

**TOWN OF KIRKWOOD
ORGANIZATIONAL TOWN BOARD MEETING**

January 7, 2020

An organizational meeting of the Kirkwood Town Board was held on January 7, 2020 at 6:00 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 Katie Legg

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

PLEDGE OF ALLEGIANCE:

OATH OF OFFICE:

The Oath of Office was administered to Catherine M. Legg, (Katie) for the duly elected position of Councilperson for the Town of Kirkwood for a term to expire December 30, 2022.

HONOR SUSQUEHANNA VALLEY VARSITY FOOTBALL TEAM:

Supervisor Kniffen said we want to honor and celebrate the SV varsity football team for winning the New York State Championship in 2018 and 2019. That's quite an accomplishment with all the work involved and plays to make that happen on both offense and defense.

Head Coach, Mike Ford, thanked the Town Board and said this is a great group of kids, both on and off the field. They're good students and hard workers and that shows on the football field as well. It's like a family, we eat together and hang out together and that tight-knit family showed on the football field. You can't underestimate the importance of town youth leagues and this is the final conclusion to that. I had the pleasure of being coached by Bob Weingartner in high school and it's kind of come full circle. I'm grateful for all those memories growing up. This is a wonderful group of kids to be proud of and they're good leaders around the school community. Although the season officially starts in mid-August, for many of the kids the season starts in the weight room in January and ended at the end of November, so it's a long process. The support is very strong and everybody in this area is working hard so if you're not doing that you're not going to be competitive. These kids bought into that and understand it. All of our coaches coach other sports as well and put a lot of time in.

Logan Haskell, the team's quarterback, said thank you everyone for your support, especially our parents, and our coaches did a wonderful job. We appreciate all their help.

Supervisor Kniffen said we're honored that you're here and appreciate all you've done and you've made history. We look at how special you are and it's nice to meet all of you. Even your classmates look up to you. There may be classmates that couldn't go out for football for various reasons and you might want to tap them on the shoulder and include them at your lunch table. It might be a turning point for them.

Councilman Diffendorf, who has two grandsons on the team, read the following resolution:

Resolution Honoring Susquehanna Valley Varsity Football Team

Whereas: We congratulate the SV Varsity Football Team for winning the New York State Championship in 2018 and again in 2019, and
Whereas: The SV team won the title with courage, strength, humbleness, and sportsmanship, and

**TOWN OF KIRKWOOD
ORGANIZATIONAL TOWN BOARD MEETING**

January 7, 2020

Whereas: They have made their families, school mates, and our community proud of their accomplishments, and
Whereas: For establishing recognition for our small Towns throughout New York State, and
Now therefore be it resolved, by the Town Board of the Town of Kirkwood in regular session duly convened as follows:
1. We declare January 7, 2020 as Susquehanna Valley Football Day.
2. This day will forever be remembered in our records, annals, and history,
3. Attached to this Resolution will be all the names of the players and coaches.

Unanimously enacted by the Kirkwood Town Board on this 7th day of January 2020.

Supervisor Kniffen said this will go into our historical society records and you'll be recognized for a long, long time. A certified copy of the resolution was given to every player and coach.

Note: Councilman Diffendorf played on the only other Susquehanna Valley undefeated football team, back in 1965.

APPROVAL OF MINUTES:

December 30, 2019 Special Town Board Meeting

PUBLIC PARTICIPATION: None.

COMMUNICATIONS:

Letters of Re-Appointment for Clerks to Justices Full Time and Clerk Part Time, and Town Historian

COMMITTEE REPORTS:

Mr. Finch reported there was a water break today on Barlow Road at the DOT facility and we were able to fix it ourselves today.

Mr. Weingartner reported workmen's comp came back at the lowest threshold which was most advantageous for us financially. It's about \$10,000 less this year.

OTHER:

Councilman Diffendorf moved to adopt resolution Honoring Susquehanna Valley Varsity Football Team, in accordance with the attached resolution. Councilman Grubham seconded.

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

MOTION CARRIED.

OLD BUSINESS:

Councilman Grubham moved to adopt resolution authorizing Supervisor to enter into an agreement with Southern Tier Zoological Society, Inc., in accordance with the attached agreement. Councilman Weingartner seconded.

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

MOTION CARRIED.

Councilman Weingartner moved to adopt resolution standardizing the purchase of Neptune Water Meters from Ti-Sales as a sole source, in accordance with the attached resolution. Councilwoman Legg seconded.

Discussion: Councilman Diffendorf said I thought we were going to hold this for more information. Mr. Finch said, according to Neptune, Ti Sales is the only representative that's

1-20
Honor SV
Football Team

2-20
Zoo Agreement

3-20
Purchase
W&S Meters
HELD

**TOWN OF KIRKWOOD
ORGANIZATIONAL TOWN BOARD MEETING**

January 7, 2020

allowed to sell their meters in the northeast. This resolution would allow us to buy all the meters this year from the 2020 budget and lock in the price for ¾ “ meters at \$206 each, which is the price for 1,000 meters, but they’ll let it slide if we only buy 900. The meters are normally \$254 each. If we buy them all this year the total price would be \$216,123. If we buy them over three years we’ll be spending another \$46,000 because they can’t sell them to us at \$206. Councilman Diffendorf questioned why we don’t just replace the meters that are going bad. Mr. Finch said the heads we have all need to be replaced because the Neptune software can’t read them. He said they can be read manually if you go in the houses. Councilman Diffendorf said if we have meters that are working we should get the full use of them until they aren’t working anymore, and then replace them. We just did this not that long ago and we’re talking a half million dollars. Mr. Finch we upgraded some of the meters about eight or nine years ago, we just took the old Neptune heads off and put the Blue Tower heads on the old Neptune meters. Those were the ones on Main Street and Route 11 south, which was in 1995/96, so they’re 24 years old and way past their life expectancy. They lose their accuracy the older they get. With the sewer rates increasing we have to make sure these meters are as accurate as possible. We have leak detection capabilities with these meters. It will save us \$46,000 over three years and if we only get 200 this year they’re going to charge us \$254 for each meter. We’ll spend more money up front than you’ll save over the three years. The money will be coming from reserves; \$312,000 in water repair reserves and \$149,000 in water capital improvements reserves. We put another \$25,000 in repair reserves and \$30,000 in capital improvements in the 2020 budget. The water budget also has another \$40,000 set aside for contingency. Every year we put more money back in those reserves so it gets built right back up again. Councilman Weingartner said if we go through with this and spend \$216,000 by taking it out of reserves, and originally we talked about taking the money out of three budget cycles, we’d be taking the money beforehand, so will the money that we take from the reserves be put back in those next three years? Mr. Finch said I’m not sure how Mr. Smith is going to handle it. Councilman Grubham said I would have liked more time to look at this. Also, we talked about the outfit we were dealing with that went bankrupt. Were we able to do anything to get some money back? Mr. Finch said we haven’t done that yet. Right now we’re focused on getting new meters, since we have some that aren’t working at all right now. I will look for the warranty paperwork. Since the quote is dated May of 2019, Councilman Diffendorf said this looks like this has been going on since then. Mr. Finch said Al was looking at these last year when he started having issues with them when Blue Tower was still in business and we were trying to pursue a resolution from them first. I reported in the fall that things hadn’t improved and since then they went out of business. Councilman Diffendorf said we’re taking it out of the water users’ pockets. I thought we were going to use the reserve eventually for a water tank or something. I don’t want to waste the money on meters if we should just replace them as needed. The meters we had before were working, but we replaced them all in a two or three year time frame. Councilwoman Legg questioned if the quote is still accurate since it has an expiration date of July 2019. Mr. Finch said it is, the date just wasn’t updated. There will be an annual fee of \$2,850, which could vary. I’m not sure when the pricing for the new year goes into effect. Since concerns have been noted, Supervisor Kniffen suggested that this be held until the next meeting. **HELD.**

NEW BUSINESS:

Councilwoman Legg moved to adopt resolution appointing the Press & Sun-Bulletin as the official newspaper for 2020 and designating The Country Courier, pursuant to Town Law Section 64 (11), as a supplemental newspaper for publication of all legal notices of the Town for 2020, and requiring the applicant on a zoning matter or an environmental matter to pay the cost of such publication in the official newspaper of the Town, and the Town to pay the cost of such publication in the supplemental newspaper. Councilman Diffendorf seconded.

4-20
Appoint
Press Official
Newspaper
Courier
Supplemental

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

MOTION CARRIED.

**TOWN OF KIRKWOOD
ORGANIZATIONAL TOWN BOARD MEETING**

January 7, 2020

5-20
M&T
Depository
Town Funds

Councilman Diffendorf moved to adopt resolution naming M & T Bank as the depository for town funds for the Supervisor for 2020. Councilman Grubham seconded.

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

MOTION CARRIED.

6-20
Appoint
Supervisor
Service Officer

Councilman Grubham moved to adopt resolution appointing the Supervisor as Service Officer for 2020. Councilman Weingartner seconded.

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

MOTION CARRIED.

7-20
Supervisor
Invest Funds

Councilman Weingartner moved to adopt resolution authorizing the Supervisor to invest general funds, special district funds and highway moneys not obligated or required for immediate expenditure in United States treasury bills, savings accounts, time deposit or time certificates of deposit through Charter One, Manufacturers & Traders Trust Company, Tioga State Bank, Chemung Canal Trust Company, NBT Bank, and First Niagara Bank; said investments to be payable or redeemable at the option of the Supervisor within such times as the proceeds may be needed to meet expenditures for which the moneys were provided, all pursuant to the provisions of the Investment Policy for the Town of Kirkwood adopted July 3, 1993. Councilwoman Legg seconded.

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

MOTION CARRIED.

8-20
Mileage &
Expense Reimb

Councilwoman Legg moved to adopt resolution establishing reimbursement of expenditures incurred in 2020 as follows:

Mileage reimbursement at current Federal Government rate for job related travel;
Attendance at job related meetings not to exceed \$20 per meeting (other than
New York City);
Attendance at job related meetings in New York City at \$88 per day for meals only.

Councilman Diffendorf seconded.

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

MOTION CARRIED.

9-20
Mtg Night
Designation

Councilman Diffendorf moved to adopt resolution designating the following Tuesdays of each month as Town Board meeting nights to be held at 6:00 PM at the Joseph A. Griffin Town Hall:

First Tuesday - Regular Town Board Meeting
Last Tuesday - Work Session

Councilman Grubham seconded.

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

MOTION CARRIED.

**TOWN OF KIRKWOOD
ORGANIZATIONAL TOWN BOARD MEETING**

January 7, 2020

Councilman Grubham moved to adopt resolution requiring all itemized vouchers to be submitted to the Town Clerk's office before noon of the Friday prior to the last Tuesday of each month, and vouchers for reimbursement of medical and optical expenses to be submitted to the Town Clerk's office before noon of the Thursday prior to the last Tuesday of each month to qualify for audit and payment at the next regular Town Board meeting. Councilman Weingartner seconded.

10-20
Voucher
Submittal

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

MOTION CARRIED.

Councilman Weingartner moved to adopt resolution establishing hourly rates of pay for Public Works personnel for 2020, pursuant to Collective Bargaining Agreement with Teamsters 317 effective January 1, 2018 and with rate sheet from DPW Commissioner for all union and non-union employees of the DPW. Councilwoman Legg seconded.

11-20
DPW Pay
Rates

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

MOTION CARRIED.

Councilwoman Legg moved to adopt resolution establishing hourly rates of pay for independent contractors and Board of Assessment Review, in accordance with the attached resolution. Councilman Diffendorf seconded.

12-20
Independ.
Contractors
Pay Rates

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

MOTION CARRIED.

Councilman Diffendorf moved to adopt resolution establishing salaries for all elected and appointed officials and employees as set forth in the 2020 budget. Councilman Grubham seconded.

13-20
Salaries
Elected &
Appointed
Officials

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

MOTION CARRIED.

Councilman Grubham moved to adopt resolution appointing the following persons to the designated positions for 2020, in accordance with the resolution. Councilman Weingartner seconded.

14-20
Appoint
Various
Positions

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

MOTION CARRIED.

Councilman Weingartner moved to adopt resolution authorizing Supervisor to submit to the Town Clerk by March 31, 2020, a copy of his Annual Report to the State Comptroller and directing the Town Clerk to cause a notice to be published within ten (10) days after receipt of said report in the official newspaper and supplemental newspaper of the town that a copy of such report is on file and available for inspection in Town Clerk's office. Councilwoman Legg seconded.

15-20
Annual
Report Due

**TOWN OF KIRKWOOD
ORGANIZATIONAL TOWN BOARD MEETING**

January 7, 2020

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

MOTION CARRIED.

Councilwoman Legg moved to adopt resolution authorizing the payment of utility bills, town real property tax bills and postage prior to audit pursuant to Town Law Section 118 (2). Councilman Diffendorf seconded.

16-20
Prepay Utility
and Property
Tax Bills

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

MOTION CARRIED.

Councilman Diffendorf moved to adopt resolution reaffirming and re-adopting resolutions establishing Cash Management Policies/Procedures adopted June 5, 1990 and the Procurement Policy adopted December 6, 1994 and revised December 3, 2013 and the Investment Policy adopted July 3, 1993. Councilman Grubham seconded.

17-20
Cash
Management,
Procurement,
Investment
Policies

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

MOTION CARRIED.

Councilman Grubham moved to adopt resolution authorizing the Commissioner of Public Works to purchase equipment and tools not to exceed a total of \$2,000.00 per year without prior Town Board approval, providing such purchases are consistent with a resolution adopting a Procurement Policy enacted December 6, 1994 by Kirkwood Town Board and reviewed and reaffirmed herewith. Councilman Weingartner seconded.

18-20
DPW
Equipment
Purchases

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

MOTION CARRIED.

Councilman Weingartner moved to adopt resolution pursuant to Section 123 of the Town Law engaging Budget Officer James R. Smith, CPA to make an annual audit of the books and records of each person who as a town officer or employee received or disbursed any moneys in calendar year 2019. In addition, the Budget Officer is authorized to engage an independent CPA firm to make an annual audit of each Town Justice for the calendar year 2019 including the criminal and civil dockets to determine that the fines and fees shown thereon have been collected and have been turned over to the proper officials as required by law. The target completion date for the internal annual audits described here-in is May 31, 2020. If an external town wide audit should be required due to the Federal disaster assistance related to the 2018 flooding, the Justice Court audit portion may be included with those services along with related prescribed compliance deadlines under OMB Circular A-133. Councilwoman Legg seconded.

19-20
J. Smith
Budget Officer
Audit Books

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

MOTION CARRIED.

**TOWN OF KIRKWOOD
ORGANIZATIONAL TOWN BOARD MEETING**

January 7, 2020

Councilwoman Legg moved to adopt resolution reappointing John Mastronardi of Griffiths Engineering as the Stormwater Management Officer for the year 2020. Councilman Diffendorf seconded.

20-20
Reappoint
Mastronardi
Stormwater
Management
Officer

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

MOTION CARRIED.

Councilman Grubham resolution appointing William Diffendorf as Safety Officer for the year 2020 at an annual salary of \$1500. Councilman Weingartner seconded.

21-20
Appoint
W. Diffendorf
Safety Officer

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

MOTION CARRIED.

Councilman Diffendorf moved to adopt resolution reappointing Marc Latini as Temporary Ad Hoc Member of the Zoning Board of Appeals, pursuant to Local Law No. 11-1986; to be compensated at \$30.00 per meeting attended, upon submission of a voucher to the Town Clerk. Councilman Grubham seconded.

22-20
Reappoint
M. Latini
Temp ZBA
Ad Hoc

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

MOTION CARRIED.

Councilman Weingartner moved to adopt resolution reappointing Peter M. Maciak as Temporary Ad Hoc Member of the Planning Board, pursuant to Local Law No. 11-1986; to be compensated at \$30.00 per meeting attended, upon submission of a voucher to the Town Clerk. Councilwoman Legg seconded.

23-20
Reappoint
P. Maciak
Temp Pl Bd
Ad Hoc

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

MOTION CARRIED.

Councilwoman Legg 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 2020:

24-20
Issue Trailer Pk
License
Hunt

Moore Mobile Home Park, 376 Johnson Road, Kirkwood, NY 13795

Owner: Josh Hunt

Councilman Diffendorf seconded.

Roll Call Vote: Councilman Weingartner - yes
 Councilman Grubham - yes
 Councilwoman Legg - 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 # 20-00001 through # 20-00032 in the total amount of \$ 116,604.03, which includes prepaid claims as authorized by resolution adopted this date. Councilman Grubham seconded.

25-20
Audit/Pay

**TOWN OF KIRKWOOD
ORGANIZATIONAL TOWN BOARD MEETING**

January 7, 2020

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

MOTION CARRIED.

ADJOURNMENT:

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

MOTION CARRIED.

Meeting adjourned at 6:47 P.M.

Respectfully submitted,

Gayle M. Diffendorf
Town Clerk