

**TOWN OF KIRKWOOD
TOWN BOARD MEETING**

June 4, 2024

A regular meeting of the Kirkwood Town Board was held on June 4, 2024 at 6 PM at the Joseph A. Griffin Town Hall with Supervisor Lewis Grubham presiding.

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

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

Absent: Councilmember Katie Legg

PLEDGE OF ALLEGIANCE:

APPROVAL OF MINUTES: May 7, 2024 Town Board Meeting and May 28, 2024 Public Hearing.

PUBLIC PARTICIPATION: None.

COMMUNICATIONS: 60-day Notice of Termination of Intermunicipal Agreement for Dog Control Services.

COMMITTEE REPORTS:

LED Lights.

After driving around town, Councilmember Diffendorf reported thirteen LED lights were discovered out and they have been turned in to NYSEG.

Early Paving.

Supervisor Grubham reported that completing the road paving projects early this year paid off, the Town was able to save about \$20,000 as the prices currently continue to increase.

Consolidating Reserve Funds.

Supervisor Grubham explained the Town wants to consolidate its reserve funds, it will save the Budget Officer and Bookkeeper a lot of time once completed. There are three reserve fund resolutions from many years ago that have not been found as of yet. Since it will be a time-consuming task, Gayle Diffendorf, retired Town Clerk, is going to research old minute books for the information.

Consolidating Sewer Districts.

Out of the eleven sewer districts there are two districts with a remaining bond balance and the Town wants to combine all the districts into one district. This will save the Town money and also save the Budget Officer and Bookkeeper a lot of time. Councilmember Diffendorf agreed to combining the districts stating a small district doesn't get killed by a catastrophe but they can also help out a bigger district if situations arise.

OLD BUSINESS:

Councilmember Diffendorf moved to adopt resolution, after a Public Hearing, adopting Local Law No. 5-2024 entitled "A Local Law Amending the Water Mains Local Law", in accordance with the attached resolution. Councilmember Wasson seconded.

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

MOTION CARRIED.

75:24
Adopt LL#5
Water Mains
Local Law

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76:24
Delaware
Engineering
Agreement
Water System
Evaluation

Councilmember Wasson moved to adopt resolution authorizing the Supervisor to enter into an agreement with Delaware Engineering, D.P.C., to conduct a water system evaluation, at a cost not to exceed \$18,500 in accordance with the attached agreement. Councilmember Weingartner seconded.

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

MOTION CARRIED.

77:24
NYCLASS
Approval
(Accounting/
Budget)

Councilmember Weingartner moved to adopt resolution adopting the Municipal Cooperation Resolution regarding participation in NYCLASS, in accordance with the attached resolution. Councilmember Diffendorf seconded.

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

MOTION CARRIED.

78:24
ACHIEVE
Agreement

Councilmember Diffendorf moved to adopt resolution authorizing the Supervisor to enter into an agreement with ACHIEVE for the 2024 Summer Camp Program, in accordance with the attached agreement. Councilmember Wasson seconded.

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

MOTION CARRIED.

79:24
Agreement
Stormwater
Broome Co.

Councilmember Wasson moved to adopt resolution ratifying a resolution authorizing the Supervisor to sign the Intermunicipal Agreement with Broome-Tioga Stormwater Coalition for Federal Phase II MS4 Stormwater Regulation Implementation in Broome and Tioga Counties, in accordance with the attached agreement. Councilmember Weingartner seconded.

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

MOTION CARRIED.

80:24
Park Permit for
Kirkwood
Fair Inc. for
Community
Day

Councilmember Weingartner moved to adopt resolution pursuant to section 3A(e) of Local Law No. 2-1979 entitled "A Local Law Regulating the Use of Parks of the Town of Kirkwood", authorizing the Town Clerk to issue a permit to the Kirkwood Town Fair, Inc., for the use of the entire Kirkwood Veterans River Park on August 11, 2024 without any permit fee to guarantee proper clean up after use. Councilmember Diffendorf seconded.

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

MOTION CARRIED.

81:24
Schedule PH
Adams
Franchise
Agreement

Councilmember Diffendorf moved to adopt resolution scheduling a Public Hearing for June 24, 2024 at 6 PM regarding the Adams CATV, Inc. Franchise Agreement. Councilmember Wasson seconded.

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

MOTION CARRIED.

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Councilmember Wasson moved to adopt resolution authorizing Alan Glover and Matt Loftus to attend the NY Waterworks Conference on June 13, 2024 in Sidney, NY, at a cost not to exceed \$40 each. Councilmember Weingartner seconded.

82:24
Education
A.Glover
M.Loftus
W&S

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

MOTION CARRIED.

NEW BUSINESS:

Discussion – Purchase a John Deere X355 Select Series Tractor with 42-in Accel Deep Mower Deck from Lindsey Equipment, at NYS contract price of \$4099.18, for the Kirkwood Cemetery, who will reimburse the Town for the cost. (WJD)

Councilmember Diffendorf presented a notice to the Board regarding municipal assistance to public cemetery corporations and a quote for a John Deere tractor. He explained that a town can do anything they want to help cemeteries to stay afloat. They could mow the cemetery or even buy the cemetery a lawn mower. With that said, the Kirkwood Cemetery is asking the Town to buy a lawn mower at a state bid price, and the Kirkwood Cemetery will then pay for the lawn mower, whether it be by paying the Town or paying John Deere directly. The state bid price would save the Kirkwood Cemetery \$900. Councilmember Diffendorf explained the cemetery is not asking for money, just the state bid price and the Board’s approval. The cemetery would pay the mower in full. Attorney Spinner confirmed this was acceptable and stated the Town would purchase the mower and then the cemetery would pay the Town back.

Councilmember Wasson moved to adopt resolution authorizing the purchase of a John Deere X-355 Select Series Tractor and 42-inch Accel deep mower deck from Lindsey Equipment at the New York State contract price of \$4,099.18 for use at the Kirkwood Cemetery under NY General Municipal Law §165-a. The Kirkwood Cemetery shall reimburse the Town for said amount. Councilmember Weingartner seconded.

83:24
Purchase
John Deere
Tractor
Kirkwood
Cemetery

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

MOTION CARRIED.

Councilmember Diffendorf moved to adopt resolution authorizing the Supervisor to enter into an agreement with Sentry Alarms to install an IP Based Camera System at Veterans River Park, at a cost not to exceed \$15,135 in accordance with the attached Retail Installment Agreement. Councilmember Wasson seconded.

84:24
Sentry Alarms
Agreement
Camera System
VR Park

Discussion. Councilmember Diffendorf inquired if this would be a one-time payment or if there are more costs after this initial payment. Supervisor Grubham explained this is a one-time payment to Sentry Alarms, there would be a \$19.99 fee due to Spectrum each month. Councilmember Diffendorf questioned if the amount of damage at the parks rationalizes the cost of this camera system, it is a lot of money. Supervisor Grubham suggested that is a judgement call, at times there is a lot of damage, and other times not as much. There is a \$5,000 deductible with the insurance company so the Town is generally paying the full cost of the damage. Councilmember Weingartner felt having the cameras would cut down on vandalism once people found out they were there, he also felt the cameras could be used in emergency situations and they are a good idea. Councilmember Diffendorf agreed the cameras are a good idea, he didn’t realize the cost involved. Supervisor Grubham stated you get what you pay for when it comes to this kind of equipment. Attorney Spinner also mentioned the cameras can be helpful if someone alleges an injury due to a defect or negligence by the Town, as well as a criminal issue such as an assault or something of that nature. Supervisor Grubham explained the cameras have night vision, and there will be a camera to cover everything coming in the park, including license plates. There will be six cameras in total. All areas of concern will be covered, and more cameras can be added.

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

MOTION CARRIED.

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85:24
Approve
Installation of
Internet at
VR Park by
Spectrum

Councilmember Wasson moved to adopt resolution authorizing Spectrum Enterprise to install internet at Veterans River Park, with a one-time construction fee of \$6,917.93, a one-time installation fee of \$99 and a monthly fee of \$19.99. Councilmember Weingartner seconded.

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

MOTION CARRIED.

Discussion – Digitize New York. (K. Ferguson)

Karen Ferguson, Historian, spoke to the Board about Digitize NY which is a program through the New York Genealogical and Biographical Society (NYG&B). This society has been preserving records for the last 155 years and sought a grant to help small towns preserve their records and recently expanded and added a second office in the Syracuse area. Karen Ferguson and Kelley Diffendorf met with Jennifer Liber Raines from NYG&B via zoom on May 29, 2024 to discuss the details of this service. Since they are funded entirely by a grant, this program is totally free to the Town. The types of documents they want to assist with digitization are those older than 1900 and include Town meeting minutes, school records, tax assessments, etc. The documents can be delivered or they are willing to pick them up. Then they scan them, upload them, and host them on their site. When that process is finished, the documents are returned back to the Town. The Town will have full access to those documents online free of charge. The public, in turn, also has access to these public records. This is a great way to preserve and protect our documents should a fire, for example, happen. Jennifer indicated that our Town is a role model for those they want to help. The next step includes applying to NYG&B for their consideration in assisting us in the digitization process. Karen didn't want to proceed further without the Town's approval. The Board agreed this sounded like a great program and encouraged Karen to proceed with the application process.

86:24
Purchase
Electric Chain
Hoist & Lift
Chain

Councilmember Weingartner moved to adopt resolution authorizing the purchase of an Electric Chain Hoist and 40' Lift Chain from BMH, at a cost not to exceed \$4,240 in accordance with the attached quote. Councilmember Diffendorf seconded.

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

MOTION CARRIED.

87:24
Court
Records
Examined

Councilmember Diffendorf moved to adopt resolution acknowledging that the calendar year 2023 examination of the Justice Court records and dockets were examined and the fines collected, per the justice, have been turned over to the proper officials of the Town as required by law, pursuant to section 2019-a of the Uniform Court Act. Councilmember Wasson seconded.

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

MOTION CARRIED.

AUDIT AND PAYMENT OF CLAIMS:

88:24
Audit/Pay

Councilmember Wasson 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 #24000560 through #24000659 in the total amount of \$138,894.55, which includes prepaid claims as authorized by resolution adopted January 2, 2024. Councilmember Weingartner seconded.

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

MOTION CARRIED.

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ADJOURNMENT:

Councilmember Weingartner moved to adopt resolution to adjourn the meeting.

Councilmember Diffendorf seconded. All voted in favor.

MOTION CARRIED.

Meeting adjourned at 6:30 PM

Respectfully submitted,

Kelley M. Diffendorf
Town Clerk