

**TOWN OF KIRKWOOD
WORK SESSION**

November 29, 2022

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

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

1. Discussion – Amendment to the Procurement Policy. (LCG)

With rising costs and difficulty getting project bids Supervisor Grubham suggested the Procurement Policy be adjusted on both Purchases and Public Works projects to make things more convenient and probable. After a long discussion the following was decided:

- Purchases and Public Works Projects will be raised to \$3,999 with no quotes needed.
- Purchase Contracts require 2 quotes for anything between \$4,000 to \$19,999.
- Public Works Contracts require 2 quotes for anything between \$4,000 to \$34,999.
- Competitive Sealed Bids are required on Purchase Contracts of \$20,000 or more.
- Competitive Sealed Bids are required on Public Works Contracts of \$35,000 or more.

Mr. McKertich explained that the Board can always ask for more quotes if they feel more are needed. **Resolution.**

2. Discussion – Legal Services Agreement with Coughlin & Gerhart, LLP. (LCG)

Supervisor Grubham reported that Coughlin & Gerhart, LLP is asking for an increase in the yearly agreement from \$70,000 to \$75,000. Their agreement has not been increased since 2016. **Resolution.**

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3. Discussion – Security for Town Hall. (LCG)

Supervisor Grubham explained to the Board that it was time for a security upgrade to the Town Hall. After getting a few quotes it will be brought to the Board for their approval.

**4. Discussion – Memorandum of Understanding with Teamsters Local 317 – Additional \$.75 per hour for 2023. (LCG)
Resolution.**

5. Discussion – A Local Law Affecting a Temporary Moratorium Within the Town of Kirkwood on Battery Energy Storage Systems – Schedule a Public Hearing for December 27, 2022 at 6:00 PM. (LCG)

There was a moratorium on both Solar/Wind Energy Systems and Battery Energy Storage Systems, Supervisor Grubham explained. The solar is finished and may need to be revisited, but the Battery Storage hasn't been addressed yet, so another 6-month moratorium is needed. **Resolution.**

6. Discussion – Highway Expenditures Report. (JAF)

John Finch referenced the Agreement for the Expenditure of Highway Moneys packet that was given to the Board regarding the roads he intends to work on in 2023. The total cost to complete the roads listed in the packet is approximately \$310,000, all subject to conditions after winter. CHIPs money from 2022 and 2023 will be used to pay for these road repairs. The agreement packet is on file in the Town Clerk's office. **Resolution.**

Supervisor Grubham noted there are other upcoming road situations that may need to be addressed other than what is listed in the agreement. The price of oil plays a big part in what can and can't be done.

New Highway Road Improvement Reserve. Jim Smith explained this is money to keep on hand incase there is an urgent need for something. It basically comes from extra mortgage and sales tax revenue. John Finch's plan at this point is to not use that money in 2023, he would ask the Board's approval if there was a need for it.

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7. Discussion – Approval to Purchase Truck 24 for Water Department. (JAF)

John Finch presented quotes to the Board from Van Bortel Ford, Inc and TRUX Outfitter for a Ford F-250 XL with the Truckside plow installed the total cost is approximately \$49,000. This truck can be ordered with the Board’s approval next week, with an expected delivery of summer 2023. The Highway department will purchase the old Truck 24 for approximately \$20,000. **Resolution.**

8. Discussion – Approval to Purchase Truck 25 for DPW. (JAF)

John Finch referenced the November 1, 2022 meeting when he was authorized to purchase a 2019 Ford F-550 XL Super Duty (Truck 25) for a price to be approved in a subsequent resolution, noting the price is \$84,600. **Resolution.**

The old Truck 25 is currently at the Ford dealership with electrical issues but will be sold on the auction site when fixed.

9. Discussion – Resolution Declaring Surplus the 2017 Ford F550 Dump Truck, Vin # 1FDUF5HT4HEE08720, and selling to the Town of Andes for \$55,000 including the head plow, jag wing, and sander, in accordance with the attached invoice. (JAF)

Resolution.

10. Discussion – Resolution Authorizing the Purchase of a Ford F-550 truck (Truck #26) pursuant to the Sole Source Exception, at a cost not to exceed \$105,000 for the truck and accessories, in accordance with the attached resolution. (JAF)

John Finch discussed how hard these trucks are to find, but at this point the truck listed above is still available. **Resolution.**

11. Discussion – Resolution authorizing the purchase of a radiator for Truck 32, from Allegiance Trucks Binghamton, at a cost not to exceed \$2,172.35, in accordance with the attached invoice. (JAF)

The radiator in Truck 32 (2016 International Dump Truck) developed a leak, it wasn’t able to get repaired due to it having plastic sides, therefore a new radiator is required. **Resolution.**

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- 12. Discussion – A Local Law Amending the Sewer Rents – Scheduling a Public Hearing for December 27, 2022 at 6:05 PM. (JRS)**
\$7.56 to \$7.96 – Inside the District
\$8.95 to \$9.35 – Outside the District
\$153.00 to \$161.00 – Absence of a Metered Water Supply

Before the meeting started Kelley Diffendorf passed out handouts related to the proposed 2023 Water & Sewer budgets. In summary, Jim Smith explained Binghamton-Johnson City Joint Sewage Treatment cost for 2023 as included in the material as being essentially an “educated guess”. There was no provisional rate provided by BJCJSTP for 2023. BJC is projecting flow and costs from the past and with rising costs of everything there could be a significant increase.

Jim Smith further pointed out that despite the Town raising sewer rent rates again on January 1, 2023 the proposed \$7.96 per 100 cubic foot rate is still less than the \$8.17 we are currently being charged. As the Town utilizes sewer rent fund balance to cover the difference, we will need to eventually have more direct parity with rates being charged. The Town targets roughly six months of sewer rent reserves since we pay their quarterly provisional bills at generally the beginning of each calendar quarter while we bill our Town customers in arrears for every four months ending April 30, August 31, and December 31.

Councilman Diffendorf acknowledged that this might be the last time the Town can use the surplus to help out the residents, they will have to be charged the actual rate moving forward. Jim Smith agreed that scenario is a possibility.

The non-metered customers also pay at increased levels and average daily gallon usage is considered based on data provided by BJCJSTP.

Resolution.

- 13. Audit of Claims.**