

**TOWN OF KIRKWOOD  
TOWN BOARD MEETING**

**May 2, 2017**

A regular meeting of the Kirkwood Town Board was held on May 2, 2017 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, Attorney  
Gayle Diffendorf, Town Clerk  
John A. Finch, Jr., DPW Commissioner  
Marchie Diffendorf, Planning Bd. Chairman  
James Smith, Budget Officer

**PLEDGE OF ALLEGIANCE:**

**APPROVAL OF MINUTES:**

April 4, 2017 Town Board Meeting  
April 25, 2017 Special Town Board Meeting

**PUBLIC PARTICIPATION:** None.

**COMMUNICATIONS:**

Certificate of Recognition from Broome County Legislature

**COMMITTEE REPORTS:**

**Storm Damage.**

Supervisor Kniffen reported there was a lot of damage in Kirkwood from the terrible storm that hit last night. He thanked the highway personnel and fire fighters for their quick response during the storm for clearing the downed trees so the roads would be passable in the case of emergencies.

**AMBA Clinic.**

Councilwoman Yonchuk announced that the Kirkwood Lions Club is sponsoring a wellness AMBA clinic on May 20, 2017 from 6:00 AM to 10:00 AM at the Presbyterian Church on Conklin Road. She explained this involves 20 to 25 blood tests, including screening for cholesterol, kidney disease, glucose, anemia, liver disease, etc. at a cost for the whole panel of \$40.00. The cost is not covered by Medicare and most insurances, but it is significantly less than the panel of tests would be if someone did not have insurance. Appointments are required.

**MOU – Summer Hours – Highway Dept.**

As a follow-up of the discussion at the last meeting about the MOU with the highway union regarding changing to seasonal hours, Mr. Blaise reported there are basically just a couple of tweaks he would like to make to the draft the union provided, to make sure it protects the Town's interest. After his complete review he will provide a copy at the next work session. This will still allow John time to put the seasonal hours into effect at the beginning of June.

**Lupos Building.**

Marchie Diffendorf reported that Lupos, the spiedie marinade business, have completed their building and it looks very nice. Councilman Grubham said they opened up the banks going into the creek and he questioned if it was on their drawings to do it that way, to drain everything from their parking lot into there, noting a concern that when there was high water it would back up in there.

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**Education – B. Kinney.**

John Finch reported that last month Brian Kinney attended the Grade C class in Cortland and while he was there he realized he could take the Grade B class as well. He passed both tests with a 94 for the Grade C and 91 for the Grade B. After six months he will have the Grade C operator's certification and after one year of being at the water treatment plant he will automatically be a Grade B operator. This actually saved the Town at least \$500.

**Shared Services.**

Supervisor Kniffen reported the Governor is requesting that municipalities do more with shared services. This is in addition to the tax cap and efficiency plan that have been approved and are in motion. He said this is not new to anyone, they work on shared services on a regular basis, although much of it is not documented. Kirkwood works with Conklin, Windsor, Dickinson, Town of Binghamton, and this goes on throughout the whole County. The Governor's plan could be a 2-year plan. In each County the County Executive is the chairperson of the committee and each mayor or supervisor is a member. It is opened to the schools as well. There have been a couple of meetings but in his mind there has not been good attendance. He said he doesn't mind the Governor challenging them and they will see what happens. The deadline is August 8<sup>th</sup> for anything to get done this year, which isn't much time considering all the documentation that is involved when presenting it to Albany. If they don't do it this year they can try to get something in place next year with the same timeline, and they would have a whole year to plan it.

**Code Issues.**

Supervisor Kniffen said he and Code Officer Chad Moran looked at some parcels in Kirkwood that may have code violations. On Route 11 they rode from the Pennsylvania line to the City line and looked at some things that might need Chad's attention. They put a plan together with a timeline to address each of the situations and give them a date as to when they need to be cleaned up.

**Sales Tax.**

Supervisor Kniffen reported they received the sales tax revenue for the first quarter and it was very good at \$1,335,040. He said based on that, if it continues, we will exceed what has been put in the budget by about \$80,000. Mr. Smith said the figure is actually \$333,000 times 4 for the year. Supervisor Kniffen added this is not only a good thing for Kirkwood but for all of Broome County as well, as it would signify that perhaps our economy, at least locally, is getting better.

**Kasmarcik Property.**

Supervisor Kniffen explained this property was taken over by the County for non-payment of taxes and once that happened they could have turned it over to Kirkwood or the Land Bank. Kirkwood applied to have it put in the Land Bank and it was approved. It is now targeted for demolition and will become a green area so there never can be another building put there. There isn't enough area for anyone to put in a business anyway. It will be the Town's property to maintain. Clarification was made that it will be turned over to Kirkwood after the building is demolished. Marchie Diffendorf questioned if the property could be sold in the future. Supervisor Kniffen said the major reason for a land bank is to take over this type of property and get rid of any problems and then it would be suitable for economic development, jobs, putting money into the economy and so on. There is very little chance this site could be developed. Marchie questioned if it couldn't be used as a parking lot for other businesses that don't have enough parking. Councilman Grubham said the problem with that property is the State right of way goes almost to the front of the building right now so it doesn't really lend itself to be developed, even for a parking lot. Since the right of way is so wide there, Marchie said there is a possibility the State would sell some of the frontage as excess property, possibly 20 or 30 feet. Councilman Grubham said the Town will make it a green space now but that doesn't mean in the future they couldn't change their minds. Supervisor Kniffen said this is not like the buyout properties, which involves flooding, and agreed that the option would still be open. Mr. Blaise said the Land Bank wants to see it developed so if something arose in the future, unless there was a specific County restriction, he thinks it could be open to development in the future.

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**Upper Court St. Motel.**

Supervisor Kniffen said this is such an eyesore and a frustrating situation. He noted there is a history there and the Town had high hopes, to no avail, of fixing the flood problem. Mr. Patel, that owns the Del Motel, and his partners named Patel, keep paying the taxes but as it stands it cannot be developed. The building would have to be taken down. Any building there would have to be on stilts or the ground level raised like it was at Clements Tire. The Town has been in regular contact with the Patels who hired a mid-west firm to look at the area for development if the building was removed, but the Town is not privy to that plan, understandably. He said last week the local Mr. Patel offered to sell the property to the Town for \$700,000. He has asked Chad to look at this again to see if there are any code violations. He said people entering and leaving Kirkwood have to look at it and it's a disgrace and unbelievable that anyone would let that sit there in that condition.

**Colesville Road On-Ramp to I-81.**

Supervisor Kniffen reported the on ramp off Colesville Road to I-81 north is being rehabbed by DOT. From Colesville Road to where you get on the ramp, approximately 1,100 feet, is the Towns and it gets a tremendous amount of traffic, especially truck traffic. The last time it was repaved the cost was about \$35,000 and he doesn't feel that's fair so DOT was asked to take it over. They can't take it over because there are laws involved that properties would have to be traded and the Town couldn't meet those requirements. Although the split was going to be 50/50 between the Town and DOT to do more dramatic remediation to prolong the life on the road, DOT is now going to pay 100% of the project and it should be done this year.

**NEW BUSINESS:**

**Storm Stella Rescue.**

Supervisor Kniffen explained that the Board is honoring John Fleming, Shawn Pichura, Mark Andrus, Ben Diffendorf and Steve Brown of the Kirkwood Fire Department for saving the life of Nate Smith during the severe snow storm in March.

Recap of the events of March 14, 2017: Kirkwood resident Nate Smith was traveling down Trim Street towards Route 11 when his car got stuck in the snow. He was trying to shovel it out when he had heart failure, his wife was in the car with him. John Fleming was coming home from work and said it was snowing so hard he could barely see to even find Trim Street. He saw Nate shoveling near the end of Trim Street so he parked at the Kirkwood Fire Department sub-station and started to help shoveling. He and Steve Brown performed CPR at the site and Ben Diffendorf and Mark Andrus plowed the way to the hospital with Steve and Shawn Pichura helping in the ambulance. Mrs. Smith said Nate wasn't actually brought back until they were on the way to the hospital and his heart stopped several times before they even got there. Nate was not conscious and was on a ventilator in the hospital for 5 days. Nate said he is feeling well now and thanked the firemen for helping him.

Supervisor Kniffen said that the firemen don't get paid monetarily but they do it because they are part of the town and want to contribute as fire fighters and help people in times of stress. The Town is thankful for both fire departments. This will be a day that will go down in Kirkwood's history with a resolution to be adopted honoring them.

Councilman Diffendorf moved to adopt resolution Honoring Kirkwood Fire Department, in accordance with the attached resolution. Councilwoman Yonchuk seconded.

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

78-17  
Honor  
Kirkwood  
Fire Dept.

**MOTION CARRIED.**

Councilman Diffendorf read the resolution and presented a certified copy to each honoree.

**OLD BUSINESS:**

**Discussion:** In regard to the following 4 resolutions, Supervisor Kniffen said the Town is spending a lot of money, however if they are successful in passing all of this the tax rate

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will not increase at all. Budget Officer, James Smith, will explain how they will do this without affecting taxes.

Mr. Smith said the cost they are anticipating for the two Ford F-550s is \$134,000 and there is enough in the 2017 budget through the equipment line item plus money in reserve that was set aside to supplement it. This is part of the 5 to 6 year capital planning layout of the money. Each year they are going to try to keep at least \$60,000 in the equipment line, and almost an equivalent amount in a transfer to reserve to keep replenishing that. Right now there is about \$38,000 in the reserve fund and there will be \$60,000 going in for the 2017 allocation. There is also another \$54,000 that was set aside for truck purchases that are coming up. This is another type of reserve, in the capital improvement side. Some of the equipment, back when they were doing the original truck in 2016, was going to be multi-year but Mr. Smith said they were able to go ahead and use \$54,000 available funds and pay that off early. So the \$54,000 that was set aside for that is now available for the reserve.

Mr. Smith explained that the other item mentioned before is they are waiting on some significant FEMA money but they are not depending on it right now since they have the source that would cover it. That amount is \$155,000 and it would pay for it all if they decide to go with that and keep more money in the reserves. Supervisor Kniffen said there is no legitimate reason they don't have that money yet. They just didn't provide the proper paperwork. Mr. Smith said they knew it would take some time since FEMA always has the smaller projects that kind of front load the money. On those projects you can get the money and then spend it, but with the larger projects that these two were, roughly over \$65,000 per project, the money has to be spent first, but if they want more paper work they get it before they release the money. He said all of the money has already been incurred for FEMA so it's all just reimbursement now. It goes back into the general fund and they can use it for equipment purchases. It was noted that it is not earmarked specifically for equipment, it can be used for anything. Supervisor Kniffen said the Town wouldn't normally have a lot of money on hand to take care of flood issues while waiting for FEMA to pay us so the Town would have to borrow it or a combination of borrow and use money in hand so when we get the FEMA money it is the Town's to use as we want.

Mr. Smith said part of the 5 to 6 year plan was to get a Hyundai loader. The provision was made, starting in 2018, for \$39,000 a year for 2018, 2019 and 2020 but now the cost after bidding has come in less than that and after the trade-in it's going to be \$98,842. With the first year out of four years of the purchase agreement the trade-in counts for year one (2017), and the first payment is actually due in 2018 of the final three year payments. They are now allowing \$35,000 a year that was plugged into the regular equipment use of reserve money over those years, so it is covered. Councilman Grubham said since they will be drawing it down \$35,000 a year they have to be careful they don't spend more money than they planned on. Mr. Smith said they will have enough reserves according to the plan they have mapped out.

In regard to the Howard Street Sewer Project, John Finch said there is a grant that the Town's engineer John Mastronardi is going to apply for that could pay up to 25% of any given project. Applications are due in June so this project fits the time frame. If approved this could amount to up to \$13,000 towards the cost of the project but in the meantime the money is available in the sewer budget for the project.

Councilwoman Yonchuk moved to adopt resolution awarding sealed bid for two (2) Ford Super Duty F-550s to Chenango Sales, Inc., being the lowest responsible bidder at \$93,831.20. Councilman Diffendorf seconded.

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

MOTION CARRIED.

79-17  
Award Bid  
Ford Trucks

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Councilman Diffendorf moved to adopt resolution awarding sealed bid for a loader to Tracey Road Equipment, being the lowest responsible bidder at \$98,842.00. Councilman Grubham seconded.

80-17  
Award Bid  
Loader

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 awarding sealed bid for the Howard Street Sewer Project to ZMK Construction, Inc., being the lowest responsible bidder at \$51,891.00 and authorizing the Supervisor to sign agreement with ZMK Construction, Inc., in accordance with the attached agreement. Councilman Weingartner seconded.

81-17  
Award Bid  
Howard St  
Sewer Project

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 authorizing B&G Sealcoating to seal the Town's basketball courts at Valley Park, Veterans River Park, and Grange Hall Park at a cost of \$3,555.00. Councilwoman Yonchuk seconded.

82-17  
Seal  
Basketball  
Courts  
Parks

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 hourly rates of pay for Temporary Help and Board of Assessment Review for the remainder of 2017, in accordance with the attached resolution. Councilman Diffendorf seconded.

83-17  
Amend Pay  
Rates  
Temp  
BAR  
Pl Bd / ZBA  
Chairs

**Discussion:** Supervisor Kniffen noted that this resolution originally included only temporary help and the Board of Assessment Review, but the Chairmen of the Planning Board and Zoning Board of Appeals have also not received an increase since 2008 and he is recommending those positions be included in this resolution as well by increasing the Planning Board Chairman's to \$7,238 (from \$6,151) and increasing the ZBA Chairman's salary to \$1,920 (from \$1,419). He added this was something that was just overlooked in the past.

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 ratifying a resolution authorizing Supervisor to enter into an agreement with D.E. Nolan Builder for the construction of a 26 X 48 pavilion at Veterans River Park, at a cost of \$21,414.00, in accordance with the attached agreement. Councilman Grubham seconded.

84-17  
Nolan  
Agreement  
Pavilion  
Construction  
VR Park

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

MOTION CARRIED.

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85-17  
Sched PH  
Solar Energy  
LL

Councilman Grubham moved to adopt resolution scheduling a Public Hearing for May 30, 2017 at 6:00 PM regarding the proposed Solar Energy Local Law. Councilman Weingartner seconded.

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

MOTION CARRIED.

**OTHER:**

86-17  
Hire  
T. Everett  
Parks  
Laborer

Councilman Weingartner moved to adopt resolution authorizing hiring Terry Everett as Laborer to work in the Parks Department effective May 3, 2017 for 90 days at a rate of pay of \$12.82 per hour. Councilwoman Yonchuk seconded.

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

MOTION CARRIED.

**Discussion – Road Bonding**

Supervisor Kniffen explained that at the end of each year the Highway Superintendent gives the Town Board a list of roads that he would like approval to repair the next year and that was done for this year but when it was done John Finch was not in office. Shortly after John took over they discussed how nice it would be if they could fix all the roads at once. Since Kirkwood doesn't offer a lot of services such as garbage pickup, law enforcement (although the State Police barracks is located in Kirkwood), etc., he said this would be an opportunity to give Kirkwood residents something extra and go beyond basic stone and oil by putting down a new base and then stone and oil, with 10 to 15 years of life versus them being done every few years. To do all the roads it would cost over \$3 million so they decided to look at only the most critical roads that would require extensive rehabilitation. The status of each road in the town would be determined as to when they need work to spread the cost out. Supervisor Kniffen reviewed with Jim Smith as to how to pay for this and as with the other resolutions where money is being expended, this would not affect the tax rate. He said he feels this is remarkable that a small town like this is able to manage finances in a way to be in a position to do something like this.

John Finch reviewed a map where each road in the town was highlighted with red, purple, or green. He said all the roads in red are those that are proposed to be included in the \$1.4 million bond. Most of the critical roads are outlying roads and specifically the south end of town is in dire need of repair. These roads had cold mix put down 20 to 25 years ago. The base is still there and since that time they have been oiled and stoned a number of times but it is getting to the point where oil and stone isn't good enough any longer. They need to restructure them before they start losing their base. So he and Supervisor Kniffen came up with the idea to put the cold mix down. He said they would shim it first with about 1 ½ inch of cold mix to take out all the imperfections in the road and then go back over it with a top layer of cold mix and when it is all done there will be about 3 inches of base, which is a very good solid base. After at least a month or two and the cold mix is cured then the roads will be oiled and stoned and it seals the surface. Typically these roads wouldn't have to be oiled and stoned again for at least 7 to 10 years and probably more because the base would still be there. This involves a total of 16 miles of roads. There are a total of 44 miles of roads in town at 20 to 21 feet wide.

In referring to the roads in green, John said they are areas that were done in 2015 and 2016. The larger roads like Johnson, Quilty and Foley was just stone and oil. They will need addressing also in the near future. He noted that according to CHIPS they can't go back and work on those roads for at least 5 years from when they were oiled and stoned.

John said the areas in purple, which are basically the developments of Highland Heights, Five Mile Point, Bell School and some of the short streets, are the roads on the list that

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they will blacktop from 2017 to 2019 and CHIPS money will be used. He said because blacktop is more expensive than cold mix his idea is to get as many of the highlighted roads done with the bonding and have CHIPS pay for the shorter roads so more of the taxpayer's money will be used to get roads covered.

After 2019 John said they will start addressing the roads in green because the outlying roads will need the same kind of work done and they would be able to use the CHIPS money to pay for them, doing the worst ones first.

In regard to financing, Mr. Smith said the estimated cost for the major portion is \$1.4 million. He said the longest you can go on road work is 15 years and according to Municipal Solutions the average interest rate is 3.2%. As a cushion, he said he added \$100,000 to John's amount of \$1.4 million for closing costs and used 1.5% for the cost before interest expense. The debt service amount they would need for each year is \$125,000. To cover that cost they initially thought of the CHIPS money but decided against that because of no conviction of its continuity for that whole time and not knowing if they would allow the town to use it even though it covers a lot of roads. So the plan is to develop the two line items in the highway budget, to find enough savings to contribute towards this. One line is general repairs with currently \$120,000 a year and lower that to \$95,000 to generate \$25,000 and the second one in the permanent improvement line (historically used for road work) at approximately \$80,000 each year and cut that in half to \$40,000 and using the other \$40,000, resulting in \$65,000. Then sales tax would be used to supplement the remaining \$60,000. In response to a question from Councilman Grubham, Mr. Smith said the sales tax money used to be split \$100,000 to general fund and \$400,000 to highway and this year the total was raised to \$1.25 million and they gave highway the other \$50,000 and it could come in at \$1.33 million for the year. That is \$85,000 more based on the split formula. So they scaled it back and plan to use \$60,000 of the extra and left the rest of the split the same. He said if the roads didn't use all the CHIPS and Pave NY money going forth they would supplement it. Also as a suggestion from Municipal Solutions, Mr. Smith said maybe in the first 5 years they could just do renewable one year BANs (Bond Anticipation Notes), see where resources are and pay down the principal based on actual costs. He said those are usually at lower rates.

Supervisor Kniffen said they took some highway line items and to protect that money if this decide to do this, they would take out another line item to make sure that money stays there. Mr. Smith said they would probably set it up as a capital project/reserve. He added that part of the logic of this, as they get into something of this magnitude, is that some of the other costs should go down, especially after three or four years if some of the maintenance and permanent improvements of the other roads have been addressed, it should become available for the debt service.

As a reminder, Mr. Smith said back at the time Dick Jones was Highway Superintendent they got the sense that CHIPS might not go on forever but now it keeps coming so they've started to budget for it. In response to Councilwoman Yonchuk as to whether CHIPS is a lose it or use funding, John Finch said it rolls over from year to year. Mr. Smith said it has gotten more liberal as to what you can use it for so even if it is not used for roads, it can be used for highway equipment trucks. There was also reference made by Mr. Smith and John Finch that there might be some grant money available through the Senator's office for a major project like this.

Councilman Grubham said the big concern in his mind is the base that is there now. He said most of the roads were farm roads and all they did was put stone and oil down, and in some cases just oil down, so they're not really built to town specification. He is thinking that the town's Engineer should do some kind of a survey to assure them that when they put something on top of what's there already that it isn't going to fall apart two or three years later. John said most of the roads, with the exception of Burts Road which is only oil and stone, have a base. They would have to do prep work for Burts to get a base. John said the Engineer could take core samples. Councilman Diffendorf noted a concern that they not spend too much money in that regard. John added that all the roads on the south end of town have the cold mix with the exception of Burts. He said Fox Hollow, Duell and

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Springer at the north end of town have it as well. Marchie Diffendorf said he thinks the town had some coring done when gas drilling was an issue, so this will be checked into.

Councilman Diffendorf said he's never liked bonding for things but he thinks this project warrants it because there are some pretty bad roads in town. Councilman Grubham said he is not against it if they do it correctly. He did caution that they should be careful about fixing any infrastructure issues before the work is done. John said there is no underground infrastructure involved under any of the roads in red and he won't be doing any paving until the culverts are replaced.

In regard to a timeline for this project, John said his CHIPS money has been spent for this year so it isn't crucial this year but obviously the sooner he knows if this is going to be approved the better so he knows where he will be putting his manpower. He does have 32 miles of ditching that will have to be done first so as soon as he finds out he will start implementing a plan on where to start. If this is approved he would have the roads in the south end of town ready for cold mix in the spring. Depending on the progress of that process they may have to put off some of the other roads until the next year until he can get caught up with the ditching. He clarified that the cold mix would be done in the spring and the oil and stone would not be done any later than August. John said a plant would be set up at the highway garage to make the cold mix, which is 70% asphalt. Discussion as to bidding options for the various aspects of the project.

If the Board decides to proceed with this project, Mr. Blaise said they would adopt a resolution subject to permissive referendum, a legal notice would be published, as well as other legal notifications, and then they would wait for 30 days. They would seek bids on the actual project and also from financial institutions for the bonding. All the options in that regard were discussed, while considering the uncertainty of the time frame at this point. Supervisor Kniffen said he would like to get this nailed down, and although it looks like the Board wants to pursue this, he doesn't want it to get lost in the shuffle. Since all the Board members want to proceed with this project, Mr. Blaise will initiate the legal process.

**Discussion – Paving Highway Department parking lot - \$16,000**

John Finch said since they will be getting the town hall parking lot paved he would like to get the parking lot on the south side of the highway garage paved at the same time. The lot is in bad shape and a lot of people use it for the post office drop box. John said the cost would be about \$16,000 for the additional paving and CHIPS money can be used. The total CHIPS amount for this year is \$150,591.23 and along with \$80,000 for permanent improvements there is a total available of \$230,591.23. Out of that amount \$26,156.50 will be taken out for the purchase of the leaf vac, leaving a balance of \$204,434.73 for this year. At the next Board meeting he will provide a revised list of roads as highway expenditures for this year adding Fairview Dr., S. Sunset Dr., Kirkwood Ave., Colton Ave., Page Ave and Woodlawn Dr. to the original list. The total for all the roads submitted is \$123,017.25. After deducting all that and the cost of the highway parking lot there would still be a balance of \$65,417.48 between CHIPS and permanent improvements. John said depending on how the project goes on N. Sunset and Howard St., he may also do that paving this year. John said the CHIPS money can only be used for highway related projects including paving around the highway garage, additions, salt barns, etc. He said the \$16,000 cost for the paving was a bid price he received from Broome Bituminous. He will get another price as well. He added that he is hoping to get the paving done this month for both lots. The cost for the Town Hall lot is about \$13,000 which is about the same as it would have been last year. Councilman Diffendorf said he thinks the paving for the highway garage should come out of general fund, not CHIPS money. He said the paving is only for parking and for people that make the loop for the drop box, just like at the town hall. Councilman Grubham said there is only about \$14,000 in the reserve fund and paving at the town hall will eat up most of that. Mr. Smith said he doesn't disagree with Councilman Diffendorf, but CHIPS has gotten more flexible with what the funds can be used for and Mr. Blaise said because the lots are connected it gives more flexibility to use the CHIPS funds. Councilman Diffendorf said the reason he is questioning this is because when they start talking about bonding later in the meeting they will be talking



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about a lot of roads and this \$16,000 could help fund another road right now, without using it in the parking lot. Supervisor Kniffen said he agrees, and this is a point well taken.

John said he is looking for approval so he can get this done this month. Mr. Blaise said the Board could pass a resolution at this meeting authorizing John to spend up to \$16,000. Mr. Smith added that since it looks like they are tracking to get more sales tax based on the first report, that alone would cover this. Councilman Grubham said although the thinking is they will get this money, that could turn around. Mr. Smith added there is a very healthy fund balance beyond the state expectations so he is not concerned at all about that.

Councilman Grubham questioned if both lots would be paved at the same time and at a better price than for one lot. John said it is based on the tonnage, and typically they would do both of them in two days. It would be cheaper for Broome Bituminous because they already have the low bid and there wouldn't be a charge for mobilization, but he will check with the other companies as well. He did note though, the other quotes he got were more for doing just the town hall lot than both of these combined. He added that this does not include the lining. He will contact the County about that.

Councilman Grubham moved to adopt resolution authorizing the Highway Superintendent to spend an amount not to exceed \$30,000 for paving of the town hall and highway department parking lots to be paid from general fund. Councilwoman Yonchuk seconded.

87-17  
Pave TH &  
Hwy Garage  
Parking Lots

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

MOTION CARRIED.

**Discussion – Winning bid on a 2002 New Holland TL90 Tractor with Hydraulic Broom - Total price was \$ 11,110.00**

John Finch explained that at the last meeting the Board authorized him to bid up to \$17,500 for a tractor but he lost that bid since it sold for \$18,100. He received verbal authorization to bid on another tractor and he was the high bidder yesterday at \$11,110, which includes a buyer's premium of 10%. He said they would most likely put both a flail mower and a reach mower on this machine and eliminate two tractors, a 1990 and a 1991. He noted that this tractor does not have the mower attachment like the first one he bid on did and it has 2,000 more hours on it so it was considerably less.

Councilman Diffendorf moved to adopt resolution to purchase the 2002 New Holland TL90 Tractor with Hydraulic Broom for a total price of \$11,110.00. Councilman Grubham seconded.

88-17  
Purchase  
Ne Holland  
Tractor

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

MOTION CARRIED.

**PERMA Conference.**

Councilwoman Yonchuk moved to adopt resolution authorizing William Diffendorf, Jr. to attend the PERMA Schooling at the Sagamore Hotel in Bolton Landing, NY to be held May 25 – 26, 2017 with all reasonable expenses paid. Supervisor Kniffen seconded.

89-17  
Education  
PERMA  
Diffendorf

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

MOTION CARRIED.

**TOWN OF KIRKWOOD  
TOWN BOARD MEETING**

**May 2, 2017**

**AUDIT AND PAYMENT OF CLAIMS:**

90-17  
Audit/Pay

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 3, 2017, all in accordance with the abstract of claims on file in the 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.

**ADJOURNMENT:**

Councilman Weingartner moved to adopt resolution to adjourn the meeting. Councilman Diffendorf seconded. All voted in favor.

MOTION CARRIED.

Meeting adjourned at 7:50 P.M.

Respectfully submitted,

Gayle M. Diffendorf  
Town Clerk