

TOWN OF KIRKWOOD TOWN BOARD MEETING

May 5, 2015

A regular meeting of the Kirkwood Town Board was held on May 5, 2015 at 6:00 PM at the Joseph A. Griffin Town hall with Supervisor Gordon Kniffen presiding.

Present: Supervisor Gordon Kniffen
Councilman Robert Weingartner
Councilman Lewis Grubham
Councilman William Diffendorf, Jr.
Councilwoman Linda Yonchuk

Also Present: Oliver Blaise III, Deputy Town Attorney
Gayle Diffendorf, Town Clerk
Raymond Coolbaugh, DPW Commissioner
James Smith, Budget Officer
Marchie Diffendorf, Planning Board Chairman
Duane Travis, ZBA Chairman
Debra Preston, Broome County Executive
Scott Baker, Broome County Legislator
Elaine Miller, Broome County Planning & Ec. Dev. Commissioner

PLEDGE OF ALLEGIANCE:

APPROVAL OF MINUTES: April 7, 2015 Town Board Meeting

PUBLIC PARTICIPATION:

Broome County Executive Preston presented an update on the following County issues:

In regard to the tax cap plan, she said Supervisor Kniffen has been instrumental in the process and has done a great job working with the County. She added that she is very proud of the work he has done, which he has done for the people of Kirkwood and on behalf of the County. She thanked him for all his ideas and effort.

In regard to moving sewer and water up the airport corridor, they will be breaking ground on that project in the next few weeks. This will open up new business development which is needed because the corporate parks are getting filled and they need to develop more land and have some shovel ready sites.

Ground will be broken for the Farmers Market. Due to an issue with the discovery of bones at Otsiningo Park involving three different tribes, the site has been moved to the Cooperative Extension. That is an exciting project since agriculture has been ignored for years and there are actually over 500 farms in Broome County which bring in a lot of money into the County. This is a way to help them so they can bring their products to the Farmers Market.

A disaster plan is being devised whereby they will be open for business as usual in the event of a disaster. There was an unexpected trial run recently and it worked out very well.

Drugs, especially heroin, are becoming a huge problem in Broome County. With the help of the Health Department, Social Services, and other organizations, the BOAC Committee was formed which, among other things, works with law enforcement, involves community education, works with physicians, works with people with drug problems and trains people on the use of Narcan, which is a big life saver.

Elaine Miller, currently the head of Planning & Economic Development, will be leaving that position but will continue to be involved in County business with the Board memberships that she is involved with, presented the with the following information.

They are getting ready to start working on the Comprehensive Plan for Kirkwood. There will be 3 staff people working on it and it will take about a year. She has worked with communities all over central and western New York that have spent \$100,000 or more to get their Comprehensive Plan done and she has not seen a better plan than the ones that Frank Evangelisti heads up.

TOWN OF KIRKWOOD TOWN BOARD MEETING

May 5, 2015

Margaret Scarinzi is the new Executive Director of the Land Bank and is highly qualified. The Board was encouraged to invite Margaret to a meeting. There is a \$750,000 grant for housing rehabilitations and demolitions. That money cannot be spent in the City of Binghamton or the Town of Union because they are entitlement communities. The money is not earmarked yet so she encouraged Kirkwood to submit properties. They are hoping to get additional money every year.

The bids for the downtown incubator project to be located on Hawley Street will be going out May 15th. This will take about 1 ½ years to construct.

Ms. Miller said Executive Preston is a very active member of The Regional Economic Development Council. They are really excited to work with the towns and villages developing a plan for the CFA (Consolidated Funding Application) process and the competition. There are job components of this as well as tourism and agriculture. Agriculture is one of the biggest economic drivers in New York State, particularly in Broome County. The County has applied for a \$50,000 grant to do an update to the agriculture development plan and they are confident they will be getting it. If anyone has ideas in regard to the CFA and the competition, Frank Evangelisti should be contacted. This is not project driven, but initiative driven. They are looking for big ideas. They need to help to bring things up to a level playing field but they need to go over and above that to be successful in the competition.

Scott Baker explained they just had their first agriculture task force meeting. It was very interesting with the innovation and drive to make farming better being behind this. Agriculture is a huge economic boon for this county and they are looking for ways to make it grow in the future.

In regard to the \$750,000 grant for housing rehab or demolition, Councilman Diffendorf asked how Kirkwood could get any of that money. Ms. Miller explained they are HUD funds funneled through the state. Executive Preston said this is key for the rural areas so Margaret should be contacted for assistance in this regard. Ms. Miller said typically they have been getting properties through the foreclosure process.

COMMUNICATIONS: None.

COMMITTEE REPORTS:

In regard to the sewer rate, Jim Smith reported he is looking at a 9-month CD with M&T where they had merged some money from the other bank, which would be better than leaving it in the money market. He is working with Mr. Kline on this. The likelihood is that it would be reserve money that would rolled over until needed.

OLD BUSINESS:

Supervisor Kniffen introduced the girls basketball state champions from SV, noting that it is an honor to have them attend. Coach Chad Freije was looking for a state championship in the next year or so, but he said his team's chemistry starting getting better and better half way through the year, with their confidence increasing, and it was a team effort midway through to the end. Supervisor Kniffen noted that the final game, which was televised, was very exciting. Senior player Jordyn Williams thanked the Board for having them attend and said this is a great group of girls and a great experience that keeps on going. She said this is the best thing from high school that she could have asked for and they worked hard for it. They are grateful for their coaches and the support from the community and for everyone that helped them along the way. They couldn't have do this without all the help.

Councilman Weingartner moved to adopt resolution Honoring Susquehanna Valley Girls Basketball Championship Team 2015, in accordance with the attached resolution.

Councilwoman Yonchuk seconded. All voted in favor.

MOTION CARRIED.

After Councilman Weingartner read the attached resolution, Councilwoman Yonchuk read off the names of each player and their coaches as Councilman Weingartner presented them with a certified copy of the resolution, as well as a plaque presented by Councilman Grubham to the SV Athletic Director.

**TOWN OF KIRKWOOD
TOWN BOARD MEETING**

May 5, 2015

Supervisor Kniffen said this was a season that was kind of unexpected and the girls must have seen the light at the end of the tunnel and did what they had to do to get there. This championship and all the occasions of honor is a memory that can never be taken away from them. He added this is not just about them winning a championship. In every high school throughout the country there are a few kids that are troubled, possibly due to not having a good home life, not being athletic or being bullied and they don't see the light at the end of the tunnel. With what this team did that was unexpected for this year, they saw the light and went for it and his hope and prayer is that the troubled kids at SV would see what these girls did and it will help them to feel better about life. He thanked them for that.

Councilman Diffendorf presented each girl and coaches with a gift card from Frosty Joes. He noted that he feels very fortunate because he has watched most of these girls play for many years and knows them all by name, and this is really an honor.

Supervisor Kniffen added a last note by saying these girls have probably heard many times they are the future of our generation, as probably everyone has in the past. He feels their era is one of the most challenging and demanding times and they need all the help they can get. He concluded by saying "So tonight as a special gift, something you can take any place you want, is our thoughts and our hearts and our prayers."

Councilwoman Yonchuk moved to adopt resolution scheduling a Public Hearing for May 26, 2015 at 6:00 PM regarding publication expense for Aquifer Permit Notice of Renewal.

Councilman Diffendorf seconded.

Roll Call Vote:	Councilman Weingartner	- yes
	Councilman Grubham	- yes
	Councilwoman Yonchuk	- yes
	Councilman Diffendorf	- yes
	Supervisor Kniffen	- yes

54-15
Sched PH
Aquifer
Permit
Publication
Expense

MOTION CARRIED.

Councilman Diffendorf moved to adopt resolution authorizing Supervisor to sign the 5-year lease with US Postal Service, in accordance with the attached agreement. Councilman Grubham seconded.

Roll Call Vote:	Councilman Weingartner	- yes
	Councilman Grubham	- yes
	Councilwoman Yonchuk	- yes
	Councilman Diffendorf	- yes
	Supervisor Kniffen	- yes

55-15
Post
Office
Lease

MOTION CARRIED.

Councilman Grubham moved to adopt resolution authorizing Supervisor to enter into an agreement with Southern Tier Insulations, Inc., regarding re-wrapping the air stripper and the piping that goes from the water treatment plant to the clear wall at Well 1, in accordance with the attached agreement. Councilman Weingartner seconded.

Roll Call Vote:	Councilman Weingartner	- yes
	Councilman Grubham	- yes
	Councilwoman Yonchuk	- yes
	Councilman Diffendorf	- yes
	Supervisor Kniffen	- yes

56-15
Agrmnt
So Tier
Insulations
Wrapping
Water
Pipes

MOTION CARRIED.

Councilman Weingartner moved to adopt resolution authorizing Supervisor to enter into an agreement with Budget Fence of America for the replacement of fencing at the Johnson Road water tank, in accordance with the attached agreement. Councilwoman Yonchuk seconded.

Roll Call Vote:	Councilman Weingartner	- yes
	Councilman Grubham	- yes
	Councilwoman Yonchuk	- yes

57-15
Agrmnt
Budget
Fence –
Johnson
Rd Water
Tank

**TOWN OF KIRKWOOD
TOWN BOARD MEETING**

May 5, 2015

Councilman Diffendorf - yes
Supervisor Kniffen - yes

MOTION CARRIED.

58-15
Appt
Deputy
Tn Atty
Handle
Code
Issues –
Court
FAILED

Councilwoman Yonchuk moved to adopt resolution authorizing appointment of the Deputy Town Attorney to assist Town Code Enforcement Officer to handle proceedings commenced against Bob Davis and Bob Hamm for alleged violations as outside the scope of work contemplated by the retainer agreement with the Town if said defendants appear in Town Court with counsel to defend said proceedings. Councilman Diffendorf seconded.

Discussion: Councilman Grubham questioned what would happen if the judge decides not to defer the proceeding to allow the Town to get the attorney there. He also feels it might be a little unfair to whoever the defendants are if the judge does do that, now this would be continued for another month or more so the defendant couldn't get resolution to whatever their questions are. He feels the Town should have an attorney there right from the beginning and get it taken care of right away. One way it is not fair to the Town and the other way it is not fair to the defendant. In response to Councilwoman Yonchuk, Mr. Blaise said a defendant would not have to inform the court or town if he were bringing an attorney to court. Councilman Weingartner said he would like to get this take care of because he knows they are blatantly going against what is supposed to be done. He feels the Town would be better served having a lawyer there with a faster resolution.

Roll Call Vote: Councilman Weingartner - no
 Councilman Grubham - no
 Councilwoman Yonchuk - no
 Councilman Diffendorf - no
 Supervisor Kniffen - no

MOTION FAILED.

59-15
Appt
Deputy
Tn Atty
Handle
Code
Issues -
Court

Councilwoman Yonchuk moved to adopt resolution authorizing appointment of the Deputy Town Attorney to assist Town Code Enforcement Officer to handle proceedings commenced against Bob Davis and Bob Hamm for alleged violations as outside the scope of work contemplated by the retainer agreement. Councilman Grubham seconded.

Discussion: Mr. Blaise explained that assuming this motion passes there are two options when code enforcement issues are involved. They can proceed in town court and the cases will be brought to conclusion with a fine. Alternatively they can proceed to Supreme Court which is more expensive but in that case the judge can order someone to do or not do something, more than just imposing fines. These 2 situations involve allegations of violations of the stop work order. If there is work there that the Code Enforcement Officer feels is unsafe, which in one case electrical work is involved, the town court cannot do anything other than levy fines and the problem would still exist. Supreme Court would be the only way to actually undue something like that. The Board must decide which court they want these cases to proceed in. Councilman Weingartner said he feels they should go to Supreme Court because the town court can only levy a fine. Mr. Blaise said the judge would determine the fine using the provisions governing the state building code, which are \$1,000 a day for each day the violations exist. If it is set up as a criminal proceeding it can also include jail time. Councilman Grubham said he feels either one of those options tends to push someone along quite fast. He would be in favor of Supreme Court. Mr. Blaise added there is no limitation on the number of days that a judge can fine for. Councilman Grubham said in one situation it would have been required to go to the Planning Board and/or ZBA to get permission to build and they have not stopped, they are still building. He asked if the town court judge would be able to force them to go through that procedure. Mr. Blaise said he could not, he could only issue a fine and possibly some jail time. If the person doesn't pay the fine then the court has contempt of court authority. Mr. Blaise said the Board could not force them to go through the planning and zoning procedure either. He said in town court the judge had to issue a fine as of a defined point in time. If the fine is paid but the code violations are not fixed they can be recited again.

Supervisor Kniffen said in the one case the person actually put the wall board up and is done so the Board has to make a decision to let it be or have him tear it down. Councilwoman Yonchuk said there are electrical issues and if they just let it be they are opening up a can of worms and

**TOWN OF KIRKWOOD
TOWN BOARD MEETING**

May 5, 2015

anyone can do that. She does not want to establish that precedent so she feels he should be made to do it right. Councilman Grubham agreed saying there is no end to it once it starts. Councilman Weingartner said from correspondence he saw the defendant knows what he should have done but refused to do it. Mr. Blaise explained once again that these are unique circumstances versus what they usually face in a dog case or a more typical property maintenance case, which are more tailored for town court. In response to Councilwoman Yonchuk, Mr. Blaise said if they proceed in town court and if the cases are not resolved they can then go to Supreme Court. Supervisor Kniffen said in the Davis case they have to go to Supreme Court. Mr. Blaise said in the Hamm situation the only way to effectively stop that is to get an injunction, which would be an order from the Supreme Court. Mr. Blaise said a judge in either court could include court fees in the fine if the Town's code had a provision in it for that particular violation. Some of the provisions in the Town's code allow that but not all of them. In a discussion as to the cost of going to Supreme Court Mr. Blaise said it would depend on the number of hearings. If there were only one hearing an estimated cost would most likely be \$1,500 to \$2,500. Councilman Weingartner said he thinks it is the consensus of the Board they want this taken care of. He feels sometimes you have to pay to get something done the right way. Councilman Diffendorf said he feels they should send it to town court with no lawyer and see if it can be resolved there and if not then go to Supreme Court. He did note that he realizes the town court cannot make Mr. Davis comply but the judge can encourage him to. Discussion in regard to the charred issue of the 2 by 4s. Councilman Diffendorf said he does not see what the hurry is. Councilman Grubham said if this goes to town court he is in favor of having an attorney to protect the Town. Supervisor Kniffen said his concern is that the Board feels he should fix it and in thinking it is a mistake then time is important. Councilman Diffendorf said he is not saying that it is unsafe and he feels it is time for Scott to step up and start dealing with these cases in Kirkwood Court. Mr. Blaise added if this resolution passes he will need a consensus from the Board on which path they want him to take.

Roll Call Vote: Councilman Weingartner - yes
 Councilman Grubham - yes
 Councilwoman Yonchuk - yes
 Councilman Diffendorf - no
 Supervisor Kniffen - yes

MOTION CARRIED.

It was determined the consensus of the Board is for Mr. Blaise to proceed with these cases in town court with a follow-up in Supreme Court only if needed.

Councilman Diffendorf moved to adopt resolution appointing Terry Everett as Laborer to work in the Parks Department effective May 6, 2015 for 90 days at a rate of pay of \$10.64 per hour. Councilman Grubham seconded.

Roll Call Vote: Councilman Weingartner - yes
 Councilman Grubham - yes
 Councilwoman Yonchuk - yes
 Councilman Diffendorf - yes
 Supervisor Kniffen - yes

60-15
Appoint
T. Everett
Laborer -
Parks

MOTION CARRIED.

Councilman Grubham moved to adopt resolution appointing Eugene Bailey as Laborer to work in the Water Department effective May 20, 2015 for 90 days at a rate of pay of \$10.64 per hour. Councilman Weingartner seconded.

Roll Call Vote: Councilman Weingartner - yes
 Councilman Grubham - yes
 Councilwoman Yonchuk - yes
 Councilman Diffendorf - yes
 Supervisor Kniffen - yes

61-15
Appoint
E. Bailey
Laborer -
Water
Dept.

MOTION CARRIED.

Councilman Weingartner moved to adopt resolution scheduling a Public Hearing for May 26, 2015 at 6:05 PM regarding Sewer Rent Rate. Councilwoman Yonchuk seconded.

Roll Call Vote: Councilman Weingartner - yes
 Councilman Grubham - yes

62-15
Sched PH
Sewer Rent
Rate

**TOWN OF KIRKWOOD
TOWN BOARD MEETING**

May 5, 2015

Councilwoman Yonchuk - yes
Councilman Diffendorf - yes
Supervisor Kniffen - yes

MOTION CARRIED.

Councilwoman Yonchuk moved to adopt resolution combining the June 30, 2015 Work Session and July 7, 2015 Town Board Meeting into one night to be held June 30, 2015. Councilman Diffendorf seconded.

63-15
Combine
Mtgs

Roll Call Vote: Councilman Weingartner - yes
Councilman Grubham - yes
Councilwoman Yonchuk - yes
Councilman Diffendorf - yes
Supervisor Kniffen - yes

MOTION CARRIED.

Councilman Diffendorf moved to adopt resolution combining the July 28, 2015 Work Session and August 4, 2015 Town Board Meeting into one night to be held August 4, 2015. Councilman Grubham seconded.

64-15
Combine
Mtgs

Roll Call Vote: Councilman Weingartner - yes
Councilman Grubham - yes
Councilwoman Yonchuk - yes
Councilman Diffendorf - yes
Supervisor Kniffen - yes

MOTION CARRIED.

Councilman Grubham moved to adopt resolution combining the August 25, 2015 Work Session and September 1, 2015 Town Board Meeting into one night to be held September 1, 2015.

65-15
Combine
Mtgs

Councilman Weingartner seconded.
Roll Call Vote: Councilman Weingartner - yes
Councilman Grubham - yes
Councilwoman Yonchuk - yes
Councilman Diffendorf - yes
Supervisor Kniffen - yes

MOTION CARRIED.

Councilman Weingartner moved to adopt resolution cancelling the November 3, 2015 Town Board Meeting due to Election Day and rescheduling for Monday, November 2, 2015.

66-15
Resched
Nov Mtg

Councilwoman Yonchuk seconded.
Roll Call Vote: Councilman Weingartner - yes
Councilman Grubham - yes
Councilwoman Yonchuk - yes
Councilman Diffendorf - yes
Supervisor Kniffen - yes

MOTION CARRIED.

Councilwoman Yonchuk moved to adopt resolution Adopting the State of New York Deferred Compensation Plan, in accordance with the attached resolution. Councilman Diffendorf seconded.

67-15
Adopt
NYS
Deferred
Comp
Plan

Roll Call Vote: Councilman Weingartner - yes
Councilman Grubham - yes
Councilwoman Yonchuk - yes
Councilman Diffendorf - yes
Supervisor Kniffen - yes

MOTION CARRIED.

Councilman Weingartner moved to adopt resolution authorizing William Diffendorf, Jr. to attend the PERMA Schooling at the Sagamore Hotel in Bolton Landing, NY to be held May 21 – 22, 2015 with all reasonable expenses paid. Councilwoman Yonchuk seconded.

68-15
W.
Diffendorf
PERMA
Training

**TOWN OF KIRKWOOD
TOWN BOARD MEETING**

May 5, 2015

Roll Call Vote: Councilman Weingartner - yes
 Councilman Grubham - yes
 Councilwoman Yonchuk - yes
 Councilman Diffendorf - yes
 Supervisor Kniffen - yes

MOTION CARRIED.

Councilwoman Yonchuk moved to adopt resolution adopting Good Samaritan resolution pursuant to General Municipal Law Section 209-i-1-b in accordance with the attached resolution. Councilman Diffendorf seconded.

69-15
Adopt
Good
Samaritan
Reso

Roll Call Vote: Councilman Weingartner - yes
 Councilman Grubham - yes
 Councilwoman Yonchuk - yes
 Councilman Diffendorf - yes
 Supervisor Kniffen - yes

MOTION CARRIED.

Discussion – Coyne Rugs.

Ray Coolbaugh reported he spoke with the representative from Coyne and the \$49.89 is for each delivery. From April 30 to November 30 delivery will be every other week so the \$49.89 will only be paid every other week. From December 1 to April 30 delivery will be every week with the charge each week. The fuel surcharge is already added in and they are the lowest bidder. Mr. Blaise said Mr. Kline has some significant issues with the terms of their contract and since he has not received a response from Coyne and the Town is still under contract with Ameripride, this will be held.

NEW BUSINESS:

Councilman Diffendorf moved to adopt resolution authorizing the Transfer of Funds, in accordance with the Budget Adjustment Sheet. Councilman Grubham seconded.

Discussion: Councilman Grubham questioned the \$10,000 transfer for salt and sand. Ray Coolbaugh said they are behind \$3,500 as of May 1st for salt, but according to OGS they had 1,200 tons allotted and they have to get additional salt/sand to cover their 75% or they will have to pay storage on it. Councilman Grubham noted that \$20,000 was added to the line item and they are still running over it. Mr. Smith added that there was a price increase of 27% last August.

70-15
Budget
Transfers

Roll Call Vote: Councilman Weingartner - yes
 Councilman Grubham - yes
 Councilwoman Yonchuk - yes
 Councilman Diffendorf - yes
 Supervisor Kniffen - yes

MOTION CARRIED.

Discussion – Review the Water/Sewer Roll

Mr. Blaise explained that as a result of past discussions about how to review the water and sewer rolls it was decided to do it every other year instead of annually since there isn't that much change each year. The review was not done last year this so this year it should be done. The process will start soon unless the Board wants to extend this out another year. Mr. Blaise said Pat Griffin helped in 2013 and it reduced the cost to complete the process significantly. Since the time Mr. Kline processed the information the cost has been reduced from about \$12,000 to about \$4,000 to \$6,000. He noted it is a very labor intensive process with some of the files requiring a 7-step mathematical computation process. He and Jim Smith have had extensive discussions on ways to simplify the process significantly but that has not been accomplished yet. Mr. Smith said they came to the conclusion that just basing it on flow is not economically worthwhile or feasible, there would be too wide a swing. Mr. Blaise referenced the system used in the Town of Dickinson where their O&M charges are strictly based on usage but they are set up quite differently in that they don't have a lot of undeveloped property. In Kirkwood there are people with undeveloped property that are still paying O&M costs because they are able to hook up but have chosen not to. Those people on a straight usage basis would drop off and the other users would have to pick up that slack. That is one of the inequities that was found. An overhaul

**TOWN OF KIRKWOOD
TOWN BOARD MEETING**

May 5, 2015

of the existing legislation would be needed. Councilman Grubham questioned if there are programs written to address this. Mr. Smith they could simplify some of it by taking the employee part out of it. He said sometimes there are 6 or 7 steps depending on the situation. Possibly it could be more of a hybrid between flow and those others that are on a property basis and take out some of the other factors such as employees. Supervisor Kniffen said then they could spend money on reviewing the specs and making them simpler instead of a review every other year. Mr. Blaise said over the years the system has gotten more complex with numerous ways to categorize commercial properties and industrial properties, and depending on which category it is there is a different formula to get the unit results. If the classification of a property changes the assessment might drop units and they get spread out among the other users. So if the same process is followed there could be wide swings either up say \$1,000 or down \$1,000 a year. They would like to get rid of classifying property and assess commercial/industrial property all the same way and get rid of all the steps and calculations and base it partly on use and partly on a flat unit assessment. This would take a lot of work. Mr. Smith said that his first goal would be to try to categorize whether a property is flow driven or not, and if not keep the status quo and if it is flow driven what would be a mathematical blended type or rate so that group might not be too big an anomaly from where they were but it would be simpler. Supervisor Kniffen said he is in favor of spending the money to revamp this. Councilman Diffendorf said he is in favor if it is not turned upside down. Mr. Blaise said he is for revising the system as well but the work would need to be started now.

Councilman Grubham moved to adopt resolution authorizing compensation to Deputy Town Attorney for additional work relating to the review and revision of the Water & Sewer Roll benefit assessment calculations, to be done in conjunction with the Town Budget Officer.

Councilman Weingartner seconded.

Roll Call Vote:	Councilman Weingartner	- yes
	Councilman Grubham	- yes
	Councilwoman Yonchuk	- yes
	Councilman Diffendorf	- yes
	Supervisor Kniffen	- yes

MOTION CARRIED.

AUDIT AND PAYMENT OF CLAIMS:

Councilman Weingartner 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, and ratifying the payment of the prepaid claims as authorized by resolution adopted January 6, 2015, all in accordance with the abstract of claims on file in the Town Clerk's Office. Councilwoman Yonchuk seconded.

Roll Call Vote:	Councilman Weingartner	- yes
	Councilman Grubham	- yes
	Councilwoman Yonchuk	- yes
	Councilman Diffendorf	- yes
	Supervisor Kniffen	- yes

MOTION CARRIED.

OTHER BUSINESS:

Councilwoman Yonchuk moved resolution to adjourn this meeting to conduct an Executive Session pursuant to section 105 paragraph d of the Public Officers Law to discuss proposed, pending or current litigation. Councilman Diffendorf seconded.

Roll Call Vote:	Councilman Weingartner	- yes
	Councilman Grubham	- yes
	Councilwoman Yonchuk	- yes
	Councilman Diffendorf	- yes
	Supervisor Kniffen	- yes

MOTION CARRIED.

71-15
Deputy
Tn Atty
W&S
Rolls Wk

72-15
Audit/
Pay

73-15
Exec
Session

**TOWN OF KIRKWOOD
TOWN BOARD MEETING**

May 5, 2015

ADJOURNMENT:

Councilman Weingartner moved to adopt resolution to adjourn the meeting. Councilwoman Yonchuk seconded. All voted in favor.

MOTION CARRIED.

Meeting adjourned at 7:47 PM.

Respectfully submitted,

Gayle M. Diffendorf
Town Clerk