

Minutes  
Wednesday July 8, 2015  
Regular monthly Village Board meeting

Present:  
Mayor Carol Weaver  
Trustee Dale Leiser  
Trustee Richard Phillips  
Trustee Brian Murphy  
Trustee Robert Puckett

Also attending: Glenn Smith, Jim Dunham, David Booth, Renee Shur, Andrew Pellettieri, Pat Farrell, Stuart Peckner, Audrey Peckner, Barry Herbold, Harry Van Alstyne, Susan Van Alstyne, Kristine Cook, Chuck Rothermel, Mike Birmingham, David Flaherty, Emelia Teasdale, Paul Calcagno, Mark Browne, Phil Melino, Barbara Shannon, Matt Cohn.

Mayor Weaver opened the Village Board Meeting at 7:30pm

#### **MINUTES**

Mayor Weaver made a motion to approve the minutes of the following meetings:  
June 8, 2015 Special Meeting Roof Repair Project and Water Line  
June 10, 2015 Regular monthly Village board meeting  
June 12, 2015 Insurance meeting on DPW Garage fire  
June 19, 2015 Insurance meeting on DPW Garage fire  
July 1, 2015 Executive Session  
Seconded by Trustee Murphy. All voted "aye."

#### **BUDGET AMENDMENTS**

No budget amendments.

#### **ABSTRACT**

Mayor Weaver made a motion to approve the monthly abstract in the amount of \$57,344.54 pending checking on the installation of lights at the tennis court as noted by Trustee Murphy. The work was to be done by Scherriff Electric. Seconded by Trustee Phillips. All voted "aye."

#### **TREASURER'S REPORT**

Mayor Weaver made a motion to approve the June 2015 and July 2015 monthly Treasurer's report, seconded by Trustee Leiser. All voted "aye."

#### **FIRE DEPARTMENT**

Matt Cohn reported three calls, two drills and four details. New AED In service. New hose has been ordered as the old was burned in a brush fire. Both trucks inventoried. Assisted with the July 4<sup>th</sup> parade. John Howe, coordinator, retiring as of December 31, 2015. Do not know who will replace him.

#### **DPW**

Water Department–Trustee Leiser discussed the exposed water line at creek. Cost estimate from Morris Associates of \$10,000 to riprap water line and cover it. Permit not yet back from DEC. Will come back for bidding. Not a trout spawning area.

William Street Design–Hudson Valley Engineering Associates tabled due to money issue with water line.

Dave Booth noted in the last period, 4 more trees and various plantings completed in village. Maintained the landscaping and mowing and watering. DPW building and pad have been taken down. Spec'ing out equipment and gathering lease possibilities to move forward. Trustee Leiser and Dave met with Ray Jurkowski on initial phases of construction of a new building. Pickup trucks returned cleaned and fixed. Primary chlorinator pump rebuilt..no issues at the pump house.

Trustee Leiser noted that Philmont just finished their new DPW garage. Possibly go down on Friday with Dave to see, almost a blueprint of ours.

New Toro zero turn lawn mower from ACP in Ghent. Trustee Leiser made a motion to accept the purchase of the new mower, under state procurement policy, seconded by Trustee Phillips. All voted “aye.”

Resurfacing of Berkshire Drive and reconstruct swale line on Jarvis Court. Per Dave, four bids came back from Gorman, Peckham, Callanan and Colarusso. Gorman not bidding on Jarvis swale. Bids itemized extensively so we can pick and choose what we want. Berkshire Drive current elevation very high 1.5” minimum, tripping hazard, a lot of topsoil would be needed. Gorman quote is an emulsion mixed with aggregate, thin but durable. Want to compare to Catskill View Drive since we did that last year. Thinner treatments would not have to be milled (this is good). Gorman has a proprietary process, the others would be basically putting on a topcoat. \$12,000 for Berkshire Court cul de sac from Gorman. Berkshire Court down to \$48,000, \$42,000 covered by CHIPS. Peckham low bidder on Jarvis. Trustee Leiser made a motion to go with Gorman to pave Berkshire Court Ext without cul de sac, Peckham on Jarvis. Trustee Murphy seconds. All voted “aye.”

Six petitions with a total of 63 signatures were received this morning regarding the future of the Village of Kinderhook DPW. The Village Board will review and then discuss further at a special public information meeting. How to move forward per Trustee Phillips, form a committee? Trustee Puckett says no. Our accountants George and or Chris to oversee a cost analysis. Trustee Phillips says we need to get **our** costs. Nicole out until next week, so this will be delayed until next week. Mayor Weaver will have Nicole check figures. In the future, there will be a public information session and a discussion. Input from Comptroller’s Office on how to merge municipalities. Per Glenn Smith, the Department of State has this information available online for grants.

**Code Enforcement Officer**

The CEO/ZEO's monthly report was received with 12 permits issued, \$1043.00 collected.

Violations– Another round of violations issued to 3 Church Street through Chase Bank. They have 30 days to respond. If no response, they receive a ticket for court appearance. Mayor Weaver asked about the Cigar shop. Permit has been renewed, finished trim around windows, making an effort to complete. Trustee Murphy asked about 1 Lindenwald Court. Glenn will look at. Trustee Phillips discussed the property behind the bandstand. This is Village owned property, looks awful. Mayor Weaver has gone to the landlord. There should be no parking of vehicles there. No parking sign to be placed there. Tenant will be out by the end of the month. Trustee Puckett asked Glenn to check on 2 properties on Rothermel Extension. One has old brush filling the yard and one has a pile of construction debris in the driveway.

Software for CEO/ZEO–Town Supervisor Grattan to propose that the Town Board pick up the cost and recurring costs of the software for the CEO/ZEO.

Stuart Peckner's sign in the Village Square. Stewart stated there is a visibility issue as a business at his location. When there is a function in the Village Square, tents go up and his business is totally hidden. Stuart proposes to put up his sandwich board sign on the swale at the top of Hudson Street. Glenn stated per the code, the grassy area by the bank is for municipal and non-profit groups. Another issue is line of sight distance north on route 9 per State manual of highway design. Would need to physically change the village law to allow the sign to go up in this location. Mayor Weaver attended the last KBPA meeting. A proposed option was made to put a new, taller sign where the Recreation Commission sign is now, with attached plaques. Glenn stated an a-frame sign in front of Mr. Peckner's business is allowed per code. Trustee Phillips stated that the Planning Board two years ago came up with new signage, can they look at this in 60 days. David Flaherty from the Planning Board stated a temporary resolution would benefit everyone. Trustee Puckett stated HPC is looking at the sign issue and "SIGN POLLUTION". Mayor Weaver made a motion for Stuart Peckner's sign to go up in front of trough in Village Square during Village events and for the Planning Board to look into the signage issue. Trustee Phillips seconds. All in favor "aye." Doing by resolution until law established.

### **Village Square Restrooms**

Mayor Weaver discussed an email via Renee Shur from the Library. Porta lets were available during food truck night but not during the Beer Hop. The Library had many people using their bathroom, which was disturbing to their operation. Mayor Weaver requested permission from the Board to have someone design a bathroom and cost associated with that. Glenn Smith stated grant money available through the Department of State. A temporary bathroom solution would be to have a porta let available in the municipal parking lot from now until mid-October. Mayor Weaver spoke with a West Sand Lake company, cost is \$98 per month, brand new. Trustee Phillips would like one for the weekend only, not Monday through Friday. Glenn Smith

said to consider a long term seasonal lease. Trustee Murphy made a motion to go with the rental of the West Sand Lake porta let placed behind the two small crab apple trees in the Post Office parking lot having it cleaned every Monday. Seconded by Trustee Puckett. All voted “aye” except Trustee Phillips “nay.”

### **ZONING BOARD**

Zoning Board of Appeals will have a public hearing July 27 for catering company (formerly Carluccis in Chatham) to open at 86 Broad Street. Per Glenn Smith, this is a continuation of non-conforming use that is more restrictive than what is there now.

### **PLANNING BOARD**

Mark Browne discussed the Comprehensive Plan meeting that will take place on Thursday, July 23 at the Village Fire House 7pm. Presentation, workshop, and summary with 25-50 people expected. Nan, consultant, will help with the groups. All in preparation for the Planning Board completing the Comprehensive Plan and presenting it to the Village Board. Trustee Phillips made a motion to have the Comprehensive Plan Committee meet on July 23 at 7:00pm. Seconded by Mayor Weaver. All voted “aye.”

David Flaherty had a public hearing on the 19<sup>th</sup> for the tapas bar. Restroom is a terrific idea, a friendly thing to do. Mark Browne should be commended on his work with the Comprehensive Plan. Mayor Weaver thanked both of them for all they have done.

Trustee Murphy made a motion to identify a cost to make a determination about having a design done for a permanent bathroom in the village square. Seconded by Mayor Weaver. All voted “aye.” Mayor Weaver said she will ask her son in law to donate his services for a unisex bathroom design.

### **HISTORIC PRESERVATION COMMISSION**

Trustee Puckett was not at the last meeting. Now have new co-chairs of the HPC: Tim Husband and Ken Nielson. Ruth Piwonka is still on the board, she is no longer chair. Co-chair vs vice-chair issue to be looked into. Trustee Phillips in regards to HPC: Chairman and Vice Chairman specifically stated in the code. Trustee Puckett will finalize this.

### **ECONOMIC DEVELOPMENT**

Renee has been very busy with the Food Truck Night and Beer Hop. Trustee Murphy discussed the sidewalks being taped off due to alcohol consumption. Can we do something easier to demark perhaps with blue chalk? Mayor Weaver states per the KBPA meeting, you have to have the controlled area taped and fenced off. Not a single incident with 2,700 people in the Village. Trustee Puckett spoke of the farmers market. Barricades were down on Hudson Street but trucks still there packing up. Renee to discuss with other committee members as this is a safety issue.

### **CORRESPONDENCE**

None to discuss

## **VILLAGE HALL**

Village Hall roof. Per Trustee Puckett, the cupola reinforced onto the roof. Gutter tore off of the side of the building to take pictures of the construction and ethnology of it. Scaffold to go up around Village Hall, still leaving access to Village Hall. Gutter to come off the whole building at once, overlay with rubber and then replace or repair all at once. We need an asbestos abatement monitor. Future discussions on this with the architect and construction firm for the process. Trustee Puckett believes the asbestos is in the roof coating. Keep everyone apprised of costs and timing. Engineer thought brackets were structural.

## **RECORDS DESTRUCTION AUTHORIZATION SHEET**

No records to be destroyed.

## **WASTEWATER COLLECTION PROJECT**

Jim Dunham stated Casale is finishing up some items. Lower high box at pump station and repaving of 100' of pavement at the Post Office driveway.

## **SIDEWALK LINK PROJECT**

Jim Dunham stated the closeout paperwork still to be done.

## **APPLICATIONS**

1. Kinderhook Runners Club, Village Hall second floor Village Square and bandstand on June 10, 2016 at 3pm until June 11, 2016 at 12pm for the OK5K.
2. Friends of the KML requesting daily sign two weeks prior to events on July 18, Sept. 12 & 13.
3. Deanna Oliveri from MS Society requesting Pavilion & restrooms for Sept. 19<sup>th</sup> 10am-4pm. Mayor Weaver made a motion to approve applications pending receipt of insurance from Deanna Oliveri. Seconded by Trustee Phillips. All in favor "aye."

Trustee Murphy asked about the use of bounce houses from last month's application. Carol van Denburgh stated that Gary Van Allen was contacted and NYMIR advised the non-use of bounce houses. The applicant from last month who requested the use of a bounce house wanted State Farm Park, not Rothermel Park, so her application was voided. Trustee Puckett states we will not be able to use the Bounce House at our Community Night. That would have to be looked into for insurance issues as would the rock climbing wall.

## **RECREATION COMMISSION**

Trustee Murphy missed the last meeting. Staff was finalized and the Park program started this week. Feasibility of doing a park at the creek. Make some phone calls to the Office of Parks & Recreation to see if they have grant money or advisory services to create some park space at the creek. No motion needed.

## **KBPA**

Truck Night and Beer Hop were a success. 4<sup>th</sup> of July parade held in the rain had a good turnout. Next event is Dancing in the Square August 1st with rain date of August 8<sup>th</sup>. Band Concerts start the first Friday in August for four weeks: August 7, 14, 21 and 28.

### **TAXPAYER TIME**

Chuck Rothermel, compliment on helping out with Stuart Peckner's sign decision. Food truck night and Beer Hop, is money collected from the vendors? Yes, vendors pay KBPA which donates money to non-profits as well as various organizations for functions around the Village. Insurance on Beer Hop for every vendor that sells liquor? Renee discussed permits for the Beer Hop. Marketing Permit and NYS Liquor permit as well as Certificate of Liability Insurance. Fire Department had to get a liquor authority permit for parade last year. Regarding DPW, hopes Board put together a committee to look at this issue. We spend \$200,000 per our Village Budget on the DPW excluding the water department. \$83,000 is what Valatie pays to Town. Chuck spoke with Pat Grattan (Town of Kinderhook) and Diane Argyle (Village of Valatie) regarding this.

Bonnie Shannon says we need to explore and look at to what services we can contract out. There are lots and lots of different options. Thank you Planning Board for looking at the signage issues.

Renee Shur asks if National Grid or Fairpoint has done anything on the double poles. Hudson Street, Chatham Street, Bob Puckett's driveway. Perhaps man power issue to transfer service to the National Grid poles from either Fairpoint or Time Warner. Fairpoint issue of no longer being able to pay in Kinderhook, is this a service issue?

Andy Pelletieri says thank you regarding the drainage issue on Jarvis. Regarding the signage issue, some communities address the sign issue at the borders of the Village.

Paul Calcagno regarding the bathroom issue. As more places open up, we will have more bathrooms available. DPW does a great job. Rhinebeck has spotless public bathrooms. The flowers give us the biggest bang for the buck so expand the flowers. If we go to the Town, include it all in the price!! \$10,000 budget for leaves from Trustee Leiser, we need to think about the service issue and the services provided. The Town bags their leaves.

Andy Pelletieri said to think about the snow removal. DPW did an outstanding job this past winter.

Per Trustee Leiser, the Village of Valatie has a \$ 1.5 million budget with a tax rate of \$2.55 per \$1000 WITHOUT a DPW. The Village of Kinderhook has a \$1 million budget with a tax rate of \$2.17 per \$1000 WITH a DPW.

Mayor Weaver made a motion at 9:20 to adjourn the meeting, seconded by Trustee Leiser. All voted "aye."

Respectfully submitted,

Carol N. van Denburgh  
Deputy Clerk  
Village of Kinderhook