

**TOWN OF KIRKWOOD
TOWN BOARD MEETING**

February 7, 2023

A regular meeting of the Kirkwood Town Board was held on February 7, 2023 at 6 PM at the Joseph A. Griffin Town Hall with Supervisor Lewis Grubham presiding.

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

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

PLEDGE OF ALLEGIANCE:

APPROVAL OF MINUTES: January 3, 2023 Organizational Town Board Meeting

PUBLIC PARTICIPATION: None.

COMMUNICATIONS: None.

COMMITTEE REPORTS:

Dog Control Report.

Councilwoman Legg reported numbers from the January 2023 Dog Control Report. A copy is filed in the Town Clerk's office.

Black Top Hot Box.

John Finch spoke to the Board and referred to the brand new 4-ton Hot Box he was interested in purchasing at the work session last week and reported upon further review that size hot box was too large for the F550 truck to pull, so that has been removed from the agenda. Therefore, he asked for the Boards approval to bid up to \$9,000 (that includes buyer's premium percentage) on a used 2012 KM International 2-ton Hot Box from Auctions International. This unit is said to be fully operational.

Water Break on Route 11.

John Finch explained there was a water break over the weekend, south of Studer's Garage on the left-hand side. It was a service line that went under the road to an empty lot. It had to be dug up Sunday night because the south end of town started getting brown water, the Highway department was able to take care of the situation by turning the corporation stop off. These water breaks appear to be an ongoing problem with many of the copper lines running under Route 11, all towards the south end of town and all installed after the extension of the water main.

2023 Projects.

Supervisor Grubham referenced a handout with maintenance projects that are set to be completed this summer at River Park, Valley Park, and the Town Hall. They will be covered by fund balance and reserve funds. It was noted it has been 30-40 years since work has been done on the Town Hall.

ARPA Stimulus Money.

Supervisor Grubham reminded the Board that the Town initially received \$562,000 in stimulus funds with almost \$400,000 remaining. Industrial Park Sewer Project, a pump for the main sewer station, and soft starts for Sunset Drive and Kirkwood Avenue pump stations have been deducted from the initial amount. There are two projects in the works, Upper Court Street Sewer Line Project and the Stratmill Road Water Tank Rehabilitation Project, with bid amounts pending. After estimated costs on those projects it is hopeful there will be enough left to complete other needed projects.

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OLD BUSINESS:

27:23
Schedule PH
Uniform Code
Update LL#3

Councilman Diffendorf moved to adopt resolution scheduling a Public Hearing for February 28, 2023 at 6 PM regarding the Uniform Code Update Local Law.

Councilwoman Wasson seconded.

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

MOTION CARRIED.

28:23
Issue Mobile
Home Park
License
Quilty Hill

Councilwoman Wasson moved to adopt 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 will be for the year 2023:

Quilty Hill Mobile Home Park, 49 Quilty Hill Road, Kirkwood, NY 13795

Owner: Illinois Parks, LLC.

Councilwoman Legg seconded.

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

MOTION CARRIED.

29:23
Issue Mobile
Home Park
License
Route 11
Kirk Parksites

Councilwoman Legg moved to adopt resolution, 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 will be for the year 2023:

Kirkwood Parksites, LLC, 1794 US Route 11, Kirkwood, NY 13795

Owner: Gary N. Johnson

Councilman Weingartner seconded.

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

MOTION CARRIED.

30:23
Recertification
J.Smith for
Retirement

Councilman Weingartner moved to adopt resolution accepting the Recertification of the Record of Activities for James R. Smith, Budget Officer, PT, for the year 2023, in accordance with the attached Recertification. Councilman Diffendorf seconded.

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

MOTION CARRIED.

31:23
Amend W.Tozer
Salary
Re: reso#12:23

Councilman Diffendorf moved to adopt resolution amending Resolution #12:23 from the January 3, 2023 Organizational Town Board Meeting, correcting the hourly salary for William Tozer from \$23.83 to \$25.33 for the year 2023. Councilwoman Wasson seconded.

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

MOTION CARRIED.

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Councilwoman Wasson moved to adopt resolution authorizing the Supervisor to enter into an agreement with Vieira & Associates CPAs, P.C., regarding the Town Court Audit for the year ending December 31, 2022 at a cost not to exceed \$5400, in accordance with the attached agreement. Councilwoman Legg seconded.

32:23
Agreement
with Vieira &
Assoc
Court Audit

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

MOTION CARRIED.

Councilwoman Legg moved to adopt resolution ratifying a resolution authorizing advertising for Sealed Bids for the Stratmill Road Water Tank Rehabilitation project, with bids returnable February 22, 2023 at 11 AM, and be publicly opened and read at that time. Councilman Weingartner seconded.

33:23
Ad for Bid of
Stratmill Road
Water Tank
Rehab

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

MOTION CARRIED.

Councilman Weingartner moved to adopt resolution approving the Standard Work Day and Reporting Resolution for Elected and Appointed Officials for Karen Ferguson, Town Historian, in accordance with the attached resolution. Councilman Diffendorf seconded.

34:23
Approve Work
Day Reporting
for Retirement
K.Ferguson

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

MOTION CARRIED.

NEW BUSINESS:

Councilwoman Wasson moved to adopt resolution accepting the Recertification of the Record of Activities for William J. Diffendorf, Jr., Safety Officer, for the year 2023, in accordance with the attached Recertification. Councilwoman Legg seconded.

35:23
Recertification
Records of
Activities for
Retirement
W.Diffendorf

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

MOTION CARRIED.

Councilman Diffendorf moved to adopt resolution to authorize the Commissioner of Public Works to bid on a used 2012 KM International 2 Ton Hot Box on Auctions International in the amount not to exceed \$9,000, which includes the purchase price and the buyer's premium. Councilwoman Wasson seconded.

36:23
Authorize Bid
on 2012 Hot
Box - DPW

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

MOTION CARRIED.

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AUDIT AND PAYMENT OF CLAIMS:

37:23
Audit/Pay
Councilwoman Legg 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 #23000022 through #23000179 in the total amount of \$1,004,645.17, which includes prepaid claims as authorized by resolution adopted January 3, 2023.

Councilman Weingartner seconded.

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

MOTION CARRIED.

OTHER:

38:23
Exec Sessiion
Councilman Weingartner moved to adopt resolution to adjourn this meeting to conduct an Executive Session pursuant to Section 105 e collective negotiations pursuant to article 14 of the Civil Service Law. Councilman Diffendorf seconded.

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

MOTION CARRIED. (6:23 PM)

ADJOURNMENT:

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

MOTION CARRIED.

Meeting adjourned at 6:51 PM

Respectfully submitted,

Kelley M. Diffendorf
Town Clerk