

**TOWN OF KIRKWOOD
WORK SESSION**

September 1, 2020

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
Marchie Diffendorf, Planning Board Chairman
Duane Travis, ZBA Chairman (via Zoom)
Gayle Diffendorf, Deputy Town Clerk

PLEDGE OF ALLEGIANCE: Supervisor Kniffen said I understand they did away with the word God in the pledge of allegiance, I think it will still be here in the Town of Kirkwood.

1. Discussion – Buckingham Manufacturing – Jobs. (GEK)

Supervisor Kniffen said we have a PILOT (payment in lieu of tax) agreement with Buckingham Manufacturing, they came to Kirkwood a couple years ago and were to add 30 jobs. We checked on it and they have added 34 jobs. They would welcome any of you that would like to visit. I've seen the outside of it and it's very attractive, it adds a lot to our town. Good luck to them, they are doing pretty well.

2. Discussion – Dog Shelter Services – Broome County. (GEK)

Supervisor Kniffen said we have to renew the Dog Shelter services. The rate is going up just shy of 2%, which is \$8,000.72 for the 2021 year.

3. Resolution ratifying a resolution renewing the Intermunicipal Agreement with Broome County for Court Security, in accordance with the attached agreement.

Supervisor Kniffen said, a couple years ago we hired security for our courts for protection for our judges and clerks, that agreement is coming up for renewal.

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The rate for 2019 was \$39.01/hour, this year it is \$39.71/hour and for 2021 it will be \$40.70/hour. These rates are based on COLA (Cost-Of-Living Adjustment).

Discussion – Tiger Gorick

Supervisor Kniffen said that Tiger Gorick sent in a letter of resignation from the Board of Assessment Review. If anyone is interested in being on that Board they should get ahold of someone on the Town Board or the Secretary.

4. Resolution scheduling a Grievance Day Hearing on the 2021 Unit Assessments for September 29, 2020 at 6:00 PM.

Mr. McKertich explained that this is in reference to the sewer and water unit assessments and the grievance process for that.

5. Discussion – Mining Renewal – Gorick Construction – Resolution scheduling a Public Hearing for the renewal of the mining permit granted to Gorick Construction Co., Inc., under Article X, Section 1001(J) of the Zoning Code to be held on September 29, 2020 at 6:05 PM.

Mr. McKertich said this was a permit that was initially issued by the Town several years ago. We have a mining law in our zoning code and part of the requirement under that law is that whenever they renew their DEC mining permit they also have to renew at the local level as well. They renewed their DEC permit, they got their renewal, and now they need to go through the local renewal process as well. They've submitted all the documentation, which I will email everyone the documents I have, it's not a ton, but there's some plans and reports you can take a look at. The question will be whether you want to renew the permit for another 5 year period. It requires a public hearing before you do it. I'll prepare a resolution for next meeting for the approval of that permit.

Supervisor Kniffen thanked Mr. McKertich.

6. Discussion – Valley Park Lighting. (JAF)

John Finch said we still haven't received the check from FEMA that I'm aware of. I talked to them 2 ½ weeks ago they said we should be getting the check any day now.

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I looked into the references on the solar lights, they sent me some from Canada, Virginia, and Ithaca. Ithaca has the new lighting we have been looking at. All three references have the same internal mechanisms. Ithaca uses them on their walkways and they were planning to get more. The one in Canada was at a dog park and not sure about what the one in Virginia used them for. They all said they worked really well and were happy with them so far, and no issues.

I took measurements at the walking track and paced it out, and we are going to stick with 15 lights over there instead of going with 20. It doesn't provide that much more lighting to warrant the extra \$4,000 for the lights and concrete.

We looked at having a concrete pedestal ordered from Binghamton Precast. It's a 4 foot block that is 16 inches by 20 inches that will go right in the ground. All four sides and the top will have a boulder style look or some kind of texture to give it a nicer look. We can put them in the ground and leave at least 18 inches above ground, they are pretty heavy, solid concrete. It will take about a month to get those made, and the lights would take about 7 to 10 days to get in. With the Board's approval I'd like to order this once we get the check from FEMA and get them in before winter. It won't take us long to dig the holes and put the concrete blocks in there. I think that is what we were leaning towards at the last meeting.

We are also going to be hooking up the LED lighting which is powered at the park and have that as a backup in case the walking track isn't lit up in the winter due to cold or bad weather. We also have an LED light over the covered bridge which we can use as well. These are more aesthetic and will function properly but it will depend on the weather. But we do have backup lighting in the parking lot and at the covered bridge, which is what we've been using since the flood.

Councilman Grubham suggested waiting until the FEMA check is in our hands before ordering the lights. John Finch agreed.

John Finch said there will be a total of 18 lights; 15 at Valley Park, 2 near the covered bridge, and 1 outside the Town Hall. They will all match. We are looking

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at \$15,000 with the 18 lights and the concrete for everything. We will put the rope lighting in the covered bridge again as well.

7. Discussion – Main Sewer Station Emergency Repair. (JAF)

John Finch said we had a VFD (Variable Frequency Drive) that went down at the main sewer station. We've been waiting for a price to replace it and haven't gotten anything yet. We needed something to replace it so I decided to try a soft starter in place of the VFD. The main function of the VFD is it will start the motor off slow and tries to slow the motor down enough where it can keep up with the flow coming into the building on its own. Sometimes if the flow is low enough it won't be able to keep up, it will just pump it down and shut it off. The soft starter will start it off slow and I believe it will be able to slow it down so there's not a sudden hammer of the motor starting from zero to full speed. It ramps up slow, gets up to full speed, pumps all the way down to where it needs to and shuts itself off. It doesn't have that constant running of the motor. These are original VFDs that we put in after the 2006 flood, they've been in there 14 years and I'm surprised they lasted this long. You can't get parts for these VFDs anymore, they are nonexistent. I told our electrician to go ahead and get the soft starter in place so we can get some function on that motor, because we have nothing right now to run that motor. I'll be coming to the Board for next year's budget to replace the remaining 3 VFDs and I'm going to decide before then if we will go with all soft starters or if we'll leave 2 on VFDs or 1 on a VFD. I'll see how the soft starters work, if they work well. The thing about the soft starter is if it goes bad you can get them readily, where the VFDs are harder to get ahold of and they are quite a bit more money too. I really don't know if we need the VFDs down there as much as we used to. Our infiltration has gone down quite a bit since we started watching our infiltration.

I don't have a number on how much that soft starter is right now but I know it's quite a bit less than the VFDs. I believe the VFDs were around \$7,000-\$8,000 and the soft starters are usually a couple thousand less than that. We do have one coming because it is an emergency. We can't just leave that pump sitting there not doing anything in case we do have an emergency down there. It is on order. Councilman Grubham said, so you are going to replace that one now. John Finch

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said then in the future I'll come back to the Board for next year's budget and replace the other three. If the soft starter is working good and has no issues we'll probably end up going with all soft starters. Councilman Grubham asked, why would you replace the VFDs that are working and not wait until they're not working. John Finch said they are working but they are barely working. Some of them have controls that aren't working and you can't control them anymore. You should be able to replace the parts but you can't. It's only a matter of time, I really don't want to wait until an emergency and have them go down. I'd rather be proactive and replace them before they do fail completely. John Finch responded to Councilman Grubham saying roughly we'd be spending around \$20,000 altogether. Councilman Diffendorf said but only so much this year, and next year would be the bigger amount. John Finch responded to Councilman Diffendorf saying, Joe Rosati is the Electrician and usually comes down and does that for us. He usually charges around \$2,000, the soft starter will be a lot easier for him to install. It's a lot less work as far as our SCADA system goes. The SCADA system would control the VFDs so we'd have to have Shawn Hemmingway do the controls for that and reprogram those. Basically all he is going to do is give the command a run and the soft starter will take over from there.

Mr. McKertich said we need a resolution for tonight. John Finch said we don't have a price yet. Mr. McKertich said we can have it say up to or not to exceed \$7,000-\$8,000. John Finch said I would say \$8,000. Joe Rosati is purchasing it through his distributor. We'll get a bill for everything from J & R Electric.

8. Discussion – Highway Drainage Project 2020. (JAF)

John Finch said the Highway Drainage Project is complete. Everything has been accounted for and purchased. As we get our receipts we'll be giving them to Councilwoman Legg and Councilman Grubham to start getting the reimbursement. Our total is pretty close to the \$178,686, it is probably within \$1,000 of what the actual cost is. I'm still waiting on a hard number for the tack coat from Broome Bituminous. That's a total for everything we purchased. The only thing that does not include is the engineering costs, which are around \$13,000. I spoke to Supervisor Kniffen about the engineering fees since our total budget was \$182,000, we're obviously going to be over. I did look into the

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engineering budget which is controlled through general account, we have about \$12,000 for engineering. Councilman Grubham said, didn't we have a price from Griffiths for the engineering, I thought it was substantially lower than that price you just gave us. John Finch said we would have to look back to see if there was a not to exceed amount. Councilman Grubham said I think when we sent this information into the DEC on the grants gateway there was a number there for it. John Finch said I'm not sure I guess you'd have to look it up. Councilman Grubham said I can look it up but I'm saying right now from what I'm remembering it will be billed to the DEC and all the items were broken down and that was one of the items that was in there. John Finch said he had to of given us a hard number back then. Councilman Grubham said I'm telling you it was \$8,000-\$9,000, it wasn't \$13,000 and we need to find out why. Supervisor Kniffen asked if this was something in addition to the original project costs. John Finch said I don't believe so. We'll have to find out what was submitted in the grants. The project itself did stay under the \$182,000. I was able to get the black top cut down enough so it didn't go over.

Supervisor Kniffen said in addition to that project the Town applied for a couple grants, one was the drainage project and also the Salt Barn. We've been awarded both of them, which was proactive on the Board's part. We received half of what the cost was, 50%, without raising the taxes. I think we ought to make more publicity out of this. Get some of the politicians up here, people that may have helped us get these grants, the news media, and show them what we are doing here. I know Sue Glovich started to work on that, so we'll talk more about that.

Councilman Grubham said incidentally with the project, a week ago we had about 2 inches of rain an hour. It actually worked pretty well, there was so much water it drained a little bit slowly because the existing pipe from here to the creek maybe should have been upsized. It worked decent, it was ok, we probably should have made that pipe slightly bigger because it was full and couldn't take anymore. It did drain pretty well. Not only that, what I didn't know until recently is how much water comes off the side of that hill. That also effected it and we may have to address that sometime in the future. It's the existing catch basin to

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the creek. John Finch said it's all the water coming off our lot up above, not down the road, but through the existing pipes that are up there now. All that water channels from Roberts Street, the race track, and in that area, it funnels down into here. There was a lot of water that maybe we didn't realize when we were designing this, it worked and eventually got out of there. We are going to have to think about that up there at some point and what we are going to do.

- 9. Discussion – Commercial Account Right of Entry Agreement with Spectrum. (JAF)**
Current Price – Verizon Basic Internet is \$93.99 per month plus monthly dial tone charge of \$18.47.
Proposed with Spectrum - \$64.99 for the first 12 months and \$89.99 afterwards and a one-time installation cost of \$99.00.

John Finch said the Water Department currently has Verizon internet through a land line and it's been progressively getting worse and unreliable. We were in contact with Spectrum and they said they could get us internet over there. The current price for Verizon basic is \$93.99 plus a dial one charge of \$18.47 per month. Spectrum would be \$64.99 monthly for the first 12 months and \$89.99 monthly after that and a one-time \$99.00 installation cost. We would also be able to eliminate the land line, which we never get calls over there, if we do it's usually telemarketers. Councilman Weingartner asked, does this price include a land line and internet from Spectrum or just the internet? John Finch said I believe it's just the internet. We already have a line over there because the security system is through Spectrum. There's a phone number for the security system, I believe there's 2 lines over there right now. We'll be able to eliminate the one line for \$18.47, the only reason we kept that was for the Verizon internet. We'll still keep the other for the Spectrum security. Councilman Weingartner asked, what do we do if we have to get in touch with the Water Department if there's no phone? John Finch said the number on the website is the Highway Garage, 775-1919, which is the Water and Sewer Department. Councilman Weingartner said but if we need someone that is at the Plant, how do we get in touch with them. John Finch said there's Al Glover's number and my number on the website also. You can call Sue Glovich and she could get ahold of someone through cell phone.

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Supervisor Kniffen asked Mr. McKertich if he looked at the Spectrum agreement. Mr. McKertich said it's a right of entry agreement that allows them the right of entry on to the Town property. There's a provision in there that limits their liability related to indirect damages, they'd only be liable for direct damages. It's the kind of thing where I don't think there is a lot of exposure to the Town, we could push back on it if you wanted to. It's not a huge liability or concern for the Town.

10. Audit of Claims.