

August 11, 2020

Minutes of the Town Board Meeting held Tuesday, August 11th, 2020, at 7:00 PM, at the Town Pavilion. The following Town Board Members were present: Joseph P. Wilson, Jr., Supervisor, Robert M. Biesemeyer, Teresa Cheetham-Palen, David R. Deyo and Jennifer G. Whitney, Members of Council. Also present were: 20 to 25 residents, Scott Smith, Highway Superintendent, Ryan Hall, Water Superintendent, Debra Whitson, Town Attorney and Ellen Estes, Town Clerk.

The Chairman, Mr. Wilson, called the meeting to order at 7:02 PM and stated that, due to the number of people present, everyone would be required to leave their masks on, but to pull it down to speak and be heard clearly.

Ms. Cheetham-Palen asked to have a modification made to the July 14th Minutes, she said there was a misquote on the first page saying that the statement made by Pete Nelson should have been that he had helped to form a group that promotes positive and peaceful protests to “promote” diversity.

Resolution No. 144 – 20

Mr. Biesemeyer offered a motion and moved its adoption. Be it resolved, that the Town Board approve the Minutes of July 14th with the aforesaid modification. 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

Privilege of the floor was offered.

Pete Nelson thanked the Board for having him present to speak, he also thanked Mr. Wilson for his dedication to working on the hiker issues.

He stated that Keene makes a wonderful place for anyone to live, but said he hears that racial inequity is not an issue in the Town of Keene.

He went on to read a statement he had prepared regarding the promotion of racial diversity and asked the Town Board to pass the Anti-Discrimination Resolution to be presented here tonight.

Mr. Wilson explained that Mr. Nelson is ahead of a resolution that is on tonight’s agenda.

Mr. Wilson said the first item on the agenda is a Corona Virus Update.

He stated that this is not over saying there have been 2 new cases in Essex County this week.

He said he was pleased to see that everyone here was wearing masks.

He stated that school is planning to reopen, but said that everyone has to remain diligent; he said the risk is still out there.

Mr. Biesemeyer said Mr. Wilson is absolutely correct; he said he had been a little skeptical about the Farmers’ Market but said they had done an amazing, successful job and he was glad they were able to run.

Ms. Whitney said there would be more masks at the Town Hall tomorrow.

Mr. Wilson also said the Town has been able to keep a good supply of sanitizer available for local businesses.

The next discussion was in regards to the Transfer Station.

Mr. Wilson began by asking to “set the stage”; he stated that the annual operating expense for the transfer station is \$90,000, he said approximately \$65,000 is received annually for the sale of tickets, etc., leaving a balance of \$25,000. He went on to say that this year there was an unexpected expense of the fence required by PESH.

He stated that in the past, the revenue from recycling was used to cover the transportation costs, but said that recycling revenue has dropped.

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He said there is only 22% of the budgeted money left for this year saying it is not an efficient operation.

He said the County is working on a County-wide redesign of the system, but said this would take two years to complete.

He said with the Town running behind on revenue, he didn't know where the money will come from. He stated that closing an additional day a week had not been popular.

He stated that somehow, the Town will need to get by for two years with the 2% tax cap. He said he is hoping that discussion tonight will help come up with a strategy.

Mr. Biesemeyer suggested instead of giving the bottles to the Senior Class, the Town take over the bottle house. He said he thought that \$20,000 per year could be applied to the Town deficient with just the bottles.

Ms. Whitney asked who would sort the bottles; Mr. Biesemeyer said it would need to be looked into.

Ms. Cheetham-Palen said she doesn't think this idea is all bad and is worth discussing, but said it may come as a blow to the school kids.

Ms. Whitney suggested charging a small fee for a membership card for recycling; Mr. Deyo stated that it is his understanding that most communities do charge for recycling. He said the Town of Keene is one of the few that don't charge.

Emma McGivney suggested the Town and School share the work and profit from the bottle house and she asked if the transfer station could close on Mondays instead of Wednesdays.

Mr. Deyo said Mondays would be horrible with many Holidays falling on Monday.

Alan Carey stated that back in time, there was always an attendant at the Town dump and stated that this service was provided through tax dollars.

Mr. Wilson said he disagreed.

Mr. Carey stated that the cost of having an attendant should not be figured in; Mr. Wilson stated that it's a complicated system.

Jane Haugh said she has been helping direct traffic at the Farmers' Market and suggested the possibility of charging out of state plates a parking fee.

John Haverlick asked how Keene compares with other Towns on fees and asked if anyone knew how they were addressing the issue.

Mr. Wilson responded that every Town in Essex County with a transfer station is trying to be revenue neutral; he went on to discuss the trucking contracts.

Mr. Wilson said he and Ryan Hall had been kicking around ideas, he turned the floor over to Ryan.

Mr. Hall began by explaining the history of the Town of Jay bringing their municipal trash. He said Jay used to pay "x" amount of dollars, he said he had started weighing their municipal trash to see if they were going over the amount they were paying.

Mr. Biesemeyer and Ms. Estes both said the Town of Jay originally contributed to subsidize the transfer station expenses, not to dump \$10,000 worth of garbage.

Bill Ferebee said that the Town of Jay contributed \$5,000 and the agreement was that they could bring the garbage from their ballfield and their municipal buildings. He said after the Town of Keene begin to weigh their garbage, he said he went to the Town Board and was told that the Town didn't want to lose their customers.

Mr. Biesemeyer said the Town of Keene wasn't given an option saying they were not going to pay.

Mr. Wilson said he had a couple of ideas on this; he said the added customers paying for their tickets make it possible to have full containers going out.

He said that recycling was a separate thing, but said he did an analysis on having stickers to recycle; he said the Town of Jay is costing about \$600 in recycling costs per year and the stickers would cost approximately \$2,000 saying that wasn't a good trade off.

Mr. Wilson went on to say that some of his and Mr. Hall's ideas were:

- Eliminate bulky days (which he said is abused)
- Charge a handling fee for recyclables
- Eliminate zero sort

Mr. Biesemeyer said he was afraid that eliminating zero sort saying that may cause people to not recycle.

Mr. Wilson said there's a lot of little pieces that all add up; Mr. Biesemeyer suggested finding the funds somewhere in the budget to subsidize the expense.

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Mr. Wilson asked where saying that it was good that Youth Commission didn't have expenses this year; he went on to say that \$22,000 had gone out in refunds on a tax lawsuit. He said the transfer station is a service that everybody uses.

Ms. Cheetham-Palen commented that neighboring Towns have transfer stations that are only open 4 days per week; she said maybe we picked the wrong day to close and said she assumed we could manage with 4 days per week.

Mr. Deyo suggested closing Tuesday, Thursday and Saturday to stay with the 4-day week.

Mr. Carey suggested closing Monday, Wednesday and Friday.

Mr. Deyo responded by saying that a lot of people leave on Holiday Mondays.

Mr. Wilson asked if everyone was in favor of eliminating bulky days; Mr. Deyo and Mr. Biesemeyer said they were.

Ms. Cheetham-Palen and Ms. Whitney wanted to try one more supervised bulky day with fees.

Mr. Wilson asked Mr. Hall if the fees would cover it; Mr. Hall spoke of getting 7 tons into a dumpster and said the fees wouldn't cover it.

Ms. Whitney again said she would like to have one more.

Mr. Wilson asked about putting bulky days on hiatus for now; he went on to suggest that and asked Mr. Hall about the savings of eliminating zero sort.

Mr. Biesemeyer said he was not a big fan of that and asked for research to be done; Mr. Hall said he would crunch the numbers and take a look at it.

Mr. Wilson asked if the people were opposed; Mr. Biesemeyer said he doesn't like it and Mr. Deyo said he would like it researched.

Kathryn Brown said she feels it's important to keep zero sort for educational purposes; she said she takes Little Peaks on a field trip there.

Resolution No. 145 – 20

Mr. Wilson offered a motion and moved its adoption. Be it resolved, that starting after Labor Day, the Transfer Station continue to be open 4 days per week, closing on Tuesday, Thursday and Saturday. 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. Biesemeyer said he would talk to the School about the bottle house.

Resolution No. 146 – 20

Mr. Deyo offered a resolution and moved its adoption. Be it resolved, that the salary compensation for the 1 Town Justice currently serving be increased by 75% until another Justice takes office. 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 Board Members were all in agreement to cancel the August Bi-Monthly Town Board Meeting.

Donna Reed Austin submitted her July Water Collections Report for Water Districts No. 1 and No. 2.

Ms. Cheetham-Palen explained the Town of Keene Anti-Discrimination Resolution she was presenting saying that she feels the Town Board needs to make that statement. She said she feels strongly about this issue.

She said that looking at it now, she agrees that the names of other communities in the resolution should be removed; but said she feels that action matters and that was why they were listed.

Mr. Deyo said he felt that a lot of the wording was unnecessary and said he liked the simpler version that Ms. Whitney had suggested. He said he had no problem with approving a resolution, but said he feels it needs to be fine-tuned.

Mr. Wilson asked Ms. Cheetham-Palen to read her draft, which she did.

Mr. Deyo asked Ms. Whitney to read her version; Ms. Whitney said she hadn't written one, she said it was just #1 and #2 out of the original draft.

Ms. Cheetham-Palen re-read #1 and #2. She also went on to explain her reasoning for adding the information.

It was also mentioned that at least two other neighboring Towns in Essex County had adopted resolutions.

Mr. Deyo said this had just been received by the Board Members and before adopting it and to get it right he would like to have a little longer to look it over.

Ms. Cheetham-Palen apologized for the timing but said she had trouble getting the feedback she needed.

Multiple residents said they felt the long version was perfect; one saying to shorten it would take away from it; one saying she understands short but never feels it's wrong to educate.

Peg Wilson suggested getting permission from the students named in the second paragraph.

Ms. Cheetham-Palen said she is ready to vote tonight, but said it was okay to wait.

Resolution No. 147 – 20

Ms. Cheetham-Palen offered a motion and moved its adoption. Be it resolved, that the Town Board adopt the attached Anti-Discrimination Resolution. (A draft of this resolution has been attached to these minutes in the official Minute Book only, when the final copy is received eliminating the Community names in the first Whereas and with the permission of the students in the second Whereas, the draft will be removed and the final copy inserted). This resolution was seconded by Mr. Wilson.

Roll Call Vote:

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

Mr. Biesemeyer went on to explain that he is concerned this resolution may do more harm than good saying there is a sector in Town that may feel this is an overreaction. He said he's afraid there could be a backlash.

Mr. Deyo said he is not opposed to making a statement, but would like a little more time to refine it saying if you're going to do it, do it right.

Ms. Cheetham-Palen said to ignore this issue is to not confront what is wrong saying she felt it's important.

Mr. Deyo agreed, but said he would like to see the changes made first.

Ryan Hall gave a quick report on the Department of Health Water Plant Inspections. He said that Water District #1 had a couple violations and required repairs, listing them as:

- The water tank needs maintenance
- Repairs were needed to the water main
- The old pump house on Spring Way needs work;
 - The water main needs to be checked and disconnected if necessary
 - The chemicals inside the facility need to be removed.

He said Water District #2 received one violation for not having a redundant well source.

Mr. Wilson said he would have Mr. Hall give him a tour of the "old" WD#1 facility and the issues are rectified, they need to decide what to do with the property, selling, etc.

Mr. Hall said the WD#1 tank repairs would be done in October or November.

Kathryn Brown was present to discuss the proposed reopening plans for Little Peaks with the Board.

Mr. Deyo asked how many Preschoolers would be attending; Ms. Brown answered that it looked like they would have six 4 year olds, 1 day a week. She explained to the Board that it would still be a 5-day program and explained how it would work.

She said the Little Peaks Board will not be able to offer child care this year.

Resolution No. 148 – 20

Mr. Biesemeyer offered a motion and moved its adoption. Be it resolved, that the Town Board approve the Little Peaks plan for reopening in September using the pavilion as an outdoor classroom and the outdoor bathrooms until freezing weather returns. 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

Ms. Estes informed the Board that she has been approached by Shirley Babington who would like to sell back to the Town a two grave lot. She said this lot could be resold again for the same price to be refunded.

Resolution No. 149 – 20

Mr. Biesemeyer offered a resolution and moved its adoption. Be it resolved, that authorization be given for the Town Clerk to move forward with buying back a two grave lot for the same price that it was bought for. 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 informed the Board that Ellie Wadsworth requested that the Town Board waive the 30-day notice on their liquor license renewal for the AuSable Inn.

Resolution No. 150 – 20

Mr. Deyo offered a motion and moved its adoption. Be it resolved, that the Town Board approve waiving the 30-day notice for the liquor license renewal for the AuSable Inn. 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. 151 – 20

Mr. Biesemeyer offered a motion and moved its adoption. Be it resolved, that the Town Board accept the Supervisor's Monthly Financial Statement for June 2020 and have it placed on file with the Town Clerk. 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

Resolution No. 152 – 20

Ms. Whitney offered a resolution and moved its adoption. Be it resolved, that the following bills, from the Town Board Meeting held on July 14th, be accepted as presented. This resolution was seconded by Mr. Deyo.

Roll Call Vote:

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

Mr. Biesemeyer and Ms. Cheetham-Palen abstained since they had not audited them.

Multi-Fund Vouchers Numbered 359 to 452, totaling \$102,439.14, as follows:

General Fund Bills	- \$39,061.73
Highway Fund Bills	- 44,530.29
Library Fund Bills	- 1,433.79
Water District #1 Bills	- 10,655.82
Water District #2 Bills	- 6,742.52
Covid-19 Bills	- 14.99

Resolution No. 153 – 20

Ms. Cheetham-Palen offered a resolution and moved its adoption. Be it resolved, that the Town Board approve the following bills for payment. 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

Multi-Fund Vouchers Numbered 453 to 514, totaling \$119,259.98, as follows:

General Fund Bills	- \$46,884.33
Highway Fund Bills	- 44,258.67
Library Fund Bills	- 747.21
Water District #1 Bills	- 8,922.89
Water District #2 Bills	- 18,446.88

Resolution No. 154 – 20

Mr. Biesemeyer 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. Deyo.

Roll Call Vote:

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

The meeting was adjourned at 8:43 PM.

Ellen S. Estes, Town Clerk
August 12, 2020

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