

April 14, 2020

Minutes of the Town Board Meeting held Tuesday, April 14, 2020, at 7:00 PM, via Zoom remotely. The following Town Board Members participated; Joseph P. Wilson, Jr., Supervisor, Robert M. Biesemeyer, Teresa Cheetham-Palen, David R. Deyo and Jennifer G. Whitney, Members of Council. Also participating were: Deb Whitson, Town Attorney and Ellen Estes, Town Clerk.

The Chairman, Mr. Wilson, called the meeting to order at 6:58 PM stating that he would post this meeting for public viewing on Nextdoor Keene to hold to the Open Meeting Law.

Ms. Cheetham-Palen said she had two things to add or change in the Minutes of the Bi-Monthly Town Board Minutes for March 31<sup>st</sup>. She said on page 74, Marie McMahon's last name was not included and that at the bottom of the page she said "she wanted to remind the Board that all emails between them would be subject to FOIA requests, not FOIL requests.

Resolution No. 101 – 20

Ms. Whitney offered a resolution and moved its adoption. Be it resolved, that the Town Board approve the Minutes of the Town Board Meeting held March 10<sup>th</sup>, as presented, and the Minutes of the Bi-Monthly Town Board Meeting held March 31<sup>st</sup>, with the two changes asked for above. This resolution was seconded by Mr. Biesemeyer.

Roll Call Vote:

Mr. Wilson:	Yes
Mr. Biesemeyer:	Yes
Ms. Cheetham-Palen:	Yes
Mr. Deyo:	Yes
Ms. Whitney:	Yes

Mr. Wilson said the first item on the agenda to discuss was the proposal for repair of the water storage tank at Water District #2.

He said that although the warranty on the tank had expired, DN Tanks were willing to provide the labor and equipment to fix the Inlet Pipe Repair at a reduced cost.

The Board discussed this cost of \$15,000; Mr. Wilson said it could have gone as high as \$60,000.

Mr. Biesemeyer stated that the repair has to be done.

Ms. Whitney questioned whether the Town needed to get a second quote saying she was just curious.

Mr. Wilson explained that DN Tanks had bought the company from the original installer and was doing this repair for good will; he said if we went out to bid it would be significantly higher. He said that AES had helped the Town negotiate this price and said that Todd Hodgson had advised Ryan Hall to move this way for this emergency repair.

Mr. Deyo stated there wasn't going to be a better price.

Mr. Biesemeyer said he just wanted to be sure it was within the legal parameters; Mr. Wilson assured him it was.

Resolution No. 102 – 20

Mr. Biesemeyer offered a resolution and moved its adoption. Be it resolved, to accept the proposal of \$15,000 to have DN Tanks provide the labor, equipment, material and incidentals required to repair the inlet pipe on the Water District #2 water tank. This resolution was seconded by Ms. Cheetham-Palen.

Roll Call Vote:

Mr. Wilson:	Yes
Mr. Biesemeyer:	Yes
Ms. Cheetham-Palen:	Yes
Mr. Deyo:	Yes
Ms. Whitney:	Yes

The next item on the agenda was a Hiker Parking Update.

Mr. Wilson said that while he still continues to plan for hiker parking with the State things have changed due to the CoronaVirus. He said he had had a meeting with Ms. Cheetham-Palen and Peter Slocum to work on how to handle hiker parking under this pause.

Mr. Deyo asked if DEC is saying hikers shouldn't come now to climb; he said he thought that was in force. He suggested that Rangers should be posted at trailheads if people hiking on trails is a problem.

Ms. Cheetham-Palen said it's hard to figure out the recommendation saying it's all confusing.

Mr. Deyo stated that safety should come first saying that the Town's EMS shouldn't be put in harm's way going on rescues when they are already handling the virus; Mr. Wilson agreed saying they don't have the resources to handle rescues right now.

Mr. Wilson suggested starting by monitoring cars saying it's not too bad yet at Town lot, he did, however, say that there had been 80 cars in the AuSable Club parking lot, he said they have now limited that lot to 28 spots.

He said he felt the next phase is to put up barricades on Adirondack St., Market St. and Johns Brook Road and allow local traffic only.

Lastly, he said he would suggest closing off Roostercomb parking lot and cut back the Garden parking lot to 12 cars while not allowing street parking.

Mr. Deyo suggested getting all 3 phases going as soon as possible.

Mr. Biesemeyer stated that it could be different in a month and asked how often the Town would look at this policy.

Mr. Deyo pointed out that "it's too late to stop the water after it's over the dam".

Ms. Cheetham-Palen felt it was okay to be strict and the policy could be revisited at the end of May if things change.

Mr. Wilson said that this Saturday is supposed to be 57 degrees and sunny saying it would be a good time to monitor it, he suggested waiting to see saying the streets could be blocked off quickly if needed. He said he thought this week would be a good test.

Mr. Deyo said he hates to start to late and be behind the curve.

Mr. Biesemeyer said he doesn't feel too strongly either way; Ms. Whitney felt it may be good to see what happens this weekend.

Ms. Cheetham-Palen felt the sooner the message is reinforced that there is limited parking due to the Corona and required social distancing, the better.

Ms. Whitney suggested a press release be done; Mr. Wilson stated that that is too local.

Mr. Wilson said he will send the Town's plan to Jim McKenna. He said he has a meeting coming up with Jim McKenna, and Bob Stegemann's replacement. He said he would work on getting the message out.

Mr. Biesemeyer said he was comfortable letting Mr. Wilson handle it.

Mr. Deyo cautioned being ready.

The next discussion was an update on the Hamlet Signs.

Ms. Whitney said she had gotten 2 quotes and samples for the hamlet signs; Bokland at \$2,839.37 and Laura's at \$2,866.75. She said she had reached out to Josh Whitney for advice, she said he liked the Bokland sign better. She explained that was because of the use of a slightly reflective material.

She said she had asked this company to add the words "Home of the High Peaks" to see how they will show up.

Mr. Deyo suggested letting Ms. Whitney award the bid since she had spearheaded this project; Mr. Wilson agreed.

Resolution No.103 – 20

Mr. Deyo offered a resolution and moved its adoption. Be it resolved, that Ms. Whitney be given the authorization to award the bid for the Hamlet Signs. This resolution was seconded by Mr. Biesemeyer.

Roll Call Vote:

Mr. Wilson: Yes

Mr. Biesemeyer: Yes

Ms. Cheetham-Palen: Yes

Mr. Deyo: Yes

Ms. Whitney: Yes

Resolution No. 104- 20

Mr. Biesemeyer offered a resolution and moved its adoption. Be it resolved, that Jodi Downs be granted permission to use Marcy Field for the High Peaks Arts & Antiques Show on Saturday, August 22<sup>nd</sup> and Sunday, August 23<sup>rd</sup>, contingent upon compliance with the NYS regulations for Coronavirus. This resolution was seconded by Mr. Deyo.

Roll Call Vote:

Mr. Wilson:	Yes
Mr. Biesemeyer:	Yes
Ms. Cheetham-Palen:	Yes
Mr. Deyo:	Yes
Ms. Whitney:	Yes

Mr. Wilson said he had gotten an email from Dick Crawford stating that they would like to start their Farmers' Market on Marcy Field on May 31<sup>st</sup>. He said in the email that they are allowed to under Department of Agriculture and Markets laws.

Ms. Cheetham-Palen said they are holding one in Saranac Lake right now, she said they seem to be managing it well. She said an order can be called in and they bring the delivery to your car. She said she thought it would be okay, but they may have to be creative.

Mr. Biesemeyer said he got a call from Dick Crawford, who told him there would be no arts and craft vendors, just food and the vendors would be 10 feet apart.

Mr. Deyo said it may be fine to just have the food, but the vendors should be 25 or 30 feet apart.

Ms. Whitney said the number of people that the market attracts makes her nervous.

Ms. Cheetham-Palen stated there is room for spacing with the parking.

Mr. Biesemeyer said it would be hard to police the congregating that occurs there.

Ms. Cheetham-Palen stated that a Farmers' Market is an essential service because of the food.

Mr. Deyo stated that it's probably safer than Hannaford's and they would need to sanitize.

Ms. Whitney questioned the number of vendors.

Mr. Wilson said after just talking about the hikers not coming, he found it tough to allow this market.

Mr. Deyo stated that people have to eat to live.

Mr. Wilson said his second concern is that the Farmers' Market is absolutely unwilling to manage the market themselves; he said this is their operation, not the Towns and they don't manage it themselves. He said he had zero faith in their management; Mr.

Biesemeyer agreed.

Mr. Wilson said maybe things will look different in another couple weeks.

Mr. Deyo suggested the Board table the decision for tonight.

Resolution No. 105 – 20

Mr. Deyo offered a resolution and moved its adoption. Be it resolved, that the start date for the Farmers' Market be tabled for tonight. This resolution was seconded by Mr.

Biesemeyer.

Roll Call Vote:

Mr. Wilson:	Yes
Mr. Biesemeyer:	Yes
Ms. Cheetham-Palen:	Yes
Mr. Deyo:	Yes
Ms. Whitney:	Yes

Deb Whitson said as much as she likes the Farmers' Market, it is not like Hannaford's; she said by the Town leasing to a corporation for use, some of the responsibilities can be pushed onto the Town saying they would have liability.

She stated that before the Farmers' Market is allowed to run, she would suggest that they have a clear plan on how they are going to manage it. She said there would be crowds and there would be mayhem.

She suggested the Town check with their insurance carrier.

(continued)

She cautioned that if someone got sick and it is traced back to the Farmers' Market or to the Town of Keene there could be a liability issue. She said the Town will want to put the burden on the Farmers' Market to have wash stations and sanitizing, and someone monitoring the traffic, parking and the social distancing.

She said that a Farmers' Market is different from hiking.

She said that she could draw something up.

Mr. Wilson said he was waiting for a call back from the Town's Insurance Carrier to find out if the Town has coverage for this or not.

He said he was not putting Town Employees out there and said there are more people that attend than you think. He said if they have this, he will end up being the person doing enforcement.

Mr. Deyo said maybe this needs to be canceled.

Mr. Wilson stated that it puts him at risk.

Ms. Whitson stated that one of the problems is that there are many points of entry, not a single one.

Mr. Wilson said he would put this back on the April 30<sup>th</sup> agenda.

The next discussion was in regards to the proposed water rents and the 2020 Anticipated Water Rent Lists.

Ms. Estes said that she and Mr. Wilson had talked about these new rates last fall during budget season. She said the Board would notice that using these new rates matched the amounts on the 2020 Budget Summary also supplied. She said that for Water District #2, there was a surplus of \$25,000 to start a reserve fund with for future emergencies.

Mr. Wilson spoke of a project that would be coming up in the next 6 to 8 months.

Ms. Estes said she would like to have these lists approved at the next meeting and asked the Board to look over the numbers and if they had any questions to give her a call before the next meeting.

Ms. Cheetham-Palen asked if the Board needed to appoint a judge.

Mr. Wilson said the Town Justice training that was going to be held at the end of March had been canceled and the next training is not until mid-summer, so there was not the hurry after all. He said he had 1 candidate and some other interested individuals to present on April 30<sup>th</sup>.

Mr. Deyo asked if one judge was enough, stating that is how it used to be.

Mr. Wilson said he will put this on the April 30<sup>th</sup> agenda for discussion.

Mr. Wilson informed the Board that there were no new cases of CoronaVirus in Essex County today.

He said that employers need to supply masks to essential employees.

Ms. Cheetham-Palen said she and her daughter were sewing masks.

Mr. Biesemeyer said he was appreciative of the Valley Grocery and the Hardware and all the other places in Town that are remaining open. He said that he feels that the people in Keene are being extremely respectful.

Mr. Wilson said he has only gotten a few complaints.

Ms. Cheetham-Palen also said she would like to thank the community for being respectful.

Resolution No. 106 – 20

Mr. Biesemeyer offered a resolution and moved its adoption. Be it resolved, that the following bills, from the Bi-Monthly Town Board Meeting held March 31<sup>st</sup>, be accepted as presented. This resolution was seconded by Mr. Deyo.

Roll Call Vote:

Mr. Wilson:	Yes
Mr. Biesemeyer:	Yes
Ms. Cheetham-Palen:	Abstain
Mr. Deyo:	Yes
Ms. Whitney:	Abstain

Ms. Cheetham-Palen and Ms. Whitney felt they should abstain since they had not signed them.

(listed on next page)

Multi-Fund Vouchers Numbered 171 – 215, totaling \$76,652.90, as follows;

General Fund Bills	\$53,177.03
Highway Fund Bills	19,454.78
Library Fund Bills	56.99
Water District #1 Bills	336.74
Water District #2 Bills	3,627.36

Mr. Wilson said that he and Scott Smith had already signed the bills for tonight's meeting.

Ms. Cheetham-Palen said she could come in tomorrow morning at 8:00 to sign them;

Ms. Whitney said she could come at 9:00.

These bills will be approved at the next Town Board Meeting.

Resolution 107 – 20

Mr. Deyo 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. Biesemeyer.

Roll Call Vote:

Mr. Wilson:	Yes
Mr. Biesemeyer:	Yes
Ms. Cheetham-Palen:	Yes
Mr. Deyo:	Yes
Ms. Whitney:	Yes

The meeting was adjourned at 7:54 PM.

Ellen S. Estes, Town Clerk  
April 17, 2020

Joseph P. Wilson, Supervisor  
Robert M. Biesemeyer, Councilman  
Teresa Cheetham-Palen, Councilwoman  
David R. Deyo, Councilman  
Jennifer G. Whitney, Councilwoman