

June 12, 2024

Regular monthly meeting of the Kinderhook Village Board of Trustees
Minutes

Present: Mayor Dorene Weir Clerk/Treasurer Nicole Heeder	Trustees: James Mark Browne Susan Patterson Quinn Murphy T. Kevin Monahan
Attendees: Renee Shur, Larry Eisen, Matt Cohn, Laurel Nicholson Browne, Wendy Bopp, Dan Bopp, Trevor Bean, Paul Rinehart, Tom Eastman, Elizabeth Martin, Bill Mancini, Astrid Montagano, Dan Valentine, Andrew Pellettieri	

Mayor Weir opened the public hearing at 7:00 p.m. All stood for the pledge of allegiance.

1. Clerk/Treasurer (Nicole Heeder)

- Minutes of May 8, 2024 monthly Village Board meeting - Trustee Patterson motioned to approve the minutes of May 8th meeting, Trustee Murphy seconded, all voted ‘Aye.’
- Budget Amendments and Treasurer’s Report - not presented due an issue with the municipal software glitch.
- Abstract expenses were provided and a motion was made to approve the amount stated for various funds. Total abstract for yearend May 31st, 2024, was \$334,481.91; General Fund \$26,350.04; Water Fund \$7,450.77; water portion Albany Ave. project \$267,081.10; capital projects Albany Ave. \$33,600.
New fiscal year beginning June, total abstract \$124,862.18; General Fund \$45,927.30; Water Fund \$2,522.82; water portion Albany Ave. project \$12,762.06; capital projects Albany Ave. construction \$63,650. Trustee Browne motioned to approve, Trustee Patterson seconded, all voted “Aye”.

2. Code Enforcement Officer (Trevor Bean)

The Code Enforcement officer delivered a report highlighting 14 new projects, 0 property transfers, \$473,425 improvements, and 1 violation currently in progress.

3. Fire Department (Matt Cohn)

The fire department report highlighted activities including ladder testing on May 15th, fill station maintenance done on May 31st, ordered two sets of gear, ordered and received 60 traffic cones for the fire trucks, 35-12 had six month service, attended Fyfe & Drum event June 1st, on June 7th hose testing was conducted, on June 8th Ok5k road race was supported, a drill was held Monday with next drill on June 19th. On June 25th the FD is having the SCDA flow testing done. FD members fly out June 28th for the final exam of the new fire truck then it goes to get upfitted. Chief called today regarding servicing the generator at the firehouse which will be serviced next week and then done annually.

4. Water & Sewer Commissioner (Dale Leiser - absent)

Clerk Heeder reported on behalf of the Commissioner, outstanding balances of \$13,714.68 water, and \$18,088.46 sewer.

5. DPW (David Booth - absent)

Mayor Weir read aloud the Superintendent's report submitted below:

- Mowing, trimming, mulching and other landscaping duties
- Maintaining of the trail
- Paving completed at Railroad, McNary and VanBuren
- Pothole patching, including upper Eichyush
- Storm drain / dry wells installed on Van Buren Ave.
- Benches installed at the kayak access
- Prep for various weekend events in the village
- Support of the Albany Avenue water main improvement project.

6. Economic Development Director (Renee Shur)

The Director reported on the new promotional rack cards being distributed with 10,000 going to various regions and neighboring communities for a wider and longer distribution. Also reported on a proposal for the possibility of having 'This and That' food truck in the village square every Wednesday. Questions were posed about the Ghent band which is in the square on Wednesdays in August and aligning the time, as well as the food truck's location in the square. Beer sales during the Ghent band concerts was discussed with possibly roping off the green space in the village square, further discussion will be needed. The food truck will need an inspection and peddlers permit. The ice cream truck location in the square was discussed. Regarding the Kinderhook creek kayak launch, the Director thanked the DPW and all village employees who donated time to this project. The village received 3 benches from donations which were placed at the kayak launch. The Dunham Park sign was placed at the bandstand in the village square.

7. KBPA

Upcoming events are: Saturday is Juneteenth at the Library, June 22nd is the family circus, the parade is on July 4th, and July 12th is film night at The School with food, popcorn, and beer. July 13th is the Tanglewood marionettes at the farmers market. Director reminded folks to please shop local. The mercantile at the Vanderpoel house is promoting the whole village. Another person is coming to look at the bike rack area in front of the knitting mill.

8. Trustee Monahan

- Planning Board - met tonight regarding changing of the guard, discussed keeping Dave Pesano on as Chairman due to upcoming STR work. Three applicants interested for the backfill position with three interviews conducted by the head of Planning Board, the Mayor and Trustee Monahan. The board discussed and recommended that the Mayor appoint Tom Eastman as the new planning board member. Trustee Monahan moved to appoint Tom Eastman, Trustee Patterson seconded, all voted 'Aye.'
- Zoning Board - the approval for extension of the fence at 5 Broad St. was discussed, voted on and approved.

9. Trustee Murphy

- Climate Smart Trustee Murphy asked the board for opinions on street light tones, either uniform for the whole village or varying for the historic district and/or business district as the conversion to LED lights progresses. He will reach out and inquire what other

villages do. Trustee Patterson requested a visual demonstration. Trustee Monahan questioned in the Spring or Fall if there were recommendations for lighting for safety purposes. Mayor asked if National Grid could give a demonstration or the board could take a field trip for visibility. Per Trustee Murphy the Climate Smart Committee does not yet have an opinion.

- Requested board approval for Chris Van Moessner to be appointed to the Climate Smart Task Force. Trustee Murphy motioned for approval, Trustee Browne seconded, all voted 'Aye.'
- Asked for the board approval for the Mayor to sign a letter of support, in support of the county as they prepare an application for a grant from DEC in order to develop a community and governmental operations climate action plan. Mayor expanded that all Task Force chair people are asking their respective villages to sign this letter of support. Trustee Monahan motioned to approve, Trustee Patterson accepted, all voted 'Aye.'
- LOSAP - has a meeting next week to pick financial advisors, to invest and pay those eligible of which there are six.
- Speed feedback signs - data was gathered, a permit was sent to DOT, and once approved the village can install the two additional speed feedback signs on Route 9 entering the village.

10. Trustee Patterson

- Historic Preservation Commission update - last met on May 16th with Mayor Weir attending for Trustee Patterson. Conversations were held around the grant for a national register of historic places and also updates that need to take place. Per Mayor this is running on a tight timeline as the grant was awarded in 2022 and just now got traction on what the village needs to do to finish the grant. Mayor reached out to the village attorney and advised an expeditious process. HPC needs to review the proposal, conduct reference checking on submissions that fit within parameters of the grant, then meet, and having a quorum decide which company to submit for board approval. The minutes of HPC's meeting need to be furnished to the village board. The board can then hold a special meeting, advised to the public, to accommodate and approve the HPC's choice. Trustee Patterson posed: does the response from the National Register of Historic Places define the village's historic district? HPC member Elizabeth Martin explained what the CLG grant is intended to do and stated that they are 2 separate things. The national register district is the district being updated as it was one of the earliest districts to be formed in the country, and the information needs to be revised and updated. Also to look at the villages today to look for structures that might be included. That recommendation is then reviewed by SHPO and the next step is to update the National Register officially. The local historic district, over which SHPO has purview, is limited in size and not subject to change. Changing the national register district gives folks an opportunity for tax credits benefiting residents. Trustee Monahan posed, on the national one, who makes the decision to put it on the registry nationally. Per E. Martin SHPO. Also, do we have jurisdiction over having a building on the national registry? Per E. Martin there would be no reason we wouldn't want it on the National Registry. It does protect other houses if there's a DOT project disturbing properties it may help.

11. Trustee Browne

- Albany Avenue Pedestrian and Bicycle Improvement Project - Trustee Browne provided overview as of last meeting:

- May 20th HVEA received concurrence on our Threatened and Endangered Species submission within the updated preliminary design from DOT – Federal US Fish and Wildlife Service. Bats

- May 20th, Mayor and Trustee Browne met with HVEA and went over responses to DOT requests for clarifications and changes to the preliminary design, (45 discrete items) The preliminary design was sent out to various units within DOT allowing them to comment. Categories of comments included; administrative, technical, preferential and contractual/funding. Trustee provided examples: Although there were some critical design elements identified they pertained to updating reference tables within the document and did not require changes in design. They do not like the proposed crosswalk design preferred by our residents; they would rather have perpendicular crossroads and 4 links at Sunset and Albany Avenue. Why not make the RT 9 Intersection ADA compliant. There were many requests for information that will be in the detailed final design.

- May 20th, SHPO letter 20-23rd - HVEA prepared a response to DOT to be sent to NYS Parks, Recreation and Historic Preservation. They basically asked for the final design. HVEA worked in conjunction with the Mayor and Trustee Browne and a response was sent from HVEA to DOT to NYS Parks Recreation and Historic Preservation. Each time DOT has sent info to NYS Parks Recreation and Historic Preservation the 30 day review clock has been restarted.

- June 12th – After DOT Regional Cultural Resource Specialist Stephanie Lewison (DOT) became aware of opposition to the project; she now wants to document the opposition and forward it to NYS Park Recreation and Historic Preservation and to Federal Agencies, (Tribal Nations). Effectively resetting the clock once again with a 30 day review period.

- DOT with support from HVEA plan on June 19th yet another submission of documentation will be sent to NYS Parks Recreation and Historic preservation this will reset the 30 day review clock.

- Trustee advocated for direct talks between DOT and NYS Parks Recreation and Historic Preservation however this suggestion was opposed by DOT and is not being followed.

DOT stated a SHPO determination is forthcoming. We have now waited 4 months and anticipate another 1 month wait at best, whether an adverse or acceptable ruling is made at this point is irrelevant. Bottom line is that the SHPO process has effectively scuttled our ability to restore Albany Avenue this year. Re-construction is likely to be delayed to 2025/26 with no road, sidewalk, flooding improvements and business district improvements envisioned until then.

- Albany Avenue Watermain Upgrade Project - the construction is 41% complete, invoice of \$267,081.10 will be authorized tonight for payment. 33% residents' water line connections are completed, 15 more expected by Friday with three more to do in Segment 1. Restoration underway for lawns, road preparation for paving trenches, and Mills Park repair and corner of Albany Ave. & Sunset. Section 2 of Watermain on Albany Ave. from 20 to 51 - still being tested, expect pressure and bio tests tomorrow, if passed, will continue connections with 26 houses left, doing 2 houses each day.
- Financing - Seeking assistance to qualify for EFC Funding either through a grant WIIA or short term loan at a lower rate than the BAN to be issued/settled on June 27th, 2024. Trustee requested additional assistance from Financial Advisors for application submission support and reimbursement support if short term loan is granted by

EFC. WIIA grant submission paperwork prepared by Tighe and Bond needs motion to be submitted both for Albany Ave. and Williams St. Trustee Browne motioned to submit a WIIA grant for this year, seconded by Mayor Weir, all voted 'Aye.'

The Trustee discussed asking Fiscal Advisors for a proposal to help with EFC paperwork submission and vouchers, they agreed on an hourly basis with an amendment to the existing contract. This is a professional services amendment to the existing contract not to exceed \$15,000.

- Borrowing - Albany Avenue Watermain \$1,080,000 Construction and Engineering Oversight and Fire Truck \$477,838 remaining payment closing Thursday June 13th, 2024
- Insurance - with costs rising, Trustees Monahan and Patterson will consider other brokers. One concept is to uniformly raise deductibles and create a dedicated reserve account to pay them.

The motion to approve an amendment for Fiscal Advisors, not to exceed \$15,000, for professional services was made by Trustee Browne, seconded by Trustee Weir, all voted 'Aye.'

12. Mayor Weir

- Recreation Commission - no meeting due to lack of quorum on June 10th the family yoga event was postponed to July due to conflict.
- New hires for Planning/Zoning Secretary and Recreation Commission Secretary are: Gillian Farrgan, Meghan Brown, Kaitlin Kilmartin. Trustee Murphy motioned to approve the Mayor's new appointments, seconded by Trustee Monahan, all voted 'Aye.'
- New member appointments to the Planning Board and Recreation Commission - Lisa Kanbar. Trustee Patterson motioned to approve the Mayor's new appointment, seconded by Trustee Murphy, all voted 'Aye.'

13. Applications

- Emily Heins is requesting Van Buren Hall on Tuesday evenings from 6:30 pm-8:30 pm yoga classes
- Micaela Morse is requesting the Playground Pavilion on June 23rd from 1-4 pm for a graduation party
- Richard Lohrenz and the Friends of Pride requested the Village Square and Bandstand on June 29, 2024 from 1:30pm – 5:30pm to have a short presentation and dance party.

Trustee Murphy posed concerns about allowing yoga classes while there's a yoga business in the village business district, discussion ensued, with start and end dates of May 28th through June 25th. Trustee Patterson motioned to approve all applications, Trustee Murphy seconded, all voted 'Aye.'

14. Taxpayer Time

Residents posed concerns about losing the grant money due to the Bicycle and Pedestrian Improvement project delays. Trustee Browne responded not necessarily. Trustee Murphy questioned the tree replacements which will probably happen in the spring 2026. Concerns were raised on the careful consideration of changing out the village lighting, consulting with the HPC and displaying samples for residents and public input. Climate Smart Chair Bill Mancini commented on the LED project which can be modified, and Clerk Heeder relayed the village has received a \$10,000 grant from NYSERDA. NYSERDA provided a free energy study of the

village hall through an engineering firm which will be sent and shared to help reduce costs and greenhouse gas emissions.

Trustee Browne moved to close the regular meeting at 7:51 pm, seconded by Trustee Murphy, and enter executive session to discuss insurance, snow removal invoice and personnel, all voted 'Aye.'

Minutes respectfully submitted by Sue Pulver.

Executive Session

Motion made by trustee Browne to void the snow clearing invoice to 29 Broad Street; seconded by trustee Murphy. All voted "aye".

Trustee Browne moved to adjourn executive session at 8:15 pm, seconded by Trustee Murphy, all voted 'Aye.'

Respectful submitted,

Nicole H. Heeder

Village clerk