

Minutes  
Regular Monthly meeting of the Village Board of Trustees  
Wednesday, August 9, 2017

Present: Mayor James Dunham

Trustees: Richard Phillips  
Dale Leiser  
Robert Baumeister  
David Flaherty

Also attending: Glenn Smith; David Booth; Paul Calcagno; Mr. Felt; Laura Hankin; Rima Bostick; John Meade; Emelia Teasdale, The Columbia Paper.

**Public Hearing Proposed Local Law No. 1 of 2017 Amending the Code of the Village of Kinderhook Chapter 119 Vehicles and Traffic.**

The notice was published in the Register Star on July 29, 2017. Mayor Dunham opened the Public hearing at 7:15 pm.

Mayor Dunham explained the proposed change to Chapter 119 -10 Limitations on parking is to add an additional handicapped parking spot on Church Street.

No public comment received.

Mayor Dunham closed the public Hearing at 7:19 pm.

**Public Hearing Proposed Local Law No. 2 of 2017 Amending the Code of the Village of Kinderhook Chapter 126 entitled Sewers.**

The notice was published in the Register Star on July 29, 2017. Mayor Dunham opened the Public hearing at 7:30 pm.

Mayor Dunham stated the change was the requirement to have grease traps cleaned every six months instead of yearly.

Business owner, Paul Calcagno noted not all restaurants have grease and restaurants may have different size grease traps. He just had his inspected but it did not need to be cleaned. A restaurant in one of his buildings has a small grease trap and may need a cleaning every three months. Mayor Dunham noted it may need to be on a case by case basis but the inspection will need to be done every six months.

Mayor Dunham closed the public Hearing at 7:31 pm and opened the Regular monthly Village Board meeting.

**BID OPENING**

Cupola Repair Project-The village received one bid for the Cupola Repair Project.

1. CJ Smith's Roofing \$95,000

Mayor Dunham noted the village is holding approximately \$72,000 from the bond for the project. He was not expecting the bid to come in that high. He and Trustee Flaherty will speak with Marilyn Kaplan before moving forward.

## **TAXPAYER TIME**

Rima Bostick requested the village board consider placing all documentation the village board may review during a meeting pertaining to the agenda items on the village website before the village board meeting. She would like the opportunity to review the documentation before coming to a meeting to assist her in any questions or comments she may have.

## **MINUTES**

A motion made by Trustee Phillips approving the minutes of July 12, 2017 Regular monthly meeting; seconded by Trustee Baumeister. All voted "aye".

## **BUDGET AMENDMENTS**

*General Fund*

<u>FROM</u>	<u>TO</u>	<u>AMOUNT</u>
A.5110.4 Street Maintenance	A.85620.4 Shade Trees Contractual	\$400.00

## **ABSTRACT**

A motion made by Trustee Baumeister approving the abstract in the amount of \$40,995.00; seconded by Trustee Flaherty. All voted "aye".

## **TREASURER'S REPORT**

Trustee Phillips made a motion approving the monthly Treasurer's Report; seconded by Trustee Leiser. All voted "aye".

The village of Kinderhook's Annual Financial Report was filed with the State Comptroller's office on July 28, 2017. Each Village Board member was given a copy for their review.

Trustee Phillips thanked Clerk/Treasurer Heeder for submitting the AUD in a timely manner.

## **FIRE DEPARTMENT**

Chief Eisen was unable to attend the meeting but he submitted the monthly fire report to the village office earlier in the day. Three calls, two drills and four details.

Trustee Phillips reported the firemen installed an A/C unit with two split one in the meeting room and the other in the basement. They purchased and installed the unit with their funds and volunteer work at no cost to the taxpayers.

Multi family/apartment housing inspection-Inspections of two major apartment houses were completed. Glenn requested the property owners address two property maintenance issues and they have complied. He will be completing inspections on the other multifamily buildings and will be adding them to his monthly report to the village board. He also completed the annual inspection of the day care center at the Cornerstone Fellowship Church. When available Larry Eisen, Fire Chief will attend inspections.

## **DPW**

Dave reported several items completed by the DPW this month are: pressure washing of the ramp at fire house, repairing of water line at 9 William Street, replacing meters, equipment maintenance of village trucks, mowing, weeding, installing new lights with cages at the pavilion, and sanding and painting of the leaf box. Moving forward Dave would like to complete paving and a drywell on Cortland. Several drywells need to be raised.

Wells- Well #3 was completed the new pump was installed last Thursday.

William Street Design-The village has a signed contract with Hudson Valley Engineering for the reconstruction of William Street including the water lines.

New Truck-Trustee Leiser noted the amount of the truck, box, and plow is approximately \$79,603.00. He placed \$10,000 in the current fiscal budget and he would like to take \$10,000 from fund balance to put \$20,000 down and finance the remainder. Key Financial gave Trustee Leiser an interest rate of 3.97% for the entire amount and 4.4% with \$20,000 down. Key Government can become a revolving loan/lease for equipment. Kinderhook Bank gave an interest rate of 2.28%. Either financial institute will need the bond attorney involved for the closing.

Resolution for the purchase of a new truck

Resolution by: Trustee Robert Baumeister;

Seconded by: Trustee David Flaherty.

WHEREAS, the Village of Kinderhook Board of Trustees has determined that one of the heavy plow trucks utilized by the Village has frame damage due to age and rust and is no longer suitable for use hauling materials or snow and ice removal; and

WHEREAS, the Village of Kinderhook Board of Trustees has determined that the existing truck fleet is not adequate to service the Village and acquisition of a used or aged truck is not in the best interest of the residents, finding the acquisition of a new truck is in the best interest of the Village; and

WHEREAS, to acquire and prepare a new truck for service takes three to four months of lead time, making the acquisition of a replacement truck an emergent situation to have a truck in-service by the start of the 2017 snow and ice removal season; and

WHEREAS, the Village of Kinderhook Board of Trustees has located a new 2016 International truck ready for purchase from state contract, exempt from the formal bidding requirements of New York General Obligations § 103; and

WHEREAS, the 2016 International truck chassis will need to be fit-up with a box, plow and equipment suitable for service to the Village of Kinderhook; and

WHEREAS, the Village has obtained three quotes for the box, plow and equipment necessary to fit-up the truck for service as follows:

1. De Janna: at a cost of \$21,635.00 (did not bid on side wing).
2. Trius: at a cost of \$29,576.00.
3. T&T Sales: at a cost of \$29,085.00.

WHEREAS, the Village of Kinderhook Board of Trustees recognizes in such a situation, there is a permitted exception to formal bidding and procurement requirements. New York General Municipal Law § 103(4) expressly states “in the case of a public emergency arising out of an accident or other unforeseen occurrence or condition whereby circumstances affecting public buildings, public property or the life, health, safety or property of the inhabitants of a political subdivision or district therein, require immediate action which cannot await competitive bidding, contracts for public work or the purchase of supplies, material or equipment may be let by the appropriate officer, board or agency of a political subdivision or district therein.”

NOW, THEREFORE, BE IT RESOLVED that the Village of Kinderhook Board of Trustees deems the need for a replacement truck and procurement of the box, plow and equipment necessary to fit-up the truck emergent due to the unforeseen damage to the existing truck, the board herein finding that time required to fit-up the truck places the final delivery into the fall season, where snow and ice removal is necessary, and to await formal procurement could imperil the life, health, safety or property of the inhabitants of the Village of Kinderhook; and be it further

RESOLVED that based upon the foregoing, the Mayor is authorized to execute any contracts, purchase orders or other related documents to acquire the 2016 International Truck and to have such truck fit-up for service by T & T Sales, pursuant to the quote obtained above.

Upon question of the foregoing Resolution, the following Board members voted "Aye" in favor of the Resolution:

Mayor James C. Dunham;  
Trustee Richard Phillips;  
Trustee Dale R. Leiser;  
Trustee Robert Baumeister; and  
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.

Dated: August 9, 2017

\_\_\_\_\_  
Nicole H. Heeder, Village Clerk  
Village of Kinderhook

Rothermel Extension paving- Paving quotes were received earlier in the year for 1” paving. Mayor Dunham is trying to accumulate two years of CHIPS money to assist with the William Street project. A motion made by Mayor Dunham to move forward with Colarusso to complete 1” of paving on Rothermel Extension for \$18,478.50 on state contract; seconded by Trustee Phillips. All voted “aye”.

**CODE ENFORCEMENT OFFICER**

The CEO/ZEO’s monthly report was received with 8 permits issued and \$1,125.00 fees collected. He met with Ed Coons of the Health Department and did a site visit to the CaroVail site. They spoke with DEC on all chemicals on site. They do not store any pesticide on site. They were requested to remove a pile of lime that was exposed to the outside elements. CaroVail was gracious and did so and gave them a list of all agriculture chemicals on site.

**TREES**

Site distance- The village DPW trimmed areas in the village where there were site distance issues, one being at the end of William Street. This was a sight distance issue coming out of William Street ont Hudson Street

Resident Rima Bostick stated when the village changed the configuration of the William Street the village caused the sight issue. Glenn stated it was the planting of the trees in the right away that is causing the sight issues as vehicles are trying to pull out of William Street.

Rima requested the village put the road back where it was, then there will be no issue. She stated the traffic calming plan was for residents to plant greenery to assist in the slowing of traffic. She feels the village is spending money to increase traffic. The village is inviting people to come to the village to walk and bike in the village. She invited Glenn and Mayor Dunham down to show them where the trees would be planted if the road was not reconfigured.

Village Property- Onderdonk completed the contract to remove and or trim several trees in the village. (Catskill View, DPW garage, playground, tree in front of Scott's barber shop)

### **TRAFFIC CALMING STUDY**

The State Police and Sheriff's office has monitored several village roads once/twice a week. They have given four tickets total. Mayor Dunham believes their presence has assisted in the reduction of speed. Mayor Dunham budgeted monies for WSP to come back and place the ATR monitoring cables in the road. He would like to sign a contract with WSP at \$600 a placement. Rima Bostick requested to have another placement south of William Street. She offered to pay for the extra placement between Jarvis Lane and William Street. Mayor Dunham noted the placement in the same area will show a comparison. A motion made by Trustee Phillips; seconded by Trustee Flaherty to have Mayor Dunham sign a contract with WSP for the placement of 5 monitors for comparison and one additional for information at the request of Rima Bostick. All voted "aye".

Variable speed sign-Mayor Dunham is looking at a variable speed sign.

### **CLIMATE SMART COMMUNITIES TASKS FORCE**

Bottle and Can Recycling: A motion made by Trustee Phillips to allow Clynk bags in the village office for non for profits that pertain to the village; seconded by Trustee Flaherty. All voted "aye".

Benchmarking- Intern, Megan Kirby, completed inputting the data from the electrical and oil usage from village buildings' 2015 through 2017. The data will be used to monitor and compare the village's energy usage and greenhouse gas emissions year to year.

Climate Smart Communities Certification: The village is listed as a registered Climate Smart Community with the NYS DEC. The village has accumulated 65 points towards the 120 points needed for certification. The committee is working towards additional actions that can be done to reach the 120 points.

Electric Vehicle Charging Station: The committee is working on designs of charging stations that have been installed in historic districts in other municipalities to be presented to the village board in the future.

### **PROPOSED LOCAL LAWS NO. 1 and No. 2 of 2017**

A motion made by Trustee Flaherty to approve Local Law #1 of 2017 to amend the Code of the Village of Kinderhook in relation to parking; seconded by Trustee Phillips. All voted "aye".

A motion made by Trustee Baumeister to adopt Local Law #2 of 2017 to amend the Code of the Village of Kinderhook Chapter 126 entitled Sewers; seconded by Trustee Flaherty. All voted "aye".

### **INSURANCE**

DPW Cost for Fire- The fire alarm at the garage was paid for from the last insurance check. Insurance and the DPW garage may come off the agenda moving forward.

### **ZONING BOARD**

Minutes of the May 22, 2017 meeting was approved. They would like to have Glenn be the clearing house for all information to be submitted to the board.

### **PLANNING BOARD**

Solar Panel Regulations- One last review of the solar regulations by the planning board before submittal to the village board for public hearing.

Pod Regulations-The committee is working on the pod regulations.

### **HISTORIC PRESERVATION COMMISSION**

Mayor Dunham and Trustee Flaherty will go before the HPC for the new village hall signs and for the proposed work on the cupola.

### **ECONOMIC DEVELOPMENT DIRECTOR**

The EDC Director's monthly report was received.

Lighting Study-A presentation will be given to the village board at the September village board meeting at 8:00 pm.

Kinderhook Creek Recreational Use Study-Greenway Grant Resolution: Mayor Dunham will meet with all the municipalities involved next Thursday at the Village Hall to discuss all cost involved to each municipality if the grant is awarded.

Resolution by: David Flaherty;

Seconded by: Robert Baumeister.

WHEREAS, the Village of Kinderhook is applying to the Hudson River Valley Greenway for a grant under the Greenway Communities Grant Program for a project entitled "Kinderhook Creek Recreational Use Study, Phase I" to be located in the Village of Kinderhook; and

WHEREAS, the grant application requires the applicant municipality to obtain the approval/endorsement of the governing body of the municipality or municipalities in which the project will be located.

NOW, THEREFORE, BE IT RESOLVED that the governing board of the Village of Kinderhook hereby does approve and endorse the application for a grant under the Greenway

Communities Grant Program, for a project known as “Kinderhook Creek Recreational Use Study, Phase I” and located within this community.

Upon question of the foregoing Resolution, the following Board members voted "Aye" in favor of the Resolution:

Mayor James C. Dunham;

Trustee Richard Phillips;

Trustee Dale R. Leiser;

Robert Baumeister; and

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.

Dated: August 9, 2017

\_\_\_\_\_  
Nicole H. Heeder, Village Clerk  
Village of Kinderhook

6 History Walks- Ann Birckmayer lead a history walk that was free to the public and was streamed live at Kinderhook Library. The walk was well attended by approximately 45 people.

### **VILLAGE HALL**

Van Buren Hall-Mayor Dunham, Trustee Flaherty and Renee Shur will meet to discuss what needs to be done for better use of Van Buren Hall and prioritize the items for short term and long term with consideration of funds available.

Elevator/Lift- A small sign noting the elevator/lift will be purchased and installed on the village hall.

Signs-Mayor Dunham requested quotes from John Rielly and Saxton signs for new signs for the village hall. Saxton sign did not submit a quote. A motion made by Trustee Baumeister to

purchase new signs for the Village Hall and State Troopers for \$750.00 and \$350.00 to install; seconded by Trustee Phillips. All voted "aye".

### **IT CONTRACT WITH COLUMBIA COUNTY**

A motion made by Trustee Flaherty to enter into an inter municipal agreement with Columbia County for IT services for a one year period; seconded by Trustee Phillips. All voted "aye".

### **UNPAID WATER, SEWER & TAX BILLS**

The balance in unpaid water is \$1,046.66 and unpaid sewer balance is \$5,159.86. Trustee Leiser will have late letters sent out.

Anti -Siphoning Valve-Mayor Dunham stated the reading of the pump has been low for the last two weeks. He will monitor for two weeks and speak with Emmons Pump concerning the anti-siphoning valve.

### **EMPIRE STATE TRAIL**

The Hudson River Valley Green-way will hold a public informational meeting at Ichabod Crane High school tomorrow night. He recommends anyone interested should attend.

### **SIDEWALK CHURCH STREET**

Regulations have changed and Jim feels a pedestrian access route from "The school" may need to be added. He believes they will be adding an elevator to the school. He will hold off on the sidewalk project until he reviews the regulations.

### **APPLICATIONS**

A motion made by Trustee Flaherty approving the following applications and pending insurance from Pegasus Mental Health; seconded by Trustee Phillips. All voted "aye".

- a. Mort's Maple is requesting to sell maple products Friday evenings during the Ghent Band
- b. Lorraine Michaels is requesting Van Buren Hall Friday evenings Sept- Nov for Ballroom dance classes; 5-9 pm
- c. Kinderhook Memorial Library is requesting Van Buren Hall on December 8th from 6-7:30 pm
- d. Kinderhook Memorial Library is requesting Van Buren Hall on Wednesday from 10-12 am for story hour
- e. Pegasus Mental Health requesting Martin Hall Tuesday evenings starting 9/5; 6-7:30 pm

### **RECREATION COMMISSION**

There was technical difficulty with the electric for the movie and sound system. When plugging in the equipment the vendor needs to use separate outlets. Annual Community Night will be Saturday, September 9, 2017 from 6-9 pm.

### **KBPA**

The Village Wide yard sale will be Saturday, September 9, 2017. If anyone wants to be on the map they may contact the village hall.

### **TAXPAYER TIME**

Trustee Flaherty requested Ron Knott install HEPA filters in the Village Hall and the State Troopers office.

Rima Bostick requested the village supply in good open government all the reports, contracts, local laws etc...online before a meeting. She requested notification of any changes to the local laws to be sent to her especially towards trees and bushes.

Mayor Dunham noted the village board will take her suggestion into consideration and any changes to laws are done by public hearing and residents are notified.

Rima invited the board to review the documentation she has on the creek to assist in the Kinderhook Creek feasibility study. Mayor Dunham will review the documentation when he does a site visit of William Street.

John Meade noted money is cheap now and the village board should consider bonding the entire amount for the truck and not take from fund balance. When money is less than 3% to borrow it is cheap and the village could keep the fund balance for a reserve.

Trustee Phillips made a motion to adjourn at 9:01 pm; seconded by Trustee Baumeister. All voted "aye".

Respectfully submitted,

Nicole H. Heeder  
Village Clerk