with paragraph (4). Councilman Weingartner said he does not want paragraph (3) in the revised policy. It was noted they don't want to penalize someone for something that would be good for their family.

Councilwoman Yonchuk questioned if someone gets training at the Town's expense and within 5 years moves to a similar job that would come under reimbursement, would the reimbursement be for all the training or would it be pro-rated.

Councilman Grubham said he feels all of this is on the Town Board and was never on the Town's attorneys. He always thought it was in there that an employee could leave for any other job and they wouldn't have to reimburse Kirkwood. After the meeting where this was brought up he was embarrassed that he did not say something about that. It was not the Town Attorney's fault. The Board members should know what is in these things and if they didn't know it was written the way it should have been written it was on them. That was the Board's mistake. He added he feels the changes should be made and feels the reimbursement should be pro-rated. He said if someone works less than 5 years the Town has gotten the benefit of the cost of the years they worked. It also seems fair to him that if someone takes another job to become say a "doctor" it has nothing to do with anything about paying the Town money back. He said it's similar to servitude debt, they can't leave because they owe the Town money for training if they leave for any job.

Councilman Diffendorf said he agrees that they knew what the intent of the policy was and that it did initially have to do with the water department. He agrees with the change noted in paragraph (4) as well as pro-rating the reimbursement. They just need to have something that has a little bite in it.

Councilwoman Yonchuk said she agrees that it should be pro-rated.

It was agreed that paragraph (3) should be eliminated from the Reimbursement Policy and paragraph (4) should be added. The cost of initial training for the required certification that is a condition of employment would be subject to reimbursement at a pro-rated rate if the employee leaves before 5 years. It was noted that training for certification would be accomplished in the first year. The Town will absorb additional annual training expense to maintain certification. Councilman Weingartner noted that ancillary costs such as lodging and meals will be included.

Mr. Blaise said language will be added to the current Reimbursement Policy that reimbursement will be pro-rated based on the employee's years of service with the Town after completion of training.

Councilman Grubham moved to adopt resolution Amending the Rules and Regulations Governing Attendance and Benefits for Town of Kirkwood Employees Regarding Expense Reimbursement Policy When Employee Requires Training for Certification to Obtain and Hold Position, in accordance with the attached Reimbursement Policy Amendment.

27-16  
Amend  
Rules re  
Attend. &  
Benefits –  
Training  
Reimb.  
Policy

Councilman Weingartner seconded.

Roll Call Vote:

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



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MOTION CARRIED.

**Request from Chad Moran**, Building & Code Inspector to attend the New York State Uniform Fire Prevention and Building Code Enforcement Training in Latham, NY on the following dates to include lodging at \$89.00 per night and all reasonable expenses paid:

- January 26-28, 2016
- February 16-18, 2016
- March 22-24, 2016
- April 19-21, 2016
- May 17-19, 2016
- June 7-9, 2016

Councilman Weingartner moved to adopt resolution authorizing Chad Moran to attend Course 9A Training January 26-28, 2016; Course 9B February 16-18, 2016; Course 9C March 22-24, 2016; Course 9D April 19-21, 2016; Course 9E May 17-19, 2016; and Course 9F June 7-9, 2016, all in Latham, NY with three nights lodging for each session at 89.00 per night and all reasonable expenses paid, in accordance with the Reimbursement Policy for Employee Training Expenses. Councilwoman Yonchuk seconded.

28-16  
C. Moran  
Attend NYS  
Training

**Discussion:** Councilwoman Yonchuk questioned if there are fees for the courses. Since it is a NYS Code that the Town enforces Councilman Grubham said they probably hold the classes at no cost. Mr. Blaise agreed. Supervisor Kniffen said that all reasonable expenses are included so that would cover any cost for training.

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:**

Councilwoman Yonchuk 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 this date, all in accordance with the abstract of claims on file in the Town Clerk's Office. Councilman Diffendorf seconded.

29-16  
Audit/Pay

**Discussion:** Councilman Grubham questioned the payment of \$1,975 a week (for 2 weeks) for the rental of a loader. Ray Coolbaugh said it would have cost over \$5,000 to rent it for a month. The Town's loader was being repaired and it took longer to get it fixed than expected. Councilman Grubham said that seems like a lot of money.

Councilman Grubham noted a concern with the amount of vouchers being submitted for engineering fees. There currently is a voucher for \$700 for Repp. Mr. Blaise explained that was to shortcut a code enforcement case with Mr. Repp. Since Scott Russell was unavailable and an inspection was needed to keep the case moving, he and John Mastronardi went to Mr. Repp's property. John advised Mr. Blaise as to whether it was right or not. There is another hearing coming up and Mr. Blaise's intention is to find that the legal and engineering costs be covered. The issue is a porch that was in a serious state of disrepair. Mr. Repp did not get a building permit before fixing it and it was not done right so he had to do the repairs all over again. This is the last house on Susquehanna Lane. Councilman Grubham said this is one of a number of vouchers that are coming through for engineering fees and they seem to be accumulating more and more. He is questioning whether this assistance is being overused. Possibly that fee should be part of the permit. Councilman Diffendorf said maybe the code officer should be doing this. Councilman Grubham said there could be a structural issue and he might not have the expertise to deal with it. Since these costs are adding up he thinks this should be looked into. Supervisor Kniffen said since the Town converted from a full time engineer they have continued to save money but discretion should be used when using the engineer. It is up to the Board to keep an eye on this.

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TOWN BOARD ORGANIZATIONAL MEETING**

**January 5, 2016**

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.

MOTION CARRIED.

Meeting adjourned at 7:02 P.M.

Respectfully submitted,

Gayle M. Diffendorf  
Kirkwood Town Clerk