

Minutes  
December 10, 2014  
Regular Monthly Meeting of the Village Board of Trustees

Present: Mayor Carol Weaver

Trustees: Richard Phillips  
Dale Leiser  
Robert Puckett  
Brian Murphy

Also attending: Bob Albern; Jim Dunham; Renee Shur; Gary Spielmann, President of the Kinderhook Memorial Library and AnnaLee Giraldo, Director of the Kinderhook Memorial Library.

**ANNUAL AUDIT OF THE COURT CLERK’S BOOKS**

The village board conducted the annual audit of the Court Clerk’s Books completing Appendix D of the general record-keeping requirements for Town and Village Justice Courts provided by the State Comptroller’s Office.

**PUBLIC HEARING ON PP LL 3-2014 ESTABLISHING INCOME LEVELS FOR THE SENIOR CITIZEN REAL PROPERTY TAX EXEMPTION; PP LL 4-2014 ESTABLISHING INCOME LEVELS FOR THE PERSONS WITH DISABILITIES AND LIMITED INCOMES REAL PROPERTY TAX EXEMPTION; PP LL 5-2014 ESTABLISHING VETERANS TAX EXEMPTIONS**

Mayor Weaver opened the Public Hearing at 7:15 pm. The Village Clerk read the public notice published in the Register Star on Tuesday, December 2, 2014.

Mayor Weaver closed the public hearing at 7:18 pm and opened the regular monthly meeting at 7:30 pm.

**MINUTES**

Trustee Phillips made a motion approving the minutes of November 12, 2014 Regular monthly meeting and Special meeting on the Roof Repair Project on November 25, 2014; seconded by Trustee Murphy. All voted “aye.”

**BUDGET AMENDMENTS**

Trustee Phillips made a motion approving the following budget amendments as presented by the Treasurer; seconded by Trustee Murphy. All voted “aye”.

General Fund

<u>FROM</u>	<u>TO</u>	<u>AMOUNT</u>
A.7140.41 Recreational Recc. Commission	A.7140.4 Recreation Contractual	\$ 71.24
A.5110.1 Street Maint. Personal Service	A.8161.1 Leaf Pick Up Personal Service	\$1,476.25

**ABSTRACT**

Mayor Weaver was concerned with the amount of Marilyn Kaplan’s bill considering the village has not moved forward with the project. She has held the bill to discuss with village attorney,

Robert Fitzsimmons. Trustee Puckett noted the bill is 12% of the project cost of the lowest bid received per her contract. Bob has total faith and trust in Marilyn that if the project was to come in lower she would deduct what we have paid her to the new adjusted balance per the new bid price.

Trustee Murphy noted her contract had several asterisks noting her fee would be adjusted to final project costs. Wouldn't that allow her bill to be adjusted per the total project cost based on the bids we received? Trustee Murphy stated the board needs a better understanding of the contract cost to move forward.

Mayor Weaver will request Rob Fitzsimmons to consult with Ray Jurkowski on the standard billing practices for bids. Mayor Weaver would like a new contract written as the village is working from a 2012 contract. She would like this done before the new bid documents go out. She would also like to have clarity on how the future billing process will work as the project moves forward.

The bill will be held until Mayor Weaver receives a response from the village attorney and Trustee Puckett speaks with Marilyn. Marilyn will meet with Trustee Leiser and Glenn Smith this Friday to inspect the corbels on the village hall roof. She is to determine if the corbels are structural to the gutter system or are they a decorative piece.

Mayor Weaver made a motion approving the monthly abstract in the amount of \$122,260.20; seconded by Trustee. All voted "aye".

### **TREASURER'S REPORT**

Mayor Weaver made a motion approving the monthly Treasurer's Report; seconded by Trustee Puckett. All voted "aye".

### **FIRE DEPARTMENT**

A fire call went out no firemen present.

### **DPW**

Water department-the village received a letter from Columbia County Department of Health dated December 1, 2014 giving the village a satisfactory inspection on maintaining and operating the water supply. They recommend the village to consider installing variable speed controls or pumps that would serve as an energy-cost savings for the village.

The electrical box on pump #4 was out of service this morning. Smith Well Drilling was called to fix the problem.

Street signs- the village received the street signs ordered from Saxton Signs. The poles will need to be painted and straightened in the spring.

William Street design-Jim Dunham would like the village board to reconsider having Hudson Valley engineering start the design work for William Street.

Mayor Weaver spoke with the conference of mayors concerning the money the village board budgeted for the William Street design project. The water department is its own entity and should run independently from any other funds as the other funds should run independently of the water fund. Mayor Weaver noted the water fund was subsidizing the general fund when she came on as Mayor and she has worked to have each fund run independently. Trustee Leiser solely budgets for the water department as Water Commissioner he has the authority to spend the budgeted money.

Mayor Weaver would like the board's approval to enter into a contract with Hudson Valley Engineering for the William Street Project.

Trustee Puckett said it is unwise to spend money until we know what the price for the Roof Repair Project will be. He has sent the village's financial documentation to Jeanine Caruso, Fiscal Advisors, for review to analysis debt service.

Trustee Murphy feels the overall costs of the project needs to be considered for the village board to be fiscally responsible. He inquired if Jim has a time line of the design work of street projects compared to the construction of the street projects. Jim replied that he rates the streets to decide on what needs to be done.

Jim Dunham does not understand why the village would have budgeted and approved the money for the William Street design if they were not then going to move forward. He noted the \$30,000 it will cost for the design is a drop in the hat compared to the money that is needed for the roof project. The design can be held for two years before moving forward if the village needs to consider holding the project off. By having the design work completed the village can apply for low interest loans.

#### **CODE ENFORCEMENT OFFICER**

The CEO/ZEO's monthly report was received with 9 permits issued and \$715.00 of permit fees collected.

#### **GARY SPIELMANN KINDERHOOK LIBRARY PRESENTATION**

Gary Spielmann, President of the Kinderhook Memorial Library gave a presentation on the capital campaign to renovate and expand the library. He discussed the history of the library, the services they provide to the community and the vision for the future of the library. He noted the library is part of the economic growth of the village. Last year the library had over 55,000 visitors.

AnnaLee Giraldo, Librarian, discussed the architecture of the building and how the addition will be kept in the same architecture style. She spoke about how the current building is limiting their resources and services to the community.

They are looking for community support in raising 1.5-2 million dollars for the renovations. They currently have raised ½ million dollars since September. This is a five year capital plan that may allow them to break ground when they reach 2 million dollars.

Mayor Weaver noted the Library is a very important part of the village and thanked Gary and AnnaLee for their presentation.

### **ZONING BOARD**

Minutes of September 22, 2014 were received.

### **PLANNING BOARD**

Comprehensive Plan Update-with the approval of the village board the planning board has applied for a Hudson River Valley Greenway grant. This is a 50-50 matching grant that will allow the village's comprehensive plan to be updated. The total project cost will be \$16,920.00 requiring the village to pay \$8,460.00. Trustee Phillips signed the grant application as a requirement.

### **RESOLUTION**

The following resolution was made by Mayor Weaver; seconded by Trustee Murphy. All voted: "aye."

WHEREAS, the Village of Kinderhook is applying to the Hudson River Valley Greenway for a grant under the Hudson River Valley Greenway Grant Program for a project entitled Village of Kinderhook Comprehensive Plan Update located in the village of Kinderhook;

WHEREAS, the grant application requires the applicant municipality to obtain the approval/endorsement of the governing body of the municipality in which the project will be located;

NOW, THEREFORE, be it resolved that the governing board of the Village of Kinderhook hereby does approve and endorse the application for a grant under the Hudson River Valley Greenway Grant Program, or project known as Village of Kinderhook Comprehensive Plan Update and located within this community.

### **HISTORIC PRESERVATION COMMISSION**

The minutes of October 16, 2014 were received.

The HPC held a special meeting to accommodate Mr. Dawkins request to rehab the Windows in his home. The committee also worked on the solar panel guidelines.

### **ECONOMIC DEVELOPMENT DIRECTOR**

Renée would like the village board to consider advertising the second floor space of the village hall. She believes this would be a revenue source for the village and will draw more people into the village.

Renée is working on a marketing packet for 5 to 7 Hudson St. hoping to obtain a medical practice.

She is also working on “Kinderhook in Your Pocket”. She would like to make our community ambassadors for the village. If a resident saw a business that they feel would do well in our village, they would give them one of Renee’s business cards.

She is also working with Alan Applebaum, President and CEO of Market Probe International. He will work pro bono for the village as support for the update of the comprehensive plan

### **CORRESPONDENCE**

Pedestrian safety letter from Jeremy Darman-NYS DOT response letter dated December 4, 2014. Mr. Darman requested an exclusive pedestrian phase at the intersection of Route 9 and Albany Ave./Hudson Street. NYS responded that a formal investigation has been initiated. The study will be conducted at the subject location. At the completion of the study they will notify the village of their findings. Mayor Weaver will write a letter to Mr. Darman informing him of their response.

Jennifer Ose– MacDonald requested a crosswalk on Route 9 in the vicinity of the Kinderhook firehouse. In a response letter dated November 12, 2014, NYS DOT completed a study at that location. They have concluded that the installation of a crosswalk in the immediate vicinity of the Kinderhook firehouse was not an ideal location to cross because of the crests of the road south the firehouse. The crest restricts the sight distance for pedestrians looking south for any motorists approaching. They have determined a more appropriate location would be 5 to 10 feet south of the driveway from house number 26. At this time New York State DOT does not have a sidewalk contract in Columbia County in their five-year fiscal program. Mayor Weaver will send a letter to Ms. Ose– MacDonald of DOT’s determination.

### **VILLAGE HALL**

Village Hall Roof- Marilyn Kaplan will meet with Trustee Leiser and Glenn Smith this Friday to inspect the Corbels on the village hall. She will determine if the corbels are structural to the gutters or a decorative piece.

### **SINGLE AUDIT CONTRACT WITH SAXBST**

Federal Law mandates every municipality that expends \$500,000 or more in federal aid from all sources must have a Federal Single Audit performed. Due to the grant funds received between the Sidewalk Link Project and the Wastewater Project the village was required to have a Federal Single audit completed within 9 months of the close of our 2013-2014 fiscal year. An estimate of \$12,000-\$15,000 was received from SAXBST. Mayor Weaver made a motion to sign a contract with SAXBST for their professional services to conduct a single audit; seconded by Trustee Phillips. All voted “aye.”

### **PARTNER’S IN SAFETY CONTRACT-EMPLOYEE DRUG AND ALCOHOL**

Mayor Weaver signed the annual contract with Partners In Safety for alcohol and drug testing for the village DPW.

### **PP LL 3-2014 ESTABLISHING INCOME LEVELS FOR THE SENIOR CITIZEN REAL PROPERTY TAX EXEMPTION; PP LL 4-2014 ESTABLISHING INCOME LEVELS FOR THE PERSONS WITH DISABILITIES AND LIMITED INCOMES REAL**

**PROPERTY TAX EXEMPTION; PP LL 5-2014 ESTABLISHING VETERANS TAX EXEMPTIONS**

Mayor Weaver made a motion to adopt Local No. 3 of the year 2014. A local law amending the current tax exemptions on real property owned by persons 65 years of age or older pursuant to New York State Real Property Tax Law Section 467. Local Law No. 4 of the year 2014. A local law establishing tax exemptions for persons with disabilities and limited incomes pursuant to New York State Real Property Tax Law Section 459 – c. Local Law No. Fear 2014. The local law establishing tax exemptions for qualified veterans of the village pursuant to New York State Real Property Tax Law Section 458 – a; seconded by Trustee Leiser. All voted “aye.”

**RESOLUTION TO APPLY FOR ARBOR DAY COMMUNITY GRANT**

A tree committee has been formed consisting of Sue Chiafullo, Jim Dunham and Trustee Murphy. Sue would like the village to apply for the NYS Urban Forestry Grant that celebrates Arbor Day 2015.

**Resolved:** that Brian Murphy, as trustee of the village of Kinderhook is hereby authorized and directed to file an application for Urban Forestry Grant in an amount not to exceed \$1,000.00, and upon approval of said request to enter into and execute a project agreement with the New York State Department of Environmental Conservation for such financial assistance to the village of Kinderhook for the village of Kinderhook Tree Fund Project.

The Resolution was seconded by Trustee Phillips. All voted “Aye”.

**RECORDS DESTRUCTION AUTHORIZATION SHEET**

Mayor Weaver made a motion to destroy the items in boxes 57, 58 and 59 according to the New York State requirements management guide; seconded by Trustee Murphy. All voted “aye”.

**WASTEWATER COLLECTION PROJECT**

The construction of the waste water project is complete all but one resident is connected to the system. Steve Gilger (9 Hudson Street) chose not to connect to the system. The village will need to establish a sewer fund. The first billing will be January 1, 2015.

Mayor Weaver made a motion to establish a sewer fund with the following budget; seconded by Trustee Leiser. All voted: “aye”.

**Sewer Fund Revenues:**

HX.2120 Sewer Rents	\$6,611.37
HX.2122 Sewer Charges	<u>\$3,883.13</u>
	\$10,494.50

**Sewer Fund Expenses:**

HX.8110.100 Administration	\$ 150.00
HX.8120.400 Sanitary Sewers Contractual	<u>\$10,343.50</u>
	\$10,494.50

**Notes:**Revenue

Sewer Rents-Based on water usage

Sewer Charges- Unit Charge Collected (K&V)

Expenses

Administration-Employees time for billing and reading meters

Sanitary Sewer-Electric, grinder pump, stamps, Valatie Sewer Charges

**SIDEWALK LINK PROJECT**

Mr. Dunham is still working on the closeout submission to DOT this is taking longer than he anticipated. Allison Blessing from Bonadio & Co., LLP found the village overpaid HVEA by \$7,500.00 due to HVEA's incorrect application of the overhead factors in calculating their overhead and fixed fee costs. He is waiting for an approval of the amendment requested for this correction of the calculation used for their overhead. Mayor Weaver made a motion on the recommendation of Bonadio & Co., LLP to accept the amendment; seconded by Trustee Leiser. All voted "aye."

**APPLICATIONS**

Trustee Phillips presented the village board with a revised application for use. He would like the board to review and submit any changes to him by December 31, 2014. He would like to have the new application adopted at the January 2015 meeting.

Trustee Phillips made a motion to approve the following requests pending their insurance certificates; seconded by Trustee Puckett. All voted "aye".

- a. Carmen and Cruz Rivera requesting the village hall second floor on February 14, 2015 from 12-6 pm to hold a birthday party
- b. Nicole Heeder has requested the village hall second floor in January 31, 2015 from 12 noon-6 pm for a child's birthday party

**RECREATION COMMISSION**

Due to the Holidays the committee chooses not to meet in December.

**KBPA**

Candle light night will be held on December 12, 2014 from 5:30 to 8:30 PM.

**TAXPAYER TIME**

Renée Shur would like the village board to consider installing lights at the village parking lot. The patrons of the restaurant are using the village parking lot and it is extremely dark. Possibly an antique light can be installed along the median between the Kinderhook Bank and the village parking lot. Trustee Phillips will speak with a representative at Kinderhook Bank as the medium is owned by the bank.

Mayor Weaver made a motion to adjourn at 9:30 PM; seconded by Trustee Leiser. All voted "aye".

Respectfully submitted,

Nicole H. Heeder  
Village Clerk