

**TOWN OF KIRKWOOD
TOWN BOARD MEETING**

January 7, 2025

An organizational meeting of the Kirkwood Town Board was held on January 7, 2025 at 6 PM at the Joseph A. Griffin Town Hall with Supervisor Lewis Grubham presiding.

Present: Supervisor Lewis Grubham
Councilmember William Diffendorf, Jr.
Councilmember Marc Latini
Councilmember Katie Legg
Councilmember Sandy Wasson

Also Present: Robert McKertich, Attorney
Kelley Diffendorf, Town Clerk
Poe Williams, Highway Superintendent
Duane Travis, Zoning Board Chairman
Karen Ferguson, Historian

PLEDGE OF ALLEGIANCE:

OATHS OF OFFICE: Councilmember Marc Latini and Councilmember William Diffendorf, Jr. (Oaths for Supervisor Grubham, Highway Superintendent Poe Williams, and Town Clerk Kelley Diffendorf were conducted on January 1, 2025)

APPROVAL OF MINUTES: December 30, 2024 Town Board Meeting

PUBLIC PARTICIPATION: None.

COMMUNICATIONS: Letters of Re-Appointment for Clerk to Justice Full Time, Town Historian, Deputy Town Clerk, and Deputy Commissioner of Public Works

COMMITTEE REPORTS:

Street Lights Out.

Councilmember Diffendorf mentioned that street light outages have been reported from Trim Street and two lights on Route 11 by Johnson Road that are not the bright white color, they are a dull yellow color. These have all been turned in to NYSEG.

Dog Control Report.

Councilmember Legg reported numbers from the December 2024 Dog Control Report. A copy is filed in the Town Clerk's office.

OLD BUSINESS:

Councilmember Diffendorf moved to adopt resolution appointing the Press & Sun-Bulletin as the official newspaper for 2025 for publication of all legal notices of the Town and requiring the applicant on a zoning matter or an environmental matter to pay the cost of such publication in the official newspaper of the Town. Councilmember Wasson seconded.

1:25
Press Official
Newspaper

Roll Call Vote: Councilmember Diffendorf - yes
Councilmember Wasson - yes
Councilmember Legg - yes
Councilmember Latini - yes
Supervisor Grubham - yes

MOTION CARRIED.

Councilmember Wasson moved to adopt resolution naming M & T Bank as the depository for town funds for the Supervisor for 2025. Councilmember Legg seconded.

2:25
M&T as
Depository

Roll Call Vote: Councilmember Diffendorf - yes
Councilmember Wasson - yes
Councilmember Legg - yes
Councilmember Latini - yes
Supervisor Grubham - yes

MOTION CARRIED.

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3:25
Appoint
Supervisor
Service Officer

Councilmember Legg moved to adopt resolution appointing the Supervisor as Service Officer for 2025. Councilmember Latini seconded.

Roll Call Vote: Councilmember Diffendorf - yes
 Councilmember Wasson - yes
 Councilmember Legg - yes
 Councilmember Latini - yes
 Supervisor Grubham - yes

MOTION CARRIED.

4:25
Supervisor
Invest Funds

Councilmember Latini moved to adopt resolution authorizing the Supervisor to invest general funds, special district funds and highway moneys not obligated or required for immediate expenditure in United States treasury bills, savings accounts, time deposits or time certificates of deposit through Charter One, Manufacturers & Traders Trust Company, Tioga State Bank, Chemung Canal Trust Company, NBT Bank, First Niagara Bank, Peoples Security Bank & Trust, and NYCLASS; said investments to be payable or redeemable at the option of the Supervisor within such times as the proceeds may be needed to meet expenditures for which the moneys were provided, all pursuant to the provisions of the Investment Policy for the Town of Kirkwood adopted July 3, 1993. Councilmember Diffendorf seconded.

Roll Call Vote: Councilmember Diffendorf - yes
 Councilmember Wasson - yes
 Councilmember Legg - yes
 Councilmember Latini - yes
 Supervisor Grubham - yes

MOTION CARRIED.

5:25
Mileage &
Expense
Reimbursement

Councilmember Diffendorf moved to adopt resolution establishing reimbursement of expenditures incurred in 2025 as follows:

Mileage reimbursement at current Federal Government rate for job related travel;
Attendance at job related meetings not to exceed \$40 per meeting.

Councilmember Wasson seconded.

Roll Call Vote: Councilmember Diffendorf - yes
 Councilmember Wasson - yes
 Councilmember Legg - yes
 Councilmember Latini - yes
 Supervisor Grubham - yes

MOTION CARRIED.

6:25
Meeting Night
Designation

Councilmember Wasson moved to adopt resolution designating the following Tuesdays of each month as Town Board meeting nights to be held at 6 PM at the Joseph A. Griffin Town Hall:

First Tuesday - Regular Town Board Meeting
Last Tuesday - Work Session

Councilmember Legg seconded.

Roll Call Vote: Councilmember Diffendorf - yes
 Councilmember Wasson - yes
 Councilmember Legg - yes
 Councilmember Latini - yes
 Supervisor Grubham - yes

MOTION CARRIED.

7:25
Voucher
Submittal
Timeline

Councilmember Legg moved to adopt resolution requiring all itemized vouchers to be submitted to the Town Clerk's office before noon of the Friday prior to the last Tuesday of each month, and vouchers for reimbursement of medical and optical expenses to be submitted to the Town Clerk's office before noon of the Thursday prior to the last Tuesday of each month to qualify for audit and payment at the next regular Town Board meeting. Councilmember Latini seconded.

Roll Call Vote: Councilmember Diffendorf - yes
 Councilmember Wasson - yes
 Councilmember Legg - yes
 Councilmember Latini - yes
 Supervisor Grubham - yes

MOTION CARRIED.

**TOWN OF KIRKWOOD
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Councilmember Latini moved to adopt resolution establishing hourly rates of pay for Public Works personnel for 2025, pursuant to Collective Bargaining Agreement with Teamsters 317 effective January 1, 2025 and with rate sheet from DPW Commissioner for all union and non-union employees of the DPW. Councilmember Diffendorf seconded.

8:25
DPW Pay
Rates

Roll Call Vote: Councilmember Diffendorf - yes
 Councilmember Wasson - yes
 Councilmember Legg - yes
 Councilmember Latini - yes
 Supervisor Grubham - yes

MOTION CARRIED.

Councilmember Diffendorf moved to adopt resolution establishing pay for Board of Assessment Review, in accordance with the attached resolution. Councilmember Wasson seconded.

9:25
Bar Pay
Rates

Roll Call Vote: Councilmember Diffendorf - yes
 Councilmember Wasson - yes
 Councilmember Legg - yes
 Councilmember Latini - yes
 Supervisor Grubham - yes

MOTION CARRIED.

Councilmember Wasson moved to adopt resolution establishing salaries for all elected and appointed officials and employees as set forth in the 2025 budget. Councilmember Legg seconded.

10:25
Salaries
Elected &
Appointed
Officials

Roll Call Vote: Councilmember Diffendorf - yes
 Councilmember Wasson - yes
 Councilmember Legg - yes
 Councilmember Latini - yes
 Supervisor Grubham - yes

MOTION CARRIED.

Councilmember Legg moved to adopt resolution appointing the following persons to the designated positions for 2025, in accordance with the attached resolution. Councilmember Latini seconded.

11:25
Appoint
Various
Positions

Roll Call Vote: Councilmember Diffendorf - yes
 Councilmember Wasson - yes
 Councilmember Legg - yes
 Councilmember Latini - yes
 Supervisor Grubham - yes

MOTION CARRIED.

Councilmember Latini moved to adopt resolution authorizing Supervisor to submit to the Town Clerk by March 31, 2025, a copy of his Annual Report to the State Comptroller and directing the Town Clerk to cause a notice to be published within ten (10) days after receipt of said report in the official newspaper of the town that a copy of such report is on file and available for inspection in Town Clerk's office. Councilmember Diffendorf seconded.

12:25
Annual
Report Due

Roll Call Vote: Councilmember Diffendorf - yes
 Councilmember Wasson - yes
 Councilmember Legg - yes
 Councilmember Latini - yes
 Supervisor Grubham - yes

MOTION CARRIED.

Councilmember Diffendorf moved to adopt resolution authorizing the payment of utility bills, town real property tax bills and postage prior to audit pursuant to Town Law Section 118 (2). Councilmember Wasson seconded.

13:25
Prepay Utility,
Property Tax,
and Postage
Bills

Roll Call Vote: Councilmember Diffendorf - yes
 Councilmember Wasson - yes
 Councilmember Legg - yes
 Councilmember Latini - yes
 Supervisor Grubham - yes

MOTION CARRIED.

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14:25
Procurement
and
Investment
Policies

Councilmember Wasson moved to adopt resolution reaffirming and re-adopting the resolution establishing the Procurement Policy as amended most recently on December 27, 2022 and the Investment Policy adopted July 3, 1993. Councilmember Legg seconded.

Roll Call Vote: Councilmember Diffendorf - yes
 Councilmember Wasson - yes
 Councilmember Legg - yes
 Councilmember Latini - yes
 Supervisor Grubham - yes

MOTION CARRIED.

15:25
DPW
Equipment
Purchases

Councilmember Legg moved to adopt resolution authorizing the Commissioner of Public Works to purchase equipment and tools not to exceed a total of \$3,999 per voucher during 2025 without prior Town Board approval, providing such purchases are consistent with the Procurement Policy approved by the Town Board. Councilmember Latini seconded.

Discussion. Councilmember Legg questioned if the amount approved was correct, she thought it was \$2,999. Kelley Diffendorf pulled a voucher that had the change listed as \$3,999 and Supervisor Grubham will verify that this is the correct amount. Mr. McKertich stated the amount could be changed by resolution if needed at a later date. Councilmember Legg noted that it is a lot of money to spend without the Board's approval. Mr. McKertich also mentioned the vouchers are approved by the Town Board each month, this money is just not approved by the Board prior to the purchase.

Roll Call Vote: Councilmember Diffendorf - yes
 Councilmember Wasson - yes
 Councilmember Legg - yes
 Councilmember Latini - yes
 Supervisor Grubham - yes

MOTION CARRIED.

16:25
Reappoint
J.Mastronardi
Stormwater
Management
Officer

Councilmember Latini moved to adopt resolution reappointing John Mastronardi of Griffiths Engineering as the Stormwater Management Officer for the year 2025.

Councilmember Diffendorf seconded.

Roll Call Vote: Councilmember Diffendorf - yes
 Councilmember Wasson - yes
 Councilmember Legg - yes
 Councilmember Latini - yes
 Supervisor Grubham - yes

MOTION CARRIED.

17:25
Appoint
W.Diffendorf
Safety Officer

Councilmember Wasson moved to adopt resolution appointing William Diffendorf as Safety Officer, at a salary of \$1500 for the year 2025. Councilmember Legg seconded.

Roll Call Vote: Councilmember Diffendorf - abstain
 Councilmember Wasson - yes
 Councilmember Legg - yes
 Councilmember Latini - yes
 Supervisor Grubham - yes

MOTION CARRIED.

18:25
Issue License
Trailer Park
Loughlin Road

Councilmember Diffendorf moved to adopt resolution, on the recommendation and approval of the Code Enforcement Officer, pursuant to section 304.3 of the Mobile Home – Trailer Ordinance, authorizing the Town Clerk to issue license for the following mobile home-trailer park, such license will be for the year 2025:

Kirkwood Mobile Home Court, 41 Loughlin Road, Binghamton, NY 13904

Owners: James and Charles Williamson

Councilmember Wasson seconded.

Roll Call Vote: Councilmember Diffendorf - yes
 Councilmember Wasson - yes
 Councilmember Legg - yes
 Councilmember Latini - yes
 Supervisor Grubham - yes

MOTION CARRIED.

**TOWN OF KIRKWOOD
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Councilmember Legg moved to adopt resolution appointing David Zeitz as Member Zoning Board of Appeals, effective January 8, 2025, for a term to expire December 31, 2029. Councilmember Latini seconded.

19:25
Appoint
D.Zeitz
ZBA Member

Roll Call Vote: Councilmember Diffendorf - yes
 Councilmember Wasson - yes
 Councilmember Legg - yes
 Councilmember Latini - yes
 Supervisor Grubham - yes

MOTION CARRIED.

Discussion. Zoning Board Members.

The Zoning Board is still looking for members, they currently have three members and need two more regular members and at least one Ad Hoc member. Councilmember Legg noted that an informational meeting will be held prior to the Planning Board meeting on January 8, 2025 at 6 PM where the Zoning Board Chairman and Planning Board Chairman will give a presentation on what it takes to become a board member.

AUDIT AND PAYMENT OF CLAIMS:

Councilmember Latini moved to adopt resolution authorizing the audit and payment of the following claims: General and Highway Funds, Special Districts (Fire, Light, Water and Sewer Districts), Professional Services, Capital Projects and Reserve Funds claims #25000001 through #25000050 in the total amount of \$120,287.76, with the exception of voucher #25-00048 in the amount of \$181.65, which includes prepaid claims as authorized by resolution adopted this date. Councilmember Diffendorf seconded.

20:25
Audit/Pay

Discussion. Councilmember Diffendorf asked to discuss voucher #25-00048 regarding boots for Chad Moran, Code Enforcement Officer and Dog Control Officer. He noted this purchase is not authorized, there is no policy stating he should get paid for boots and felt the voucher should get pulled. Supervisor Grubham explained that Chad Moran thinks he needs the boots because he is on job sites and chasing dogs so he thinks he is entitled to the Town supplying him boots. Councilmember Diffendorf said he was told last year when he did this, it was a one time deal, and that was supposed to be the end of it. He has now submitted for boots again. Councilmember Diffendorf expressed he felt it was unfair, and stated otherwise anyone can buy something and we have to pay for it. Councilmember Legg agreed that it currently is not a policy at this time and if Chad Moran feels it is something he truly needs he should come to the Board and present it as a need that he has. The policy can be changed.

Roll Call Vote: Councilmember Diffendorf - yes
 Councilmember Wasson - yes
 Councilmember Legg - yes
 Councilmember Latini - yes
 Supervisor Grubham - yes

MOTION CARRIED.

ADJOURNMENT:

Councilmember Latini moved to adopt resolution to adjourn the meeting. Councilmember Diffendorf seconded. All voted in favor.

MOTION CARRIED.

Meeting adjourned at 6:25 PM

Respectfully submitted,

Kelley M. Diffendorf
Town Clerk