

TOWN OF KIRKWOOD WORK SESSION

April 29, 2025

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
Duane Travis, Zoning Board Chairman
Karen Ferguson, Historian

Absent: Poe Williams, Highway Superintendent

1. Summer Schedule: (LCG)

Resolution rescheduling the June 24, 2025 Work Session to Monday, June 23, 2025 due to the Primary Election and combining the June 23, 2025 Work Session and the July 1, 2025 Town Board Meeting into one night to be held Monday, June 23, 2025.

Resolution combining the July 29, 2025 Work Session and the August 5, 2025 Town Board Meeting into one night to be held August 5, 2025.

Resolution combining the August 26, 2025 Work Session and the September 2, 2025 Town Board Meeting into one night to be held September 2, 2025.

2. Discussion – Resolution rescheduling the November 4, 2025 Town Board Meeting to Monday, November 3, 2025 due to Election Day. (LCG)

3. Discussion – Water Mains Amendment – Schedule a public hearing for May 27, 2025 at 6 PM. (LCG)

Supervisor Grubham explained this amendment would be an adjustment on hydrant rate fees and the usage procedures.

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- 4. Discussion – Resolution Amending the Article XVI Building Code and Miscellaneous Fee Schedule, in accordance with the attached schedule. (LCG)**

This resolution would amend the hydrant permits fees, both residential use and construction work fees are being increased.

- 5. Discussion – Water Rates Amendment – Schedule a public hearing for May 27, 2025 at 6:02 PM. (LCG)**

Before explaining his thoughts on the matter, Supervisor Grubham noted the Town has not increased the water rates in 13 years. He also reminded the Board that when Mr. Brown (Delaware Engineering) was here to discuss the Town's water system he mentioned it may be difficult to get grant money since the rates are so low and they haven't been changed in so long. Therefore, Supervisor Grubham suggested about a penny a year increase (since the last increase) and then rounded up to \$.15 cents per 100 cubic feet. He also discussed this increase with Frito Lay since they use more than half the water in the town, and they are completely on board with the increase. Supervisor Grubham explained there are 1,071 water users in the town and after studying the numbers and confirming everything with the Budget Officer the increase should bring in approximately \$45,000 for the year, on top of what already is received. He does not feel this is excessive and is still rather reasonable.

- 6. Discussion – Resolution approving the Standard Work Day and Reporting Resolution for Elected and Appointed Officials for Poe Williams, Highway Superintendent for a term of office of 01/01/25-12/31/28, Chad Moran, Dog Control Office for the year 2025, Karen Ferguson, Town Historian for the year 2025, and Richard Pedro, Assessor, for a term of 12/04/24-09/30/25, in accordance with attached resolution. (LCG)**

- 7. Discussion – Resolution authorizing the Supervisor to sign the Production Contract with Grey Goose Graphics for the design and maintenance of the Town of Kirkwood website, in accordance with the attached contract. (LCG)**

Supervisor Grubham explained the town website needs to be restructured. Grey Goose was highly recommended by our new IT company Pyramid Business

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Systems. Supervisor Grubham was impressed with all the different options they can integrate into the site. All the regular features will still be available and possibly many new ones. After the site is up and running it will cost the town less to maintain it yearly than it did with BlueStorm.

- 8. Discussion – Resolution ratifying a resolution authorizing Paula Hashem and Rachael Farrell to attend the 2025 Impaired Driving Seminar on Thursday, May 1, 2025 in Watertown, NY, at no cost to the town, travel expenses are reimbursable in accordance with Unified Court System Travel Guidelines. (LCG)**

- 9. Discussion – Resolution authorizing the Supervisor to sign the Development Escrow Agreement with Norbut Solar regarding Professional Fees for the proposed solar project on 149 Quilty Hill Road and 165 Foley Road, in accordance with the attached agreement. (LCG)**

Mr. McKertich explained Norbut Solar presented the Town with an agreement regarding Professional Fees, which he edited to make consistent with the local laws in Kirkwood and Norbut Solar accepted the changes.

- 10. Audit of Claims.**

Olivet Group/Cedarhurst School.

Councilmember Diffendorf explained that he thought the Town was receiving full taxes from the Olivet School. According to the Assessor they have been getting a partial exemption for the past couple of years. Mr. McKertich explained the Olivet group applied for a full exemption several years ago, and that was denied. It went to court and the case was settled with a partial exemption, because the previous Assessor toured the property and found a portion of the property was being used for educational purposes. Councilmember Diffendorf questioned what kind of educational purposes and what services are they providing. Mr. McKertich will look back at the court files to find out if it was a religious exemption or an educational exemption.

Councilmember Diffendorf stated the school is a scam, everyone should know this, there is nothing legitimate going on there. They originally came here to be

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Olivet University, they have never been accredited to be a school. The religious part of it, there is no one there, but one or two people, all the time. Not Sundays, not any other day. Maybe once or twice a year they may bring a bus load of people up there as a tour or something. Councilmember Legg reported and it is at night. Councilmember Diffendorf continued, the Town is being scammed when we give them a tax break. They have bought property in other areas and pulled the same stunt. They don't want to pay taxes, they just want to own the property. Mr. McKertich reported they did not reapply for the exemption and lost the partial exemption in the most recent year, so they do not have an exemption right now. But, he understands, they are reapplying at this point and the new Assessor is taking a fresh look at it.

Supervisor Grubham agreed with Councilmember Diffendorf and stated the SV School District should have never sold them that property. That is the perfect spot for a senior citizen center. Supervisor Grubham has talked to a number of people including the County who are on board to move them out, it is just very difficult. They are a problem in other areas as well, Olivet had a college just above New York City and the State shut them down this past year. It's not a good operation.