

**TOWN OF KIRKWOOD
SPECIAL TOWN BOARD MEETING**

December 26, 2018

A special meeting of the Kirkwood Town Board was held on December 26, 2018 at 6:42 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
John A. Finch Jr., Commissioner of Public Works
Marchie Diffendorf, Planning Bd. Chairman
James Smith, Budget Officer

PLEDGE OF ALLEGIANCE:

APPROVAL OF MINUTES: December 4, 2018 Town Board Meeting

PUBLIC PARTICIPATION: None.

COMMUNICATIONS: None.

COMMITTEE REPORTS:

Kirkwood Senior Citizens.

Councilwoman Yonchuk reported that the Greater Binghamton Health Center, formerly called the Binghamton Psychiatric Center, currently has seven transition programs with each having up to 90 patients. She said a lot of the funding has dried up and a lot of the community groups that once supported them are no longer doing that and they largely think that's due to the image that they no longer exist. There are teenage drug and alcohol programs, mental health programs and other programs which are all intended to be transitional programs so that these patients can eventually go back into the community or their homes, but in reality they have people that have been in the programs for three to four years. At Christmastime some of them have families that are involved but some do not. Somewhat like what St. Mary's Church does with the Giving Tree, the Kirkwood Senior Citizens group went shopping for Christmas items, and along with the children of St. Mary's we signed Christmas cards and delivered two full car loads of Christmas presents and boxes of Christmas cards. This was funded by St. Mary's and the Kirkwood Senior Citizens. All the presents were put in a central area and the activities directors for the different units selected gifts for the patients in their unit. Although many of the members of the Kirkwood Senior Citizens group can't actively do some of the other projects, they were so behind this. The social worker at the Center was overwhelmed with all the gifts and cards.

Covered Bridge.

Councilman Grubham reported that the repair of the bridge has been completed. It turned out to be more of a project than anticipated. The estimate for repairs was around \$7,500 but it actually cost almost \$10,000. This was well within the range we had to spend.

Felchar Meter Read.

In response to Councilman Grubham, Mr. Smith said after taking a look at it, John Mastronardi and Alan Glover said it was very plausible.

Fairview Avenue.

John Finch reported that two weeks ago today we opened Fairview Avenue and they did a very nice job. It will be covered 100 percent by Federal Highway. The only thing we'll have to pay for is the trash rack. We had to have the crossover pipe under Hine put in and they will pay 80 percent of that as well. They will be putting in a couple of additional guardrails as well, and this will be covered by Federal Highway.

**TOWN OF KIRKWOOD
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OLD BUSINESS:

202-18
Eaf
LL#1-19
Amend Sewer
Rents

Councilwoman Yonchuk moved to adopt resolution, after a Public Hearing, adopting the Short Environmental Assessment Form regarding Local Law No. 1-2019 entitled "A Local Law Amending Certain Sections of the 'Sewer Rents' Local Law", in accordance with the attached Short EAF. Councilman Diffendorf seconded.

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

MOTION CARRIED.

203-18
Adopt
LL#1-19
Amend Sewer
Rents

Councilman Diffendorf moved to adopt resolution, after a Public Hearing, adopting Local Law No. 1-2019 entitled "A Local Law Amending Certain Sections of the 'Sewer Rents' Local Law", in accordance with the attached resolution. Councilman Grubham seconded.

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

MOTION CARRIED.

204-18
W. Cady
Temporary
Easement

Councilman Grubham moved to adopt resolution ratifying a resolution authorizing the Commissioner of Public Works to enter into agreement with William F. Cady of 316 Bevier Street, regarding a temporary easement for the purpose of flood or other damage repair of the Town's infrastructure, in accordance with the attached agreement.

Councilman Weingartner seconded.

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

MOTION CARRIED.

205-18
Appoint C&G
Ritter
Assessment
Proceedings

Councilman Weingartner moved to adopt resolution authorizing the appointment of Coughlin & Gerhart, LLP as attorneys for the town of Kirkwood, to represent the Town in Tax Certiorari Proceedings, including petitions, motions and appeals therefrom, filed by Steven Ritter, against the Town as work outside the scope of work contemplated by the Legal Services Retainer Agreement at an hourly rate of \$200.00, with payment requests to be submitted by voucher. Councilwoman Yonchuk seconded.

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

MOTION CARRIED.

206-18
Reappoint
D. Wasson
Pl. Bd

Councilwoman Yonchuk moved to adopt resolution reappointing Dan Wasson to the Planning Board for a term to expire December 31, 2023. Councilman Diffendorf seconded.

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

MOTION CARRIED.

**TOWN OF KIRKWOOD
SPECIAL TOWN BOARD MEETING**

December 26, 2018

Councilman Diffendorf moved to adopt resolution reappointing Duane Travis to the Zoning Board of Appeals for a term to expire December 31, 2023. Councilman Grubham seconded.

207-18
Reappoint
D. Travis
ZBA

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 continuation of petty cash for 2019, subject to audit by the Budget Director, for the following departments at specified amounts, pursuant to Town Law Section 64, Paragraph 1(2):

208-18
Petty Cash

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

Councilman Weingartner seconded.

Councilman Weingartner moved to adopt resolution authorizing the Transfer of Funds, in accordance with the attached Budget Adjustment Sheet. Councilwoman Yonchuk seconded.

209-18
Transfer
Funds

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

MOTION CARRIED.

NEW BUSINESS:

Councilwoman Yonchuk moved to adopt resolution authorizing Jones Specialty Services Group to do the necessary repairs on the Corporate Drive Water Station at a cost not to exceed \$6,500.00. Councilman Grubham seconded.

210-18
Repair
Corporate Dr
Water Station

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 authorizing the Commissioner of Public Works to purchase from Goodrich Implement Inc. a 2019 Kubota L33001HST Tractor at the New York State contract price of \$13,569.74. Councilman Grubham seconded.

211-18
Purchase
2019
Kubota

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 January 2, 2018, all in accordance with the abstract of claims on file in the Town Clerk's Office. Councilman Diffendorf seconded.

212-18
Audit/Pay

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

MOTION CARRIED.

OTHER:

Retirement of Councilwoman Yonchuk.

To Councilwoman Yonchuk, in acknowledgment of her retirement, Supervisor Kniffen pointed out all the things she has done for this community. He said you've served on the Town Board all these years as a worthy Councilperson, with your love for the Town and all your work. You taught thousands of students at Windsor High School leading them to growth, maturity and hopefully to a good life. You work with and are the President of the Kirkwood Seniors and all the work you do for St. Mary's Church. The list goes on and on. We truly appreciate what you have done.

Councilman Weingartner moved to adopt the following resolution:

**Resolution Honoring
Linda Yonchuk of Kirkwood, NY**

213-18
Honor L.
Yonchuk
Retirement

WHEREAS: Linda Yonchuk was born in Kirkwood, N.Y., and

WHEREAS: Linda began her journey as not only being a resident in her community but to be an active and successful person in and to our community, and

WHEREAS: Linda demonstrated her commitment and love for Kirkwood by her teaching abilities and caring for her students who appreciated and remembered her fondly, and

WHEREAS: Linda did not stop there. She continued being involved by serving on our Town Board, being active in her church and President of the Kirkwood Senior Citizens. Linda is one of the most recognized persons in the Town of Kirkwood. She has earned this by her presence and her contributions to her Town, our Town.

NOW, THEREFORE BE IT RESOLVED, by the Town Board of the Town of Kirkwood in regular session duly convened as follows:

1. We declare this day in Kirkwood as "Linda Yonchuk" day.
2. This resolution be entered into the history of our Town by recording this in the files of the Kirkwood Historical Society.

Unanimously enacted by the Kirkwood Town Board on this 26th day of December, 2018.
Seconded by the entire Town Board. All voted in favor.

MOTION CARRIED.

Councilwoman was presented with a plaque and gift from Town of Kirkwood.

Councilwoman Yonchuk said this has meant a lot to me. My Dad worked for the Town for many years and as I got close to retirement it was a way to stay active with my Windsor student community because half of those students are from the Town of Kirkwood. I taught History and Government at Windsor and Mr. Blaise' father was the Superintendent of Schools for the biggest percentage of the time I was teaching there and I remember him saying to me as I was about to run for the Board that there's no better way to exemplify to students what public service and community service meant. When I taught Government one of the things I required was that my students come to Town Board or School Board meetings and I told them that involvement with their School Board or their Town Board was the most important involvement that they could ever have. That in spite of all the

**TOWN OF KIRKWOOD
SPECIAL TOWN BOARD MEETING**

December 26, 2018

publicity and news attached to our federal government, both positive and negative, and to our state governments, the governments that will have the biggest impact on their lives is your schools and local towns because that's where you live every day. This is about decisions that are made every day about how our roads are maintained and what is needed to graduate from high school. Decisions like that impact everyday life. I always wanted to leave teaching and leave the Town Board when I still liked what I did, that it wasn't a job to come to work. I felt that way when I left teaching, and miss it, and I feel that way leaving here and having this be my last night and I will miss this. I want to thank everyone in the Town. I do think in terms of our Town Hall staff and our whole Public Works staff, there are few, if any, towns that are as well taken care of as the Town of Kirkwood is. I was glad to be a part of that but that's a credit to all of you too. This has been a privilege for me.

ADJOURNMENT:

Councilman Weingartner moved to adopt resolution to adjourn the meeting.

Councilwoman Yonchuk seconded. All voted in favor.

MOTION CARRIED.

Meeting adjourned at 6:59 P.M.

Respectfully submitted,

Gayle M. Diffendorf
Town Clerk