

# TOWN OF KIRKWOOD WORK SESSION

**October 31, 2017**

Present: Supervisor Gordon Kniffen  
Councilman Robert Weingartner  
Councilman Lewis Grubham  
Councilman William Diffendorf, Jr.

Absent: Councilwoman Linda Yonchuk

Also Present: Oliver Blaise III, Attorney  
Gayle Diffendorf, Town Clerk  
John A. Finch, Jr., Commissioner of Public Works  
James Smith, Budget Officer

Supervisor Kniffen opened the work session by asking for prayers at this time for the victims of an attack by a truck driver on a sidewalk in New York City.

Supervisor Kniffen proceeded to acknowledge with appreciation all the work, dedication and continued community involvement of the Town Board members as well as the Town Clerk, Commissioner of Public Works, Budget Officer and Attorney. He said those in attendance are appreciated as well and he would like to see more people attend Town meetings.

## Senior Housing – Off Fairview Avenue.

Supervisor Kniffen reported that he emailed the Town Board members and the chairmen of the ZBA and Planning Board that senior housing with 48 units is being planned just off Fairview Avenue, which borders Kirkwood. Anyone is welcome to comment.

## Teamsters Union.

Supervisor Kniffen said he, John Finch and Councilman Grubham have been negotiating with the Teamsters Union since their contract expires at the end of this year. He said in the past each time contract renewals were negotiated, the Teamsters' health insurance was offered but the Town's insurance has always been better and cheaper. This year it was just the reverse. At first the union members wanted to stay with the Town's current plan, being concerned about the coverage of the Teamsters plan. He said we were put in the position of telling the union members that the best deal for them and the Town was the Teamsters' insurance. He said we got past that and now since there are six union members, the Teamsters will allow the Town to include seven non-union members on the Teamsters' plan. Supervisor Kniffen said the Town insures a total of 23 people. The rest of the people will continue on with the Town's Excellus plan. By doing that the employees that are on the Teamsters' plan will save money because it is cheaper – everyone contributes, and the Town will save a little over \$50,000. Supervisor Kniffen said any time that we have looked at health insurance since he's been here, the first thing we do is look for quality of coverage, not just cost, because that's important. He said the

# TOWN OF KIRKWOOD WORK SESSION

October 31, 2017

contribution right now is 9% for our employees and this is a 3-year agreement so the employee contributions will be 1<sup>st</sup> year 10%, 2<sup>nd</sup> year 11% and 3<sup>rd</sup> year 12%. This will be the same for non-union employees on the Town's insurance plan. He said we've always strived, and have been successful, to give the non-union employees the same as the union employees, and in this case some of the non-union employees will get the insurance. A resolution will be needed by the Board to sign off on the CBA. Supervisor Kniffen will provide a copy to anyone that wants to see it.

## Elected Officials – Health Insurance Contribution.

Supervisor Kniffen explained that future Town Board members and judges will not be eligible for health insurance. He said some time ago we thought that elected officials should pay a higher rate of contribution than non-elected and the formula we used was whatever the non-elected employees paid, the elected employees would pay 50% more. So with the 10% for next year the elected officials would pay 15%. Of the elected officials there are two that are full time employees, the Town Clerk and the Highway Superintendent. He said it was brought to his attention and he thinks there is some credence to the fact that these are full time jobs which they use to support themselves and people on the Board could exist without what this job pays. He said he would like the Board to consider changing it to 10% for these two positions. Councilmen Diffendorf, Weingartner and Grubham said they do not have a problem with doing this.

## 1. Discussion – Property Tax Exemption Law for volunteer firefighters. (ONB)

Mr. Blaise provided a draft law in this regard about a month ago. This would provide those resident members of our local fire companies a break on the town portion of their real property tax bill, noting that it would not be a huge impact on either the individuals or the town. It is something that would acknowledge and encourage service. One issue to be resolved is to determine whether eligibility is for all members are active members. He said the fire company said they would include anyone who is a member, other than the honorary members. Mr. Blaise said Scott Snyder, the town's Assessor, used 60 as the number of members of the companies to determine what the tax break would be on the average home value. Mr. Blaise' thinking is that it would be about \$30 - \$35. If there are about 60 fire fighters that qualify (Mr. Blaise said that number may be a little high), and the average tax break was \$30 each, the impact on the town's budget would be roughly \$1,800. In response to Councilman Diffendorf, Mr. Blaise said the 10% tax break would come off the general fund charge on the tax bill. He said there is a formula involved and there also is a cap. Mr. Blaise will check into the maximum amount allowed. Additional discussion and resolution for 11/6/17 to schedule a public hearing.

## 2. Discussion – Lease Agreement for new loader. (ONB)

# TOWN OF KIRKWOOD WORK SESSION

October 31, 2017

Mr. Blaise said there is a resolution that the leasing company wants to see in regard to the Lease Agreement for the new loader. The resolution will confirm that the Board is authorizing the agreement. They also want Mr. Blaise to provide an opinion letter certifying that the Board is good for the funds. Mr. Finch said they have the loader. Resolution for 11/6/17.

### 3. Discussion – Aquifer Permits. (JAF)

Mr. Finch reported that the Aquifer Permits for Frito Lay and Willow Run are up for renewal this year and John Mastronardi, the town's engineer, has completed his inspection of both facilities and has determined there are no violations and approves the extension of their permits. Mr. Blaise explains that John Finch initiates the renewal process and can have the engineer certify it. Resolution for 11/6/17.

### 4. Discussion – Well 1 and Well 3. (JAF)

John Finch said over the summer they had a complaint about sandy/gritty water, specifically on the south end of town – Main Street and some locations on Route 11. He said he had the water department flush the hydrants a couple of weeks ago on the south end of town, noting they were quite dirty and it took quite a while to clean them. They were flushed thoroughly and they got most of the material out of them. After this another complaint was received about sediment when filling a pool. He said we are going to test the water for iron and manganese in both wells, to see if they have increased since the last test. He said we are thinking it could be a combination of things: We were connected to Conklin for quite a while and we don't know what we stirred up when we were doing that, and there was quite a large main break by the old trooper barracks on Route 11. He said as of right now we are pretty sure we have a handle on it, but we will flush it again in the spring. John did note this is mainly when pools are filled. He said that he and Alan Glover live at that end of town and don't see any issues, any discoloration. Councilman Grubham added that all the complaints have been about water that comes out of the hydrants which comes out pretty fast, and in some cases it was pretty bad.

John Finch explained that we don't have sand filters any longer because the sand filters were in need of upgrading about 10 years ago at which time all the mechanisms were outdated and it would cost quite a bit to update them. He said he checked with the Health Department and there is no required action for it. He noted that the iron level has been staying low so there is no need to keep the filters and spend several thousand dollars on upgrading them. John said there is actually more iron and manganese on the north end of the town where there is more discoloration. It takes longer to flush because there are steel lines down that way and because of the fact there is iron and manganese it takes quite a bit longer.

John Finch reported that Well 3 has a transfer pump between our air stripper, which takes out the TCEs in the water, and pumps that water from there to our detention tank and from there it gets pumped out into our system. That transfer pump is the original pump that was put in back in the late 1980s or early 1990s. It hasn't needed any maintenance until recently but now it

## **TOWN OF KIRKWOOD WORK SESSION**

**October 31, 2017**

isn't working efficiently and effectively; it may be breaking down. He said he put it in the budget next year to replace it. He talked to the supplier and has two quotes for the replacement. The lowest quote is \$12,750 (includes installation), which is a direct replacement, an exact replica of what is in there. It comes with a motor and a pump and takes roughly 5 to 7 weeks for the pump to come in. He would like to get approval from the Board tonight to go ahead and order it because by the time it gets here it will be December and by the time it's installed it will most likely be the beginning of the year. He noted that some wrong parts were shipped and W20 is trying to make it work but it's iffy at best. There is only one source for direct replacement. In response to Councilman Diffendorf, John said there are still TCEs in the water, which shows on the monthly test from DEC on the water that is discharged into the river. He added that it is very low and possibly they can eventually eliminate the air stripper if it clears up almost completely. John said it has come down to at least half at what it started out as. John said the 2 bids are under \$20,000 so we won't have to go out to bid and he considers it an emergency, especially if the pump fails. Alan Glover added that it is such a tight space where the pump is, it would be best to go with direct replacement. The Board is authorizing this now with a resolution to ratify 11-6-17.

In regard to Well 1, John said it is experiencing an issue with the clear well pump. This is the pump that actually pumps the water from the wells through the water treatment plant into our clear well behind the water treatment plant. It is not producing what it is supposed to, especially when the tanks get close to being full, the pump's performance drops considerably, it struggles to fill them. This is the original pump from the 1970s. He said we do have a spare pump, which has been sitting for 30 years, and W20 took the pump to their shop to repair. They will make sure there are no issues before they put it in service. He said this leads to another problem. He said they can't just drop it in because there's not enough clearance between the pump and the motor and ceiling in the clear well. An I beam was put in to hoist this out but there's not enough clearance. He said we are looking at having to cut a hole in the roof and put a permanent hatch in so future issues can be taken care of. A crane will be needed to hoist it out of there. He added that it was basically not designed properly. He said once that is done by the same company that will do the transfer pump, they will put the spare pump back in service and pull the old pump out which will cost about \$7,000, which includes a crane. He said they would assess the condition of the old pump, which is 30 years old, to see if it is worth fixing or if we want to look at the cost of a new one. He noted there would also be the cost to cut the hole in the roof to put the hatch in which he estimates at about \$3,000 to \$4,000. John said this is basically an emergency project, noting that the pump is already being repaired.

John said while the pump is pulled out he would like to have a company come in and clean the clear well that has never been cleaned and there is probably sediment in the bottom of it which could be some of the problem at the south end of town. They would chlorinate it at the same time. Councilman Diffendorf said he thinks this is a good idea because while Well 3 was down Well 1 was producing all the water that it could produce, which it is not used to doing. So if the water level was drawn down in that particular area, lower than it had been before, we could

# TOWN OF KIRKWOOD WORK SESSION

**October 31, 2017**

have drawn something from our own well because we were drawing deeper than normal. John said the cost to clean the clear well is \$4,500. He said it would be about \$16,000 to replace the pump, cut a hole in the roof and cleaning the clear well. The Board is authorizing this now with a resolution to ratify for 11/6/17.

## 5. Discussion – Sign Board – Bids/Quotes. (JAF)

John Finch said he does have the specs for the electronic sign board and as soon as the Board approves it we will go out to bid. John said we should do the electric ourselves to save the Town money. Gene Gorman said according to the specs we only need 120 volts and a minimum of 15 amp circuit to run the sign board. He looked at running a line over the covered bridge in the park and underground to the sign. Gene Gorman gave them a price of \$3,100 with us digging the trenches. Gene also said since there is an electric pole there we could do a drop service off the pole for about \$1,000 less and we would have our own service there and could also put outlets there.

Councilman Grubham noted a concern with the ongoing maintenance of the sign board. John said online training is offered for that and he thinks he, Sue Glovich and possibly someone from the town hall should go to the training. He explained that wording as well as graphics can be sent from a phone or laptop and something we can do in-house. Councilman Weingartner said he might be interested in being involved with that as well. Councilman Grubham said that makes more sense since quotes were received for around \$5,000 a year to maintain it. He noted that it's a substantial investment at almost \$30,000 with annual maintenance costs. John said an unlimited number of messages can be put on the sign board and it's in color. Councilman Grubham said it is state of the art and questioned if it could be rented out to businesses. Although John said Vestal does that near the Town Square Mall, Mr. Blaise said he doesn't think they actually advertise, but that they use it for public service announcements. He added that governments have to be careful in regulating content. John will check with Vestal to see how they handle this.

## 6. Discussion – Corporate Drive/DOT. (GEK)

Supervisor Kniffen reminded everyone that we tried to get DOT to take over the 1,100 feet that runs from Colesville Road to the on-ramp on 81N but that didn't work out because there would have to be an exchange of another piece of property that they would have to give to Kirkwood. In the end DOT said they would pave it but it was delayed because of construction on the ramp, but they have just completed the 1,100 feet, so the job is now done.

## 7. Discussion – Broome County Peace Officer. (GEK)

Supervisor Kniffen noted that Mike Palombo was a Peace Officer at one time and he would serve warrants, etc. Training is being offered for this and Chad Moran would like to attend. There is no cost. After the training Chad would report to the Board as to what is involved so the Board could decide if we want to do this.

**TOWN OF KIRKWOOD  
WORK SESSION**

**October 31, 2017**

8. Resolution acknowledging that the calendar year 2016 internal audit of the Justice Court records and dockets were examined by Budget Director, James Smith, and the fines therein collected have been turned over to the proper officials of the Town as required by law, pursuant to Section 2019-a of the Uniform Justice Court Act, in accordance with the attached report dated August 31, 2017.

Mr. Smith explained when the report is done the Unified Court System wants a copy of it as well as a resolution that the Board has received it. He said he extended the time through April this year to catch some period of time for Justice Hawk's involvement. Resolution for 11/6/17.

9. Resolution scheduling a Public Hearing for November 28, 2017 at 6:00 PM on the Year 2018 Water & Sewer Budget.

Mr. Smith provided copies of the proposed sewer and water budget for review. He said we always are waiting for what BJC is going to do for their rate and we don't know well in advance. With the 2017 provisional that we are paying, Mr. Smith said he increased 2018 by 10% and noted we're still working off large refunds that we had. So in terms of 2018 we are sheltered for that but as soon as we get the provisional for 2018 we are going to look at what we are going to have to do to the rates gradually while we spend down any more of the refund money to get back on even keel with them. Mr. Smith noted potential increases could be significant according to BJC. Although we used to get refunds, Mr. Smith said he doesn't expect any in the future, largely because Frito Lay has stabilized their flow and it is close every year to what we report. Mr. Smith added the debt service with the Stratmill Road project is over so there now is only Colesville Road and Bell School. Resolution for 11/6/17.

10. Resolution scheduling a Public Hearing for November 28, 2017 at 6:05 PM on the Year 2018 Fire Contracts.

Resolution for 11/6/17.

11. 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 year 2018:

Quilty Hill Mobile Home Park, 49 Quilty Hill Road, Kirkwood, NY 13795  
Owner: Charles C. Tai

Resolution for 11/6/17.

**TOWN OF KIRKWOOD  
WORK SESSION**

**October 31, 2017**

12. Budget Transfers.

Resolution for 11/6/17.

13. Audit of Claims.

Resolution for 11/6/17.

**Holiday Lights.**

Supervisor Kniffen reported that he and John Finch have been working on trying to get holiday lights but hit a road block with NYSEG because they no longer allow it. Any town that already have lights is grandfathered in. In looking at what we could do on our own, he said we picked Crescent Drive and part of Francis Street, which is the center of population. We would use the poles that already have lights on them and buy reflective banners that could have anything on them related to the holidays, like “Merry Christmas”, angels, etc. The banners are 2-sided. A fixture is required to hang them at a cost \$185 each and the cost of each banner is \$200. They figure there are about 23 poles and the idea is to contact businesses and even families to buy either a half or whole banner so it can pay for itself. He said John had an idea on Francis between the parks to put up a “Welcome to Kirkwood” banner. Supervisor Kniffen suggested we order the Kirkwood banner and then see what we can sell. John added that the Kirkwood banner would be left up all year. He said the banners are 30 inches wide by 4 feet high.

14. Executive Session.

Councilman Diffendorf moved to adopt resolution to adjourn this meeting to conduct an Executive Session pursuant to section 105 paragraph d to discuss proposed, pending or current litigation. Councilman Grubham seconded. All voted in favor.

**MOTION CARRIED.**