

**TOWN OF KIRKWOOD  
TOWN BOARD MEETING**

**April 4, 2023**

A regular meeting of the Kirkwood Town Board was held on April 4, 2023 at 6 PM at the Joseph A. Griffin Town Hall with Supervisor Lewis Grubham presiding.

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

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

Supervisor Grubham announced the public hearing originally scheduled to be held prior to the board meeting would have to be rescheduled since the board room was not large enough to accommodate every person in attendance. The public hearing will be rescheduled for April 25, 2023 at 6 PM and Supervisor Grubham will check on the availability of Bell School.

Several residents voiced questions and concerns regarding the rezoning and possible future development of the property. As requested, Mr. McKertich explained the rezoning process and each step that must take place along the way.

**PLEDGE OF ALLEGIANCE:**

**APPROVAL OF MINUTES:** March 7, 2023 Town Board Meeting

**PUBLIC PARTICIPATION:** None.

**COMMUNICATIONS:** Resignation Letter from Aiden Ellsworth.

**COMMITTEE REPORTS:**

**Highway Lighter to LED Light.**

Councilmember Diffendorf reported on a specialty light on Barlow Road near Court Street that now has the capability of being changed to an LED floodlight, once changed, the light will save the town \$654 each year and be completely paid off within a year and a half.

**Easter Egg Hunt.**

Councilmember Legg explained due to weather concerns the Easter Egg Hunt originally scheduled for April 1, 2023 was rescheduled to April 8, 2023 at 11:30 AM at Veterans River Park.

**OLD BUSINESS:**

Councilmember Diffendorf moved to adopt resolution, after a Public Hearing, adopting Local Law No. 3-2023 entitled "A Local Law Repealing and Replacing Chapter 2200 of the Town Code Entitled 'Fire & Building Code'", in accordance with the attached resolution. Councilmember Wasson seconded.

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

**MOTION CARRIED.**

46:23  
Adopt LL#3  
Update Fire &  
Building Code

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47:23 Councilmember Wasson moved to adopt resolution ratifying a resolution rejecting all  
1<sup>st</sup> Bids Sealed Bids received for the Stratmill Road Water Tank Rehabilitation Project and  
Rejected for authorizing re-advertising for Sealed Bids, returnable to the Town Clerk's Office on  
Stratmill Rd April 5, 2023 at 11 AM, to be publicly opened and read at that time. Councilmember Legg  
Water Tank seconded.  
Schedule a  
2<sup>nd</sup> Bid

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

MOTION CARRIED.

48:23 Councilmember Legg moved to adopt resolution authorizing the Supervisor to sign the  
Landlord Landlord Authorization Form regarding the request from the Kirkwood Fire Co. #1 to run  
Authorization the beer tent at the 2023 Kirkwood Town Fair, at Veterans River Park, in accordance with  
Form the attached Landlord Authorization Form. Councilmember Weingartner seconded.  
Beer Tent/Fair  
KFC #1

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

MOTION CARRIED.

49:23 Councilmember Weingartner moved to adopt resolution authorizing the Kirkwood Fire Co.  
Authorize #1 to run the beer tent at the 2023 Kirkwood Town Fair, subject to approval from the New  
Kirkwood Fire York State Liquor Authority. Councilmember Diffendorf seconded.  
Co #1 to Run  
the Beer Tent at  
Fair

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

MOTION CARRIED.

50:23 Councilmember Diffendorf moved to adopt resolution ratifying a resolution authorizing  
Education John Finch to attend the W2O Winter Workshop on March 31, 2023 in Cortland, NY, at a  
J.Finch cost not to exceed \$70. Councilmember Wasson seconded.  
W&S

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

MOTION CARRIED.

51:23 Councilmember Wasson moved to adopt resolution hiring Chris Tozer as Temporary  
Hire C.Tozer Laborer to work in the Parks Department, effective April 19, 2023 until October 2, 2023, at  
Temp Laborer a rate of pay of \$16 per hour. Councilmember Legg seconded.  
DPW

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

MOTION CARRIED.

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Councilmember Legg moved to adopt resolution hiring Brian Garvey as Temporary Laborer to work in the Highway and the Water & Sewer Departments, effective April 19, 2023 until October 3, 2023, at a rate of pay of \$16 per hour. Councilmember Weingartner seconded.

52:23  
Hire B.Garvey  
Temp Laborer  
Hwy/W&S

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

MOTION CARRIED.

**AUDIT AND PAYMENT OF CLAIMS:**

Councilmember 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 #23000308 through #23000428 in the total amount of \$772,440.70, which includes prepaid claims as authorized by resolution adopted January 3, 2023. Councilmember Diffendorf seconded.

53:23  
Audit/Pay

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

MOTION CARRIED.

Councilmember Diffendorf moved to adopt resolution to reschedule the Public Hearing on the Local Law Rezoning 110 William Street, 925 NY Route 11, and a portion of 24 Sunset Drive to the Industrial Development District to April 25, 2023 at 6 PM, and to direct the Clerk to provide public notice of the Public Hearing, as required by law. Councilmember Wasson seconded.

54:23  
Schedule PH  
Rezoning  
Racetrack Site

**Discussion.** Councilmember Diffendorf noted that residents within 1,000 feet of the above listed addresses would be getting notices regarding the public hearing.

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

MOTION CARRIED.

**ADJOURNMENT:**

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

MOTION CARRIED.

Meeting adjourned at 6:27 PM

Respectfully submitted,

Kelley M. Diffendorf  
Town Clerk