

**TOWN OF KIRKWOOD
TOWN BOARD MEETING**

December 7, 2021

A regular meeting of the Kirkwood Town Board was held on December 7, 2021 at 6 PM at the Joseph A. Griffin Town Hall with Supervisor Lewis Grubham presiding.

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:

APPROVAL OF MINUTES: November 1, 2021 Town Board Meeting and
(2) November 30, 2021 Public Hearings

PUBLIC PARTICIPATION: Marchie Diffendorf said he would like to recognize the Hometown Christmas Committee, especially Councilwoman Legg and Sandy Wasson. It was well attended, very organized, and just had a tremendous turnout. Councilwoman Legg thanked John Finch and his people as well. Supervisor Grubham thanked everyone involved, it was a great day with a big crowd. Marchie Diffendorf's barrel train was running nonstop. Councilwoman Legg said Kirkwood has the best Santa. It was noted the line was long, all the way to the bridge to get in the Fire Station.

COMMUNICATIONS: None

COMMITTEE REPORTS:

Health Safety Risk Assessment.

Councilman Diffendorf reported that PERMA recently conducted a Health Safety Risk Assessment. The Town did very well. The Highway Department was excellent with only a few minor issues. The most important item that needs to be corrected is the MSDS (Material Safety Data Sheets) program. All the new paperwork needs to be changed to Safety Data Sheets, removing the word Material. A few other things mentioned were the stairs needed a load rating on them, the first aid kit had expired items, a lightbulb by one of the Exit signs, and the eye wash station needs to be used once a week to keep it dust free. John Finch said all of these items had been taken care of except the Safety Data Sheets. Councilman Diffendorf commended John Finch on a job well done.

Lighting on Bridge Street.

Councilman Diffendorf explained that a line of lights were out on Bridge Street but that has been resolved. He also mentioned the LED street lights throughout the Town are working well and not burning out as often as the other lights did.

Dog Control Report.

Councilwoman Legg reported numbers from the November Dog Control Report. A copy is filed in the Town Clerk's office.

Workplace Training Program.

Councilman Weingartner announced that the learning management system that was discussed at the last meeting will cost \$750 annually.

PERMA Renewal

Councilman Weingartner stated we should be getting our PERMA renewal, which is the second year of a two year contract.

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Meter Installation.

John Finch reported 263 meters have been installed with 25 of them being 1 inch meters. A new order of 300 meters was also received.

City Line Booster Station.

John Finch also reported the City Line Booster Station is being torn out now so it is ready when all the parts come in. The 6-inch check valves have not arrived yet.

OLD BUSINESS:

138:21
Adopt 2022
Water and
Sewer Districts
Budget

Councilman Diffendorf moved to adopt resolution, after a Public Hearing, adopting the 2022 Budget for the Sewer and Water Districts. Councilman Shafer seconded.

Roll Call Vote: Councilman Diffendorf - yes
 Councilman Shafer - yes
 Councilwoman Legg - yes
 Councilman Weingartner - yes
 Supervisor Grubham - yes

MOTION CARRIED.

139:21
Adopt 2022
Fire Protection
Contracts

Councilman Shafer moved to adopt resolution, after a Public Hearing, authorizing the Supervisor to execute the Fire Protection Contracts for 2022. Councilwoman Legg seconded.

Roll Call Vote: Councilman Diffendorf - yes
 Councilman Shafer - yes
 Councilwoman Legg - yes
 Councilman Weingartner - yes
 Supervisor Grubham - yes

MOTION CARRIED.

140:21
Schedule PH
LL #1 of 2022
Prohibit
Smoking

Councilwoman Legg moved to adopt resolution scheduling a Public Hearing for December 28, 2021 at 6:00 PM regarding a proposed Local Law prohibiting smoking on all town-owned properties. Councilman Weingartner seconded.

Roll Call Vote: Councilman Diffendorf - yes
 Councilman Shafer - yes
 Councilwoman Legg - yes
 Councilman Weingartner - yes
 Supervisor Grubham - yes

MOTION CARRIED

141:21
Hire
C.Preston
PT Clerk
Code

Councilman Weingartner moved to adopt resolution hiring Carol Preston as Clerk PT in the Building & Code Department effective December 21, 2021 at a rate of pay of \$16.50 per hour, 19.5 hours per week. Councilman Diffendorf seconded.

Discussion. Councilman Shafer said he will vote for the new hire but he is not happy with it since that person does not live in the Town of Kirkwood. He believes the Town should hire from Kirkwood since the salary is being paid by the residents of Kirkwood. Supervisor Grubham said only one person from Kirkwood applied for the job. If anyone from Kirkwood applies and they are equal or better than another candidate then that is the person hired. If the Kirkwood applicant does not have the best qualifications then a candidate from another town can be hired. Supervisor Grubham reiterated how important qualifications are when hiring new employees.

Roll Call Vote: Councilman Diffendorf - yes
 Councilman Shafer - yes
 Councilwoman Legg - yes
 Councilman Weingartner - yes
 Supervisor Grubham - yes

MOTION CARRIED.

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Councilman Diffendorf moved to adopt resolution scheduling a Public Hearing for December 28, 2021 at 6:03 PM regarding the proposed amendment to a Local Law Amending the Sewer Rents. Councilman Shafer seconded.

142:21
Schedule PH
LL #2 of 2022
Amend Sewer
Rents

Roll Call Vote: Councilman Diffendorf - yes
 Councilman Shafer - yes
 Councilwoman Legg - yes
 Councilman Weingartner - yes
 Supervisor Grubham - yes

MOTION CARRIED.

Councilman Shafer moved to adopt resolution authorizing the purchase of a new electric submersible pump from Pump Service and Supply of Troy, Inc., at a cost not to exceed \$11,390.00, in accordance with the attached quote. Councilwoman Legg seconded.

143:21
Purchase
Sub Pump
W&S

Discussion. After a short discussion it was decided that the new pump will be put into service and used right away rather than holding it as a spare. John Finch hopes all four pumps will be replaced over the two to three years.

Roll Call Vote: Councilman Diffendorf - yes
 Councilman Shafer - yes
 Councilwoman Legg - yes
 Councilman Weingartner - yes
 Supervisor Grubham - yes

MOTION CARRIED.

Councilwoman Legg moved to adopt resolution authorizing the Highway Superintendent to enter into an agreement with the Town Board regarding the Expenditure of Highway Moneys, in accordance with the attached agreement. Councilman Weingartner seconded.

144:21
Agreement
Expenditure of
Highway
Moneys
DPW

Roll Call Vote: Councilman Diffendorf - yes
 Councilman Shafer - yes
 Councilwoman Legg - yes
 Councilman Weingartner - yes
 Supervisor Grubham - yes

MOTION CARRIED.

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

145:21
Transfer of
Funds

Roll Call Vote: Councilman Diffendorf - yes
 Councilman Shafer - yes
 Councilwoman Legg - yes
 Councilman Weingartner - yes
 Supervisor Grubham - yes

MOTION CARRIED.

OTHER:

Discussion – Water Meters.

Supervisor Grubham explained a few business owners are not happy that they are charged around \$1,100 for their meters and homeowners are not being charged. John Finch explained that one inch and below are covered by the Town, which does include some small businesses. Anything over one inch is not covered. Supervisor Grubham suggested the cost of the larger meters be spread out over two years (at each billing period) so the business is not getting hit with the expense all at once. It could be helpful to the businesses that have been struggling. Councilman Weingartner mentioned giving the businesses a discount by deducting the cost of a smaller meter from the cost of the larger meter. John Finch asked where the meter money would come from, since it won't be paid back for a year or two. Supervisor Grubham explained the total cost of a meter would be divided by 6 and then spread out over the next two years each time a payment is due on their water bill (which is every four months, three times a year). John Finch questioned if it was possible to add something like to the bills through Edmunds. It will have to be looked in to. Mr. McKertich questioned how it would work if the property was sold before the meter was paid off. Would that lien be a lien on the property, and the buyer would take over the payment. Supervisor Grubham thought that seemed appropriate. The Board will bring this topic up for discussion again in the near future once some of these questions get answered.

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AUDIT AND PAYMENT OF CLAIMS:

Councilman 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 # 21001478 through # 21001630 in the total amount of \$ 388,027.49, which includes prepaid claims as authorized by resolution adopted January 5, 2021. Councilman Shafer seconded.

Roll Call Vote:	Councilman Diffendorf	- yes
	Councilman Shafer	- yes
	Councilwoman Legg	- yes
	Councilman Weingartner	- yes
	Supervisor Grubham	- yes

MOTION CARRIED.

OTHER:

Councilman Diffendorf moved to adopt resolution to go into executive session under Public Officers Law section 105(1)(f) to discuss matters leading to the employment of a particular person. Councilman Shafer seconded.

Roll Call Vote:	Councilman Diffendorf	- yes
	Councilman Shafer	- yes
	Councilwoman Legg	- yes
	Councilman Weingartner	- yes
	Supervisor Grubham	- yes

MOTION CARRIED.

ADJOURNMENT:

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

MOTION CARRIED.

Meeting adjourned at 6:47 PM

Respectfully submitted,

Kelley M. Diffendorf
Town Clerk

146:21
Audit/Pay

147:21
Ex Session