

July 10, 2018

Minutes of the Town Board Meeting held Tuesday, July 10, 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: 9 Residents, Scott Smith, Highway Superintendent, Ryan Hall, Water Superintendent, Deb Whitson, Town Attorney and Ellen Estes, Town Clerk.

The Chairman, Mr. Wilson, called the meeting to order at 7:01 PM and invited everyone present to join in the Pledge of Allegiance.

Ms. Cheetham-Palen said in the June Minutes the word striping was spelled as stripping.

Mr. Biesemeyer said he didn't feel the notes from the June Workshop regarding the policy related to the employee contribution on health insurance was clear. A brief discussion followed, Mr. Wilson said the phrasing on this issue in the new employee handbook would be reviewed before being accepted.

Resolution No. 142- 18

Mr. Smith offered a resolution and moved its adoption. Be it resolved, that the Town Board approve the Notes from the June 12th Workshop and the Minutes of the June 12th Town Board Meeting, as presented, noting the above comments. 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

Privilege of the floor was offered.

Carolyn Fish said she has just been diagnosed with a 3rd chronic disease and said with it hard to breathe she is not going to be able to keep running the food pantry and hauling food. She said the food pantry is currently serving 3 families.

Mr. Biesemeyer asked if she felt it served a purpose for those 3 families; she said it did.

Mr. Smith asked if these 3 families could be served in Wilmington; Mrs. Fish said Wilmington will not take them.

When asked if one of the churches would take over, Mrs. Fish said she had asked and said they won't.

Mrs. Fish said she has been doing this since 1998 saying that Linda Rasco helps her when she needs her.

She said the community has been very generous saying there is money to purchase the food needed, she just can no longer do the work.

She said she has taken care of the Certificate of Deposit saying it was given to the Library.

Mr. Wilson thanked Carolyn for her service and the heads up and said he would get together with her to discuss the situation.

Mr. Smith asked if anything was being done about the sign for the Dartbrook Store which blocks traffic exiting Bucks Lane.

Mr. Wilson said this same thing happened last year saying the Code Officer had to send a letter about moving it, he said he would talk to Mr. Martineau about doing that again.

Mr. Wilson introduced the first topic on the agenda which was for Water District updates.

He asked Rusty Hall, the KVFDF Chief, if that was what he was present for; Mr. Hall said with the minutes no longer on the website all he gets for information is hearsay.

Mr. Wilson said that was another matter and said the website is no longer functioning.

(discussion continued)

Mr. Wilson began his update by saying that Ryan Hall has done an inventory of hydrants in both districts and has logged in what needs to be repaired. He said the next step is to prioritize the repairs saying that it would realistically take 2 years to finish the repairs and painting.

Ryan Hall explained the process for painting hydrants saying each hydrant will take approximately 4 hours to paint. He said he would like to get them all working before starting the painting.

Rusty Hall said luckily the two hydrants near the Valley Grocery had worked, he said Ryan worked hard on them and said things could have been worse.

Mr. Buysse commented that looking at the list of repairs many of the repairs are related to cap replacement.

Ryan Hall said a lot of the caps are seized on from salt or being cross threaded and he doesn't want to force them until he has the inventory available for replacements.

Mr. Buysse asked if that meant that some of them may just need to be removed and lubed; Ryan said it may.

Mr. Wilson said that Ryan worked on a Standard Operating Procedure awhile back saying that hydrants are part of that plan and saying that the Town needs to start doing the regular maintenance called for.

Ryan explained that the Standard Operating Procedures were approved by the Department of Health saying he gave a copy of them to Mr. Ferebee for the Town Board and was not sure if they were ever approved by the Town Board. He said these Procedures should be approved yearly.

Ms. Cheetham-Palen asked "How did we get into the condition we are in?"

Mr. Hall explained that for many years the Town had a part-time person taking care of water quality.

Ms. Cheetham-Palen asked Mr. Hall what he needs to make these repairs happen; he responded that it would take time saying a lot of this work is seasonal. He said he has been working on the "valve exercising".

Mr. Biesemeyer said he had talked to Kirk Bassarab, who worked part-time on break repairs and water quality, and he said Kirk said he did not flush hydrants and was not sure if anyone else had.

Ms. Cheetham-Palen said she was trying to figure out why.

Resolution No. 143 – 18

Ms. Cheetham-Palen offered a resolution and moved its adoption. Be it resolved, that the Town Board approve and adopt the attached Standard Operating Procedures for Water District #1 and #2. These procedures, in their entirety, are attached to and made a part of these minutes. 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

Mr. Wilson said he had shared a letter from the Department of Health with the Board saying they are asking for an update on the progress being made at Water District #2. He said the Town is not making progress.

He said he went to Glens Falls last week to see Betty Little about help with funding for the needed replacement well. He said he is working with Betty Little on a \$200,000 grant toward the project, with no match from the Town. He said the problem is that the Town cannot get a driller here until fall for the type of well that is needed.

He also said he has called the Governor's Office for financial help, he said they are working with EFC.

Upon further discussion, Mr. Wilson said there is one driller available, but said they are charging double the cost.

Rusty Hall asked if there were any water restrictions at this time.

Mr. Wilson said that Ryan Hall is working with the people that have fountains and pools, but said there are no other restrictions.

(discussion continued)

Ryan Hall explained that last Summer before water leak repairs were made, the District was using more water than they could produce; he said so far this year the District is holding its own.

Ms. Cheetham-Palen asked what the contingency plan was.

Mr. Wilson said the desperate plan was using water from the stream.

Donna Austin asked if the Department of Health has given an ultimatum.

Mr. Wilson responded saying that DOH has been very helpful.

Mr. Biesemeyer commented that in the worst case the Town may have to pay the higher price for drilling.

Ms. Cheetham-Palen stated that Ryan is the Water Superintendent and asked if the Town has a second in charge; she said it seems like we should, saying her concern is that it's not efficient not to.

Mr. Biesemeyer commented that hopefully, when this whole thing is upgraded the problems will be solved.

The next topic introduced by Mr. Wilson was Hiker Parking / Summer Traffic / Trash.

Mr. Wilson began by saying he had sent letters to the Adirondack and Market Street residents asking if they would like highway cones or to have "no parking" painted at the entrance to their driveways. He said he had gotten some responses back opting for both.

He said the garden parking lot has been real busy with a couple of incidents happening.

He said that there has been a problem with trash saying people are using the dumpsters at the AuSable Inn and the school.

Mr. Biesemeyer said maybe the Town should look into compartment bins from Casella that have spots for recyclables, returnables and trash.

Ms. Cheetham-Palen said she doesn't think that idea is impossible.

Mr. Smith said he doesn't think that would work.

Ms. Cheetham-Palen suggested it may work if used near an educational kiosk.

Mr. Biesemeyer mentioned the community parking lot in Keene Valley.

Mr. Wilson said he and Ryan Hall will get together to try to come up with ideas.

Deb Whitson said that DEC has reached out to the Town Court asking how they would handle parking tickets as a result of road striping and no parking signs. She said they are preparing to start writing tickets. She said they plan to try using some human interaction and education first.

Mr. Wilson said the practice has been that NYS Troopers don't write parking tickets because Judges don't fine violators.

Enforcement was discussed.

Mr. Biesemeyer said he was under the impression that fees and fines from parking tickets are kept by the Town.

Carolyn Fish stated that there are no parking laws in Essex County.

Ms. Whitson explained that tickets can be written on state land or by local enforcement mechanism.

The next topic discussed was a Town Historian issue.

Mr. Wilson said that following the last meeting when the Town Board adopted a resolution to have all Town archives stored on Town property he sent a letter to the Town Historian telling her that. He said he didn't hear anything from her until today when she stopped by his office. He said she said it would take 3 to 6 months to prepare for this move and that she would need to have lock boxes for safety. He said that she said she was overwhelmed.

Mr. Smith said that the Board has been trying to have the archives moved to Town property for 3 years, he suggested that the Town go to her residence and demand to move it.

Mr. Wilson said he didn't think the town was going to get compliance.

Tom Both said the previous Historian, Tony Goodwin, may have ideas of what belongs to the Town and what belongs to her personally.

Mr. Biesemeyer suggested that this topic should be discussed in Executive Session with the end result on record.

Discussion on this topic ended with Mr. Wilson saying there was an Executive Session on the agenda for later tonight.

Resolution No. 144 – 18

Mr. Buysse offered a resolution and moved its adoption. Be it resolved, at the request of Bill Curtis, permission be given for lacrosse practice to be held on Marcy Field on Sunday, July 29th from 3:30 PM to 5:00 PM. 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 said he needed a resolution to hire 3 lifeguards and the Health Director/RTE for Youth Commission.

Resolution No. 145 – 18

Mr. Smith offered a resolution and moved its adoption. Be it resolved, that at the recommendation of the Youth Commission Board, the Town Board approve hiring Emily Whitney, Caitlyn Quinn and Evan Weig as Lifeguards and Hunter Buysse as Health Director/RTE. 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 said he had a request from the AuSable River Association and Cycle Adirondacks to set up a rest area near the Walton Bridge. He said he suggested they get a hold of the landowner to obtain permission.

Ms. Estes said she sent them an application for a highway permit for the event they have planned this weekend and asked the Board to approve it pending its receipt.

Resolution No. 146 - 18

Ms. Cheetham-Palen offered a resolution and moved its adoption. Be it resolved, that pending receipt of the completed application, Cycle Adirondacks be issued a Highway Permit for this Sunday's event with the permit fee being waived. 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

Mr. Wilson said the next topic on the agenda was Senior Bus Transportation and the requirements of the American Disabilities Act.

He turned the floor over to Pauline Dumas and Jean Coolidge, who had asked to speak about this issue.

Mrs. Dumas read a statement she had prepared to the Board. This statement began by giving a history on the Senior Bus, hiker bus, Senior trips, and the American Disabilities Act signed into law in 1990. She spoke of a disabled man from the Neighborhood House who used to ride the bus.

She told of mechanical issues the bus had early this spring and the costs given to have it fixed. She said the Town purchased a van which resulted in complaints following a Golden Peaks trip to Lake George. She said when Mr. Wilson showed Golden Peaks the bus, he said a step had been ordered and a basket would be installed on the rear of the bus and that seats could be removed when the group goes shopping. She went on to say none of this was done and that the van is not covered under the Disabilities Act.

(discussion continued)

Mr. Wilson said that he will call again about the step which hasn't come and will follow up with John about removing the seat.

Mr. Biesemeyer asked about fixing the old bus.

Mr. Wilson said he is afraid that after putting \$5 to \$10,000 into it, it will break down again. He said it is 14 years old and has 120,000 miles on it. He said he didn't think that was money well spent for 15 or 16 uses per year.

Mr. Biesemeyer said 120,000 miles wasn't a lot and said he wonders how bad it can be. Ryan Hall said it needs rear suspension and brakes, he said the steering bolts are loose and that parts alone are estimated to cost \$5 to \$6,000.

Mr. Buysse asked if we can continue to borrow a school bus.

Mr. Biesemeyer suggested teaming up with another Town.

Mr. Wilson stated that we also struggle to get drivers, he suggested renting a bus with a driver.

Mr. Biesemeyer said maybe Wilmington has a bus with driver that we can hire.

Mr. Wilson said as a place to start he would begin by seeing if the Town can hire a bus with driver from a transportation company, he asked the ladies if they thought that would work.

Ms. Cheetham-Palen responded that the cost of insurance, gas, etc. should be weighed in.

The next topic on the agenda was in regards to private roads that are being maintained by the Town. Mr. Wilson began by saying he has been discussing this with Scott Smith and Ryan Hall. He said it is his understanding that over time the Town has picked up maintaining private roads, some by the highway crew and some by the general fund crew. He said his question to the Board is which roads should the Town continue to maintain and who should maintain them.

Mr. Wilson said when the highway does work on private roads they charge it back such as the invoice in tonight's bills for hiker parking. He said that Mr. Hall grades, plows and sands Fairview Cemetery Way for the 2 or 3 times per year that the Town mows it.

Tom Both explained that in 1998 when the Garden Parking Lot opened as a Town parking lot, the Town Attorney advised that this private road could not be maintained with Town equipment and that was why it is plowed with the Water Department Truck.

Mr. Biesemeyer said he didn't like to shoulder Mr. Hall with the extra duties.

Mr. Wilson stated that he wasn't looking for a decision tonight but would like the Board to think about what they would like to do. He said he understands Trails End Way, but said he doesn't understand Fairview Cemetery Way. He explained all the extra work that Mr. Hall has to go through to grade a road saying it isn't cost effective for him to do it.

David Thomas-Train asked if this was the time to ask a question saying that he was told by a resident of Beede Road that that road is just an easement on private property.

He said that above his driveway on Beede Road it is like a speeding zone, he said he is concerned that paving would increase the speeds people go. He said he is concerned asking if guard rails would be added and that he is concerned about the runoff.

Ms. Whitson, who lives on that road, said the whole road is a "speeding disaster".

Scott Smith said he doesn't see a problem with paving causing more runoff, he said the maintenance in the winter would be easier and he doesn't see any changes regarding guard rails.

Mr. Thomas-Train questioned the criteria for change to a road.

Mr. Buysse said he thought the hard, flat surface would be safer.

Mr. Thomas-Train asked if speed limit signs could be installed.

Scott Smith said he would have the County look the situation over.

Mr. Wilson shared a copy of the new work order being used by the Town and explained that they will help in tracking work, assigning the costs and following up on the inspection of work done.

Resolution No. 147 – 18

Mr. Biesemeyer offered a resolution and moved its adoption. Be it resolved, that at their request, the Keene Valley Fire Department be issued a highway permit for their annual event to be held Sunday, September 16th and to waive the \$20 application fee. 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

Resolution No. 148 – 18

Mr. Biesemeyer offered a resolution and moved its adoption. Be it resolved, that the Town Board enter into Executive 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 and Town Attorney entered Executive Session at 8:39 PM, with Mr. Wilson stating that this session is for Personnel and to obtain legal advice.

Resolution No. 149 – 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 8:51 PM.

Mr. Wilson said the Board had a resolution to adopt and asked for a motion.

Resolution No. 150 – 18

Mr. Smith offered a resolution and moved its adoption. Be it resolved, that the Town Board adopt a resolution to terminate the current Town Historian, effective immediately, and collect all related Town property in one week. 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. 151 – 18

Mr. Buysse offered a resolution and moved its adoption. This resolution, a Resolution to Amend the 2018 Budget, in its entirety, 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

Resolution No. 152 – 18

Mr. Biesemeyer offered a resolution and moved its adoption. Be it resolved that the Town Board accept the Supervisor's Monthly Financial Statement for May and have it placed on file with the Town Clerk. 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

Resolution No. 153 – 18

Ms. Cheetham-Palen offered a resolution and moved its adoption. Be it resolved, that the following bills be approved 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 412 to 486, totaling \$64,551.02, as follows:

General Fund	- \$32,670.41
Highway Fund	- 22,790.77
Library Fund	- 1,853.80
Water District #1 Fund	- 3,228.17
Water District #2 Fund	- 4,007.87

Mr. Buysse asked for an update on the Gulf Brook Project.

Mr. Wilson said he is still trying to get the Governor's Office for Storm Recovery to release the easements and appraisals.

Resolution No. 154 – 18

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 Ms. Cheetham-Palen.

Roll Call Vote:

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

The meeting was adjourned at 8:57 PM.

Ellen S. Estes, Town Clerk
July 17, 2018

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