

Minutes

Public Hearing on Local Law #5 of 2020 to add regulations to Chapter 130-16, G, entitled Fences and Walls and the Regular monthly meeting of the Village Board
Wednesday, June 10, 2020

Due to COVID-19 pandemic: The meeting was held via Zoom Videoconference.

Present:

Mayor James Dunham- Zoom Videoconference

Trustee Richard Phillips- Zoom Videoconference

Trustee Dale Leiser- Village Hall

Trustee Robert Baumeister-Zoom Videoconference

Trustee David Flaherty-Zoom Videoconference

Village Clerk/Treasurer Nicole Heeder-Village Hall & Zoom Videoconference

Also present via Zoom: Stephen Jenson; Jean Barford; Natalie Jones; Mary Radonski and three residents using the phone in option.

PUBLIC HEARING

Clerk/Treasurer Heeder read the public hearing notice published on June 2, 2020 in the Register Star.

Mayor Dunham opened the Public Hearing at 8:00pm.

Q: Mary Radonski-Is requesting clarification of the proposed law and if it is the homeowner who pays for the fence.

A: Mayor Dunham explained due to the height of the Albany Electric Trail in several areas residents have lost their privacy. By changing the law it will allow residents along the trail to apply for a building permit with the Code Enforcement Officer to install an 8ft fence along their side or rear yard that abuts the trail. The change will delete the process of a resident having to go before the Zoning Board for approval.

No further public comments received. Mayor Dunham closed the Public Hearing at 8:05 pm and opened the Regular monthly meeting.

MINUTES

A motion made by Trustee Flaherty approving the minutes of May 13, 2020 regular monthly Village Board Meeting and the minutes of May 27, 2020 meeting on reserve accounts for fiscal year end; seconded by Trustee Baumeister. All voted "aye".

BUDGET AMENDMENTS

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

<u>FROM</u>	<u>TO</u>	<u>AMOUNT</u>
A.1450.4 Elections Contractual	A.1420.4 Law Contractual	\$ 1.81
A.1670.4 Central Printing	A.1680.4 Central Data Processing Contractual	\$ 312.97
A.3410.43 Fire Equipment Maintenance	A.3410.4 Fire Department Contractual	\$ 275.79
A.5110.4 Street Equipment Contractual	A.5110.1 Street Maintenance Personal Service	\$ 2,050.88

A.5110.4 Street Equipment Contractual	A.5132.4 Central Garage Contractual	\$ 266.82
A.7520.1 Historic Commission Personal	A.7140.1 Recreation Personal Services	\$ 718.88
A.7140.41 Recreation Rec. Com	A.7140. 4 Recreational Contractual	\$ 77.28
A.8540.4 Drainage Contractual	A.8510.4 Community Beautification	\$ 63.57
A.8540.1 Drainage Personal Service	A.8560.1 Shade Trees Personal Service	\$ 267.38
A.8540.4 Drainage Contractual	A.8560.4 Shade Trees Contractual	\$ 46.97
A.9050.8 Unemployment Insurance	A.9030.8 Social Security	\$ 614.23
A.8540.4 Drainage Contractual	A.9060.8 Hospital and Medical Insurance	\$ 1,051.98
A.9055.8 Disability Insurance	A.9730.6 Bond Anticipation Notes Principal	\$ 0.03
A.9055.8 Disability Insurance	A.9730.7 Bond Anticipation Notes Interest	\$ 0.57

ABSTRACT

A motion made by Trustee Phillips approving the May 31st year end abstract in the amount of \$33,551.26 and the June 10, 2020 abstract in the amount of \$1,761.48; seconded by Trustee Flaherty. All voted “aye.”

TREASURER’S REPORT

A motion made by Trustee Baumeister approving the May 31st year end treasurer’s report; seconded by Trustee Flaherty. All voted “aye”. Clerk Treasurer Heeder noted there will be a final Treasurer’s report after she meets with the Village Accountant for any final journal entries and assistance with the sewer fund. A motion made by Trustee Flaherty approving the June 10, 2020 treasurer’s report; seconded by Trustee Baumeister. All voted “aye”.

CODE ENFORCEMENT OFFICER

A monthly activity report was received by Code Enforcement Officer Peter Bujanow. Trustee Phillips inquired on the status of the violations at 15 Broad Street, 8 Broad Street and 48 Williams Street. Mayor Dunham noted he will receive an update on 15 & 8 Broad Street. The village filed a “Notice of proceedings to Repair or Demolish” for 48 Williams Street. The village is waiting on the cost from the engineer Ray Jurkowski on the removal of the garage or the garage and the chimney. Trustee Flaherty inquired if the village has to pay for this who determines who receives the money if there are multiple liens on the property. There is currently a lien on the property from Columbia County Social services. Mayor Dunham noted this is all the things they are working on.

REOPENING OF THE VILALGE HALL

Mayor Dunham attended a webinar through New York Conference of Mayors. He believes the village office can open two weeks after the Capital District begins Phase II of reopening. The village employees will keep a 6ft distance and masks will be worn when the 6 ft distance cannot be maintained.

STATUS OF THE PLAYGROUND AND SUMMER RECREATION PROGRAM

Due to Covid-19 pandemic the use of the playground equipment has been shut down, the basketball courts has been open for solo play and the tennis courts are open. The summer recreation program has been canceled on the recommendation of Columbia County Health Department. If the village were to hold a summer program the kids would have to be in groups of 10, wear a mask and keep six ft. apart. The village would have to hire someone other than the staff to police that the rules were being followed.

PROPOSED LOCAL LAW NO. 5 OF 2020 ENTITLED, “A LOCAL LAW AMENDING THE CODE OF THE VILLAGE OF KINDERHOOK TO ADD REGULATIONS TO CHAPTER 130-16, G, ENTITLED FENCES AND WALLS

When proposing a change to the villages zoning law a review from the Columbia County Planning Board and the Village of Kinderhook Planning Board is required. The village received a letter via email on May 20, 2020 from the Columbia County Planning Board stating the proposed action has no significant county-wide or intercommunity impacts associated with it. They did offer the following informal comments for consideration:

1. **Setback:** The CCPB notes the benefits of the Albany Hudson Electric Trail (AHET) to the community. The CCPB also notes the rights of property owners adjacent to the AHET and that their need for security, privacy and enjoyment of their property may necessitate fencing up to eight (8) feet in height along their property boundaries abutting the AHET. The CCPB finds that barriers along the AHET may also provide the benefits of safety, screening, access control and noise abatement. The Village Board may wish to consider if a setback between any proposed fencing and the AHET may be beneficial for the property owners’ maintenance of the fence, and the safety and security of trail users.

Mayor Dunham spoke with Andy Beers and he is not concerned with the setback however he recommends the smooth side towards the trail in areas where there is access to the fence from the trail. Mayor Dunham would like to pass the local law with his recommendation. During the building permit process the Code Enforcement officer can address. The Village of Kinderhook Planning Board is in support of the local law. A motion made by Trustee Flaherty to adopt Local Law No. 5 of 2020 to add regulations to Chapter 130-16, G, entitled Fences and Walls; seconded by Trustee Leiser. All voted “aye”.

ALBANY HUDSON ELECTIC TRAIL

Punch list of items for Greenway to address before completion of construction-Mayor Dunham submitted a list of items to be addressed prior to the opening of the trail in the village.

Bicyclists Bring Business-There are publications noting that there are groups of bicyclists that take day trips or vacations where they can ride and stop to eat. Advertising the village’s eating establishments off of the trail will be great for businesses.

TABLES FOR DINING IN STREETS

Mr. Altman lives across the street from DYAD and he recognizes it is extraordinary times and business needs to survive during these times. He is requesting a sunset provision that when we get back to normal the provisions in allowing tables outside will expire when these time are over. He is hoping they do not extend after we return to normal times that the village is not setting precedence. The village board is allowing this due to the times we are in but will not be changing any laws or guidelines.

Renee noted she sent the Village Board new expansion guidelines from the State Liquor authority for their review. Renee is requesting for Paul Calcagno to temporarily place tables in the parking lot of his building behind the Flammerie. The Village Board agreed four tables can be added to the parking lot. The Flammerie will need to follow the same parameters as what was set forth with their outside patio given by the Village Planning Board. A motion made by Trustee Leiser allowing the Flammerie to place four tables in the parking lot to be brought in nightly; seconded by Trustee Flaherty. All voted “aye”.

Trustee Phillips feels Renee should approach all the food service business in the village treating all the same and offer to assist expansion outside during this time.

TABLES FOR DINING IN STREETS

The village board agreed to place extra tables in the village green for dining with adding signs no alcohol permitted.

PEOPLE OF COLOR CEMETERY

Mayor Dunham wanted to thank Oakwood fencing for the donation of the fence; the volunteers Warren Applegate, Kathy Long Hollis Seamon and Ruth Piwonka for working on this project. The Garden Club for planting the flowers and the village DPW for all working on this project. Thank you letters will go out from the village for the monetary donations received.

PARKING LOT LIGHTING

Mayor Dunham spoke with Peter Van Alstyne land surveyor trying to resolve questions property owner Peter Cecchini has on the easement paperwork. Four lights may be installed now and the fifth light when the questions are resolved. This will allow the village DPW and Sheriff Electric to continue with the project.

LOCAL LAWS

A final review from the Planning Board and Village Attorney to consider the CEO's proposed changes to the following local laws (Air BnB, Storage Containers, Dumpsters, Stop signs on Catskill View; and Geothermal Systems) to set Public Hearings at the Village's August Village Board meeting.

VILLAGE BOARD RECOMMENDATION ON HELPING BUSINESS DURING STRESS OF COVID -19

Mayor Dunham is asking village employees and Boards to work with businesses during these trying times. If the village can process the paperwork in the less than 10 day requirement or hold meetings via zoom to conduct business before the village completely opens up. Trustee Flaherty noted he believes the village is doing that. The village held a joint meeting of the boards for an applicant, zoom meetings have started.

ZONING BOARD OF APPEALS

A public hearing was held on May 28, 2020 for 7 and 15 Reynolds Road requesting an area variance for an 8ft fence along the AHET. Both variances were approved.

PLANNING BOARD

The Planning Board met on June 4, 2020 to review an application for 2 Hudson Street "Unique Nutrition" to have additional vendors on occasion in their side room. The applicant has placed their application on hold. The variance requested for 1-3 Broad Street and 7 Hudson Street was withdrawn prior to the meeting but after the public hearing notice was published in the Register Star.

Trustee Phillips would like the Village Board to review the fees the various boards charge and the process on how the fees are collected. The fee charged should cover the cost of public hearings notices so the tax payers are not paying. Mayor Dunham noted he would like to meet with the Village Clerk, Deputy Clerk and Code Enforcement Officer to discuss the process of receiving applications for the various boards and collection of fees.

HISTORIC PRESERVATION COMMISSION

A special meeting is scheduled for June 11, 2020.

ECONOMIC DEVELOPMENT ITEMS

Renee requested a revised fee proposal from danda inc. a construction cost consultant for Van Buren Hall Restoration. She is aware of the village's upcoming budget constraints but feels the estimate will serve as a basis for future grant application when and if grant funds become available. A motion made by Trustee Leiser to pay danda inc. \$2,000; seconded by Trustee Flaherty. All voted "aye".

Pop up Shops- Renee felt the response from the Planning Board to Unique Nutrition request to have additional vendors in there shop was not business friendly. Business may choose to have a pop up shop to see how their business may do in an area. She reviewed the code book and did not find anything on pop up shops. She is requesting the Village Board to review the code this may be another outlet for a business to make additional revenue. .

UNPAID WAATER SEWER & TAX BILLS

Total unpaid water of \$3,665.17; unpaid sewer rents of \$3,187.70. A water BAN is in effect residents may water their gardens only.

WATER DEPARTMENT-CIVIC PAY PORTAL

Deputy Clerk Van Denburgh attended a webinar presented by the village's water/sewer software company Springbrook. She met with Trustee Phillips and Trustee Leiser today to and discuss the Civic Pay Portal option they are offering. The pay portal will allow residents to receive their bill by email and pay by credit card. Several questions arose during their meeting concerning the payment options, fees and who pays the fees the village taxpayers or the individual resident. Deputy Clerk Van Denburgh will set up a webinar with Springbrook to answer any of the village board's questions.

APPOINTMENT OF COURT CLERK

Village Court Clerk Tina Puckett is retiring. A motion made by Trustee Flaherty supporting Mayor Dunham's appointment of Susan Bauman as Village Court Clerk on the consent and advice of the Village Justice David Dellehunt; seconded by Trustee Baumeister. All voted "aye".

APPLICATIONS

1. A motion made by Trustee Flaherty approving the request from the Lions Club to use the playground pavilion to hold a meeting on June 15, 2020 from 6-9 pm and to adhere to the 6ft social distance; seconded by Trustee Leiser. All voted "aye".
2. David Smith is requesting the use of Van Buren Hall for rehearsals on Thursday, July 2, 4:00pm-7:00pm (for rehearsal session 1) and Friday, July 3, 9:30am-4:30pm (i.e., 9:30am-noon for rehearsal session 2, and 1:30pm-4:30pm for the recording session). He noted fewer than 10 socially-distanced people will be involved. Discussion from the Village Board if the bathrooms would be closed or would a cleaning/disinfectant of the bathrooms after use would be charged to the renter. Mayor Dunham will speak to Mr. Smith.

TAXPAYER TIME

Natalie Jones apologizes to the board about the negative comments the village board receives on social media regarding the situation at 48 William Street. Many people are unaware of the difficulties regarding this issue. She thanked the board for advocating and representing both the residents and the businesses in the village.

Mary Radonski reported a significant dip on Rothermel by the monument and flag. Trustee Leiser noted he made the DPW aware of the dip and how the water is not getting to the catch basin. He will discuss with the DPAW again.

A motion made by Trustee Flaherty to adjourn at 9:25 pm; seconded by Trustee Baumeister. All voted "aye".

Respectfully submitted,

Nicole H. Heeder
Village Clerk