

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

Due to COVID-19 and the Governors Executive Order 202.26 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 and twelve other participants.

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

CLERK/TREASURER

Minutes- A motion made by Trustee Flaherty approving the minutes of January 13, 2021 regular monthly Village Board Meeting; seconded by Trustee Weir. All voted "aye".

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

<u>FROM</u>	<u>TO</u>	<u>AMOUNT</u>
A.1990.4 Contingent	A.1680.4 Central Data Processing Contractual	\$542.95
A.1460.1 Records Management	A.8010.1 Zoning Personal Services	\$395.10

Abstract-A motion made by Trustee Flaherty approving the monthly abstract for the total amount of \$24,796.76. The General Fund expenditures of \$15,649.79; Water Fund expenditures of \$1,940.17; Sewer Fund Expenditures \$7,206.80; seconded by Trustee Weir. All voted "aye."

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

CODE ENFORCEMENT OFFICER

Code Enforcement Officer Peter Bujanow submitted his monthly activity report for the month of January. He issued 5 building permits collecting \$530.00 in permit fees and \$70.00 in record searches. Per Trustee Browne's request he has added a Historic Preservation Commission column noting the permits issued in the Historic District.

He is requesting approval to schedule a presentation from Edmonds GovTech formally known as BAS in preparation of final approval for the purchase at the March Village Board meeting. Peter is interested in the building department module to upgrade from the manual spreadsheet he has created. There are other modules the village may want to consider. It will be beneficial to using the same software as the town assessor and Columbia County for required reporting purposes. Peter will confirm if the software is on state contract to address the village's procurement requirements. The Village Board gave approval for Peter to schedule a presentation.

ECONOMIC DEVELOPMENT DIRECTOR

Economic Development Director Renee Shur submitted her January 2020 monthly report to the Village Board. Her monthly report notes there has been an increase in the activity of constituents inquiring of rental space in the village.

Hudson River Valley Greenway Water Trail Grant-The village received the official grant award of the kayak launches. The grant is for the planning, design and construction of two kayak launches. One in Valatie and the other by the village of Kinderhook's pump house. The village will need to hire a consultant for the project.

KBPA

The KBPA is renewing memberships and looking for new business members to join. Membership fees support the events in the village.

MAYOR LEISER

DPW- the DPW have handled several storms over the month Mayor Leiser feels they have done a great job.

48 William St. -The Village Board had planned on opening bids for the demolishing of 48 William Street at tonight's meeting; due to circumstances beyond the village's control the board will not be opening bids. The village did receive the bid books from the engineer but they had not advertised the bid in the paper and there were errors in the bid book that needed correction. The bids will be due Tuesday, February 23, 2021 at 1:00pm. The Village Board will award the bid at a Special meeting on Thursday, February 25, 2021 at 7:00 pm.

Fire Department- Mayor Leiser received the following three quotes for the replacement of six Anderson window kits for the Firehouse: (Harrington Lumber \$3,005.75; Curtis Lumber \$2,968.03; Home Depot \$2,441.6) At last month's Village Board meeting a motion was made for Mayor Leiser to move forward with the lowest quote. He placed the order with Home Depot the windows will arrive March 8th. A motion made by Trustee Weir for the approval of the purchase of the windows with Home Depot; seconded by Trustee Flaherty. All voted "aye".

NYS Employee Emergency Plan - The Governor passed a law mandating all municipalities adopt a Public Health Emergency Plan. This law was created due to COVID and in preparation of any other disasters or pandemics that may occur in the future. The village received a template through a company working with the Conference of Mayors that Trustee Browne and Trustee Weir tailored to the village with the assistance of village Clerk Heeder and Mayor Leiser. The plan is required to be adopted and submitted to the Department of Labor by April 1st. With no further comment from the Village Board the draft plan will be submitted to the Village Attorney for final review. A motion made by Trustee Browne if there is no legal impediment Mayor Leiser may sign and submit the plan; seconded by Trustee Flaherty. All voted "aye".

VILLAGE HISTORIAN

Lighting History report presented by Village Historian Ruth Piwonka 1891 Mrs. Sara Bain erected stone coping and other features that beautified the small park in the village center. 1900 May. motion carried that the Board would procure two 24-inch cannons from the government, to be mounted on the Village Green with the expense of same to the village be only for the transportation. They came from Fort Montgomery, Rouse's Point, NY 1898 application of the Columbia Electric Power Company for an exclusive franchise for the erection of poles and the general construction and equipment of an electric lighting system in, over, and upon several

streets and highways of the V of K for the purpose of furnishing electric light for street, public, commercial or private use. 1902 Sum of \$870 be appropriated by Village for lighting the streets with electricity. 1903 January resolved that Albany and Hudson RR authorized to erect and construct suitable wires or other conductors with the necessary poles around the Public Park and places of the Village for conducting and distributing electricity for street lights.

Ms. Piwonka would like the village to consider revising the lighting and minimizing the power lines in the village while improving the deliverance of electricity to the homeowner.

TRUSTEE FLAHERTY

Van Buren Hall- The village Justice Court applied for a Justice Court grant to for \$15,500 to reconfigure and replace the ramp entering into the Village Hall to make it ADA complaint. The village received an award letter from JCAP notifying the village was granted the entire \$15,500. Once the village receives the check the village has 180 days to complete the project. Former Mayor Dunham had started the permit process with NYS requesting a handicapped parking space for Village Hall. Trustee Flaherty will follow up with the permit and reach out to masonry contractors for quotes.

Zoning Board of Appeals-The Zoning Board of Appeals held a public hearing on January 25, 2021 on The School. There were approximately 175 participants of which 45 people spoke. The public hearing went for over three hours. Due to the length of the public hearing the Zoning Board met on February 2, 2021 for the decision of the Zoning Board of Appeals. The Zoning Board unanimously voted the piece “Truth Be Told” was art in political nature and fell outside the confines of the code. They would like the Village Board to work with the gallery and the village code to eliminate the problem again. Mayor Leiser received a call from Clark Griffin from The School to discuss the issues and work on communication. Mayor Leiser will schedule a meeting with him but wanted to get past the Village Board meeting when he will appoint Trustee Browne to be the liaison to The School. Mayor Leiser chose Trustee Browne as he was a member of the Planning Board when The School opened and was chair to the village’s Comprehensive Plan.

TRUSTEE ABRAMS

Water & Sewer Department-There are 25 unpaid water bills in the amount of \$3,790; ten unpaid sewer bills of \$4,270. The past due water letters were sent out.

Historic Preservation Commission- The meeting held on Thursday, January 21, 2021 the Commission addressed the lighting and signage proposed on 2, 4, 8 Hudson Street Mr. Waterston’s building. They also addressed improving the front steps at 1-3 Broad Street and the proposed sails requested for the ice cream shop at 1-3 Broad Street. Also, an approval of a new roof at 18 Hudson Street.

Trustee Abrams would like a discussion in the near future on how do we square the American Disability Act with the Historic Preservation? He feels everyone should be able to access the building in the village. He feels there can be a compromise to achieve the goal. He is working with Trustee Weir on how if a business owner wants to make a change to their building to be compliant with ADA rules but are not in Historic Preservation guidelines.

Resolution to purchase a tractor with attachments under state contract using CHIPS funds.

The following Resolution was proposed and seconded:

Resolution by: Trustee Flaherty;

Seconded by: Trustee Browne.

WHEREAS, the Village of Kinderhook Board of Trustees has determined that there is a need to purchase on John Deere 2038 Compact Utility Tractor with associated attachments necessary and proper for use by the Village, said purchase pursuant to NYS Contract PC68131 (PG XN CG 22) from United AG & Turf, 2173 Chatham, NY 12037 at a total purchase price of \$43,990.51; and

WHEREAS, the purchase was not a budgeted purchase for the 2020-2021 fiscal year and the Village desires to make the purchase by utilization of \$42,000 of NYS Consolidated Local Street and Highway Improvement Program funds (CHIPS); and

WHEREAS, there is a need to make a budget transfer in the amount of \$1,990.51 from the Village of Kinderhook General Fund \$990.51 from A.5142.2 Snow Removal Equipment and \$1,000 from A.8161.2 Leaf Pickup Equipment to the Village of Kinderhook Capital Fund and Amending the H5031 Interfund Transfer for \$1,990.51 to accept the transfer of revenue and the CHIPS proceeds of \$42,000 for the equipment expenditure from H 5130 Machinery in the amount of \$43,990.51.

NOW, THEREFORE, BE IT RESOLVED that the Village of Kinderhook Board of Trustees authorizes the purchase and related budgetary transfer as set forth herein; 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 John Deere 2038 Compact Utility Tractor with associated attachments.

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

Mayor Dale Leiser;

Trustee David Flaherty;

Trustee Michael Abrams;

Trustee Dorene Weir; and

Trustee James Mark Browne

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.

TRUSTEE WEIR

Climate Smart Task Force – Climate Smart Committee Chair William Mancini reported on the following:

NYSERDA's Clean Energy-CDRPC Senior planner Jill Henck attended the Climate Smart meeting last night and reported on NYSERDA's Clean Energy Community Leadership Round. There will be points awarded for various actions taken by municipalities. There will be a limited number of grants available ranging from \$10,000 to \$70,000 depending on the number points received by the Village. The village has 400 points for actions already taken in attaining certification as a Clean Energy Community in 2019, and a potential for another 1,500 points at this time. Mr. Mancini will send a copy of the Guide document explaining the program in detail. He would appreciate the village Board's input as to how the Village Board thinks we can proceed to earn additional points.

Electric Charging Station at the Village Parking lot- Mr. Mancini and Clerk Treasurer Heeder have administrative rights to the ChargePoint software. Mr. Mancini will meet with Nicole and show her how to use the software. Charging State laws govern how energy is priced for each state. The default price for New York is listed as \$.15 per kWh and \$.75 per hour parking. The estimated charge according to these default settings is \$3.48 for a two hour charge. The pricing can be adjusted by the Village. When the Village Board determines the price the village will add the fee to the current fee schedule that can be changed as needed by board resolution. Mr. Mancini contact Plugin Stations Online in Valatie regarding EVCS maintenance. They offer ChargePoint's Assure Plan for maintenance for an annual fee of \$740. The fee is discounted if the plan is for multiple year contracts. He has provided the Village Board with a copy of the Assure Plan with a fee schedule.

Franchise Agreements-The village has approved the Charter Communications Franchise agreement known as Spectrum Northeast, LLC. The village is waiting on their counter signature then the agreement will be complete.

Consolidated Communications Franchise agreement is with the Public Service Commission. The village is waiting for any comments/changes they may deem necessary.

LED Light Conversion- The village provided copies of the National Grid bills for street lights to CDRPC Senior planner Jill Henck to review in hopes of working with National Grid in saving the village money. She has been very busy but she assured Trustee Weir she will be reviewing our National Grid bills. On January 22, 2021 Mayor Leiser met with Kevin Luteran from the NY

Power authority. Mr. Luteran believes they can provide the village with a low cost interest program to convert the village's street lights.

Village Recreation Commission- Trustee Weir thanked Clerk Treasurer Heeder for attending the Recreation Commission meeting to review their funds available as the commission is considering purchasing playground equipment. The commission is preparing to do a drive through Easter activity as they did at Rothermel Park for Halloween. They are preparing to move forward with the village's annual summer program if the state is under the 4% positivity rate or less adhering to all safety measures. They also met with village resident Amber van Moessner who is interested in fulfilling the vacant spot on the Recreation Commission. On the recommendation of the Recreation Commission Mayor Leiser appointed Amber van Moessner to the Recreation Commission fulfilling the opening with the remaining term until March 31, 2022; seconded by Trustee Flaherty. All voted "aye".

TRUSTEE BROWNE

Albany Hudson Electric Trail-Trustee Browne produced a draft Maintenance Plan and Schedule that he shared with the DPW. He followed the plan given to him for the entire trail and used scheduling software he has to draft a schedule for moving and weed whacking. The DPW will review and submits edits if needed. Former Mayor Dunham, Highway Superintendent Booth and Trustee Browne will be meeting with Andy Beers from Hudson Greenway on February 12, 2021 at noon to review the last items on the punch list to be completed by the Greenway. He is also speaking with members of the Persons of Color Cemetery on placing a sign facing the trail on the village's property. The sign may have an arrow pointing to the cemetery that will most likely be identical to the sign closest to the cemetery. When he has a rendering of the sign and fundraising in place he will approach the Village Board for approval.

Public Restrooms-The bathrooms at Rothermel Park will most likely see greater use with the installation of the trail. A cleaning schedule and new locks for the bathroom is being considered. For improvements in the future to the village Square and Rothermel Park there is a company called RomTech that is on the federal GSA website that sells bathroom plans to various state parks. He is searching for grant funds for what we may need in the future.

Personnel Policy –He is reviewing the village's 2012 personnel policy and working with his fellow Trustees on updating the policy to present.

Planning Board- The meeting was cancelled as there were no applications before the board.

TAXPAYER TIME

Former Trustee Brian Murphy wanted to thank the ZBA for their decision and their thoughtful research they went through especially Jerry Callahan's wording in the decision on Freedom of Speech. Q: He questioned the meeting with Trustee Browne and The School. A: Mayor Leiser confirmed Clark Griffin requested the meeting to start the ground work on better communication.

Q: Trustee Murphy questioned Trustee Abrams on the funds that will be used to purchase the tractor. If this is not village funds in the budget and is paid by CHIPS funds will the village be on the hook if the CHIPS funds do not come through.

A: Trustee Abrams noted the village will pay for the tractor and be reimbursed by the state. The state can potentially reduce the allocation up to 20% of what the annual allocation is or hold back 20% of what the village already has.

Q: What did the village use CHIIPS money for prior? What might not be done in the village by using CHIPS funds?

A: Trustee Abrams stated the funds were used to pave roads, the tractor is needed.

Q; Mr. Palumbo inquired if no one bids on 48 William Street what happens?

A: Mayor Leiser stated the village received one bid for the person who received the proper bid book. This will be better for the village as we are in hopes of receiving more bids.

Q: Rima Bostic wants to know if the village has a new date for the demolition of 48 William St.

A: Trustee Leiser noted the bids are due February 23rd and the village open them at a meeting on February 25th.

Mayor Leiser made a motion to adjourn the village board meeting and enter into executive session to discuss proposed, pending or current litigation involving a particular person or entity and to enter into executive session to discuss proposed, pending or current litigation involving a particular person or entity with the village attorney at 8:26 pm; seconded by Trustee Flaherty. All voted "aye".

A motion made by Trustee Browne to adjourn Executive Session at 9:55 pm and enter into the Village Board meeting; seconded by Trustee Weir. All voted "aye."

A motion made by Trustee Browne to suspend any loss of vacation and sick time to Clerk/Treasurer until the Village Board is able to update the village's personal policy; seconded by Trustee Weir. All voted "aye".

A motion made by Mayor Leiser to adjourn the Village Board meeting at 9:57 pm; seconded by Trustee Flaherty. All voted "aye".

Respectfully submitted,

Nicole H. Heeder
Village Clerk