

**TOWN OF KIRKWOOD  
SPECIAL TOWN BOARD MEETING**

**December 27, 2016**

A special meeting of the Kirkwood Town Board was held on December 27, 2016 at 7:16 PM at the Joseph A. Griffin Town Hall with Supervisor Gordon Kniffen presiding.

Present: Supervisor Gordon Kniffen  
Councilman Robert Weingartner  
Councilman Lewis Grubham  
Councilman William Diffendorf, Jr.  
Councilwoman Linda Yonchuk

Also Present: Oliver Blaise III, Attorney  
Gayle Diffendorf, Town Clerk  
John A. Finch, Jr., Water/Wastewater Maintenance Crew Chief  
Marchie Diffendorf, Planning Bd. Chairman  
Duane Travis, ZBA Chairman

**PLEDGE OF ALLEGIANCE:**

**OATHS OF OFFICE:**

Oaths of Office were administered by Town Clerk Gayle Diffendorf to officials elected November 8, 2016.

**APPROVAL OF MINUTES:**

12/6/16 Town Board Meeting  
12/13/16 Special Town Board Meeting

**PUBLIC PARTICIPATION:** None.

**COMMUNICATIONS:**

Letter of Resignation from Cathy Cunningham as Deputy Town Clerk  
Letter of Resignation from John Finch, Jr. as Water/Wastewater Maintenance Crew Chief  
Liquor License Notification from Beer Thirty, Inc.

**COMMITTEE REPORTS:**

Mr. Blaise reported that he sent a copy of the Emergency Water Supply Agreement to Ken Frank at the City of Binghamton for his review. Councilman Diffendorf added that the Board is authorizing today the payment of a water cap fee of \$147.00 to the City of Binghamton, which they have been paying for years so they should have a good agreement.

Councilman Weingartner reported they are finishing up the renewal for PERMA for the Town's workmen's comp and there are a couple of changes. He said the first quote that came in from PERMA was pretty high in the \$160,000 to \$170,000 range. He and Patrick sent out for additional quotes and got back to PERMA. He said the thought is that PERMA is afraid they are going to lose the Town so they actually came back with a couple of different quotes, one was a year quote for \$130,000 and the other for a two-year contract option which is down to \$123,019. He said looking at the contribution for year 2 it could be as low as \$114,000 for next year if the Town meets its lost ratio under 10%. Currently there are different ranges; under 10% would be \$114,000, between 10% and 20% is \$123,000 and it goes all the way up to a loss ratio of greater than 50% of \$150,000. There are still a few things they are working on that are not difficult to do.

Marchie Diffendorf reported the committee is still working on solar laws and will be meeting again in January. Mr. Blaise said he sent Marchie a draft model solar law.

Marchie Diffendorf reported that Lupo's has broken ground for their addition on Route 11 near Exit 1.

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**OLD BUSINESS:**

168-16  
Appoint  
A. Glover  
Water/WM  
Crew Chief

Councilwoman Yonchuk moved to adopt resolution appointing Alan Glover as Water/Wastewater Maintenance Crew Chief effective January 1, 2017 at a rate of pay of \$22.00 per hour. Councilman Diffendorf seconded.

Roll Call Vote:	Councilman Weingartner	- yes
	Councilman Grubham	- yes
	Councilwoman Yonchuk	- yes
	Councilman Diffendorf	- yes
	Supervisor Kniffen	- yes

MOTION CARRIED.

169-16  
Appoint  
B. Kinney  
Laborer  
W&S

Councilman Diffendorf moved to adopt resolution appointing Brian Kinney as Laborer in the Water & Sewer Department effective January 3, 2017 at a rate of pay of \$15.50 per hour. Councilman Grubham seconded.

Roll Call Vote:	Councilman Weingartner	- yes
	Councilman Grubham	- yes
	Councilwoman Yonchuk	- yes
	Councilman Diffendorf	- yes
	Supervisor Kniffen	- yes

MOTION CARRIED.

170-16  
Issue Mobile  
Home/Trailer  
Pk Licenses

Councilman Grubham 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 parks, such license is for the year 2017:

Southern Tier Mobile Home Park, 1794 US Route 11, Kirkwood, NY 13795

Owner: Robert and Mouna Hartley

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

Owner: Charles C. Tai

Kirkwood Mobile Home Court, Inc., 41 Loughlin Road, Binghamton, NY 13904

Owner: James and Charles Williamson

Councilman Weingartner seconded.

Roll Call Vote:	Councilman Weingartner	- yes
	Councilman Grubham	- yes
	Councilwoman Yonchuk	- yes
	Councilman Diffendorf	- yes
	Supervisor Kniffen	- yes

MOTION CARRIED.

171-16  
Reappoint  
K., Balachick  
To Pl Bd

Councilman Weingartner moved to adopt resolution reappointing Kevin Balachick to the Planning Board for a term to expire December 31, 2021. Councilwoman Yonchuk seconded.

Roll Call Vote:	Councilman Weingartner	- yes
	Councilman Grubham	- yes
	Councilwoman Yonchuk	- yes
	Councilman Diffendorf	- yes
	Supervisor Kniffen	- yes

MOTION CARRIED.

172-16  
Reappoint  
P. Maciak to  
ZBA

Councilwoman Yonchuk moved to adopt resolution reappointing Peter M. Maciak to the Zoning Board of Appeals for a term to expire December 31, 2021. Councilman Diffendorf seconded.

Roll Call Vote:	Councilman Weingartner	- yes
	Councilman Grubham	- yes
	Councilwoman Yonchuk	- yes
	Councilman Diffendorf	- yes
	Supervisor Kniffen	- yes

MOTION CARRIED.

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Councilman Diffendorf moved to adopt resolution authorizing the continuation of petty cash for 2017, subject to audit by the Budget Director, for the following departments at specified amounts, pursuant to Town Law Section 64, Paragraph 1(2):

173-16  
Petty Cash for  
2017

Bookkeeper	\$100
Building & Code Inspector	\$100
DPW Commissioner	\$200 and \$35 for Water Department
Supervisor	\$200
Town Clerk	\$200
Town Justice	\$200
Town Justice	\$200

Councilman Grubham seconded.

Roll Call Vote:	Councilman Weingartner	- yes
	Councilman Grubham	- yes
	Councilwoman Yonchuk	- yes
	Councilman Diffendorf	- yes
	Supervisor Kniffen	- yes

MOTION CARRIED.

Councilman Grubham moved to adopt resolution appointing Jessica Kinney as Deputy Town Clerk, effective January 1, 2017 at a salary of \$7,097.00. Councilman Weingartner seconded.

174-16  
Appoint  
J. Kinney  
Dep. Town  
Clerk

Roll Call Vote:	Councilman Weingartner	- yes
	Councilman Grubham	- yes
	Councilwoman Yonchuk	- yes
	Councilman Diffendorf	- yes
	Supervisor Kniffen	- yes

MOTION CARRIED.

Councilman Weingartner moved to adopt resolution authorizing the Supervisor to enter into an Intermunicipal Agreement for the Assessor's Position with the City of Binghamton, in accordance with the attached agreement. Councilwoman Yonchuk seconded.

175-16  
Agreement w/  
Bing. For  
Assessor

Roll Call Vote:	Councilman Weingartner	- yes
	Councilman Grubham	- yes
	Councilwoman Yonchuk	- yes
	Councilman Diffendorf	- yes
	Supervisor Kniffen	- yes

MOTION CARRIED.

Councilwoman Yonchuk moved to adopt resolution authorizing the Transfer of Funds, in accordance with the attached Budget Adjustment Sheet. Councilman Diffendorf seconded.

176-16  
Transfer of  
Funds

Roll Call Vote:	Councilman Weingartner	- yes
	Councilman Grubham	- yes
	Councilwoman Yonchuk	- yes
	Councilman Diffendorf	- yes
	Supervisor Kniffen	- yes

MOTION CARRIED.

**AUDIT AND PAYMENT OF CLAIMS:**

Councilman 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, and ratifying the payment of the prepaid claims as authorized by resolution adopted January 5, 2016, all in accordance with the abstract of claims on file in the Town Clerk's Office. Councilman Grubham seconded.

177-16  
Audit/Pay

Roll Call Vote:	Councilman Weingartner	- yes
	Councilman Grubham	- yes
	Councilwoman Yonchuk	- yes
	Councilman Diffendorf	- yes
	Supervisor Kniffen	- yes

MOTION CARRIED.

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**ADJOURNMENT:**

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

MOTION CARRIED.

Meeting adjourned at 7:28 P.M.

Respectfully submitted,

Gayle M. Diffendorf  
Town Clerk