

**TOWN OF KIRKWOOD
TOWN BOARD MEETING**

May 5, 2026

A regular meeting of the Kirkwood Town Board was held on May 5, 2026 at 6 PM at the Joseph A. Griffin Town Hall with Supervisor Lewis Grubham presiding.

Present: Supervisor Lewis Grubham
Councilmember Marc Latini
Councilmember Katie Legg
Councilmember Sandy Wasson

Also Present: Robert McKertich, Attorney
Kelley Diffendorf, Town Clerk
Poe Williams, Highway Superintendent
Karen Ferguson, Historian

PLEDGE OF ALLEGIANCE:

APPROVAL OF MINUTES: April 7, 2026, 2026 Town Board Meeting and April 28, 2026 Public Hearing

PUBLIC PARTICIPATION:

Mike Cermak of Zimmer Road expressed his concern about the excessive speed that cars are driving down Zimmer Road towards the hairpin turn near Maple Drive. Supervisor Grubham explained that the Town has applied with the State to lower the speed limit on Zimmer Road. The Town Board passed a resolution to request a speed limit study and was required to send a letter to the Broome County Highway Department to get the process started, which has been completed. Broome County has sent a letter to New York State and New York State will conduct the speed limit study. New York State gets to decide whether the speed limit can be changed or not, they determine the speed limit on all the roads in the Town or County. If it's approved, within a week the Town will have new signs installed. Hopefully, the Sheriff's Department and State Trooper's will patrol the road and make people slow down.

Ken Smith of Zimmer Road noticed a sign on Place Road that also has a hairpin turn with a 20 mph sign designated to it, he thinks if the State can do it on Place Road it should be able to be done on Zimmer Road as well. He is concerned that someone is going to get hurt because people are trying to overcompensate for the turn when they are driving too fast. He claims it is a weekly occurrence of problems. Supervisor Grubham agreed it is a bad turn and understands and is hopeful the State will agree to reduce the speed limit.

Christopher Kenderish of Zimmer Road suggested asking for a stop sign at the turn near Maple Drive instead of a speed reduction. He felt that reducing the speed would not be effective for the people that are already disregarding the limits as it is. He noted he hears tires screeching on a regular basis and must keep his children 50 feet away from the road in his own yard. Supervisor Grubham will look into the stop sign request once the speed limit study is completed.

Kevin Reynolds of Maple Drive addressed the Board about an issue with Chad Moran, Code Enforcement Officer, and having to go to an engineer to get permission to use NYS plumbing code. He also addressed a texting issue with Chad Moran regarding his Foley Road property, that he felt was retaliatory with malicious intent. Kevin Reynolds was under the impression everything was all good with the Foley Road property. Supervisor Grubham explained that Foley Road is still an issue, there is still no Certificate of Occupancy (CO). Just because the assessor was able to start taxing the Foley Road property (since it is 90% complete) does not mean that a CO is not needed, this has been an ongoing issue for three months. Kevin Reynolds questioned a letter he received about not being allowed to work within his permit. Supervisor Grubham responded, because you have people living there and you can't have people living there without a CO. Kevin Reynolds asked what the NYS tenant's laws were. Mr. McKertich clarified that Kevin Reynolds was talking about two different things and explained as long as you are working within the permit you can do the work, the problem is, you have someone residing in the

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property that doesn't have a CO. That's a violation of the law. That's the enforcement action and that is what needs to be remedied so that we don't have to end up in court. We are headed down that road just so you understand. Kevin Reynolds then asked about having an Executive Session with the Board members. Mr. McKertich said, this is a Town Board, they don't have purview of enforcing either the Zoning Code or the NYS Uniform Code, that is in the purview of the code enforcement officer. These four individuals on the Town Board don't have the authority to overrule the determination that Chad Moran made. Kevin Reynolds said he understands but he feels that Chad is working outside his jurisdiction and making it personal. Kevin Reynolds claims it is costing him money to get an engineer to say what the code says is ok because Chad is unwilling to supply town codes. Kevin Reynolds also doesn't understand why Chad can't tell him what code he is in violation of when Chad claims there is a violation. Kevin Reynolds asked if Chad has to accept plans from an engineer even if Chad disagrees with them. Mr. McKertich explained that Chad Moran still makes the determination, but he can consider an opinion from an engineer or a report from an engineer when he makes his final determination. Supervisor Grubham noted that Chad Moran has done this (accepted Kevin's engineer's report) regarding the drainage from Kevin Reynold's garage on Maple Drive. Originally, it was Chad Moran's opinion that Kevin Reynolds was not following code and that is why Kevin Reynolds was asked to get an engineer. Since Kevin Reynolds went ahead and completed the job without code approval, he needed a report from an engineer that would sign off saying it met code requirements, which was done. Kevin Reynolds said he wants to avoid going to court and would like to meet with Supervisor Grubham. As a reminder, Supervisor Grubham explained it's not up to the Supervisor or the Town Board to review the code, it's up to Chad Moran. Supervisor Grubham told Kevin Reynolds he can go to the NYS Code Department to find out if Chad Moran is enforcing the code for his house correctly. Kevin Reynolds said I want this Board to know how unfairly Chad Moran has been treating me. Supervisor Grubham responded, there are six or seven other houses going up in Kirkwood and the only one that has been a problem is yours (Kevin Reynold's). Kevin Reynolds believes that is because he will not bow down to Chad Moran. Supervisor Grubham confirmed that right now Kevin Reynolds has his engineer's report and he can proceed with his floor drains, so the problem is now solved. Kevin Reynolds suggested that something will happen again with Chad Moran and code issues. Supervisor Grubham responded, you don't know what will happen again but now you are looking for trouble. That is not what we want here. Kevin Reynolds wants to know if Chad Moran is required to provide a code if asked for it. Chad Moran stated that when Kevin Reynolds and I spoke I told him he can come in anytime he wants and I'll give him 30 minutes to look at the code book and find what he needs.

Kevin Reynolds circled back to the Foley Road property and mentioned that Foley Road hasn't been an issue for three months until Kevin Reynolds sent Chad Moran a text today, now all of the sudden it's an issue. Supervisor Grubham reiterated that Foley Road was an issue three months ago and we thought you were going to correct it, and you apparently did not. Kevin explained that he can't finish Maple Drive and Foley Road at the same time, it is impossible. Supervisor Grubham suggested he finish the Foley Road property since people are living in it without a CO, you are not supposed to have people in there. Kevin Reynolds said he is fine with Chad Moran coming to do an inspection at the Foley Road property. Kevin Reynolds then questioned why other town members have to come with Chad Moran when he is inspecting his property, such as John Mastronardi. Supervisor Grubham explained that John Mastronardi is our Town Engineer and he is allowed to be there with Chad and give advice. Kevin Reynolds explained that he knew nothing about the inspection and wants communication. Kevin Reynolds stated he doesn't want the Town Engineer on his property. Supervisor Grubham questioned his motives. Kevin Reynolds questioned how he would go about not letting town members on his property upon his permission. Mr. McKertich responded, if you don't want the town members to go on your property you would have to tell us that ahead of time. If Chad Moran is coming to your property to conduct an inspection and you don't want him to do that you would have to tell him that you don't want him on the property. Now, that is going to force the Town to get a search warrant to get court permission and it's going to delay you getting your work done because you are not going to be able to do your work if you don't let Chad in to inspect it. You will be working against yourself by doing that. Kevin Reynolds stated, I'm looking

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for communication, and there is lack of it. Chad Moran commented that he will bring a third party with him at times so there are no issues and there is someone there to verify the communication that is happening. Supervisor Grubham confirmed that Kevin Reynolds said he was fine letting Chad Moran on the property with a third party if Chad Moran let him know ahead of time.

Mr. McKertich asked Chad Moran if the floor drain issue on Maple Drive was resolved. Chad Moran stated, I'm trying to protect the Town, the way he was going to have it designed it was going to be in proximity to the creek which then goes to the river. With all that being said, that is how I interpreted the code, I don't know if the gentleman he hired went through all that, but the Town is now absolved from any responsibility because his engineer signed off on it. As far as I'm concerned, it is put to bed. Mr. McKertich stated that we are moving past this issue (Maple Drive drainage) and instructed Kevin Reynolds to focus his attention on the Foley Road property and you can't have someone living there until the CO is issued. Kevin Reynolds asked why can't I, and Mr. McKertich reiterated again, it's against the law. Kevin Reynolds said I can't just kick tenants out. Mr. McKertich told Kevin Reynolds that is going to be your problem. Kevin Reynolds responded, I understand and that's fine.

COMMUNICATIONS: None.

COMMITTEE REPORTS:

Community Cleanup Day.

Councilmember Wasson conveyed there was another successful Community Cleanup Day with many helping hands including the Girl Scouts.

Dog Control Report.

Councilmember Legg reported numbers from the April 2026 Dog Control Report. A copy is filed in the Town Clerk's office.

Youth and Recreation Report.

Councilmember Latini reported that spring sports are well underway and games are just beginning. The Binghamton Umpires Association is struggling to supply umpires for the youth games so the Town is looking for high school kids that may want to step in and umpire games. A full report is on file in the Town Clerk's office for review.

Historian's Report.

Karen Ferguon reminded everyone about a few things that are going on around the Town in the coming weeks. Doug's Fish Fry will be at Schnieder's Market to fundraise for the Kirkwood America 250 celebration on Wednesday, May 6th. The National Day of Prayer is Thursday, May 7th at 6 PM at Veterans River Park. On Tuesday, May 12th the Historical Society is hosting the Daughters of the American Revolution on a special presentation to teach people how to trace their family heritage. Karen will be giving a schoolhouse tour on Wednesday, May 13th. Lastly, the Patriot Burial Marker for Layton Cemetery is planned for Saturday, June 13th.

Hydrant Permits.

Supervisor Grubham clarified how hydrant permits work after a comment during the public hearing last week. The hydrants do not generate potable water, getting potable water from a hydrant is just not allowed. The hydrant permits cost \$50 for a connection fee plus \$10 for a processing fee. Last year 13 hydrant permits were issued, and they were all used to fill swimming pools, although Supervisor Grubham questioned if that was enough money to charge for the permits, Al Glover, Water Crew Chief, thought it was plenty based on the amount of water that is used. If a construction company was getting a permit, it is a completely different rate, much more expensive and metered.

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OLD BUSINESS:

66:26
Adopt
LL#2
Amend
Water Rates

Councilmember Wasson moved to adopt resolution, after a Public Hearing, adopting Local Law No. 2-2026 entitled A Local Law Amending the Water Rates, in accordance with the attached resolution. Councilmember Legg seconded.

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

MOTION CARRIED.

67:26
Combine
Mtg Dates
July 7, 2026

Councilmember Legg moved to adopt resolution combining the June 30, 2026 Work Session and the July 7, 2026 Town Board Meeting into one night to be held July 7, 2026. Councilmember Latini seconded.

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

MOTION CARRIED.

68:26
Combine
Mtg Dates
Aug 4,2026

Councilmember Latini moved to adopt resolution combining the July 28, 2026 Work Session and the August 4, 2026 Town Board Meeting into one night to be held August 4, 2026. Councilmember Wasson seconded.

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

MOTION CARRIED.

69:26
Combine
Mtg Dates
Sept 1, 2026

Councilmember Wasson moved to adopt resolution combining the August 25, 2026 Work Session and the September 1, 2026 Town Board Meeting into one night to be held September 1, 2026. Councilmember Legg seconded.

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

MOTION CARRIED.

70:26
Reschedule
Mtg Date to
Nov 2, 2026
Due To Election
Day

Councilmember Legg moved to adopt resolution rescheduling the November 3, 2026 Town Board Meeting to November 2, 2026 due to Election Day. Councilmember Latini seconded.

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

MOTION CARRIED.

71:26
Schedule
Special
TB Mtg
Dec 29, 2026

Councilmember Latini moved to adopt resolution scheduling a Special Town Board Meeting for December 29, 2026, after the Work Session, for the purpose of auditing year end bills and any other business that may come before the Board. Councilmember Wasson seconded.

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

MOTION CARRIED.

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Councilmember Wasson moved to adopt resolution scheduling a Grievance Day Hearing for the 2027 Unit Assessments for June 2, 2026 at 6 PM. Councilmember Legg seconded.

72:26
Schedule
Grievance Day
2027 Unit
Assessments

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

MOTION CARRIED.

Councilmember Legg moved to adopt resolution scheduling a Public Hearing for May 26, 2026 at 6 PM regarding A Local Law Amending the Fee for Water Service Installations. Councilmember Latini seconded.

73:26
Schedule PH
LL#3
Amend Fee
Water Service
Installation

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

MOTION CARRIED.

Councilmember Latini moved to adopt resolution authorizing the purchase and installation of two (2) rooftop heating and air conditioning units from Air Temp Heating & Air Conditioning, Inc., at a cost not to exceed \$29,885, in accordance with the attached proposal. Councilmember Wasson seconded.

74:26
Purchase &
Installation
Heat/Air Units
Town Hall

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

MOTION CARRIED.

Councilmember Wasson moved to adopt resolution authorizing Fruehan & Son's, LLC to perform roof repairs to the Code Building, at a cost not to exceed \$14,500, in accordance with the attached quote. Councilmember Legg seconded.

75:26
Authorize
Roof Repairs
Code Bldg

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

MOTION CARRIED.

Councilmember Legg moved to adopt resolution increasing the Petty Cash for the Building & Code Inspector from \$100 to \$200, pursuant to Town Law Section 64, paragraph 1(a). Councilmember Latini seconded.

76:26
Increase
Petty Cash
Code Dept

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

MOTION CARRIED.

Councilmember Latini moved to adopt resolution authorizing an additional \$35 in Petty Cash for the Bookkeeper, pursuant to Town Law Section 64, Paragraph 1(a). Councilmember Wasson seconded.

77:26
Increase
Petty Cash
Bookkeeper

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

MOTION CARRIED.

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78:26
Pave Walkway
at VR Park

Councilmember Wasson moved to adopt resolution authorizing Hamm & Son Constructors to pave the walkway at Veterans River Park from the parking lot by Pavilion #1 to the all-inclusive playground, at a cost not to exceed \$14,800, in accordance with the attached quote. Councilmember Legg seconded.

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

MOTION CARRIED.

NEW BUSINESS:

79:26
Authorize
Legal Action
J.Gilkeson
360 Trim St
Code Violations

Councilmember Legg moved to adopt resolution authorizing legal action by the Town of Kirkwood against James Gilkeson for certain code violations at 360 Trim Street.

Councilmember Latini seconded.

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

MOTION CARRIED.

AUDIT AND PAYMENT OF CLAIMS:

80:26
Audit/Pay

Councilmember Latini 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 claim #26000432 through #26000552 the total amount of \$919,696.36 which includes prepaid claims as authorized by resolution adopted January 6, 2026. Councilmember Wasson seconded.

Roll Call Vote:	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 Wasson seconded. All voted in favor.

MOTION CARRIED.

Meeting adjourned at 6:36 PM

Respectfully submitted,

Kelley M. Diffendorf
Town Clerk