

Minutes

Wednesday, May 12, 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: Economic Development Director, Renee Shur; Building Inspector, Peter Bujanow; Climate Smart Committee Chair, William Mancini; Former Mayor James Dunham; Former Mayor Carol Weaver; Former Trustee Brian Murphy; Steve Palumbo; Stuart Peckner; Jennifer Ose -Mc Donald and Jake Samascott; 6177.

Mayor Leiser opened the regular monthly Village Board meeting at 7:00 pm.

CLERK/TREASURER

Minutes- A motion made by Trustee Browne approving the minutes of April 14, 2021 regular monthly Village Board meeting; seconded by Trustee Abrams. All voted "aye".

Budget Amendments- Grants

The Village received grant funds from Berkshire Taconic Community foundation to be paid to the KBPA in the amount of \$2,800. (\$2,000 for Classical Kids Program and an additional \$800.00 for food donations for the Farmer's Market) The funds were recorded in A.2770 Miscellaneous Revenues. A motion made by Trustee Flaherty approving the Village Clerk Treasurer to increase budget line item A.6497.4 Economic Development Contractual for a total of \$2,800 for the expenditure of the grant funds to the KBPA; seconded by Trustee Abrams. All voted "aye".

48 William Street Residential Building Demolition Project

The Village Treasurer requested a motion approving the use of fund balance in the amount of \$40,407.93 to pay for the expenditures associated with the 48 William Street Demolition Project. (A.3620.4 Safety Inspection Contractual- Cristo Demolition for \$32,000; A.3620.4 Safety Inspection Contractual-Alpine Environmental \$3,925; A.1440.4 Engineer- CPL Architecture Engineering Planning \$4,482.93)

The village attorney will prepare the paperwork to place a lien on the property. A motion made by Trustee Flaherty to use fund balance to pay for the bills associated with 48 William Street Demolition to be levied against the property; seconded by Trustee Abrams. All voted “aye.”

A motion made by Trustee Flaherty approving the following budget amendments presented by the Village Treasurer; seconded by Trustee Browne. All voted “aye”.

General Fund		
<u>FROM</u>	<u>TO</u>	<u>AMOUNT</u>
A.1620.1 Buildings Personal Service	A.1110.1 Justice Personal Services	\$ 517.23
A.1620.1 Buildings Personal Service	A.1325.1 Clerk Treasurer Personal Services	\$ 352.18
A.1990.4 Contingent	A.1420.4 Law Contractual	\$2,140.13
A.1990.4 Contingent	A.1680.4 Central Data Processing, Contractual	\$3,721.13
A.6410.1 Sidewalks Personal Service	A.5110.1 Street Maintenance Personal	\$1,655.63
A.8160.1 Refuse and Garbage Personal Services	A.5142.1 Snow Removal Personal Service	\$ 569.05
A.8161.4 Leaf Pickup Contractual	A.5142.4 Snow Removal Contractual	\$ 310.44
A.8560.4 Shade Trees Personal Service	A.7140.1 Recreational Personal Service	\$2,139.42
A.8160.1 Refuse and Garbage Personal Services	A.8010.1 Zoning Personal	\$ 3.70
A.8160.1 Refuse and Garbage Personal Services	A.8020.1 Planning Personal Services	\$ 210.90
A.9040.8 Workers Compensation	A.9030.8 Social Security	\$ 501.93
A.9040.8 Workers Compensation	A.9050.8 Unemployment Insurance	\$1,243.69
Water Fund		
<u>FROM</u>	<u>TO</u>	<u>AMOUNT</u>
F.8320.4 Source & Pumping Contractual	F.8340.4 Transmission and Distribution Contractual	\$ 998.34

Abstract-A motion made by Trustee Weir approving the monthly abstract for the total amount of \$63,876.02. The General Fund expenditures of \$57,194.41; Water Fund expenditures of \$2,173.16; Sewer Fund Expenditures of \$4,508.45; seconded by Trustee Abrams. All voted “aye.”

Treasurer’s Report-A motion made by Trustee Abrams approving the monthly treasurer’s report; seconded by Trustee Browne. All voted “aye”.

Resolution to open savings account for playground improvements

The following Resolution by: Trustee Mark Browne;

Seconded by: Trustee Michael Abrams.

WHEREAS, due to the COVID-19 global pandemic and resultant State emergency declarations, the Village of Kinderhook Summer Youth Program was unable to operate during the summer of 2020, and the associated expenditures for the program remain unspent and unused at this time; and

WHEREAS, the Village of Kinderhook Board of Trustees has determined that such unexpended fund balance should be allocated to promote youth and youth programs, and herein determines that the Clerk-Treasurer is authorized to open a savings account for said funds as a capital account for said funds to be utilized for Village of Kinderhook playground improvements.

NOW, THEREFORE, BE IT RESOLVED the Clerk-Treasurer is authorized to make a transfer in the amount of \$17,100.00 from the Village of Kinderhook (A.7310.1 Youth Programs Personal Service \$5,600; A.7310.2 Youth Programs Equipment \$500.00; A7310.4 Youth Programs Contractual \$2,000; A.7140.2 Recreation Equipment \$7,000; A.7140.41 Recreation Contractual \$2,000) of unexpended fund balance from the 2020 Summer Youth Program, into a capital savings account in the name of the Village of Kinderhook for the purposes of funding Village of Kinderhook playground improvements as to be determined by the Village of Kinderhook Board of Trustees.

RESOLVED that based upon the foregoing, the Clerk -Treasurer is authorized to execute any agreements or other related documents for said purpose.

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

- Mayor Dale Leiser;
- Trustee David Flaherty;
- Trustee Dorene Weir;
- Trustee Michael Abrams; 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.

Yearend transfer into the village savings accounts

A motion made by Trustee Flaherty to transfer the following monies into the village savings account; \$24,500 from A.3620.43 Firemen Equipment Maintenance to the fire truck savings account, \$10,000 from A.5110.2 Street Maintenance Equipment to the Equipment savings account; \$20,000 from A.1620.41 Building Projects to the Buildings savings account; seconded by Trustee Weir. All voted “aye”.

Budget for the fiscal year beginning on June 1, 2021 and ending on May 31, 2022-The public hearing for the budget was held last month and the budget was adopted. A copy of the adopted budget has been sent to the State Comptroller’s office and will be posted on the village’s website. A certified copy will be given to each trustee.

Execution of Tax Warrant for the 2021-2022 fiscal year-A motion made by Trustee Flaherty to have village Clerk Treasurer Heeder publish a notice in the paper once a week for two consecutive weeks notifying the village residents the tax roll and warrant has been received in the amount of \$361,243.92. The notice will state where to pay the taxes either in person or by mail and payment is due July 1st without penalty.

Village Registrar-Mayor Leiser reappointed Nicole Heeder as Village Registrar and Carol Van Denburgh as Deputy Registrar.

CODE ENFORCEMENT OFFICER

Code Enforcement Officer Peter Bujanow submitted his monthly activity report for the month of April. He has collected \$3,890.75 in building permits fees and \$105.00 in record searches for the month of April.

ECONOMIC DEVELOPMENT DIRECTOR

Economic Development Director Renee Shur submitted her March 2021 monthly report to the Village Board.

8 Hudson Street light post-The village has one light post that was not installed during the parking lot lighting project due to a lack of a signed easement. There is a proposal to install the light post in the village square at 8 Hudson Street. The owners have offered to pay for the electric and the village will submit a letter noting the donation of the cost of the electricity. They will also be purchasing two similar light post for their parking lot and a timer for all three lights. The village received an estimate from Sheriff Electric to install the light for \$975.00. The village will have the village attorney amend the easement that was drafted for the light post if installed by the parking lot to now be installed at 8 Hudson Street. The lighting specialist has given an estimation of the cost for the electricity for the light post to determine the acceptance of the donation of electricity for that one light pole. Mayor Leiser requested Renee to receive a quote from the electrician for 8 Hudson Street to determine if there will be a savings as he wires the other two pole lights they are purchasing.

Kinderhook Creek

Renee will be meeting with Trustee Weir and Village Clerk Heeder this Friday to discuss the history of Kinderhook Creek projects; what has been done and where it will go in the future.

Traffic Issues

Renee will be meeting with Trustee Abrams and former Trustee Brian Murphy to discuss the priority traffic issues: speeding in the village and agricultural trucks on village owned streets.

The Hat Factory -former Treasurer Shop

The Hat Factory is proposing an opening in July. A restaurant, The Aviary; a bakery sandwich shop, Morning Bird; a general store, Ok Pantry and a small flower shop will all open at the same time.

KBPA

The farmers market is growing with a varied vendors wanting to join. They will be having family events in the market with one or two special events in the month. On June 5th the Farmer's market will celebrate World Bicycle Day. There will be a bike sale and if the Village Board would like another bike rack to be placed in the village square Renee would like to propose that if anyone wants to donate to another bike rack. The Village Board will need to consider where they would like the placement of the donated bike rack. Consideration on a few smaller bike racks in and around the village square was discussed. A discussion of having the bike rack near the light pole at 8 Hudson Street could be considered if the owners approve. This could be added to the easement paperwork.

MAYOR LEISER

DPW- The village DPW has been mowing a lot this spring with all the rain we have received. They have installed a new yard hydrant in the flower bed by the bandstand. The village did take ownership of the John Deere Tractor but is waiting for the sickle bar attachment. The village will now have two mowers that can be considered surplus equipment.

Fire Department-The fire department formed a committee to spec out a new fire truck for a future purchase after the Chief's vehicle is paid off.

Resolution for the Village to become a Purple Heart Community-Trustee Abrams made the following Resolution; seconded by Trustee Flaherty. All voted "aye".

WHEREAS: The people of the village of Kinderhook have a great admiration and the utmost gratitude for all the men and women who have selflessly served their country and this community in the Armed Forces; and

WHEREAS: Veterans have paid the high price of freedom by leaving the families and communities and placing themselves in harm's way for the good of all; and

WHEREAS: The contributions and sacrifices of the men and women from the Village of Kinderhook served in the Armed Forces have been vital in maintaining the freedoms an way of life enjoyed by or citizens; and

WHEREAS: Many men and women in uniform have given their lives while serving in the Armed Forces; and

WHEREAS: Many citizens of our community have earned the Purple Heart Medal a result of being wounded while engaged in combat with an enemy force, construed as a singularly meritorious act of essential service; and

WHEREAS: May 12, 2021 has been officially designated as the day in the Village of Kinderhook and recognize veterans who are recipients of the Purple Heart Medal;

NOW THEREFORE BE IT HEREBY RESOLVED that the Village Board hereby proclaims the Village of Kinderhook as a Purple Heart Village, honoring the service and sacrifice of our nation's men and women in uniform who were wounded or killed by the enemy while serving to protect the freedoms enjoyed by all Americans.

TRUSTEE FLAHERTY

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

Climate Smart Task Force-

Meatless Mondays- The Climate Smart Task Force's second annual Meatless Monday campaign will begins on May15th. They have over 80 participants and 40 households. The first 50 people to sign up will receive a KML/CSCTF reusable shopping bag containing coupons, gift cards and recipe booklets. Mr. Mancini would like to thank Hannaford and Samascott's for the donations and to thank Annlee Dragon, the library director, who helped with advertising on her weekly book talk video on You Tube.

Clean Energy-Mr. Mancini wanted to thank the Village Board for the Community Solar resolution last month. With this energy upgrade, the village will receive 500 additional points in the Clean Energy Community Leadership program. The program offers grants between \$10,000, \$20,000 and \$70,000 for municipalities accumulating 3,000, 4,000 or 5,000 points.

Energy Benchmarking-The Climate Smart Task Force has prepared an Energy Benchmarking Report for the Village for 2019 and 2020. This report is used to track municipal buildings' energy performance and is created in compliance with the resolution passed on May 10, 2017 by the Board. The report can provide insights into energy use and potential cost savings for the Village. Additionally, it publication on the Village website entitles the village to 200 points towards the CEC Leadership grant.

Adoption of the NY Stretch Energy Code-2020 is an action item for the Climate Smarts Clean Energy Community Leadership 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. Adopting this code will be a benefit to our environment and will help us earn additional point in the CEC Leadership program. Mr. Mancini urges the Board too seriously consider moving forward with adopting the Stretch Energy Code 2020. The village can receive 1200 points if the village were to adopt the code. Mr. Mancini asked Peter the Code Enforcement Officer and the village attorney to review the proposed code.

Electric Charging Station-The village received the new modem for the electric charging station. PlugIn Station will replace the new modem to allow the charging station to be back online.

Van Buren Hall- The village has been awarded \$15,500 from the Justice Court (JCAP) grant to replace the ramp entering the Village Hall. At last month's meeting Thomas Wildermuth was awarded the bid to install a new ADA code approved ramp. Trustee Flaherty believed he could utilize the old railing but after meeting with Jim Shroeder it was determined a new railing resembling the old railing would need to be installed. Without the railing the ramp will not be able to be used therefore he would like to have Jim Shroeder complete the railing on an emergency basis. Trustee Flaherty has discussed the ramp and railing with Ken Neilson chair of the Historic Preservation Commission.

Shared Service Agreement with Columbia County MIS-Due to COVID the village just received the Columbia County MIS renewal contract for the 2021 year. A motion made by Trustee Flaherty to have Mayor Leiser sign the Columbia County MIS agreement for 2021 fiscal year; seconded by Trustee Browne. All voted “aye”.

TRUSTEE ABRAMS

Water & Sewer Department-There are 57 overdue water bills totaling \$4,574 and 4 overdue sewer bills totaling \$1,032, the late water and sewer notices were sent out.

Roads and Sidewalks-The sidewalk at 8 road Street is in process of being replaced. Trustee Abrams and Mayor Leiser met with grant writer Bill Roher a few days ago to search for possible funding opportunities for the William Street and Albany Ave projects. The village is in contact with the paving company to schedule the paving of Hudson Street from Sylvester to the light.

Historic Preservation Commission- Ken Neilson stepped down as chairperson to the HPC Commission and Timothy Husband was appointed the chairperson to the HPC Commission. Ken will become the Vice Chair.

TRUSTEE WEIR

Village Recreation Commission-A motion made by Trustee Browne to accept the Summer Program Guidelines and the Summer Playground Program waiver and release as written; seconded by Trustee Abrams. All voted “aye.” The village received a call from Jessica Nabonzy at Columbia County Youth Bureau inquiring if the village was having a summer program. As she is calling other municipalities she is finding people are not applying for summer program jobs.

Vacancy on the recreation Commission-The Village Board received a letter of resignation from Alicia Cowan from the recreation commission. Trustee Weir noted if there is anyone interested in volunteering their time on the Recreation Commission they may send a letter of interest to the village office. The term of the position will end March 31, 2027.

Rothermel Park Girl Scout Mural- The Village Board received a request from Girl Scout Troop #1001, Service Unit 126 Troop Leader, Resa Dimino and Girl Scouts Jeanne Blau, Malati Culver, and Madeleine (Maddie) Kelley to paint a mural “Girlltopia” on the back of the bathroom facilities at Rothermel Park for everyone to view as they walked the AHET. The girls gave their presentation to the Village Board explaining how they wanted to express their idea in an artistic way. A quote “Real Change, enduing Change, happens one step at a time” by Ruth Bader Ginsburg. They felt the quote represented their art the best. On the left side of the mural is the quote, in the middle is the art piece and on the right is chalk board paint for people to interact with the art using chalk. To place their hopes for the future and hopes for change in the future. The girls will visit the mural and erase and inappropriate notes.

A motion made by Trustee Flaherty approving the proposed mural to be painted on the back side of the bathrooms at Rothermel Park; seconded by Trustee Abrams. All voted “aye”.

Proposed picnic table and benches for Mills Park –A proposal of two picnic tables and two benches to be placed at Mills Park was given to the Village Board to review. An anonymous donor would like to donate \$1,500 and Renee would like to use the remainder of funds from Economic Development to be used. A motion made by Trustee Flaherty to accept the donation and the purchase of the tables and benches to be placed at Mills Park; seconded by Trustee Abrams. All voted “aye”. A thank you to the anonymous donor!

Any of the tables or benches currently at Mills Park that maybe removed will get freshened up by the DPW and be placed at the small pocket park being proposed at the pump house on Hudson Street for use when the kayak launch is completed.

Community Night is schedule for Saturday, September 11th from 5-8pm. Discussion on a themed event is being considered.

TRUSTEE BROWNE

Trustee Browne submitted his monthly report to the Village Board on the projects he works for the month to keep the Village Board informed.

Albany Hudson Electric Trail-Trustee Browne attended the yearly maintenance meeting of the trail with the Hudson Valley Greenway, Andy Beers and others working on the trail. The entire trail in Columbia County has been mowed at least once, the village DPW has done a great job in the village along the trail.

Personal Policy – He has worked with the trustees on a draft employee handbook and will need to meet another time prior to distributing to the other board members for their review for final comments prior to adoption.

Planning Board - The Planning Board’s meeting was held on May 5th. Bruce Charbonneau was appointed as Chairperson. There was a Public Hearing for a Special Use Permit for 8 Broad Street ‘Three Sisters Tavern’ the Public Hearing was held open for the next meeting; a Site Plan Amendment for 12 Broad Street, Mary Ose for proposed retail and rental space; a Home Occupation Permit request at 28 Hudson street, Julie Meck proposing appointment only Pilates Studio. There was discussion on a lot line adjustment for 6 Hudson Street and discussion for a special use permit for 10 Rothermel Extension a request to raise chickens.

The School is planning an event on June 4th-5th they have not requested any special assistance with parking restrictions during the event.

Manure trucks-Trustee Browne met with Wil- Roc Farm and requested that they use the monies they are receiving from the federal government to more frequently wash off their manure spreading trucks.

Full Time Employee Vacation Buy Back Program Resolution-Trustee Browne has worked with the Village Board in executive session and with the village attorney and NYCOM attorney for a full time employee vacation buyback program.

The following Resolution by: Trustee James Mark Browne;

Seconded by: Trustee David Flaherty.

WHEREAS, the Village of Kinderhook Board of Trustees has determined that there is a need to recognize significant contributions of our full time employees that allowed for continuation of local government services throughout the COVID-19 pandemic emergency with limited interruptions and

lessening of non-essential services as documented in our NYS Public Employer Public Health Emergency Plan, and;

WHEREAS, these same full time employees accepted staggered and remote work shifts, created and executed new health protocols for their safety and the safety of Village residents in a timely and professional manner, and;

WHEREAS, it was very difficult for these same full time employees to take their accrued vacation time under these conditions, and it was a contributing factor to these same full time employees exceeding the Village policy for maximum accumulation of days that can be carried over into the new year starting June 1st, 2021; and

WHEREAS, if these employees are to utilize these earned accruals, it could compromise and delay the Village's ability to complete tasks for the benefit of residents; now be it resolved;

RESOLVED that based upon the foregoing, the Mayor is authorized to execute for the reasons indicated above, and, for the selected time period of, May 13th-31st, 2021; the Village of Kinderhook will provide that all full time employees as of May 1st, 2021 can choose to make an irrevocable decision to accept a one-time cash payment of the monetary value of their accumulated and unused vacation time to reduce their accumulated vacation accruals to a remaining balance of thirty (30) days as of the end of May 2021. This payment will be made in May 2021 at their May 2021 rate of compensation and is taxable income. This one-time payment is due to the COVID-19 global pandemic and the impacts upon the Village and the Village's employees and does not establish a past-practice or future precedent.

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

Mayor Dale Leiser;

Trustee David Flaherty;

Trustee Dorene Weir;

Trustee Michael Abrams; 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.

APPLICATIN OF USE

A motion made by Trustee Flaherty to approve the request from Resa Dimino to use the Playground Pavilion on Sunday, May 16, 2021 from noon to 4 pm, an event to meet the candidates for School Board; seconded by Trustee Browne. All voted "aye".

TAXPAYER TIME

There will be a Memorial Day Parade scheduled. Mayor Leiser will forward the details to the Village Board when he receives them.

The village received a request from Craig Warrington to purchase the triangle piece of land behind his house along the trail that the village purchased from Samascotts for the AHET. Mayor Leiser spoke with Andy Beers who informed Mayor Leiser that it would need to go through NYS Legislature and NYS Parks and Recreation. The village would also have to designate another parcel in the village of the same size as park land. This would be costly to the village. Mayor Leiser also spoke with Jake Samascott who was interested in possibly placing a bench or tree in memory of his sister Kayla Samascott giving approval if they choose to move forward.

Village office and Van Buren Hall- Until the ramp project is complete entering the Village Hall the Village Hall will stay closed. Van Buren Hall will open up informing the renters they need to follow the protocols of CDC. There will not be any additional cleanings done by the village but sanitizing products will be made available. A waiver may be signed by the renters.

Former Trustee Brain Murphy would like a current trustee to place speed on village streets to their agenda. He would like to share the data he has gathered on speed signs and discuss the speed study report done by the engineers for the village. Trustee Abrams noted he has a meeting with former Trustee Murphy on Friday and will be the contact person moving forward. He will inform him of the conversations he has already had in the back round but with every action there is an unintended consequence as well the village needs to talk about as a board and as a community to understand what the risks are. Mayor Leiser has been in contact with the Sheriffs

Department to assist in monitoring the speeds in the village especially on Albany Ave. They do not have a resident Sheriff for the area but they are aware of the village's concerns. They will be providing the village with the Sheriffs Departments speed sign.

Mr. Palumbo neighbor of 48 William Street thanked everyone involved for the removal of 48 William Street he is concerned with the overgrowth of vegetation that is growing up and over the fences in the neighbor's yards and roots growing into his garage.

Paul Calcagno inquired if the village has had any serious talks on installing public bathrooms in the village square. With the trail going in he is seeing the need for public restrooms he has seen a great increase with bicyclist also. He thought the village may add bike racks by the water trough and not allow parking. Mayor Leiser noted there are hook ups there but it comes down to funds. Grant funds would need to be sought out. The village will call and have the outhouse delivered as the village has done in the past.

A motion made by Mayor Leiser to adjourn the Village Board meeting at 8:44 pm; seconded by Trustee Flaherty. All voted "aye".

Respectfully submitted,

Nicole H. Heeder
Village Clerk