

Minutes

Regular Monthly meeting of the Village Board of Trustees and Public Hearings  
Wednesday, July 10, 2019

Present: Mayor James Dunham

Trustees: Richard Phillips  
Dale Leiser  
Robert Baumeister  
David Flaherty

Also attending: Superintendent David Booth; CEO/ZEO Glenn Smith; Economic Development Director Renee Shur; Fire Chief Matt Cohn; Climate Smart Chair William Mancini; Jake Samascott; Jennifer Ose-McDonald; Tina Lang; Dorene Weir; Stewart and Audrey Peckner; Peter Bujanow; and The Columbia paper reporter Emelia Teasdale.

**PUBLIC HEARING**-Local Law No. 1 of 2019 entitled, “A local law amending the Code of the Village of Kinderhook regulations for B-1 district parking and loading requirements.

Mayor Dunham opened the Public hearing at 7:00 pm. Village Clerk Heeder read the public Notice published in the Register Star on June 21, 2019.

Proposed Local Law No. 1 of the year 2019 was submitted to the Columbia County Planning Board for review. A letter dated May 22, 2019 from the Columbia County Planning Board found no significant county-wide or intercommunity impact associated with the proposed law allowing the Village Board to take final action with a simple majority vote.

No public comments received.

Mayor Dunham closed the Public Hearing at 7:04 pm.

**PUBLIC HEARING**-Local Law No. 2 of 2019 entitled “A local law amending the Code of the Village of Kinderhook, Section 119 Vehicles and Traffic to reduce the speed limit on Sunset Avenue amend Village Square Parking.

Mayor Dunham opened the Public Hearing at 7:15 pm. Village Clerk Heeder read the public Notice published in the Register Star on June 21, 2019.

A traffic speed study was conducted by WSP on Sunset Avenue from Albany Avenue to just west of the Samascott Orchard's driveway. WSP recommended reducing the speed to 25 mph for 750 ft of Sunset Ave.

Q: Tina Lang inquired if there would be any speed bumps on Albany Ave.

A: A raised pedestrian crosswalk will be installed on Albany Ave to Sunset Ave for the Albany Hudson Electric Trail.

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

***Regular Monthly Village Board Meeting***

Mayor Dunham opened the Regular monthly meeting at 7:30pm.

## **TAX PAYER TIME**

Stewart Peckner feels the village is lifting parking restrictions that protect the residents and people coming to the village. He feels the village needs to enforce more restrictive parking for safety reasons. The village should not allow parking on both sides of the street and within 50 ft of a crosswalk and an intersection. Law Enforcement should be used during events and should impose the restricted parking areas. He believes the Fire Police are not to be used for events. They should be called upon when the firemen are called out.

Mayor Dunham thanked Mr. Peckner for his comments and will look into any restrictions of the use of the Fire Police.

## **MINUTES**

A motion made by Trustee Leiser approving the minutes of June 10, 2019 Regular monthly meeting and June 19, 2019 Special year end meeting; seconded by Trustee Flaherty. All voted "aye".

## **ABSTRACT**

A motion made by Trustee Phillips to approve July 10<sup>th</sup> abstract in the amount of \$28,837.90; seconded by Trustee Flaherty. All voted "aye".

## **TREASURER'S REPORT**

A motion made by Trustee Flaherty approving July 10<sup>th</sup> Treasurer's Report; seconded by Trustee Baumeister. All voted "aye".

## **FIRE DEPARTMENT**

The village received the monthly Fire Incident Log report. The Officers meeting will be held later this month. The Fire Department has received the (UTV) that was purchased on state contract. Fire Chief Matt Cohn has obtained two quotes for an enclosed trailer and will be requesting a PO for the purchase. He will attend an ISO meeting on July 24 at 10 am. An ISO is an inspection of the fire house books for trainings and testing of the equipment. Mayor Dunham will meet with the Fire Chief to discuss traffic control.

## **DPW**

Superintendent David Booth reported the DPW added item 4 along Albany Ave in the troubles areas. They filled in pot holes and trimmed brush back along the intersections for sight distance. He is scheduling skid boxing and striping of Gaffney and Eichybush Rd.

Mayor Dunham would like to meet with Dave before the scheduling of the striping of the village parking lot, crosswalk.

## **CODE ENFORCEMENT OFFICER**

The CEO/ZEO's monthly report was received with 13 permits/co searches issued and \$1,443.60 of fees collected.

Multi family/apartment housing inspections- The Village Board inquired if the inspections of the apartment houses have been completed. CEO/ZEO responded the annual inspections have been completed. He has one coming up in September and two in October. The owner of 9 Hudson did not allow him access. He can request a court order. The board inquired if a registered letter was sent to the owner as previously requested by the Village Board. Glenn believes he sent one. He was reminded to inspect the apartment house on Gaffney Lane.

48 William Street- Glenn will be finishing his inspection of the garage at 48 William Street. He believes he will be condemning the garage. It is a safety concern. The resident has applied for a Galvin Foundation Grant but has not heard anything.

### **TREES**

Mayor Dunham has met with two tree removal contractors and will be meeting with two more. He is receiving quotes for the removal and or trimming of trees at 10 Albany Ave, 11 Hudson Street, and Berkshire Drive and at the water tower. He is hoping the quotes will be in by the August 14<sup>th</sup> board meeting to have the work completed.

### **TRAFFIC CALMING STUDY**

No updates to report. The village's traffic sign has been on Gaffney Lane.

### **ALBANY HUDSON ELECTRIC TRAIL**

Status of Reimbursements-The village has submitted for the quarterly reimbursement and is anticipating the reimbursement of funds.

Maintenance Agreement-The Village will sign a maintenance agreement with Hudson River Valley Greenway. The village will maintain the portion of the trail that runs through the village.

Speed study- Due to concerns of too many signs on Sunset Ave residents requested not to reduce all of Sunset Ave to 25 mph. The data from the village's variable speed sign does not warrant the reduction of speed on the remainder of Sunset Ave.

Construction Status- A. Colarusso & Sons have started construction on the trail. They had to excavate the trail and will have an 8" subbase with 4" of asphalt in the areas of paving. In the area where the trail will be stone dust there will be 10" of item 4 and 2" of stone dust.

### **CLIMATE SMART COMMUNITIES TASK FORCE**

Carbon Fee and Dividend Resolution-

### **Urging United States Congress to Pass the Energy Innovation and Carbon Dividend Act (H.R. 763)**

Resolution by: Trustee David Flaherty;

Seconded by: Trustee Robert Baumeister.

**WHEREAS**, climate scientists worldwide are in near-unanimous agreement that the planet Earth is warming rapidly and to a degree that is perilous to human civilization, to numerous species, and to the global ecosystem, and

**WHEREAS**, human activity is a significant contributor to global warming, especially through the accelerating combustion of fossil fuels that create carbon dioxide and other greenhouse gases as a byproduct, and

**WHEREAS**, the Village of Kinderhook has a record of acknowledging the reality of climate change as well as the Village's responsibility to reduce its contribution to the causes of global warming, as evidenced by enrollment in the Climate Smart Communities program, and

**WHEREAS**, a prompt and major shift away from fossil fuels is a necessary cornerstone to any meaningful response to climate change, and

**WHEREAS**, the recently published Intergovernmental Panel on Climate Change SR1.5 Report states that, "Policies reflecting a high price on emissions are necessary" as a key component of any effort to limit global temperatures increases to 1.5 degree centigrade, and

**WHEREAS**, this IPCC report also suggests that any carbon pricing policy should be designed to "balance between incentivizing low-carbon behavior and mitigating the adverse distributional consequences of higher energy prices", and

**WHEREAS**, the Energy Innovation and Carbon Dividend Act (H.R. 763) has been introduced in Congress and would establish a steadily increasing fee on fossil fuels at the point of their entry into the economy; such a fee would be straightforward and make effective use of free-market mechanisms to promote the transition to greater energy conservation and renewable sources of energy, and

**WHEREAS**, the act would return all revenues (minus 3% for administration) to each American as a monthly dividend, to offset expected higher prices for goods and services, and

**WHEREAS**, this revenue-neutral carbon fee and dividend is an effective method to reduce carbon emissions for the following reasons:

1. The fee would motivate everyone to conserve and adopt renewable energy without the need for extensive governmental regulatory controls or infrastructure, encouraging consumers and the market to replace consumption of carbon-based energy with innovative, sustainable energy sources, whether by being more efficient or choosing other, less carbon intensive energy sources;
2. The fee would employ a market approach to encourage innovative processes, not only in energy production, but also in every field in which energy is consumed, e.g. electric cars, mass transportation, architectural planning and construction, water heating, lighting, and air conditioning in residential and commercial buildings;
3. Levying the fee at the point of production would be more efficient, less expensive

and provide more accurate signals than would doing so at the point of consumption;

4. The fee would incentivize the development and use of alternative energies and attendant technologies, eliminating the need for government subsidies that attempt to forecast alternative energy winners and losers;
5. Because the fee is levied on the same basis on all businesses, it is fairer to every business and easier to administer than alternatives, such as a cap and trade system;
6. A border adjustment would assess a fee on goods traded with countries without a comparable carbon price, thereby maintaining the competitiveness of US businesses and discouraging relocation to such countries and also encouraging other countries to price carbon.

**WHEREAS**, such a policy would protect lower and middle-income households, as the dividend would allow more than 70% of American households to benefit financially, break even, or have only minimal increased costs (<0.2% income) from this policy; the policy would also create jobs, as the dividend puts money back into local economies, and

**WHEREAS**, further delay in responding to this crisis increases the risk of catastrophic climate change, imminently threatens low-lying coastal areas and land and sea species, threatens water supplies, increases the frequency of severe weather events, increases the cost of undertaking adequate responses, and increases risks to the global economy.

**NOW THEREFORE, BE IT RESOLVED** by Village Board of Trustees endorses a carbon fee and dividend and urges our representatives in the United States Congress to enact it into law, and be it further

**RESOLVED**, further, that copies of the resolution be sent to President Donald Trump, Vice-President Michael Pence, Governor Andrew Cuomo, Representative Antonio Delgado, and Senators Kirsten Gillibrand and Charles Schumer, New York State Senator Daphne Jordan, and New York State Assemblyman Jake Ashby.

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

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

The committees meeting scheduled for July 9th was cancelled due to scheduling conflicts of several committee members.

CEC Award Disbursement and Filing-The application for the Clean Energy Community Award was filed with NYSERDA. Plans were submitted for solar installations on the firehouse and DPW garage.

Farmers' Market-The reusable bag distribution has continued at the Farmers' Market and is going well. They are finding residents are not returning with the bags. The committee is currently discussing the purchase of reusable bags with the Village logo noting Kinderhook is a Climate Smart Community. Once the committee has details including costs, they would like to propose to the Village and the KPBA to fund this project.

Watervliet anaerobic digester plant-Warren Applegate and William Mancini toured the Watervliet anaerobic digester plant on June 27<sup>th</sup>. Chris Daus supervisor of the City's DPW department gave them a tour. The plant is located in a structure about the size of a two car garage next the main DPW garage. Mr. Daus informed them the digester was designed with the help of RPI and financed with various private and public grants. Residents of the City have been provided with receptacles and compostable bags to deposit their food waste. It is then collected bi-weekly and delivered to the digester facility where it is composted. The project is voluntary for residents.

Streetlight conversion estimate-The Mayor received a report from National Grid regarding street conversions in the Village. A representative from NIPO is willing to meet with the village board to discuss financing of the project.

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

The village is proposing to apply for grant funds with the Environmental Facilities Corporation for the water portion of the William Street project and for Albany Ave. Bill Roehr would like to

meet with mayor Dunham and Trustee Leiser Water Commissioner next week to discuss applying for grant funds. A state archives grant may be available as a separate grant to replace the water meters in the village.

### **ZONING BOARD**

Minutes of the continuation of their April 22, 2019 Public hearing was received.

### **PLANNING BOARD**

Minutes of May 2, 2019 meeting were received.

Old Dutch Inn-Three Sisters Tavern LLC-The village engineer Ray Jurkowski hired for this project met with Jennifer Ose-McDonald's engineer Walter Kubow from Chazen Engineering concerning the Fire Suppression line at 8 Broad Street. The village will replace the sidewalks that have been raised by trees when the line is installed.

### **HISTORIC PRESERVATION COMMISSION**

Minutes of May 16, 2019 meeting was received.

Mayor Dunham will schedule a meeting with Chair Ken Neilson and CEO/ZEO Glenn Smith on the completion of the COA's certificates.

### **ECONOMIC DEVELOPMENT DIRECTOR**

The EDC Director's monthly report was received and is on file in the village office and posted on the village website.

Dutch Heritage Week-On the back of the Electric Vehicle charging station a laminated Buren photo sign in Dutch words Famers Market will be displayed. The sign was printed by Curtis Printing for free.

Local Waterfront Revitalization- Barton & Loguidice will be submitting an application for a 2<sup>nd</sup> round of grant funds for Kinderhook Creek. Renee is hoping to boost the scoring of the grant by proposing the name of Kinderhook Creek Water Trail to be in connection with Albany Hudson Electric Trail.

Hudson River Valley Greenway Discover; Historic Kinderhook; A walking and Bicycling Tour-Village Historian Ruth Piwonka is working with Renee on proposed revisions to the brochure.

Municipal Parking Lot Lighting-The village has received an easement from Community Bank and is awaiting the easement from the US Postal Service and Paul Calcagno concerning the installation of lights for the village parking lot. The lighting fixtures may be ordered after the easements are received. Paul Calcagno would like to purchase an additional three lights to match along his parking area for the Maple Hill Creamery building.

### **KINDERHOOK CREEK RECREATIONAL STUDY**

Hudson River Valley Greenway Recreational Resource Inventory Grant- The village is waiting on the reimbursing of the first submittal of the grant.

Hudson River Valley Heritage Area Grant -Mayor Dunham signed the proposal from Barton & Loguidice for \$3,000 to be split 50/50 with Valatie to apply for grant funding for Creek Resiliency. Most of the work is proposed to be done along the creek in Valatie there will be a small amount along the creek by the village's pumphouse.

### **NYS DOT**

NYS DOT has not painted the handicapped parking space in front of the village hall. Mayor Dunham may include in the striping of the parking spot with the village's parking lot.

## **VILLAGE HALL**

Van Buren Hall Committee-The committee is temporarily on hold. Mary Ellen Hern was hired to write a grant for funding of the proposed project. It was determined the village needs to receive more definitive plans and cost of the project to proceed with applying for grant funding.

Back Stairway- Waiting on S & S Fabrication.

Exterior masonry-the village is waiting on Lance Glenn the owner of L.G. Stone & Restoration to return and complete the sealer on the bricks of the Village Hall. He will also replace the back door and remove and seal the whole.

Boilers for the Village Hall- The contract for the replacement of the boilers has been signed and sent to Main-Care. They will schedule the installation of the new boilers.

## **BANDSTAND**

Bandstand- Dan Proper from Proper & O’Leary Engineering PC will be submitting a proposal of work to be done to the bandstand next week.

## **VILLAGE SQUARE GARBAGE**

Discussion of the overflowing garbage in the village square area on weekends was discussed.

Trustee Flaherty will speak with the owner of Broad Street Bagel to assist in resolving the issue.

The business does not have their own garbage can outside. Discussion on using bigger containers or hiring staff on the weekends was discussed.

## **LAWS AND POLICIES**

PP LL No. 1 of 2019-The village attorney completed the Short Environmental Assessment Form (SEQR) noting the zoning change will not have any significant negative environmental impacts. The village board reviewed. A motion made by Trustee Flaherty declaring a Negative Declaration; seconded by Trustee Leiser. All voted “aye”. A motion made by Trustee Baumeister to adopt Local Law No. 1 of 2019 entitled, “A local law amending the Code of the Village of Kinderhook regulations for B-1 district parking and loading requirements; seconded by Trustee Flaherty. All voted “aye”.

PP LL No. 2 of 2019- The village attorney completed the Short Environmental Assessment Form (SEQR) noting the zoning change will not have any significant negative environmental impacts. The village board reviewed. A motion made by Trustee Flaherty declaring a Negative Declaration; seconded by Trustee Baumeister. All voted “aye”. A motion made by Trustee Flaherty to adopt Local Law No. 2 of 2019 entitled “A local law amending the Code of the Village of Kinderhook, Section 119 Vehicles and Traffic to reduce the speed limit on Sunset Avenue amend Village Square Parking.; seconded by Trustee Leiser. All voted “aye”.

## **COMMUNITY BANK DEPOSITORY**

Kinderhook Bank has been the village’s bank. As of June of 2019 Community Bank purchased Kinderhook Bank. Trustee Flaherty made a motion for the village to bank with Community Bank with maximum amount allowable on deposit of \$2 million; seconded by Trustee Leiser. All voted “aye”.

Trustee Flaherty made a motion to permit the Village Treasurer Heeder apply for two credits cards with Community Bank in the amount of \$3,000 dollars each as was with Kinderhook Bank for replacement; seconded by Trustee Phillips. All voted “aye”.

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

There is an unpaid total of \$436.55 of water bills. The sewer bills were recently mailed.

## **WASTEWATER COLLECTION SYSTEM**

The NYS DOT site and the Rescue Squad will be connecting into the village sewer line. Emmons Pump is scheduled for July 16<sup>th</sup> to recalibration the meter.

## **SIDEWALKS**

Church St-A 5ft sidewalk will be replaced on Church Street.

12 Broad St-The village will replace the sidewalk when the Dutch Inn installs the water line.

10 Albany Ave-Due to the roots of a tree the sidewalk will need to be replaced.

## **EVENTS**

July 4<sup>th</sup> Parade- A request to start the parade earlier and to work with the speaker system for better sound in the village square.

## **APPLICATIONS**

A motion made by Trustee Flaherty approving the following application; seconded by Trustee Baumeister. All voted "aye".

- a. Jake Samascott is requesting to use the Playground Pavilion on August 24, 2019
- b. Zumba Fitness Class is requesting to use Van Buren Hall on Mon. at 6pm in July; Tues. at 6pm in August and Mon. & Sat. mornings in Sept.
- c. Kinderhook OK5K is requesting Van Buren Hall and Village Square 6/5/2020; 5-7 pm and -6/6/2020 6 am to noon
- d. Mary Carey is requesting Van Buren Hall for Zumba classes on Wed. at 5:30 pm starting Sept. 4th
- e. Kinderhook Runners Club is requesting Van Buren Hall on the first Sunday every month starting on 8/4 from 9-11:30 am

## **RECREATION COMMISSION**

Community Night is scheduled for September 14<sup>th</sup> 6-9 pm.

The village Recreation Commission interviewed and is proposing the following candidates be hired for the village's six week summer program.

Director Debra Oligny, Assistant Director Amber Porpa, Acting Director on an as need basis Hailey Hickman,; Counselors: Leah Meredith; Erin Curry; Camdyn Ames; Chloe Pratt and Alternate Councilor Lauren Paladino.

A motion made by Trustee Flaherty to ratify the candidates proposed by the Recreation Commission; seconded by Trustee Phillips. All voted Aye".

A motion made by Trustee Flaherty to adjourn the board meeting at 8:38pm; seconded by Trustee Baumeister. All voted "aye".

Respectfully submitted,

Nicole H. Heeder  
Village Clerk