

Minutes

Wednesday, October 13, 2021

Regular Monthly Village Board Meeting of the Village Board and Court Clerk Audit for the fiscal year June 2019-May 2020 and fiscal year June 2020-May 2021.

Present: Mayor Leiser

Trustees: David Flaherty
Dorene Weir
Michael Abrams
James Mark Browne

Also present: Court Clerk Susan Bowman and Deputy Court Clerk Tina Puckett; Code Enforcement Officer, Peter Bujanow; Economic Development Director, Renee Shur; Climate Smart Committee Chair, William Mancini; Sean Sawyer; Kate Johnson; Stephen Lang and Tina Lang.

Due to COVID 19 the Village Board met at the Village Hall and the public attended by zoom videoconferencing.

Mayor Leiser opened the meeting to audit the Court Clerk's books at 6:02 pm.

COURT CLERK AUDIT

Due to COVID-19 the Village Board was unable to conduct the audit for the June 2019-May 2020 fiscal year. The Village Board audited the Village Court Clerk's books for the fiscal years of June 2019-May 2020 and June 2020-May 2021. The Village Board used the State Comptrollers Appendix D of the General Record-Keeping requirements for Town and Village Justice Courts. The Village Board found the Court Clerk's books to be in satisfactory order for both fiscal years.

A motion made by Trustee Flaherty to close the audit at 6:40 pm; seconded by Trustee Abrams. All voted "aye."

Mayor Leiser opened the Village Board Meeting at 7:00 pm.

CLERK/TREASURER

Minutes

A motion made by Trustee Abrams approving the minutes of September 8, 2021 Village Board meeting minutes; seconded by Trustee Flaherty. All voted "aye".

Budget Amendments

A motion made by Trustee Flaherty to approve the following budget amendments presented by the Village Treasurer; seconded by Trustee Flaherty. All voted "aye."

General Fund

<u>FROM</u>	<u>TO</u>	<u>AMOUNT</u>
A.5110.1 Street Maintenance Personal	A.5110.110 Equipment Maintenance Personal Service	\$610.30
A.7140.1 Recreational Playgrounds Personal	A.7180.1 Special Recreational Facilities Personal	\$221.33

Abstract

A motion made by Trustee Flaherty approving the monthly abstract in the amount of \$39,163.41. (General Fund expenses of \$36,039.92; Water Fund expenses of \$3,123.49; seconded by Trustee Abrams. All voted "aye".

Treasurer Report

A motion made by Trustee Browne approving the monthly treasurer's report for October 13, 2021; seconded by Trustee Flaherty. All voted "aye".

Annual audit of the Village Clerk's books-Due to COVID - 19 the audit of the Village Clerk's books was not conducted for the June 2019- May 2020 fiscal year. The village Clerk's books will be audited on November 10th for the fiscal years of 2019-2020 and 2020-2021 at 6:00 pm.

CODE ENFORCEMENT OFFICER

Peter Bujanow submitted his monthly report showing he issued 10 permits this month with a total of \$3,123.49 of permit fees collected.

Food Truck Inspections-In 2020 NYS Department of State has required the building inspector of each municipality to inspect any food truck that will be operating in their municipality. The guidelines for the NYS Fire Code for commercial kitchens will need to be adhered to for the inspections. Peter is in the process of developing a permit application for the food truck vendors.

ECONOMIC DEVELOPMENT DIRECTOR

The Economic Development Director, Renee Shur's monthly report was received and will be posted on the village website. New business at 2, 4 and 8 Hudson Street-The Morning Bird will have a soft opening tomorrow morning at 8am. The OK Pantry is projecting to open in the beginning of November. The Kinderhook Bottle shop has received letters of support from the community for their court date with the NYS Liquor authority.

KBPA

The Farmer's Market is over for the season. They are working collaboratively with the village Recreation Commission for the Halloween Festivities. They are also planning Candlelight night and what activities may be planned during COVID.

MAYOR LEISER

DPW-Leaf pick up will continue throughout the month of November weather permitting.

Village Historian -Mayor Leiser appointed Kate Johnsons as the Village Historian for the Village of Kinderhook.

National Grid-.Mayor Leiser was informed the proposed project for Hudson Street is moving forward.

Committee w/Town of Kinderhook, Villages of Valatie and Kinderhook on Cannabis-The first meeting was held informing the village can "opt-out". This will allow the village to receive a percent of sales or the village can "opt-out". This would not allow smoking on premises. The next meeting will be held on October 18th at 6:30pm at the Town Hall in Valatie.

HPC appointment: On the recommendation of the Historic Preservation Commission Mayor Leiser appointed Liz Martin to complete Ruth Piwonka's term (October 2021-March 2025); seconded by Trustee Flaherty; all voted "aye". He apologizes that the other candidates were not notified prior to tonight's appointment. The HPC chair or secretary will contact the candidates.

Recreation Commission Appointments-On the recommendation of the Recreation Commission Mayor Leiser appointed Jennifer Blood (10/2021-03/2026 and Mark Plakias (10/2021-03/2023); seconded by Trustee Weir. All voted "aye."

Fire Department-The Officer's meeting minutes were received noting 3 calls, 1 drill and 3 details. The July, August and September incident reports were received.

Solar Project-Last month the village opened two bids for the Solar Project. The bids were forwarded to Ray Jurkowski at CPL Engineering and the village attorney. On the recommendation of Ray Jurkowski Trustee Flaherty made a motion to award the bid to Suncommon and have Mayor Leiser sign the contract in the amount of \$40,050.00; seconded by Trustee Weir. All voted "aye".

TRUSTEE FLAHERTY

Village Hall Justice Court-The installation of the railing along the handicapped ramp at the Village Hall has been completed. Our DPW painted a final coat on the railing.

Climate Smart Task Force-The committee did not meet this month. Bill Mancini reported the Village Community Solar Campaign began on August 28 with Astral Power having a table at the Farmers' Market. They expect to keep the campaign going into mid-November. Currently, they have between 18 and 21 signups for the campaign. Their minimum goal was ten. He will be submitting a formal report to NYSERDA in order to receive the grant of \$5,000 for the village.

Bandstand-Trustee Flaherty has been in contact with architect Greg Merryweather. When he receives the plans for the bandstand he will forward onto the Village Board. EDC Director Renee met with the Kinderhook Memorial Library Board of Trustees and proposed a concept to have them partner with the Village of Kinderhook to serve as a future fiscal sponsor for grants and private foundation funding for select village projects like the bandstand.

TRUSTEE ABRAMS

Water & Sewer-The October water and sewer bills were mailed out. Mayor Leiser, Superintendent David Booth and Trustee Abrams have met with several water meter vendors. The village is looking at the Capital Improvement Plan for the village's water infrastructure including the water infrastructure on Albany Ave and William Street along with replacing the water meters. He feels it is most cost effective to stay with the current meters the village has. The water meter project is estimated at \$250,000. The village will need to look at the proposed revenue the village would receive by changing out the old meters, grant funds and the fund balance in the water fund and bonding money to address the water fund capital projects. He feels by changing out the water meters the village will see a \$25,000 increase in water revenue.

Roads and Sidewalks-Grant Funding/Albany Ave-The village is proposing a band aid approach on Albany Ave to alleviate some of the water and drainage issues. The village is not in the position to complete the project to the fullest without raising taxes 50%. The Village Board is committed to the project but it comes down to how the village can complete the project as quickly as possible without raising taxes so much. The village is pursuing a Tap Grant and WIIA Grant. It will take two or three years to have the project completed if the grant funds come in and bonding the remaining money to pay for the project. In the meantime, the village can make an improvement to Albany Ave. There are some residents that feel the village should keep the road the way it is as they believe it will make the village move faster to complete the project.

Village resident, Sean Sawyer states it is a main county road in the village that is used a lot for agriculture. He held a zoom meeting with eight residents on Albany Ave and there was a clear consensus of eight of the village residents that live on Albany Ave to not have the village pave at this time and push for the village to complete the project. If the village was to pave the road and take care of the pot holes the speed of the traffic will increase. When planning for the project the village will need take into consideration on ways to keep the speed of the traffic at a minimum; like narrowing of the road, bulb outs etc... They pay taxes like everyone else, it is a democracy and we live in a social contract which says the greater good is taken care of by the elected officials and the people they represent of all of the village not anyone section. Albany Ave is clearly the most historic street in the center of the village and the road is a blemish on the whole village by being and looking so horrible. He stated they feel if the road stays bad it will be a pressing issue for the village to complete the project.

Village resident, Tina Lang disagrees with that approach. She feels by the village doing something is better than nothing. The road has gotten worse in the twelve years she has lived here. If the village gets the money in three years great but what if the village doesn't. You

cannot always get what you want but you can make it better than it was. Residents assume the village board does nothing to improve the road but they do not know the history and how hard people have tried to complete the project in the past. What if the village does not receive the grant funds? She does not think the perfect should be the enemy of the good. The village has funds now to improve the road now. The village has to do something the road is dangerous especially in the winter with the ice.

Stephen Lang said he cannot put his garbage out by the road because of the swamp at the end of his driveway and feels the band aid approach could do a lot to alleviate this issue. He has every faith that every resident on Albany Ave could say the same or have a variation of the same and paving would benefit several residents on Albany Ave; not only would the road look more cosmetically more attractive but address the any potholes. He does not feel the board should stop pursuing completing the entire project. He agrees with Sean the road is one of the Historic routes as the 8th United States Presidents is buried on it.

The paving is scheduled for November 18th. The paving now will not affect the village receiving grant funds. The project is being paid for by village funds not CHIPS funds. When the village uses CHIP funds to pave a road that road cannot be touched for ten years. By paving the road will greatly improve the water issues. When Hudson Street was paved the workers were able to lay the material in a way to pitch the water away from the road.

Discussion on ways to assist in reducing the speed on Albany Ave was discussed. Using Speed signs, trooper enforcement, narrowing of the road, bulb outs, etc...)

Historic Preservation Commission-The Commission reviewed the language for the plaque for Ruth Piwonka. They are also in favor of using an alternate when needed. They do have questions they would like to discuss. Example: if the alternate would need to attend all meetings or not.

TRUSTEE WEIR

Recreation Commission-Due to lack of a quorum the Commission did not meet for their regular meeting of October 11th but will have a Special meeting scheduled for October 20th to discuss the Halloween Festivities to be held on the Village Square. An email blast will be sent out advertising the event. Community Night was very successful and had a great turn out. The total cost for the event was \$2,729.87. Thank you notes were sent out to anyone who donated products or their time.

Resignation-The Village Board accepted the resignation of Amy Michel. Trustee Weir welcomed Ms. Blood and Mr. Plakias to the Recreation Commission and noted there are two available positions on the Commission.

Greenway Grant/Kayak Launch site- Last month the village accepted a proposal from Barton & Loguidice to work on the kayak launch. The Village of Valatie will be approving using Barton & Loguidice for their portion of the grant. The village will sign and send the contract out early next week.

LWRP-The village has asked EDC Director Renee Shur to review an RFP from Germantown and make revisions to meet the needs for the Village to send an RFP out for the LWRP grant.

TRUSTEE BROWNE

Planning Board- A meeting was held on 10/7/21 on a proposed lot line adjustment for 30 Rothermel Lane application; a Public Hearing was set for next month. They also will be submitting an advisory opinion requested from the Zoning Board of Appeals on the Interpretation of the request of 10 Broad Street described as the fence.

Zoning Board of Appeals – A meeting was held on 9/27/21 for the lot line adjustment for 30 Rothermel Lane. The area variance was granted. They also reviewed the advisory opinion from the Planning Board that indicated to leave it to the discretion of the Zoning Board for the fence at 10 Broad Street. A Public Hearing was set for 10/25/21.

Code Covering for Alternates for each of the four boards-This started with the Planning Board feeling they needed an alternate and the other boards felt it would be a benefit for them also. The Zoning Board requested a few changes to the text. Trustee Browne has made those changes and has presented to them to the Planning Board which has agreed with the changes. He requested each Trustee share with their respective boards the Alternates proposal and he has sent the final changes to the Village Board and attorney for review.

Insurance-Trustee Browne is concerned with the increase cost of things. The village insurance broker recommended increasing the deductibles to hold down the cost. The proposed insurance coverage is \$1,435.00 which represents a 3.6 % increase. In an effort to reducing the cost Trustee Browne considered removing the insurance coverage of the MVB statue. Now thinking it through, he feels with the work and disputes close to the bandstand the village should keep the insurance as proposed. A motion made by Trustee Browne to accept the 9/27/2021 proposal with the increase; seconded by Trustee Flaherty. All voted “aye.”

Liaison to the Wil Roc Farm-Trustee Browne has had two liaison connections with the farm. On one he spoke with Kaitlin Williams in regards to letter sent from Mayor Leiser requesting they wash their manure trucks down more often and to use the coverings they have on the hay trucks when transporting silage. The second contact was with Carl Williams to remedy the grey water on the front lawn of 46 Chatham Street. Trustee Browne suggested that if he does not comply and have they grey water addressed/resolved, the village should send a formal letter to document our request. CEO Peter Bujarnow noted the house is in a single family district being utilized for farm workers. He reached out to the County Health Department over the weekend when he noticed the grey water while issuing a stop work order for a fence being built without a building permit. Peter is concerned with homes in the village that may be using single family houses as dormitory housing. Single family septic cannot handle dormitory housing. The Village Board should consider addressing the two houses in that area using single family homes as dormitory housing. The village code book does not have dormitory authority housing regulations within the village limits.

Albany Hudson Electric Trail-The Greenway will be placing people counters on the trail to see how many people use the trail. The counter does not differentiate a bike from a pedestrian.

APPLICATION OF USE

The applications were previously approved by email. A motion made by Trustee Flaherty approving the following applications; seconded by Trustee Weir. All voted “aye”.

a. Kinderhook Runners Club is requesting Van Buren Hall on 9/26, 10/10, 10/24, 11/14, 11/28, 12/12 from 7:00-8:30 pm and 11/14 & 12/12 from 10 am-11:30pm

b. Laura Darman is requesting the Playground Pavilion on October 2nd from 1-3pm

TAXPAYER TIME

Q: Sean Sawyer inquired on the parking regulations in the area in the village square. He is concerned with vehicles parked in that area for days. He is on the Historic Preservation

Commission and a village taxpayer. He loves the rules and regulations the Historic District has that is one thing that helps keep the property values up.

A: The village has called the state police and vehicles that is registered can park there. The village has thought of enforcing the 15 minute parking restriction for noncommercial and no overnight parking but the Village Board wants to be business friendly.

Mayor Leiser noted anyone on zoom that has any comments or questions may call the village office or send an email.

A motion made by Mayor Leiser to adjourn the regular meeting and enter into executive session on personal at 8:25pm; seconded by Trustee Flaherty. All voted "aye".

EXECUTIVE SESSION

A motion made by Trustee Flaherty to pay the Clerk/Treasurer for an additional 10 hours a week for twelve weeks; seconded by Trustee Weir. All voted "aye".

A motion made by Trustee Flaherty to adjourn executive session at 8:58 pm; seconded by Trustee Abrams. All voted "aye".

Respectfully submitted,

Nicole H. Heeder
Village Clerk