

**TOWN OF KIRKWOOD
TOWN BOARD MEETING**

February 4, 2025

A regular meeting of the Kirkwood Town Board was held on February 4, 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:

APPROVAL OF MINUTES: January 7, 2025 Town Board Meeting

PUBLIC PARTICIPATION: None.

COMMUNICATIONS: None.

COMMITTEE REPORTS:

Street Light Fixed.

Councilmember Diffendorf reported the street light on the corner of Trim Street and Route 11 is now fixed, it wasn't easy to get done but NYSEG finally took care of it.

Dog Control Report.

Councilmember Legg reported numbers from the January 2025 Dog Control Report.

Youth Sports and Recreation Report.

Councilmember Legg conveyed information on the Youth Program for Devin Fleetwood. Spring sports registration is now open until March 15, 2025, this is for baseball, softball, and tee ball. Two indoor winter league soccer teams have been playing at the 434 complex in Vestal. Devin was interviewed on FOX 40 news regarding youth sports programs in conjunction with NYS grant programs, this will air sometime in the near future. Basketball season is in full swing with about 50 kids participating.

Sewer Break.

Supervisor Grubham explained there was an emergency sewer break in the Colpitts Track area (24 Howard Street) today. The Town hired outside help to fix the break because the town employees were out plowing snow.

Sewage Pumping Station.

Supervisor Grubham reported that a pump failed last week at the sewage pumping station, although one pump is on order it was supposed to replace a different pump and it won't be here for a month, so the station is down to two pumps. He suggested another pump get ordered now so there is one on hand in case it is needed. The pump cost \$20,000, there is money in the budget.

Varidox System.

After some research, Al Glover discovered the Varidox system that was discussed at the last work session (to remove Iron and Manganese from the water system) was determined to be 30 years old and not up to date so unfortunately unusable to the Town now.

Historian Update.

Karen Ferguson notified the Board that she has started the process of another historical marker in conjunction with the Sons of the American Revolution. It will be a Patriot Burial Marker for the Riverside Cemetery where there are at least two Revolutionary War soldiers buried, one of which is John Conklin. Karen also informed the Board that she has been asked to be a guest speaker in the next few weeks for the Daughters of the American Revolution.

**TOWN OF KIRKWOOD
TOWN BOARD MEETING**

February 4, 2025

21:25
Approval
Trailer Park
License 2025
Route 11

OLD BUSINESS:

Councilmember Diffendorf moved to adopt resolution, on 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 parks, such license will be for the year 2025:

Kirkwood Parksites, LLC, 1794 US Route 11, Kirkwood, NY 13795

Owner: Christina DiPierro

Councilmember Wasson seconded.

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

MOTION CARRIED.

22:25
Retirement
Recertification
J.Wyatt
Budget Officer

Councilmember Wasson moved to adopt resolution accepting the Recertification of the Record of Activities for Julie Wyatt, Budget Officer, for the year 2025, in accordance with the attached Recertification. Councilmember Legg seconded.

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

MOTION CARRIED.

23:25
Retirement
Recertification
K.Diffendorf
Town Clerk

Councilmember Legg moved to adopt resolution accepting the Recertification of the Record of Activities for Kelley Diffendorf, Town Clerk, for the term of office of 2025-2028, in accordance with the attached Recertification. Councilmember Latini seconded.

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

MOTION CARRIED.

24:25
Retirement
Recertification
K.Diffendorf
Registrar

Councilmember Latini moved to adopt resolution accepting the Recertification of the Record of Activities for Kelley Diffendorf, Registrar of Vital Statistics, for the term of office of 2025-2028, in accordance with the attached Recertification. Councilmember Diffendorf seconded.

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

MOTION CARRIED.

25:25
Schedule PH
LL #1
PI Board
Mtg Date

Councilmember Diffendorf moved to adopt resolution scheduling a Public Hearing for February 25, 2025 at 6 PM regarding A Local Law Amending Article XV, Section 1502.3A.1 of the Zoning Code Regarding Planning Board Meeting Dates. 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
TOWN BOARD MEETING**

February 4, 2025

Councilmember Wasson moved to adopt resolution authorizing Chad Moran to attend the Southern Tier Home Builders & Remodelers Association training on February 12, 2025, at the Sidney Fire Department, at a cost not to exceed \$35. Councilmember Legg seconded.

26:25
Education
C.Moran
Code

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 pursuant to Not-For-Profit Corporation Law Section 1402(c)(3) approving the Membership Roster for Five Mile Point Fire Company, with the understanding that the members so approved will be assigned for which they have been qualified, in accordance with that attached roster. Councilmember Latini seconded.

27:25
Approve
Roster
Five Mile
Point Fire Co.

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 appointing Michael Reed as Member Zoning Board of Appeals, effective February 5, 2025, for a term of office to expire December 31, 2027, to fill the unexpired term of Bruce Nemcek. Councilmember Diffendorf seconded.

28:25
Appoint
M.Reed
ZBA Member

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 appointing Jackie Casciani as Member Board of Assessment Review, for a term to expire September 30, 2025, to fill the unexpired term of Todd Grubham. Councilmember Wasson seconded.

29:25
Appoint
Jackie Casciani
BAR Member

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 appointing Joe Casciani as Member Board of Assessment Review, for a term to expire September 30, 2027, to fill the unexpired term of Steve Barkwell. Councilmember Legg seconded.

30:25
Appoint
Joe Casciani
BAR Member

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 authorizing the Supervisor to enter into an agreement between the Town of Kirkwood and the Kirkwood Historical Society, in accordance with the attached agreement. Councilmember Latini seconded.

31:25
Agreement
Kirkwood
Historical
Society

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

MOTION CARRIED.

**TOWN OF KIRKWOOD
TOWN BOARD MEETING**

February 4, 2025

32:25
Schedule PH
LL#2
Penalties for
Non-compliance
Water Mains LL

Councilmember Latini moved to adopt resolution scheduling a Public Hearing for February 25, 2025 at 6:03 PM regarding a Local Law Amending the Water Mains Local Law Regarding Penalties for Non-Compliance. Councilmember Diffendorf seconded.

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

MOTION CARRIED.

33:25
Schedule PH
LL#3
Establish Date
for BAR
Meeting

Councilmember Diffendorf moved to adopt resolution scheduling a Public Hearing for February 25, 2025 at 6:06 PM regarding a Local Law Establishing a Date for Meeting of the Board of Assessment Review. Councilmember Wasson seconded.

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

MOTION CARRIED.

34:25
Budget
Journal
Entries

Councilmember Wasson moved to adopt resolution authorizing the Budget Journal Entries, in accordance with the attached Budget Adjustment Sheet. Councilmember Legg seconded.

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

MOTION CARRIED.

35:25
Retirement
M.Mucci

Councilmember Legg moved to adopt resolution approving the Standard Work Day and Reporting Resolution for Elected Officials for Michael Mucci as Justice of the Peace, in accordance with the attached resolution. Councilmember Latini seconded.

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

MOTION CARRIED.

36:25
Designate
Municipal
Cleanup Days

Councilmember Latini moved to adopt resolution designating April 21-23, 2025 as Municipal Cleanup Days in the Town of Kirkwood, materials accepted are bulk items, white goods, scrap metal, wastes from illegal dump site cleanups, and other wastes as may be collected through the special cleanup day effort, with delivery to the Broome County Landfill on April 24, 2025. Councilmember Diffendorf seconded.

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

MOTION CARRIED.

**TOWN OF KIRKWOOD
TOWN BOARD MEETING**

February 4, 2025

Councilmember Diffendorf moved to adopt resolution authorizing the Supervisor to sign the Escrow Agreement for the Stanley Hollow Creek Solar Project, in accordance with the attached agreement. Councilmember Wasson seconded.

37:25
Escrow
Agreement
Stanley Hollow
Creek Solar
Project

Discussion. Mr. McKertich explained the property owners impacted by the view of the solar project can apply to the Town to access the funds (\$6,000 each) from the escrow account. An application must be submitted by a property owner with documentation (specific details can be found in the agreement). The Town's role is to administer the funds to the property owner. It was determined the administrative role of the Town would be handled by the Code department. The Town will receive a \$500 payment per property for the administrative work.

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

MOTION CARRIED.

NEW BUSINESS:

Councilmember Wasson moved to adopt resolution appointing Linda Parke as Temporary Ad Hoc Member Zoning Board of Appeals, effective February 5, 2025, to be compensated \$40 per meeting attended, upon submission of a voucher to the Town Clerk.

38:25
Appoint
L.Parke
Temp Ad Hoc
ZBA Member

Councilmember Legg seconded.

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 Jerry McMaster Member Zoning Board of Appeals, effective February 5, 2025, for a term to expire December 31, 2025, to fill the unexpired term of Cynthia French. Councilmember Latini seconded.

39:25
Appoint
J.McMaster
ZBA Member

Discussion. Duane Travis thanked Councilmember Legg for organizing the informational meeting to help recruit members to the Zoning Board and Planning Board.

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 the expenditure of \$7,665.40 from the Park Development Reserve Fund for certain capital improvements at Grange Hall Road Park and Veterans River Park, in accordance with the attached voucher and invoices from E.W. Gorman Electric Contracting, Inc. Councilmember Diffendorf seconded.

40:25
Park Dev
Reserve Fund
Expenditure
GHR and VR
Parks

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

MOTION CARRIED.

**TOWN OF KIRKWOOD
TOWN BOARD MEETING**

February 4, 2025

AUDIT AND PAYMENT OF CLAIMS:

41:25
Audit/Pay
Councilmember Diffendorf 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 #25000052 through #25000196 the total amount of \$1,050,557.24, which includes prepaid claims as authorized by resolution adopted January 7, 2025. Councilmember Wasson seconded.

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 6:24 PM

Respectfully submitted,

Kelley M. Diffendorf
Town Clerk