

August 14, 2018

Minutes of the Town Board Meeting held Tuesday, August 14, 2018, at 7:00 PM, at the Keene Town Hall. The following Town Board Members were present: Joseph P. Wilson, Jr., Supervisor, Robert M. Biesemeyer, Michael J. Buysse, Jerry D. Smith and Teresa Cheetham-Palen, Members of Council. Also present were: 18 residents, Ryan Hall, Water Superintendent, Scott Smith, Highway Superintendent, Debra Whitson, Town Attorney and Ellen S. Estes, Town Clerk.

The Chairman, Mr. Wilson, called the meeting to order at 7:00 PM and invited those present to join in the Pledge of Allegiance.

Resolution No. 155 – 18

Ms. Cheetham-Palen offered a resolution and moved its adoption. Be it resolved, that the Town Board approve the Minutes of the July 10th Town Board Meeting, as presented. This resolution was seconded by Mr. Buysse.

Roll Call Vote:

Mr. Wilson:	Yes
Mr. Biesemeyer:	Yes
Mr. Buysse:	Yes
Mr. Smith:	Yes
Ms. Cheetham-Palen:	Yes

Privilege of the floor was offered.

Dan Plumley was present as an Officer for the Keene Fire Department, he said he was here tonight seeking consideration for permission granting the installation of a L.E.D. internally lit sign for in front of the Fire Department. He explained he has been to the Planning Board who said they cannot make exceptions to the Site Plan Review Law and who suggested he come to the Town Board to ask for an Exception for Public Service. He stated that Keene has the most modern fire department building in the Adirondack region and everyone connected to the department are all unanimous in supporting this sign for the sake of public safety. He said their sign would not have to be glaring or obtrusive. He spoke of the central location between the interstate with Chapel Pond and Lake Placid with the Cascade Pass saying this sign could be used to alert drivers to emergency problems on the road.

He said he was here tonight asking to work together on the concept saying he was willing to work with anybody from the Town Board willing to discuss the department's needs.

Mr. Plumley showed a rendition of the sign similar to what they would be proposing.

Mr. Biesemeyer asked how big the face of the sign would be; Mr. Plumley answered that it would be within the 20 square feet allowed, saying it would be 3½ feet by 5½ feet.

Mr. Biesemeyer asked if the pedestal could be made of something other than brick; Mr. Plumley said yes and said the department has talked about river stone also.

Mr. Buysse asked if the sign would advertise other things happening in the Community; Mr. Plumley said yes, that it would definitely have a community purpose.

Donna Reed Austin asked if it would have a running message; Mr. Plumley said no, saying they would change the messages but it would not be running through messages.

Mr. Plumley said the Department had gotten a letter of non-jurisdiction from the APA.

Mr. Biesemeyer asked for clarification, asking if what they are looking for is a variance to the Site Plan Review Law; Mr. Plumley said it was.

Mr. Smith asked how many nearby departments have this type of sign; some discussion followed; Peru's sign was mentioned.

Again, Mr. Plumley said the drawing he had was just one rendition and again, he said that it would not have to be glaring.

Mr. Biesemeyer asked how this sign would be paid for; Mr. Plumley said through the Fire Department's budget and through fundraising. He stated that the sign would cost between \$12 to \$14,000. He said the Department is getting ready to publish another fundraiser publication saying the last one raised \$21,000.

Lastly, Mr. Plumley explained to those present that there is ample space for this sign in front of the department.

(continued)

Jim Bernard, who was present in the audience, stated that he would prefer a static or an interactive sign.

Mr. Wilson informed Mr. Plumley that the Town Board would do a little more research and thanked Mr. Plumley for his presentation.

For the first discussion under old business, Mr. Wilson handed the floor over to the Clean Energy Committee for their street light presentation.

Pete Nelson showed and explained a live demonstration of the street light mapping put together by David Craig using information gathered by the members of the Clean Energy Committee.

Bunny Goodwin explained some of the details of the demonstration in more detail speaking about the condition of the equipment and road safety.

Carolyn Peterson said the committee has put a notice on Nextdoor Keene asking for the community's help regarding the accuracy of the information that has been documented. She said there is a link on NDK to view the presentation.

She went on to say the Committee is waiting for NYSEG to get to them.

Ms. Cheetham-Palen asked what criteria is used to determine where street lights are placed.

Mr. Wilson said there is no criteria saying those that harass the Town Board usually get them. He thinks that originally having a lot of street lights signified that a town was doing well.

Mr. Biesemeyer said he thought that was correct, he said there has been a lot of push back from residents when the elimination of lights is suggested. He said the Town Board has tried in the past to eliminate some.

Ms. Peterson said the purpose of doing this inventory was to determine the amount of energy usage and to try saving the Town money. She said there are two scenarios that can be used; one is to convert the lights to L.E.D. and the other is for the Town to take over ownership of the lights.

She said the Town currently has around 132 to 135 streetlights.

Dan Mason said the Town is paying approximately \$16,000 a year for the streetlight bill, he said this amount could be cut to \$8,000 a year and would cost about \$4,000 to convert. He said the savings to the taxpayers in the first year would be \$4,000.

Ms. Goodwin said that NYSEG has told the committee that the Town of Keene is number 71 on the list for conversion saying the work may be done in the late Spring.

Mr. Wilson said the NYSEG inventory is coming; Ms. Goodwin said it was the Committee's understanding that their inventory wouldn't be coming until just before installation.

Ms. Peterson said the Board may recall the resolution they adopted supporting ANCA; she said the requirements are not yet complete. She also said that some communities have street light policies.

Mr. Nelson spoke about the inventory (data base) shown here tonight and said it may be in the Town's best interest to own and maintain this data.

Mr. Bernard informed the Town Board that it is the team's interest to save the Town money, but he said deciding what criteria to use for deciding what street lights to keep is a Town Board issue, not a committee issue. He suggested that the Town Board form a street light policy.

Mr. Wilson thanked the Committee Members for all their work and stated that they have been a very effective committee.

The next discussion under old business to be discussed was the maintenance of private roads.

Mr. Wilson referred to the draft resolution that he, Scott Smith and Ryan Hall had discussed. He said he felt that private roads should only be maintained by the Town when the Town has an asset it needs to manage located on that road. He said this was a good time to get the word out and said the Board would need to come up with a final version.

Mr. Buysse suggested letting people in any affected areas know now.

Mr. Wilson said the areas affected are Trails End Way, Interbrook Way, Fairview Way and the road to the Garden Parking Lot.

Mr. Smith asked about Irish Hill Road; that seemed to be questionable; there was discussion regarding that sometimes a place to turn around has to be considered.

Mr. Wilson said this issue will continue to be talked about.

Resolution No. 156 - 18

Mr. Buysse offered a resolution and moved its adoption. Be it resolved, that the Town Board adopt the Budget Calendar for 2019, as presented. This calendar has been attached to and made a part of these minutes. This resolution was seconded by Mr. Biesemeyer.

Roll Call Vote:

Mr. Wilson:	Yes
Mr. Biesemeyer:	Yes
Mr. Buysse:	Yes
Mr. Smith:	Yes
Ms. Cheetham-Palen:	Yes

A request was received from Travis and Susan Gagnon asking for a reduction in their water rent due to the fact that they have done away with the apartment located in their house and have turned the house into a single family dwelling.

Resolution No. 157 – 18

Mr. Buysse offered a resolution and moved its adoption. Be it resolved, that the Town Board reduce the water rent fee for Travis and Susan Gagnon from a multiple family service to a single family dwelling. This resolution was seconded by Mr. Smith.

Roll Call Vote:

Mr. Wilson:	Yes
Mr. Biesemeyer:	Yes
Mr. Buysse:	Yes
Mr. Smith:	Yes
Ms. Cheetham-Palen:	Yes

The next request for a water rent reduction came from Kathy Gagnon, owner of the Cedar Run Complex. Her note to the Board indicated that the building has two ½ baths; she stated that this constitutes one bath in the real estate business and was asking for a reduction to one bath.

A brief discussion was held; Mr. Biesemeyer suggested tabling this for now allowing a little time for research.

The final request for a Water Rent change came from Harriet Kline, who indicated that the spigot on Mason Young Lane near her dilapidated lean-to is not used. She asked to have this shut off and remove this charge for that property.

This request brought about a brief discussion about how the debt service charge is accessed. Ms. Estes explained that every single parcel in Water District #2 is charged the flat fee of \$230, which is also charged to any out of district users that have public water.

Resolution No. 158 – 18

Mr. Smith offered a resolution and moved its adoption. Be it resolved, that the water rent and debt service charge accessed to Harriet Kline for her property on Mason Young Way be rescinded. This resolution was seconded by Ms. Cheetham-Palen.

Roll Call Vote:

Mr. Wilson:	Yes
Mr. Biesemeyer:	Yes
Mr. Buysse:	Yes
Mr. Smith:	Yes
Ms. Cheetham-Palen:	Yes.

Resolution No. 159 – 18

Mr. Buysse offered a resolution and moved its adoption. Be it resolved, that the Town Board accept the Report for Water Rents Collected in July, as submitted by the Water Rent Collector. This report has been attached to and made a part of these minutes. This resolution was seconded by Mr. Biesemeyer.

Roll Call Vote:

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

Ms. Cheetham-Palen: Yes

Mr. Wilson introduced the next topic for discussion listed on the agenda, Air B-n-B Vacation Rentals.

He said he has been approached by several concerned individuals; he said that Lake Placid is working on a regulation and said that he feels this is an issue here that needs addressing.

Ms. Cheetham-Palen said she felt there are a couple things that can happen from vacation rentals; she said that this causes the loss of the availability of long term rentals and creates a lot of transient traffic. She said one of the problems is that absentee owners are not aware of problems that may be occurring and that reigning it in so it remains neighborly would help strike a balance.

Debra Whitson also stated that it can be unfair to the local B&B owners.

Virginia Miller, introduced herself as a Keene Resident living on Corliss Point Way. She said she has a neighbor who is renting her house on Air B-n-B and it is a mess. She said she has had someone come right into her house looking for the rental, she said one renter was driving 40 or 45 MPH and she said one renter held target practice of somewhere around 24 rounds. She said this house is 1,970 square feet and is advertised as a 3 to 4 bedroom house and as a 14 person adventure home. She said they have a fire pit on their wooden deck and another fire pit near the woods with no fire extinguisher on site. She said it has turned into a party house and mentioned fireworks. She suggested that a permit system may help or having a local contact person to oversee the activity would help.

Mr. Wilson said that Lake Placid plans to have the rentals registered at a minimal fee; he said that with 3 complaints the owner's permit would be revoked. He said off street parking will need to be supplied according to the number of bedrooms involved. He said someone will need to be in charge that can respond to an incident within 10 minutes.

Mr. Biesemeyer suggested that the building inspector should be involved mentioning egress windows, etc.

Mr. Wilson also mentioned the need for CO2 and fire detectors.

Anne Childs, also from Corliss Point, noted that she is usually not alone, but was alone with her granddaughter when someone renting nearby came knocking at her door in a drunken state. She said she felt it was very invasive.

Ms. Miller also told of another incident that occurred saying she was outside in her hot tub when someone walked right over onto her property.

Mr. Wilson commented that the Board could wait to see Lake Placid's regulation before trying to invent the wheel.

Ms. Cheetham-Palen also stated that the Town of Inlet has regulations.

Carolyn Peterson commented that she thought having a local contact can help, she told of an incident at her house where she called a local contact who handled it.

Mr. Wilson said the Board would get started with coming up with steps saying they are committed to doing something.

Mr. Wilson said he got a request for help with noisy swimmers on Gristmill Lane.

Mr. Biesemeyer asked if it was from Mike Albano and went on to tell an incident that happened with the parking lot across from his property. He said that Mr. Albano had lined the edge of the road with boulders, when told by Mr. Biesemeyer and Mr. Smith that the boulders couldn't be in the Town's right of way, Mr. Albano moved them back further in the parking lot. Mr. Albano indicated there is a problem with partying at that parking lot; Mr. Biesemeyer went on to say that he walks that road a lot and he doesn't see any evidence of noise, drugs and alcohol.

Mr. Biesemeyer said Mr. Albano feels a precedent has been set by allowing boulders along the road at Blueberry Point. Mr. Biesemeyer said he doesn't think so considering that less than 25 feet from the road is a drop off to the river.

Mr. Biesemeyer suggested that walkers watch that area for evidence of partying.

Mr. Orr, who was present for another reason, said he and his wife swim there a lot and said it is quiet, he said he has noticed since the rocks were placed there, it has made that spot dangerous to turn around in.

Jill Bassett said she has lived on that road for 24 years and has never seen a rowdy crew. She stated that she sees that swimming hole as a "family" swimming hole. She said she is afraid this is the beginning of "a can of worms".

Resolution No. 160 - 18

Ms. Cheetham-Palen offered a resolution and moved its adoption. Be it resolved, that the Town Board enter into Executive Session for the purpose of discussing a legal issue involving the Adirondack Mountain Reserve. This resolution was seconded by Mr. Biesemeyer.

Roll Call Vote:

Mr. Wilson:	Yes
Mr. Biesemeyer:	Yes
Mr. Buysse:	Yes
Mr. Smith:	Yes
Ms. Cheetham-Palen:	Yes

Mr. Wilson, Mr. Biesemeyer, Mr. Smith, Ms. Cheetham-Palen and Ms. Whitson entered Executive Session at 8:12 PM.

Resolution No. 161 – 18

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 Ms. Cheetham-Palen.

Roll Call Vote:

Mr. Wilson:	Yes
Mr. Biesemeyer:	Yes
Mr. Buysse:	Yes
Mr. Smith:	Yes
Ms. Cheetham-Palen:	Yes

The Town Board reconvened into regular session at 8:19 PM.

Resolution No. 162 – 18

Mr. Smith offered a resolution and moved its adoption. Be it resolved, that the Town Board accept the Supervisor's Monthly Financial Statement for June and have it placed on file with the Town Clerk. This resolution was seconded by Ms. Cheetham-Palen.

Roll Call Vote:

Mr. Wilson:	Yes
Mr. Biesemeyer:	Yes
Mr. Buysse:	Yes
Mr. Smith:	Yes
Ms. Cheetham-Palen:	Yes

Resolution No. 163 – 18

Ms. Cheetham-Palen offered a resolution and moved its adoption. Be it resolved, that the Town Board approve the following bills for payment, including those that were prepaid. This resolution was seconded by Mr. Biesemeyer.

Roll Call Vote:

Mr. Wilson:	Yes
Mr. Biesemeyer:	Yes
Mr. Buysse:	Yes
Mr. Smith:	Yes
Ms. Cheetham-Palen:	Yes

Multi-fund Vouchers numbered 487 to 569, totaling \$123,911.10, as follows;

General Fund	- \$45,328.64
Highway Fund	- 40,890.72
Library Fund	- 4,334.45
Water District #1	- 1,284.06
Water District #2	- 13,536.77
Salt Shed Capital Fund	- 18,536.46

An email was received from Amy Ludlow thanking the Town for allowing the High Peaks Artists to use the Holt House for their Art Show. They also asked if the Town would be open to their organization donating some lighting for the other room they use. The Board felt this was a very generous offer.

Resolution No. 164 – 18

Ms. Cheetham-Palen offered a resolution and moved its adoption. Be it resolved, that the Town Board agree to allow the High Peaks Artists to donate lighting for the Holt House. This resolution was seconded by Mr. Smith.

Roll Call Vote:

Mr. Wilson:	Yes
Mr. Biesemeyer:	Yes
Mr. Buysse:	Yes
Mr. Smith:	Yes
Ms. Cheetham-Palen:	Yes

Mr. Wilson said he could foresee a problem with the allowance of brush and weeds being dumped over the bank at the highway garage.

Mr. Biesemeyer suggested stopping it.

Mr. Wilson questioned how, mentioning a sign.

Mr. Biesemeyer suggested the sign say “No Private Dumping”.

Mr. Wilson said he would start with a sign.

Mr. Wilson gave a brief update on Water District #2 saying there is no new word on funding.

He said that Todd Hodgson from Essex County Public Works has put out a bid for drilling the well.

Mr. Biesemeyer spoke about the well and the funding. He said a 6 inch well will be needed for monitoring, he thought something could be done in September. He said that Mr. Smith has already put a road into the well site.

Resolution No 165 – 18

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

Roll Call Vote:

Mr. Wilson:	Yes
Mr. Biesemeyer:	Yes
Mr. Buysse:	Yes
Mr. Smith:	Yes
Ms. Cheetham-Palen:	Yes

The meeting was adjourned at 8:32 PM.

Ellen S. Estes, Town Clerk
August 19, 2018

Joseph P. Wilson, Jr., Supervisor
Robert M. Biesemeyer, Councilman
Michael J. Buysse, Councilman
Jerry D. Smith, Councilman
Teresa Cheetham-Palen, Councilwoman