

**TOWN OF KIRKWOOD
WORK SESSION**

June 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
Marchie Diffendorf, Planning Board Chairman
John Mastronardi, Town Engineer
Jim Smith, Budget Officer

1. Discussion – Dog Racing – Veterans River Park in 2023. (LCG)

Sue Tong from Susque-Nango Kennel Club (SNKC) spoke to the Board regarding her interest in holding a Fast CAT (Course Ability Test) 100 yard dash at Veteran's River Park on the soccer field near pavilion #3. She explained that it is fantastic fun for the dogs and spectators. The SNKC would rent pavilion #3 for the weekend. Sue Tong mentioned the SNKC is incorporated and self-insured. The event would run from 8 AM – 5 PM on Saturday and Sunday, about 20 dogs would participate each day. During the weekend several operators would be in place, a golf cart would be used, two rent-a-johns would be brought down, dog waste would be cleaned up, all garbage would be taken away, and the course would be moved over a few feet after several races so the grass does not get worn. Sue Tong also mentioned bringing down a food truck/vendor. May or June of 2023 is the requested timeframe. Supervisor Grubham said an initial date will need to be proposed and all of this information will be taken into consideration and the Board will respond to Sue Tong.

2. Discussion – Five Mile Point Race Track Project. (LCG)

Sarah Campbell, an Attorney at Hinman, Howard, & Kattell, represents Adam Meinstein, of Five Mile Point Warehouse Investors. Sarah gave a brief overview of the proposed plan to build 2 warehouses at the Five Mile Point Race Track site and introduced her team which includes, Adam Meinstein, Manager of Five Mile

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Point Warehouse Investors, Keith Barney of Keystone Associates, and Gordon Stansbury of GTS Consulting. Sarah noted that the property is currently zoned PUD Business 1 and is requesting a zone change to Industrial. Each warehouse would be located on a separate tax parcel. Building #1 would be accessed from Roberts Street and would be 227,500 square feet in size. Building #2 would be accessed from Frances Street and would be 236,250 square feet in size. Each building would have adequate parking.

Adam Meinstein of Equilibrium Equities, Inc., introduced himself, noting that he is the manager of Five Mile Point Warehouse Investors, an affiliate entity of Equilibrium Equities. Adam explained that his company acquires vacant plants or properties around the northeast and rebrands them and finds tenants for them. In the end, Adam Meinstein hopes to have two industrial buildings built on the race track site. These will be two well-built buildings, with no particular tenant in mind as of now, over time the uses can change. It's set up to be flexible and attract customers. The buildings have been designed so the first part seen will be an attractive office corner that is dressed up.

Sarah Campbell mentioned that she understands this is a change to the road system and asked Gordon Stansbury, a licensed professional engineer of GTS Consulting, to explain his traffic study. The focus of his study was Frances Street, Roberts Street, and Crescent Drive down to Route 11. Many things were discussed such as, peak traffic hours, all-way stop signs, speed data, sight distance measurements, safety concerns, highway accessibility, trucks per hour, traffic lights, existing zoning uses, and State comments. A packet of Gordon's findings were given to the Board and is available to view at the Town Clerk's office.

Supervisor Grubham mentioned his concern about tractor trailers coming down Frances Street. The view pulling out of the Code parking lot is a big problem, you can't see 50 feet up the hill. It's a safety concern. Then the slope down to the stop sign with a loaded tractor trailer that's traveling 30-35 miles per hour, they may not be able to stop in time. Gordon Stansbury replied that advanced warning signs for a stop ahead would need to be used, multiple signs if needed. Supervisor Grubham also brought up the road itself would need to be rebuilt at

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an approximate cost of \$150,000 and Kirkwood does not have that money. Supervisor Grubham continued by saying, the basic idea of the project is fine, I have no issues with the buildings, etc., but I'm not sure how to get around this traffic problem that is the biggest concern with this project.

Supervisor Grubham explained that he had previously suggested trying to use Grossett Drive for the tractor trailer traffic. Sarah Campbell noted that a resolution on this project isn't expected this evening, it is just being thrown out there, hoping the Board will take time to review the study, and refer it out to the County. She is happy to discuss any of this with the Planning Board. But the access to the property is what it is, there just is not a lot that can be done to change that, its two different developers and two different investors. Adam Meinstein said to Supervisor Grubham, your comment on the upgrades to Frances Street are a reasonable request and that would be something we would agree to.

The Board will review all the material and discuss at a future date. Supervisor Grubham thanked the team for coming to explain their proposed plans.

3. Discussion – Proposed Solar Law – Resolution introducing the proposed Solar Law and referring it to the Town of Kirkwood Planning Board for their recommendation and the County under GML 239-m. (LCG)

Supervisor Grubham explained the Board will make a resolution at the meeting later this evening to refer the proposed solar law to the Town of Kirkwood Planning Board and to Broome County to get their 239 assessment. Supervisor Grubham spoke to the meeting attendees letting them know the proposed solar law is not up for discussion yet. After a few questions from the public on the timing and process of the proposed law Supervisor Grubham explained, it will go before the Planning Board at their next meeting on July 11, 2022, it will also go to the County for a 239 which gives them an opportunity to comment on it, then it will come back to the Town Board, and then it will be open for discussion at a Public Hearing. Copies of the proposed law will be available at the Town Clerk's office tomorrow, it will also be posted on the Town of Kirkwood website.

Resolution.

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Also noted, the solar moratorium is still in effect and will expire October 2, 2022. The new solar law can be passed before the moratorium deadline and at which point the moratorium would expire.

4. Discussion – A Resolution of Initial SEQRA Classification and Intent to Declare Lead Agency Status. (LCG)

Mr. McKertich explained this resolution is for the Town Board to declare itself Lead Agency under SEQRA, which is the environmental review, and to designate as a type 1 action. It's the first step in the environmental review process, which won't take place until after the Public Hearing. It's a procedural thing the Board has to do, it doesn't prove or disprove anything. **Resolution.**

5. Discussion – Resolution acknowledging that the calendar year 2021 through March 31, 2022 examination of the Justice Court records and dockets were examined and the fines collected, per the two justices, have been turned over to the proper officials of the Town as required by law, pursuant to section 2019-a of the Uniform Justice Court Act. (LCG)

Resolution.

6. Discussion – Resolution authorizing the Supervisor to sign a contract with Municipal Solutions, Inc., to provide assistance with continuing disclosure filings and regulations, in accordance with the attached contract. (LCG)

Resolution.

7. Discussion – Resolution hiring Jake Tutko as Laborer to work in the Parks Department effective July 6, 2022 for 90 days at a rate of pay of \$13.20 per hour. (JAF)

Resolution.

8. Discussion – Resolution hiring Bryant Weingartner as Laborer to work in the Highway Department, effective July 11, 2022 and ending September 30, 2022, at a rate of pay of \$13.20 per hour. (JAF)

Supervisor Grubham noted there were no other applicants for the highway laborer job and no applicants for the water meter installation job. **Resolution.**

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9. Budget Adjustment Sheet. (LCG)

Resolution.

10. Audit of Claims.

Resolution.