

August 9, 2016

Minutes of the Town Board Meeting held Tuesday, August 9, 2016, at 7:00 PM, at the Keene Town Hall. The following Town Board Members were present: William B. Ferebee, Supervisor, Paul R. Martin, Robert M. Biesemeyer, Michael J. Buysse and Jerry D. Smith, Members of Council. Also present were: Bob Stegemann, DEC, 5 residents, Deb Whitson, Town Attorney and Ellen Estes, Town Clerk.

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

Resolution No. 150 – 16

Mr. Biesemeyer offered a resolution and moved its adoption. Be it resolved, that the Town Board accept the Notes from the Bid Openings held Tuesday, July 5th, the Minutes of the Town Board Meeting held Tuesday, July 12th, the Notes from the Bid Opening held Wednesday, July 27th and the Notes from the Gulf Brook Landowner Informational Meeting held Thursday, July 28th, as presented. This resolution was seconded by Mr. Martin.

Roll Call Vote:

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|-----------------|---------------------|
| Mr. Ferebee: | Yes |
| Mr. Martin: | Yes |
| Mr. Biesemeyer: | Yes |
| Mr. Buysse: | Absent at this time |
| Mr. Smith: | Yes |

Mr. Ferebee introduced Bob Stegemann saying he is the Director of Department of Conservation's Region 5. He said he was here tonight to speak about the changes being made at the parking area at the intersection of Routes 73 & 9N.

Mr. Stegemann began by saying that the parking area has grown in size over the years and had gotten quite large and was in fact getting close to the barn. He said that DEC was concerned with legal issues and safety.

He said that the parking is being pulled back to its original state, saying however, that it is still about 6 feet over onto Forest Preserve Land.

He said the plan is to have about 8 stripped parking spots and landscape behind it with rocks and natural grass. He said there would be a short sidewalk to a viewing area which would be accessible for the disabled.

Mr. Ferebee said he was concerned there may not be enough room for cars that are parking saying there are some shuttle buses that use that as a pick up spot. He asked Mr. Stegemann if the Town could come back to him if there seems to be an issue.

Mr. Stegemann said yes, saying he wants to work with the Town.

Mr. Ferebee also said he was concerned that that area is used by the State to pile salted snow removed from the road and thought that it might kill the grass and leave the area rutted in the spring. He asked if this was a problem whether he should forward pictures.

Tom Both suggested that 8 spots may not be enough, pointing out that this area is sometimes used by vendors. He said that sometimes there are more than eight cars parked there.

Mr. Stegemann said that he is committed to talking with the Town and making sure the area is safe.

Mr. Biesemeyer pointed out that sometimes the State Police set up scales there, he asked if they had been consulted.

Mr. Martin gave a history on this parcel being taken by eminent domain in the 60's.

Mr. Biesemeyer spoke to the maintenance issue.

Bunny Goodwin asked if the viewing area would contain interpretive boards.

Mr. Stegemann responded that the viewing area would have railings with signage. He thanked Ms. Goodwin for her contribution.

The Board thanked Mr. Stegemann for coming.

Tom Both said he had two things to ask the Board.

He said first, that the Holt House was originally the "Legion House" saying the Town had purchased it from them. He said that the Legion has the original Charter Membership Roll and a bronze plaque. He said they are requesting that they be allowed to hang this framed Charter Membership Roll and plaque inside the Holt House. He also said that Janet Hall has helped to work on the history of the Holt House and it would be nice to hang that too.

The Board all agreed to this request, however, it was suggested that a copy of the Charter be used for display.

Mr. Both said the second thing he wanted to inform the Board was that Doug Downs, a former Board Member, longtime Member of the Local Rescue Squad and scout leader, had just recently finished hiking the entire Appalachian Trail. He asked if the Board would offer a resolution of recognition for this endeavor. Mr. Ferebee asked Mr. Both if he would write one up for next month's meeting, Mr. Both said he would.

Mr. Both introduced Bob and Susan Wei, who asked to be put on the agenda.

Mrs. Wei began by saying she loves the community and loves to see people enjoying it, but said that for the last couple weeks, hikers have been parking along the Johns Brook Road anywhere there is a spot. She said that the area residents don't know what to do about it. She asked if extra signage could be put up or if extra monitoring could be done. She said she is worried about this being a growing trend and worries that attention could be drawn to their house when it is vacant. She said she is also worried about the safety issue.

Mr. Ferebee explained that enforcement is difficult saying that by the time the State Police or Sherriff's Patrol get here the cars are gone.

He said that day hikers can park at the school in the summer, which is what the Parking Lot Attendant tells cars that come after the lot is full.

He assured the Weis' that the Town recognizes there is this issue which has been ongoing. He said he has spoken to Senator Betty Little about the possibility of funding for extra shuttle service.

He told the Weis' that he would work on getting the discarded No Parking signs replaced.

Mr. Smith suggested that the Weis' have large rocks placed to restrict parking. Mr. Ferebee said rocks cannot be placed in the right-of-way.

Mr. Biesemeyer pointed out that the Governor promotes hiking in the High Peaks but doesn't help with crowd management.

Mr. Both said that a committee was formed in 1997/1998 and that was how the shuttle program was established.

Mr. Biesemeyer pointed out that if there were no parking signs a Ranger can write tickets.

Mr. Ferebee commented that he had been told that 10,000 people had signed in to hike Mount Marcy in July.

Again, Mr. Ferebee assured the Weis' that he would get new signs installed in the next couple days.

Bob Wei said he felt that when the parking lot was full there was not the proper directive being given as to where to park.

Resolution No. 151 – 16

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 Remembrance Run on September 11th with the \$20 fee being waived. This resolution was seconded by Mr. Buysse.

Roll Call Vote:

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|-----------------|-----|
| Mr. Ferebee: | Yes |
| Mr. Martin: | Yes |
| Mr. Biesemeyer: | Yes |
| Mr. Buysse: | Yes |
| Mr. Smith: | Yes |

Mr. Ferebee asked for a resolution to accept and award the bid for the painting of the Holt House. He said this project would be paid for with the balance remaining from the Scenic Byways Grant.

Resolution No. 152 – 16

Mr. Biesemeyer offered a resolution and moved its adoption. Be it resolved, that the Town Board accept the Bids for Painting the Holt House as opened on July 27th and award the bid to the lowest bidder, Fiddlehead Contracting at the bid price of \$8,600. This resolution was seconded by Mr. Martin.

Roll Call Vote:

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|-----------------|-----|
| Mr. Ferebee: | Yes |
| Mr. Martin: | Yes |
| Mr. Biesemeyer: | Yes |
| Mr. Buysse: | Yes |
| Mr. Smith: | Yes |

Resolution No. 153 – 16

Mr. Buysse offered a resolution and moved its adoption. Be it resolved, that the Town Board adopt the Budget Meeting Schedule for Fiscal Year 2017, as worked out in the office. This resolution was seconded by Mr. Martin.

Roll Call Vote:

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|-----------------|-----|
| Mr. Ferebee: | Yes |
| Mr. Martin: | Yes |
| Mr. Biesemeyer: | Yes |
| Mr. Buysse: | Yes |
| Mr. Smith: | Yes |

Mrs. Estes gave an FYI that in tonight's bills to be paid is a voucher to repurchase a cemetery lot from Donald Gaffney.

Mr. Ferebee said that he had received another request for a Wedding on Marcy Field for 2017.

Mr. Biesemeyer said he felt the Town should investigate fees for these events.

Mr. Ferebee said he usually tells people there is no fee but a donation would be accepted. He also said the Town always requires the user to provide their own insurance.

Resolution No. 154 – 16

Mr. Martin offered a resolution and moved its adoption. Be it resolved, that at their request, the Town Board give permission for Jason Kowalski and his fiancé, Molly, to use Marcy Field for their wedding scheduled for Saturday, July 8, 2017. This resolution was seconded by Mr. Buysse.

Roll Call Vote:

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|-----------------|-----|
| Mr. Ferebee: | Yes |
| Mr. Martin: | Yes |
| Mr. Biesemeyer: | Yes |
| Mr. Buysse: | Yes |
| Mr. Smith: | Yes |

Resolution No. 155 – 16

Mr. Buysse offered a resolution and moved its adoption. Be it resolved, that at the request of Don Devaney, LEAFE be given permission to use Marcy Field as a base camp for their medical tents and meeting place for activities they have scheduled for Thursday, Sept. 29th to Monday, Oct. 3rd. This resolution was seconded by Mr. Biesemeyer.

Roll Call Vote:

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|-----------------|-----|
| Mr. Ferebee: | Yes |
| Mr. Martin: | Yes |
| Mr. Biesemeyer: | Yes |
| Mr. Buysse: | Yes |
| Mr. Smith: | Yes |

Resolution No. 156 – 16

Mr. Biesemeyer offered a resolution and moved its adoption. Be it resolved, that the Town Board accept the Report of Water Rent Collections for July (this report has been attached to these minutes). This resolution was seconded by Mr. Martin.

Roll Call Vote:

Mr. Ferebee: Yes
Mr. Martin: Yes
Mr. Biesemeyer: Yes
Mr. Buysse: Yes
Mr. Smith: Yes

Resolution No. 157 – 16

Mr. Martin offered a resolution and moved its adoption. Be it resolved, that at the request of Gary Manley, Highway Superintendent, Scott Smith be named Deputy Superintendent of Highways, effective July 1, 2016. This resolution was seconded by Mr. Biesemeyer.

Roll Call Vote:

Mr. Ferebee: Yes
Mr. Martin: Yes
Mr. Biesemeyer: Yes
Mr. Buysse: Yes
Mr. Smith: Yes

Resolution No. 158 – 16

Mr. Martin offered a resolution and moved its adoption. Be it resolved, that at their request, Sarah Hoyo and Christopher Miller be given permission to use Marcy Field on Saturday, October 8th, 2016, as the location for their wedding. This resolution was seconded by Mr. Ferebee.

Roll Call Vote:

Mr. Ferebee: Yes
Mr. Martin: Yes
Mr. Biesemeyer: Yes
Mr. Buysse: Yes
Mr. Smith: Yes

Mrs. Estes gave the Board an FYI that they would find a copy of the State Inspection and the County Monitoring Report performed on the Youth Commission Program in their mailboxes.

A Letter of Support for the Youth Commission Summer Program was received by the Supervisor and shared with the Board. Michael Buysse was asked to share this letter with the Youth Commission Board.

Mr. Ferebee informed the Board that he received a letter from a landowner along the AuSable River that intends to sue the Town of Keene for not protecting their property from further floods. Mr. Ferebee said he forwarded the documents received to FEMA and to Deb Whitson, the Town Attorney.

Resolution No. 159 – 16

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

Roll Call Vote:

Mr. Ferebee: Yes
Mr. Martin: Yes
Mr. Biesemeyer: Yes
Mr. Buysse: Yes
Mr. Smith: Yes

The Town Board and Deb Whitson entered into Executive Session at 7:46 PM.

Resolution No. 160 – 16

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. Buysse.

Roll Call Vote:

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|-----------------|-----|
| Mr. Ferebee: | Yes |
| Mr. Martin: | Yes |
| Mr. Biesemeyer: | Yes |
| Mr. Buysse: | Yes |
| Mr. Smith: | Yes |

The Town Board reconvened into regular session at 8:01 PM.

Mr. Ferebee said there were no decisions made in Executive Session.

Resolution No. 161 – 16

Mr. Biesemeyer offered a resolution and moved its adoption. Be it resolved, that the Town Board accept the Supervisor's Financial Report for June and have it placed on file with the Town Clerk. This resolution was seconded by Mr. Martin.

Roll Call Vote:

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|-----------------|-----|
| Mr. Ferebee: | Yes |
| Mr. Martin: | Yes |
| Mr. Biesemeyer: | Yes |
| Mr. Buysse: | Yes |
| Mr. Smith: | Yes |

Resolution No. 162 – 16

Mr. Biesemeyer offered Resolution No. 162 – 16, a Resolution to Amend the 2016 Budget. This resolution, in its entirety, is attached to and made a part of these minutes. This resolution was seconded by Mr. Martin.

Roll Call Vote:

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|-----------------|-----|
| Mr. Ferebee: | Yes |
| Mr. Martin: | Yes |
| Mr. Biesemeyer: | Yes |
| Mr. Buysse: | Yes |
| Mr. Smith: | Yes |

Resolution No. 163 – 16

Mr. Martin offered Resolution No. 163 – 16, a Resolution Transferring Funds. This resolution, in its entirety, is attached to and made a part of these minutes. This resolution was seconded by Mr. Buysse.

Roll Call Vote:

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|-----------------|-----|
| Mr. Ferebee: | Yes |
| Mr. Martin: | Yes |
| Mr. Biesemeyer: | Yes |
| Mr. Buysse: | Yes |
| Mr. Smith: | Yes |

Mr. Ferebee reminded everyone about the free "Beatlemania" Concert on Marcy Field, August 19th at 8:00 PM. He said the AuSable Club and Town of Keene along with the Keene and Keene Valley Fire Departments were hosting it. He said in case of rain it would be held at Keene Central School. He also said they were working on getting vending trucks to come sell food.

Resolution No. 164 – 16

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

Roll Call Vote:

Mr. Ferebee: Yes
Mr. Martin: Yes
Mr. Biesemeyer: Yes
Mr. Buysse: Yes
Mr. Smith: Yes

Multi-Fund Vouchers numbered 453 to 517, totaling \$79,070.67, as follows;

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|----------------------------|---------------|
| General Fund Vouchers | - \$53,113.51 |
| Highway Fund Vouchers | - 20,233.72 |
| Library Fund Vouchers | - 1,174.84 |
| Water District #1 Vouchers | - 281.91 |
| Water District #2 Vouchers | - 4,266.69 |

Resolution No. 165 – 16

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. Buysse.

Roll Call Vote:

Mr. Ferebee: Yes
Mr. Martin: Yes
Mr. Biesemeyer: Yes
Mr. Buysse: Yes
Mr. Smith: Yes

The meeting was adjourned at 8:16 PM.

Ellen S. Estes, Town Clerk
August 18, 2016

William B. Ferebee, Supervisor
Paul R. Martin, Councilman
Robert M. Biesemeyer, Councilman
Michael J. Buysse, Councilman
Jerry D. Smith, Councilman