

Minutes

Regular monthly meeting of the village Board of Trustees and bid opening for a backhoe  
Wednesday, December 9, 2015

Present: Mayor Carol Weaver

Trustees: Richard Phillips  
Dale Leiser  
Brian Murphy  
Robert Puckett (8:01pm arrived)

Also attending: Glenn Smith; David Booth; Jim Dunham René Shur; Bob Albern; Bernadette Powis; Mark Brown; Emilia Teasdale, Columbia paper; Matt Cohn and Larry Eisen.

**BID OPENING**

Mayor Weaver opened the meeting at 7:30 PM.

Trustee Leiser opened the bids and reported the following bid information:

1. Liftech JCB

USED - JCB 3CX - 14 with 91 H.P.	\$ 88,488.33
NEW - JCB 3CX - 14 with 109 H.P.	\$91,548.51

Optional for both backhoes	
Loader	\$2,933.00
Thumb	\$5,800.00

With options:	
Used	\$ 97,221.33
New	\$100,281.51

2. John Deere

New - includes them and loader	\$96,205.00
Used - 2012 1097 hours	\$70,000.00
Includes 24" bucket	
1.12 front bucket	
Thumb	
No warranty	

3. Caterpillar

Used - 2012. 1290 hours	
4 year warranty included in bid	
Base bid	\$74,430.00
With bucket and claw	\$82,998.00
bucket	\$81,000.00

To allow the village board to make an informed decision, Mayor Weaver will input the information into a spreadsheet. The bid can be awarded at a special meeting or at the next village board meeting.

#### MINUTES

Trustee Phillips made a motion to approve the minutes of November 12, 2015 regular monthly meeting and November 23, 2015 special meeting; seconded by Trustee Murphy. All voted "aye".

#### BUDGET AMENDMENTS

##### General fund

Trustee Phillips made a motion to approve the following budget amendments presented by the village Treasurer; seconded by Mayor Weaver. All voted "aye".

<u>FROM</u>	<u>TO</u>	<u>AMOUNT</u>
A.1670.4 central printing and mailing	A.1680.4 central data processing	\$307.99
A.3410.4 fire department contractual	A.3410.2 fire department equipment	\$2001.86
A.3410.43 fire equipment maintenance	A.3410.41 fire truck, generator, repair	\$5640.03
A.7310.4 youth program contractual	A.7140.4 recreation contractual to under	\$210.84
A.5110.4 Street maintenance equipment	A.8161.1 leaf pick up personal services	\$1340.75

#### ABSTRACT

Backhoe-Due to the loss of the villages backhoe in the fire, the insurance company approved a rental up to \$5,000. Trustee Leiser made a motion to pay the rental of a backhoe for one month for \$5,000; seconded by Trustee Murphy. All voted "aye".

DPW truck-The village's 2013 GMC was accidentally damaged when employee, Robert Meehan, backed into the bathrooms at the playground. The Board held a discussion as to whether to submit the claim to insurance. The protocol of the office staff is to send an email out to the village board. This was not done. Trustee Phillips requested the office to remember to inform the village board of any accidents. Trustee Phillips made a motion to consult with the village's agent and go with his recommendation; seconded by Mayor Weaver. All voted "aye".

Trustee Phillips made a motion to approve the abstract in the amount of \$272,134.40 seconded by Mayor Weaver. All voted "aye".

#### TREASURER'S REPORT

Mayor Weaver made a motion to approve the monthly treasurer's report; seconded by Trustee Leiser. All voted "aye".

#### FIRE DEPARTMENT

Larry Eisen reported 4 calls, 3 drills and 0 details. The monthly fire report and officer meeting minutes were received.

The fire police will hand out candy canes and assist with traffic at Candlelight night from 4:30 pm-8:30pm.

Larry requested to have the officers of the fire department obtain keys to the village hall in case of an alarm activation or fire. The village clerk will have three sets of keys made for each of the officers. There are two keys - one for the village hall first floor and one for the second floor.

## DPW

Dave reported the DPW assisted the Town of Kinderhook and Town of Stuyvesant with cleaning ditch lines of leaves.

Water Department-C&E Rothermel and the DPW installed 600 ft of 2 inch pipe for the necessary connection at Jed Cleary residence. The village will pay approximately \$8,000-\$9,000 to fix the water line as it feeds water to more than one property.

Water license-The board requested Robert Meehan apply for his water license by the end of December 2015. Jack Taylor's water license is good until October of 2016.

Sewer-Dave scheduled with the Village of Valatie to read the pit on December 28, 2015 in preparation of the January sewer billing. He has three more meters to change out in the B-1 District. Mayor Weaver requested he inspect the new meters within a week of changing out to insure they are working properly since they were in the fire at the DPW garage.

DPW Garage-the village board was hoping to receive the bid documents from Ray Jurkowski by December 4<sup>th</sup>. He was unable to finish the work and is requesting to send it out on December 11<sup>th</sup> to be submitted for approval to the village's insurance company. Trustee Phillips will send an email to Matt Sherman notifying him the documents will be coming for his review and approval. Trustee Phillips will include the village board and Ray on the email.

Vehicle storage rental-The board is considering two places to store vehicles for the winter until the DPW garage is built.

1. Tom Hall has a place that is 2.3 miles away, heated with tools and can accommodate all of the village equipment for \$2,500 a month.
2. Two bay garage on Pin Oak that will hold the two pickup trucks and/or possibly the backhoe. It is close but there are not tools to work on the equipment, lack of space for all the equipment although several items can be stored at the pavilion behind the fire house. The DPW would be able to start plowing immediately as it closer. A rental charge of \$1,000 a month was requested.

Trustee Philips and Trustee Leiser will drive the DPW trucks to the garage on Pin Oak to see if they will fit with the plows attached.

Water line at creek-At this time no bids have been received. Trustee Leiser will request Ray Jurowski submit for an extension of the permit.

Dead End Signs- The embossed signs will need to be replaced to accommodate the dead end signs being attached to the street signs. The old signs will be given to Renée for another auction of signs. The signs and brackets can be purchased at Saxton signs. The informative signs will only be installed on the roads off of Gaffney.

Parking lot signs-Dave will meet with Renee on Friday to discuss the placement of the No Parking signs.

County Snow & Ice Contract- the village received an approved contract from the County for salting and snow removal of Hudson St. and Albany Ave for one year.

Stop Signs-Trustee Murphy placed a call to a traffic engineer with the city of Albany. He would like to discuss installation of stop signs with him. Trustee Murphy made a motion to set a public hearing for PP LL #1 of 2016 amending the Code of the Village of Kinderhook in relation to traffic restrictions for January 13, 2016 at 7:00 pm; seconded by Mayor Weaver. All voted "aye".

Jim Dunham would like a recommendation from a traffic engineer before moving forward as the DOT traffic manual states not to install stop sign as a traffic calming measure. He does not feel a stop sign on Hudson St at William going out of the village is appropriate(.) The street is a connector street.

#### CODE ENFORCEMENT OFFICER

The CEO/ZEO monthly report was received with \$390.00 of fees collected.

3 Church Street-Trustee Phillips inquired with Glenn how the house at 3 Church Street became in such disrepair with being in the Historic District. The HPC law (Chp 75-12) states a charge of \$85.00 a day can be charged under the law.

Glenn noted he has given several violations since 2005 and litigation would be the next step. He is requesting to have additional time into early 2016 to allow his new contact through John Faso to take care of the house. He stated it would cost the village thousands of dollars to remedy the house. Trustee Phillips feels the daily fine money would cover some of the cost. Glenn stated he does not have the authority to assess the fine. A judge would need to assess the fine. He believes the village would get further with fines set using building code violations then the HPC law. Mayor Weaver requested he speak with the Village attorney this week regarding the violations issued and calculate how many days they have been in violation by the amount of fines that can be assessed.

#### PARTNER'S IN SAFETY SERVICE AGREEMENT

Mayor Weaver signed the annual Partner's In Safety Agreement to have the village DPW drug and alcohol tested when required.

#### INSURANCE

Hold Harmless contracts-When a contractor is hired to conduct work for the village a hold harmless contract will need to be signed. A worker's compensation certificate is required and the village listed as additional insured. Gary Van Allen will review the documents before the village accepts the contract.

DPW Cost form Fire-Trustee Phillips and the Village Clerk will review all the costs incurred due to the fire. The village has received \$75,000 of insurance funds at this time for expenditures.

Safety Committee-NYMIR has a pamphlet on safety that the village board can review. Trustee Leiser stated that the DPW attends a yearly safety meeting at the county.

#### SURPLUS PROPERTYAUCTION

Leaf box-The village won the auction for a leaf box on Auctions International for \$591.00.

Trustee Phillips noted the village and fire department have several items that can be sold on Auctions International. (welder, leaf machine, dump truck, Jaws, splitter) Pictures will need to be taken and placed on Auctions International to possibly recoup a couple thousand dollars.

#### ZONING BOARD

Minutes of October 26, 2015 were received.

The Planning Board and Zoning Board conducted a joint meeting to discuss Ann Schomaker's variance request. There were 5 criteria's they reviewed; no determination was given. The applicant and the surveyor will review the plans to see if the 35' variance request could be reduced in size. They will come back to the board to discuss the changes. The Planning and Zoning boards will meet on December 28th. to review any changes to the original plans.

#### PLANNING BOARD

Minutes of October 1, 2015 meeting were received. The planning board did not meet in November.

#### COMPREHENSIVE PLAN UPDATE

Minutes of October 1, 2015 were received.

Mark Browne reported 530 postcards were sent out notifying residents of the survey. Two email blasts went out to 400 recipients and an article written in INBY was issued. As of the meeting tonight 178 electronic surveys have been completed and 25 paper surveys were picked up. The survey commenced on November 16<sup>th</sup> and will conclude on December 12.

#### HISTORIC PRESERVATION COMMISSION

Minutes of October 15, 2015 were received.

A discussion of when Glenn is to sign the Certificate of Appropriateness for a building in the HPC District was discussed. Does he sign the COA after the review of the HPC Commission or does Glenn sign the COA before the review of the HPC. Glenn, Trustee Puckett and Ken Nelson will meet to discuss the proper course of action.

#### ECONOMIC DEVELOPMENT DIRECTOR

Person of Color-The HPC and village board applied to have the person of color cemetery on the National Register. The village was notified the Persons of Color Cemetery has been placed on the NY State Register and will go to the National Register. Mayor Weaver will send a Thank you note to Warren Applegate and Ruth Piwonka for their work.

Renee gave the village board documentation on the New York Main Street Program. She requested the village board review the documentation and consider for the village. The program provides funds to local governments for revitalizing their historic centers.

#### VILLAGE HALL

Village Hall Roof-The roof repair project is almost complete. Glenn is working with Marilyn on the hours billed from Sullivan that is not accounted for in their paperwork. Trustee Puckett also requested a credit for the error in mileage submitted. Trustee Puckett would like to discuss with Marilyn the credits the village is requesting for the mileage, hours charged and the change of the wood used and report back to the village board. The village hired Mid State not Sullivan; the village can choose to pay Mid State less the 60 hours to Sullivan.

Mid State will have their contractor reattach several brackets with the approved method from Marilyn and Glenn. Glenn offered to reattach the remaining brackets not in the contract with the assistance of the DPW.

The kemper product used on the gutter system will be inspected next week. The warranty will need to be signed by Mayor Weaver. The Mayor received one of three pages of the application of warranty registration to sign for the roof and gutters. When she receives the other two pages she will sign and send back.

#### WASTEWATER COLLETION PROJECT

Mayor Weaver submitted the paperwork to close out the CDBG grant. They will audit the village's paperwork for the jobs created as part of the closeout project. Cascale repaved the parking lot and his last payment was approved at tonight's meeting. There are a few small items that need Jim will address.

#### SIDEWAL LINK PROJECT

The village is waiting on the Federal and State reimbursement along with payment from the Village of Valatie. The village board agreed this item can be removed from the agenda.

#### APPLICATIONS

Mayor Weaver made a motion to approve the request from Mark Browne to use the village hall 2<sup>nd</sup> floor on the 4<sup>th</sup> Sunday of the month from 7-9 pm to hold meetings for the Kinderhook Runners Club; seconded by Trustee Phillips. All voted "aye".

#### RECREATION COMMISSION

At the village's October meeting Trustee Phillips requested a report from the recreation commission stating the actual cost of the events the recreation puts on, how many residents are in attendance. The request came after the recreation committee met in October(.) The November meeting was cancelled and the December meeting falls after the village board meeting.

Village Clerk/Treasurer, Nicole Heeder and a volunteer on the Recreation committee stated she sent an email to the recreation members notifying them of Trustee Phillips request and that the report will be completed at their December meeting.

#### KBPA

Candlelight night will be held on December 11<sup>th</sup> from 5:30-8:30pm.

#### TAXPAYER TIME

Jim Dunham informed the Village board Mike Urbaitis fixed the arm on the village clock in the tower of the Kinderhook Reformed Church.

Mayor Weaver made a motion to adjourn the village board meeting and enter into executive session; seconded by Trustee Leiser. All voted "aye".

Mayor Weaver made a motion to adjourn executive session and the village board meeting at 10:05 pm; seconded by Trustee Murphy. All voted aye".

Respectfully submitted,

Nicole H. Heeder  
Village Clerk