

**TOWN OF KIRKWOOD
TOWN BOARD MEETING**

June 30, 2020

A regular meeting of the Kirkwood Town Board was held on June 30, 2020 at 7:32 PM at the Joseph A. Griffin Town Hall with Supervisor Gordon Kniffen presiding.

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

Also Present: Robert McKertich, Attorney
Kelley Diffendorf, Town Clerk
John A. Finch Jr., Commissioner of Public Works
Chad Moran, Code Enforcement Officer
Marchie Diffendorf, Planning Board Chairman
Duane Travis, ZBA Chairman (via Zoom)

PLEDGE OF ALLEGIANCE: Done prior to Public Hearing

APPROVAL OF MINUTES: June 2, 2020 Town Board Meeting Minutes

PUBLIC PARTICIPATION: None

COMMUNICATIONS: Retirement letter from Jean Smith

COMMITTEE REPORTS:

Dog Control

Councilwoman Legg mentioned she did not get any reports this month.

Drainage Committee

Supervisor Kniffen explained that members of the public have been on committees in the past and asked Dave Zeitz if he would like to be on the Drainage Committee with Councilwoman Legg and Code Officer Chad Moran. Mr Zeitz accepted the offer.

OLD BUSINESS:

Councilwoman Legg moved to adopt resolution, after a Public Hearing, adopting Local Law No. 2 of the Year 2020 entitled "A Local Law Amending LL No. 10-1995 Regarding Professional Consultation Fees", in accordance with the attached Local Law. Councilman Diffendorf seconded.

82:20
Adopt LL to
Amend Prof
Fees

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 awarding the Sealed Bid for the Highway Garage Drainage Improvements to Byler Excavating, LLC, being the responsible lower bidder at \$ 88,802.00. Councilman Grubham seconded.

83:20
Bid for
Highway
Garage
Drainage

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 amending the Town of Kirkwood Sluice Pipe Installation Policy, in accordance with the attached policy. Councilman Weingartner seconded.

84:20
Amend Sluice
Pipe Policy

Roll Call Vote: Councilman Weingartner - yes
Councilman Grubham - yes

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Councilwoman Legg - yes
Councilman Diffendorf - yes
Supervisor Kniffen - yes

MOTION CARRIED.

85:20
Sched PH
Water Meter
Fees

Councilman Weingartner moved to adopt resolution scheduling a Public Hearing for August 4, 2020 at 6:00 PM regarding amending the fee for water meters. Councilwoman Legg seconded.

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

MOTION CARRIED.

86:20
Amend
Employee
Benefits -
Voting

Councilwoman Legg moved to adopt resolution amending the Rules and Regulations Governing Attendance and Benefits for Town of Kirkwood Employees regarding time off for voting, in accordance with the attached Rules and Regulations. Councilman Diffendorf seconded.

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

MOTION CARRIED.

87:20
Appoint M.
Walsh PT
Bookkeeper

Councilman Diffendorf moved to adopt resolution appointing Maureen Walsh as Bookkeeper PT effective July 1, 2020 at a rate of pay of \$18.00 per hour. Councilman Grubham seconded.

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

MOTION CARRIED.

88:20
Approve
J. Smith
Retirement
Hours

Councilman Grubham moved to adopt resolution approving the Standard Work Day and Reporting Resolution for Elected and Appointed Officials for James R. Smith, Budget Officer, in accordance with the attached resolution. Councilman Weingartner seconded.

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

MOTION CARRIED.

89:20
Agreement -
Emergency
Relief Project
NYSDOT

Councilman Weingartner moved to adopt resolution authorizing the Supervisor to sign the Emergency Relief Project Agreement with New York State Department of Transportation regarding the Fairview Avenue project. Councilwoman Legg seconded.

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

MOTION CARRIED.

90:20
Transfer Funds

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

Roll Call Vote: Councilman Weingartner - yes
Councilman Grubham - yes

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Councilwoman Legg - yes
Councilman Diffendorf - yes
Supervisor Kniffen - yes

MOTION CARRIED.

Councilman Diffendorf moved to adopt resolution hiring Julius Tutko as Laborer to work in the Parks Department effective July 6, 2020 until September 30, 2020 at a rate of pay of \$12.82 per hour for 16 hours per week. Councilman Grubham seconded.

91:20
Hire J. Tutko
Laborer Parks

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 B & G Sealcoating to repair the Town tennis courts at Veterans River Park at a cost not to exceed \$3,600, in accordance with the attached quote. Councilman Diffendorf seconded.

92:20
Authorize
Tennis Courts
Repair –
B & G
Sealcoating

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 # 20-00691 through # 20-00810 in the total amount of \$ 259,879.51, which includes prepaid claims as authorized by resolution adopted January 7, 2020. Councilman Grubham seconded.

93:20
Audit/Pay

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

MOTION CARRIED.

Discussion – M. Latini

Councilman Weingartner read the original resolution for Marc Latini from the August 2019 board meeting. He suggested that Marc may no longer be provisional and this new resolution #15 is making him permanent. Mr. McKertich questioned the wording of provisional over probationary in the original resolution. Councilman Diffendorf asked if he had to take the civil service test. Mr. McKertich responded that is what would make it provisional over probationary. Supervisor Kniffen said he must have taken the test the way it's worded on the new resolution but let's wait to be sure. Councilman Weingartner said he can check with Mary Kay.

Discussion – Parks

Councilwoman Legg inquired about the status of park pavilion rentals. Councilman Grubham explained that 50 people are allowed to gather, so we've set it up that pavilions #1 and #3 at Veteran's River Park, and Grange Hall Road and Valley Park pavilions will be rented. Just enough tables have been added for 50 people to use so guidelines are followed. A stipulation has been added stating the permit holder will abide by the guidelines, but we won't be policing it, they are responsible to do that. Councilman Grubham said he did talk to the county and they are not policing pavilion groups either.

Councilman Grubham also mentioned that people now have interest in the ball fields and a big tournament we normally have here has moved to Scranton because the Governor made it too hard for them to do it. We still have the YMCA, a senior group, and a church group

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and we may be using one of the fields for baseball but that's iffy. Councilwoman Legg asked if the Town website will be changed because it currently says there is no pavilion use. Town Clerk Kelley Diffendorf responded that she and Mary Kay had changed it to 50 people. Councilman Weingartner said he has recently had trouble with the website. Councilman Grubham said we have a new website being developed and it should accommodate all the information we haven't been able to put on there now but there have been issues lately, hopefully within a couple of months it will be complete.

Discussion - Zoning

Supervisor Kniffen asked Mr. French from the public if he had something to discuss. Code Enforcement Officer Chad Moran said Mr. French was supposed to submit a change of zoning form but he didn't get the form in so it wasn't on the agenda. Mr. French said it was his first time at a meeting and would like to see how it goes. Supervisor Kniffen asked if he wanted to request a change in zoning. Mr. French replied that he did on a property on Foley Road. Supervisor Kniffen asked about the procedure for this. Chad reiterated that Mr. French has the forms and needs to fill them out, all the information is on the forms.

OTHER:

Councilman Grubham moved to adopt resolution to adjourn this meeting to conduct an Executive Session pursuant to Section 105 paragraph f of the Public Officers Law to discuss a matter relating to the medical, financial, credit or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal, or removal of a particular person or corporation. Councilman Weingartner seconded.

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

MOTION CARRIED.

ADJOURNMENT:

Meeting adjourned at 8:08 P.M.

Respectfully submitted,

Kelley M. Diffendorf
Town Clerk

94:20
Ex. Sess.