

Minutes
Regular Monthly Meeting of the Village Board of Trustees
Wednesday, February 12, 2020

Present: Mayor James Dunham

Trustees: Richard Phillips
Dale Leiser
Robert Baumeister
David Flaherty

Also attending: DPW Superintendent David Booth; CEO/ZEO Peter Bujanow; Economic Development Director Renee Shur; Fire Chief Matt Cohn; Larry Eisen; Nick Eisen; Climate Smart Chair William Mancini; Dorene Weir; Mark Browne; Ann Birckmayer; The Columbia Paper Reporter Emelia Teasdale

Mayor Dunham opened the meeting at 7:30 pm.

MINUTES

A motion made by Trustee Flaherty approving the minutes of January 8, 2020 regular monthly meeting; minutes; seconded by Trustee Baumeister. All voted "aye".

BUDGET AMENDMENTS

A motion made by Trustee Phillips approving the following budget amendments presented by the Treasurer; seconded by Trustee Flaherty. All voted "aye".

<u>FROM</u>	<u>TO</u>	<u>AMOUNT</u>
A.1990.4 Contingent	A.1989.4 Consultant	\$500.00
A.5182.41 Street Cleaning Contractual	A.5132.4 Central Garage Contractual	\$322.28
A.8170.7 Street Cleaning Personal Service	A.8560.1 Shade Trees Personal Services	\$ 22.00

ABSTRACT

A motion made by Trustee Phillips approving the monthly abstract in the amount of \$55,732.67; seconded by Trustee Leiser. All voted "aye".

TREASURER'S REPORT

A motion made by Mayor Dunham approving the monthly Treasurer's Report; seconded by Trustee Flaherty. All voted "aye".

FIRE DEPARTMENT

Fire Chief Matt Cohn reported 4 calls, 4 drills and 0 details. The monthly fire incident report and Officer's meeting minutes were received. The election of officers is scheduled for Wednesday, April 1st. The annual banquet is at Kozel's Restaurant on Saturday, April 4th.

Vehicle Use Regulations-A motion made by Trustee Flaherty to adopt an interim policy for the use of the Chief Vehicle; seconded by Trustee Baumeister. All voted "aye".

DPW

Superintendent Booth reported there were two snow incidents for the month. They conducted minor equipment maintenance including installing the street sweeper brush.

Sewer- A new sewer pump was installed at the pump station. Emmons pump will rehab the broken pump to allow the village to have a pump on reserve for future replacement if needed. Notices will be sent to the 35 properties and to the landlords requesting they inform their tenants on what not to flush down the toilet. Research on what could be installed to catch rags/debris

before ruining the pump is being sought. The village will consider increasing the maintenance fees during the upcoming budget process.

Persons of Color Cemetery-Several hours of welding and painting have been done on the donated wrought iron fence for the Persons of Color Cemetery.

Sidewalk Project- The village has not received an update from 8 Broad Street if they were going to move forward in replacing the water main into the building. Therefore, the village will move forward with the replacement of the sidewalk on Church Street by the Kinderhook Reformed Church with handicapped accessibility.

County-wide DPW Intermunicipal Agreement-A motion made by Trustee Flaherty approving the Columbia County Intermunicipal Agreement; seconded by Trustee Leiser. All voted "aye".

CODE ENFORCEMENT OFFICER

A motion made by Trustee Phillips to have Peter attend Code Enforcement Training in Lake Placid; seconded by Trustee Flaherty. All voted "aye".

The building department software is outdated and will not work with the updated Microsoft Office installed on the CEO computer. Peter provided a manually created report in excel noting the activity for the month. He issued 4 building permits with \$265.00 of permit fees collected. Peter sent several violation letters out, in the future; Peter will add the violations to his monthly report. Peter is requesting to purchase building department software that will allow him to prepare the monthly report for the Village Board, the Town Assessor and the annual report to the state. Approval was given to Peter to purchase building department software.

48 William Street- A violation letter was sent by registered mail to the homeowner requesting the safety violations be addressed. The owner has been unresponsive to the violation letter. Mayor Dunham and Peter met with the village attorney to discuss the procedures the village needs to take to address the safety concerns of the building. Peter noted the violations are numerous with the New York State Property code and the Village's building code. The following resolution was made to allow the Code Enforcement Officer to move forward.

The following Resolution was made by Trustee Phillips; seconded by Trustee Flaherty.

WHEREAS, the Village of Kinderhook had adopted Chapter 44 of the Code of the Village of Kinderhook entitled "Buildings, Unsafe" such Chapter providing for the removal or repair of buildings, residences and structures within the limits of said Village, that from any cause, may now or shall be hereafter become dangerous, unsafe, a public nuisance or fire hazard to the public; and

WHEREAS, the Village has received complaints regarding the structures and property of a Isabella Dobies a property located at 48 William St., Village of Kinderhook, the Code officer undertaking numerous inspections, and advising the property owner of such concerns and observed safety problems; and

WHEREAS the Code officer has declared the building not suitable for human habitation pursuant to the NYS Uniform Building and Fire Code in August 2019; and

WHEREAS, to date, the property remains in disrepair, is deteriorating further, and has become an increased safety risk and nuisance in prohibition of Kinderhook Code section 44-3 which states buildings are subject to Village action and removal when:

44-3 (A). Those whose interiors walls or other vertical structural member list, lean or buckle to such an extent that a plumb line passing through the center of gravity falls outside of the middle third of its base.

44-3 (B). Those which, exclusive of the foundation, show 33% or more of damage or deterioration of the supporting member or members or 50% of damage or deterioration of the non-supporting enclosing or outside walls or covering.

44-3 (D). Those which have been damaged by fire, wind or other causes so as to have become dangerous to life, safety, morals or the general health and welfare of the occupants or the people of the Village of Kinderhook, New York.

44-3 (E). Those which have become or are so dilapidated, decayed, unsafe, unsanitary or which so utterly fail to provide the amenities essential to decent living that they are unfit for human habitation or are likely to cause sickness or disease so as to work injury to the health, morals, safety or general welfare of those living therein.

44-3 (G). Those which have parts thereof which are so attached that they may fall and injure members of the public or property.

44-3 (H). Those which, because of their condition, are unsafe, unsanitary or dangerous to the health, morals, safety or general welfare of the people to the Village of Kinderhook, New York.

44-3 (I). Those buildings existing in violation of any provisions of any Building Code of the Village of Kinderhook, New York, now or hereafter adopted.

44-3 (J). Those buildings which the Code Enforcement Officer shall have determined after investigation to be dangerous.

WHEREAS, the Village desires to remove and deconstruct said buildings upon the property; and

WHEREAS the Code Enforcement Officer's violation notices, photographs and reports are clear evidence that the building and structure are dangerous, unsafe and a fire hazard to the public as inspected periodically and found from August of 2018 through present, said building being left unmaintained and unkempt, allowing structure deficiencies as set forth in the photos attached hereto and made part hereof, said code officer making his recommendation that the buildings and structures be demolished; and

WHEREAS, for a period of more than three years, the property owner has not taken steps to secure, repair, maintain or demolish the structures on the property, despite repeated requests.

NOW, THEREFORE, BE IT RESOLVED that the Village of Kinderhook Board of Trustees does hereby direct that notice be served upon the owner or responsibly parties as provided in Kinderhook Code section 44-5, directing the owner fix, repair, stabilize or demolish said property and structures **on or before March 12, 2020**, and

BE IT FURTHER RESOLVED, that in the event said property is not made safe, and said report or reports of the Village find that removal is still warranted, the Village is hereby authorized to make

application to the Supreme Court in accordance with Kinderhook Code section 44-5(F) for an Order determining the buildings be a danger and public nuisance and directing that the buildings shall be repaired and secured or taken down and removed.

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;

Trustee Robert Baumeister; and

Trustee David Flaherty.

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.

TRAFFIC CALMING

The village attorney will draft a local law to add two stops signs at the intersection of Catskill View Drive and Berkshire Drive.

ALBANY HUDSON ELECTRIC TRAIL

Maintenance Agreement-National Grid agreed to remove the Notice of subrogation language in the maintenance agreement. A motion made by Trustee Flaherty approving Mayor Dunham to sign the maintenance agreement and the donation of equipment letter for a zero turn mower and a trimmer; seconded by Trustee Baumeister. All voted "aye".

Clear areas for sight distance- A discussion concerning the height and placement of the fence at the bend on Sunset Ave at Albany Ave and the cutting back of vegetation on Gaffney Lane by the apartment house and the end of Gaffney Lane at Eichybush Road was discussed.

Raised Crosswalk- the signage for the crosswalk on Albany Ave needs to be installed.

MILLS PARK

Trustee Leiser met with Dana Spot and Michael Allen concerning the preparation of Mills Park. They will clean up the lawn area, thatch the walkway and on April 13th and plant new plantings on April 18th.

CLIMATE SMART COMMUNITIES TASK FORCE

The monthly report was received and is posted on the village website.

Reusable shopping bags- The task Force would like to purchase and distribute reusable shopping bags in partnership with the Kinderhook Memorial Library. The village board gave approval to use the village logo on the shopping bags.

Meatless Mondays Initiative-This initiative began on January 20th and will continue for six weeks. It is a joint effort of the Task Force and the Kinderhook Memorial Library.

Lightbulb exchange- the discussion on having a light bulb exchange for people to bring their incandescent bulbs to the Library to be able to exchange them for LED light bulbs. National Grid Marketplace offers discounts on bulk purchases of LED bulbs.

Resolution-2020 Climate Crisis Trustee Phillips made the following Resolution; seconded by Trustee Flaherty. All voted "aye".

Whereas, climate change poses a real and increasing threat to our community and our way of life.

Whereas, adoption of the New York State Climate Smart Communities Pledge included a commitment to engage in and ongoing process of climate action.

Whereas, the ability to access potential funding and other resources for rapid mobilization to mitigate climate change can result in economic, environmental, and social benefit to our community.

We therefore hereby declare that a state of climate emergency exists.

VILLAGE CODE REVISION OF MAP FOR THE COMMERCIAL DISTRICT

Local Law No. 1 of 2020 was adopted amending the zoning law to add a portion of 5 Broad Street to the business district. The village attorney is working on the revision of the map for the village code book.

WILLIAM ST. RT. 9 TO MAIDEN LANE AND ALBANY AVE, RT 9 TO SUNSET AVE

Due to an error by TGW Consulting Group the village was not awarded grant funds. The TGW Consulting Group will submit free of charge a new application to the Environmental Facilities Corporation in their next grant funding round.

APPOINTMENT OF SECRETARY TO PLANNING & ZONING BOARD OF APPEALS

Due to unforeseen circumstances Sandra Barton-Fels gave her resignation. A motion made by Trustee Flaherty to appoint Carol Van Denburgh as the secretary to the Planning and Zoning Board of Appeals; seconded by Trustee Baumeister. All voted "aye".

ELECTION RESOLUTION

Trustee Flaherty made the following revised Resolution from last month meeting; seconded by Trustee Leiser. All voted "aye."

RESOLVED THAT: The following persons are appointed inspectors for the village election to be held on the 18th day of March, 2020.

Geraldine Smith, Chair
Susan Lauster
William Mancini
Barbara Shannon

Sandra Meier, Alternate

WHEREAS, Registration Day is required to accomplish this action, **NOW THEREFORE BE IT RESOLVED** that Registration Day will be held for the Village of Kinderhook General Election on March 7, 2020, 12 noon to 5 PM at the Village Hall.

Inspectors of Election will meet at the foregoing place to prepare a register for the Village Election.

ZONING BOARD

A joint meeting of the Village Board, Planning Board and Zoning Board of Appeals was held on February 6th. The request for an area variance for 5 Broad Street was approved.

PLANNING BOARD

A joint meeting of the Village Board, Planning Board and Zoning Board of Appeals was held on February 6th. The request for a minor subdivision, classified as a boundary line adjustment for 5 Broad Street was approved.

A motion made by Trustee Phillips to set a Public Hearing for PP LL No. 1 of 2020 to add regulations for Short Term Rental Units on March 11, 2020 at 7:10 pm and PP LL Law No. 3 of 2020 to add Chapter 133 entitled Dumpsters on March 11, 2020 at 7:15 pm and PP LL No. 4 of 2020 to add Chapter 132 Temporary Storage Containers on March 11, 2020 at 7:20 pm; seconded by Trustee Baumeister. All voted "aye".

RECORDS MANAGEMENT –Destruction authorization sheets

A motion made by Trustee Flaherty authorizing the destruction of records listed on the January 2020 Records Destruction Authorization sheet proposed by the Records Management Officer Jacqueline Bujanow; seconded by Trustee Leiser. All voted "aye".

HISTORIC PRESERVATION COMMISSION

The Commission met on January 16th to review the application of 11 Chatham Street.

ECONOMIC DEVELOPMENT DIRECTOR

The EDC Director's monthly report was received and is posted on the village website.

Parking lot lighting-Renee has placed the order for six light poles. She submitted an RFP to three electricians giving the contractors two weeks to submit their proposals. Paul Calcagno was given the information on the light poles if he wishes to purchase one to match the poles being installed in the village parking lot.

Van Buren Hall- The architect Gregory Merryweather made a revised scope of work for the committee to request proposals for estimates of work to be performed in preparation of applying for NYS grant money.

Food Truck Village- Renee and the KBPA set June 25th and August 27th for Food Truck Village

CORRESPONDENCE

Cyber Security Training-The County recommends the village attend a webinar for Cyber Security training.

Resolution for "Purple Heart Community"-Mayor Dunham would like the Village Board to consider adopting the proposed resolution at next month village board meeting from Senator Daphne's office to become a Purple Heart Community.

VILLAGE HALL

Back Stairway- the staircase has been built and is ready to be installed. The piers will be installed per the village's procurement policy.

Front Entrance-A locksmith was called to address the broken door handle on the village hall front entrance door. A lever handle will be installed to be ADA complaint.

BANDSTAND

Bandstand- Mary Ellen Hearn is researching any grants that may be available.

LAWS AND POLICIES

A motion made by Trustee Phillips to amend the village's Procurement Policy; seconded by Trustee Flaherty. All voted "aye".

SIDEWALKS

Snow Clearing-The village received a complaint from a resident the state was driving too fast along Rt. 9. Mayor Dunham found the state did very well with the 20' snowstorm and not to throw the snow back on the sidewalks. But with the 4' snow storm due to speed they had snow deposit above the first floor windows.

APPLICATIONS

A motion made by Trustee Flaherty approving the following applications; seconded by Trustee Baumeister; All voted "aye".

- a. Kinderhook Memorial Library is requesting Van Buren Hall on July 29th from 10 am-1pm
- b. Cammy Salazar is requesting Van Buren Hall and the lift on April 18th from 10-4pm
- c. Kinderhook Reformed Church for Concerts in the Village is requesting Van Buren Hall and the lift on March 21st from 8:30am-6pm; March 22 from 11am-6pm
- d. Columbia County Historical Society is requesting the use of Van Buren Hall on February 15 and February 22 from 4-7 pm with the use of the lift.

RECREATION COMMISSION

The commission is working on upgrades the equipment at the playground and starting of the hiring process for the summer program staff. Easter Egg Hunt is planned for April 11th at noon at the Vanderpoel House.

TAXPAYER TIME

No comments received.

A motion made by Trustee Flaherty to adjourn the board meeting at 8:56 pm; seconded by Trustee Leiser. All voted "aye".

Respectfully submitted,

Nicole H. Heeder
Village Clerk