

**TOWN OF KIRKWOOD
TOWN BOARD MEETING**

May 3, 2022

A regular meeting of the Kirkwood Town Board was held on May 3, 2022 at 6:00 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: April 5, 2022 Town Board Meeting

PUBLIC PARTICIPATION:

Kirkwood Town Justice Ward Coe attended the meeting to speak to the Town Board regarding recent court related issues. Judge Coe started by saying, I'm here not just for the court but also for me. I served our country for about eight years, I served our state for about another twenty-five, and I'm on my twentieth year here as a Town Justice. I find it very, very disturbing that the people I'm facing here now can talk about me in open forum on one occasion with the Town Attorney present, and he (Mr. McKertich) knew that shouldn't be going on, but it happened. I have the minutes. I just find it disturbing that no one has reached out to me. Not one sole. Judge Coe continued, Lew (Supervisor Grubham) I can start with you, I went right to your office, I believe it was in October (2021) because you had heard a rumor that I would be gone an extended period of time. I didn't keep it a secret, I came right out and told you. Not a word since. You (Supervisor Grubham) didn't have a problem with it then that I knew of. Supervisor Grubham commented that he would respond when Judge Coe was done. Judge Coe agreed and continued by saying, it already has been mentioned several times that I wasn't here for court appearances, I flew home twice for court appearances. Constantly I was on the phone, most often daily, with my court. I had a laptop computer down there. Judge Coe asked Councilman Weingartner to confirm that he took a town required course that was held online. Councilman Weingartner agreed that the course was completed. Judge Coe again continued, it wasn't that I left the court high and dry. It was also discussed with Judge Hawkes prior to me doing anything. I'm just in awe that no one came and talked to me. I also talked to you counselor (Mr. McKertich), I called you from Florida and how displeased I was about how that was run. You (Mr. McKertich) told me you would get back to me, not a word to this day. I just want to clear the air a little bit, let the facts be known because I don't think it was told in the right context. That's about all I have to say.

Supervisor Grubham responded by saying, you came to me in October (2021) I guess and said you had purchased a home in Florida and you were going to go down there for two weeks to get the deal done and so forth. You wound up down there three weeks. Then you told me you were going to be spending some vacation time down there, you never told me you were going to be down there for three months or any extended period of time like that. Not at all, not once was that ever said to me, other than you were going to have a vacation down there now and then, not an extended period of time. That was never said to me. Not once. Judge Coe said you (Supervisor Grubham) mentioned that to me Lew. Supervisor Grubham responded, no I did not. I asked if you were going to be down there and you said I'm going down for vacation. You (Judge Coe) never said I'm going to be gone for three months, you never said that. That is that story. That ends that part of it. Judge Coe said it doesn't end it. Supervisor Grubham replied, it ends it for me because you never told me that. Judge Coe responded, I certainly did. Supervisor Grubham reiterated, no you did not. Judge Coe said I'm not going sit and argue with you. Supervisor Grubham said, for everyone else you can say what you want to say but I'll say that because that is the truth.

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Mr. McKertich responded as well stating, you (Judge Coe) did call me, we spoke, you voiced your concern. I don't recall leaving the conversation saying I would call you back. I believe I left the conversation saying I would talk to the Town Supervisor about it, which I did. Judge Coe replied, and that you would get back to me. Mr. McKertich said, I don't recall that. We just have a different memory of that, but we did speak. Judge Coe said, no worries.

Judge Coe asked if anyone else wanted to comment. Councilman Weingartner said I heard about this from someone other than anyone up here (motioning to the Board). You said we should have contacted you, well you should have contacted the people on the Board who knew nothing about it. I knew nothing about it until long after you were actually down there. To me, you going away, that's not up to me to come find out from you why you are away. If you are going to be away for an extended period of time you should have come to me and said that. That's my feeling. Judge Coe responded, I didn't believe that I owed it to the Board for me to tell people where I was going to be and how long I was going to be. Councilman Weingartner commented, ok. Judge Coe said also to that point Bob (Councilman Weingartner), I did call the resource center and Sixth Judicial, they told me as long as the court is covered, and it was covered, then it was fine.

Councilman Diffendorf asked Judge Coe if he was here to talk about abolishing a Town Justice position. Judge Coe said he was and continued by saying, you certainly know you can do it but the volume of our court compared to some of these others, it's gotten to be so much more complex now. Things have changed and I don't know if you have taken it into consideration or not. Say you do go to one judge, what happens if that judge has an extended illness. There's a lot of things to think about. Again, I can remember some of the old time judges, including Bucky Merritt and a few before him, it's always been a two justice town, always. I think just because you, the Board, wants to save a little money, I think it's really a disgrace to the Town. Just to the point of the volume, we're still one of the busiest courts in Broome County. Councilman Weingartner said, Ward (Judge Coe) you said it's a disgrace, don't you believe it's a disgrace that you are an elected official and you are out of town for three months and you are getting paid and you're not here to do your job? Don't you think that is a disgrace? Judge Coe replied, again, I told you, I was doing my job. Councilman Weingartner responded, no you weren't, you weren't here. Judge Coe said I didn't have to be here. Councilman Weingartner then replied, the electorate elected you for the Town of Kirkwood to be here to be a justice. Judge Coe said when I first got elected I was elected as a co-judge, there were always two judges. Councilman Weingartner said, true, but things have changed. Supervisor Grubham jumped in saying this business about there's always two justices is not a good argument. What we are supposed to do as a Board is to look out for the taxpayers. Do we need two justices is the question, not whether we always had two justices, do we need two justices. We have been doing some studies trying to figure out if we do or do not. You have to admit there is a lot of things two justices used to do here. You (Justices) used to do arraignments, you don't do those anymore. That took a lot of time. The number of tickets or cases that you handle has dropped dramatically, it's approximately half of what it used to be. The County now takes a lot of your tickets and runs them under the diversion program, which they send us some money back. But that is not something you do anymore. Judge Coe responded, we have a part in that. Supervisor Grubham replied, a very little part of it. Supervisor Grubham continued, so overall it appears that your court is doing about half of what it used to do. It's the number four court in the County as far as the amount of work and/or tickets that you do. At one time you were number one, but you are nowhere near number one now. Not even close anymore. So the question that has to come to this Board is, if we are doing our job correctly, we have to decide, based on facts not on whether there's been two judges and that is the way it's always been, things always have to change. We have to do it that way to be honest with our taxpayers and give them the kind of representation they should have. That is what it is all about. It has nothing to do with personalities, whether there's two members in the court, or what. That's what it has to be about in the end and that is what we are wrestling with now trying to decide. It has nothing to do with personalities or how many judges, it has everything to do with how much work there is there and does it really require two judges. Judge Coe asked, where are we with this process. Supervisor Grubham replied, we are going through it right now. We've been gathering information. There is more information tonight for these folks (Board) to peruse and look through. Then

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we'll make a decision, I don't know if that will be tonight or not. We'll make a decision relatively soon. I'd like to see this done one way or another so that everyone knows exactly what is going on.

Councilwoman Wasson asked Judge Coe whom he spoke to that said as long as the court is covered that you had permission to go (to Florida). Judge Coe replied, that is the resource center, the Unified Court System. Councilwoman Wasson thanked Judge Coe.

Supervisor Grubham said more information is being supplied tonight on courts and what is being done and how much and so forth. Judge Coe explained, I don't have just the objection for myself, it's not about myself, it's about future judges that are going to serve Kirkwood. Supervisor Grubham responded, that is fine and that is understandable but we are going to approach it from the same point of view. What is the best way to serve Kirkwood and that is what we are going to try and decide this on. Not personalities, not you (Judge Coe). Judge Coe commented, I feel like it has become personal with me. Supervisor Grubham replied, well maybe with you but that is not how this is going to get decided. It is going to get decided on whether we actually need two judges or not. That's the only way we can decide it and be right for the taxpayers.

Judge Coe asked how does that work as the end result when it comes up for election, will it be a special election, counselor (Mr. McKertich)? Mr. McKertich asked if Judge Coe was talking about the resolution to eliminate a justice position. Judge Coe responded, it may or may not happen tonight, you are going to decide in the near future, whatever it is you are going to vote on. Mr. McKertich said the Town Board will have to decide whether or not to approve the resolution, either tonight or at some future meeting. Judge Coe asked, after that there is a referendum, what happens? Mr. McKertich replied, it's a permissive referendum, it's not mandatory. It would depend upon whether or not the required amount of petitions were served on the Town within the required amount of time. There's a thirty day period of time to submit petitions. I don't want to say off the cuff how many or the number of petitions, it depends on the number of voters in the last gubernatorial election, it's a percentage of that. We could take a look at the requirements there. I don't have an exact number of how many petitions would have to be filed, I'd have to go back and look. Judge Coe asked, would a referendum be on the ballot in November or is it a special election. Mr. McKertich replied, it would be a special election prior to the November election.

Judge Coe asked if there was anything else. Supervisor Grubham responded not from me. Judge Coe said thank you so much. Supervisor Grubham replied, thanks Ward (Judge Coe).

COMMUNICATIONS: None.

COMMITTEE REPORTS:

Paving Projects.

Supervisor Grubham reminded the Board about the information he handed out last week regarding paving jobs at Veterans River Park and Grange Hall Road Park. The company is available to do these jobs now and would like to before they get busy. John Finch explained that Broome Bituminous could pave the right hand side of Veterans River Park, which is an L shaped parking lot, this Friday. They could possibly pave the walking track at Grange Hall Road Park early next week. The price of blacktop has increased \$4.55 per ton from last month to this month. This is unheard of and mind boggling. Typically there's a \$.25 - \$.50 increase per ton month to month. It's costing them \$2 per ton more just to make the blacktop because NYSEG rates have gone up for them. The quote from last week that was \$45,000 is now \$47,600 to do the same amount of paving. The walking track was \$13,000 and is now \$13,500. Supervisor Grubham commented that he has been worried about these price increases. If we don't take care of these things now and then they deteriorate anymore it will cost a lot more in the end. Supervisor Grubham is concerned that prices will go a lot higher and some projects may need to be reconsidered.

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AED – Safety Recall.

Councilman Diffendorf reported that our AED's were not part of the recent safety recall. They all were checked out with the manufacturer and are working well and up to date.

Dog Control Report.

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

Open Meetings Law.

Mr. McKertich explained that the State amended the NYS Open Meetings Law. As of June 8, 2022 the exception that allowed Board Members to participate remotely will no longer be in effect. All the Board Members will have to be present during Board meetings. A local law can be adopted and set procedures that allow Board Members to attend remotely under extraordinary circumstances. If that is the case then extraordinary circumstances would be defined in the law. A decision will need to be made whether or not a law should be created or just have all the Board Members have to be here in person during the Board meetings. The public can still have the opportunity to participate remotely if agreed upon. Supervisor Grubham said we can make a decision on this at the end of the month.

OLD BUSINESS:

Councilman Diffendorf moved to adopt resolution awarding the Sealed Bid for the Industrial Park Drive Sewer Project to Vacri Construction, being the lowest responsible bidder at \$107,000.00. Councilwoman Wasson seconded.

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

MOTION CARRIED.

Councilwoman Wasson moved to adopt resolution combining the June 28, 2022 Work Session and the July 5, 2022 Town Board Meeting into one night to be held June 29, 2022. Councilwoman Legg seconded.

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 combining the July 26, 2022 Work Session and the August 2, 2022 Town Board Meeting into one night to be held August 2, 2022. Councilman Weingartner seconded.

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 combining the August 30, 2022 Work Session and the September 6, 2022 Town Board Meeting into one night to be held September 6, 2022. Councilman Diffendorf seconded.

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

MOTION CARRIED.

78:22
Award Bid
Industrial Park
Drive Sewer
Project

79:22
Combine
Summer
Meetings
6/28 & 7/5

80:22
Combine
Summer
Meetings
7/26 & 8/2

81:22
Combine
Summer
Meetings
8/30 & 9/6

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Councilman Diffendorf moved to adopt resolution scheduling a Special Town Board Meeting for December 27, 2022, after the Work Session, for the purpose of auditing year end bills and any other business that may come before the Board. Councilwoman Wasson seconded.

82:22
Schedule
Special Town
Board Meeting
12/27/22

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

MOTION CARRIED.

Councilwoman Wasson 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, 12, and 13, 2022 without any permit fee to guarantee proper clean up after each use. Councilwoman Legg seconded.

83:22
Permit for
Park Use for
Kirkwood
Town Fair

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 authorizing a Pay Increase for Chad Moran, Building and Code Inspector, Fire Inspector, of \$1.50 per hour, from \$ 21.39 per hour to \$ 22.89 per hour, effective May 4, 2022. Councilman Weingartner seconded.

84:22
Pay Increase
C.Moran
Code

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 amending Resolution # 60-22 appointing Karen Myers as Member of the Board of Assessment Review for a term to expire September 30, 2026. Councilman Diffendorf seconded.

85:22
Appoint
K.Myers
BAR

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

MOTION CARRIED.

Councilman Diffendorf moved to adopt resolution hiring Terry Everett as Laborer to work in the Parks Department, effective May 18, 2022 for 90 days, at a rate of pay of \$13.20 per hour. Councilwoman Wasson seconded.

86:22
Hire T.Everett
90 days
Parks

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

MOTION CARRIED.

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87:22
Education
A.Ellsworth
W&S
Agreement for
Reimb Policy

Councilwoman Wasson moved to adopt resolution authorizing Aidan Ellsworth to attend Grade D Certification Training on May 9-13, 2022, at a cost of \$550.00, with all reasonable expenses paid, in accordance with the Reimbursement Policy for Employee Training Expenses. Councilwoman Legg seconded.

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

MOTION CARRIED.

88:22
Education
J.Finch
DPW/HWY

Councilwoman Legg moved to adopt resolution authorizing John Finch, Jr. to attend the Cornell Local Roads Schooling, June 6-8, 2022, at a cost of \$110.00. Councilman Weingartner seconded.

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

MOTION CARRIED.

89:22
Elimination
Town Justice
Position

Councilman Weingartner moved to adopt resolution eliminating a Town Justice position reducing the number of Town Justices, in accordance with the attached resolution. Councilman Diffendorf seconded.

Discussion. Supervisor Grubham discussed a packet that was handed out to the Board members regarding court costs and much more. Much of the information came from the Office of the New York State Comptroller, while other information came from Broome County, and some from income reports from the court operation in the Town of Kirkwood. Supervisor Grubham explained, in general, based on numbers, it looks as though the Court is doing approximately half of what it used to do with two judges. The question for us (Board) is, with the right information and to make the proper decision, do we think the court can operate with one judge and still get the work done. That essentially is the question and we have the information in front of us. Now, Bob (Mr. McKertich) had a couple of calls today that he would like to expound on a little bit too.

Mr. McKertich said, I did receive a phone from the Office of Court Administration, which is the entity that regulates the courts in the judicial district that we are in. It was an attorney from that office that called to inquire about what we (Board) were doing. She left a voicemail, I called her back, I left a voicemail, and we weren't able to touch base unfortunately. She called just this afternoon. I have not had a chance to have that telephone call, I would have liked to have talked to her before tonight's meeting. There's a primary coming up at the end of June, I have been in touch with the Republican Party. They have been in touch with the Board of Elections and it sounds as though that won't be impacted by whatever the Town Board does on eliminating the position. The Attorney General opinions that have come up on the subject say that the Town Board can take this action either before petitions are filed, after petitions, before primaries, after primaries. We are not handcuffed according to the Attorney General by the date of the primary. Those are two new pieces of information that I wanted to bring up. Meaning, if this decision is delayed until the next meeting, I'm not trying to encourage one thing or another, I'm just saying that doesn't jeopardize your ability to move forward on this one way or another. Supervisor Grubham noted the next meeting would be on June 7, 2022. Supervisor Grubham continued, if we should decide to do that and extend the timeframe I wouldn't want to go any longer than that even if we could. We pretty much have all the numbers that we need that show, at least in my opinion, that one judge could do that work. It seems to me that the way it is set up now, I hate to say this but I don't know this for a fact, it seems as though they are working only two days and that's about it. They come in on a Tuesday in the morning and get some stuff done, then Wednesday they have their cases and even that is getting smaller because the County is taking more and more of those, they are kind of working two days a week, maybe. It just seems to me that one judge can do that, you don't need two judges to do that. I don't know if we want to wait and see what the Office of Court Administration wants to talk to Bob (Mr. McKertich) about, but we could do that

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if we felt that. It's not going to change the numbers, the numbers are still what they are. I guess maybe we would find out more if we waited, do you think? Mr. McKertich responded, we might, I really don't know what she called me about.

Councilman Weingartner explained his thoughts stating, I think the real thing is that we are doing this for the numbers and to save taxpayers money. It's proven that we can do it with one and I think we should have a vote tonight. Councilwoman Legg said, I feel the numbers are showing what you said, however, we don't have all the information at this point. There is some information that we could still get that we may need to know. The fact that it's not going to change whether we do it today or at the end of the month with primaries, I feel we need to have all the information to honestly make the right decision. I do see the numbers and it does show that, but I still would like to have all the information myself. Councilwoman Wasson responded, I'm in agreement with that. I would like to hear more information and find out what she (attorney) had to say. Councilman Diffendorf stated, I think we have enough stuff here to move ahead. It's not going to change. If they come up with some deal, it's going to be that we can't do it and then we would have to rescind this motion maybe. As far as I'm concerned we are committed to doing this now and I think this is the time to do it. Councilman Weingartner said if there's Board members that want to wait I don't want to push a vote on them. I think we should have consensus if we want a true vote. Supervisor Grubham commented, quicker is better I think, but if we want to double check on what Bob (Mr. McKertich) may find out I am not against that, I just don't want to keep dragging it out. We have the information we really need for the taxpayer, this is going to save money for them. As long as we feel the job can be done with that I don't think that is going to change anything. You (Mr. McKertich) seem to think we are on solid legal ground here so I don't know what the court officer would have to say to change it but if you want to wait I can go along with that. But I don't want to wait, by the end of this month I want to be done with this.

Councilman Diffendorf questioned, if we voted on this tonight then the clock would start ticking on the 30 day permissive referendum. Mr. McKertich agreed. Councilman Diffendorf continued, so today is May 3rd, it would be June 3rd and if they got enough signatures can we have that election on the same day as the primary or can't we. Mr. McKertich responded, I don't think so Bill (Councilman Diffendorf), I don't think there's enough time to get that lined up. I would have to do a little research on that to give you an exact answer. Councilman Diffendorf replied, the only reason I ask is because I'm trying to save the Town money. They're having two elections this year in the primary and one general election. Every time there is an election it costs a lot of money with four polling places or whatever they have set up for these elections. Supervisor Grubham reported, there's \$15,000 in the budget for a primary and an election. The more elections we have the more it will be, we don't have that money in the budget.

Councilwoman Legg asked, can we do a special meeting in between now and the end of the month in regards to this situation. Councilman Diffendorf responded, I don't think we want to handle something like this in a special meeting. People don't realize there's a special meeting. Councilwoman Wasson said the meetings are posted. Councilman Diffendorf responded, it is posted but people know when our meetings are and if they choose to attend. If you have a special meeting you are going to catch people off guard when you are voting on something as big as this. Councilwoman Legg said, that is my position on this because it is something big to just not have all the information. We have the numbers, but this woman reached out to you (Mr. McKertich). She obviously reached out to him for a reason. Councilwoman Wasson commented, a missing piece or something. Councilwoman Legg said I feel that maybe I haven't done my due diligence because as Ward (Judge Coe) said I have not been over at the court. I feel that I need to visit there to see exactly what they are doing. Because the numbers show one thing but they also told us, when we were talking to them about their salaries, the different type of work they have to do now. So, I want to be able to talk to them to see what they are doing different. I just feel like I need a little more time for myself. Supervisor Grubham confirmed that Councilwoman Legg and Councilwoman Wasson wanted to wait on the vote.

Mr. McKertich said, there's a motion and a second for the resolution so the thing that you would do is make a motion to table the resolution eliminating the Town Justice until the

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June 7, 2022 meeting if that is what you want to do. There would be a second on the motion and a vote on that motion. If that gets approved this would be tabled until June 7th. If it doesn't get approved then we move forward with the vote tonight. Councilwoman Legg asked, if we hold it off and we vote later we would still be able to hold the primary, am I hearing what you are saying right? Councilman Weingartner explained, we have to have a resolution to table this resolution until the 7th of June meeting. Then we get a second for that and we vote on that resolution. If the resolution passes then we table it, if it doesn't pass then we vote on the resolution that I made. Mr. McKertich said another way to do it is if Bill (Councilman Diffendorf) wants to withdraw his second and Bob (Councilman Weingartner) wants to withdraw his motion it would get it off the table that way. There's two ways to kind of push this off now that the resolution has been made and seconded. Councilwoman Wasson asked, wouldn't this possibly warrant a special meeting just to make sure we had all the information necessary. Supervisor Grubham said I think Bill (Councilman Diffendorf) is right about that, it's better when people know you are having a meeting and try to make sure the public knows that there is a meeting two weeks ahead of that or whatever. They know we'll have a meeting on that night so if they want to watch or talk they can. If we are going to do it that way it might not be bad either because then it would be a public participation at that point and someone may want to speak about it at that meeting. So that might not be a bad thing too, maybe the taxpayers would want to talk about it. Supervisor Grubham continued, I know how you feel Bill (Councilman Diffendorf) but do you want to withdraw or not. Councilman Diffendorf asked, I don't know, are you withdrawing your motion Bob (Councilman Weingartner). Councilman Weingartner said no I want to make a resolution to table this until June 7th. Mr. McKertich verified, to table the elimination of the Town Justice resolution until June 7th. Councilman Weingartner agreed. Councilwoman Wasson asked, when is the primary, the primary date. Mr. McKertich responded, the 28th of June. Karen Ferguson, Town Historian, commented, just so you know the primary today might have gotten pushed back to August. There is another appeal regarding the Senate seats and it is going back to court. Right now, I was at the Board of Elections today, it looks like there is going to be two primaries in August, Republican and Democrat. Supervisor Grubham asked if that was local. Mr. McKertich said what I was hearing is that for the State and Federal they are pushing those back to August, not June but I heard that about a week ago. Is this new news? Karen Ferguson said this all came out today but you can verify it with the Board of Elections.

90:22
Table Reso
Eliminating
Town Justice

Councilman Weingartner made a motion to table the resolution eliminating the Town Justice position until the June 7, 2022 Town Board meeting. Councilwoman Legg seconded.

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

MOTION CARRIED.

NEW BUSINESS:

Councilman Diffendorf moved to adopt resolution ratifying a resolution authorizing the Supervisor to Sign the MS4 Municipal Compliance Certification (MCC) Form, in accordance with the attached form. Councilwoman Wasson seconded.

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

MOTION CARRIED.

91:22
MS4 Form
Stormwater

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May 3, 2022

AUDIT AND PAYMENT OF CLAIMS:

Councilwoman 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 # 22000421 through # 22000574 in the total amount of \$1,340,644.18, which includes prepaid claims as authorized by resolution adopted January 4, 2022. Councilwoman Legg seconded.

92:22
Audit/Pay

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

MOTION CARRIED.

NEW BUSINESS:

Councilman Weingartner moved to adopt resolution to approve Broome Bituminous to pave a portion of Veterans River Park parking lot at a cost not to exceed \$48,000. Councilman Diffendorf seconded.

93:22
Paving of
VR Park
Parking Lot

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

MOTION CARRIED.

Councilman Diffendorf moved to adopt resolution to approve Broome Bituminous to pave the walking track at Grange Hall Road Park at a cost not to exceed \$13,500. Councilwoman Wasson seconded.

94:22
Paving of
GHR Park
Walking Track

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

MOTION CARRIED.

ADJOURNMENT:

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

MOTION CARRIED.

Meeting adjourned at 6:49 PM

Respectfully submitted,

Kelley M. Diffendorf
Town Clerk