

**TOWN OF KIRKWOOD
TOWN BOARD MEETING**

August 6, 2024

A regular meeting of the Kirkwood Town Board was held on August 6, 2024 at 6:35 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
Duane Travis, Zoning Board Chairman
Karen Ferguson, Historian

Absent: John A. Finch Jr., Commissioner of Public Works

PLEDGE OF ALLEGIANCE: Done Prior to the Public Hearings

APPROVAL OF MINUTES: June 24, 2024 Town Board Meeting and June 24, 2024 Public Hearing

PUBLIC PARTICIPATION:

Duane Travis of the Highland Heights area spoke to the Board stating he did not feel the Town was flushing the water lines enough. He gave examples of how often he has to change the water filter on his house and how the filters are filled with black debris. He said he has lived there 21 years and has not had these problems until after John Finch left the water department. Supervisor Grubham will check in on how often the lines are getting flushed. He also noted the engineers that were hired to review our water system should have a report by the next meeting, they have some suggestions and if it works out they can be here to answer questions.

Historical Marker.

Karen Ferguson reported the School House historical marker is done and being shipped so it should be arriving soon. Hopefully a celebration can be planned when all the repairs are complete on the School House and the historical marker is displayed.

Squatters Law.

Larry Holt of Trim Street reminded the Board he had asked them a couple months ago to look into enacting a law to protect the residents from squatting in the Town of Kirkwood and questioned if anything had been done with that. At this time nothing has been done. After a very lengthy discussion, it was decided that Mr. McKertich would look into a possible local law of some kind, although it most likely seems like a civil matter.

COMMUNICATIONS: None.

COMMITTEE REPORTS:

Dog Control Report.

Councilmember Legg reported numbers from the July Dog Control Report. A copy is filed in the Town Clerk's office. This was Rick Murray's last monthly dog control report.

Seniors Luncheon.

Councilmember Legg reminded everyone the Seniors Luncheon will be held tomorrow, Wednesday, August 7, 2024 at the Kirkwood Fire Station at noon. Ed Travis will be there to entertain everyone and it will be catered by House of Reardon.

Town Hall Roof Leaking.

Supervisor Grubham reported the roof is leaking in the Town Hall. After conducting some research, he discovered it has been 46 years and the roof of the first Town Hall section has never been replaced and the second section, the addition is now 27 years old and that has never been replaced. The roof needs to be replaced, part of the ceiling has fallen down in the shredding room. It will most likely cost between \$40,000-\$45,000, Supervisor Grubham is getting quotes.

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Parking on Ostrum Road.

Councilmember Legg discussed unsafe parking on Ostrum Road, the area near S. Sunset Drive going up over a knoll. After a property owner approached Councilmember Legg regarding this matter she also took notice and feels it is an accident waiting to happen. She asked if someone could look at it and maybe No Parking signs could get approved for that area. Supervisor Grubham agreed that it could be looked at.

Pavilion #2 – Veterans River Park.

Councilmember Legg confirmed with CEO Chad Moran that he did not inspect Pavilion #2 before it fell down in the wind storm. Chad Moran also confirmed that town buildings did not need to be inspected by the code department, the town is exempt. Councilmember Legg would like to see the Town held to the same standards as property owners. If Chad did inspect the pavilion it may have prevented this issue, or may not have because the wind was very strong that day. Councilmember Legg would like to see annual inspections if possible, especially with the pavilions where people are constantly gathering, it's for the safety of the people and the Town's liability as well. Supervisor Grubham said that can easily be done and is a good idea. Insurance will cover the cost of the pavilion.

OLD BUSINESS:

93:24
Approve
Cable TV
Franchise
Agreement
Adams CATV

Councilmember Diffendorf moved to adopt resolution approving Cable Television Franchise Renewal Agreement with Adams CATV, Inc., 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.

94:24
Adopt EAF
LL #6
Rezone
205 Gorman Rd

Councilmember Wasson moved to adopt resolution, after a Public Hearing, adopting the Short Environmental Assessment Form regarding Local Law No. 6-2024 entitled "A Local Law Rezoning 205 Gorman Road (Tax Map #211.00-1-17) to the Agricultural/Rural Residential Zoning District, in accordance with attached Short EAF. Councilmember Legg seconded.

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

MOTION CARRIED.

95:24
Adopt LL #6
Rezone
205 Gorman Rd

Councilmember Legg moved to adopt resolution, after a Public Hearing, adopting Local Law No. 6-2024 entitled "A Local Law Rezoning 205 Gorman Road (Tax Map #211.00-1-17) to the Agricultural/Rural Residential Zoning District, in accordance with the attached resolution. Councilmember Weingartner seconded.

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

MOTION CARRIED.

96:24
Schedule
Grievance Day
Hearing
2025 Unit
Assessments

Councilmember Weingartner moved to adopt resolution scheduling a Grievance Day Hearing on the 2025 Unit Assessments for September 3, 2024 at 6 PM. Councilmember Diffendorf seconded.

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 Diffendorf moved to adopt resolution authorizing Karen Ferguson to attend the APHNYS 2024 Annual Conference, September 16-18, 2024, at the Danfords Hotel Marina & Spa at a cost of \$325 for the conference fee and \$537 for the hotel, with all reasonable expenses paid. Councilmember Wasson seconded.

97:24
Education
K.Ferguson
Historian

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

MOTION CARRIED.

Councilmember Wasson moved to adopt resolution hiring Chad Moran as Dog Control Officer PT Provisional, effective August 7, 2024, at a salary of \$14,000 per year, pro-rated for the remainder of 2024. Councilmember Legg seconded.

98:24
Hire C.Moran
Dog Control
Officer PT

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

MOTION CARRIED.

Councilmember Legg moved to adopt resolution confirming the Designation of Hays Avenue in accordance with Town Law §64(9), in accordance with the attached resolution. Councilmember Weingartner seconded.

99:24
Designation of
Hays Avenue

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

MOTION CARRIED.

Councilmember Weingartner moved to adopt resolution authorizing the 2024 Town of Kirkwood Midyear Budget Adjustments, in accordance with the attached Budget Adjustment Sheet. Councilmember Diffendorf seconded.

100:24
Budget
Adjustments

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, on the 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 a license for the following mobile home – trailer park, such license will be for the year 2024:

101:24
Approval
Kirkwood
Parksites
Mobile Home
License

Kirkwood Parksites, LLC
1794 US Route 11, Kirkwood, NY 13795
Owner: Gary Johnson

Councilmember Wasson seconded.

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

MOTION CARRIED.

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102:24
Accept Grant
for Valley Park
Playground

Councilmember Wasson moved to adopt resolution authorizing the Supervisor to enter into an agreement with Broome County to accept the \$28,000 grant for the Valley Park Playground, in accordance with the attached agreement. Councilmember Legg seconded.

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

MOTION CARRIED.

103:24
Hire S.Paugh
Laborer
Parks Dept

Councilmember Legg moved to adopt resolution ratifying a resolution hiring Steven Paugh as Laborer to work in the Parks Department, effective July 5, 2024 through September 30, 2024, at a rate of pay of \$16 per hour. Councilmember Weingartner seconded.

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

MOTION CARRIED.

104:24
Purchase
Check Valve
W&S

Councilmember Weingartner moved to adopt resolution authorizing the purchase of a check valve from W2O Operating Training Group, LLC, in the amount of \$5,100. Councilmember Diffendorf seconded.

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:

105:24
Audit/Pay

Councilmember Diffendorf 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 #24000759 through #24000938 in the total amount of \$864,128.25, which includes prepaid claims as authorized by resolution adopted January 2, 2024. Councilmember Wasson seconded.

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 7:11 PM

Respectfully submitted,

Kelley M. Diffendorf
Town Clerk