

Minutes  
Wednesday, March 10, 2021  
Regular monthly Village Board Meeting

Due to COVID-19 and the Governors Executive Order the Village Board and the public are via Zoom Videoconference with a telephone option to listen in.

Present: Mayor Dale Leiser

Trustees: David Flaherty  
Dorene Weir  
Michael Abrams  
James Mark Browne

Also present via Zoom Videoconference/telephone: Climate Smart Committee Chair, William Mancini; Economic Development Director, Renee Shur; Building Inspector, Peter Bujanow; Village Historian, Ruth Piwonka; Former Mayor James Dunham; Former Mayor Carol Weaver; Alexandra Anderson; Mary Ose; Marion Guerrieo; Stephen Palumbo and a few members via telephone.

Mayor Leiser opened the regular monthly meeting at 7:00 PM.

#### **CLERK/TREASURER**

Minutes- A motion made by Trustee Flaherty approving the minutes of February 10, 2021 regular monthly Village Board meeting and the February 25, 2021 Special meeting to award the bid for 48 William Street Residential Building Demolition Project; seconded by Trustee Weir. All voted "aye".

Budget Amendments- A motion made by Trustee Abrams approving the following budget amendments presented by the Village Treasurer; seconded by Trustee Flaherty. All voted "aye".

<u>FROM</u>	<u>TO</u>	<u>AMOUNT</u>
A.7270.4 Band Concerts Contractual	A.1680.4 Central Data Process Contractual	\$1,498.41
A.1630.4 Village Clock Contractual	A.1910.4 Unallocated Insurance	\$276.10
A.1110.1 Justice Personal Services	A.8010.1 Zoning Personal Services	\$640.10

Abstract-A motion made by Trustee Flaherty approving the monthly abstract for the total amount of \$50,645.70. The General Fund expenditures of \$46,135.56; Water Fund expenditures of \$4,510.14; seconded by Trustee Weir. All voted "aye."

Treasurer's Report-A motion made by Trustee Weir approving the monthly treasurer's report; seconded by Trustee Flaherty. All voted "aye".

#### **CODE ENFORCEMENT OFFICER**

Code Enforcement Officer Peter Bujanow submitted his monthly activity report for the month of February. He issued 5 building permits collecting \$795.00 in permit fees and one record search collecting \$35.00. There has been a lot of activity for March already.

#### **ECONOMIC DEVELOPMENT DIRECTOR**

Economic Development Director Renee Shur submitted her February 2021 monthly report to the Village Board. Renee has submitted two grants on behalf of the KBPA with Berkshire Taconic. Previously, the Village of Kinderhook was the fiscal sponsor for the KBPA as they are not a 501C. Mayor Leiser may have to sign a new fiscal sponsor form at the time of the grant award.

Renee will request in writing if the grant award may be issued to the KBPA all at once or by voucher as it is spent down.

### **MAYOR LEISER**

DPW- Mayor Leiser received an email from a resident inquiring if the DPW will be picking up tree branches due to the storms. Trustee Browne reported there are very few branches down and he will speak with Superintendent David Booth and request the DPW pick up the tree branches due to the storm.

48 William St. Residential Building Demolition Project – As of the special meeting on Thursday, February 25, 2021 the bid was awarded to Cristo Demolition, Inc. for \$37,000. The village's Engineer and Attorney has approved the bid. The village is awaiting the requested insurance certificates and the proposed work schedule. When the items are received a construction meeting will be scheduled. According to the bid book there will be a decontaminating trailer on site for the workers to change and a covered dumpster. Work will start after the morning school bus run and any home within 25 feet will have their windows covered.

Fire Department-At last month's meeting there was an approval to order windows from at Home Depot. The village DPW has picked up the windows and they need to be installed.

NYS Public Health Emergency Plan – The Governor passed a law mandating all municipalities adopt a Public Health Emergency Plan by April 1<sup>st</sup>. At last month's meeting the Village Board approved the plan with a final review from the Village Attorney. After final review from the village attorney with one minor change the NYS Health Emergency Plan has been completed by the Village Board.

Water fountain for Mills Park-Two years ago there was a leaking water line at Mills Park that needed to be fixed and there was a fire hydrant that was removed. The line was tapped in preparation of a future water fountain to be installed. The water fountain being proposed is a drinking fountain with a bottle filling station and pet fountain in the amount of \$4,181. A discussion concerning the hygiene of a fountain especially now due to COVID will need to be considered prior to moving forward with the purchase of a water fountain. This will be discussed during the upcoming budget process.

Budget meeting-The first budget meeting for the tentative budget for the fiscal year beginning June 1, 2021 and ending May 31, 2022 is scheduled for Wednesday, March 24, 2021 at 6 pm.

Inter -Municipal Agreement Columbia County Highway – Due to COVID not all signatures were received on the following agreement: Inter-Municipal Agreement with Columbia County Highway Department, the towns, villages and the City of Hudson for maintenance, construction, repair of roads, bridges, highways and property for 5 years made on May 1, 2020 and terminating on April 30, 2025. A motion made by Trustee Flaherty to sign the Inter-municipal agreement; seconded by Trustee Weir. All voted "aye". Deputy Mayor Flaherty will sign in Mayor Leiser absence.

Stimulus Package-Mayor Leiser attended a zoom meeting with Congressman Delgado concerning the proposed stimulus package. He also received an email today that detailed what was said during the zoom meeting. Mayor Leiser forwarded that email to the Village Board for their review. Columbia County will be receiving \$11,530,000.00 to be split with towns and villages. The disbursement for the village will be based on the village's population and the budget in place as of January 2020. The village may receive up to 75% of the village's budget.

The School- In the Zoning Boards determination of “Truth Be Told” it was suggested the Village Board meet with the owner and representatives of The School. Mayor Leiser appointed Trustee Browne as the liaison to The School. As planned, he met on March 5<sup>th</sup> with Operations Manager, Clark Griffin, employee Chris Hanerham, and Caros Jack Shaiman’s partner. The objective was to establish a new relationship to move forward with a more cooperative relationship with this entity and to enable less adversity and find a way to create a positive mutuality beneficial environment. This is what the Zoning Board encouraged of the Village Board. Clark and Chris expressed concern of how they will be treated moving forward. Trustee Browne assured them the Village will be fair, thorough and reasonable. They shared with Mark what projects they are considering in the future. Trustee Browne believes by the Village knowing what projects they are proposing, well in advance, the village may guide them to be well within the Village’s code. They will also like to build a better relationship with the village. Trustee Browne did submit a report to the Village Board after the meeting.

### **VILLAGE HISTORIAN**

Village Historian, Ruth Piwonka will submit a map to the Village Board showing in detail where the early buildings of the village were and the connections of the village roads. The village is not a New England village as you hear people often say.

### **TRUSTEE FLAHERTY**

Van Buren Hall- The village has been awarded \$15,500 from the Justice Court (JCAP) grant. Trustee Flaherty met with three masonry contractors and has received bids on the reconfiguration of the ramp into the Village Hall to make the ramp ADA complaint. He is scheduling to meet with Trustee Abrams and Village CEO to review a few items prior to submitting the bids to the Village Board.

Zoning Board of Appeals-The Zoning Board of Appeals cancelled their meeting due to lack of agenda items.

### **TRUSTEE ABRAMS**

Water & Sewer Department-The annual water letter to the village residents showing the results of the water quality testing completed by the village will be mailed out with the villages April water billing. Trustee Abrams, Mayor Leiser and Superintendent David Booth are working on the annual water report due to the state by March 31<sup>st</sup>. They are conducting an internal review of the water system and will report more on the review at the village’s April Village Board meeting.

The potential changeover of the manual meter reads to radio meter reads is being considered. Trustee Abrams spoke with a technician from New York Rural Water Association where he noted any meters over 10 years old should be replaced. Approximately 75% of the meters in the village are 8 to 10 years old. They become largely inaccurate with the reads. The village has 615 meters and there are benefits to having a cellular read. Residents would be able to track their water usage online and pay bills online. The cost is \$170,000 to \$200,000 for the system in addition to the installation of the meters into the homes. The transfer to radio meter reads can be over a few years. The meters need to be replaced and are costly. The village will need to determine which meters to go with. He will speak with other vendors and do some homework to determine which the best option for the village is.

CHIPS Reimbursement-Trustee Abrams, Clerk Treasurer Heeder and Superintendent Booth will meet tomorrow and finalize and submit the CHIP Reimbursement for Kinderknoll and Kindertree Drive.

Sidewalk Replacement at 8, 10 and 12 Broad Street-The village will be replacing the sidewalk at 8, 10 and 12 Broad Street when 8 Broad Street installs their water suppression line. The village has held off replacing the sidewalk knowing the water suppression line was going to be installed by the owners of 8 Broad Street. Scheduling of the replacement of the sidewalk will be done in conjunction with Bones Barbershop days off so as to not negatively impact his business.

Village Roads-Trustee Abrams appreciates everyone's help from Former Mayor Dunham, Superintendent David Booth and Renee. The village has 8.5 miles of roads with Albany Ave and Williams Street being top priority and Eichybush Road and Gaffney Road as the second roads that need to get redone. To redo a road the correct way is from the dirt up and is approximately a million dollars to one point three million dollars a mile. A 25 to 30 year plan is needed and a long term holistic plan needs to be considered with seeking grant funds to accomplish the roads maintenance and pavement plan.

Historic Preservation Commission- The HPC Commission met and approved the railing for the steps at 1-3 Broad Street, they denied the proposed sails at the ice cream shop and approved the use of umbrellas and the door opening at the ice cream shop. The next meeting is scheduled for March 18, 2021.

## **TRUSTEE WEIR**

Climate Smart Task Force – Climate Smart Committee Chair William Mancini reported the Task Force met last night, they did not have a quorum but did discuss the following:

Meatless Mondays- The second annual Meatless Monday campaign will begin on May 15th and run through June 30<sup>th</sup>. It is a joint venture of the Kinderhook Memorial Library and the Climate Smart Task Force. Last year 77 people committed not to eat meat one day a week for six weeks saving the equivalent of 1.3 metric tons of carbon dioxide emissions over the six week period. Details for signing up will be available in the Library's newsletter. Mr. Mancini will also post information on social media and will provide the village office with the information for an e-mail blast to be sent out.

Nextamp-There was discussion regarding signing up for a community solar subscription with Nextamp. Trustee Browne inquired of how the planned solar installation would effect a subscription. Mr. Mancini contacted Chris Mills of Nextamp and he forwarded the board information on how that would work. He suggests the village enroll all accounts in the Community Solar program for now so that the capacity is reserved, and when construction of the rooftop solar array starts in the fall and becomes official, Nextamp can remove the DPW garage and firehouse NGRID accounts with no cancellation penalties or fees. Mr. Mancini requested that Nextamp also include the electric usage of the EVCS in its proposal. He is requesting the board approve going forward with the Community Solar plans pending review of the final proposal by the Village attorney. The village will receive additional points towards grants with NYSEARDA. Trustee Weir noted she and Mayor Leiser are having a conference call with Chris Mills from Nextamp to answer any questions they may have.

Adoption of the NY Stretch Energy Code-2020 is an action item for the current Clean Energy Community grant program. NYStretch is a statewide model code for New York jurisdictions to use to meet their energy and climate goals by accelerating the savings obtained through their local building energy codes. Mr. Mancini sent a link for an educational webinar to the Village for distribution to the Planning, Zoning and Village Board and the CEO. Jill Henck from CDRPC has provided a recording of the webinar and registration information for a March 18 online workshop if the boards were unable to attend the educational webinar on the NYStretch program Mr. Mancini has forwarded the link to the Village clerk to be distributed to

the Village officials. Adopting this code will be a benefit to our environment and will help the village to receive additional grant funding from NYSERDA.

Electric Vehicle Charging Station-The charging station is working but it is not listed on the network as a place you may charge your vehicle. Chargepoint recommended unplugging the station to reset like you would a computer. Unfortunately, that was done today and that did not work. Mr. Mancini will call Chargepoint back and keep the Village Board informed on how the village should proceed.

Franchise Agreements-The village is waiting on the counter signature from Charter Communications Franchise agreement known as Spectrum Northeast, LLC. The Consolidated Communications Franchise agreement is with the Public Service Commission. Both items will take some time.

LED Light Conversion- Trustee Weir is not sure where the mix up came from with the meeting with the NY Power authority. The village was looking for a proposal to convert the street lights and they submitted a proposal for the village to purchase the street lights. They do not finance the conversion of street lights but they do finance the purchase of street lights. This is no assistance to the village. The village will be moving on and looking into Nexamp with their proposal and what kind of savings they can provide for those street lights.

Job Descriptions- All village employees personal job descriptions are being updated as several were very old and did not list all the current job duties village personal address.

Redesign of the Village Newsletter-the village is revamping the biannual newsletter; this includes a new mass head, changing the layout and adding historical sites. Hopefully, anyone visiting the village will pick up a copy and visit the historical sites. Also, the possibility of providing the newsletter three times a year instead of twice a year to publish new facts and events that comes along in the village is being considered.

Village Recreation Commission-The Commission is requesting the use of the pavilion Saturday April 3rd for an Easter event for taking pictures and handing out candy and a craft. The village has been taking the advice of the County Health Department and is in the process of opening the village playground and basketball court. The Village Board agreed to open the pavilion and allow the Recreation Commission to use for their Easter event. The Commission also discussed the purchase of new playground equipment but was not in agreement of what direction they wanted to go in so they will review the equipment book and discuss at their April meeting.

## **TRUSTEE BROWNE**

Albany Hudson Electric Trail-Trustee Browne is working with the DPW on the Maintenance Plan and Schedule to figure out the best schedule for mowing and weed whacking along the trail in the village for the season. He is the trail manager for the trail and will be walking the trail often. He has politely requested anyone he has seen on the trail not parking in the designated parking area to park at Rothermel Park. He has a plan he is working on to inform residents and non-residents on where to park at Rothermel Park. He met with Former Mayor James Dunham, Andy Beers, Ron Rich and Superintendent David Booth on February 12 to discuss the plan.

Personal Policy – Trustee Browne is working on the village’s personal policy that has not been updated since 2012. He is using the Town of Stuyvesant’s as the framework that was updated in 2018, the Village of Millbrook’s policy that was updated in 2016 and the Village of Messina that was updated in 2020. He is using those resources to make sure all the current laws are addressed and all that are applicable and current for the village.

Planning Board - The Planning Board's meeting was held on March 4<sup>th</sup>. They discussed the concerns on the wayfaring signs at Rothermel Park, the proposed local law for alternates on the Planning Board and a proposed local law for residents having chickens inside village limits. He has requested the Village Board review the two proposed local laws as the Planning Board has requested feedback from the Village Board on how and if they should proceed with the proposed local laws.

Mills Park Wayfaring Sign-Trustee Browne was appointed as a Trustee in September where he was assigned to the AHET. He was to continue to resolve the remainder of work listed on the punch list. One of the items listed on the punch list was the possibility of a wayfaring sign at Mills Park. Trustee Browne worked with EDC Director Renee Shur on the sign. He had drawn a rendering but as an engineer the sign was not aesthetic pleasing but did accomplish the wording for the sign. The vendor and Renee enhanced the sign and made it a two sided sign. Mayor Leiser suggested the sign go before the village Planning Board and Historic Preservation. HPC inquired if they could shrink the sign and the Planning Board reviewed the code to verify the sign could be placed in the park. They were concerned with the amount of signs that was already in the park. Trustee Browne noted many of the signs are required by NYS and are for safety. Residents submitted a petition that there are too many signs at the park. Trustee Browne notified Andy Beers of the petition. He stated the signs were discussed early on and that they are required. The comments from HPC and the Planning Board was addressed. Reviewing the sign coming from the Economic Development and businesses in the village is for the wayfaring sign. With the nice weather coming and more people using the trail and a lot of them not being residents of the village the wayfaring sign can contribute to the revitalization of the village's businesses in the Village Square. Studies show people on the trail want to visit Historic sites. The possibility of adding a symbol to the sign that can have people be directed to an internet site that would list the events in the area. Trustee Abrams inquired on what the impact would be if there were no wayfaring sign to direct people to the village and how would they know what was in the village. He did read the publication "Bicyclists Bring Business, A Guide for Attracting Bicyclist to New York's Canal Communities". Would people research the internet prior to using the trail and or would they learn via word of mouth. Trustee Abrams does not feel it is a binary choice that needs to be made now and he feels 21 signs is too much. The intersection needs to be reviewed and see if the village can reduce the amount of signs and along with reviewing the Mills Park design Plan. Does the village want to consider making the intersection a three way stop. Mayor Leiser is concerned with the safety of the pedestrian and bicyclist if the village changes the signs. Trustee Weir feels by adding a large directional sign to a park that already has 21 signs in a village looking to move forward with its historic integrity strongly suggest using QR codes on the existing signage. Trustee Browne made the following motion to direct the EDC Director to Investigate and Create a Design to:

1. Eliminate the Mills Park sign facing Albany Avenue.
2. Reuse the poles from that sign with attendant cost savings.
3. Created a new 2-sided way-finding sign.
4. Incorporate into new way-finding sign the content of the Mills Park existing sign.
5. Redesign the way-finding sign to include the words Mills Park Village of Kinderhook in much smaller type size at the top of the new way-finding sign.

Size reduction. In answer to neighbors' objections and suggestion from HPC

1. Reduce type size as appropriate to help reduce size of the sign.
2. Consider the use of universal symbols rather than text
3. Take out the line for bike repair and consider eliminating other entries.

Landscaping. In answer to neighbors' objections

1. Incorporate the use of shrubs to obscure the view of the new sign from Albany Avenues and Railroad Avenue and set it back from the Crossing.

Produce this new design and present the outcome and costs to implement at a future Village Board Meeting.

Trustee Abrams votes against the motion and feels the work is not within the EDC Directors job. Trustee Flaherty and Trustee Weir vote against the motion at this time and would like to hold off on the motion and investigate more. Mayor Leiser would like to approve the motion and move along with Trustee Browne.

Mayor Leiser read the email from Alexandra Anderson signed by several village residents against the proposed wayfinding sign.

Village Historian stated the village should add Samascotts Garden Market to the wayfinding sign.

### **KBPA**

The village received a support letter from the KBPA in support of the wayfinding sign to direct trail users to the village square.

### **APPLICATIONS**

- a. A motion made by Trustee Flaherty to approve the following events planned by the KBPA in the village: Farmer Market 5/8-10/9; People's Parade on 7/4; Spring yard sale on 6/5; Fall Festival on 10/9; the Sleepy Hollow Reading on 10/31; Candle lite Night on 12/10; Fall yard sale on 10/9; seconded by Trustee Weir. All voted "aye".
- b. A motion made by Trustee Flaherty approving the request from Northern Columbia Little League to use the baseball fields Monday-Friday from 4:30 pm to dusk and all day Saturdays; seconded by Trustee Weir. All voted "aye." They submitted and will comply with the CDC guidelines due to COVID.

### **PEDDERL'S PERMIT**

A motion made by Trustee Flaherty approving Brian Collis "Mr. Ding-A-Ling Ice Cream" to sell ice cream from 4/1-10/1 within the village limits; seconded by Trustee Abrams. All voted "aye."

### **TAXPAYER TIME**

Solar Panels-A letter of support was received from Tina Lang in support of the solar panels on the Fire house and the DPW garage. Mayor Leiser stated the village received grant funds for this project and will also raise funds through the upcoming budget process for this project.

Former Trustee Brian Murphy offered his time if the village would like public comment or join a committee with regards to revisions in the village code to address the issuances with The School and some of their art work.

Trustee Abrams noted on a tactical level a conversation needs to be had about the Special Use Permit and that there is no ambiguity on what is written and what is understood with The School and with the residents of the village. The village needs to go line by line on the special use permit so everyone is in agreement and it is understood. He feels Trustee Browne willingness to meet and understand what The School wants is a giant step in the right direction but needs to be written down and amicable for the long term so something like this does not happen in the future. This has brought the attention that the village's code book is outdated and needs to be reviewed.

Just like how the Comprehensive Plan was made the village needs a committee of village administrators and residents to assess the village code and policies to make sure they are in line with the Comprehensive Plan. The output of the committee would be to inform the Village Board of Trustees of where the code can be updated and refined to be in line with the village's Comprehensive Plan.

Alexandra Anderson is speaking on behalf of the neighbors of Albany Ave, Sunset Ave and Railroad Ave. She feels there was no active solicitation of neighbor's opinions was done. Not everyone receives or knows how to receive the village's email blast. She feels there should be more informal meetings between the village residents and all the boards and the village should encourage more community participation. The bigger issue is the park itself and protecting the park, the historic district and the residents.

Trustee Flaherty noted the village's does a great job electronically notifying the residents but besides short of knocking on doors how else you do notify residents. The village is holding zoom meetings which has shown more residents are connecting in then prior to when meetings were at the village hall.

Mayor Leiser noted there are close to 1,000 people on the village email blast notifying residents of what is going on compared to the past with one publication in the newspaper.

Village Historian Ruth Piwonka mentioned the park was sold to the village for a small fee from Jane and Emily Mills to make it a park and if you add too many signs it maybe against the purpose of the sale to the village in making it a park.

A motion made by Mayor Leiser to adjourn the Village Board meeting at 8:38 pm; seconded by Trustee Flaherty. All voted "aye".

Respectfully submitted,

Nicole H. Heeder  
Village Clerk