

Minutes

Wednesday, January 13, 2021

Regular monthly Village Board Meeting and Public Hearing for the approval of a Cable Television Franchise Agreement between Spectrum Northeast, LLC and the Village of Kinderhook

Due to COVID-19 and the Governors Executive Order 202.26 the Village Board and the public are via Zoom Videoconference with a telephone option to listen in.

Present: Mayor Dale Leiser

Trustees: David Flaherty

Dorene Weir

Michael Abrams

James Mark Browne

Also present via Zoom Videoconference/telephone: Climate Smart Committee Chair, William Mancini; Economic Development Director, Renee Shur; Building Inspector, Peter Bujanow; Kevin Egan, Director of Government affairs Charter Communications; Rima Bostick; Marian Guerriero; Carol Weaver; Stewart Peckner; Ruth Piwonka; the Columbia Paper Reporter, Emelia Teasdale; 9022; 6177.

Mayor Leiser opened the public hearing at 7:00 PM for the approval of a cable television franchise agreement between Spectrum Northeast, LLC and the Village of Kinderhook.

The notice was published in the register star on January 25, 2021.

Q: Trustee Mike Abrams inquired how often the franchise fee is charged to the resident.

A: Mr. Egan replied that the fee could be anywhere from 1% to 5% and that the village of Kinderhook is mirroring what has been done in the past and charging a 1% fee on a monthly basis to any users for the cable television.

Mayor Leiser closed the public hearing at 7:06 p.m. and opened the regular monthly meeting of the Village Board at 7:06 PM.

CLERK/TREASURER

Minutes- A motion made by Trustee Weir approving the minutes of December 9, 2020 regular monthly Village Board Meeting; seconded by Trustee Flaherty. All voted "aye".

Budget Amendments- A motion made by Trustee Flaherty approving the following budget amendments presented by the Village Treasurer; seconded by Trustee Abrams. All voted "aye".

<u>FROM</u>	<u>TO</u>	<u>AMOUNT</u>
A.1990.4 Contingent	A.1680.4 Central Data Processing Contractual	\$2,279.47
A.9030.8 Social Security	A.9010.8 State Retirement	\$132.00

Abstract-A motion made by Trustee Flaherty approving the monthly abstract for the total amount of \$32,758.97. The General Fund expenditures of \$30,578.70; Water Fund expenditures of \$2,180.77; seconded by Trustee Browne. All voted "aye."

Treasurer's Report-A motion made by Trustee Flaherty approving the monthly treasurer's report; seconded by Trustee Abrams. All voted "aye".

Resolution For the polling place for the Village Election- A motion made by Trustee Flaherty approving the following Resolution; seconded by Trustee Weir. All voted “aye”.

WHEREAS the General Village Election of the Village of Kinderhook will be held on Tuesday, March 16, 2021,

NOW BE IT RESOLVED that the polling place for such election will be at the Village Hall, 6 Chatham Street in the Village of Kinderhook and that the polls will be open from noon until nine o’clock in the evening.

Resolution for Election Inspectors and Registration Day- A motion made by Trustee Browne approving the following Resolution; seconded by Trustee Abrams. All voted “aye”.

RESOLVED THAT: The following persons are appointed inspectors for the village election to be held on the 16th day of March, 2021.

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 6, 2021, 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.

CODE ENFORCEMENT OFFICER

Code Enforcement Officer Peter Bujanow submitted his monthly activity report for the month of December. He stated his report shows the calendar year for 2020 he collected a total of \$14,187.10 in building permit fees with a total estimated cost of projects in the village at 1.2 million dollars. He handled 33 property record searches for the year this represents the sale of houses within the village.

Building permit extension- Peter is requesting the Village Board approve the extension of building permits for three months. Due to COIVD the governor had shut construction down for some time and contractors are having trouble purchasing materials. A motion made by Trustee Flaherty to extend any building permit issued in 2020 for a minimum of 90 extension; seconded by Trustee Abrams. All voted “aye”.

ECONOMIC DEVELOPMENT DIRECTOR

Economic Development Director Renee Shur submitted her December 2020 monthly report to the Village Board.

A year of giving acknowledgement-Renee composed a list thanking all who gave in various ways in the village for 2020. The list was sent out by email blast and is posted on the village website.

Village Facebook page-Mayor Leiser, Village Clerk Heeder and Deputy Clerk van Denburgh met with Renee and disused having an official village Facebook page. Several questions arose

that Renee will research prior to meeting again. A pilot for a limited amount of people was recommended before going live and what items will be posted will need to be determined.

MAYOR LEISER

DPW- During the storm in December the DPW experienced equipment failure. The sander broke on the village's red GMC truck. The side wing on the black international truck broke. The DPW was able to fix it temporarily to finish the storm. The voucher at tonight's meeting shows the parts required to fix the equipment and how expensive it was.

48 William St. – Mayor Leiser was hopeful to open bids tonight to demolish 48 William Street. Unfortunately, it was not able to work out. Alpine Environmental had changes to the bid documents received from village engineer Ray Jurkowski. The engineer has incorporated those changes in the bid document and will be advertising the notice to bidders. The contractors are allowed two weeks to prepare their bids. Ray believes the village will be ready to open the bids at the village's February 10, 2021 village board meeting. Mayor Leiser apologizes the village was not able to move forward tonight but it is out of his control. If the village is able to do it sooner a special meeting will be called.

Fire Department- Last month the Fire Department responded to 3 calls and conducted 1 drill and 1 detail. Mayor Leiser is in the process of receiving three quotes per the village's procurement policy for six windows to be installed in the fire house for approximately \$6,200. He is having trouble finding six of the same windows. At this time he is not positive if the village DPW will install the windows or a contractor. A motion made by Trustee Browne for Mayor Leiser to spend \$7,500 for the installation and purchase of six windows; seconded by Trustee Abrams. All voted "aye".

TRUSTEE FLAHERTY

Van Buren Hall-The newest CDC guidelines are stating the hand to surface contamination is not to the degree as previously thought. Trustee Flaherty suggested the village may want to reconsider opening the playground.

Zoning Board of Appeals-the Zoning Board met on 25 Broad Street Kinderhook LLC, Jack Shainman, The School Appeal to the ZBA for Interpretation. They accepted the appeal and set a public hearing on January 25, 2021 at 7 pm. If anyone would like to speak an email or phone call to the village to sign up to assist in keeping the meeting organized.

Climate Smart Task Force - William Mancini requested the Task Force the ability to use the Village's ZOOM account for their meetings. The Village Board approved their request, village Clerk Heeder will share the credentials with Mr. Mancini.

Charging Station-The agreement with NYSERDA for the electric vehicle charging station specified there will be no fees charged for the first two years. That two year period ends at the end of January 2021. If the Board wishes to initiate a usage fee, Mr. Mancini is willing to assist the village. He has done some research on what other Columbia County municipalities have charged and it ranges between 28 to 65 cents per kilowatt hour. Fees can be based on power usage as well as how long the vehicle is plugged in. It can vary by the time of day or day of the week. If the Board wishes to initiate a usage fee he can also assist with that. Mr. Mancini also offered to assist Village Clerk Heeder to set the fee schedule on the Chargpoint's website as they both have administrators' rights.

Proposed Electric Tractor for use on the AHET-The task force would like the village to consider the purchase of a compact tractor for the use on the Electric Trail. They found that there may be an electric model equivalent to the John Deere model the village is considering from a company from California, Solectrac Compact Electric Tractor.

The village received a price of \$44,000 on state contract for the John Deere. The village will need to compare pricing of the two tractors and the required attachments for the DPW to conduct their work. There is a balance of \$99,000 in the state CHIPS funds. The state will allow the village to use up to \$42,000 of CHIPS funds towards a tractor for road and trail maintenance. The state is proposing a 20% reduction in CHIPS funds. The village is waiting on the clarity of how the 20% reduction is going to be applied. Will it be across the board or will the village have to pay 20% of the tractor. The village needs to be prepared in the next month to purchase a tractor in order to have the equipment in time for use in the spring.

TRUSTEE ABRAMS

Water & Sewer Department-There are 26 unpaid water bills totaling approximately \$4,300. The sewer bills were just mailed with a balance owed of approximately \$7,000.

Historic Preservation Commission- There was no meeting held in December and the next scheduled meeting is Thursday, January 21, 2021.

TRUSTEE WEIR

Village of Kinderhook Cable TV Franchise Renewal-The contract with Consolidated Communications is with the Public Service Commission. When Trustee Weir receives it she will forward onto the village attorney for final review and to the Village Board for a public hearing.

Spectrum Northeast, LLC Resolution: The following resolution was made by Trustee Flaherty and seconded by Trustee Abrams.

NOW, THEREFORE, the Board of the Village of Kinderhook finds that:

1. Spectrum Northeast, LLC has substantially complied with the material terms and conditions of its existing franchise and with applicable law; and
2. Spectrum Northeast, LLC has the financial, legal and technical ability to provide these services, facilities and equipment as set forth in its proposal attached; and
3. Spectrum Northeast, LLC can reasonably meet the future cable-related community needs and interests, taking into account the cost of meeting such needs and interests.

BE IT FURTHER RESOLVED that the Board of the **Village of Kinderhook** hereby grants the cable television franchise of Spectrum Northeast, LLC and the **Village of Kinderhook** for ten (10) years commencing with the date of approval by the Public Service Commission and expiring ten (10) years hence.

BE IT FURTHER RESOLVED that the Board of the **Village of Kinderhook** hereby confirms acceptance of this franchise renewal agreement.

The foregoing having received a unanimous vote was thereby declared adopted.

Recreation Commission-The commission was unable to conduct their meeting due to a lack of a quorum. The next meeting is scheduled for Monday, February 8, 2021 at 7pm.

LED Light Conversion Project-The village received a proposal from National Grid to convert the villages lights to LED lights. The proposal is to convert 129 road way lights at \$158.61 a piece totaling \$20,393.71; 54 decorative lights at \$371.64 = \$20,068.72. The entire conversion would cost the village over \$40,000 dollars. The village would have to send a letter of interest. A work order would be created. The village will receive a bill for the \$20,000. After completion the village will receive \$6,500 rebate and there will also be a cost savings. The conversion project was not in the budget. The budget needs to be reviewed of where the funds would come from. Trustee Weir attended the Climate Smart meeting last night and shared the lighting project and the numbers with the committee. One of the members in attendance was Jill Heneck a senior planner in Clean Energy Communities outreach Coordinator for the Capital District Planning Commission. She has worked with the village of Valatie and the Town of Kinderhook on their conversions. She believes the numbers are high and is willing to review. She would like to also look at the New York Power Authority as another option for the village and maybe more affordable for the village.

TRUSTEE BROWNE

Albany Hudson Electric Trail- The trail is open as of 12/30/2020 per the Columbia Paper and other media outlets. The village is responsible for the cleaning up along the trail. Although the trail is open there is a punch list of items Trustee Browne is working on with Hudson Valley Greenway to finish. He will be meeting with Andy Beers the trail Director at Rothermel Park on January 20, 2021 at noon to discuss. The village will cut back the brush on the curve on Gaffney Lane. There is a bush outside of the fence on Jake Samascotts property that he will be removing. Sign at Mills Park –Trustee Browne is working with Renee on a sign to inform visitors of the businesses in the village square. They will not only have signs with words but with symbols that will allow resident to use their phones and the symbol to learn what attractions are in the village. He is also in contact with the committee for the People of Color Cemetery to have a sign at Mills Park near the trailhead directing them to the cemetery.

Infrastructure Security Assessment- In the last two years the village has voted not to purchase cyber insurance. Trustee Browne is looking for grant funds to pay for the NYSEC to review what the village’s vulnerabilities are. He does not want to pay for insurance not knowing what the village’s needs are or what we have at risk.

NYS Emergency Plan- The Governor is requiring municipalities to adopt an emergency plan due to COVID and in preparation of any other future disasters. Trustee Browne is meeting with Mayor Leiser and Village Clerk Heeder this Friday at noon to review. He is hoping to have a plan presented at the next village board meeting. A plan is required to be adopted by April.

Planning Board- The Planning Board has met twice in December and once in January. During the meetings they approved Mr. Waterston’s site plan amendment for the restaurant “The Aviary” at 8 Hudson Street. They also approved Paul Calcagno’s ice cream shop at 1-3 Broad Street and they completed an advisory opinion on The School required by the Zoning Board of

Appeals. They are also discussing proposed law changes considering allowing residents to have chickens under certain guidelines. He is proposing to allow alternates members to the Planning Board that may be called upon for a quorum if needed. The laws need to be drafted and presented to the Village Board to consider for adoption.

KBPA

December Nights was a month long celebration for the season with lights and decorations in and around the village. The idea was to try to have people come into the village to support the local businesses. Renee promoted December Nights for the first time in the southern part of the county and is hoping people will return in the future.

TAXPAYER TIME

Emelia Teasdale requested Trustee Browne to share the signs and maps he mentioned at a prior meeting with other municipalities and organizations informing people there are designating parking for the trail. He believes advertising and informing residents there are parking at the trailheads would help from people parking along the streets.

Ruth Piwonka has requested to be added as the Village Historian to the monthly agenda. The Village Board was in approval in adding her to the agenda.

A motion made by Mayor Leiser to adjourn 8:16 pm; seconded by Trustee Flaherty. All voted "aye".

Respectfully submitted,

Nicole H. Heeder
Village Clerk