

Minutes

Public Hearing on Proposed Local Law No. 1 of 2018 to override the Tax Levy Limit  
Public Hearing on the proposed Annual Budget for the 2018/2019 Fiscal year  
Regular Monthly meeting of the Village Board of Trustees  
Wednesday, April 11, 2018

Present: Mayor James Dunham

Trustees: Richard Phillips  
Dale Leiser  
Robert Baumeister  
David Flaherty

Also attending: Asst. Sup't, Robert Meehan; CEO/ZEO, Glenn Smith; Fire Chief, Matt Cohn; Fire Captain, Larry Eisen; EDC Director, Renee Shur and The Columbia Paper Reporter, Emelia Teasdale.

Village residents: William Mancini; Bernadette Powis; John Morgan; Sandra Myers; Kim Gray; Andrew Pellettieri; Jennifer Blood; Richard Vuolo; Virginia Vuolo; Marion Guerrio; Frank Montango; Sandra Tolosa; Paul Calcagno; Paul Calcagno Jr.; Jennifer Ose-McDonald; Sally Hogan; Robert Mc Elligott; Donna Mc Elligott and Lori Bartlett.

**PUBLIC HEARING**

Public Hearing on Proposed Local Law No. 1 of 2018 to override the Tax Levy Limit-

Mayor Dunham opened the Public Hearing at 7:20 pm. Clerk/Treasurer Heeder read the public notice published in the Register Star on April 5, 2018.

Q: Marion Guerrio, 46 Broad Street inquired if the village plans on overriding the tax cap every year or will it be just for this year?

A: The village is proposing to override the tax cap this year; that does not mean we will exceed every year. The Village Board will need to decide on a yearly basis during budget time if needed.

Q: Lori Bartlett 15 James Lane requested why the village board would raise everyone's taxes and not consider curbing spending. It is her understanding that if the village overrides the tax cap residents will not receive a property tax relief check from the state.

A: Some are under the understanding by staying within the tax cap residents would receive a check but that is not true. The property tax check pertains to the schools staying within the tax cap.

Q: Richard Volo, 3 Pink Oak Drive stated he reviewed the past 15 years of his tax bills to receive a better perspective of the proposed increase. He stated the school district has increased 56% and the Town has increased 42%. He paid less in his village taxes this past year than he did 15 years ago he actually paid \$1.30 less. He was not sure if there is a penalty to override the tax cap but would the board consider splitting the increase over two years to stay within the tax cap. He feels some people feel if there is a law in place the village should abide by the law.

A: It is great to keep taxes down but in the long run the village is hurting themselves with the increase of the cost of projects by waiting. Trustee Phillips stated the village has stayed in the tax cap requirements for the past six years. The village board is considering an increase of 4.29% in the proposed budget. This is an eight cent increase per thousand of assessed value. At some point the village streets need to be paved and work needs to be done on village buildings.

Q: Kim Gray, 2 Martin Court would have appreciated an opening statement on how the village board felt about the 2%. She wanted to know if the village is philosophically in line with the aim to keep the 2% tax cap in effect. If, the village was going over the 2% tax for unforeseen items she would like to know what those items are and how the village will plan for unforeseen items in the future. Does the village plan on completely doing away with the 2% tax cap?

A: Trustee Phillips stated with staying within the tax cap for the last six years that only allowed spending of the essentials to run the village. Three years ago the village wanted to complete the William Street Project at a cost of approximately \$300,000 now three years later the cost is over \$700,000. Trustee Flaherty noted he received a quote of \$32,000 for the masonry work on the Village Hall. The two boilers in the Village Hall need to be replaced they are from 1968. Trustee Leiser noted he estimated \$20,000 for salt last year but this year he is just shy of spending \$30,000. You never know what kind of winter you will have but you have to do your best in estimating. Mayor Dunham noted the state does not allow any exemption for villages from the tax cap. The state allows the capital projects to be exempt from the tax cap for schools but not for villages. The village has held off on projects to stay within the tax cap but in Trustee Phillips opinion we are hurting ourselves.

Q: Kim Gray, 2 Martin Court -What is the Village Board's long term planning for projects and funding them. She sees in the budget we have bonding of Capital Projects and we have Reserves listed.

A: The Village Board is planning for the future. Trustee Phillips has placed \$25,000 in the fire truck fund for the future purchase of a fire truck. Trustee Flaherty has increased the budget line item for buildings in preparation of future projects. He is looking to have the bathrooms in Van Buren Hall become ADA compliant. The emergency staircase needs replacement and the repointing of the bricks on the Village Hall needs to be done. Trustee Phillips noted the village's fund balance is healthy but the village needs to be prepared for projects that need to be completed like William Street Project, the emergency stair case and Albany Ave. Trustee Phillips stated every year he puts \$20,000-\$25,000 away in the fire truck savings account to be prepared for the purchase of a new fire truck so the village does not have to bond the entire amount so the village is looking how to fund future projects. He is glad everyone has come to the meeting but invites them to attend a budget meeting see how the process works. Trustee Flaherty stated the Village Board does not take increasing taxes lightly a lot of time went into the decision.

Q: John Morgan, 51 Hudson Street-He is paying for the construction of a sewer and he is not receiving a direct benefit. He would like to know if the village plans on bringing the sewer in his area?

A: Mayor Dunham noted he does not see the need for sewer in his area. The sewer was installed in the business district to help revitalize the business district. Trustee Phillips noted the sewer was voted on by the entire village and passed 3/1 based on the assessed value of a home. An approximate payment of \$20-\$25 per household is the cost to install the sewer in the business district. Trustee Flaherty stated the philosophy to keep taxes low may not work into reality. The projects are very expensive and the village budget is the bare bones of running the village. To repoint the bricks on the village hall and seal the bottom 4 ft needs to be done. The quote he received to replace the emergency stairs was \$32,000. The two boilers in the village hall were installed in 1964 he would like to replace with hopefully one boiler. The village cannot complete projects by bonding money.

Resident Rima Bostick wrote a letter to the Village Board due to health reasons she was unable to attend the meeting she requested her letter to be read. Mayor Dunham read her letter. The letter

noted if the village was to eliminate the salary for the “Economic Development Director” the village would decrease taxes. She stated : until a few years ago, Kinderhook Village had an all-volunteer Economic Development Committee comprised of Village residents with diverse skills”. The village may use the difference of money on ways to reduce the excessive speeds in the village.

Mayor Dunham closed the Public Hearing at 7:54 pm.

## **PUBLIC HEARING**

### Public Hearing on the proposed Annual Budget for the 2018/2019 Fiscal Year-

Mayor Dunham opened the Public Hearing at 7:54 pm. The village Clerk/Treasurer read the public notice published in the Register Star on April 5, 2018.

Jennifer Blood, 7 William Street inquired what the goal or business development of the village is moving forward. Mayor Dunham referred her to review the village’s Comprehensive Plan on the village’s website.

Donna Mc Elligott, 7 Presidential Drive she does not discredit the comments in the letter the Mayor read but is curious what the EDC Director makes.

Trustee Flaherty noted the salary for the upcoming year was \$10,500. He stated she was responsible for The Flammerie coming to the village and The Creamery. Trustee Phillips stated she submits a monthly report to the Village Board that is on the village’s website. With all the work she does the salary is not much and he wishes they could pay her more.

Donna Mc Elligott, 7 Presidential Drive noted the salary was a drop in the bucket compared to the budget.

Mayor Dunham closed the Public Hearing at 7:59 pm.

## **BOARD MEETING**

Mayor Dunham called the regular monthly meeting to order at 7:30pm.

## **TAXPAYER TIME**

Mr. Pellettieri would like to know if the village has considered a consent agenda. He is happy the village has added a taxpayer time at the beginning of the meeting. Mayor Dunham requested he meet with him and explain what a consent agenda is. Mr. Pellettieri also noted he believes the Rail Trail will cost over a million dollars a mile. He knows this is a state issue but would like Mayor Dunham to confirm the costs. He feels if the trail is going in should it not benefit the village businesses. If, the village could manage to direct the trail to come into the village business district it would be beneficial to the residents.

Glenn Smith noted he would like to speak as a taxpayer not as the building inspector. He stated that the sewer was installed as a predicate to having the Dutch Inn open and it is still sitting there. The Village Board does not have the projected planning as a Village Board to address issues. The Village Board is not doing enough to push for the Dutch Inn to open or to have other businesses come to the village. The Village Board should look at the issues of why the Dutch Inn has not opened and be more aggressive to have it come to fruition.

Mayor Dunham noted Glenn knows why the Dutch Inn is not open and it does not have anything to do with the Village Board. The village did meet the requirement to create jobs. It may not have

been with the Dutch Inn but it was with the other businesses that opened due to the sewer. Trustee Phillips stated the Dutch Inn has not opened because it is in the court system. The Village Board cannot do anything about that.

Paul Calcagno feels the Village Board should treat all buildings in the village as part of their community and not to allow a property owner to leave a building with property violations. He said the Building Inspector should be sending violation notices to the property owner and have the property owner correct the violations. The village's Building Inspector has not done his job. Mr. Roberts (owner of the Dutch Inn) has several violations like exposed electrical wires, shingles coming off the roof that have not been addressed by the Building Inspector when he has spoken to the building inspector several times about it.

## **MINUTES**

A motion made by Trustee Flaherty approving the minutes of March 14, 2018 Regular monthly meeting Budget Meetings of March 22<sup>nd</sup> March 27<sup>th</sup> and the minutes of April 4<sup>th</sup> Organizational meeting and budget meeting; seconded by Trustee Flaherty. All voted "aye".

## **BUDGET AMENDMENTS**

A motion made by Trustee Phillips approving the following budget amendments submitted by the Village Treasurer; seconded by Trustee Flaherty. All voted "aye".

### *General Fund*

<u>FROM</u>	<u>TO</u>	<u>AMOUNT</u>
A.1210.4 Mayor Contractual	A.1110.4 Justice Contractual	\$ 274.24
A.3310.4 Traffic Control Contractual	A.3120.4 Police Contractual	\$ 222.92
A.3410.43 Fire Equipment Maintenance	A.3410.4 Fire Department Contractual	\$ 439.75
A.1680.4 Central Data Processing Cont. Contractual	A.4020.4 Registrar of Vital Statistics Cont.	\$ 80.00
A.1990.4 Contingent Account	A.5132.4 Central Garage Contractual	\$ 1,010.81
A.8160.1 Refuse and Garbage Personal Service	A.8170.1 Street Cleaning Personal Service	\$ 4.78

## **ABSTRACT**

A motion made by Trustee Phillips approving the abstract in the amount of \$32,445.26; seconded by Trustee Flaherty. All voted "aye".

## **TREASURER'S REPORT**

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

## **FIRE DEPARTMENT**

Larry Eisen submitted the monthly fire incident report stating 7 calls, 0 details and 2 drills logged.

A motion made by Trustee Phillips approving the recommendations by Palmer Engine & Hose Co. to appoint the following officers: Matt Cohn to serve as Chief, Dave Bartlett as First Assistant Chief and Gordon Pratt as Second Assistant Chief ; seconded by Trustee Flaherty. All voted "aye".

The Village Board thanked Larry for his years of services as Fire Chief.

## **DPW**

Asst. Sup't, Robert Meehan reported the following duties for the month was: plowing, equipment maintenance, he will be doing hydrant flushing and cleaning the edge of lawns due to the snow plowing.

Water Department- New York Rural Water Association requested the village write a letter to Senator Kathy Marchione in support of the SWAP bill. The bill is for funding of the maintenance of water and sewer systems. Mayor Dunham has sent the support letter to the Senator.

## **CODE ENFORCEMENT OFFICER**

The CEO/ZEO's monthly report was received with 7 permits issued and \$432.50 of fees collected.

Glenn completed the 8 hour course on the CEC for the Climate Smart Committee to receive points toward their certification. Trustee Phillips thanked him for attending the course.

Zombie Properties Ordinance-the village attorney submitted comments to the Village Board on the draft ordinance. Glenn Smith will submit additional documentation to the village attorney per Rob's comments.

Van Buren Hall emergency stairs- Glenn received the report on the emergency stairs from Jack Healy from Ryan Biggs Associates each board member was given a copy.

## **TREES**

Glenn Smith believes the dead tree along Rothermel Ave may be the villages. He and Mayor Dunham will meet in the morning and measure to the shoulder of the road to determine.

## **TRAFFIC CALMING STUDY**

The village is in the process of implementation to reduce the speeds in the village by using a variable message sign and having the State Police and Sheriff's Office completing monitor the speeds in the village. They are submitting reports to the village. a speed radar survey

## **CLIMATE SMART COMMUNITIES TASK FORCE**

Bill Mancini thanked Glenn Smith for attending the Code Enforcement Training session on solar installation. That gives the village its third of four actions needed to be designated as a Clean Energy Community by NYSERDA.

Trustee Phillips and Bill Mancini met with Bill Jennings last Wednesday to receive a third quote for the charging station.

The committee submitted the final draft of the electric vehicle charging station grant application to the Village Board for submittal to NYSERDA. A motion made by Trustee Phillips to submit the grant application for the vehicle charging station to NYSERDA; seconded by Trustee Flaherty. All voted "aye". This installation is the fourth action needed in NYSERDA's Clean Energy Community program. Once it is completed, the village will be eligible for additional grants related to environmental and energy efficient projects.

Bill Mancini invited all to the upcoming "building a Food Smart Community" and Earth Day events on April 21<sup>st</sup> and April 22<sup>nd</sup>. He wanted to thank all the volunteers for their hard work. (Warren Applegate, Renee Shur, Sandy Myers, Bonnie Shannon, Seth Agata)

## **WILLIAM STREET RT. 9 TO MAIDEN LANE**

Mayor Dunham signed the contract with TGW Consulting Group to apply for grant funds for the water line. The grant is due in early June and the village will not know if we will receive grant funds until the fall. Due to the time frame the William Street Project will be on hold until next year.

## **PROPOSED LOCAL LAW NO. 1 OF 2018 TO OVERRIDE THE TAX LEVY LIMIT FOR FISCAL YEAR 2018-2019**

A motion made by Trustee Flaherty to adopt Local Law No. 1 of 2018 to override the tax levy limit for fiscal year 2018-2019; seconded by Trustee Phillips. All voted "aye".

## **TENTATIVE BUDGET FOR THE 2018-2019 FISCAL YEAR**

The assessed value of the village for the 2018-2019 is \$146,646,220.00. The proposed tax rate for the 2018-2019 is \$0.00230485 per thousand assessed value. The village is proposing to raise \$337,997 of taxes for the 2018-2019 fiscal year.

A motion made by Trustee Phillips to adopt the Tentative Budget for the 2018-2019 fiscal year as presented. All voted "aye".

## **ZONING BOARD**

The meeting was cancelled as no new business was presented.

## **PLANNING BOARD**

The meeting was cancelled as no new business was presented. Trustee Phillips will request they meet to finish the POD Regulation and add regulations for dumpsters in the front yard. The committee will also conduct their annual Organizational meeting.

## **HISTORIC PRESERVATION COMMISSION**

A meeting is scheduled with Julian Adams the State Coordinator for the NYS Parks and Historic Preservation to meet with the HPC Commission at their April 19<sup>th</sup> regular meeting to discuss the various issues relative to the Historic Preservation Law and implementation by the HPC and CEO..

## **ECONOMIC DEVELOPMENT DIRECTOR**

The EDC Director's monthly report was received.

Van Buren Hall- the Van Buren Hall Committee put together a short survey for residents and renters of Van Buren Hall to fill out and give feed back to the committee for possible uses of Van Buren Hall.

Netherlands Sister City- Renee has started a Sister City project with the Town of Buren in the Netherlands. This started with the Comprehensive Plan to have the village illuminate the history of the village and capitalize on it. We will start minor programs with the Library and ICC for an e -pal program. The Mayor of Buren and Mayor Dunham had an informal conference call. The Mayor of Buren is writing a book about the history of the Van Buren family that come from Buren, The Netherlands. He will be coming to Kinderhook and will visit with the village Historian and Mayor. Hudson Greenway Grant for Kinderhook Creek Recreation Study-Awaiting the announcement of the grant for Kinderhook Creek on April 21<sup>st</sup>.

## **NYSDOT**

At last month's meeting the Village Board made a motion to adopt an undertaking with NYSDOT. They contacted Mayo Dunham and requested a formal resolution.

Trustee Flaherty made the following Resolution:

Resolve, that the Kinderhook Village Board approves the Undertaking for the benefit of New York State Department of Transportation in connection with work affecting state highways and authorizes the Mayor to sign the Undertaking to confirm that he village agrees to the terms of the Undertaking.

The Resolution was seconded by Trustee Leiser. All voted "aye".

Crosswalk-Mayor Dunham has sent a letter to the Regional Traffic Engineer at NYSDOT requesting a crosswalk to be placed on Rt. 9 and Eichybusch Road. Free standing pedestrian signs may be purchased by the village for \$340.00 each and would be placed at crosswalks.

### **CODIFICATION OF NEW LAWS**

An estimate of \$1,735- \$2,095 was received from General Code to print several local laws to bring the village code books up to date. The Village Board approved the estimate to have the local laws printed for the expenditure to be in this year's budget.

Solar -Trustee Leiser is researching the feasibility of solar panels on the DPW garage. Resident Sandy Myers stated she is willing to forward Trustee Lieser a contact for NYSERDA who would give him a project manager to assist him.

### **VILLAGE HALL**

Van Buren Hall Projects-the committee will meet on May 2nd in Van Buren Hall

Masonry work-Trustee Flaherty received one quote for approximately \$30,000 He is waiting on other quotes. There is a problem with the purchasing of the same type of brick. There is only one manufacturer who sells the type of brick.

Village Hall speaker system- the village received a quote from Simplex Grinnell in the amount of \$4,000 to install two microphones and three speakers in the meeting room to be in compliance with the American Disabilities Act. A portable system to be used in Van Buren Hall and at the Bandstand for events was also requested. At this time the village will put this on hold and will apply for a grant with the Unified Justice Court to install the speakers in the meeting room.

Emergency stairs-the village received the structural engineering report from Ryan Biggs. They recommended a full replacement with an approximate fee of \$26,000. Trustee Flaherty will call S&S Fabrication to receive a quote. Village DPW, Robert Meehan has reinforced the stairs for safety.

Revised Application for Use-a revised Application of Use was given to each Trustee to review. The changes are more specific to the users.

### **IT CONTRACT**

A meeting with former Trustee Brain Murphy, Trustee David Flaherty and Clerk/Treasurer Heeder will be held on April 23<sup>rd</sup> to determine the needs of the village IT.

### **VILLAGE POLICIES**

Due to budget workshops the committee did not work on the proposed policies. The committee will work on the following policies: Workplace Violence, Computer, Drug & Alcohol and personal vehicle mileage policy. An update to any current policies will also be made to draft an employee handbook.

### **"Brought to Light: DVD by Barbara Reina**

Persons of Color Cemetery- To purchase the DVD is approximately \$20.00 but as a municipalities needs to purchase a DSL/PPR License. Mayor Dunham requested the village attorney review the license agreement. Robert Fitzsimmons did not see an issue with the license; Mayor Dunham

believes the village should purchase the license for \$80.00. A motion made by Trustee Flaherty to purchase the license and a DVD for the village; seconded by Trustee Baumeister. All voted “aye”.

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

Water bills- The water bills for the past six month period have been sent out.

Taxes- The village attorney, Robert Fitzsimmons sent a letter to any village resident who have taxes due for three years or more. Several village residents have paid their taxes.

Bean Property along Kinderhook Creek-Previously, the village requested to use Trevor Bean’s property along the creek to access the village’s water line coming from the water tower into the village. He allowed the village access at no charge. He is now building a new home on the property. The house is outside of the village and will receive the double water rate. They have requested the village wave the \$1,000 tapping fee for a new water line. A motion by Trustee Flaherty to approve the request to wave the \$1,000 tapping fee for new house; seconded by Trustee Leiser. All voted “aye”.

### **WASTE WATER COLLECTION PROJECT**

Anti-Siphon Valve- Mayor Dunham stated the readings have been consistent with the total water reading received.

### **ALBANY HUDSON ELECTRIC TRAIL**

The Historical Society denied the permanent easement in the back of the Vanderpoel House for the Albany Hudson Electric Trail. Hudson Valley Greenway will now meet with Samascott’s to see if the trail may go along the orchard. Trustee Phillips stated he is very disappointed with the Historical Society they do not seem to be part of the community. The village would have maintained 25 ft of the trail if it went behind the Vanderpoel House. Trustee Philips wanted to thank the Samascott’s and hopes they will come to an agreement for the use of their property.

Sandy Myers, 19 Reynolds Road said she was clearing brush to plant trees for privacy and found a large open hole on the National Grid right away at the rear of her property. Mayor Dunham and Robert Meehan will go together and inspect.

### **SIDEWALK**

Since the Church Street sidewalk will be postponed until the next fiscal year Trustee Leiser is looking at replacing a small section of sidewalk on Eichybush Road or on Sylvester Street.

### **APPLICATIONS**

A motion made by Trustee Flaherty to approve the following application; seconded by Trustee Baumeister. All voted “aye”.

- a. CCHS is requesting Van Buren Hall and the lift on 4/28 from 4-6 pm
- b. Climate Smart Committee is requesting a sign advertising event on 4/21
- c. Gourmeli's Tast, Inc. is requesting to use the Village Square Thursday -May-September; 3-8:30pm
- d. Kinderhook Runners Club is requesting Van Buren Hall on 5/20 from 9:30am-2:00 pm for a yoga class
- e. Fyfe's & Drumms of Olde Saratoga is requesting to parade on village streets 6/2 noon-1 pm
- f. Darman Family is requesting the Playground Pavilion on 5/27 from 11 am-4pm
- g. Bill Scheriff is requesting the Playground Pavilion on 7/29 for ICC Memorial Benefit (pending insurance)

## **RECREATION COMMISSION**

The Easter Egg Hunt was well attended the committee placed over 3,400 eggs.

## **KBPA**

The KBPA is preparing for the Craft Fair. They are requesting to use underneath the bandstand for storage. If the Village Board approves the bandstand would need to be cleaned out.

## **TAXPAYER TIME**

Paul Calcagno had a conversation with Mayor Dunham concerning the back- lotting of the National Grid Lines. He would like Mayor Dunham to meet with National Grid and himself to review.

Paul would also like to apply for grant funds for the village to purchase a gator to water flowers or small tasks around the village.

Trustee Phillips would like the Village Board to consider donating the hand pumper to the firemens museum.

Trustee Flaherty made a motion to adjourn at 9:17 pm; seconded by Trustee Leiser. All voted "aye".

Respectfully submitted,

Nicole H. Heeder  
Village Clerk