

TOWN OF KIRKWOOD WORK SESSION

July 9, 2019

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

Also Present: Robert McKertich, Attorney
Gayle Diffendorf, Town Clerk
John A. Finch Jr., Commissioner of Public Works
Marchie Diffendorf, Planning Bd. Chairman

1. **Open Sealed Bids – Johnson Road Repair Project.**

Councilman Diffendorf opened the following bids, confirming that a bid bond and Non-Collusive Bidding Certificate was included with each bid:

Bothar Construction	- \$ 82,434
Gorick Construction	- \$ 94,200
Procon Contracting	- \$144,000
R. DeVincentis Construction	- \$147,000
ZMK Construction	- \$ 87,000

Mr. Finch requested a resolution to award the bid at the meeting following this work session, subject to the inspection of the Town's Engineer of the bid specs, so that we can start moving forward on the project. He said if there are any issues then we will obviously come back to the Board with an alternative contractor.

2. **Discussion – Sewer Line Inspections. (JAF)**

Mr. Finch said the sewer lines were inspected in the Five Mile Point area this year and we found quite a bit of infiltration. About eight or nine years ago we replaced the sewer main on Hillside Drive. There's infiltration on both the Dennis and Don sewer lines, plus the manholes have quite a bit of infiltration. We need to get prices for next year to repair the lines. They have cracks in them and there's about 62 feet section on Dennis Street that has three breaks in it plus the infiltration and manholes and the 260 foot section on Don Street has four breaks. I'm going to look into a couple of different alternatives. One is slip lining the pipes instead of ripping up the whole road like we did on Hillside. Also, we can look at just doing stents to repair the cracks but with the amount of infiltration I think it will just pop up somewhere else. With the slip lining we repair the entire line and also have the manholes fixed and there would basically be a new line when it's done. They cut the laterals out and seal around them so there's no infiltration around them. We'll also get a price to have it dug up and repaired back to pre-conditions. I'll have our engineer start looking at designs and some specs so we can get prices for next year.

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**3. Discussion – Overtime for Water & Sewer Department – Weekends.
(JAF)**

In regard to overtime for the Water & Sewer Department, Mr. Finch said earlier in the year we agreed to have them not check the sewer stations for a couple of months now that we have telemetry at all of them, just checking the Water Department, which is the wells and the Water Treatment Plant, and they were getting an hour of overtime for that. After consideration and review I've decided to switch it back to two hours of overtime. They have to travel 15 minutes each way to come in to work and that's a half hour of their own time, plus if there are any situations that they have to repair they would have the time to do it. In response to questions from the Board, Mr. Finch clarified that they would get two hours of overtime pay (time and a half), which is three hours of regular pay for each day of the weekend.

**4. Resolution hiring Jake Tutko as Laborer to work in the Parks
Department effective July 10, 2019 until September 30, 2019 at a rate
of pay of \$12.82 per hour. (JAF)**

Resolution.

**5. Discussion – Transferring Brian Kinney from Laborer to
Water/Wastewater Maintainer and increase his salary from \$ 17.75
per hour to \$ 18.25 per hour effective January 3, 2019. (JAF)**

Mr. Finch explained that on January 3, 2019, which is Brian's anniversary date, I changed his title from laborer to Water/Wastewater Maintainer and I would like to request he get paid an additional 50 cents per hour retroactive to January 3rd. This amounts to about \$560 of back pay. We've done this in the past with other people that should have gotten an increase in their pay sooner. Councilman Grubham questioned what a Water/Wastewater Maintainer is. Mr. Finch said Laborer is just a title we had through Broome County but after two years of working at a Water Treatment Plant, under Broome County he would then be a Water/Wastewater Maintainer for which there are more responsibilities. He also has his Water Treatment Plant Operator License and is recognized as a Water Treatment Plant Operator-Water/Wastewater Maintainer. The County requires that we have a Water/Wastewater Maintainer and a Water/Wastewater Crew Chief. Councilman Grubham asked if the County has a slot for Water/Wastewater Maintainer and if there is a test for it. Mr. Finch said there is no civil service test for it. In regard to a question from Councilman Diffendorf as to where this new term came from, Mr. Finch said that back when they required Al and I to take the civil service in about 2009, we both scored 75 or 76, but there were other people ahead of us in the class with higher scores that were just taking it at the time for a Water Treatment Plant Operator License. In our town you're a Water/Wastewater Maintainer and you do everything, you're not just a Water Treatment Plant Operator and a Wastewater Treatment Plant Operator. When we asked Broome County what other job descriptions there are, based on what we do, they created these positions. We didn't really have to take the civil service test when we did. Basically

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we've had those titles for about ten years. I was the Water/Wastewater Crew Chief and Al was the Water/Wastewater Maintainer. A Waste/Wastewater Maintainer does everything; maintains the pumps, fixes issues with the distribution system. They don't have to do anything with wastewater because we don't have a wastewater treatment plant. There is a job description on file in the Supervisor's Office.

6. Discussion – Proposed Vacant Property Law. (LCG)

Councilman Grubham said the Code Office has been having a very difficult time with some of these properties that have been left vacant for long periods of time. Several towns now have vacant property laws and I've provided a copy of one of them for your review. He said there are lots of vacant properties, such as the Oakley property, and the only thing Chad could do, because it's structurally sound, was make them board it up. Now it's boarded up and it's just going to sit there and there's nothing else he can do about it. It's basically the same situation with the old Wilmarth & Gulino building, it just sits there. After review we can discuss this at our next meeting to see if it's something we want to pursue.

In regard to another situation, which we call zombie properties, Supervisor Kniffen said there were a total of 19 properties and 15 of them have been removed.

Councilman Diffendorf questioned why the Department of Public Works employees are mowing some of these properties. Mr. Finch said Chad asks us to mow them and then he submits the bill and it's put on their taxes to be reimbursed to us. Councilman Diffendorf said I thought he was going to hire a private contractor to do this. Mr. Finch we've only mowed them a couple of times. He said we've not gotten any reimbursement yet and Councilman Diffendorf added you're not going to and I don't even know how much you should bill for mowing. I think we should just allow this to go to the private contractor and we shouldn't get involved in it. Supervisor Kniffen said that's what we decided, we would have people bid on it and have the low bidder do it all. Mr. Finch said people were complaining and a lot of them were two feet high. Supervisor Kniffen said the Board's direction was to get someone outside and I think we should do that. Councilman Diffendorf said we should put this out to bid every year like we do for abandoned vehicles. Supervisor Kniffen with take care of this with Chad.

7. Discussion – Request for Change in Zoning – Lester Siedel – 50 Francis Street – PUD to B1. (GEK)

Kyle Ellsworth, the Engineer for Mr. Siedel, provided two maps of the properties. Mr. Siedel said I have 50 Francis Street and I'm in the process of buying 5 Irving Avenue to make the parcel 103 feet total so we can split the properties. Mr. Ellsworth said eventually there will be two properties. The last time we came before the Board we didn't have enough frontage. In response to Councilman Grubham who thought they were going to demo the house, Mr. Ellsworth said for the time being it will be on parcel #1 and the office will be on parcel #2. There is an addition of .2 acres. It was noted that 80 feet of frontage is required with water and sewer. Councilman Grubham said this is a way out of the situation and hopefully it works out

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for you although I would rather the house be gone. Resolution to refer this to the Planning Board for their recommendation.

8. Discussion – Resolution adopting the Short Environmental Assessment Form regarding the Fairview Avenue Easement, in accordance with the attached Short EAF. (JAF)

Resolution.

9. Discussion – Resolution approving the acquisition of an easement near Fairview Avenue, in accordance with the attached resolution. (JAF)

Mr. Finch said we want to put a trash rack along the pipe that crosses under Fairview at Hiner Road, so hopefully it won't wash out like it did the last time. Our Attorney and Engineer have been working on this for months and we're finally close to getting it done. This is a resolution acquiring the permanent easement at the intersection of Fairview and Hiner which will allow us to get in there to clean out the trash rack. If the Board approves it I'll have the property owner sign it and hopefully we can get started on the work. Councilman Diffendorf said this will collect the branches and questioned if there is a flash flood and it gets flooded, if there is a way for the water to get around it. Mr. Finch said it will be right in the channel so the debris will collect and the water will go around it and go back in the ditch. We're going to put it far enough away so it will go back into the ditch and through the pipe. It will at least buy us some time to get up there and clean that trash rack out. This is still included in the federal grant. This will be paid at 80 percent, because it's in addition to what was there pre-disaster. Everything else is covered at 100 percent. The cost estimated for the project is about \$12,000. Resolution.

10. Discussion – Main Sewer Station Stairs. (JAF)

Mr. Finch said we had two contractors submit bids. The bid from Homer Iron Works was thrown out because they had no bid bond or Non-Collusive Bidding Certificate. JLR Industrial Contractors from Warners, New York near Syracuse bid \$55,000 for stainless steel and \$48,000 for steel, primed and painted. We had budgeted \$38,000 this year for the stairs so obviously we are a little over our price. This is the third or fourth time we have gone out to bid for this project to get a price that's acceptable. We can either discuss accepting the \$48,000 or \$55,000 bids or try to bid it again, but nobody around here seems to want to deal with this. Some companies will do the installation but not the demo. According to PESH we have a serious violation which means we could possibly get funding assistance which is available to public employers. This could reimburse us 75 percent of the cost of the project as long as it's over \$1,000. There is a pool of money for violations and based on what gets submitted and when it's submitted, how much money is remaining in the pool and how much we qualify for. There's not a lot of information on it, the actual funding money comes from New York State. It could not be determined if this falls under the CFA Program, and Supervisor Kniffen said if it is, they are only granted in the month of December. Mr. Finch said I have not received a response from the numerous messages I've left with the Occupational Safety & Health Hazard

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Abatement Board. The bids are good for only 45 days. Councilman Grubham said we don't know anything about this and we shouldn't spend any money until we get more information about the grant. Supervisor Kniffen and Mr. Finch will work on this to be sure the information is correct from PESH. Supervisor Kniffen said we can always have a special meeting if needed. Councilwoman Yonchuk noted a concern that we're very close to the 45 days. Mr. McKertich said all that means is that we can't hold them to that number. If they agree to stand behind it then we can go forward. If they would want to increase the price then we would have to re-bid it.

- 11. Request from Chad Moran to attend the STBOA Training at the Big Flats Community Center, Big Flats, NY on August 7, 2019 at a cost of \$35.00, with all reasonable expenses paid.**

Resolution.

- 12. Audit of Claims.**

Resolution.