

**TOWN OF KIRKWOOD
WORK SESSION**

November 30, 2021

Present: Supervisor Lewis Grubham
Councilman Robert Weingartner
Councilman William Diffendorf, Jr.
Councilwoman Katie Legg
Councilman Arthur Shafer

Also Present: Robert McKertich, Attorney
Kelley Diffendorf, Town Clerk
John A. Finch Jr., Commissioner of Public Works
Jim Smith, Budget Officer
Marchie Diffendorf, Planning Board Chairman

PLEDGE OF ALLEGIANCE: Done prior to the Public Hearing

1. Discussion – Credit Card. (LCG)

Supervisor Grubham explained his interest in having the Town get a credit card so that people working for the Town do not have to use their own personal accounts when items need to be purchased by credit card. He also noted the Town would then be able to take advantage of its tax exempt status. The card would be kept in the Supervisor's office. All requests will need permission by the Supervisor or a Councilperson. Any requests over \$4,500 must be approved by the Supervisor and one Councilperson. The Board will receive a monthly expenditure report.

Councilman Weingartner gave examples of why he thinks having a Town credit card will be convenient. Councilman Diffendorf inquired about who would be allowed to use the card. Supervisor Grubham said a list could be made of a small group of people that are allowed to use it and should be easily monitored. Councilwoman Legg said many business credit cards have limits and can be locked if someone tries to spend over the allotted amount. Mr. McKertich is going to prepare a credit card policy that will lay out the rules of how and when it can be used. Jim Smith suggested the policy state that personal stuff should not be charged with an anticipated reimbursement. Everyone agreed it should only be used for Town purchases. **Resolution.**

**TOWN OF KIRKWOOD
WORK SESSION**

November 30, 2021

2. Discussion – Proposed Local Law – No Smoking on Town Properties. (LCG)

Supervisor Grubham discussed the proposed local law regarding no smoking on any town property. Mr. McKertich wrote up the local law guidelines (see attached) and many of the points listed were discussed. The Board agreed to remove section 5b that states smoking is prohibited within 50 feet of entrances, exits, or windows. Just keep it to Town property, which includes the Post Office. Signs will be posted in the parks and around Town buildings.

Councilman Diffendorf explained that he was not for banning smoking in the parks in the past. But with the State pushing the new cannabis law we don't want our parks to become central place for smoking. It is hard to keep under control without having a local police department on patrol. Councilman Diffendorf said he will support the no smoking local law because of the new cannabis laws. **Resolution.**

A public hearing will be held at the December 28, 2021 work session.

3. Discussion – New Hire in Code Department. (LCG)

Supervisor Grubham informed everyone that the Town hired a new person for the Code department. It was advertised and four people were interviewed. **Resolution.**

4. Discussion – Sexual Harassment Training. (LCG)

There was a long discussion on what program/presentation should be used to handle training on sexual harassment, workplace violence, and blood borne pathogens.

Councilman Weingartner had looked into a Learning Management System through Selective, our insurance company. This program costs \$750 and includes many different training options and is completed by each employee individually on a computer. Councilman Weingartner would send the appropriate training classes to each employee and it can be completed as they have time. Councilman Weingartner will find out if the \$750 is a onetime cost or annual fee.

Councilman Diffendorf had discussions with PERMA, our workers compensation company. This program had no cost to the Town and is believed to be similar to the one through Selective and can be completed on an individual basis as well. Councilman

**TOWN OF KIRKWOOD
WORK SESSION**

November 30, 2021

Diffendorf said he is fine with either program as long as all the training classes can be completed.

Councilman Diffendorf and John Finch inquired how employees will complete the classes if they don't have access to email or phones. John Finch also asked about having a group setting so his department can complete the training all at once.

Councilman Weingartner said it does not work that way and it has to be done individually. Each employee will need to get an individual email account and then complete the training class on a Town computer if they don't have access to do it any other way. Once each employee finishes the class a report verifying the information is sent to the administrator, which will be Councilman Weingartner.

Councilwoman Legg said it is very simple to set up a gmail account for each employee to use for these situations. The program is easy to follow and not as difficult as it sounds. Supervisor Grubham said it will be talked about again next week after a few more questions have been answered.

**5. Discussion – Increase – Sewer Rents Local Law – Schedule a Public Hearing.
(LCG)**

In the District - \$7.25 to \$7.56

Outside the District - \$8.45 to \$8.95

Absence of Meter - \$133.00 to \$153.00

Supervisor Grubham referred to handouts related to the proposed 2022 Water & Sewer budgets and asked if there were any particular questions. He asked Jim Smith to comment on the proposed changes.

Jim Smith pointed out that Supervisor Grubham was correct about the Binghamton-Johnson City Joint Sewage Treatment cost for 2022 as included in the material as being essentially an "educated guess". There was no provisional rate provided by BJCJSTP for 2022 nor any unofficial estimate from any staff. There was indication that reported flows expected to be impacted by change in attendance patterns at Binghamton University due to COVID-19 disruption. The message was basically that as the various municipalities share the cost burden for treatment, reductions of flow from one or more jurisdictions can alter the fractional calculations which causes a ripple of higher costs to other users in the system.

TOWN OF KIRKWOOD WORK SESSION

November 30, 2021

The 2022 sewer budget estimated \$2.3 million of costs accordingly versus \$2.0 million for 2021 which will be re-visited next year when BJCJSTP completes their accounting of actual costs and flows versus those utilized in the provision billing for 2021.

Jim Smith further pointed out that despite the Town raising sewer rent rates again on January 1, 2022 the proposed \$7.56 per 100 cubic foot rate is still less than the \$7.7902 we are currently being charged. As the Town utilizes sewer rent fund balance to cover the difference, we will need to eventually have more direct parity with rates being charged. The Town targets roughly six months of sewer rent reserves since we pay their quarterly provisional bills at generally the beginning of each calendar quarter while we bill our Town customers in arrears for every four months ending April 30, August 31, and December 31.

The non-metered customers also pay at increased levels and average daily gallon usage is considered based on data provided by BJCJSTP.

Councilman Shafer commented that BJCJSTP should be mandated to have rates available by budget time. He praised Jim Smith for the good work he did on this.

Resolution.

A public hearing will be held at the December 28, 2021 work session.

Discussion - TCMF. Supervisor Grubham mentioned that the Binghamton Johnson City Sewer Board approved the installation of a sewer meter for Triple Cities Metal Finishing. It's the fair way to do it. In the end it will cut their bill down some but in turn it will raise the cost for others.

6. Discussion – Pump Replacement at Main Sewer Station. (JAF)

John Finch requested to buy a new pump for \$11,390 from Pump Service and Supply of Troy, Inc. instead of getting an old pump repaired for \$5,254. He'd like to purchase this new pump under the ARPA stimulus package (not the sewer budget) and have it as a spare since the pumps in use are approximately 15 years old. Eventually John Finch wants to replace all the old pumps. He did inquire with Pump Service and Supply asking if the old pumps had any value, they need to be evaluated and will be in touch. If they can't be sold back to the company then the current pumps will be used until they die

**TOWN OF KIRKWOOD
WORK SESSION**

November 30, 2021

and be replaced at that time. There was a discussion on whether the new pump should be kept as a spare or if it should replace one of the old ones and have the older pump be a spare. The Board will think about it and make a decision next week.

Supervisor Grubham explained there was time to make some decisions on how to spend the stimulus money. The money doesn't have to be completely spent for another two or three years. The total is \$561,947 and we received half of it in August and the rest will come next August. **Resolution.**

7. Discussion – 2022 Agreement for the Expenditure of Highway Moneys. (JAF)

John Finch discussed the four roads he would like to repair in 2022 using the expenditure of highway money. These roads include: Frances Street from Crescent Drive to Harry L Drive, Krager Road to Bevier Street, Popes Ravine from Hiner Road to Krager Road, and lastly Link Drive from Corporate Drive to the turn around. This is all tentative and based on a possible \$200,000 the Town hopefully receives from CHIPS, Pave NY, and winter recovery. John Finch also received a quote of \$34,000 to do the bottom half of Ostrum Road from Route 11 to Colton Avenue, which was not included in the expenditure of highway moneys.

Through the end of August \$155,000 of the CHIPS money has been used this year. Quilty Hill Road and North Sunset Drive will be oiled and stoned for approximately \$30,000 as well, which adds to that total. There is about \$20,000 left over from last year's CHIPS money to help with these projects.

John Finch explained there could be changes depending on oil prices next year. He noted that Krager Road and Springer Road are the two worst roads in the Town right now, with Ostrum Road a close third. Supervisor Grubham reiterated that the oil prices this spring will determine what can and can't be done. **Resolution.**

8. Transfer of Funds.

9. Audit of Claims.

Councilwoman Katie Legg invited everyone to come out this Saturday to the Kirkwood Hometown Christmas.