

**TOWN OF KIRKWOOD
TOWN BOARD MEETING**

March 3, 2026

A regular meeting of the Kirkwood Town Board was held on March 3, 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: February 3, 2026 Town Board Meeting and
February 24, 2026 Public Hearing

PUBLIC PARTICIPATION:

Martin Kennerup of Foley Road inquired about viewing new plans for Norbut Solar Farms since it has been five months since the last Planning Board meeting. New plans have been submitted, and Kelley Diffendorf will make them available for Mr. Kennerup this week.

Martin Kennerup also inquired about getting Foley Road resurfaced since it has only been done once in his 63 years of living there and patching the road is not cutting it any longer. Supervisor Grubham reported that Mr. Kennerup's section of road is getting done this year.

Kevin Reynolds spoke to the Board about an issue he had with Chad Moran, Code Enforcement Officer regarding the pricing on building permits for 133 Foley Road. He mentioned text messages with Chad Moran with two different prices ranging from \$50 to \$80. Mr. Reynolds referred to the messages several times and it was unclear exactly what dates he was referring to and what amounts. He did say he did not understand how the prices were determined since permit pricing is determined by square footage. Supervisor Grubham explained that Chad Moran is on vacation this week, otherwise he would have been at the meeting to discuss this matter. Supervisor Grubham pointed out that it seems that Mr. Reynolds started this project in 2022. Mr. Reynolds confirmed that date. Supervisor Grubham said a building permit was issued then (2022). In 2023, Mr. Reynolds asked for a 6-month extension, and it was granted, and there is another charge for that. In 2024, Mr. Reynolds asked for another extension, and a one-year extension was given. In 2025, Mr. Reynolds asked for another extension, and another year extension was granted. The 4th extension was for 6 months, and the cost should have been \$100 and Chad Moran made a mistake and told you \$80, but he accepted the \$80 since it was his mistake. Supervisor Grubham continued, Chad Moran could have asked you to resubmit all the plans and do the whole thing all over again because it has been so long. The actual question is, is someone living in that house right now. Mr. Reynolds said, yes. Supervisor Grubham asked, how come you don't have a certificate of occupancy for that. Mr. Reynolds replied, because they have no place else to live. Supervisor Grubham responded, that is not how it works, you are supposed to have a certificate of occupancy for anybody to be in that house. You should have finished this up and got the CO (certificate of occupancy). There is no blame on Chad Moran on this, this is about you not getting the job done on time and putting somebody in there that is not supposed to be in there. Mr. Reynolds asked what the term limit is, when Supervisor Grubham says the job is not done on time. Supervisor Grubham responded, I guess theoretically you could go forever and not finish it but every time you come in now you are going to have to come in with a whole set of plans and start the process all over again, which is expensive. But one thing this does help you out with, is the house is not on the tax roll so you don't have to pay taxes on that house, and somebody is living in it, correct? Mr. Reynolds agreed. Supervisor Grubham advised Mr. Reynolds to quit arguing with Chad Moran about stuff and get the house done and get the CO done and then everything will be fine. Mr. Reynolds said, it is not arguing with Chad, how about when Chad tells me something why doesn't Chad

**TOWN OF KIRKWOOD
TOWN BOARD MEETING**

March 3, 2026

follow through and I can prove it, it is right here in black and white (referring to the text messages) this time, it is not verbal or whatever and Chad has a record of doing this so you can defend Chad all you want. Supervisor Grubham explained that he has all the information regarding this project. Supervisor Grubham suggested, why don't we solve the problem then, and have Chad come and do the CO and then you can have them legally in the house. Mr. Reynolds said the house is not ready. Supervisor Grubham said, well then nobody can be living in the house. Mr. Reynolds asked, so you are going to kick them out and make them homeless. Supervisor Grubham replied, there's other houses, and nobody else can move into a house without a CO and you think it's ok. Mr. Reynolds responded, I didn't say it was ok, you are putting words in my mouth right now, I didn't say it was ok. Supervisor Grubham asked Mr. McKertich if he was wrong. Mr. McKertich said, you are absolutely right. Supervisor Grubham continued, how do we know that everything is done correctly unless Chad does an inspection. Now what if something is done wrong, there is a fire, or whatever and whoever is living in the house winds up injured or dead. Mr. Reynolds said you are missing the point. Supervisor Grubham disagreed. Mr. Reynolds explained I understand your point and you are right and I'm not arguing about that. But what I am saying is when Chad sends me a text message and tells me something and he doesn't do what he says he is going to do in his text message that's ok. Supervisor Grubham told Mr. Reynolds that part I did not see but I will check into it to find out. Mr. Reynolds gave Supervisor Grubham copies of all the text messages between himself and Chad Moran. Supervisor Grubham will look at them on Thursday. Mr. Reynolds started discussing the building permit prices again with Supervisor Grubham as they are written in the text messages. Supervisor Grubham reiterated to Mr. Reynolds, the real problem here is you have to get the house done and get the CO otherwise whoever is in there has to move out. Mr. Reynolds questioned, what problem do you want me to work on first. Mr. McKertich said that is not up to him. What you have to do is, whoever is residing in that property cannot stay there tonight. It doesn't have a CO, it's not legal for that person to live there. You're telling us that you're flagrantly going to continue to violate the law and you don't intend to comply, correct. Is that correct. Mr. Reynolds said yes. Mr. McKertich said that's all we need to know. Mr. Reynolds said he has no place to go. Mr. McKertich said you can sit down.

Ken Smith of Zimmer Road expressed his concern about the 45-mph speed limit going down Zimmer Road that leads up to the hairpin turn near Maple Drive. He explained there have been numerous accidents at that turn, and the neighborhood believes it is a safety concern and would like the Town to consider a lower speed limit and putting up more signs to alert drivers to slow down. Supervisor Grubham will look into it.

COMMUNICATIONS: Town of Kirkwood's Annual Financial Report was filed with NYS on February 26, 2026, there is a hard copy in the Town Clerk's office, and a file of the report is also posted on the Town's website.

COMMITTEE REPORTS:

Dog Control Report.

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

Youth Sports and Recreation Report.

Councilmember Latini reported that competitive basketball is underway but will be wrapping up soon. Indoor soccer is continuing through April. Spring sports registration will run through March 14, 2026. The Easter Egg is scheduled for 1 PM on March 29, 2026 at Veterans River Park. A more detailed report is on file in the Town Clerk's office.

Historians Report.

Karen Ferguson reported the Patriot Burial Marker for Layton Cemetery has arrived and will likely be installed in May or June of this year. Karen noted she just finalized all the details for the regional meeting that involves six counties that is being held in Oxford in the middle of April. She also finished the new Historical Society newsletter for 2026.

**TOWN OF KIRKWOOD
TOWN BOARD MEETING**

March 3, 2026

2026 Woman of Achievement Award – Karen Ferguson.

Supervisor Grubham reported that our wonderful Historian, Karen Ferguson recently received this nice award, and it is greatly appreciated. He read the following: Each year Tuscarora Chapter recognizes a local woman for her achievements in one or more of the DAR missions: historic preservation, education, and patriotism. In recognition of your work organizing the Kirkwood America 250 celebration events and the extensive historical research you have completed to remember the Revolutionary War veterans who settled in Kirkwood and the surrounding area, Tuscarora Chapter would be honored if you would accept our 2026 Woman of Achievement Award. (Loud Applause) Supervisor Grubham concluded by stating, she does an awful lot of work for this and has 3 signs (historical markers) up already and one more going up, she really works hard, she does a lot of good stuff for the Town, and the Town gets a lot of good recognition from the work she does. Thank you!

OLD BUSINESS:

Mr. McKertich completed the Short Environmental Assessment Form with the Board regarding the Short-Term Rental Local Law. He read each question from Part 2 of the Impact Assessment Form, and all 11 questions were determined that “no, or small impact may occur”. In Part 3 of the Determination of Significance Form it was determined that the proposed action will not result in any significant adverse environmental impacts.

Councilmember Wasson moved to adopt resolution, after a Public Hearing, adopting the Short Environmental Assessment Form regarding Local Law No. 1-2026 entitled “A Local Law Regulating Short-Term Rentals”, in accordance with the attached Short EAF. Councilmember Legg seconded.

38:26
Adopt EAF
LL #1
Short-Term
Rentals

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

MOTION CARRIED.

Councilmember Legg moved to adopt resolution, after a Public Hearing, adopting Local Law No. 1-2026 entitled “A Local Law Regulating Short-Term Rentals”, in accordance with the attached resolution. Councilmember Latini seconded.

39:26
Adopt LL#1
Short-Term
Rentals

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 Supervisor to sign an agreement with Broome County for Court Security for a term of September 1, 2025 – August 31, 2026, in accordance with the attached agreement. Councilmember Wasson seconded.

40:26
Agreement with
Broome County
for Court
Security

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

MOTION CARRIED.

Councilmember Wasson moved to adopt resolution authorizing the Expenditure of up to \$134,540 from the Repair and Improvement of Facilities Reserve Fund of Sewer District No. 1, in accordance with the attached resolution. Councilmember Legg seconded.

41:26
Authorize \$\$
From Sewer
Facilities
Reserve Fund
Valves, Pumps,
Muffin Monster

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

MOTION CARRIED.

**TOWN OF KIRKWOOD
TOWN BOARD MEETING**

March 3, 2026

42:26 Agreement with Excellus Health Plan Health Insurance Councilmember Legg moved to adopt resolution authorizing the Supervisor to sign an agreement with Excellus Health Plan, Inc., doing business as Excellus BlueCross BlueShield regarding the Simply Blue Plus Platinum 2 health insurance plan, in accordance with the attached agreement. Councilmember Latini seconded.

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

MOTION CARRIED.

43:26 Agreement with Excellus Health Plan Dental Insurance Councilmember Latini moved to adopt resolution authorizing the Supervisor to sign an agreement with Excellus Health Plan, Inc., doing business as Excellus BlueCross BlueShield regarding the Dental Blue Option dental insurance plan, in accordance with the attached agreement. Councilmember Wasson seconded.

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

MOTION CARRIED.

44:26 Municipal Cleanup Days Designated Councilmember Wasson moved to adopt resolution designating April 20-22, 2026 as Municipal Cleanup Days in the Town of Kirkwood, materials accepted are bulk items, white goods, scrap metal, and other waste as may be collected through the special cleanup day effort, with delivery to the Broome County Landfill on April 23, 2026.

Councilmember Legg seconded.

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

MOTION CARRIED.

45:26 Adopt Support for Home Rule Standards Regarding Energy/Electric Councilmember Legg moved to adopt resolution supporting Home Rule and Restoration of Municipal Standing and Standards in the Siting of Major Renewable Energy and Electric Transmission Facilities, in accordance with the attached resolution. Councilmember Latini seconded.

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

MOTION CARRIED.

NEW BUSINESS:

46:26 Authorize \$\$ from Water Facilities Reserve Fund Well #1 Work Councilmember Latini moved to adopt resolution authorizing the Expenditure of up to \$92,350 from the Improvement of Facilities Capital Reserve Fund of Consolidated Water District No. 1, in accordance with the attached resolution. Councilmember Wasson seconded.

Discussion. Councilmember Legg asked for a summary of this resolution since it wasn't part of the work session. Supervisor Grubham explained this was an invoice for cleaning Well #1. Well #1 and Well #3 were both cleaned, Well #3 was done a while ago and Well #1 should have been on the work session for discussion last week but it was just finalized.

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

MOTION CARRIED.

**TOWN OF KIRKWOOD
TOWN BOARD MEETING**

March 3, 2026

AUDIT AND PAYMENT OF CLAIMS:

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 #26000181 through #26000294 the total amount of \$815,132.89, which includes prepaid claims as authorized by resolution adopted January 6, 2026.

47:26
Audit/Pay

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 6:26 PM

Respectfully submitted,

Kelley M. Diffendorf
Town Clerk