

Minutes

Wednesday, September 8, 2021

Regular Monthly Village Board Meeting of the Village Board of Trustees and Bid Opening of the Clean Energy Communities Program Roof Mounted Solar Arrays Project

Present: Mayor Leiser

Trustees: David Flaherty
Dorene Weir
Michael Abrams
James Mark Browne (via telephone)

Also present: Code enforcement Officer, Peter Bujanow; Economic Development Director, Renee Shur; Climate Smart Committee Chair, William Mancini;

Due to COVID 19 the Village Board and Department Heads met at the Village Hall. Public attended by zoom videoconferencing. Approximately twelve members of the public attended.

BID OPENING

Mayor Leiser called the meeting to order at 7:04 pm and started with the bid opening for the Clean Energy Communities Program Roof Mounted Solar Arrays Project.

1. Kasselman Solar \$75,500
2. Suncommon \$40,050.00

The Bids will be sent to the Village Attorney Robert Fitzsimmons and engineer Ray Jurkowski from CPL: Architecture-Engineering-Planning for review.

CLERK/TREASURER

Minutes

A motion made by Trustee Flaherty approving the minutes of July 27, 2021 Special meeting and August 11, 2021 Village Board meeting minutes; seconded by Trustee Weir. All voted "aye".

Abstract

A motion made by Trustee Abrams approving the monthly abstract in the amount of \$28,545.52. (General Fund expenses of \$26,362.29; Water Fund expenses of \$2,138.09; and Sewer Fund expenses of \$45.14.; seconded by Trustee Flaherty. All voted "aye".

Treasurer Report

A motion made by Trustee Flaherty approving the monthly treasurer's report for September 8, 2021; seconded by Trustee Abrams. All voted "aye".

Annual audit of Court Clerk and Village Clerk's books-The annual audits was scheduled for Wednesday, October 13th at 6:00 pm and another at 6:30pm.

CODE ENFORCEMENT OFFICER

Peter Bujanow submitted is monthly report noting. He issued 8 permits with a total of 109 permits year to date. He collected \$980.00 of permit fees this month.

Backflow prevention to the village water system-Superintendent David Booth spoke with Peter concerning backflow prevention to the municipal water system. In the research Peter did with other municipalities they have a local law that all new commercial and residential water sprinkler systems have to install a backflow prevention device that does not allow water back into the municipal water system contaminating the municipal system. He is requesting to work with David on a local law to require the installation of a backflow prevention device and to see what David is looking to accomplish. This may require yearly inspections.

ECONOMIC DEVELOPMENT DIRECTOR

The Economic Development Director, Renee Shurs's monthly report was received and will be posted on the village website.

Electric Quote for installation of a light pole at 8 Hudson Street and easement-Renee received two quotes for the installation of the village owned light pole at 8 Hudson Street. A quote from B & D Electric in the amount of \$200.00. He is the electrical contractor already doing work at 8 Hudson Street and Scheriff Electrical Services, Inc. for \$975.00. Renee will request the electrician to contact the Code Enforcement Officer for a building permit to be on file for future reference. Renee met with Surveyor Peter Van Alstyne who will submit a map needed for the easement at 8 Hudson Street. A motion made by Trustee Flaherty to have Mayor Leiser sign the easement when completed by the village attorney; seconded by Trustee Abrams. All voted "aye."

Update on GeoTourist app-Previously, the village received a \$2,000 GeoTourist grant from the Hudson River Valley Heritage Area that Renee and Ann Birckmayer was working with Ruth Piwonka. With the passing of Ruth, Renee contacted Kate Johnson the Town of Kinderhook Historian to assist in completing the project. Ms. Johnson is requesting a signed letter of agreement stating her scope of work in the amount of \$1,000 that will be reimbursed by the grant funds. Due to the timing payment will be due to Ms. Johnson in this fiscal year but the grant reimbursing will not be until next fiscal year. A motion made by Trustee Flaherty to allow payment from this year's budget and to be reimbursed next fiscal year; seconded by Trustee Weir. All voted "aye".

Kayak Launch Site- A quote was received from Barton & Loguidice for a total amount \$5,000 to assist the Village of Valatie and the Village of Kinderhook with the first phase of work towards the Kinderhook Creek Water Trail Paddle Access project. The Village of Kinderhook would be the lead agency and each village would be responsible for \$2,500. A motion made by Trustee Weir to accept the proposal from Barton & Loguidice; seconded by Trustee Flaherty. All voted "aye".

KBPA

The KBPA scheduled the following events at their monthly meeting this morning: Arts Walk, October 2nd Local Artistes will display their art on Historic Porches; Fall Festival, October 9th in the Village Square; Old Kinderhook Fair, October 16th; The Reading of the Legend of Sleepy Hollow, October 30th and Candle Light Night, December 3rd. The Farmers' Market will end on October 9th they believe the Classical Kids theme attracted approximately 320 people during the Farmers' Market.

MAYOR LEISER

DPW-The village advertised two mowers with Auctions International for sale. The 2005 Toro Ground master 328-D riding mower final bid was for \$1,875.00 and the 1989 Toro Ground master 220-D riding mower & broom final bid was for \$2,050.00. A motion made by Trustee Weir to accept the final bids; seconded by Trustee Flaherty. All voted "aye".

Fire Department-The village received the annual budget request from the Town of Kinderhook. Mayor Leiser requested a 2% increase from the Town of Kinderhook's budget for a total of \$87,332.00.

National Grid-The village received a letter dated August 16th as promised to the village and Chris Gibson by Bob Chevy from National Grid. When Mayor Leiser spoke with Bob Chevy he requested they submit the paperwork required to Consolidated Communications to have the double poles removed. Our DPW submitted a list of poles with pole numbers to assist in the removal. Several poles on James Lane, Berkshire Drive and Catskill View are painted black and are in need of a fresh coat. Mayor Leiser also requested Mr. Chevy have the poles painted.

Committee w/Town of Kinderhook, Villages of Valatie and Kinderhook on Cannabis- Mayor Leiser noted village resident Tina Lang will join the committee. The first meeting will be held on September 16th at 6:30 pm at the Town Hall in Valatie and is opened to the public.

September 11th Parade and Ceremony-The parade will step off at the Primary School and Parade to the Town Park where a ceremony will be held. Three speakers who were at ground zero will speak with a fly over is planned for the ceremony.

TRUSTEE FLAHERTY

Village Hall Justice Court-Tim Schroeder is completing the last piece to the railing into the Village Hall. He is trying to finish the installation on a Saturday as the final modifications to the railing and drilling into the concrete need to be done. Trustee Flaherty had a conference call with Ken Neilson and contractor Jeff Pizza concerning the entire replacement of the front entrance door to the Village Hall. The entrance will need to be crafted as there is not a simple replacement.

Zoning Board of Appeals-At the Zoning Board's August 23rd meeting the members addressed correspondence received from the owners of The Carolina House at 59 Broad Street and an opinion letter from Village Attorney Robert Fitzsimmons. A request for an area variance from Barry Herbold at 30 Rothermel Lane. A public Hearing was set for September 27, 2021. Trustee Browne will cover the liaison position for Trustee Flaherty at this meeting.

Bandstand-Trustee Flaherty received a proposal in the amount of \$4,000 from architect Greg Merryweather to rebuild the bandstand from the ground up adding ADA bathrooms. His scope of work is a schematic design that gives two designs for the Village Board to consider. A motion made by Trustee Flaherty to approve the proposal from Greg Merryweather in the amount of \$4,000; seconded by Trustee Weir. All voted "aye".

Climate Smart Task Force- Mr. Mancini requested the Board to pass a resolution in support of the Village Community Solar Campaign. The village's community solar campaign approved by NYSERDA began on August 28 with a tabling event by Astral Power at the Farmers' Market. The committee has a display in the Kinderhook Memorial Library. As part of the campaign the committee would like to send out an e-mail blast to residents and village businesses regarding the campaign and how to sign up. Also, they would like to post information on the Village website and have a small display here at the Village Hall.

Resolution to launch a Community Solar Campaign in the Village of Kinderhook-

The following Resolution as adopted by Trustee Weir; seconded by Trustee Flaherty. All voted "aye".

WHEREAS, the Village of Kinderhook Board of Trustees has previously resolved to join the New York Climate Smart Communities ("CSC") and Clean Energy Communities ("CEC") programs; and

WHEREAS, the CSC and CEC programs include actions for local municipalities to conduct community campaigns promoting the use of renewable energy through a program known as "Community Solar;" and

WHEREAS, Community Solar is a promotional campaign administered by local municipalities to assist customers to voluntarily select a solar electric provider to supply electricity to their home, business, or municipality;

WHEREAS, Community Solar typically provides customers a discount from conventional electricity pricing; and

WHEREAS, Community Solar is considered a high impact action under the CEC program, which, if completed, qualifies participating municipalities for grant funding; and

WHEREAS, the New York State Energy Research and Development Authority (“NYSERDA”) provides technical assistance and other tools and resources to communities in support of Community Solar campaigns.

NOW THEREFORE BE IT HEREBY RESOLVED, that The Village of Kinderhook Board of Trustees supports, endorses, and is committed to participate in a voluntary Community Solar campaign; and

BE IT FURTHER RESOLVED, that the Village Climate Smart Communities Task Force is authorized to initiate a Village Community Solar campaign by undertaking the following actions:

- Convene a working group comprised of Task Force members,
- Evaluate competing proposals and select the company that best serves the interests of prospective customers,
- Complete the required scoping document describing the campaign and submit the same for approval from NYSERDA to proceed,
- Initiate the campaign by publicizing and promoting Community Solar opportunities to prospective customers,
- Submit the required documentation to the CSC and CEC programs for credit and to qualify for grant funding for future climate and clean energy work.

Bat Houses- The committee is preparing a bat education project with the Kinderhook Memorial Library. It will include the construction of bat houses and a presentation by bat biologist Annika Lamb. Materials for the houses are being donated. The Library is also ordering books for the children about bats the committee will share in the cost. The project is planned for late October.
Repair Café - The first Community Repair Café will open on October 23rd in New Lebanon. It is being hosted by five of Columbia County towns and the Village of East Nassau. All are welcome to bring broken items for repair or to volunteer to make repairs. They hope to expand a have similar events around the County. Our Task Force has been having discussions about joining this community effort.

Community Choice Aggregation (CCA)- The Climate Smart Task Force is recommending the Village Board release MEGA from our original agreement as primary administrator and agree to have CCA take that position.. The plan will include a fixed electric rate over a set period of time as originally presented by MEGA with the addition of a discounts on monthly charges through the community solar. On the recommendation of the Climate Smart Committee, Trustee Weir made a motion to allow the village to enter into a Community Choice Aggregation Agreement; seconded by Trustee Flaherty. All voted “aye”.

TRUSTEE ABRAMS

Water & Sewer-There is unpaid water of \$1,016.92 and unpaid sewer of \$2,016.92.

Roads and Sidewalks-Grant Funding/Albany Ave-The village will be applying for a Transportation Alternative grant (TAP grant) that is due at the end of the month. It is not necessarily a road construction grant but a grant that is designed to alleviate traffic, add bike paths, and add landscaping to make the road area look nicer. It is an 80/20 grant, 80% will be paid for by the state and 20% by the village. It is a very competitive grant but the village hoping that having the Albany Hudson Electric Trail will be an advantage towards receiving the grant. The village will receive notice January or February of the grant award. The village emailed 15 consultants and received one proposal from Hudson Valley Engineering. A motion made by Trustee Flaherty to accept the consultant proposal from Hudson Valley Engineering to apply for the TAP Grant; seconded by Trustee Weir. All voted “aye”.

Proposed Preliminary work on Albany Ave-The village would like to conduct some preliminary work on Albany Ave by grinding the road down and repave a layer over the entire top. This will not address all the water issues. The sides of the road will be a binder. This essentially will be a band aid that will allow the village more time to address the water lines, sidewalks and complete road reconstruction. It will be an improvement until the village can research and apply for grant funding. The village received a quote from Colarusso in the amount of \$68,000 for this work. The village had a cost saving of \$35,000 not used on Eichybush Road; \$16,000 in a savings account awarded to the village for undesirable work on Hudson Street and the village can take the remaining \$17,000 needed from the street maintenance budget line to improve Albany Ave at this time.

Historic Preservation Commission-The Commission is seeking two village residents to volunteer on the HPC Commission. One to fulfill Ruth Piwonka's open term and another as an alternate when needed. HPC Chair Tim Husband is requesting for anyone interested to send a letter of interest. The village received two letters of interest. The committee wanted to advertise there is an open seat.

TRUSTEE WEIR

Social Media Policy-Trustee Weir and Village Clerk Treasurer worked with NYCOM and the village attorney on drafting a social media policy. A motion made by Trustee Flaherty to adopt the proposed Social Media Policy; seconded by Trustee Abrams. All voted "aye". The village will be starting a Facebook page and Instagram account to assist in advertising village events.

Recreation Commission-Due to lack of a quorum the special meeting of August 24th was not held. The Village Board accepted the resignation of Shanley Knox.

Community Night- Community night is scheduled for Saturday, September 25, 2021 from 5:00pm-8:00pm at Rothermel playground. Live music by Acoustic Rye, two food trucks; Chillin & Grillin Cheez; food truck and Nosh will be having a food tent, free cotton candy and popcorn, free ice cream donated by Stewart's Shops; State Troopers will be doing ID kits for children and a K9 unit; washable tattoos; pony rides with a petting zoo; and the rock climbing wall. Door prizes.

LWRP Grant-Mayor Leiser, Village Clerk Heeder, Trustee Weir and EDC Director Renee Shur met with Valatie Mayor Bevens, Village Clerk Fischer met on September 1, and 2021 in Valatie to discuss where the LWRP grant stands since COVID. A meeting with the village's attorney Robert Fitzsimmons is scheduled for Wednesday, September 15th in Valatie to assist in moving the grant forward.

Kayak Launch- An informational meeting was held at the Kinderhook Memorial Library for anyone that was interested in the proposed ADA kayak launches for Kinderhook and Valatie. There were interested kayakers but no one needing ADA launches. They will be reaching out to Kayak clubs who may have interest and input in ADA launches.

TRUSTEE BROWNE

Albany Hudson Electric Trail-The DPW has done a great job mowing along the trail. The village is tracking the hours for budget purposes. The agreement with Greenway is to mow 6 to 8 times a year. The village has mowed it more especially with all the rain we had.

Personnel Policy-Trustee Browne is merging several of the village policies into an employee hand book. The village may have to consider state mandates that would need to be included in the village budget. He is working on a final draft with Village Clerk Heeder to be presented to the Village Board for final review.

Planning Board- The board met on September 2, 2021 to draft an advisory opinion to the Zoning Board for the requested area variance from Barry Herbold at 30 Rothermel Avenue.

Alternate Board Positions- Trustee Browne is working on legislation to allow alternatives to fill in on the Planning Board, Zoning Board, Historic Preservation Commission and Recreation Commission when there is an issue of a quorum. He is looking for any recommendations the

board members may have for final review prior to the legislation being sent to village attorney and a public hearing scheduled.

Tree Maintenance-He spoke with a resident concerning a tree they needed to remove. Due to the current storm the tree came down and was removed by a family member. Trustee Browne is working on a bid document for the removal of a tree at Mills Park and hanging limbs over the trail off of Sunset Ave. Renee requested the branches coming from the tree next to the bandstand are dangerous and need to be addressed. Trustee Browne will add the branches to the bid.

Insurance-The village received a new insurance policy from Metzwood Insurance. Michel Van Allen is advocating the village alter our deductibles. Trustee Browne has not completed his analysis of last year's policy to this year to make a recommendation to the Village Board at this time. He will have a recommendation for next month's meeting.

APPLICATION OF USE

A motion made by Trustee Flaherty approving the following applications; seconded by Trustee Weir. All voted "aye".

- a. Mark Harness is requesting he Playground Pavilion on 9/18 from noon-2pm for a picnic
- b. Kinderhook OK5K is requesting Van Buren Hall and the Village Square from 6/10-6/11 of 2022
- c. Kinderhook Library is requesting Playground Pavilion and the K2 & K3 field on 10/30 from 12-2pm
- d. Kinderhook Library is requesting Playground Pavilion and K2 & K3 field on 10/10 from 5-8:30 pm
- e. Kinderhook Reformed Church is requesting a sandwich sign advertising BBQ from 9/17 to 9/23
- f. Columbia Clippers is requesting the K2 field on Sundays from 8/22-10/24
- g. Kinderhook and Valatie Libraries is requesting the Playground Pavilion on 10/9 10:30am 2:30pm

TAXPAYER TIME

Historian- Mayor Lieser spoke with Warren Applegate concerning a plaque on the bandstand in memory of Ruth Piwonka next to the Preserve America sign. Her daughters are in support of the plaque. Mayor Leiser has one person that is interested in becoming the village's Historian.

Emergency Plan-Renee inquired if the Village Hall or Fire Department is considered an emergency shelter. How will the residents know the village has an emergency shelter? A discussion concerning the Fire Department is an emergency shelter and is staffed by the volunteers during an emergency. A suggestion to have an email blast be sent out to our residents prior to winter informing them the village does have an emergency shelter and an emergency plan in place.

Mayor Leiser informed everyone on the zoom meeting they may send any questions or comments to the village's email address.

EXECUTIVE SESSION

A motion made by Trustee Flaherty to adjourn the regular meeting and enter into executive session on personal at 8:15pm; seconded by Trustee Weir. All voted "aye".

A motion made by Trustee Flaherty not to approve the request of the Deputy Clerk position to move to a full time position; seconded by Trustee Weir. All voted "aye".

A motion made by Trustee Flaherty to adjourn executive session at 9:15 pm; seconded by Trustee Weir. All voted "aye".

Respectfully submitted,
Nicole H. Heeder
Village Clerk