

August 22, 2017

Minutes of the Special Town Board Meeting held Tuesday, August 22, 2017, at 9:00 AM, at the Keene Town Hall. The following Town Board Members were present: Joseph P. Wilson, Supervisor, Paul R. Martin, Robert M. Biesemeyer and Jerry D. Smith, Members of Council. Absent: Michael J. Buysse, Member of Council. Also present were 9 residents and Ellen Estes, Town Clerk.

The Chairman, Mr. Wilson, called the meeting to order at 9:02 AM and invited everyone present to join in the Pledge of Allegiance.

The Town Board signed the following vouchers, numbered 520 to 530, totaling \$87,057.09 to be prepaid, these invoices will be shown on the abstract for the September 11<sup>th</sup> Town Board Meeting.

Mr. Wilson explained that the first order of business was for the purpose of appointing someone as Deputy Highway Superintendent to run the Highway beginning August 31<sup>st</sup>. He said this appointment could not be filled by a Town Board Member and that there was a short amount of time to get this done before Gary Manley's retirement. He said the Board needs to decide how to proceed and make an appointment.

Mr. Biesemeyer explained that at the last Town Board Meeting a decision had been arrived at during an Executive Session.

Mr. Wilson disagreed saying it needs to be done in public.

Mr. Martin said another Executive Session needed to be held.

Mr. Wilson again said the resolution needs to be done in open session.

Mr. Biesemeyer said he thought this issue was a "done deal", he said there is nothing to hide saying there was only one applicant on the Highway crew willing to take this appointment.

Mr. Smith said the Board should have taken action when they returned to open session.

Mr. Biesemeyer said there are a couple questions that need answering saying they are "Who are the likely candidates and who are the other candidates?"

Mr. Smith said this appointment should stay in-house.

Mr. Biesemeyer asked again "who the Board has as likely candidates"?

Craig Holmes said that he has been getting phone calls asking why this appointment wasn't advertised like the advertisement for Joe Pete's appointment. He pointed out that today's meeting was scheduled and advertised only 5 days, here in the office, and was scheduled on a Tuesday morning when most people can't come. He said it is small town politics.

Mr. Biesemeyer explained that this issue has never come up before, he said that for the record, when Mr. Ferebee stepped down as Supervisor, Mr. Martin, the Deputy, took over as Acting Supervisor. He said there has been a lot of back and forth with appointing a deputy and with Gary planning to retire and then withdrawing saying at that point, Scott Smith was the only person willing to step up. He said when Gary turned in his resignation, he talked to the highway crew himself and asked who the likely candidate for deputy would be. He said one is needed to keep time cards and conduct day to day business.

Mr. Holmes asked why this person needs to come from inside.

Mr. Biesemeyer said they generally do.

Mr. Holmes asked why this wasn't done with Mr. Ferebee's vacancy.

There was a brief discussion about finishing Mr. Ferebee's term. Mr. Biesemeyer explained that Paul Martin didn't want to finish it out.

Mr. Biesemeyer said that Scott Smith was the only candidate from the Highway Crew that was willing to fill this appointment.

Deb Holmes asked how many times the Crew had been approached saying that Joe Pete went to Craig months ago and later Scott stepped up.

Mr. Biesemeyer said that he had talked to everyone at the Highway Department and that Scott was the only interested applicant for deputy, which is how it stands right now. Scott Smith said that when Mr. Wilson came to the Highway Department looking for someone run as a candidate for Superintendent, it was a big decision. He said Reggie Whitney has the most time and everyone waited for his decision first. He said that no one really said "no".

Mr. Wilson said that from his end, no one said “yes”. He said that it was time for a change in the highway needing someone new at the helm saying that Gary was back and forth about retiring.

Scott Smith said they didn’t know until July that Mr. Manley was going to retire.

Mr. Wilson said nobody knew anything.

Mr. Martin said that when there is a vacancy, the Board can appoint from within or out, but said it makes sense to appoint from within where someone knows the job.

Mr. Holmes said he has nothing against Scott, he said it’s the ethics saying it’s “small town games/small town politics”. He said it should have gone outside first.

Mr. Biesemeyer said the Board didn’t do anything they thought was unethical, he said they only had one candidate for Deputy to choose from.

Mr. Holmes said picking someone from the race is unethical.

The Board began to prepare for Executive Session when Mr. Holmes asked if he could ask a question. He asked if the pay for the position of Highway Superintendent was going to be lowered.

Mr. Biesemeyer said that hasn’t been decided.

Mr. Holmes asked when the Board would know. He asked when the budget meeting is.

Mr. Wilson said the Board has been working on that and needs to make a decision saying that the first public budget workshop will be on September 11<sup>th</sup>.

There was a brief discussion on whether this was a rumor.

Mr. Biesemeyer confirmed that the amount of the salary was up for discussion. He said it hasn’t been decided yet, he said it still needs to be discussed.

#### Resolution No. 189 – 17

Mr. Martin offered a resolution and moved its adoption. Be it resolved, that the Town Board enter into Executive Session. This resolution was seconded by Mr. Smith.

Roll Call Vote:

Mr. Wilson:	Yes
Mr. Martin:	Yes
Mr. Biesemeyer:	Yes
Mr. Buysse:	Absent
Mr. Smith:	Yes

The Town Board entered into Executive Session at 9:15 AM.

#### Resolution No. 190 – 17

Mr. Smith offered a resolution and moved its adoption. Be it resolved, that the Town Board reconvene into regular session. This resolution was seconded by Mr.

Biesemeyer.

Roll Call Vote:

Mr. Wilson:	Yes
Mr. Martin:	Yes
Mr. Biesemeyer:	Yes
Mr. Buysse:	Absent
Mr. Smith:	Yes

The meeting was reconvened at 9:29 AM.

Mr. Wilson explained that the Board had continued their discussion and were now ready to have a vote.

#### Resolution No. 191 – 17

Mr. Martin offered a resolution and moved its adoption. Be it resolved, that the Town Board appoint Scott Smith to act as Deputy Highway Superintendent beginning on August 31, 2017 through December 31, 2017. This resolution was seconded by Mr. Biesemeyer.

Roll Call Vote:

Mr. Wilson:	Abstain
Mr. Martin:	Yes
Mr. Biesemeyer:	Yes
Mr. Buysse:	Absent
Mr. Smith:	Yes

Mr. Wilson said that Scott Smith will be sworn in as Deputy Highway Superintendent. He asked if there was any further discussion.

Resolution No. 192 – 17

Mr. Smith offered a resolution and moved its adoption. Be it resolved, that with all business having been transacted, this meeting be adjourned. This resolution was seconded by Mr. Martin.

Roll Call Vote:

Mr. Wilson:	Yes
Mr. Martin:	Yes
Mr. Biesemeyer:	Yes
Mr. Buysse:	Absent
Mr. Smith:	Yes

The meeting was adjourned at 9:30 AM.

Ellen S. Estes, Town Clerk  
August 22, 2017

Joseph P. Wilson, Jr., Supervisor  
Paul R. Martin, Councilman  
Robert M. Biesemeyer, Councilman  
Michael J. Buysse, Councilman  
Jerry D. Smith, Councilman