

TOWN OF KIRKWOOD WORK SESSION

September 6, 2016

Present: Supervisor Gordon Kniffen
Councilman Robert Weingartner
Councilman Lewis Grubham
Councilwoman Linda Yonchuk

Absent: Councilman William Diffendorf, Jr.

Also Present: Oliver Blaise III, Attorney
Gayle Diffendorf, Town Clerk
Raymond Coolbaugh, Commissioner of Public Works
John Finch, Chief Water Treatment Plant Operator
James Smith, Budget Officer
Marchie Diffendorf, Planning Board Chairman

1. Discussion – BlueStorm Proposal.

Alan Colosi and Bob Matson from BlueStorm presented a proposal regarding developing Town Request Center, which would be an extension of Kirkwood's website. Currently this system is being used by large cities such as Chicago, Baltimore, NYS, Washington D.C. and Cincinnati and they want to bring it down to the level of towns and villages. Kirkwood would be participating as a Pilot town. Bob Matson provided an overview of how the system would work and responded to questions following the presentation. It was noted there is no server involved so there is no maintenance, this is a web based system that will move the town into Phase 2 of e-government. Kirkwood is already basically in Phase 1 now with information the website provides. This will allow citizens to become aware of available town services, make requests for those services and track the progress of requests. He gave examples of issues such as pot holes, drainage, dogs running at large, etc. He said millennials want services available online on their time and this shifts the power to citizens. There will be a link on the existing website to access this. Welcome messages and announcements can be included. In regard to implementation, Bob said since it is cloud based there is no set up, no servers, no software, only a simple link on the website. It is designed to be very easy to set up and use and for the Pilot participants they will offer assistance. He noted that each department would have a unique login and password and citizen users would be required to enter a name and email address, although at this time the authenticity cannot be tracked through an IP address. This will be one area where they would like feedback. This is a system that would be used on a daily basis. They are asking that the town use it and then report back with feedback. There will be no charge as long as BlueStorm maintains the town's server and website. Bob said they anticipate the length of the Pilot program to be a couple of months. It was noted this will not change the current website. Concerns were noted by Board members that due to the small size of the town usage would be low and possibly the fact that Kirkwood has an older population people still might want to talk to someone, as well as the concern that someone could over-use the system with every complaint they can think about.

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Supervisor Kniffen said this is state of the art and he thinks the Board should consider it. Mr. Blaise noted there would have to be a culture shift in the town, that internally it would have to be used and tracked. Bob Matson said the town can set up someone as the administrator and suggested they initially start with 3 or 4 categories. Supervisor Kniffen polled the Board and all were in agreement to go ahead with this proposal.

Roy Tondeur said he thinks Kirkwood already has this covered. If there is a dog running at large they would call the Dog Control Officer or the Town Clerk. Supervisor Kniffen said this would give people another option and there would be a record of it, and Councilman Grubham and Councilwoman Yonchuk agreed that is the important part of this. Bob Matson said the reporting aspect of it at the end of the year provides data of what has been done for the entire year. They will work with a point person from Kirkwood to get this set up and get a link on the website.

2. Discussion – Emergency water connection from Conklin to Kirkwood. (GEK)

Supervisor Kniffen noted this was discussed at the last meeting. He said it has been suggested by the Public Works Department that they support a water connection from Conklin to Kirkwood. The Conklin Town Board has already approved this. There was also discussion about the pump station that was used in the past to purchase water from Binghamton and that still is an alternative. The information is that it needs a lot of updating. Ray Coolbaugh said they are still working on the cost of that. He looked at the pump station with Ron Lake, John Mastronardi and a rep from W2O and they are trying to find the original plans so they have some idea what the names of the pumps are. An unofficial estimate is \$60,000, which would be less than the cost of a connection to Conklin, which John Finch said would be about \$40,000 for each town. Councilman Grubham said they should get a final cost for the pump station before discussing this. He noted that he is disappointed that the pump station was let go without being maintained. Ray said they figure it was put in around 1976, or 1977 and from what information they can locate it looks like it was worked on in 1993. Councilman Grubham said they should also decide how important it is to do this before proceeding. Ray added that according to Ron Lake the one time Kirkwood did buy water from Binghamton it was about 3 times the cost of what Kirkwood sells water for to everyone else. He added they pay \$143 a year just for the hook-up. John said the charge is per 1,000 gallons of water, but he doesn't have the figure. Held until 9/27/16 work session.

3. Discussion – Purchase of a fire hydrant. (J. Finch)

John Finch said they keep spare hydrants, two different kinds, and they used the last American Darling hydrant in the industrial park. He received 2 quotes, \$2,250 and \$2,555. They try to catch whoever hits a hydrant because they are not cheap, but unfortunately that one was taken

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out by a tractor trailer and they never found the driver so they will have to eat the cost.
Resolution to purchase at a cost of \$2,250.

4. Discussion – Well 3 Distribution System – Motor and Pump Replacement. (J. Finch)

According to John Finch the packings are leaking coming out of the system pump. He tried to get a price from a company on a new way of trying to get them to seal but has not gotten a reply. They had a spare pump and motor at the treatment plant for the Well 3 system. The quotes from Moody and W2 Pump are for taking the motor and pump out and putting a new motor and pump back in place. That will solve the leaking problem and they'll also have a new motor and pump, so both the system and the well pumps will be new. When they pull those out, most likely the stuffing box will have to be rebuilt and most likely it will need a new shaft so they'll get a price and put it in the budget for next year to repair the pump and then they'll have a new spare at the treatment plant again. The low quote is \$3,800 from W2 Pump, and \$5,800 from Moody to do the same thing. John said this will come out of the tools and repair account. Resolution.

5. Discussion – Francis Street Pump Station – Motor failure due to lighting strike. (J. Finch)

John Finch said this will be turned into the insurance company. On August 11th there were a lot of lightning strikes and about the same time the pump went down. A test on the motor proved it was bad so it was pulled and sent out and they got a price of \$14,075 to rebuild the motor and certify that it is explosion proof versus the price for a new pump of \$22,650. Another major factor is the pump repair would take about 2 weeks and a new motor and pump would take about 14 weeks to get and they can't wait that long since there are only 2 pumps in that station and 1 pump is down. He is quite sure it will be covered under insurance since it is a possible lightning strike. It can come out of reserve funds if necessary. Resolution.

6. 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 park, such license is for the years 2015 and 2016:

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

Owner: Robert and Mouna Hartley

Resolution.

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- 7. 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 park, such license is for the years 2015 and 2016:**

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

Owner: Josh Hunt

Resolution.

- 8. Discussion – Amending the Food Policy for Town of Kirkwood Employees – Town will not purchase individual bottled water but will purchase 5 gallon jugs of spring water for employees. (LCG)**

Resolution.

- 9. Discussion – Mowing of three properties at a cost of \$450:
640 Stratmill Road
26 S. Sunset
114 Ostrum Road**

Supervisor Kniffen said this came up with the previous Code Enforcement Officer and has come up again. There originally were 4 properties and apparently the bank had someone do the mowing for one of them. The thought was that the highway department could do the mowing. Ray Coolbaugh said he does not see how they can get them done because they are in the last 8 weeks before snow comes and they still have a lot of pipes to put in, oil and stone work and blacktopping. Since they hired Jake for extra time, Councilman Grubham questioned why the parks department can't do it. Ray said if the property on Route 11 across the street from the church needs to be done it will take more than a mower because there are trees and brush. Councilman Grubham said he looked at the 3 listed and they don't amount to that much. It was noted that prevailing wage rates must be paid and Councilman Grubham said that is outlandish. Councilwoman Yonchuk said they used to hire people to mow all the time, like summer temps. Ray Coolbaugh said the 90 days for summer help is over at the end of September. There was a concern as to whether or not the listed properties are actually the ones that still need to be mowed, or if one of those should have come off the list and the Route 11 property included. Ray said the one on S. Sunset has been mowed because the bank took care of it. Councilman Grubham said the Stratmill Road property is the largest but he still thinks \$450 is a lot of money to mow them. Ray said it takes Jake almost 2 days to mow Veterans River Park and a day each to do Valley Park and Grange Hall Park. Councilman Grubham said last year the town did not have Jake but they somehow got it done. Ray said that is because they took a guy

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out of the highway to do it and right now there are 3 guys on vacation. He added that if this had been done earlier in the year they could have gotten it done but now things are tight. Supervisor Kniffen said the last time this was done he doesn't think Scott paid the prevailing wage rate, but it was already done before it came before the Board. He added they should get the money back, since the charge will be put on their property tax.

10. Discussion – Revisions to the Investment Policy. (ONB)

Mr. Blaise explained that Jim Smith brought to his attention that there was a change in the way our banks were handling the way that they wanted to protect the Town's investments. It looks like there is an additional way of providing the irrevocable letter of credit. It's another way the Comptroller's Office is allowing our financial institutions to assure the Town that our investments are covered above what our FDIC coverage is. The revisions to the Investment Policy reflect that change by allowing, in addition to the other ways that our deposits can collateralize, by also allowing the financial institutions to provide an irrevocable letter or credit covering the amount of our deposit over FDIC coverage. He said it is not required but it is something the banks are doing now. In response to Councilman Grubham, Mr. Smith said the federal home loan bank is the one issuing the letter of credit. Mr. Smith added that banks are moving in that direction so if the Town doesn't enable this type of collateralization, they would have to find other banks to make it up. Resolution.

11. Discussion – Authorizing the transition of the Town's holdings and investments from First Niagara to Key Bank and authorizing the Supervisor to sign all necessary paperwork to effectuate said transition. (ONB)

As a result of Mr. Blaise' ongoing discussions with Jim Smith in working on the Investment Policy, he explained Jim said he got some paperwork that Key Bank is buying out First Niagara and the town has holdings with First Niagara that are going to get converted to Key Bank next month so First Niagara wants the town to sign paperwork that they can shift the town's holdings over to Key Bank. There is paperwork that needs to be signed to allow that to happen. Resolution.

12. Discussion – Transfer from Estate of O'Dea. (ONB)

Mr. Blaise explained he sent an email last week providing an update regarding this. They had a survey done showing where the boundary lines are and there is an easement across the O'Dea property to the get to this parcel, since it is otherwise landlocked. There are some issues that need to be addressed. The biggest issue is with the easement that goes through the property. He noted that Councilman Grubham responded that he is in favor of making sure the easement is firmly in place, that it is a set spot. Currently there is some language in the deed on the parcel as it exists that notes the easement placement is where the O'Deas designate it to be. Councilman Grubham said the easement should also be of substantial size so the town can actually use it. Ray Coolbaugh said it should be at least 20 feet wide so they can get a loader

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down through it, he agrees that it should be stationary and he questioned the maintenance issue. Mr. Blaise said the town should have the ability to maintain it so it doesn't get overgrown but questioned if they want the responsibility. Councilman Grubham said he feels the town should maintain it for whatever purposes they need. The thought is that the easement goes from Route 11 through the property but the survey was not available to verify this.

13. Discussion – Resolution authorizing Supervisor to enter into an agreement with the County of Broome regarding the Kirkwood Youth Program.

Supervisor Kniffen explained that through the years the town has gotten money from the county via the state and they ask for data such as how many programs the town has, how many youth participate and their ages. Christina completed the data that was requested but in the agreement it referred to a pool and the town is certainly not putting in a pool. He said Mary Kay is looking into that aspect of this. He said the bottom line is the town is going to get \$4,000 but before an agreement is signed it has to be cleaned up. Councilman Grubham said Christina approached him earlier this year and said the county may have some grant money that could be used to pay for some of our kids to go the instruction program at River Run, but he noted this agreement doesn't say that. Councilwoman Yonchuk said she took "Pool Program" in an entirely different way, meaning the entire program. Councilman Weingartner questioned if that wasn't the meaning as well, noting that there are secretarial "pools". Councilman Grubham said it is now late in the year to fund something like the golf program, and the town decided not to fund that program in the past, but something like that is what Christina had in mind. Supervisor Kniffen will look into this further. Resolution.

14. Discussion – Boat Launch. (GEK)

Supervisor Kniffen explained this has been discussed in several meeting with the town's engineer, Councilman Grubham, Ray Coolbaugh and Marchie Diffendorf. The Town shared in the development of the boat launch but the majority was handled by DEC. He explained the slab DEC put in did not end up at the degree they told DEC it should be and it can't be moved around. They filled in at the end of the slab with stone and the town's group feels there should be smaller stones. Ray Coolbaugh said they are going to put medium stones off the end of it and try to slope it as much as they can. He said out about 10 feet it is 6 feet deep so it drops right off. They are going to put a couple loads of medium stones and 3 loads of 2's and 3's on top to make a surface and flare it out at the end and they think that will do it. It should be done by tomorrow afternoon and will cost about \$2,500. Supervisor Kniffen said DEC agrees that it is not usable and thinks the town has the right solution but this started out to be about a \$10,000 project and they spent over \$20,000 and will not be spending any more on the project. The town already has spent about \$2,000. He is hoping this will be a permanent fix but they will have to see how it winters. Councilman Grubham said they'll get it open for use and find out what happens over the winter and maybe some adjustments will be needed in the spring. Ray Coolbaugh added that they will have a boat at the launch tomorrow to test it. Councilman

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Grubham said he doesn't want to get into it with DEC but he feels this isn't right, and he doesn't care if they spent their money or not. If the town had hired a contractor and it was wrong they would make the contractor fix it and the State has a lot more money than the Town yet the town is the one paying to make sure that it works. He said that doesn't make sense to him. He said they don't seem to be letting the general public know what the problem is. Supervisor Kniffen said he takes offense at that, stating that they have discussed it publicly, discussed it with the people at the boat launch and it's been in the paper, so what more can he do. Councilman Grubham said he is not blaming Supervisor Kniffen but he wants people to know. He said between what the State and Kirkwood have spent, it amounts to about \$40,000 and the State quit because they said they have no more money in their budget for it. He is not saying the town shouldn't fix it because they want to get it open, he is just saying that the State should have done more for them. Supervisor Kniffen said there is no written agreement. They asked DEC if they would do it and they did. Ray said there will be signage on Route 11 and by the launch.

15. Discussion – Resolution acknowledging that the calendar year 2015 internal audit of the Justice Court records and dockets were examined by Budget Director, James Smith, pursuant to Section 2019-a of the Uniform Justice Court Act, in accordance with the attached report dated August 18, 2016.

Mr. Smith submitted the report and offered to answer any questions. He noted that one of the unusual things is the credit card changeover by the credit card company when they were processing payments. The Town's court was not doing anything wrong but it was hanging up deposits and tracking the reconcile and it took a while to get it straightened out. They got a special report from the vendor and by the end of January all the deposit batches were accounted for. Resolution.

16. Transfer of Funds.

Supervisor Kniffen referenced the transfer between lines A-1620-4-040 and A-1990-4-040. He explained that was in regard to the new bathrooms at the highway department and it came out of contingency. He questioned if this was coming out of insurance money. Ray Coolbaugh explained originally when they received all the insurance money he said when they get time they would spend it because he didn't want to waste it on the small stuff and Jim Smith told him to keep track of what they did and keep the Board informed. This is truly coming out of insurance money.

In regard to the workmans comp line, Jim Smith said it looks to him like the fire portion is going up and he is going to look into that. He will need that information so he knows what to expect in 2017 as well.

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In regard to the parks line, Councilman Grubham said they spent about \$3,600 on the bathrooms, which was needed. He said the bathroom door to the men's room was rusted through and falling off and on both bathrooms the metal partitions rusted so badly they were starting to fall over so they were replaced. He said almost \$6,000 was spent on tree trimming and he was not in favor of it. He said Tim Finch asked him about trimming trees around the big ball field because the branches were hanging out over the field, which was fine, but the whole park was trimmed. Since those 2 projects amount to about \$9,600 he said he's not sure why they are asking for \$16,000. Ray Coolbaugh said there was a \$2,000 expense from the carnival for an electric cord that got run over by a lawn mower. Councilman Grubham said that shouldn't be done like that again because it was an extremely dangerous situation and he is astounded that someone did not get hurt. He explained that the cord was laying on the ground and one of the parks guys chopped it in half with a lawn mower. They have to find a better way to do that line than leave it laying on the ground, possibly by putting it overhead or underground. Ray said the total cost was almost \$4,000 with shipping but since the carnival people wanted to keep the cord they said they would give the Town \$2,000 for it.

Councilman Grubham said they repaved the pavilion at a cost of about \$2,000 to \$3,000. He is not sure what is included in the \$16,000 requested other than that, since that amounts to about \$11,000. Ray said there was a \$2,000 expense for more dirt for the infields. Councilman Grubham felt that should have been included in the basic maintenance. He added they have to start paying more attention to what's going on there because this is well over the budget and although some of it has been explained, a lot of it is not even close to the budget line.

As an additional comment in regard to the tree trimming, Councilman Grubham said he had no idea the cost was going to be something like that and he feels if someone had told them they wouldn't have spent that kind of money. He doesn't feel the whole park should have been trimmed and they should have known how much it was going to cost before it was done.
Resolution.

17. Audit of Claims.

Resolution.

18. Super Storm Sandy Funds.

Supervisor Kniffen explained that as of May 11th it had been 939 days since they requested funds to protect the Town's generators. At one time they talked about a wall to do this and estimated the cost would be about \$50,000. They put the request in and followed it and followed it and it just disappeared. The funds are not there. The only way that will be done now is if the Town finances it. They will have to look at this again at some point in the future. Ray Coolbaugh said with the floods in 2006 and 2011 the generators were not flooded but the water came within 6 inches of flooding them. He said they put in the request since it looked like there was money to do it but it is not considered an emergency. Supervisor Kniffen is going to look into budgeting for this in anticipation of doing it at some point in the future.