

**TOWN OF KIRKWOOD
WORK SESSION**

October 26, 2021

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

Also Present: Robert McKertich, Attorney
Kelley Diffendorf, Town Clerk
John A. Finch Jr., Commissioner of Public Works

PLEDGE OF ALLEGIANCE: Done prior to the Public Hearing

- 1. Resolution scheduling a Public Hearing for November 30, 2021 at 6:00 PM on the Year 2022 Water & Sewer Budget. (LCG)**
- 2. Resolution scheduling a Public Hearing for November 30, 2021 at 6:05 PM on the Year 2022 Fire Contracts. (LCG)**
- 3. Discussion – Resolution authorizing the Supervisor to sign a contract with Municipal Solutions, Inc., to provide services for the potential refunding of Town of Kirkwood’s outstanding serial bonds, in accordance with the attached contract. (LCG)**

Supervisor Grubham explained there is a possibility to save money if we refinance the serial bonds. Jim Smith, Budget Officer, will be at the Town Board Meeting next week to answer questions.

- 4. Discussion – Confined Space & Competent Person Training – Alan Glover and Aiden Ellsworth – At W2O in Cortland, NY. (JAF)**

John Finch asked for the Board’s approval to send Alan Glover and Aiden Ellsworth to Confined Space and Competent Person Training at a cost of \$100 per person. It is a one day session. John Finch is going to look into how long the certification is good for and will get back to the Board.

TOWN OF KIRKWOOD WORK SESSION

October 26, 2021

5. Discussion – Buying a new 8’6” plow – Powell’s Sales & Service \$6,896.00 and MDI Truck \$7,235.00. (JAF)

John Finch made a request to purchase a plow for Truck #33 an F-550. It’s a wide out snow plow that extends from 8.5 feet to 11 feet. The ends angle in or out depending on what is needed while plowing. It will help on the larger roads and mostly with the developments that are plowed. Powell’s Sales has them in stock. Trux Outfitter didn’t respond for a quote on the plow. The cost would come out of snow contractual.

Discussion Kirkwood Gardens Road. Councilman Shafer asked if Kirkwood Gardens Road could be plowed from the second entrance (south end) to the first entrance (north end) instead of vice versa, and have the snow plowed into the open field. Therefore, the snow will not be plowed into a bank on a current resident’s property, which has been done in the past. Doing that has made a mess of that area and hard for the resident to maintain. John Finch agreed the Town will smooth that area in the spring so the resident can keep the area looking nice.

6. Discussion – Monroe Tractor Bills. (JAF)

John Finch explained in the spring the TL90 New Holland tractor had an issue after a clip broke off and damaged the transmission. Monroe Tractor repaired it for \$12,826. After being repaired the tractor was being used and after only 3 hours it broke again with the same issue. It was taken back to Monroe Tractor and fixed again with a bill of \$7,471. John Finch talked to the service manager and store manager and asked to work something out because he doesn’t feel the Town owes them that second repair fee. Monroe said it was driver error and John Finch feels that’s impossible. John Finch doesn’t believe it was repaired correctly. Monroe gave the Town a \$57 credit due to accidentally double billing on some things, but they would not compromise on the second repair bill. John Finch would have agreed to Monroe taking \$5,000 of the second bill, and paying the first bill. Monroe would not agree. John Finch does not believe the Town should pay the second bill. Councilman Diffendorf agreed with John Finch on not paying the second bill and mentioned there is no operator error that can tear the transmission apart in that short of time. Bill Tozer, Deputy of the Highway Department, went to Monroe during the second repair and suggested a shim be used to help tighten up the slack. Monroe did what Bill Tozer suggested and there hasn’t been an issue with the tractor since then.

**TOWN OF KIRKWOOD
WORK SESSION**

October 26, 2021

Supervisor Grubham noted that the Town purchases a fair amount of equipment from Monroe and it seems like there would be more of a compromise on this situation. All of the Board members agreed to pay the first bill and not the second. John Finch will submit the voucher for the first bill so that can get paid.

Robert McKertich will send Monroe a letter stating the Town will pay the first bill but the second bill is being disputed and the Town doesn't intend to pay it.

7. Discussion – Remedy's Water Bill – Catherine McAvoy. (JAF)

John Finch explained that Catherine McAvoy of The Remedy Tavern called on Monday with an issue regarding her water bill for the entire year thus far. All the water bills are emailed to the owners of Schneider's (which own the plaza) and they are to distribute them to each business in the plaza. Catherine McAvoy is claiming they never received the water bills, and currently owe \$1,740.92. It appears the Remedy only made one payment last year in February and then the rest of the bills for the year went on Schneider's tax bill. That happens each November, if a water bill has an outstanding balance, the balance goes on the tax bill.

The Remedy wants to know if there is anything the Board can do to help them with this bill. There is approximately \$143 in late fees they want waived and are asking about a payment plan. If this doesn't get paid in the next week or so it will go on Schneider's taxes again. John Finch is not sure if Schneider's is aware that happened last year or could happen this year. John Finch and Councilwoman Legg mentioned that as a business owner the Remedy should have inquired if they were not receiving water bills, this is not something new. Councilman Diffendorf does not feel there is anything we can do for them. He gave an example of taxes, and people know they owe taxes and even if the bill gets lost in the mail the responsibility does not leave the tax payer, the taxes are still owed.

John Finch continued to explain that the other businesses in the plaza have paid their bills, although he doesn't know if Schneider's handed them out to them, they stopped in and asked for a copy, or paid online. Supervisor Grubham wants to be sure we have it in writing that Schneider's plans to receive all the water bills and distribute them accordingly to each business.

**TOWN OF KIRKWOOD
WORK SESSION**

October 26, 2021

Councilman Shafer feels each business should get their own water bill each quarter. John Finch explained that the bills need to go to the owner of the plaza because of issues like this where a water bill is not being paid. It should be between the landlord and the individual business.

Supervisor Grubham said a lot more information is needed on this situation before we can make a final decision.

8. Audit of Claims.

9. Executive Session – Resolution to go into Executive Session regarding collective negotiations pursuant to Article 14 of the Civil Service Law. (LCG)

Councilman Shafer moved to adopt resolution to go into Executive Session regarding collective negotiations pursuant to Article 14 of the Civil Service Law. Councilman Diffendorf seconded. All voted in favor with 5 yeses. Motion Carried.