

**TOWN OF KIRKWOOD
TOWN BOARD MEETING**

September 7, 2021

A regular meeting of the Kirkwood Town Board was held on September 7, 2021 at 6:38 PM at the Joseph A. Griffin Town Hall with Supervisor Lewis Grubham presiding.

Present: Supervisor Lewis Grubham
Councilman Robert Weingartner
Councilman William Diffendorf, Jr.
Councilwoman Katie Legg
Councilman Arthur Shafer

Also Present: Robert McKertich, Attorney
Kelley Diffendorf, Town Clerk
John A. Finch Jr., Commissioner of Public Works

PLEDGE OF ALLEGIANCE: Done Prior to the Public Hearing

APPROVAL OF MINUTES: August 3, 2021 Town Board Meeting and August 3, 2021 Public Hearing

PUBLIC PARTICIPATION:

Mark Casiuk from the public spoke to the Board members regarding an ongoing grievance he has with Code Enforcement Officer Chad Moran. Mr. Casiuk accused Chad Moran of lying and changing facts regarding wooden structures on his property, which have been referred to as travel trailers or car ports. Mr. McKertich explained that the Board does not have jurisdiction to overturn code interpretations by the Code Enforcement Officer or a Town Judge. It must be done in court. Supervisor Grubham told Mr. Casiuk that he has the option of contacting a lawyer if he would like to pursue this matter any further.

Del Austin from the public also spoke to the Board about a beaver dam in Riverside that is causing major flood concerns. Mr. Austin asked for help from the Board to get the Department of Conservation, Highway Department, and/or Department of Transportation to remove the beaver dam. Mr. Austin expressed his concern about how heavy rain could cause not only houses to flood, but the cemetery as well. Supervisor Grubham explained that he made several phone calls to various departments regarding the dam. The Department of Transportation has a permit to remove it and it will be put on their schedule. Supervisor Grubham will continue to monitor the progress of this matter and keep Mr. Austin informed.

COMMUNICATIONS: Thank you letter from Roberta & Joseph Kabanek regarding opting out of cannabis sales and free zoo passes for Kirkwood residents. Thank you letter from Dan Smith of the YMCA of Broome County regarding the exceptional condition of the softball fields at Veterans River Park and Valley Park.

COMMITTEE REPORTS:

Dog Control Report.

Councilwoman Legg reported numbers from the August Dog Control Report. A copy is filed in the Town Clerk's office.

Senior Picnic.

Councilwoman Legg said she went to the Senior Committee meeting and was able to meet a lot of great folks. She informed them of the Senior Picnic on September 15, 2021 at noon at the Kirkwood Fire Station on Main Street. It will be catered by House of Reardon.

Reach Mower TL-90.

John Finch responded to Councilman Diffendorf regarding the Reach Mower. John Finch said it is being worked on at Monroe Tractor, the c-clip came apart. They are looking into what is causing that clip to pop out, once it pops out you can't engage it in forward or reverse. They aren't sure if it's an issue with that type of transmission or if it's operator error. They will drive it for a while and see if it pops out again. It's in the process of being put back together now.

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TOWN BOARD MEETING**

September 7, 2021

River View at Veterans River Park.

Councilman Diffendorf expressed his thoughts on using the Reach Mower to clean up the river bank near the parking lot so there would be a nice view of the river, like the other section near the pavilions. Councilman Diffendorf said there are a lot of people that like to sit and enjoy the beautiful view. We are so fortunate to have that and I think we need to extend some of that view. John Finch explained that the reach mower only extends 8 to 10 feet which isn't much when you are trying to reach over the river bank. The backhoe has been used in the past to clear the river bank as well. Councilman Diffendorf said we should be able to get that done and I'd like to see it happen.

Population in Kirkwood.

Supervisor Grubham mentioned that Kirkwood has lost 6.5% of its population in 10 years, from 2010 to 2020.

DASNY Grant.

Supervisor Grubham explained a couple more papers were completed and sent in today. Everything should be finalized and taken care of at this point.

OLD BUSINESS:

Councilman Diffendorf moved to adopt resolution, after a Public Hearing, adopting Local Law No. 3-2021 entitled "A Local Law Amending the Sewer Rents Local Law, in accordance with the attached resolution. Councilman Shafer seconded.

Roll Call Vote:	Councilman Diffendorf	- yes
	Councilman Shafer	- yes
	Councilwoman Legg	- yes
	Councilman Weingartner	- yes
	Supervisor Grubham	- yes

MOTION CARRIED.

Councilman Shafer moved to adopt resolution authorizing advertising for Sealed Bids for the Concrete Foundation for the Salt Barn, with bids returnable to the Town Clerk's Office on September 7, 2021 at 12 noon, and to be publicly opened and read at that time.

Councilwoman Legg seconded.

Roll Call Vote:	Councilman Diffendorf	- yes
	Councilman Shafer	- yes
	Councilwoman Legg	- yes
	Councilman Weingartner	- yes
	Supervisor Grubham	- yes

MOTION CARRIED.

Councilwoman Legg moved to adopt resolution awarding the Sealed Bid for the Salt Barn Concrete Project to W&D Smith & Sons Construction, Inc., being the lowest responsible bidder at \$ 112,650. Councilman Weingartner seconded.

Roll Call Vote:	Councilman Diffendorf	- yes
	Councilman Shafer	- yes
	Councilwoman Legg	- yes
	Councilman Weingartner	- yes
	Supervisor Grubham	- yes

MOTION CARRIED.

Councilman Weingartner moved to adopt resolution scheduling a Grievance Day Hearing on the 2022 Unit Assessments for September 28, 2021 at 6:00 PM. Councilman Diffendorf seconded.

Roll Call Vote:	Councilman Diffendorf	- yes
	Councilman Shafer	- yes
	Councilwoman Legg	- yes
	Councilman Weingartner	- yes
	Supervisor Grubham	- yes

MOTION CARRIED.

111:21
Adopt LL #3
Amending
Sewer Rents
LL

112:21
Advertise Bid
for Salt Barn
Foundation

113:21
Award Bid for
Salt Barn
Foundation

114:21
Schedule
Grievance Day
for 2022 Unit
Assessments

**TOWN OF KIRKWOOD
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September 7, 2021

Councilman Diffendorf moved to adopt resolution ratifying a resolution authorizing the Supervisor to sign a contract with Municipal Solutions, Inc., to provide assistance for General Financial Services, in accordance with the attached contract. Councilman Shafer seconded.

115:21
Contract with
Municipal
Solutions for
Financial
Services

Roll Call Vote: Councilman Diffendorf - yes
 Councilman Shafer - yes
 Councilwoman Legg - yes
 Councilman Weingartner - yes
 Supervisor Grubham - yes

MOTION CARRIED.

Councilman Shafer moved to adopt resolution authorizing the Town of Kirkwood to open investment accounts including savings (Money Markets and NOW), certificates of deposit, and U.S. Treasury Obligations at People Security Bank & Trust, with Lewis C. Grubham, Supervisor, Katie M. Legg, Councilperson, Robert F. Weingartner, Councilperson, and William J. Diffendorf, Jr., Councilperson as signers on the accounts, and designate Lewis C. Grubham has primary responsibility for the accounts as Chief Financial Officer and Supervisor. Councilwoman Legg seconded.

116:21
Open
Investment
Accounts with
Peoples Bank

Roll Call Vote: Councilman Diffendorf - yes
 Councilman Shafer - yes
 Councilwoman Legg - yes
 Councilman Weingartner - yes
 Supervisor Grubham - yes

MOTION CARRIED.

Councilwoman Legg moved to adopt resolution authorizing the Supervisor to sign an agreement with Broome County for Court Security, in accordance with the attached agreement. Councilman Weingartner seconded.

117:21
Agreement
with Broome
County for
Court Security

Roll Call Vote: Councilman Diffendorf - yes
 Councilman Shafer - yes
 Councilwoman Legg - yes
 Councilman Weingartner - yes
 Supervisor Grubham - yes

MOTION CARRIED.

NEW BUSINESS:

Councilman Weingartner moved to adopt resolution to declare surplus, the 2018 zero turn Kubota Mower, model #ZD1211L and authorize the sale on Auctions International at no less than \$9,000. Councilman Diffendorf seconded.

118:21
Selling 2018
Kubota Mower

Roll Call Vote: Councilman Diffendorf - yes
 Councilman Shafer - yes
 Councilwoman Legg - yes
 Councilman Weingartner - yes
 Supervisor Grubham - yes

MOTION CARRIED.

AUDIT AND PAYMENT OF CLAIMS:

Councilman Weingartner 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 # 21001044 through # 21001200 in the total amount of \$ 373,775.44, which includes prepaid claims as authorized by resolution adopted January 5, 2021. Councilman Diffendorf seconded.

119:21
Audit/Pay

Roll Call Vote: Councilman Diffendorf - yes
 Councilman Shafer - yes
 Councilwoman Legg - yes
 Councilman Weingartner - yes
 Supervisor Grubham - yes

MOTION CARRIED.

**TOWN OF KIRKWOOD
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September 7, 2021

Comments.

Del Austin thanked the Town Board for everything they do for the senior citizens in Kirkwood. He also mentioned the Town should be proud of how well the parks are maintained and it is very much appreciated.

ADJOURNMENT:

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

MOTION CARRIED.

Meeting adjourned at 7:16 PM

Respectfully submitted,

Kelley M. Diffendorf
Town Clerk