

**TOWN OF KIRKWOOD  
TOWN BOARD MEETING**

**May 7, 2019**

A regular meeting of the Kirkwood Town Board was held on May 7, 2019 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 Linda Yonchuk

Also Present: Oliver Blaise III, Attorney  
Gayle Diffendorf, Town Clerk  
John A. Finch Jr., Commissioner of Public Works  
Marchie Diffendorf, Planning Bd. Chairman  
Duane Travis, ZBA Chairman

**PLEDGE OF ALLEGIANCE:**

**APPROVAL OF MINUTES:** April 2, 2019 Town Board Meeting

**PUBLIC PARTICIPATION:**

**Race Track and Property Maintenance Issues.**

Mary Jane Stillman of 31 Roberts Street addressed the Board stating I've already spoken to a couple of people, including Chad, and I would like to know what's going to be done on Sunday mornings about the dirt on the street from the races. After the first race it was just unbelievable and people could get hurt. I was told that they couldn't be making him special and having that street cleaned out of the taxpayers' money. I totally agree with that. I believe he should have to pay for that out of his pocket and not be put into his taxes because he doesn't pay them. Back in 2013 I had a brand new lawn put in at my home and the plows had gone through and ripped up the whole edge of my lawn and threw it all on my lawn, large pieces. Since I just spent many thousands of dollars to make my place look good in this town and I was so angry I threw them back out in the street. Mrs. Stillman read the following: "Mrs. Stillman, it's been brought to my attention through the Town of one of the highway department personnel tore up some sod in front of your property. I was informed that the sod ended up into Roberts Street roadway. It is not the Town's intention to damage any property in the Town of Kirkwood but it does happen. I am attaching a copy of the Warning Notice that I give out to people usually during the plowing season in regards to leaving snow in the road that I thought may be some good information for you to know. It is only for your knowledge. I would not want anyone to get injured or sued over anything of this nature that does not help anyone in the Town of Kirkwood. If you have any questions call." Mrs. Stillman said I proceeded to get a Warning Notice from Scott Russell, (Code Enforcement Officer at that time), in that it says...shall be liable to the penalty not to exceed \$100.00 to me if I do it again. I was wrong. I shouldn't have done it. I should have called someone down here to see what they were going to do about it. In regards to that, I feel as though the dirt that is because of his race cars, or his three nephews now, that comes out onto that street is no different than me throwing the sod into the road. That's a liability for people to get hurt on and I feel it should be taken care of and not with tax money which is my tax money and everyone's.

Mrs. Stillman said my second complaint is my next door neighbor has a car that has been sitting in the driveway covered up by a tarp for all of the 41 years that I have lived there. Mrs. Stillman referenced a New York State letter that she got from another town which said: "Being mandated by NYS these codes will go into effect starting October 3, 2016." She said the one that applies to what I am saying says: "302.8 Motor Vehicles. Except as provided for in other regulations, no inoperative or unlicensed motor vehicle shall be parked, kept or stored on any premises, and no vehicle shall at any time be in a state of major disassembly, disrepair, or in the process of being stripped or dismantled. Painting of vehicle is prohibited unless conducted inside an approved building." I want to know, and Chad has been there and he has asked of Andrew, when it is going to be taken care of. I would also like to know when Crescent and Roberts Street are going to be paved.

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Supervisor Kniffen said there is quite a history to the road issue with the racetrack. At one time the highway department was cleaning that every Sunday morning. The \$25 fee was raised to \$50, of which \$25 was supposed to cover the cost of cleaning the road, although I can't believe that would ever cover it. It was discontinued being done on a regular basis because apparently Mr. Harpell, when he was still running the track, made some improvements to the track and put some stones in so the dirt wasn't being carried out onto the road. John Finch recently told me they do it when they get a call or if a highway employee that lives in the area sees something we will clean it up. That is the policy right now. Mrs. Stillman questioned why we are paying the employee to do that. Supervisor Kniffen responded that in reviewing past minutes, at one point that question came up. At that time we were concerned with liability with him getting on a town road. Mrs. Stillman questioned what the liability would be and also said according to the information in the warning notice that she got, it was for grass or anything, and so if my grass goes out onto Roberts Street I blow it back into my property. So if I'm doing that with my tractor, why am I not a liability and he is if he is out there cleaning it up?

Mr. Blaise said the point of him actually going out and using equipment to do maintenance to clean a town road is a little different than blowing the grass off the road. The concern would be if he damages the road or creates a problem that causes an accident. That's where I think the liability concern came from years ago. In regard to Mr. Harpell's equipment, Mr. Finch said in the past he's used his water truck and blown it off with water pressure. Mrs. Stillman said I can't remember the last time he did that. Supervisor Kniffen said we may want to take another look at raising the fee. Mr. Finch said personnel are paid at time and a half to clean the road on a Sunday. Mrs. Stillman said I don't want it coming out of the tax money. Supervisor Kniffen said we will discuss this.

In regard to the car on the Harpell property, Mrs. Stillman said it's a New York State mandated rule that it can't be there. She added that the car was uncovered for about 25 years and then covered with a tarp after a complaint was made, and said that Chad has been there many times to talk to them about it. Councilman Grubham said he thinks they are allowed to have it there and also that recently the State may have changed it to allow two vehicles. A copy of the new State law can be obtained at the Code Enforcement Office.

In regard to Mrs. Stillman's concern about addressing conditions of homes in the area, two on Roberts Street and two on Crescent, Councilman Grubham said it's a property maintenance issue and complaints should be made to Chad at the Code Office. Mrs. Stillman said these houses bring the property values in the area way down, according to her conversation with a real estate person. Supervisor Kniffen said we're trying to clean up Kirkwood and have concentrated on Upper Court Street as well as the Ritter property on Route 11. The Code Department has sent a number of letters to people that their property is in violation, giving them a time frame to clean it up. We also have another category called zombie properties. Those are properties that nobody lives in and are just sitting there falling apart. Those property owners have been notified to clean up with a deadline as well. This is an on-going project. Councilman Grubham said Chad is working diligently to get properties cleaned up. Mrs. Stillman said Chad told me that he gets no reply from any of them. Supervisor Kniffen said people will have to go to Town Court if they don't clean up their properties.

Robert Gaube of 39 Roberts Street, directly across the street from the racetrack, said I hear a lot of excuses and grandfathered in statements and I can't understand it. I had a problem with my lawn and got ticketed right away. I was told that he was cracking down on me so that he could nip it in the bud. I have taken immaculate care of that property for 40 years. This track is ridiculous. I can't believe the consideration given them and not to the neighbors. I saw public urination and I have photographs which I posted on the track site under the heading family entertainment. I haven't pressed it because I don't want to ruin someone's life over indecent exposure. It's absurd, and that's not grandfathered in. There is no supervision and this is all being done on track property. During the last race the fire hydrant was blocked and cars were parked into the road on the shoulders on a blind hill. I had to call the State Police for the first time. I also went to Code, and now I'm bring it to you. So if there's a problem there, there has to be some responsibility on your part. If a motorcycle were to hit the gravel and mud on the road they would go flying. There have

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been excuses for years why the road has not been cleaned. It was so bad on Easter you couldn't even go outside the house. It rubs salt in the wound when I have to pay for this clean up. I was told if I were to do some type of excavation on my property I would be responsible for the cleanup, so why not them? If they are such a good thing for our town you would think they would pay for it. It has depreciated property values for years. If this is a different LLC running this, do those rights grandfather over to the new one? Lawlessness is not grandfathered in.

Mr. Gaube said another concern is the wetland issue with batteries and tires being thrown in there, aided by the Town of Kirkwood trucks coming out of there early in the morning and all day long. Load after load of dirt is being dumped, paid for by the taxpayer, and trucks and drivers being paid for by the taxpayer. I was told it was easy to dump it there. You would think there would have to be some type of a bidding process, that someone would want to buy that dirt. This has been happening up until about two weeks ago. Mr. Finch said if people need fill we accommodate them but last year was the last we dumped there. Mr. Gaube said they have been doing a lot of fill work there this year, building up the embankments. We've got photographs and I've seen it with my own eyes. Mr. Finch said we've not dumped there this year. Mr. Gaube said filling a wetland is illegal. There have been a couple hundred loads dumped there this year with Town of Kirkwood trucks. Councilwoman Yonchuk asked Mr. Gaube to provide the pictures he has of this dumping.

Mr. Gaube said I am curious about the new LLC and it seems like it would be a different set of standards now. I have a concern about the wetlands. You can't say that laws are being broken on a lot of different levels and that's grandfathered in because any industry in the US could have a free-for-all and none of the environmental laws or anything would be in place. I was told they do a lot for the town. My understanding is that this country is based on equal representation, it isn't based on how much you give. If you're giving something then you're getting something in return and that's payoff. It's almost at a point where you would have to take the law into your own hands because no one is doing a thing. I had a truck backed up to my shop door at 11 o'clock at night and nobody cares.

Supervisor Kniffen said during my time on this Board the racetrack has been a headache for many people and some of those people are here tonight. A few years ago it got so bad we formed a committee of the Board, residents and the owner of the track, which was Andy Harpell at that time. The Committee made some changes, with Councilman Weingartner getting involved in the curfew because they were running late, at times to 2:00 in the morning. That doesn't happen anymore. There was a lot done at that time. The nephews are the new owners and there was one night of havoc. Neighboring racetracks got rained out and at the last minute they invited all those people down here. That was not the right thing to do and they have been told not to ever let that happen again and if you're going to consider it again you come to the Town Board first to get permission to do it. They were parking all over this Town and that was not right and we were blindsided by it. We are doing the best we can for the future. I think we can fix the issue with the road condition. The racetrack has been there for years and years and I don't know what else we can do. In the past we went to the Health Department and they were not in violation. Mr. Harpell was putting chemicals in his water to keep the dust down. These are facts and you may not like some of it but what more do you want us to do? Mr. Gaube said I want you to enforce the law, I want the traffic signs, fire hydrants, all of the roads...who enforces this? Councilman Weingartner said the policing agencies, the Sheriff and the State Police. Mr. Gaube said it all sounds really good, but the reality is that none of this is ever followed through on, they just go on and do what they want. Supervisor Kniffen said we will take care of the indecent exposure issue, it's unacceptable. Mr. Gaube said I've been there since 1979 and when Mel Harpell was running it there always were two State Policemen, off duty and in uniform, directing traffic to keep control of the place. They don't do it now because it costs money, just like everything else that costs money. This is about what I've experienced for years and none of it's been right. I can go away resting assured that something will be done. Also, I can't understand the defense of all of this because it depreciates property values and the loss of structures that could have been built in this town because of this track and years ago they used to pick up the litter on Sunday morning.

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**COMMUNICATIONS:** None.

**COMMITTEE REPORTS:**

**Comprehensive Plan Committee – Revised Zoning Local Law.**

Supervisor Kniffen explained that a few years ago we decided to update our Comprehensive Plan and it would be expensive to outsource it, but the County did it for us for \$4,000. Councilman Grubham will explain how we are addressing it.

Councilman Grubham reported that a copy of the proposed Zoning Local Law changes is being provided for review. He said this is the culmination of about two years of work by the Comprehensive Plan Committee. An overview of some of the changes has also been provided. Perhaps at the next meeting we would set up public hearings to put it into effect. There will be a lot of laws and ordinances that have to be changed along with this. In comparison to the existing Code Book, the format is completely different with the changes proposed. That's a recommendation that came through on the Comprehensive Plan, that our existing book seemed to be very confusing to people. We changed things so that all the penalties, fees and definitions are all each in their own section. In the end it will be simpler for everyone to use. The Committee members are, Duane Travis, Marchie Diffendorf, Chad Moran and Keegan Coughlin from Coughlin & Gerhart, who was a tremendous help, and myself. We passed this by the County already and have most, if not all, of their recommendations included and they were very complimentary on how much, in their opinion, we got it right. In regard to the definitions, there are a lot of them, and Councilman Grubham said not all of them are in the current book, but most of them are and they're spread throughout the whole book. Now they are all in one section so you don't have to go through the whole book to find them. The same thing applies to penalties and fees. Supervisor Kniffen thanked the Committee for their work. It was noted that Duane Travis did a lot of extra work at home putting this all together. Councilman Grubham added that a lot of this came from what we voted on and accepted years ago and is what people wanted. There will still be a lot of work to do even after the public hearings are held.

Duane Travis explained that one of the changes is there will no longer be fold-outs in the back of the book. That information has all been consolidated into tables in Section 3 and it will allow people to get through things faster. We added a couple of laws, one for harboring of chickens, which seems to be an up and coming thing. There were things lacking in our sign laws and in the Site Plan Review area that we updated. There were a lot of things that were recommendations from the County that we rolled into this to make sure it is a comprehensive as it can be. Councilman Grubham said one of the main ideas was to make this easier for people to use and that's why the fold-outs are gone. Although it will look a little confusing at first, when you see how it works, it should be a lot easier for everyone, particularly for people not associated with the town.

**OLD BUSINESS:**

**Discussion – Request from Teamster's Union Representative to add Brian Kinney and Alan Glover to the Teamsters Union.** Since Mr. Firmstone was not present this was **held**.

Councilwoman Yonchuk moved to adopt resolution authorizing James R. Smith, Budget Director, to attend the 19<sup>th</sup> Annual Town Finance Schools in Ellicottville, NY on May 16-17, 2019 at a cost of \$200.00 for the registration fee and all reasonable expenses paid.

Councilman Diffendorf seconded.

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

**MOTION CARRIED.**

Councilman Diffendorf moved to adopt resolution amending the Town of Kirkwood Benefit Plan regarding health insurance into retirement with MRRP rules apply at age 65, in accordance with the attached plan. Councilman Grubham seconded.

71-19  
James Smith  
Education,  
Finance

72-19  
Amend Benefit  
Plan

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**Discussion:** Supervisor Kniffen explained this involves eligibility into retirement for employees under the Benefit Plan. When you reach 65 you come off the Town insurance and go on Medicare so the wording “until age 65” when our MRRP rules apply, needs to be added.

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 hiring Terry Everett as Laborer to work in the Parks Department effective May 15, 2019 for 90 days at a rate of pay of \$12.82 per hour. Councilman Weingartner seconded.

73-19  
Hire T. Everett  
Parks Laborer

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 Vestal Asphalt to Crack Seal nine roads in the Bell School area at a cost not to exceed \$5,372.50, in accordance with the attached quote. Councilwoman Yonchuk seconded.

74-19  
Vestal Asphalt  
Crack Seal  
roads – Bell  
School area

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 advertising for Sealed Bids for the purchase and installation of Stair Work at the Main Sewer Station, with bids returnable to the Town Clerk’s Office on May 28, 2019 at 12:00 PM, to be publically opened and read at the May 28, 2019 6:00 PM Work Session. Councilman Diffendorf seconded.

75-19  
Advertise  
Bids for Sewer  
Station Stair  
Work

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

MOTION CARRIED.

**Discussion:** Supervisor Kniffen stated there was discussion on this last week and Councilmen Grubham and Diffendorf raised questions as to whether the painting, which would be the final coat at the Town Hall, should be included. My thoughts, and all of our thoughts are, that we want to spruce up this town as much as possible and not be thought of as an old railroad town, a town that doesn’t care. One of the things we’ve done is we’ve cleaned up the highway department by not having a bunch of camouflage trucks around and things are more uniform, and we’ve made good steps and I think that maybe after we blacktop and put that shiny coat on, people will say you have a nice Town hall and parking lot. I wanted you to re-think that and consider putting on that final coat. Councilman Grubham said I’m not going to reconsider it, I just think it’s a waste of money. To me you’re just taking a coat of black paint and painting the pavement and it really does no good at all. Sealing the cracks is a different story and that needs to be done. If you have a good pavement it looks fine and doesn’t need to be painted. I don’t think it’s a good use of taxpayer money. Mr. Finch said when you do crack seal it, the blacktop now is not black, it’s gray, and when you put the sealant down it will be black and it will be an eyesore to look at. Also, there is yellow paint from when the flood happened that was tracked through the parking lot that we can’t get up. This is only put down every two to three years at the most, plus we will be able to re-stripe the walkway at least another foot wider

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for safety. Mrs. Stillman said it sounds nice to have it look pretty but I'd rather have the money spent on the roads. Many years ago we took pride in telling people that we lived in Kirkwood because everything was nice and I don't know what happened. Our two roads are terrible. Mr. Finch said a lot of the roads have been fixed since I've been in office. Supervisor Kniffen added that we have a major road improvement right now. Mr. Finch said we had a \$1.4 million bond where we improved almost 10 miles of roads last year at the south end of town that were in dire need of repair, the worst roads we've had in Kirkwood. I know your road is definitely a bad road and it will be addressed. This area in Five Mile Point is the last development to be done. We've finished the Bell School area and Highland Heights and this development is next but we have to replace all the metal pipes before we put any more blacktop over this area. Supervisor Kniffen added that \$400,000 of the \$1.4 million bond came as a grant from Senator Akshar.

Councilman Weingartner moved to adopt resolution authorizing B&G Sealcoating to Crack Seal and Sealcoat the parking lot at the Town Hall at a cost not to exceed \$3,300.00, in accordance with the attached quote. Councilwoman Yonchuk seconded.

76-19  
Crack Seal &  
Sealcoat Town  
Hall Parking  
Lot

Roll Call Vote:      Councilman Weingartner      - yes  
                                 Councilman Grubham              - no  
                                 Councilwoman Yonchuk          - no  
                                 Councilman Diffendorf          - no  
                                 Supervisor Kniffen               - yes

**MOTION FAILED.**

Councilman Weingartner moved to adopt resolution authorizing B&G Sealcoating to Crack Seal the parking lot at the Town Hall at a cost not to exceed \$525.00 in accordance with the attached quote. Councilman Diffendorf seconded.

77-19  
Crack Seal  
Town Hall  
Parking Lot

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

**MOTION CARRIED.**

Councilman Diffendorf moved to adopt resolution authorizing B&G Sealcoating to Crack Seal at the Town Garage at a cost not to exceed \$325.00, in accordance with the attached quote. Councilman Grubham seconded.

78-19  
Crack Seal  
Hwy Garage  
Parking area

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 authorizing Jones Specialty Services Group to perform maintenance work at the City Line Booster Station at a cost not to exceed \$12,400.00, in accordance with the attached quote. Councilman Weingartner seconded.

79-19  
City Line  
Booster Station  
Maintenance  
(Water)

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 combining the June 25, 2019 Work Session and the July 2, 2019 Town Board Meeting into one night to be held July 9, 2019. Councilwoman Yonchuk seconded.

80-19  
Combine  
Summer Mtgs

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

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Supervisor Kniffen - yes  
MOTION CARRIED.

Councilwoman Yonchuk moved to adopt resolution combining the July 30, 2019 Work Session and the August 6, 2019 Town Board Meeting into one night to be held August 6, 2019. Councilman Diffendorf seconded.

81-19  
Combine  
Summer Mtgs

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

MOTION CARRIED.

Councilman Diffendorf moved to adopt resolution combining the August 27, 2019 Work Session and the September 3, 2019 Town Board Meeting into one night to be held September 3, 2019. Councilman Grubham seconded.

82-19  
Combine  
Summer Mtgs

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 cancelling the November 5, 2019 Town Board Meeting due to Election Day and rescheduling for Monday, November 4, 2019. Councilman Weingartner seconded.

83-19  
Reschedule  
November Mtg

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 cancelling the December 31, 2019 Work Session due to New Year's Eve and rescheduling for December 26, 2019. Councilwoman Yonchuk seconded.

84-19  
Reschedule  
December  
Work Session

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 scheduling a Special Town Board Meeting for December 26, 2019, after the Work Session, for the purpose of auditing year end bills and any other business that may come before the Board. Councilman Diffendorf seconded.

85-19  
Schedule Spec  
Bd Mtg for  
12/26/19

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

MOTION CARRIED.

Councilman Diffendorf moved to adopt resolution amending the Town of Kirkwood Records Management Procedures and Policy Manual to remove any reference to Advisory Board, in accordance with the attached policy. Councilman Grubham seconded.

Amend  
Records  
Management  
Policy

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

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Supervisor Kniffen - yes

MOTION CARRIED.

**NEW BUSINESS:**

87-19  
W. Diffendorf  
PERMA safety  
meeting

Councilman Grubham moved to adopt resolution authorizing William Jr. Diffendorf, Jr. to attend a safety meeting for PERMA at Bolton's Landing, NY to be held May 23 & 24, 2019, with all reasonable expenses paid. Councilman Weingartner seconded.

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

MOTION CARRIED.

**Discussion – International Code Council Building Safety Proclamation – Building Safety Month – May 2019**

Supervisor Kniffen explained that the International Code Council provided a sample Building Safety Proclamation, which has to do with safety and the way we build homes, buildings and infrastructure for the Board's consideration of a resolution proclaiming May, 2019 as Building Safety Month. Mr. Blaise said this is an advisory organization that provides comments to the State about safety code standards. No action was taken in this regard.

**Discussion – Guardrails – Route 17 at Valley Park.**

Councilman Diffendorf said I have been asked to talk about getting guardrails installed on Route 17 around the side of Valley Park with the walking track, so if a car came off Route 17 and someone was on the track they wouldn't get hit. It does look nice without any guardrails but I can see the concern. We may want to consider talking to the State about putting guardrails there to protect the walkers and kids in the park, since there's a nice grassy area right up to the road. In today's age there are so many people that are texting and driving it's easier to go off the road. Mr. Finch will contact the State about this.

**Discussion – Early Voting.**

Councilwoman Yonchuk asked Mr. Blaise if there is any movement in terms of the County in regard to early voting and where and how that is going to happen. Mr. Blaise said the three early voting sites will be the Broome County Library on Court Street, the Oakdale Mall, up towards the end where Sears was, and the George F. Johnson Library in Endicott. Councilwoman Yonchuk noted she received concerns from senior citizens because the information on the notice sent in the mail was not that clear. Mr. Blaise said at that point we didn't know where the sites were going to be. Mr. Blaise clarified that if they want to vote on Election Day they go to their regular polling place, but if they want to vote early it would be just at the three designated sites.

**AUDIT AND PAYMENT OF CLAIMS:**

88-19  
Audit/Pay

Councilman Weingartner 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 # 19002424 through # 19002600 in the total amount of \$ 445,151.75, which includes prepaid claims as authorized by resolution adopted January 2, 2019. Councilwoman Yonchuk 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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**ADJOURNMENT:**

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

Meeting adjourned at 7:19 P.M.

Respectfully submitted,

Gayle M. Diffendorf  
Town Clerk