

Wednesday, September 13, 2023  
Village of Kinderhook Regular Board Meeting  
Minutes

Present: <b>Mayor Mike Abrams</b> <b>Clerk/Treasurer Nicole Heeder</b>	Trustees: <b>Dorene Weir</b> <b>James Mark Browne</b> <b>Susan Patterson</b> <b>Quinn Murphy</b>
Attendees: Dave Booth, Larry Eisen, Dale Leiser, Jerry Callahan, Trevor Bean, Renee Shur, Richard Phillips, Bill Mancini.	

Mayor Abrams opened the Regular monthly board meeting at 7:00 pm. All stood for Pledge of Allegiance.

1. Clerk/Treasurer (Nicole Heeder)

- Minutes of August 9, 2023, Regular monthly Village Board meeting and August 23, 2023 Albany Ave Special workshop meeting.

Trustee Weir motioned to approve, Trustee Murphy seconded, all voted 'Aye.'

- Budget Amendments

From Playground Savings to A. 7140.4 recreation contractual \$4,569.00.

Trustee Weir explained that the tennis court repair work was delayed due to weather, the money was in previous budget, it couldn't be used. The money's coming from Playground Savings account.

Trustee Weir motioned to approve, Trustee Patterson seconded, all voted 'Aye.'

- Abstract - Treasurer Heeder reported abstract totaling \$66,848.69; General fund \$16,497.80; Water fund \$2,501.88; Albany Ave. water projects \$47,849.11.

Trustee Weir motioned to accept, Trustee Patterson seconded, all voted 'Aye.'

- Treasurer's Report

Trustee Patterson questioned Planning Board's budget this month was higher than previous month by couple hundred dollars? Clerk/Treasurer Heeder will research.

Trustee Murphy motioned to approve, Trustee Browne seconded, all voted 'Aye.'

- Schedule of annual audit of the Village Clerks and Court Clerk's books -

Per Mayor and Clerk Heeder – to be held October 11<sup>th</sup>, 2023, at 6:00 pm prior to next regular village board meeting.

2. Code Enforcement Officer (CEO Trevor Bean)

- Monthly Report submitted; reported 194,531 in improvements and closed out a couple properties with assessor.
- Updated fee schedule

Mayor Abrams motioned to approve updated fee schedule, Trustee Weir seconded, all voted 'Aye.'

### 3. Fire Department (Dep. Chief Larry Eisen)

9 calls, 2 drills, 4 details,

As of this month 68 calls matching all of last year's total. Likely to be 30-40% over last year, part of issue including covering Stuyvesant, fire trucks not able to go over the Stuyvesant bridge issue, and we're mutual aid for both 24/7 for most calls. This year has other normal fires etc. Per Trustee Murphy fire alarm activations also. Per Larry Eisen, storm calls and running mutual aid for those and in return we get mutual aid in our district. Trustee Murphy commented on the Fire Department's emergency readiness. Stated when the storm hit last Thursday and they needed to close road, FD called DPW for signs but next time will just take signs. Speaking on behalf of the Fire Department it's not an adequate storm shelter for emergencies. There are no cots/water/food. It has roof, air conditioning and heat but no WIFI when the power's out making it not a feasible place. If we could be more prepared, also enact emergency situation plan for resident's awareness prior to. When village email was sent a lot of residents didn't have WIFI or power and may not know firehouse was a place to shelter. Also, there's an issue of firefighters staying at firehouse. Per Dep. Chief the priority is to respond to calls, but firehouse has little to offer them, no dry ice or water. FD went to Chatham Saturday to help and handed out dry ice and water and responded to their calls to give them aid. Per Mayor we need to have a conversation.

### 4. Water & Sewer Commissioner (Commissioner Dale Leiser)

- Unpaid water & sewer Water ending balance last month \$4,472.11, and September balance \$3,043.74. Of that \$3,000, approximately \$2,000 tied up in 2 customers owing \$1,600 and \$400. Working with them, waiting for Nate to get a reading of 2 comparable readings from March and now, and will negotiate. Sewer balance is \$14,659.96. Combined total \$17,703.70.

Getting information on variable frequency dry pump for pump 2, it's not in yet and has not heard back on timetable for arrival.

- Annual water inspection – done by DOH on August 18<sup>th</sup>, we did well, mentioning SCADA system and pipe on pump 1, and fixing windows. Per Mayor nice annual water inspection, posted to website and congrats to Dale and Dave.

### 5. DPW (Superintendent Dave Booth)

- Monthly update

- Repaired storm drains on 9 & Hudson St. Drains tied into state system and one on corner of bank may be owned by the village, put cones there for safety.
- Did shoring up along trail near Mills Park, a lot of land degrading, put heavy rock/stone in place to hold.
- New water service 29 Eichybush due to storm.
- Removing storm damage.
- Trail done except one more quick mow.
- Removed limbs on sidewalks for school buses.
- Getting ready for Fall and still have paving & potholes.
- McNary & Railroad quotes coming in.
- Trying to start to move fence at pump house for kayak launch.
- Lead/copper samples to get out by end of month.

Trustee Patterson asks will you get to the sidewalk on Church St. this year? No. Not scheduled. It was not budgeted for it. Had 2 calls to come look at it, but no one showed up to look at it. Still planning on doing sidewalk in front of pump house which is in heavy disrepair and received quote from Hall. Problem with Church St. is depth of excavation and how the

village is splitting up curbing there. Received no prices yet on that job, ADA also. Trustee Browne asks must we make it wider on Church St.? Yes. The idea is to pinch some grass next to the church, curbing set in concrete and deep, we'd need to cut into road 3 feet down length of sidewalk and provide ADA for entrance, planned to go to the sidewalk owned by school, with that tree slated to come down soon. Trustee Patterson mentioned handicap site there also may be affected. Yes, for ADA compliance. Trustee Browne asks do we have a dedicated bid package for that? No but we called 3 companies including J&J Slipform, but they didn't make it out. Trustee Browne asks could we put bid package out when doing Albany Ave. bid package? Dave Booth states it's feasible to itemize separately, any company that would bid Albany Ave. may be more than happy to bid on it. Trustee Browne mentioned get it done in the Spring. Trustee Patterson asks by this year's budget? Yes. DPW will reach out to companies again. Trustee Browne said we are going to get guidance by December on what companies we can use.

#### 6. Economic Development Director (Renee Shur)

- Monthly EDC Report

NYForward held 3 public meetings; talked to all project sponsors, asked for revisions, and had questions. The 3 projects she worked on went in today. There will be another meeting 9/20/23 from 6-8pm and would be wonderful to have more people in room providing perspective. She's working with Suzanne Lamb on new map for municipal parking lot to encourage folks to get more excited about historic locations in village. Helping Dorene and Kristy on the new website design which is finally getting legs.

#### 7. KBPA

- in midst planning for fall festival 10/7/23, Halloween, and Candlelight night – welcomes folks to meetings.

#### 8. Trustee Weir

- Recreation Commission – met 9/12/23 and discussed Saturday's upcoming Community Night at Rothermel Park. There will be book drop boxes for little free libraries. The Halloween Party will be 10/28/23 at 1:30 pm in the village square with music, donuts, and KBPA reading of the Legend of Sleepy Hollow at 3:00 pm with horse/costume, location TBD. Friday 12/8/23 will be Candlelight Night, assisting VRS Toys for Tots, with Gunny Clause back collecting toys.

- Hudson River Valley Greenway Grant – kayak launch, received permit to move forward with installation of launch at entrance site. DPW will move fence to allow for parking, preparations for site installation to be done in early spring, with permit expiring May 2024.

- Local Water Revitalization Program – preparing to hold public meeting to advise public on project - Bill Laraway suggested stations around room at Martin H. Glynn building showing different stages of project, with the idea that folks would be more interested versus sit down presentation, a multiple 2-3 hour opportunity for folks to stop by, with date TBD.

#### 9. Trustee Murphy

- Zoning Board – no new business
- Hudson St. traffic control – per data speeding is most egregious on Hudson St. with lots of walkers/bikers. Floats idea to lower speed limit to 25 mph zone instead of 30 mph, making penalties harsher for speeders, increases fines and points on license.
- Fire Department readiness request – discussed above
- Interior lighting - wait for village hall to change interior lights as we may win grant funds but for DPW and firehouse should look to do this asap. In few months may get \$5,000 grant to be put toward climate smart initiatives, if approved to get lights changed by time bill comes in, we may have grant. Trustee Patterson asks price tag? It's \$6,000-7,000 for DPW and firehouse, \$9,000 total for three buildings with saving of \$3,000 annually. We become better community climate wise, and can earn points. Bill Mancini spoke with Tara Donodio who said

we got approved for heat pump campaign, met quote, and received 600 points for clean energy leadership program, we have 2,600 now and 3,000 would get us eligible for a \$10,000 grant. Heat pumps has \$5,000 award, she said NYSERDA takes 1-2 months to come through with money. He usually gets an email from them and will advise. Solar powers on both buildings have reduced electric costs to village, over a year now. He did analysis for climate action plan on electricity and fuel usage for buildings. Those two buildings after solar panels, National Grid went down to nothing, basic costs \$25-30 month. Per Mayor once we receive money will dedicate to the lights.

- Speed sign data and updates on 2 future speed signs In August he tracked how many cars per day going 10 mph over and on Hudson St. 72 cars daily going 36 mph or higher, with average top speed daily is 47 mph, and monthly top speed was 57 two times. Mayor asked what time of day? Trustee Murphy will find out. Dep. Chief Larry Eisen reported one 57 mph was him responding to an emergency call. Some speeding may be legitimate. Mayor is continuing with enhanced enforcement, the time of day is important to know. Continuing with enhanced enforcement at 4 hour intervals, 8-4pm, hopefully will hear if any timeframes fulfilled, will target them on that street. On Albany Ave. 33 cars going 41 mph or higher daily with average top speed 49 mph. On Eichebush 51 vehicles going 36 mph or higher, with 49 mph daily top speed. Gaffney speed limit is 25 mph, at 36 mph over it's less than a car/day suggesting less of an issue compared to other roads with daily top speed 36 mph. Getting question about what numbers look like now compared to start? Got data for Albany Ave. and Hudson St. on 8/24/22 but Albany Ave. only one he can compare to. Changed numbers when he took control but they used to be 7mph or 3mph over so doesn't have accurate comparison data. For Albany Ave. the first full month of speed signs, 33 cars going 41 over - .3 higher than 33.1 of August of this year. First week of the sign being up it was 25.75 cars, so they slowed down cars. Get Mayor days/times to get to troopers/sheriffs. Trustee Browne looked at data, Trustee Murphy has done a fantastic job as these are most difficult streets with overall 15% speeders going over 10 mph over the limit. And there's more cars on roads. Although people in middle, a segment will slow down 3-7mph but for some people the sign doesn't affect them and only ticketing will help. Trustee Murphy relayed an issue with 2 new speeds signs slated for Route 9 – cannot put them on existing utility poles per DOT. Met with engineer asked for waiver but DOT said we need to put them on breakaway poles. Trustee Patterson inquired about breakaway poles? They're expensive, \$2,000 a piece. Per DPW they need 2 posts, their top heavy, affected by wind, do 2 breakaways with middle, takes up space, eyesore, reduces sight distance. Really best on utility poles. Trustee Patterson inquired what about extra poles not being used? They don't want us on poles. Trustees Murphy and Browne met again with engineer today, went over documentation that we have insurance policy to work on Route 9, insurance for crews will be added on to rates. He still thinks it's best place to put signs. Trustee Patterson favors 25mph mentioned for Hudson St. Mayor reminded we reduced speed in village a few years back. Can't do Route 9. Trustee Browne elevated concerns getting trucks off Route 9 with regional engineer.

- Climate Smart Task Force monthly update – 2019 signed up for powering village with solar with Nexamp who delayed project, would like to opt out with Nexamp, would be 90 days' notice and then sign onto community solar already up and going. Save 10% on electricity bill, Rob Fitzsimmons reviewed, and approved switch and National Grid is on board. Trustee Weir spoke to Bill Mancini who provided contact for community power, got reference list – how municipalities worked with community solar – all had positive experience, good rating, very confident moving forward. Bill Mancini corrects name of company to Power Market.

- Resolution on Community Solar for Municipal Electricity Accounts - Trustee Murphy read RESOLUTION NO. [3]

RE: Community Solar for Municipal Electricity Accounts

**WHEREAS**, the Board of Trustees of the Village of Kinderhook is concerned about the sharp rise in energy prices and the impact on municipal utility bills and the Village budget; and

**WHEREAS**, by enrolling in community solar, also known as Community Distributed Generation, the Village will reduce utility costs while helping our community be more energy independent and sustainable, and

**WHEREAS**, by taking this step, the Village is well positioned to earn points and grants through state programs including Climate Smart Communities and Clean Energy Communities, and

**WHEREAS**, PowerMarket is a community solar provider with experience enrolling municipal buildings and facilities in community solar; and

**WHEREAS**, the Village's municipal accounts will be enrolled in a community solar project located in Taberg, New York that will generate utility bill credits based on the electricity produced by the solar panels and a portion of those credits will be applied directly on the Village's National Grid electricity bills each month and offset the electricity delivery and supply charges on each eligible account, and

**WHEREAS**, the Village will therefore begin receiving an estimated 10% discount on its eligible electricity costs, or an estimated \$6,800 in cost savings for the Village, and

**WHEREAS**, the Board of Trustees is committed to enrolling its municipal buildings and facilities in Community Solar, and due to delays in receiving the anticipated credits from Nexamp, has agreed to send a cancellation notice to Nexamp, and will await Nexamp's effective cancellation date before entering into an agreement with PowerMarket; and

**WHEREAS**, the Village Board of Trustees of the Village of Kinderhook has reviewed the Solar Community Distribution Generation Subscription Agreement and finds that entering the agreement following Nexamp's effective cancellation date is in the best interest of the Village of Kinderhook.

**NOW, THEREFORE, BE IT RESOLVED**, that the Village of Kinderhook approves the Community Solar Subscription Agreement with PowerMarket, subject to the effective cancellation date with Nexamp, and

**BE IT FURTHER RESOLVED**, that the Mayor is authorized to execute any and all documents to enter into the PowerMarket Community Solar Subscription Agreement following Nexamp's effective cancellation date.

Trustee Murphy motioned to adopt resolution, Trustee Weir seconded, all voted 'Aye.'

Community composting flyer – requests flyers be sent with water bills for community composting awareness. Saves money, good for environment. Last April sent out poster with water bills for heat pump campaign. Trustee Browne asked how does county deal with this? Per Bill Mancini there's not much county promotion, there are cans at transfer stations not being used. Bill Mancini raised to Chemung County CSTF as well as Environmental Management Council also, that counties have issue that residents don't know about it, would like to see them

place containers in towns in certain areas. In the future, county solid waste may set up schedule to pick these up and take away. It's food waste only. Per Mayor fine to include with water bills.

#### 10. Trustee Patterson

- General Code review project – special meeting scheduled to review submissions – making good progress, due date 9/9/23 asked for 1 month extension which was approved, set special meeting 9/26/23 for board of trustees to review all 125 questions. She and Jerry will summarize questions and send to trustees by 9/18/23 for careful review. There will be section looking for village board review. If we do due diligence in advance; meeting on 26<sup>th</sup> will be shorter. The village community is welcome but has no input.

- Planning Board update - met last week for regular monthly meeting, had 1 piece of business, a special use permit for home based business.

- National Grid - Hudson Street transformer conversion – transformers have been taken down, conversion has taken place, old ones now at bottom of Hudson St. below 9H overpass, awaiting pickup and are inactive.

#### 11. Trustee Browne

- Historic Preservation Commission – met 8/17/23 with no old business, only 1 application processed, transitioning oversight to Trustee Murphy by end of year. HPC met informally with Parks staff Dan McKay, Dep. Comm. and Weston Davies, Historic Staff on 2 sets of meetings in August and early September. HPC concerned with Albany Ave. projects and want NYS Parks to weigh in with site survey and make recommendations. It's happening in parallel with preliminary design being evaluated by DOT and other agencies.

- Albany Avenue Pedestrian and Bicycle Improvement Project – special board meeting 8/23/23, residents were heard and this board voted to deliver preliminary design to DOT. HVEA pulled together 241 pages, can't post it yet as has updated estimates on construction, but will post redacted copy. He called counterpart at DOT today who acknowledged receipt and sent out to other agencies. Will get informal responses back by end of September with final responses by end of October. Good because getting funding in phases. Trustee Browne showed schedule step 12 breakdown indicating a series of workshop meetings to be conducted on areas of concern, preparation of final design. Dates proposed are: Trees & Landscaping on Oct. 24<sup>th</sup>, which to keep, remove, or replace and greenspace; Speed reduction/bicycle and pedestrian safety – need feedback from DOT prior to scheduling, Historic Preservation & signs/street markings – hopeful to have recommendations from Parks and have accept/reject their suggestions found within. One additional dedicated meeting explaining water line conversion process.

Requested NYF DRI 20% reimbursement for expenses not covered by grant, sent to committee description of why critically important.

1) the tax base rise due to Albany Ave. Pedestrian & Bicycle Improvement Project would not be needed for 2026 through 2037. The debt percentage attributed to this project would also be eliminated.

2) it would help us borrow for other projects – Albany Ave. Watermain Upgrade project and those municipal projects you may choose to fund under NYF/DRI.

3) helps all the tax paying residents and businesses, should push hard to get this 20%.

Put forth to committee, shared with them the work he and Jerry Callahan did calculating what the tax implications are if not getting this money.

- Albany Avenue Water Main Upgrade Project –

Got preliminary design report from Tighe & Bond, looked over with Dave Booth, need additional meetings, will share with others, depending on what materials we use for watermain

will make difference with costs. Have an engineering estimate of how to proceed, with upcoming hard technical decisions, will share with Dale Leiser, Tom Mueller and Joe and other technical folks on committee.

Chargepoint power station – gave away power for free a few days in August and September due to power outages, it clicked back fee structure but now back to normal and working. On track to match our costs, bumped fees to about \$3,250 over course of year.

## 12. Mayor Abrams

- Confirm date for volunteer firefighter LOSAP referendum – Tuesday, October 17<sup>th</sup> – village residents can vote on moving forward, will pass resolution at special meeting end of September. Next week will push out information next week to residents and post on website.
- NY Forward LPC meeting scheduled for Wednesday, September 20<sup>th</sup>
- Establish a Kinderhook Community Award – where we recognize people who have volunteered or contributed to village. The idea was to recognize Chuck Rothermel for 50 years of service, will write up resolution for passage in October.
- Enhanced Enforcement – Sheriff's deputies moved from 8 hour to 12 hour shifts reducing deputy volunteers, Mayor has asked for 4 hour shifts for upcoming months. Per Trustee Weir target drive times.

## 13. Applications

- a. Lynn Anderson is requesting Van Buren Hall and lift on October 16<sup>th</sup>; 6:30-8:30pm to have the community get together to sing
- b. Kinderhook Reformed Church is requesting to place a sign on the corner by the bank advertising Brooks BBQ from 9/7/23- 9/21/23
- c. Kinderhook Memorial Library is requesting to close Sylvester St for a Library event on October 1<sup>st</sup> from 1pm-6pm. (Renaissance festival)
- d. Mark Harkness is requesting the Pavilion on Sept. 16<sup>th</sup> from noon -2pm for a picnic
- e. V.E.R.A. is requesting a banner to be placed on the corner by the bank advertising Artisan Festival
- f. Kinderhook Bottle Shop is requesting Van Buren Hall on October 21st or 28<sup>th</sup> from 5-7pm for a Documentary movie screening

Trustee Weir motioned to approve applications, Trustee Patterson seconded, all voted 'Aye.'

## 14. Taxpayer Time

Bill Mancini reported on the first meeting with Cornell last Monday, thanked Trustee Browne and Trustee Murphy for attending. On September 17, 2023, there's going to be a workshop at PS21 as part of north cohort of 8 municipalities in county meeting there to discuss vulnerabilities, at 1:00 pm. Requests to send info out? Yes, per Mayor.

8:06 pm Trustee Browne motioned to adjourn regular Village Board meeting and enter Executive session to discuss personnel with Clerk/Treasurer Heeder and Jerry Callahan, Trustee Weir seconded, all voted 'Aye.'

Minutes respectfully submitted by Sue Pulver.

No motions made.

8:23 pm Trustee Browne motioned to adjourn Executive session, seconded by Trustee Weir. All 'aye'.

Respectfully submitted,

Nicole H. Heeder  
Village Clerk/Treasurer