

**TOWN OF KIRKWOOD
WORK SESSION**

June 24, 2024

Present: Supervisor Lewis Grubham
Councilmember William Diffendorf, Jr.
Councilmember Sandy Wasson
Councilmember Robert Weingartner

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

Absent: Councilmember Katie Legg

1. Discussion – Pickleball Courts – Jackie Casciani. (LCG)

Supervisor Grubham explained that he met with Jackie Casciani regarding the Pickleball concern at Veterans River Park. Recently it was brought to the Board's attention that someone from Binghamton University was giving pickleball instructions at the park, although he has insurance, it is not the correct insurance. It was also noted that he was charging a fee for the instructions. If pickleball instruction is to continue, a Facilities Use form needs to be filled out along with the proper insurance information. That paperwork was sent to the instructor and none of it has been returned to us yet.

Supervisor Grubham reported that Jackie Casciani showed him cracks, dead spots, and other issues with the court, which is cause for concern because of possible injury claims. The repairs to the court could cost between \$40,000-\$50,000. Therefore, Supervisor Grubham questioned if the Town should spend that kind of money for limited use, and not knowing if the instructor will follow through with the insurance and Facilities Use form. At this point there is no further pickleball instruction happening until at least the correct insurance is provided. Although the Town spent a lot of money to repair the courts not that long ago they are cracking again and need repair. Councilmember Diffendorf remembered the courts being built in 1973 and felt the town should repair what they can using sealant or other materials needed. Also, being on the river bank will most likely always cause cracking issues with the courts.

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2. Discussion – Water/Sewer billing – Loughlin Road Trailer Park. (LCG)

Supervisor Grubham referenced a packet that was given to the Board to help assist with the explanation of the water and sewer billing at the Loughlin Road Trailer Park (LRTP). The LRTP did not have their meters in place for approximately seven years. Each time they were billed it was an estimation. When the meters finally were installed the bills were astoundingly high. There are two meters, one is a 5/8-inch meter and the other is a 3-inch meter, these each register different flow levels but run through the same pipe. For the first quarter of this year (once the new meters were installed), one meter bill was for \$18,955.95 and the other for \$47,555.75. LRTP paid the lower bill and the owner is now asking if the Board would extend out the time he has to pay the higher of the two bills, or make some kind of arrangement to partly pay it. Supervisor Grubham's first response was no, because LRTP has been getting a break for the past seven years, and also not paying anywhere near to what they should have been. It should not have been done that way, but it was, and now it is water under the bridge, and it won't ever happen again. If they don't have their meter in, that is on them. LRTP will have the same problem at the end of June when they are billed again. There must be leaks all over that trailer park. They started digging and found a major leak and fixed it and the flow did go down some but it's still an enormous problem. As it stands right now with all the leaks they have, the water/sewer being used works out to about 400 gallons per day per person, that is astoundingly high. It should be about 80 gallons per day per person. This is a problem that is going to continue unless they can figure out how to address all the leaks.

Supervisor Grubham said the question at hand right now is does the Board want to do anything about the \$47,555.75 bill. That money has been paid out to the Binghamton-Johnson City Sewage Plant. Councilmember Diffendorf questioned if there was record of what LRTP was paying when the meters were working. That information wasn't available at the time of the meeting. It was noted it was the responsibility of LRTP to put the meter in and LRTP neglected to do so over the past seven years. With that said, Supervisor Grubham believes LRTP should pay the bill. Councilmember Weingartner agreed. There was a significant

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amount that he was not charged over the years. The Board agreed they have already given him his help over the past seven years.

3. Discussion – Resolution scheduling a Public Hearing for August 6, 2024 at 6:05 PM on the rezoning request from Robert Evans, Tax Map #211.00-1-17, 205 Gorman Road, from Residence R1 to Agricultural/Rural Residence. (LCG)

4. Discussion – Surface Treatment of Roads Covered by Road Bonding. (LCG)

A packet was given to the Board regarding the 2017 Road Bonding project and new information on quotes from Suit-Kote to oil and stone roads on the south end of Kirkwood. John Finch reminded the Board that although the Bonding project started in 2017 the roads involved did not get paved until 2018. John Finch suggested that oil and stone typically lasts between 5-7 years depending on various things such as plowing and heat. The surface on top of the cold mix starts to wear off, and it has now been six years, and it is good to keep up on these roads. John Finch proposed oil and stoning Grange Hall, Cedarhurst, Brink, and Burts in 2024 and Zimmer, Kutalek, Sullivan, and Gorman in 2025. Since the budget has been used up for the year, the money would need to come from Highway Road Improvement Reserve Fund. Supervisor Grubham explained a permissive referendum would need to be done to get money from that fund. That involves a resolution, publishing a public hearing notice, and waiting 30 days from the public hearing. September would be the earliest it could be completed.

Councilmember Diffendorf looked back at old minutes regarding the bonding project and referenced comments that stated the life of these roads with a new base and stone and oil would be 10-15. John Finch disagreed and suggested that didn't include oil and stone, no surface treatment would last that long. He also mentioned CHIPS allows a life expectancy of 5-7 years for oil and stone.

Councilmember Diffendorf continued through the old minutes and referenced more comments that stated the roads would not have to be oil and stoned again for at least 7-10 years or more because the base would still be there.

Councilmember Diffendorf felt the Town borrowed all that money to get many

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years out of those roads. John Finch stated the roads will last a long time if they are taken care of. Councilmember Weingartner referenced the old minutes, stating John Finch says one thing and now it's changed. John Finch claimed these things can't always be predicted. Councilmember Diffendorf explained the ten-year bond is not even paid off yet. He felt the roads should have lasted at least that long and then been maintained with oil and stone after the ten years were up since they were done with a good base with the bond project. John Finch does not recall saying oil and stone would last 10 years, only the road itself, not the oil and stone.

Supervisor Grubham expressed that more thought should have been put into the road bonding project since there was not a reserve fund at the time. The Town was lucky to get sales tax and stimulus money to start this reserve fund. Since sales tax money is now going down, Supervisor Grubham noted this money needs to be spent very carefully, because once it is gone, it is gone. John Finch reported many improvements have been done throughout the town and in order to keep up with those improvements you have to spend money to save money. After going over the roads that have been paved over the past year, Councilmember Diffendorf expressed that the Board has approved John Finch's requests, but there has to be an end to it, and to stay more in line with the budget. He also felt the reserve fund was more of an emergency fund, something serious FEMA may not cover, such as a bridge being washed out. John Finch reminded the Board that he is trying to keep the roads in the best shape as possible. But it was also noted, there is a cost to that.

Supervisor Grubham drove the roads and reported he thought they all looked in good shape except Burts Road, which has never had the same attention as the other roads. He suggested the Board members take some time to drive the roads as well to see what they think. Councilmember Weingartner agreed to check out the roads, hold off for now, and build a plan on that. **HELD**

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- 5. Discussion – Resolution hiring Matthew Spring as Temporary Laborer to work in the Highway Department and the Parks Department, effective July 5, 2024 through October 18, 2024, at \$16 per hour. (JAF)**

The current person working in the Parks department will be leaving July 3, 2024 and Matthew Spring would replace him. Supervisor Grubham noted that it is very hard to find people interested in filling these positions, the Town could use another person as well.

- 6. Audit of Claims.**