

Wednesday, August 9, 2023  
Village of Kinderhook Regular Board Meeting  
Minutes

Present: Mayor Mike Abrams Clerk/Treasurer Nicole Heeder	Trustees: Dorene Weir James Mark Browne – by phone Susan Patterson Quinn Murphy - absent
Attendees: Jerry Callahan, Rich Philips, Tom Baumgartner, Emily Heins, Grace VonMortiz,	

Call to Order:

Mayor Abrams opened the Regular monthly Board meeting at 7:00p.m. All stood for Pledge of Allegiance.

**1. Clerk/Treasurer** (Nicole Heeder)

Minutes of July 12<sup>th</sup> Regular monthly Village Board meeting and July 31<sup>st</sup> Public Hearing on Short term Rentals

Trustee Weir motioned to approve, Trustee Patterson seconded, all voted ‘Aye’.

Budget Amendments

- A. 1990.24 contingent to A.7140.21 recreation equipment \$750,
- A. 1990.4 contingent to A. 7140.4 recreation contractual \$551.16.

Trustee Weir motioned to approve, Trustee Patterson seconded, all voted ‘Aye’.

Abstract - Treasurer Heeder reported abstract totaling \$89,979.31; General Fund \$77,664.06; Water Fund \$2,904.99; Albany Ave. capital projects \$151.63; and Sewer Fund \$9,258.63.

Trustee Weir motioned to accept Abstract, Trustee Patterson seconded, all voted ‘Aye.’

Treasurer's Report -Trustee Patterson motioned to accept Treasurer’s report, Trustee Weir seconded, all voted ‘Aye.’

**2. Code Enforcement Officer** (CEO Trevor Bean)

Submitted monthly report.

Mayor asked how new software working out? CEO responded just got violations portion set up indicating 4 already. CEO reports that new software is working out well. Recommends tree removals for safety on Church St. and Sylvester St. Trustee Weir asked pricing. CEO relayed DPW Superintendent had rough estimate. Mayor will talk to Superintendent and get pricing. How quickly are we looking to take it down? CEO responded sooner than later, before the Fall. Per Mayor if under \$3,000 we’ll go ahead and get it done.

**3. Fire Department** (Chief Matt Cohn)

9 calls, 2 drills, 5 details.

Physicals are December 3<sup>rd</sup>. Attended Kinderhook summer program on 8/4/23. Last Monday had attic fire drill. On 8/2/23 going to 911 center for a presentation. Last Saturday attended Ghent Columbia County Volunteers Parade and won best overall auxiliary. Mayor inquired on progress on checklist. Chief reported it’s getting done, will keep Mayor posted.

4. **Water & Sewer Commissioner** (Comm. Dale Leiser) absent

- Unpaid water & sewer

Clerk/Treasurer Heeder reported water balance \$4,472.11, sewer balance \$14,294.43.

5. **DPW** (Superintendent Dave Booth) absent

- Monthly update

6. **Economic Development Director** (Director Renee Shur)

- Monthly EDC Report - submitted

- Signage at EV Charging Station – when signage went up there was an enclosure around it. Asks the board’s permission to explore putting map there which could be changeable and a permanent feature in the village with specifically historic features, not businesses. People are enthusiastic. She spoke to a graphic designer who would love to work on the map as well as the village historian. It would be fun to make a fun map, bring out some facts about the village that folks may not know. Trustee Weir asks about costs? No cost yet but would come out of economic development since it’s promotion. She will ask for quote. Trustee Patterson asks would map be in color? Yes. Now that Dunham Park has been dedicated it needs a sign. What kind of process does the board want to create for a simple sign with name and history and who should be involved? Trustee Patterson asks if it would be posted on bandstand or freestanding? Director recommends taking down the Preserve America sign as the frame is shot and there’s no money in the federal government for that program. Could be displayed there. All up for discussion on how village creates this sign. Who should be involved? Trustee Weir would like to be involved and will help come up with options to present to the board. Mayor recommends including Jim (Dunham)’s family.

7. **KBPA** (Renee Shur)

‘Under the Sky’ night offering outdoor movie this Friday at The School, very fun and appropriate for kids.

8. **Trustee Weir**

- Recreation Commission – next meeting is Monday, August 14<sup>th</sup> at 7pm.

- Summer Jam originally scheduled for July 13<sup>th</sup>, was postponed due to rainstorm, band inadvertently double booked so they’re trying to find new date.

- Fire truck day – was a big hit with approximately 55 kids in attendance, bottles of water handed out to kids and parents.

- Summer program 2023 ended with Fire Truck Day with Kinderhook Fire Department. The kids liked themed water days due to extreme heat. The counselors put together video for website. Resident commented that Heather was wonderful and made suggestion that State Farm used an app for messaging when closing due to rain etc. Suggests an app called Slack.

- Community night is the biggest event sponsored by the Recreation Commission. It’s Saturday, September 16th, at Rothermel Park from 4:30 p.m. to 7:30 p.m. with rock climbing wall, hayrides, pony rides, photo booth, food vendors, Saissonier will attend and music by DJ Jarrod from Upstate Celebrations.

- Tennis Court – back in operations, with pickleball!

- LWRP – a village wide survey Valatie & Kinderhook has been placed on Nextdoor Kinderhook by Patrick Roders of Valatie LWRP committee. Deputy Clerk is sending out a link to the survey via email blast with letter from the Mayor who will encourage folks to complete the survey.

9. **Trustee Murphy** - absent

- Climate Smart Task Force monthly update – Climate Adaptation and Resiliency Plan (CARP) - Bill Mancini reports 16 municipalities are involved, and the first step is to have a

Zoom meeting to discuss vulnerabilities. Audrey (Kropp) from Cornell (Cooperative Extension) would like as many municipal officials involved, her email had a link to a doodle poll with available dates. They want to include DPWs, Code Enforcement, and Fire Departments, who may see issues that exist. This will be a brainstorming session which Bill will attend with other members. They're doing this in many other towns and villages. Regarding the possibility of village community solar plan, the Village signed up four years ago with Nexamp for green energy buildings and streetlights, and so far, they've pushed back activation to next year sometime in the spring. He's contacted another company PowerMarket who has availability right now. There's a 90 day cancellation with Nexamp. Recommends executing that and going forward with PowerMarket. Need to have Rob Fitzsimmons look at it, will wait until next month to revisit. Folks can contact him and/or PowerMarket's representative Brad with questions. He's willing to Zoom with the board to look at his proposal. Starting EV campaign with ok from NYSERDA. Trying to get 5 or more village residents to confirm they bought an EV between August 4- whenever program ends for \$5,000 grant. Starting promotional things and trying to connect with Kinderhook Toyota.

#### **10. Trustee Patterson**

- General Code review - completion of editorial and legal analysis phase – Jerry Callahan and Trustee Patterson are working with all stakeholders and committees, CEO, DPW, village attorney, recreation department and have completed the 135 sections identified for review and all of which have been input into software. She met with Jerry Callahan yesterday to go over additional areas of code that different stakeholders identified they want reviewed. At this time need to involve the village board and the Mayor or his delegate, to work with Trustee Patterson and Jerry Callahan to finalize the submission so Mayor has confidence in decisions they've made. Rob Fitzsimmons has seen and reviewed and approved 75% of the decisions made thus far. How does Mayor want to move forward? Per Mayor we should probably have a workshop meeting to review and make decisions then. Trustee Patterson recommends categorizing things, so we don't have to go through 135 sections and put them in order. Jerry Callahan suggests providing an abstract for Mayor. When to submit? Trustee Patterson said it's scheduled to be submitted on 9/9/23. Mayor asked for wiggle room. She can ask General Code and then at September meeting could make some kind of declaration if needed. Per Mayor, let's do a special workshop meeting specifically for this issue and people could come. Per Trustee Patterson at this point in process a public hearing is not required, could do in Spring once draft returns from General Code, but we want transparency and input, she will reach out to General Code, let them know we're nearing completion and ask them for end of September. Mayor thanks Jerry Callahan for all the work.

- Planning Board update – met last Thursday, Aug. 3<sup>rd</sup>, had 1 piece of business which was Samascotts Greenhouse. CEO is aware.

- National Grid Hudson Street project update – transformer removal. Trustee Patterson spoke to Mr. Shevy, and he confirmed the project should be completed by end of August. She sent them Niagara Mohawk pole numbers and he said he will follow up with Consolidated and Spectrum. Trustee Patterson drove by and saw nothing going on yet but commented due to the last storm they had crews out on 9J.

#### **11. Trustee Browne**

- Historic Preservation Commission – met on July 20<sup>th</sup> to go over new and old business, held workshop beforehand from 6:30pm to 7pm to go over SHPO document prior to delivery to DOT and Parks. Got recommendations which were passed along to HVEA to incorporated changes, who were present at meeting.

- Albany Avenue Pedestrian and Bicycle Improvement Project- next meeting is scheduled for Wednesday, August 23<sup>rd</sup>. A public information meeting was held June 28<sup>th</sup>. The Mayor put

out blog posting about volume of activities and asked for delay, so people had opportunity to review. On August 23<sup>rd</sup>, the village board will vote on what preliminary concept is selected. Expect complete preliminary design package next week.

- Albany Avenue Water Main Upgrade Project – continuing to make progress. He would like to make a motion to vote to approve submittal of WIAA grant submission for Albany and William Streets which is done every year in attempt to get grant funding or a loan from EFC. Trustee Browne can't vote remotely but recommends resolution be read and adopted.

Resolution by: Trustee Susan Patterson;

Seconded by: Trustee Dorene Weir.

**WHEREAS**, Tighe & Bond Engineering, P.C. ("T&B") prepared a Water Distribution System Engineering Report dated **November 2021, as amended by most recent addendum** ("Engineering Study") to evaluate the Village of Kinderhook's ("Village") existing water distribution system for William Street and Albany Avenue and consider options for meeting requirements for a safe and reliable water system in the Village; and

**WHEREAS**, upon review of the Engineering Study, the Board of Trustees of the Village has determined that it is necessary and in the best interests of the Village to undertake certain water system improvements including rehabilitation of the water distribution lines on William Street and Albany Avenue and related water system improvements ("Water System Improvements"); and

**WHEREAS**, the Board of Trustees of the Village now desires to seek available grant funding to assist in offsetting the costs of such Water System Improvements; and

**WHEREAS**, the aforesaid project constitutes a Type II action as defined under the State Environmental Quality Review Regulations, 6 NYCRR Section 617 (Title 6 of the New York Code of Rules and Regulations) and therefore is not subject to environmental review.

**NOW, THEREFORE BE IT RESOLVED** by the Board of Trustees of the Village of Kinderhook, as follows:

1. The Board of Trustees of the Village hereby authorizes the Mayor or, in his absence or unavailability, the Deputy Mayor, to execute and submit one or more applications for financial assistance in the form of grants or loans or both for the Water System Improvements, including without limitation applications to State of New York and its agencies and to the New York State Environmental Facilities Corporation, and

including without limitation an application for grant funding under the NYS Water Infrastructure Improvement Act (WIIA); and

2. This resolution shall take effect immediately.

Upon question of the foregoing Resolution, the following Board members voted "Aye" in favor of the Resolution:

Mayor Michael Abrams;

Trustee Dorene Weir;

Trustee Susan Patterson;

\_\_\_\_\_ ; and

\_\_\_\_\_.

The following Board members voted "No" in opposition thereto:

\_\_\_\_\_ ; and

\_\_\_\_\_.

The Resolution having been approved by a majority of the Village Board, the same was declared duly adopted by the Mayor of the Village of Kinderhook.

Chargepoint problems with cloud software. Clerk Heeder worked with them and got it renewed. As of today, it's at the new rate. Recommends not trying to make money just offset the costs of power, software and maintenance. Trustee Browne recommends at the conclusion of regular meeting, going into executive session to discuss staffing requesting Jerry Callahan attend.

## 12. Mayor Abrams

- Confirm date for the volunteer firefighter LOSAP referendum – Rob Fitzsimmons, Dave Bartlett, Nicole Heeder, Matt Cohn and Mayor Abrams will meet to discuss. Potential date for vote is Tuesday, September 26<sup>th</sup>. A lot of work is already done. Just need to get resolution and notify publications.

- NY Forward LPC meeting scheduled for Thursday, August 10<sup>th</sup> at Van Buren Hall from 6:00 p.m.- 8:00 p.m. and is open to the public.

### 13. Applications

Per Clerk Heeder there are two new applications: 1) Friends of Kinderhook Memorial Library want to put sign at the Bank, Sept. 17 – 24<sup>th</sup>; and 2) Lisa Weilbacker, Columbia County Historical Society wants to use Van Buren Hall, for classical music concert on November 11<sup>th</sup>, from 4-7 p.m.

Trustee Weir motioned to approve applications, Trustee Patterson seconded, all voted ‘Aye.’

### 14. Taxpayer Time

Emily Heins raised bike trail Albany Ave. issue, has question of who decides what it will look like, where do those plans come from? Seeing vote unanimous option 1 wonders what about the kids? Sacrificing safety of all bikers, kind of scary at times. Can see many pros and cons for any of them. Mayor replied it’s not finalized yet. Brief overview of history of project. Need to replace water main on Albany Ave. and fix roads and sidewalks. \$3.5m cost. Submitted TAP grant, as part has to improve ability for bikers/pedestrians to get from trail to downtown. Hired HVEA to come up with options. Given the width of road and without any type of eminent domain, asked them to give us every possible option. HVEA provided 5 options. The 1<sup>st</sup> option keeps everything way it is just improves the road, sidewalks, drainage, and includes tree removal. Several other options included a dedicated bike path. Per Mayor on August 23<sup>rd</sup> the board will vote on which option is preferred which gets submitted to DOT for final approval. Emily – 1<sup>st</sup> option – instead of having two sidewalks, has sidewalk and bike path, 5 feet bike path sounds like it would be an option, envisioning what’s safest, transition sidewalk to green picture of bike path, keep parking on both sides of streets and not changing the footprint on street. Asks how many people on the board have biked that portion? Mentions once you have that experience with farm trucks you can’t get out of road because there’s parking both sides and with kids it’s scary. Wondering if we’re voting about users and asks have people voting used it for intended purpose? Per Mayor at the last meeting there was overwhelming support for option A. Resident asks are those people who live there? They looked at all houses and they all have driveways. It’s a perk to having parking on both sides of street. Understands we want more municipal parking on both sides of street but doesn’t feel right, con of option 1 is safety of people and kids especially. We’re a biking village. Our sister city, the Netherlands, is the highest biked country in world. Is it possible that one sidewalk could remain, and another sidewalk could be designated as bike lane? Does that option exist? Per Mayor, no. Those options were designed according to NYS regulations. In keeping the same, expectations that bikers would use sidewalk or road. Per Mayor - shared road. Just not safe per Emily. Mayor is open to what public wants. Who gets to vote? Trustee Weir encourages them and all public to come to the next meeting. Per Mayor there was no one who wanted a bike path. Resident asks how many of those people biked it or have children? Supposed to vote on idea of what’s best for village. What’s safest?

Rich Philips – wasn’t that reason we got the grant? For bike lane to village?

Mayor replied the intent was to improve it. So, there’s levels of inclusion. Talking with HVEA, they were confident that making shared path, improved sidewalks, improved road would be approved by DOT. DOT has decision making authority over what gets done. If there’s a grey area, they have a tendency to agree with municipality.

Resident states Option A does not improve bike path situation and will rally troops. Mayor thanks them for coming.

Location for the next Albany Ave. meeting will be at firehouse again. Board will put out notice. Trustee Browne will consider opinions of all residents. Reiterates at the first meeting residents wanted Option 1. Unless we hear changes. With Option 1 trying to make it safer for bikes, slow down cars, make bikes ride next to cars, trying to improve biking.

Rich Philips thanks Trustee Susan Patterson and Trustee Dorene Weir for work on telephone pole on Sunset Ave. as it was fixed last week. Mentions the next tragedy waiting to happen is the branch of oak tree going over top, if it falls on someone it would be bad. By pink house. Per CEO it's scheduled to come down.

7:48 p.m. Trustee Weir motioned to adjourn regular Village Board meeting and enter executive session to discuss personnel with Jerry Callahan and Clerk/Treasurer; Trustee Patterson seconded, all voted 'Aye.'

Minutes respectfully submitted by Sue Pulver, Recording Secretary

No action taken.

Trustee Weir made a motion to adjourn executive session at 8:30pm; seconded by Trustee Patterson. All voted "aye".

Respectfully submitted, Nicole H. Heeder Village Clerk Treasurer