

**TOWN OF KIRKWOOD
TOWN BOARD MEETING**

October 7, 2025

A regular meeting of the Kirkwood Town Board was held on October 7, 2025 at 6 PM at the Joseph A. Griffin Town Hall with Supervisor Lewis Grubham presiding.

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

Absent: Poe Williams, Highway Superintendent
Karen Ferguson, Historian

PLEDGE OF ALLEGIANCE:

APPROVAL OF MINUTES: September 2, 2025 Town Board Meeting,
(2) September 2, 2025 Public Hearings, and (3) September 30, 2025 Public Hearings

PUBLIC PARTICIPATION:

Becky Angello of Langdon Park Drive asked if she could get an update on the status of the Maple Drive property. Supervisor Grubham explained there currently is a stop work order on the project until the engineers decide what needs to happen. Chad Moran, Code Enforcement Officer, reported the property owner hired an engineer and has submitted a SWPPP (Stormwater Pollution Prevention Plan) and that is getting reviewed by John Mastronardi, the Town engineer now. Once John Mastronardi gives the ok, things can move ahead with the building, and weekly SWPPP inspections will be conducted to make sure the ground is stabilized and no further erosion will occur. Chad Moran explained that this is a local issue, and the DEC is not involved because it is not over five acres. Only 4 ¼ acres are being disturbed with a single-family home so a basic SWPPP is all that is required. Becky Angello expressed the property is a lovely place to build a home, as long as there isn't anymore erosion of Langdon Creek because it's an unstable bed. Chad Moran noted he will follow the project until the disturbed soil is stabilized, and the engineer is satisfied with the outcome. He also noted the Town doesn't have anything to do with the creek. Lastly, Becky Angello inquired about a retention pond, and Chad Moran didn't believe that would come into play since the disturbed property was under five acres, but he explained that would be something the engineer would decide.

Nick Dadamio (Nicole Woodruff was present but did not speak), proud owners of Woody's Tavern for seven years, of 14 Grossett Drive spoke to the Board about the ways their business impacts the Kirkwood community. He noted items such as providing jobs, supporting other small businesses, hosting events for local families, and participating in Trunk or Treat at Halloween, Back to School Bash, Hometown Christmas, and Kirkwood Town Fair/Community Day, as well as supporting many other fundraisers and local events. Nick Dadamio said, we take great pride in what we bring to Kirkwood. Nick Dadamio explained that the problem began in September 2023 when they renewed their lease and the property was in visible decline but there were no viable options to relocate. The rent was increased by 34% with an understanding the landlord would make certain repairs and upgrades to the property as part of the new lease. Since signing the lease, Nick Dadamio and Nicole Woodruff have continued to pay rent but the property has only worsened and not a single repair or upgrade has been completed. Nick Dadamio listed a few of the many problems they are dealing with at Woody's Tavern, the public restrooms are unsafe, snow removal is not maintained, exterior maintenance is overgrown and insect ridden, the HVAC system is outdated and a fire hazard, the roof and gutters were not updated as promised and leak or the gutters are missing, the electrical system is outdated causing the breakers to trip, and the building has exposed wires and outlets which is a fire hazard. Nick Dadamio noted they have been cited repeatedly by the Town of Kirkwood, Action Fire and Safety, and Broome County Health Department and despite all of these citations and

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countless conversations with the landlord nothing has been addressed. Kirkwood risks losing a business if the landlord is not held accountable to the same standards that every other property owner is held to. Nick Dadamio requested the Town of Kirkwood take a closer look at what is happening at 14 Grossett Drive to see firsthand the condition of the building and the property. He expressed that if this property was located along Route 11 with road frontage these issues would have been dealt with a long time ago. He asked everyone to stop by and check out the place. He said, we love Kirkwood, and we love being part of the community and we want to continue to do so in a safe, clean, properly maintained environment. He thanked the Board for their time.

Supervisor Grubham responded to Nick Dadamio, stating that the Town appreciates his business, is happy to have them here and hopes they are able to stay. He continued, the problem sounds like it is an issue between the landlord and tenant. Mr. McKertich explained if there are code violations on the property the Code Enforcement Officer can address those violations. Any dispute between the tenant and the landlord/property owner is a contractual dispute and the Town Board can't decide that, only a court of law can make that decision. Councilmember Legg asked if there were any current outstanding code violations against that property owner and Chad Moran mentioned a few violations that he is waiting to hear back on. If he doesn't hear back from the property owner, he will check in with him. But it is hard with a commercial business, trying to get the landlord or tenant to fix the problem. If the problem doesn't get fixed a stop work order could happen. Supervisor Grubham explained the only thing that can be done by the Town is to stay on top of the landlord to address the code violations, which will happen, and he will personally check into it as well.

Kevin Reynolds of Maple Drive approached the Board looking for a resolution to the stop work order on his property so he can move forward and start working on his project. He believes he has done his due diligence regarding the SWPPP and with bad weather coming and a stipulation from the bank on a start date he needs answers as to why he can't start the work. He has tried to reach John Mastronardi, who Kevin Reynolds claims has had the SWPPP for two weeks, to find out why the stop work is still in place. He wants clarification on the violation that caused the stop work order. Supervisor Grubham explained that John Mastronardi needs to review the SWPPP and he is the one that can direct Chad Moran to lift the stop work order. Supervisor Grubham explained that John Mastronardi works for the Town, and he will call him in the morning and see where he is with the review. Chad Moran reiterated to Kevin Reynolds that Keystone Engineering (Kevin Reynold's engineer) completed the SWPPP and now John Mastronardi must review it, and once he gives the ok, the stop work order can be lifted.

Councilmember Legg asked Kevin Reynolds to explain himself further. Kevin Reynolds stated he started clearing the land and after two weeks a stop work order was put in place, so he had an engineer come in with a proposed plan to stabilize the ground. He was able to work again, so Kevin Reynolds was trying to remedy the situation and started grinding up stumps and then another stop work order was put in place. He is unsure of what happened and where he went wrong, and it is holding up progress. He insinuated he doesn't need a building permit to put in a driveway, electric, and do some site grading. He is concerned about losing another nice weekend of work. He is looking for advice and what the violation is, so he knows where he messed up and how to fix it. According to the SWPPP, it says to use the sticks on the ground and the stumps as stabilization and then put seed down, fertilize it, and then put lime down which is all done. Keystone completed an inspection last week and it all looked good except for a couple of areas that needed more stabilization, so more mulch is coming in. But with the stop work order that can't get that done yet. Kevin Reynolds does not want any problems; he wants to remedy all issues within reason. Since many of the neighbors seem to have a problem with the property, Kevin Reynolds was hoping John Mastronardi could make reviewing the SWPPP a priority. Once again, Supervisor Grubham reminded Kevin Reynolds he will call John Mastronardi.

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Councilmember Legg asked Chad Moran to explain the violation further. Chad Moran explained the original stop work order had been lifted and then Kevin Reynolds misinterpreted or misunderstood the agreement. He was supposed to take a machine and mulch up the 100-foot-long pile of roots and spread that out with grass seed. Not bring in a drum roller and eradicate the roots in the ground. So that is when the second stop work order was initiated. The SWPPP had to get revised because he did all that extra disturbance of the ground. Kevin Reynolds claimed the SWPPP did not say that. Chad Moran alleged Keystone revised the SWPPP to cover for Kevin Reynolds mistake. Kevin Reynolds requested to see the original SWPPP the Town of Kirkwood has on file, because he does not believe there is a second SWPPP. Supervisor Grubham explained that there is no way any of this can be answered tonight without talking to John Mastronardi and John will make the decision on the stop work order. Chad is not the one making the decision on the stop work order.

Mr. McKertich explained that in the Town of Kirkwood there is a stormwater management and erosion control law that has been in effect for almost 20 years. That law states that if someone disturbs an acre or more of land, conducting land development activity, then they need to submit a stormwater management plan to ensure that the effects of your land development activity don't impact the neighbors and the environment. That needs to be submitted before any work is done. In this case, work was started, and it was determined by the Code Officer that Kevin Reynolds did not submit the SWPPP and it was needed because more than an acre was being disturbed. So, Chad Moran imposed a stop work order, which is a standard practice when the Code Officer sees someone violating the law. The stop work order preserves the status quo and provides time for an applicant to get in compliance with the law, which is where the case stands right now. The SWPPP was submitted by Kevin Reynolds, and it will be reviewed by the Town engineer. Once it is determined the SWPPP is accurate and in compliance with the law and protecting the neighbor's properties the stop work order at that point can be lifted and Kevin Reynolds can proceed with his activities. But until the Town hears back from the engineer the stop work order cannot be lifted. The first stop work order was lifted as a temporary lift for Kevin Reynolds to conduct essential activities to stabilize the situation and then to reissue the stop work order. Chad Moran was forced to lift the first stop work order because Kevin Reynolds started the work without abiding by the law in the first place. The situation needed to be remedied in the interim. Kevin Reynolds asked how the total area that was disturbed on the property was measured. Chad Moran measured it using the Broome County GIS mapping portal and noted it was approximately 160,000 sq. ft. (over three acres). Kevin Reynolds did not agree with that information and claimed it was less an acre. Chad Moran noted for the record that he had initial conversations with Kevin Reynolds to be careful what he does with anything over an acre. And he now has pictures that clearly show disturbed property of over an acre.

Kevin Reynolds stated he hoped there would be no repercussions from coming to the meeting. Supervisor Grubham assured him there would be none, he is entitled to come to the meeting and speak.

COMMUNICATIONS: None.

COMMITTEE REPORTS:

Dog Control Report.

Councilmember Legg reported numbers from the September 2025 Dog Control Report. A copy is filed in the Town Clerk's office.

Youth Sports Recreation Report.

Councilmember Latini reported that soccer season is well underway, and winter basketball registration has begun. The Halloween festivities flyer has been drafted, and the logistics are still being coordinated. The full report is on file in the Town Clerk's office for review.

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OLD BUSINESS:

140:25
Adopt LL#9
Temp
Moratorium
Solar Systems

Councilmember Diffendorf moved to adopt resolution, after a Public Hearing, adopting Local Law No. 9-2025 entitled A Local Law affecting a Temporary Moratorium within the Town of Kirkwood on the Development and Construction of Solar Energy Systems, in accordance with the attached resolution. Councilmember Wasson seconded.

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

MOTION CARRIED.

141:25
Adopt LL#10
Amend ZBA
Meeting Dates

Councilmember Wasson moved to adopt resolution, after a Public Hearing, adopting Local Law No. 10-2025 entitled A Local Law amending Article XV, Section 1501.3.A.1 of the Zoning Code regarding Zoning Board Meeting Dates, in accordance with the attached resolution. Councilmember Legg seconded.

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

MOTION CARRIED.

142:25
Adopt LL#11
Amend Fees for
Water Meters

Councilmember Legg moved to adopt resolution, after a Public Hearing, adopting Local Law No. 11-2025 entitled A Local Law amending the Fee for Water Meters, in accordance with the attached resolution. Councilmember Latini seconded.

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

MOTION CARRIED.

143:25
Approve 2026
Tentative
Budget and
Schedule PH

Councilmember Latini moved to adopt resolution approving the 2026 Tentative Budget and Directing a Public Hearing for October 28, 2025 at 6 PM. Councilmember Diffendorf seconded.

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

MOTION CARRIED.

144:25
Endorse Joint
Consolidation
Agreement

Councilmember Diffendorf moved to adopt resolution of the Town of Kirkwood, New York, adopted October 7, 2025, Endorsing the Joint Consolidation Agreement with Respect to Sewer District No. 1, Extension 1 of Sewer District No. 1, Extension 2 of Sewer District No. 1, Extension 3 of Sewer District No. 1, Extension 4 of Sewer District No. 1, and District Nos. 2, 3, 4, 5, 6, and 7 and Making Certain Determinations Related Matters. Councilmember Wasson seconded.

Roll Call Vote: Councilmember Diffendorf - yes
 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 Public Hearing for October 28, 2025 at 6:03 PM on the Year 2026 Fire Contracts. Councilmember Legg seconded.

145:25
Schedule PH
Fire Contracts
2026

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

MOTION CARRIED.

Councilmember Legg moved to adopt resolution authorizing the Expenditure of up to \$75,000 from the Highway Road Improvement Capital Reserve Fund, in accordance with the attached resolution. Councilmember Latini seconded.

146:25
Money from
Hwy Rd
Improvement
Reserve Fund
Cedarhurst Road

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

MOTION CARRIED.

Councilmember Latini moved to adopt resolution advertising for Sealed Bids for the Drainage Improvement Project on Cedarhurst Road, with bids returnable October 23, 2025 at 11 AM, to be publicly opened and read at that time. Councilmember Diffendorf seconded.

147:25
Advertise Bids
Cedarhurst Road
Culvert Repair

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

MOTION CARRIED.

Councilmember Diffendorf moved to adopt resolution reappointing Jackie Casciani as Member Board of Assessment Review for a term to expire September 30, 2030. Councilmember Wasson seconded.

148:25
Reappoint
J.Casciani
BAR Member

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

MOTION CARRIED.

Councilmember Wasson moved to adopt resolution awarding the Sealed Bid for the Broce RCT350 Broom to Tracey Road Equipment, being the lowest responsible bidder at \$85,518. Councilmember Legg seconded.

149:25
Award Bid
Road Broom

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

MOTION CARRIED.

Councilmember Legg moved to adopt resolution authorizing Chad Moran to attend the Land Use Leadership Alliance Training Program at Greek Peak Mountain Resort on October 27, 28, and 29, 2025, with all reasonable expensed paid. Councilmember Latini seconded.

150:25
Education
C.Moran
Code

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

MOTION CARRIED.

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151:25
Authorize RFQ
Engineering
Services
Water Plant
Upgrade

Councilmember Latini moved to adopt resolution authorizing Request for Qualifications (RFQ) for Engineering Services for the Water Treatment Facility Upgrades, in accordance with the attached Request for Qualifications. Councilmember Diffendorf seconded.

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

MOTION CARRIED.

152:25
Budget
Journal
Entries

Councilmember Diffendorf moved to adopt resolution authorizing the Budget Journal Entries, in accordance with the attached Budget Adjustment Sheet. Councilmember Wasson seconded.

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

MOTION CARRIED.

AUDIT AND PAYMENT OF CLAIMS:

153:25
Audit/Pay

Councilmember Wasson 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 #25001070 through #25001213 the total amount of \$215,508.30, which includes prepaid claims as authorized by resolution adopted January 7, 2025. Councilmember Legg seconded.

Roll Call Vote: Councilmember Diffendorf - yes
 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 Diffendorf seconded. All voted in favor.

MOTION CARRIED.

Meeting adjourned at 6:38 PM

Respectfully submitted,

Kelley M. Diffendorf
Town Clerk