

Minutes
Wednesday, June 29, 2022
Special meeting of the Village Board

Present: Mayor Abrams

Trustees: David Flaherty (Absent)
Dorene Weir
James Mark Browne
Susan Patterson

Also attending: Economic Development Director Renee Shur; Climate Smart Chair William Mancini; Former Mayor's James Dunham and Carol Weaver; Former Trustee Brian Murphy; Charles Rothermel and the Columbia Paper reporter Emelia Teasdale.

Mayor Abrams opened the Special meeting at 7:00 PM. Everyone stood for the Pledge of Allegiance.

NYS GRANT AWARD OF \$1.8 MILLION TO IMPROVE ALBANY AVENUE

Mayor Abrams explained last year the Village of Kinderhook applied for the New York State Transportation Assistant Grant. The grant was written to promote traffic to come from the Albany Hudson Electric Trail into the business center of the village to support the small businesses. The village did not receive the grant.

In April of 2022, Senator Schumer launched the Rural Outdoor Investment Act to promote outdoor recreation. The money will provide funds for infrastructure items that would create outdoor activities and promote small businesses. When the federal funds were approved the village was awarded \$1.8 million of the \$2.3 million requested in the NYS Transportation Assistant Grant.

Mayor Abrams spoke with Mike Duval from NYS DOT Region 8 in Poughkeepsie. Mike is the point of contact for everyone in Region 8 and will be reviewing all applications. He informed the mayor he will be submitting a checklist of items for the Village to complete. He will then need a few months to review the checklist and create a contract for the Village to sign. The Village will have 24 months to complete the project from the date of the contract.

Mayor Abrams inquired if the water infrastructure portion of the project of Albany Avenue would be covered by the grant funds. Mike informed the Mayor that typically the water infrastructure is not covered but he will review the grant and let the Mayor know.

Mayor Abrams stated after the engineering firm is hired there will be a collaborative effort from Albany Avenue residence and the Historic Preservation Commission on the project.

Village resident Chuck Rothermel is concerned with the 100 year old water lines on Albany Avenue. Residents who have service connections containing lead goosenecks into their homes. He would not want the Village to pave the road without replacing the waterlines.

Former Mayor Dunham inquired if the grant is an 80/20 match grant. Mayor Abrams confirmed it was and the village will be seeking additional grant funds to assist in paying for the project. The village will also be applying again for the Water Infrastructure Grant (WIIA grant) and will be considering using some of the water fund balance to pay for the water infrastructure part of the project.

Former trustee Brian Murphy inquired about the water fund balance and the use of it towards the water lines at Albany Avenue and the possible need a future water projects like a new well. At a previous meeting water commissioner Dale Leiser mentioned the pumping capacity of well #4. Mayor Abrams noted that is part of the planning process for Village will be considering.

DRAFT LEGISLATION REVIEW FOR SHORT TERM RENTALS

The Village is proposing to add chapter 132 Tenancy Registration and Certificate of Occupancy to the Village code book. It has been stated that New York State requires municipalities to inspect rental properties every two years. The Village has not been conducting those inspections. Mayor Abrams noted he has been receiving complaints from neighbors of short term rentals. He would like to put some common sense principles in place to address those complaints. This would also include the inspection of the rental properties as the village moves forward in inspecting all rental properties.

He noted there is a process to adopting a local law to be codified in the village code book. He has drafted a local law with legal counsel for the Village Board to review. The Village Board would forward onto the Planning Board for review. The Planning Board would send the proposed local law to Columbia County Planning Board for approval. If approved, the Village Board will then hold a public hearing prior to its adoption.

The Village Board reviewed the proposed local law and discussed the following items to be changed prior to sending the proposed code to the Planning Board for review.

What is consider as a short term rental compared to a long-term rental? Anything under a 30 day rental would be considered short term rental.

What can the homeowner rent out? Inspected home, inspected converted approved garage. Discussion was had on tents, yurts and campers.

Will a certain number of parking spaces be required for each rental? Parking needs to be available.

Trustee Weir does not believe the homeowner should have to incur the expense to hire someone to submit a floor plan to scale. She requested to change the wording to approximate scale.

Will the current building inspector have time to conduct the inspections and approve the application within 72 hours? The inspector will need to conduct an inspection every two years on any rental property. The timeframe to approve the inspection would be placed on the application and not listed in the code. It is costly to change the village code.

What will be required in the application? It will be very important to cover the all the details between the application and the law to not cause issues for the homeowners or the village.

Trustee Patterson stated the Planning Board had previously reviewed proposed legislation on short term rentals and was unable to agree on legislation to be submitted to the Village Board to consider for adoption. Trustee Patterson feels a focus group should be created consisting of residents who own an Airbnb and members of public to receive feedback prior to adopting a local law as the village has an obligation to our residence to know what they want and not impose laws.

Mayor Abrams has received noise complaints and privacy complaints from neighbors of Airbnb's.

Trustee Browne is not in favor of fast tracking he stated he represents all of the village residents not just the ones that complain. The village wants to obey laws but does not want to arbitrarily impose laws where not necessary. He wants everyone to be safe. The Village will need to adopt regulations that can be enforced. The key is a good application and the Village will need to provide a right to appeal. What board would render an opinion?

The proposed changes will be made and spelling errors corrected prior to the code being forwarded to the Planning Board.

VILLAGE OF KINDERHOOK AMEND CHAPTER 106 STREETS AND SIDEWALKS 106-8

The following changes were proposed to chapter 106 prior to submitting to the Planning Board for review.

In the spirit gender neutral remove his and her.

Outside seating- standard regulations to all businesses by place tables outside 4 ft from the building as long as there is 3 ft clearance to the road.

Any fees established should be added to the fee schedule and not to the local law. The fees should also be listed in the application.

Mayor Abrams will request the Planning Board to take the time they need to review the proposed local laws and to address one at a time.

VIRTUAL MEETING LAYOUT

Mayor Abrams would like to consider getting a TV or screen, two cameras and a microphone. This will allow the Village board to see who is online and the public can see the entire village board. The biggest complaint the village heard is that the public cannot hear the person speaking and they do not know who is speaking. They will be able to come up to the microphone announce who they are where they live so everyone can hear them. Mayor Abram feels the TV and camera is very inexpensive. He is hoping to have things in place by the September Village board meeting.

SPEED SIGNS

Trustee Browne is hoping to have speed signs installed by July 15 on Albany Ave and Hudson Street.

FIVE YEAR INITIATIVE PLAN

Mayor Abrams requested Trustee Browne and Jerry Callahan make the water infrastructure and streets a priority. They met with Superintendent Booth and Water Commissioner Leiser concerning the Water asset plan report they are working on for New York Rural Water. They can use the final plan report to assist with the need and priorities of the village. They will also talk with each one of the trustees on how they derived at their budget numbers this year to know how they can better project future budgets.

A motion made by Trustee Weir to adjourned the meeting at 8:17 PM seconded by Trustee Patterson. All voted "aye".

Respectfully submitted,

Nicole H. Heeder
Village Clerk