

# TOWN OF KIRKWOOD TOWN BOARD MEETING

August 2, 2016

A regular meeting of the Kirkwood Town Board was held on August 2, 2016 at 6:45 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, Attorney  
Gayle Diffendorf, Town Clerk  
Raymond Coolbaugh, DPW Commissioner  
John Finch, Chief Water Treatment Plant Operator  
Marchie Diffendorf, Planning Board Chairman  
Duane Travis, ZBA Chairman

## **PLEDGE OF ALLEGIANCE:**

**APPROVAL OF MINUTES:** June 27, 2016 Town Board Meeting

## **PUBLIC PARTICIPATION:**

In response to Ed Egan, Councilman Grubham said an engineer will not be required to look at deck construction.

## **COMMUNICATIONS:**

Board of Assessment Review Resignation Letters:  
Donald Domurad, Duane Travis, Mary Kay Sullivan

## **COMMITTEE REPORTS:**

**Kirkwood Town Fair and Parade:** Councilwoman Yonchuk reported the theme of the Fair is to honor local law enforcement. At 11:00 AM on Saturday a ceremony will be held at Veterans River Park recognizing local law enforcement at which Senator Akshar will be speaking. In regard to the parade, she said SEFCU, which does a great job with community based programs, has again this year obtained use of the BC Trolley. Anyone, especially senior citizens, are invited to ride the Trolley which is very nice, it is old fashioned looking but motorized. They will be picking up anyone that wants to ride, from children to senior citizens, at the big parking lot near the river at Veterans River Park at about 9:45 AM. A reminder that the parade is at 10:30 AM this year.

## **Senior Citizen Picnic:**

Councilwoman Yonchuk reported about 75 people attended the senior citizen picnic which was held on July 27<sup>th</sup> at Veterans River Park.

## **Comprehensive Plan Hearing:**

Councilman Grubham reported a Comprehensive Plan Hearing for the entire town will be held August 23, 2016 at 6:00 PM at Bell School. Post cards will be sent to town residents. The final plan will be presented to the Town Board at either the September or October meeting.

## **Veterans Memorial:**

Councilman Grubham reported he and Ray Coolbaugh have been working on getting some figures together regarding the cost to repair the Veterans Memorial in Veterans River Park. Preliminary estimates are between \$10,000 and \$12,000 to have it done correctly. The Kirkwood Town Fair Committee donated \$4,000 last year, but they will have to supplement that amount.

## **Recycle Bins for Parks:**

Ray Coolbaugh said according to Broome County Solid Waste the only time they let recycle bins out is when there is an organization borrowing them for 3 or 4 days. He got the name of the company where they can be purchased at 5 for \$299, and the clear bags can be bought locally. He will provide additional information at the next meeting. He

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added that he doesn't want to go with a garbage can for recycling because so often you get garbage.

**Employee Injury:**

Councilman Diffendorf reported that Tim Finch got injured and lost a day of work. He fell off a ladder at Grange Hall Park and sprained his shoulder. He did follow it up with another doctor but is currently working.

**Time Warner:**

Supervisor Kniffen reported that Time Warner is now owned by Charter and going under the name of Spectrum. The Town's agreement with Time Warner actually expired in 2012 and renewal has been on hold because of the possible merger and other situations. Charter has been asked for a copy of a new agreement. He also noted before the merger they had been trying to get Time Warner to extend cable coverage to some of the back roads and some areas of Route 11 by dealing with Dave Whalen, who was somewhat optimistic that something could be done. Since the merger Dave is no longer there so the Town is working with a new person. Supervisor Kniffen's understanding is that currently the requirement is 20 homes per mile to qualify for cable coverage and the Town would like to specify the roads and places where they would like coverage extended and make that part of the agreement and see how it goes. Councilman Weingartner added he thinks it is less about cable television and more about internet capability. Supervisor Kniffen said one thing in the Town's favor is that part of the agreement when the merger took place is that Charter had to open up cable television to another 145,000 homes that currently are not serviced. He said Mr. Blaise is reviewing the agreement. There are currently some questions the Town has asked that haven't been answered as yet.

**Ritter Property:**

Supervisor Kniffen explained there is a code issue with property across the railroad tracks off Rt. 11. The Code Department has served the owner with notice to appear in local court about the two trailers that have been there for years and are such an eyesore. They haven't been able to do fire inspections at the apartment house with three apartments to determine if it is safe. Hopefully the Town will be successful in getting that eyesore cleaned up.

**OLD BUSINESS:**

113-16  
Sched PH  
Amend Pl Bd  
LLs

Councilwoman Yonchuk moved to adopt resolution scheduling a Public Hearing for September 6, 2016 at 6:00 PM regarding A Local Law Amending the "Planning Board Ad Hoc Members" and "Planning Board Rules & Regulations" Local Laws of the Town of Kirkwood. Councilman Diffendorf seconded.

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

MOTION CARRIED.

114-16  
Court Clerks  
Attend Conf.

Councilman Diffendorf moved to adopt resolution authorizing Paula Hashem, Erin Tuttle, and Kathy Martone to attend the 2016 NYS Association of Magistrates Court Clerks Annual Conference & Training to be held September 25-28, 2016 at the Double Tree by Hilton in Binghamton, NY at a cost of \$148.00 per person for the registration fee and meals. Councilman Grubham seconded.

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

MOTION CARRIED.

115-16  
Pump Repair

Councilman Grubham moved to adopt resolution authorizing the repair of one Aurora Pump with US Motor at a cost of \$2,869. Councilman Weingartner seconded.

Roll Call Vote:	Councilman Weingartner	- yes
	Councilman Grubham	- yes

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

MOTION CARRIED.

Councilman Weingartner moved to adopt resolution approving the revised Water Permit Fee schedule, in accordance with the attached schedule. Councilwoman Yonchuk seconded.

116-16  
Approve  
Revised  
Water Permit  
Fee Sched.

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 amending the Building Code Fee Schedule, in accordance with the attached schedule. Councilman Diffendorf seconded.

117-16  
Amend  
Bldg Code  
Fee Sched.  
Temp. Sign  
Fees

**Discussion:** Mr. Blaise said this is in regard to the change regarding amending the temporary sign fees as discussed at the work session held prior to this meeting.

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, on recommendation and approval of the Code Enforcement Officer, pursuant to section 304.3 of the Mobile Home – Trailer Ordinance, authorizing the Town Clerk to issue license for the following mobile home – trailer park, such license is for the years 2015 and 2016:

118-16  
Issue Mobile  
Home Pk Lic  
Loughlin Rd.

Kirkwood Mobile Home Park, 41 Loughlin Road, Binghamton, NY 13904

Owner: Morgan Management, LLC

Councilman Grubham seconded.

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, on recommendation and approval of the Code Enforcement Officer, pursuant to section 304.3 of the Mobile Home – Trailer Ordinance, authorizing the Town Clerk to issue license for the following mobile home – trailer park, such license is for the years 2012, 2013, 2014, 2015, and 2016:

119-16  
Issue Mobile  
Home Pk Lic  
Quilty Hill

Quilty Hill Mobile Home Park, 49 Quilty Hill Road, Kirkwood, NY 13795

Owner: Charles C. Tai

Councilman Weingartner 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 appointing James Nieves as MEO Heavy effective August 3, 2016 at a rate of pay of \$16.00 per hour. Councilwoman Yonchuk seconded.

120-16  
Appoint J.  
Nieves MEO  
Heavy

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

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Supervisor Kniffen - yes

MOTION CARRIED.

121-16  
Appoint  
J. Tutko  
Temp Labor  
Parks Dept.

Councilwoman Yonchuk moved to adopt resolution appointing Jake Tutko as Temporary Laborer to work in the Parks Department effective September 6, 2016 and ending September 16, 2016 at a rate of pay of \$10.64 per hour. 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:**

122-16  
Amend Bldg.  
Code Fee  
Sched. –  
Deck  
Permit Fee

Councilman Grubham moved to adopt resolution to amend item #5 on the agenda amending the Building Code Fee Schedule to include the deck permitting fee. Councilman Weingartner seconded.

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

MOTION CARRIED.

123-16  
Pave Town  
Hall Parking  
Lot

Councilman Diffendorf moved to adopt resolution authorizing paving of the town hall parking lot based on the estimate described by Ray Coolbaugh at the work session held prior to this meeting. Councilman Grubham seconded.

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:**

124-16  
Audit/Pay

Councilman Diffendorf 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, 2016, all in accordance with the abstract of claims on file in the Town Clerk's Office. Councilman Grubham 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. Councilman Diffendorf seconded. All voted in favor.

MOTION CARRIED.

Meeting adjourned at 7:09 P.M.

Respectfully submitted,

Gayle M. Diffendorf  
Town Clerk