

Wednesday, December 14, 2022
 Regular Monthly meeting of the Kinderhook Village Board of Trustees
 Minutes

Present: Mayor Mike Abrams Clerk/Treasurer Nicole Heeder	Trustees: David Flaherty (absent) Dorene Weir James Mark Browne Susan Patterson
Attending: David Booth – DPW Superintendent William Mancini – Climate Smart Chair Renee Schur – Economic Development Director Matt Cohn – Kinderhook Fire Department Quinn Murphy	

Call to order – Mayor Abrams opened the regular meeting at 7:03 p.m. All stood for Pledge of Allegiance.

1. Clerk/Treasurer

Motion by Trustee Weir, Trustee Browne seconded to accept the Minutes of 1) October 26, 2022 Special meeting; 2) November 9, 2022 Regular meeting and 3) December 7, 2022 Workshop meeting; all voted “Aye.”

Budget Amendments:

Fund	From	To	Amount
General			
	A.1680.4 Central Data Processing Contractual	A.1680.2 Central Data Processing	\$ 147.97
	A.5110.4 Street Administration Contractual	A.5010.4 Street Administration	\$577.90
	A.8161.2 Leaf Pickup Equipment	A.8161.4 Leaf Pickup Contractual	\$320.11
	A.5410.1 Sidewalk Personal Services	A.8540.1 Drainage Personal Services	\$25.20
	A.5410.4 Sidewalk Contractual	A.8540.4 Drainage Contractual	\$9,000.00
	A.9010.8 Retirement	A.9040.8 Workers Compensation	\$791.34

Trustee Browne, at last meeting on December 7th, discussed funds needed this quarter to start the Albany Avenue pedestrian and bicycle improvement project. We are amending the budget to add a Capital project to the budget for the Albany Ave Project and the village board will do a budget modification, on quarterly basis for first 2 quarters then full year budget once negotiate next year’s budget, The amount put forth this quarter for December through February is \$130,500.

Trustee Browne motioned to add the Albany Ave Capital Project with a \$130,500 budget for this quarter and to accept the budget amendments present by the village treasurer, Trustee Weir seconded, all voted “Aye.”

Abstract

Trustee Weir motioned to accept abstract totaling \$90,700.04; General Fund of \$88, 836.40, with water fund at \$1,853.54, Trustee Patterson seconded, all voted “Aye.”

Treasurer's Report

, Now with the Capital Project budget in place Treasurer Heeder can move \$3,000.00 from general fund to capital fund to cover the capital project expenditures for village attorney for Fiscal Advisors and Premiere Printing.

Trustee Browne motioned to approve Treasurer's report and transfer of funds to the Capital Project, Trustee Patterson seconded, all voted "Aye."

2. Code Enforcement Officer

-Monthly Report (CEO Peter Bujanow absent) No issues with report.

3. Fire Department

Fire Chief Matt Cohn reported:

- 5 calls, 2 drills, and no details.
- Physicals and fit tests held December 3rd, 2022.
- 5 new gas meters placed.
- Attended Martin Van Buren Gravesite Service to honor his birthday on December 5, 2022.
- Peter Hunter donating bus for holiday party on December 17, 2022.

Chief Cohn inquired regarding the status of building inspector and will discuss with Mayor.

Trustee Browne asks of any news on fire truck, whom he asked for letter? Chief Cohn replied the anticipated truck delivery date is February 2024, and per contract they will fly firefighters there to check specs. Trustee Browne states they relayed a possible difficulty with meeting that date.

Bill Mancini inquires – any information on new heating system, efficiency, type, and cost (for report)? Per Matt Cohn he should talk to Chuck Rothermel or Richie Mulica. Trustee Browne will look to provide Bill with spec sheets.

4. Water & Sewer Commissioner (Dale Leiser absent)

- Unpaid water & sewer

Clerk/Treasurer Heeder reported – water bills \$3,748.41, sewer bills \$8,111.89. Commissioner waiting for check valve for pump one, and asked for estimate to hookup a variable speed pump for pump number 2 (variable frequency drive pump). **5. DPW**

Superintendent Dave Booth reported:

- leaves done, assisted other towns,
- shifted to decorate square, lamppost installed at the Treasurer shop,
- snow removal, a couple equipment issues, removed snow the day after storm, along Albany Ave, Hudson St., went well,
- weather permitting will do indoor upgrades at pump house,
- still working on code work.

Question by Trustee Susan Patterson regarding sidewalk snow removal. Dave Booth made list, forwarded to Mayor and Tom Hall, and will begin working on this immediately. Per Mayor knock on doors to let folks know. Superintendent would like quick email sent to remove cars off Albany Ave. in anticipation of snow.

- Road Inventory - Tighe & Bond preparing comprehensive assessment of village roads, ranking of poor, fair, or good condition, and with that information can put together budget for a schedule of repair and maintenance to be proactive (per Mayor – feeds into long term financial plan Trustee Browne has been spearheading) condition of roads, repair into the future, produced draft report, feedback to Tighe & Bond Monday, assessment, repair estimates, bring in \$375k in revenue annually, and estimate \$450k in road maintenance. Mayor hopes water assets report from Rural Water returns soon.

Trustee Browne states we have inventory but not costs yet, need recommendations. Superintendent Booth will facilitate meeting.

Mayor Abrams thanked DPW workers.

6. Economic Development Director -

Director Renee Shur sends congratulations to Columbia County Historical Society on receiving award of 3 different grants totaling \$75,000.

-Monthly EDC Report:

- David Smith Concert Director sent graphic for advertising the concert, received 3 approvals to place graphic on homepage of village website.
- Received a call from a serious musician inquiring about using piano for recital in spring and followed up with David Smith regarding process, hopes piano donation completes by February.
- Can she request an interim board meeting be dedicated solely to discussion on grants? Restore NY grant, for which village did application, and confirmed the village is eligible, does village want to go forward with that application? The grant deadline is January 23rd. The beneficiary of this grant would be one recipient - 1 Chatham St. property owner. Spoke to Jessica Gabriel, who's looking at whether village can contract out administration of a grant like Restore NY to CEDC, which may be possible. Per Mayor may need to do it at regular meeting January, per Director that may be too late. Trustee Browne asks who will write it? Director Shur reports the property owner offered to pay for a grant writer on behalf of the village. Mayor checking legality. Trustee Browne asks is it around \$3,000? Per Renee Shur yes approximately. Grant goes to village to administer. Director Shur – need by first week in January. Per Mayor discussing Personnel in Executive Session, could potentially decide tonight. Trustee Weir asks about the timeframe for grant. Trustee Browne asks is it essentially the same thing \$750,000? Clerk/Treasure asks – is it federal dollars or state money or federal money funneled through state and administration of grant. Is it possible for village board to get grant guidelines? Per Director Shur need to get into Grants Gateway for those answers. Also per Director Shur, there's no info released yet on NY Forward Grant. Mayor states we need to know if federal dollars trickling down through state or state dollars, will determine how much time. Director Shur to report back.
- Director Shur has questions re: LWRP and called Bob Murphy at Barton & LoGuidice. B&L working on boundaries of LWRP area and they will be proposing boundaries in Kinderhook to be from the creek Hudson St., Williams St. Albany Ave, the whole business district to trail. Longer term, the LWRP agency, has dedicated funding stream, of a 75/25 match. B&L has seen, in the past, communities have funded sidewalk work through LWRP fund.

7. KBPA

- Candlelight Night – went well, Vanderpoel house counted 320 visitors.

9. Trustee Weir

- Recreation Commission – met Monday, planned calendar for 2023. First event April 8th egg hunt, details to follow in February.
- Commission email of interest from Richard Byrne for alternate vacancy – lives on William St. Trustee Weir motioned, Trustee Browne seconded, all voted “Aye.”
- Tennis Court – Craft Co. assessment, price is \$18,995 to repair with no guaranty. Major work needed, was last repaired in 2016 for over \$7,000. They'll clean, repair, paint, line for tennis and pickle ball. Due to astronomical amount, will look at other options.
- Skating Rink – the materials in but snowfall pulled workers away & when opportunity presents will put together.
- Candlelight Night – Toys for Tots donation table did great with toys and monetary donations, Gunny Claus was loved, a lot of foot traffic. Trustee Weir sent thank you notes out.
- Revitalization survey – received 160 responses electronically and several by paper. Mayor asks when due date. January 6th is final date, then summary to be reported in January meeting.
- LWRP - kickoff meeting held on December 1, 2022, orchestrated by Barton & LoGuidice, poor showing from Valatie, going forward offered opportunity to have a hybrid, in-person & remote meeting by Zoom, since it's not extension of village government, don't have to abide by Open Meeting law.

Trustee Browne regarding roads & sidewalks assessments – some grants were available to interconnect trail for the disabled, cul-de-sac to trail – may be able to get grant on that basis for folks with mobility issues.

10. Trustee Browne

Historic Preservation Commission

Trustee Browne nominates, as an alternate to the HPC, Lisa Weilbacker, who has been vetted by the HPC committee, doesn't live in Kinderhook, Mayor states she'd be great as an alternate, but as she doesn't live in Kinderhook, may not be able to have a permanent seat, but is more than qualified

Trustee Browne motioned to approve Mayor Abrams appointment of Lisa Weilbacker as an Alternate member of the HPC, Trustee Weir seconded, all vote "Aye."

Multi-Year Financial Planning Report - Looking into financing.

Albany Avenue Pedestrian and Bicycle Improvement Project -

- Dedicated meeting held on December 7, 2022; urges villagers to look at minutes to be posted, on December 12, 2022, received fully executed document from state,
- Contract at present obligated \$400,800,
- Start date 11/16/22, already billing to it, with
- Completion date 12/30/28,
- There are use it or lose it clauses within agreement, our intention to use it and stipulation to start design and construction. Trustee Browne very interested in starting construction and pushing forward.
- Every municipality who spends \$750,000 or more must have Federal single audit performed, this may happen on our 2nd year of the project.
- The design work is underway with Hudson Valley Engineering Associates working with Trustee Patterson on scheduling meeting with National Grid on power, backlotting, or underground to house.
- Recruiting members for steering committee, put out ask in bulletin and send letters to folks who could contribute. Quinn Murphy (in attendance) would like to represent Albany Ave. and also one other individual who's a bicycle enthusiast,
- Updating website and creating a project area. Met December 13, 2022, with village financial advisor for borrowing and bonding. Already borrowed \$501,000 which helps with cash flow, always 90 days in arrears, getting invoices, paying it, and getting percentage back from State. Spoke to bond counsel regarding future bonding and payments. Will bring to board in January.

Albany Avenue Water Main Upgrade Project –

Received proposal from Hudson Valley Engineering Associates which is under evaluation now.

Traffic Safety

- 4th radar sign up on Gaffney, Trustee Browne is checking with DPW on status.
- Mayor sent letter to NYS DOT commissioner asking for response to previous letter and request to put up 2 more signs along Route 9 to slow down traffic.

11. Trustee Patterson

- Revision to Planning Board application –planning board working on this for many years, updated version, pages 2-3 based on what Renee drafted previously using current application as base and building on information planning board typically seeks from applicant. Includes a narrative of what intention is and more information on how to contact landowner. Mayor asks does it need notary? Trustee Patterson relays apparently not, and can strike notary at bottom. Asked for site plan, includes amendments to existing site plan, Trustee Patterson asks, as unsure of adoption process, does this require approval from full board or wait for new CEO to review? Planning board is finished and handing it to village, Rob Fitzsimmons has reviewed. Per Trustee Browne – does code refer to application? Yes. Trustee Browne comments

regarding statement about entering property ... “upon reasonable notification.” Per Mayor fine to say something to the effect of upon reasonable notification. Mayor is good with changes.

- Village Code - brief update that we are within the proposed timeframe for legal and editorial review that General Code is working on now, we should expect their report in March then will have 100 days to respond.
- Short-Term Rentals code update – next step per Mayor, Rob Fitzsimmons is sending to county planning board, with two corrections, probably receive back in January, then can set public hearing.
- Outdoor Seating on Public Sidewalks update – The planning board has question about residential outdoor seating. They want to reopen discussion about outdoor seating for existing businesses. Need to be reminded to file site plan amendment for this Spring. Mayor replied most businesses don't have site plan that annotates outdoor seating. This is predominately outdoor seating on public sidewalks only. Need to make sure someone in wheelchair could get through. Put measurement based on sidewalk of how far from establishment to put table/chair, once codified into law, could be implemented, wouldn't need to go before planning board. Trustee Weir states this a one and done, then good every year thereafter? Yes per Mayor, has to go toward your site plan, number of seat/tables factors into sewer bill. Trustee Browne discussed waiving application fee for revisiting their site plan. None of their submissions would be determined to be material change, just an amendment. Per Mayor just enforcing fire code, ADA compliance. Trustee Patterson asks can we somehow remind businesses before Spring, yes Per Mayor – probably hold March public hearing, show one pager to show businesses. Trustee Patterson clarifies existing businesses can use amended site plan application.

12. Mayor Abrams

- Enhanced Enforcement program - over Candlelight night weekend Sheriff's deputies did speed enforcement, ticketed 24 people on Broad St. with average speed 48-52 mph; with highest speed 57 in 35 mph. Continuing effort and spoke to Judge Dellehunt, there are new guidelines from county DA on speeding tickets, making it easier for speeders to downgrade tickets which would lower fine to village. Would like to continue this on Broad St. and hopes revenue generated allows deputies to do this. Trustee Patterson asks how many hours per month were agreed upon, Mayor advises Sheriff what shifts we want, must be an 8 hour shift. Out of pool of \$10,000, decided to use \$5,000 out of \$10,000. Hourly average rate based on deputy's rank and time and grade.
- FY24 budget planning process –
This is a consequential budget with all expenses: with Albany Ave. water main replacement, William Street to be done, the report with costs to replace/repair roads. Rural Water is finishing asset assessments of water across village. Assessing how long assets will last, estimate date to replace, and estimate costs to repair. With this information, can look at long term vision for village 5/10/30 years and costs to replace major infrastructure, set money away, look at tax rate, water rate, upcoming fiscal year – need to take hard look at where we're spending money and how to prioritize for stable financial path.

End state:

- 1) Continue to put village on stable financial path.
- 2) Fully funds essential services such as water purification and delivery, and fire rescue and response.
- 3) Make significant investments in critical infrastructure including Albany Ave. water main upgrade and Albany Ave. pedestrian and bicycle improvement project.
- 4) Stays under NYS 2% tax cap.

Supporting initiatives:

- 1) Long term financial planning work conducted by Trustee Browne, Trustee Patterson, Village Treasurer Heeder, and resident Jerry Callahan.
- 2) Water assets assessment being conducted by NYS Rural Water Assn., Water Commissioner Leiser, and DPW Superintendent Booth.
- 3) Road, sidewalk and drainage assessment conducted by Trustee Browne, DPW Superintendent Booth and Tighe & Bond.

- 4) Albany Ave. Pedestrian and Bicycle Improvement project grant and the Albany Ave. Water Main upgrade project, led by Trustee Browne.

Additional Support:

Advisory services provided by Fiscal Advisors. Regular input by provided by village's independent financial auditor.

Planning Guidance:

Conduct a deliberate and transparent process to develop the budget.

Although each trustee and department head has responsibility for portions of the budget, we all have ownership and are responsible for entire budget. Trustees, department heads and residents may review and are expected to provide input on all portions of budget.

Every dollar must be reviewed and justified.

-Need to set Public Hearing date for the Update to Part 1203 of the NYS Uniform Code and Energy Code – notable changes which all municipalities need to adopt, standardized all terms in definition section, added some requirements, for post inspection follow-up, operating permit section updated, items to align with uniform code which they're asking villages and towns to adopt. Recommends first on the agenda at next regular meeting in January. Clerk Heeder will follow up with Rob Fitzsimmons on notice.

13. Applications

- a. Oliver Kress is requesting Van Buren Hall on 11/25; 6:30pm-10:30pm; swing dancing/music (post approval) 75 ppl attended.
- b. Fyfe's & Drumms of Olde Saratoga is requesting to Parade on 6/3/2023 from noon – 1:00pm. Parade Route: Railroad Ave. to Albany Ave. to Broad St. to the House of History.
- c. Columbia County Land Conservancy is requesting Van Buren Hall on 1/10/23; 1pm – 4pm and 1/11/23; 9am to 12pm to hold strategic planning meetings.

Trustee Weir motion to approve all applications, Trustee Patterson seconded, all voted "Aye."

Per Trustee Browne the Kinderhook Runners Club is taking over the Ok5k June road race, will be putting in application for June 12th, 2023.

14. Taxpayer Time

Bill Mancini, Climate Smart Chair, reported:

Right now he's finalizing Climate Smart bond certification application and will submit by Jan 6th deadline.

Estimating 180 points, need 120 to qualify. County getting involved in program with possible incentives for village. The county can get incentives for any installations and are agreeing to split 50/50 with municipalities, There will be meeting after the New Year to discuss and vote on resolution.

Unity Masonic Lodge trying to start free store in Kinderhook similar to New Lebanon, asked the three committees for support, on voluntary basis, looking for location, town hall is a prime spot.

Councilman Bickerton looking into this. Collection was held of useable household items, to be distributed on free basis.

8:20 p.m. Motion by Mayor to adjourn for executive session to discuss personnel, Trustee Patterson seconded, all voted "Aye."

8:22 p.m. Executive session commenced. Topic: Personnel. No action taken.

8:51 p.m Trustee Weir made a motion to adjourn the Executive Session, Trustee Patterson seconded, all voted "Aye."

Respectfully submitted,

Susan Pulver

Recording Secretary