

Wednesday, March 13, 2024

Village of Kinderhook Regular Village Board Meeting and Public Hearing Proposed Local Law No. 1 of 2024 “amending the Code of the Village of Kinderhook, section 119 Vehicles and Traffic to reduce the speed limits on Village Streets pursuant to NYS Vehicle and Traffic Law 1643”

Minutes

Present: <b>Mayor Mike Abrams</b> <b>Clerk/Treasurer Nicole Heeder</b>	Trustees: <b>Dorene Weir</b> <b>James Mark Browne</b> <b>Susan Patterson</b> <b>Quinn Murphy</b>
Attendees: Kevin Monahan, Renee Shur, Dave Booth, Tony Rexhouse, Matt Moles, Dale Leiser, Trevor Bean, Malcolm Bird, Astrid Montagano, Matt Cohn, Joe Wildermuth, Bill Mancini, Chris Van Moessner, Victoria Bell, David Palmquist	

Mayor Abrams opened the public hearing and monthly board meeting at 7:01 pm. All stood for Pledge of Allegiance.

### Public Hearing on Proposed Local Law No. 1 of 2024

Mayor Abrams read the notice of public hearing. The public hearing for Proposed Local Law No. 1 of 2024 was held to amend the village's traffic code to reduce speed limits on village streets pursuant to NYS Vehicle and Traffic law 1643. Copies of the law were available for review at the Village Hall, and all interested parties were afforded the opportunity to be heard concerning the local law. Mayor Abrams closed the public hearing at 7:18 p.m, seconded by Trustee Browne, all voted "Aye."

Mayor Abrams opened the regular meeting at 7:18pm.

### Clerk/Treasurer (Nicole Heeder)

#### Minutes of February 14, 2024, Village Board Meeting

The Board reviewed and approved the minutes from the previous meeting on February 14, 2024. Trustee Weir motioned to approve, Trustee Murphy seconded, all voted "Aye."

### Budget Amendments

Budget amendments were presented by the clerk/treasurer for review, with no questions raised by the board.

#### ***General Fund***

<u>FROM</u>	<u>TO</u>	<u>AMOUNT</u>
A.5142.1 Snow Removal Personal Services	A.1620.1 Building Personal Services	\$ 83.25
A.1680.4 Central Data Processing	A.1680.4 Central Data Processing	\$ 3,701.92
A.3410.2 Fire Department equipment	A.3410.41 Fire truck, Generator Repair	\$ 159.11
A.7550.4 Celebrations	A.7620.4 Adult Recreation Contractual	\$ 11.54
A.1460.1 Records Management	A.8010.1 Zoning Personal Services	\$ 40.72
A.1460.1 Records Management	A.8020.1 Planning Personal Services	\$ 48.13

#### ***Water Fund***

<u>FROM</u>	<u>TO</u>	<u>AMOUNT</u>
F.8330.1 Purification Personal Services	F.8310.1 Water Administration Personal Services	\$ 356.33
F.8320.2 Source & Pumping Equipment	F.8320.4 Source & Pumping Contractual	\$ 1,618.31

F.8330.1 Purification Personal Services	F.8340.1 Transportation Distribution Personal Services	\$ 1,821.15
F.8340.2 Transmission & Distribution Equipment	F.8340.4 Transmission & Distribution Contractual	\$ 3,037.81

Trustee Patterson motioned to accept the budget amendments as presented by the treasurer, Trustee Browne seconded, all voted "Aye."

### Abstract

Abstract expenses were provided, and a motion was made to approve the amount stated for various funds. Total abstract \$55,980.41; General Fund \$34,669.49; Water Fund \$4,087.91; Albany Ave. water portion \$8,145; Albany Ave. construction \$8,288.01.

Motion to approve the abstract as read by the treasurer was made by Trustee Browne, seconded by Trustee Weir. The motion passed unanimously.

### Treasurer's Report

The Treasurer's Report was examined, with no questions or concerns.

Trustee Browne motioned to approve the treasurer's report as submitted, Trustee Murphy seconded, all voted "Aye."

### Reminders

The Board was reminded of the upcoming village election on March 19th and the budget meeting for the tentative budget on March 21<sup>st</sup> at 6:00 p.m. at Van Buren Hall.

### Code Enforcement Officer (Trevor Bean)

The Code Enforcement Officer delivered a report including new permits representing significant improvements and no new violations or property transfers.

### Fire Department (Matt Cohn)

The Fire Department report highlighted activities including 13 calls, 2 drills, no details, physicals, and issues regarding a fire alarm panel at the firehouse. The Department was seeking to expedite replacement of an existing broken alarm panel and communications device.

Mayor motioned for approval for emergency spending of necessary fire alarm equipment from Johnson Controls, utilizing \$5,700 from a contingency fund. The motion passed unanimously, with Trustee Weir and Trustee Murphy simultaneously seconding.

### Water & Sewer Commissioner (Dale Leiser)

The Commissioner reported an outstanding balance on water accounts of \$12,880.29 and sewer accounts of \$16,761.22; and plans to upgrade variable frequency drive pump 4 to reduce village electric bill. The village discussed methods for collecting overdue payments and increasing tapping fees.

### DPW (Dave Booth)

The Department of Public Works (DPW) was reported to have conducted maintenance tasks, prepared for hydrant flushing (April 16 – 18), and engaged in facility improvements including updates to the pump house. Plans for pothole repairs, Albany Ave. projects and other maintenance issues were discussed.

### Economic Development Director (Renee Shur)

Grants-The Director requested the Board sponsor a letter for a grant for the Super Stories project and temporary art installation known as the OK Apple Trail. Mayor read the below resolution.

*The Village of Kinderhook Village Board of Trustees hereby resolves that the Village of Kinderhook will sponsor a temporary art installation called OK Apple Trail. This project will be spearheaded by Super Stories, a nonprofit located at 2 Chatham Street in the Village of Kinderhook. Super Stories will apply for and receive funds if granted, administer funds, and pay all suppliers.*

*It is understood that if Super Stories obtains funding for this community project, the Village of Kinderhook's Department of Public Works will assist in the project's installation at various locations around the Village of Kinderhook.*

Motion to sponsor the Super Stories grant was made by Trustee Weir and seconded by Trustee Patterson. The motion passed unanimously.

### [KBPA](#)

The KBPA announced preparations for the farmer's market season and an upcoming candidate's forum at the Kinderhook Memorial Library on from 7-9 pm.

### [Trustee Weir](#)

Recreation Commission-Reported on the activities of the Recreation Commission including Easter Egg Hunt slated for March 30<sup>th</sup> at 12noon behind the house of History, Community Night power issues, as well as the need for new playground equipment at Rothermel Park.

Playground Equipment- Motion for Village Clerk/Treasurer to transfer funds from summer program savings account to playground equipment account in amount of \$5,998 for replacement of unsafe playground slide was put forth. The motion carried unanimously with Trustee Weir making and Mayor Abrams seconding.

### [Trustee Murphy](#)

Zoning Board of Appeals, Historic Preservation Commission and Climate Smart Task Force-Update provided on no new business with the ZBA, HPC recommended the gray bricks for crosswalk at Albany Ave., and elaborated on Climate Smart proposals for either upgrading local street lighting to LED, solar panels at pump house or EV charging station. Bill Mancini recommended either street lighting or solar panels for energy saving returns to village. Sought board consensus as deadline for filing application to NYSERDA is May 22<sup>nd</sup>.

### [Public Hearing Proposed Local Law No. 1 of 2024 "amending the Code of the Village of Kinderhook, section 119 Vehicles and Traffic to reduce the speed limits on Village Streets pursuant to NYS Vehicle and Traffic Law 1643"](#)

Trustee Murphy read aloud the proposed Local Law 1 of 2024 to reduce speed limits on village streets pursuant to section 119 Vehicle and Traffic Law 1643. Village streets reducing speed limit to 25 mph include Albany Ave., Hudson St., Gaffney Lane, Rothermel Ave., Rothermel Extension, Rothermel Lane, William St., Sunset Ave. from Albany Ave. westerly a distance of 750 feet.

Trustee Murphy motioned to approve Local Law No. 1 of 2024, seconded by Trustee Weir, all voted "Aye."

### [Trustee Patterson](#)

General Code-The Village Board is in the process of adopting an updated village code. The code will be made available to the public at the Library and Village Hall and by email.

Planning Board -Planning Board met on March 7<sup>th</sup> with no new business.

### Trustee Browne

Albany Avenue Pedestrian and Bicycle Improvement Project and the Albany Avenue Watermain Upgrade Project -A detailed update was provided on steps being taken towards the Albany Avenue Pedestrian and Bicycle Improvement Project and the Albany Avenue Watermain Upgrade Project. HVEA having dedicated meeting with DOT on our proposal.

Albany Ave Tree Removal-Discussed Albany Avenue tree removal mandated by NYS to conclude this month due to endangered tree bats. Discussed the tree removal process, and how red tapes indicate the need for National Grid to assist. The tree removal RFQ was discussed and the need for Access Agreements with residents. Three bids were received, Almark Services Inc,\$16,000, New Leaf Tree Service \$58,300, and Woodwork Tree Removal LLC \$17,500, Morabito Tree Company \$17,500..

Trustee Browne motioned to accept lowest bidder, Almark Services Inc, for tree removal services of \$16,000, Trustee Weir seconded, all voted “Aye.”

Water main upgrade RFP was issued by Tighe and Bond and due back March 14<sup>th</sup>. Once we know who the general contractor is the Village will host a public workshop with residents.

### Mayor Abrams

Fire Truck -The Mayor discussed the purchase and financing details of a new fire truck and dump truck for the village. The village has saved money for a new fire truck, budgeted money this fiscal year with remaining balance to be financed. After several meetings and discussions with bond counsel, treasurer, fire chief, consultant, lease options would not be lowest cost and Village recommended proceeding with purchase of a BAN for the fire truck with total cost \$765,000 including outfitting. Paying \$372,000 by April 1<sup>st</sup> to receive an \$11,162 discount. The village will use \$231,000 from the fire truck savings, \$45,000 budgeted this fiscal year, and drawing remaining \$96,091 from general fund unexpended balance to pay the down payment. That will be replenished by purchasing BAN in May. BAN will be \$450,000 and village will sell old fire truck and refinance after one year for a lower rate.

Motion to purchase the fire truck with specified payment details will be voted on at the March 21st budget meeting.

Resolution No. 3 of 2024 authorizing the purchase of a 2023 International CV515 combination spreader dump body truck

**RESOLUTION OF THE VILLAGE OF KINDERHOOK, NEW YORK (THE “VILLAGE”), DATED MARCH 13, 2024, AUTHORIZING THE PURCHASE OF A 2023 INTERNATIONAL CV515 SFA STAINLESS STEEL METRO SERIES COMBINATION SPREADER DUMP BODY TRUCK FOR THE VILLAGE, ESTIMATING THE AGGREGATE COST THEREOF TO BE APPROXIMATELY \$180,201.00, APPROPRIATING SAID AMOUNT THEREFOR AND AUTHORIZING THE ISSUANCE OF \$100,000.00 BONDS TO FINANCE A PORTION OF SAID COST.**

Resolution by Mayor Michael Abrams    Seconded by Trustee Susan Patterson

**WHEREAS**, the Board of Trustees of the Village of Kinderhook (the “Board”) has adopted a resolution authorizing the purchase of a 2023 International CV515 SFA Stainless Steel Metro Series Combination Spreader Dump Body Truck for the Village (the “Truck”) at a cost not to exceed \$180,201.00; and

**WHEREAS**, the Board now seeks to authorize the issuance of serial bonds or a statutory installment bond in order to finance a portion of the cost of purchasing the Truck;

**NOW, THEREFORE, IT IS HEREBY RESOLVED**, by the members of the Board of Trustees of the Village of Kinderhook, New York (by a favorable vote of not less than two-thirds of all of its members) as follows:

#### **SECTION 1**

Pursuant to Sections 31.00 and 32.00 of the Local Finance Law, constituting Chapter 33-A of the Consolidated Laws of the State of New York (the “Law”), the Village hereby reaffirms its authorization for purchase of the Truck, the maximum aggregate cost thereof being hereby estimated to be \$180,201.00, and hereby appropriates said amount therefor and authorizes the issuance of serial bonds or a statutory installment bond in an amount not to exceed \$100,000.00 to finance a portion of such cost.

#### **SECTION 2**

It is hereby determined that the period of probable usefulness of the aforesaid Truck is fifteen (15) years pursuant to Section 11.00(a)(28) of the Law.

#### **SECTION 3**

The plan of financing includes the issuance of serial bonds or a statutory installment bond in the amount of up to \$100,000.00 (the “Indebtedness”), the use of Village funds in the amount of \$80,201.00, and the levy of a tax upon all of the real property in the Village to pay the principal of and interest on said bonds as the same shall become due and owing.

#### **SECTION 4**

The temporary use of available funds of the Village, not immediately required for the purpose or purposes for which the same were borrowed, raised or otherwise created, is hereby authorized to be expended pursuant to Section 165.10 of the Local Finance Law for the Truck described in Section 1 of this resolution. If such temporary funds are used for any expenditure authorized in this resolution, the Village intends to reimburse such funds with the proceeds of the tax-exempt borrowing authorized and identified pursuant to Section 1 above.

#### **SECTION 5**

The proposed average maturity date of any bonds authorized pursuant to this resolution is not expected to exceed five (5) years.

#### **SECTION 6**

The Village hereby covenants and agrees with the holders from time to time of the Village issued pursuant to this resolution, and any bond anticipation notes of the Village issued in anticipation of the sale of said bonds, that the Village will duly and faithfully observe and comply

with all provisions of the United States Internal Revenue Code of 1986, as amended (the “Code”), and any proposed or final regulations of the Internal Revenue Service issued pursuant thereto (the “Regulations”) unless, in the opinion of Bond Counsel to the Village, such compliance is not required by the Code and Regulations to maintain the exemption of interest on said obligations from Federal income taxation.

## **SECTION 7**

Any serial bonds or a statutory installment bond authorized by this resolution and any bond anticipation notes issued in anticipation of said bonds shall contain the recital of validity prescribed by Section 52.00 of the Law and said bonds and any notes issued in anticipation of said bonds shall be general obligations of the Village, payable as to both principal and interest by a general tax upon all the real property within the Village without legal or constitutional limitation as to rate or amount. The faith and credit of the Village are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any bond anticipation notes issued in anticipation of said bonds and provision shall be made annually in the budget of the Village by appropriation for (a) the amortization and redemption of the bonds and notes to mature in such year, and (b) the payment of interest to be due and payable in such year.

## **SECTION 8**

Subject to the provisions of this Bond Resolution and the Law, pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of serial bonds and bond anticipation notes, or the renewals of said obligations and of Section 50.00 and Section 60.00 of the Law, the powers and duties of the Board of Trustees relative to authorizing bonds and bond anticipation notes and prescribing the terms, form and content as to sale and issuance of the bonds herein authorized and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said notes, are hereby delegated to the Treasurer of the Village, the chief fiscal officer of the Village. Pursuant to the provisions of paragraph a of Section 56.00 of the Local Finance Law, the power to determine whether to issue bonds and bond anticipation notes having substantially level or declining annual debt service, as provided in paragraph d of Section 21.00 of the Local Finance Law, is hereby delegated to the Treasurer of the Village, as the chief fiscal officer of said Village. In addition to the delegation of powers described above, the powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the Village Treasurer, who shall advertise such bonds for sale, conduct the sale and award the bonds in such manner as she shall deem best for the interests of the Village; provided, however, that in the exercise of these delegated powers, she shall comply fully with the provisions of the Local Finance Law and any other order or rule of the State Comptroller applicable to the sale of municipal bonds.

## **SECTION 9**

All costs and expenses in connection with the acquisition and development of the objects and purposes set forth in Section 1 above, and the financing thereof by the sale of bonds, including but not limited to, the fees and expenses of bond counsel, financial advisors, counsel for the Village and other professionals, shall be paid to the extent permitted by law from the proceeds of the sale of such bonds.

## **SECTION 10**

The validity of the bonds authorized by this bond resolution and of any notes issued in anticipation of said bonds may be contested only if:

- (a) Such obligations are authorized for any object or purpose for which the Village is not authorized to expend money; or
- (b) The provisions of law which should be complied with at the date of the publication of such resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication; or
- (c) Such obligations are authorized in violation of the provisions of the constitution.

## **SECTION 11**

This resolution shall be published in full in the designated official newspapers of the Village for such purpose, together with a notice of the Clerk of the Board of Trustees in substantially the form provided in Section 81.00 of the Law.

## **SECTION 12**

This resolution is not subject to permissive referendum pursuant to Section 36.00 a.1 of the Law.

## **SECTION 13**

This resolution shall take effect immediately.

Ayes: Mayor Michael Abrams; Trustee James Mark Browne, Trustee Dorene Weir, Trustee Susan Patterson and Trustee Quinn Murphy

Noes:

Absent:

Abstentions:

**Motion Carried**

## **Applications**

The following applications were received:

1. Solid Foundation Co-op, is requesting the playground pavilion on 6/14 from 10am-5pm for a Field Day

2. Emily Hines is requesting Van Buren Hall on May 11<sup>th</sup> from 9am-1pm to teach yoga classes to Girl Scouts troops
3. Concerts in the Village is requesting Van Buren Hall on May 25<sup>th</sup> from 10am-6pm; to hold rehearsal and concert
4. Kiwanis- is requesting Van Buren Hall on March 13<sup>th</sup> from 6pm-8pm; informational meeting on Kiwanis Club in Columbia County
5. Columbia County Little League parade April 27<sup>th</sup> at 9:00 a.m. at Rothermel was received.

Trustee Weir motioned to approve all applications, seconded by Trustee Murphy, all voted "Aye."

#### [Peddler's Permit](#)

Mr. Ding - A - Ling's application to sell ice cream from April 1<sup>st</sup> – November 1<sup>st</sup> was approved. Motion to approve the Peddler's Permit was made by Trustee Murphy and seconded by Trustee Patterson. The motion passed unanimously.

#### [Taxpayer Time](#)

Attendees raised concerns and questions to the Trustees about issues such as National Grid maintenance of underground utility light poles, water bills, tree removals, and the bank building new tenant prospects.

At 8:16 p.m. Mayor Abrams motioned to adjourn, seconded by Trustee Patterson, all voted "Aye."

Minutes respectfully submitted by Sue Pulver utilizing HeyGov.