

Minutes  
Regular Monthly Meeting of the Village Board of Trustees  
July 13, 2016

Present: Mayor James Dunham

Trustees: Richard Phillips  
Dale Leiser  
Robert Baumeister

Absent: Trustee Robert Puckett

Also attending: Glenn Smith; Larry Eisen; Nick Eisen; Brian Murphy; William Mancini; Andrew Pellettieri; Rima Bostick; Paul Calcagno and Emelia Teasdale, The Columbia Paper.

Mayor Dunham called the meeting to order at 7:30 pm.

He informed the public that starting this month's meeting there will be two Taxpayer's time. The first one will be in the beginning of the meeting. A sign in sheet will be available noting a three minute time limit on any subject if anyone wishes to speak. The second one will be at the end of the meeting and will be restricted to items on the agenda with a three minute time limit.

### **TAXPAYER TIME #1**

Andrew Pellettieri wanted to thank the board for listening to his suggestion on having two taxpayers' time and implementing it. He inquired if the fire department is a 501C. He stated there are funds available for participating non - for - profits. There is a webinar in August he will receive more information to forward to the village board. The social fund of the fire department is not a 501 C but Larry can research on possibly setting it up.

Rima Bostick would like to follow up on four items: 1. To add a strip of trees to the village parking lot. She spoke with Paul Calcagno requesting he add trees to his strip of land between the post office and parking lot. She noted he would be willing to plant them. 2. She does not want lights placed in the village's parking lot lighting everything up. She believes this is contrary to objectives of the Climate Smart Community 3. She feels there are other ways to have trees planted in the village besides a tree fund. She contributes to the village by planting trees in front of her house and believes other residents should do so 4. She would like to clarify that the village can accept donations and give a tax exempt receipt Mayor Dunham responded the village is aware of that the clarification is the village cannot solicit donations.

Brian Murphy inquired how the CEO/ZEO would interpret the code on temporary storage pods. How long will the village allow the temporary pods to be there? Glenn responded there is no code to dictate the length of time. The village board will request he Planning Board to review and give suggestions.

### **MINUTES**

A motion made by Trustee Phillips approving the minutes of June 8, 2016 regular monthly village board meeting; seconded by Trustee Leiser. All voted "aye."

### **ABSTRACT**

Trustee Phillips made a motion approving the monthly abstract in the amount of \$37,428.73; seconded by Trustee Leiser. All voted "aye".

### **TREASURER'S REPORT**

Trustee Leiser made a motion approving the Treasure's report for June and July; seconded by Trustee Baumeister. All voted "ave".

## **FIRE DEPARTMENT**

Larry reported 4 calls, 1 drill and 2 details. The new air paks are in service on the trucks. The Columbia County parade will start at 3pm in Niverville.

## **DPW**

Dave was unable to attend the meeting so a written report was received. The DPW finished planting the several trees and shrubs from the tree fund and filled a small sink hole in the village parking lot.

An agent from the village's insurance company completed an inspection at the playground. He gave several suggestions to make the playground safer. The DPW completed several of the tasks suggested: adding pea stone to the playground, adding dirt around the fence poles of the tennis courts, sanding the columns on the pavilion and making the seesaws more secure.

DPW Garage- During a project there can be scope changes that may need immediate attention or decisions made. Jim Dunham appointed Trustee Leiser as the project manager to the DPW Highway Garage Project. He will speak to the engineer and contractor during the project for any small scope changes. . He is reviewing changing the garage door widths to a 12 ft width to allow better access for the 9ft 6" plow. Mayor Dunham said it makes sense to change the door width if the cost is minimal and we are not going over insurance funds received for the project. Trustee Phillips stated no additional funds will be spent or major changes without the entire boards consent.

Waterline at Creek-Mayor Dunham signed the contract with Harkins Mechanical for the waterline protection project. They will start work within the next two weeks and will complete the project in two weeks.

William Street-Mayor Dunham would like to start Capital Planning for the projects needed in the village. The importance of the projects, the cost of the projects and the current debt service will need to be considered. He would like to start the Engineering of William Street by the end of this year.

## **CODE ENFORCEMENT OFFICER**

The CEO/ZEO's monthly report was received with \$505.00 of permit fees received.

Glenn noted he has had several inquiries of residents wanting chickens. A Special Use permit will need to be acquired if you would like to have chickens in the village.

Violations- 14 Sunset Ave was given a notice for property maintenance issues. There are property violations for 5 Church Street. The house is in the process of being acquired by the bank. Glenn will inform the bank of their property maintenance obligations.

## Revised Building Department Fee Schedule

Adopting a Revised Building Department Fee Schedule.

At a regular meeting of the Village Board of the Village of Kinderhook, Columbia County, New York, duly held on the 13<sup>th</sup> day of July, 2016 at the Village Hall, 6 Chatham Street, Kinderhook,

New York, the following Resolution was proposed and seconded:

Resolution by: Trustee Richard Phillips;

Seconded by: Trustee Dale Leiser.

**WHEREAS**, the Village Board has reviewed and discussed making revisions to the fees and charges assessed for building projects within the Village, known as the Village of Kinderhook Permit Fee Schedule; and

**WHEREAS**, the Village Board, in consultation with the Building Department has made revisions to the fee schedule to charge fees appropriate and relative to the costs incurred by the Village to administer and review such building projects; and

**WHEREAS**, the Village Board further determines that not-for-profit corporations are formed to benefit the community with the services provided, and therefore the Village Board determines fees for not-for-profit organizations should be waived, upon documentation provided to, and reviewed by the building department at the time of application; and

**WHEREAS**, pursuant to the Code of the Village of Kinderhook, section 65-15 entitled "Fees" the Village Board can adopt a fee schedule by resolution.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Trustees of the Village of Kinderhook adopt the Village of Kinderhook Fee Schedule as attached hereto and made part hereof.

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

Mayor James Dunham;

Trustee Richard Phillips;

Trustee Dale Leiser; and

Trustee Robert Baumeister.

The following Board members voted "No" in opposition

thereto:

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

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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.

### **TREE FUND**

The village was waiting to receive root barrier material that was lost in the fire to finish the tree fund project. The last two trees were being planted in the green space between the sidewalk and the road.

### **REQUEST FOR PROPOSALS FOR TRAFFIC CALMING STUDY**

Brian Murphy reported the committee interviewed both engineering firms Greenman-Pecersin Inc. and WSP Parsons Brinckerhoff of whom they received proposals from. Both proposals were large in scope in nature. The committee will meet July 17<sup>th</sup> to rate both firms and reduce the scope of work to the five streets in the village where they feel needs the study.

### **CLIMATE SMART COMMUNITY TASK FORCE**

The climate smart pledge will be submitted to DEC.

Mayor Dunham appointed Aileen Leventon to the climate smart task force.

### **INSURANCE**

DPW Costs from fire-Trustee Phillips will contact Matt Sherman informing him the village broke ground on the DPW Highway Garage Project.

Appointment of Safety Committee-A Safety committee is comprised of Mayor, James Dunham; Trustee, Richard Phillips; Village Superintendent, David Booth; Fire Chief, Larry Eisen; Village Insurance agent, Gary Van Allen and NYMIR agent, Jay Ludaski. Their next meeting is scheduled for Monday, July 18, 2016 at 9 am in the village hall.

### **SURPLUS PROPERTY-AUCTION**

The Village had a successful auction selling five items. Auctions International will collect the money, keep a % of the sale and forward the village the remaining funds. Trustee Phillips will give an update at the next meeting.

### **ZONING BOARD**

The zoning board meeting was cancelled no new or existing business.

### **PLANNING BOARD**

Minutes of April 7, 2016 and April 12, 2016 minutes received.

The planning board will hold a Public Hearing for the Certified Reports building, 5 Hudson Street for a site plan review for Maple Hill Creamery on August 4, 2016 at 7:00 pm. A Public Hearing will be held for 23 Eichyush Road, David Flaherty for a lot line adjustment on August 4, 2016 at 7:15 pm.

### **PLANNING BOARD COMPREHENSIVE PLAN UPDATE**

Trustee Phillips would like Mayor Dunham and himself to meet with committee Chair, Marc Browne to discuss the financials of the update and the completion of the update to be presented to the village board

## **HISTORIC PRESERVATION COMMISSION**

Trustee Puckett was unable to attend the meeting. Mayor Dunham attended representing Kinderhook Reformed Church for the rehab project of the tower at Kinderhook Reformed Church.

The committee discussed the proposal from Tina Lang for the design of two new houses on Church Street.

## **ECONOMIC DEVELOPMENT DIRECTOR**

Renee Shur was unable to attend the meeting. Her monthly report was received.

Kinderhook African American Cemetery- Researching for funds available for various improvements at the cemetery.

Lighting of the village parking lot-Lighting Study Grant-The village was awarded the lighting study grant. The committee will meet tomorrow night, July 14, 2016 at 5:30 pm in the village hall.

Main Street Program-Resolutions-The LaBerge Group was hired at an hourly rate of \$130.00 with the total not to exceed \$2,000 to assist in applying for the NYS Homes and Community Renewal Main Street Grant Program. Renee met with several business owners in the B-1 District who have projects that may qualify under the Main Street Grant Program. The application is by July 29, 2016. The village will need to adopt two resolutions; one to apply for the grant funds and one to administer the grant funds.

Resolution by the Village Board approving the Village of Kinderhook in its application to NYS Homes and Community Renewal for funding under the New York Main Street Program for Traditional Area Building Renovation Projects.

At a regular meeting of the Village Board of the Village of Kinderhook, Columbia County, New York, duly held on the 13<sup>th</sup> day of July, 2016 at the Village Hall, 6 Chatham Street, Kinderhook, New York, the following Resolution was proposed and seconded:

Resolution by: Trustee Dale Leiser

Seconded by: Trustee Robert Baumeister.

**WHEREAS**, the Village of Kinderhook desires to apply for \$100,000 to \$200,000 in financial assistance through the 2016 Consolidated Funding Application (CFA) under the New York Main Street Program; and

**WHEREAS**, the application proposes funding to assist property owners to complete building renovations to downtown “main street” buildings in the B-1 Business District encompassing portions of Broad Street, Chatham Street, Albany Avenue and Hudson Street; and

**WHEREAS**, the proposed funding will contribute to ongoing community revitalization efforts; and

**WHEREAS**, the grant application requires that the applicant obtain the approval and endorsement of the governing body of the municipality in which the project will be located.

**NOW, THEREFORE, BE IT RESOLVED**, that the Village Board of the Village of Kinderhook approves and endorses the 2016 Consolidated Funding Application (CFA) under the New York Main Street Program for assistance prepared and to be submitted by the Village of Kinderhook.

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

Mayor James Dunham;

Trustee Richard Phillips;

Trustee Dale Leiser; and

Robert Baumeister;

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

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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.

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Resolution by the Village Board of the Village of Kinderhook committing funding for the administration of the Main Street Renewal project

At a regular meeting of the Village Board of the Village of Kinderhook, Columbia County, New York, duly held on the 13<sup>th</sup> day of July, 2016 at the Village Hall, 6 Chatham Street, Kinderhook, New York, the following Resolution was proposed and seconded:

Resolution by:           Trustee Phillips;

Seconded by: Trustee Baumeister.

**WHEREAS**, the Village of Kinderhook desires to apply for \$100,000 to \$200,000 in financial assistance through the 2016 Consolidated Funding Application (CFA) under the New York Main Street Program; and

**WHEREAS**, the application proposes funding to assist property owners to complete building renovations to downtown "main street" buildings in the B-1 Business District encompassing portions of Broad Street, Chatham Street, Albany Avenue and Hudson Street and the Village of Kinderhook must commit to funding the administration of the project.

**NOW, THEREFORE, BE IT RESOLVED**, that the Village Board of the Village of Kinderhook commits to funding of \$7,500 to \$15,000 for the administration of the Main Street Renewal project, and be it further

**RESOLVED**, that the Mayor is hereby authorized and designated as the Village representative to accept with his designee the responsibilities associated with the administration and program delivery of said New York Main Street project, and in this capacity the Village shall provide up to \$625 per month not to exceed 24 months, to support the administration and program delivery of the 24 month project, and his/her designee is further authorized to request and expend funds from the NYS HTFC pursuant to said contract and/or agreement;

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

Mayor James Dunham;

Trustee Richard Phillips;

Trustee Dale Leiser; and

Trustee Robert Baumeister.

The following Board members voted "No" in opposition

thereto:

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

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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.

## **VILLAGE HALL**

1<sup>st</sup> floor Bathroom- The village sent out a request for quotes out for the proposed ADA compliant bathroom in the 1<sup>st</sup> floor of the village hall. Four contractors requested the plans but only contractor submitted a quote. WM Construction, Inc. submitted a quote for \$31,000 to install one ADA Compliant bathroom. The plan previously chosen was to remove the village's 2<sup>nd</sup> bathroom to add more office space and storage area. The village is re analyzing retaining the 2<sup>nd</sup> bathroom and making one of the two bathrooms ADA compliant bathroom. Mayor Dunham requested Mr. Mueller; from WM Construction, Inc. submit a price quote to keep the second bathroom for the village board to consider.

Ceiling Repair 2<sup>nd</sup> fl of Village Hall-Matt Sherman is working with Mid State Industries and their insurance company for the repairs required to the ceiling of the Village Hall 2<sup>nd</sup> floor from the Roof Repair Project

Troopers Entrance-the trooper's front door entrance needs to be replaced along with some rotting wood. Mayor Dunham would like to hold a workshop on the repairs needed to the Village Hall when Trustee Puckett returns.

## **SIDEWALK LINK PROJECT-TITLE VI**

The village was one of fifteen communities around the state subject to a Title VI review by NYSDOT. The village was then required to adopt and implement Title VI Plan. The village was one of them due to the federal funds received in the Sidewalk Link Project. It will be a pre-requisite for eligibility for future federal funds. The village will need to comply with the Disabilities Act and will be required to re certify the plan when there is a change with the municipal chief executive. Catholic Charities and the Valatie Free Library can help assisting with those that have English language deficiencies. An additional requirement is to have a Title VI Coordinator. Mayor Dunham appointed Glenn Smith as the Title VI Coordinator.

Resolution adopting the Village of Kinderhook Title VI Plan

At a regular meeting of the Village Board of the Village of Kinderhook, Columbia County, New York, duly held on the 13<sup>th</sup> day of July, 2016 at the Village Hall, 6 Chatham Street, Kinderhook, New York, the following Resolution was proposed and seconded:

Resolution by: Trustee Robert Baumeister

Seconded by: Trustee Richard Phillips.

**WHEREAS**, Title VI of the 1964 Civil Rights Act provides that no person in the United States shall, on the grounds of race, color, national origin, sex, religion, age, disability, family or

income status be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity receiving federal financial assistance; and

**WHEREAS**, nondiscrimination provisions apply to all federally and non-federally assisted programs and activities of Federal-aid recipients, sub-recipients, and contractors, regardless of tier. The provisions prohibit any use of Federal financial assistance to subsidize, promote or perpetuate discrimination based on race, color, national origin, sex, religion, age, disability, family or income status. Primary recipients are responsible for determining and obtaining compliance by their sub-recipients and contractors; and

**WHEREAS**, a Village of Kinderhook Title VI Plan is required for Title VI compliance; and

**WHEREAS**, many other programs and initiatives, now and in the future, may be dependent upon federal financial assistance; and

**WHEREAS**, adoption of and adherence to a Title VI plan is a pre-requisite for eligibility to receive and to continue to receive financial assistance.

**NOW, THEREFORE BE IT RESOLVED**, that the Village of Kinderhook Board of Trustees hereby adopts the attached Village of Kinderhook Title VI Plan; and be it further

**RESOLVED**, that the provisions of the Title VI Plan shall be administered immediately upon adoption; and be it further

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

Mayor James Dunham;

Trustee Richard Phillips;

Trustee Dale Leiser; and

Trustee Robert Baumeister.

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

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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.

### **WASTEWATER COLLECTION PROJECT**

A cartridge meter was being proposed at the pump station to solve the meter issue. Mayor Dunham spoke with the supplier of the cartridge meter and it does not meet the requirements. The criteria required to use a cartridge meter is the maximum grade of 1.5%; the village has a grade 4%. Jim is hoping to meet with Emmons Pump to discuss and research another meter to solve the issue.

Mayor Dunham would like to require restaurants to clean their grease traps on a regular basis.

### **PEDDLER'S PERMIT**

Trustee Baumeister made a motion to approve Dean Pugh's request for a peddler's permit to sell maintenance of asphalt through October; seconded by Trustee Leiser. All voted 'aye.'

### **APPLICATIONS**

A motion made by Trustee Baumeister to charge \$50.00 to non-village residents for rental of the playground; seconded by Trustee Phillips. All voted "aye"

- a. A motion made by Trustee Phillips approving Rhonda Lauster request to use the playground pavilion for a child's birthday party on July 17, 2016 from noon-6 pm; seconded by Trustee Leiser. All voted "aye."
- b. A motion made by Trustee Phillips approving Bonnie Shannon's request for a sign in the village square from 9/1-9/18 for the Friends of Library book sale; seconded by Trustee Baumeister. All voted "aye."
- c. Trustee Phillips made a motion approving Citizens Action League's request for the use of the playground pavilion on 7/15/16 from 12:30-4 pm; seconded by Trustee Baumeister. All voted "aye."
- d. Trustee Baumeister made a motion approving Peter Bujanow's request to use the village square and bandstand on August 13, 2016 from 1:00 pm-4:00 pm; seconded by Trustee Phillips. All voted 'aye'

### **RECREATION COMMISSION**

The monthly meeting was cancelled and will be rescheduled later in the month.

### **TAXPAYER TIME #2**

Rima Bostick spoke on several issues on the agenda – William St-When the village board prepares plans for William Street they should consider narrowing the road and the historic nature of the street. Peddler's permit- Rima does not like the idea of sales door to door she finds it intrusive and there are no back ground checks completed. On the Title VI- topic with the Americans Disability Act she feels the village needs to consider the hearing impaired at the village board meetings.

Jim Dunham would like to research the cost of a microphone and speaker system for events held at the bandstand.

Brian Murphy would like the village board consider a projector for the village hall for presentations.

A motion made by Trustee Leiser to adjourn at 8:52 pm; seconded by Trustee Baumeister. All voted "aye."

Respectfully submitted,

Nicole H. Heeder  
Village Clerk