

March 10, 2020

Minutes of the Town Board Meeting held Tuesday, March 10, 2020, at 7:00 PM, at the Keene Town Hall. 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: 11 Residents, Ryan Hall, Water Superintendent, Deb Whitson, Town Attorney and Ellen Estes, Town Clerk.

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

Resolution No. 90 – 20

Ms. Cheetham-Palen offered a resolution and moved its adoption. Be it resolved, that the Town Board approve the Minutes of the Town Board Meeting held February 11<sup>th</sup> and the Minutes of the Bi-Monthly Town Board Meeting held February 25<sup>th</sup>, as presented. 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. Whitney asked for clarification about the conversation on February 11<sup>th</sup> regarding Bob Rose using the highway's chipper. She asked if the volunteers would be running the chipper or if the highway employees would; Mr. Wilson said the highway employees would.

Privilege of the floor was offered.

Peter Fish was present and said that at the last meeting the Board had designs of 3 Town Logos, one with a hiker, one with a conifer or balsam tree and one with a fly fisherman. He said that he suggests using the one with the conifer or balsam tree saying that speaks for our community. He said anyone he has spoken to agrees. Ms. Whitney suggested that a three-day vote be taken on Nextdoor Keene between the hiker and the tree.

Mr. Deyo stated that the hiker won 18 years ago, but said he likes Mr. Fish's idea and suggested he rally voters for the tree.

Mr. Wilson stated that he had listed AMR Settlement on the agenda but said the refund numbers had not been received so this will be postponed until next month.

He said the next item on the agenda was the Finnan Settlement and Costs. He informed the Board that the Town is paying the court cost for this lawsuit saying the Town's Attorney had suggested granting him the STAR exemption and not fighting it in court.

Ms. Whitney stated that a decision was made on how to choose between the hiker and the tree for the hamlet signs but said there hadn't been a discussion regarding the back of the sign.

Tom Both stated that the signs from 20 years ago had a "Thank You" message. The phrase "Home of the High Peaks" was again mentioned with Ms. Whitney stating that Josh Whitney says it will be too small when the logo is shrunk for letterhead. The next discussion was in regards to the size of the signs; it seemed everyone had a different idea what size the old signs were.

Mr. Both said that the posts he made for the temporary signs printed by the County will support a 3-foot by 4-foot sign.

Mr. Wilson said he would get some measurements.

The next item on the agenda was a transfer station update.

Mr. Biesemeyer said that he had gotten the written quote from Sheehan for the mandated fence; he said it was a little less than the quote received by the County.

#### Resolution No. 91 – 20

Mr. Biesemeyer offered a resolution and moved it adoption. Be it resolved, that the Town Board accept the bid of \$10,583 received from John W. Sheehan & Son, Inc. to install the state mandated fence at the transfer station. This quote, in its entirety, has been attached to and made a part of these minutes. 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

Mr. Wilson asked Mr. Hall to schedule this project.

The Board proceeded to discuss transfer station operations.

Mr. Deyo asked Mr. Hall if the Town was still working with the County on getting into the pilot program with the County; Mr. Hall responded yes, saying that he was there today.

Mr. Wilson said the planning process was getting underway saying that the environmental engineer for DPW, the Community Resource Representatives and Mr. Hall were getting a plan together to go to the Supervisors who serve on the Solid Waste Committee. He went on to say it's too early for a signed contract; Mr. Hall said that would be in July or August.

Mr. Biesemeyer asked if the Town would need to upgrade the transfer station for this; Mr. Hall said they would get started and get numbers together.

Mr. Hall stated that the recycling would change to the County system.

Mr. Biesemeyer asked if the County takes over, would Jim Duggan be in charge?

Mr. Wilson said a lot is still up in the air regarding employees, their benefits, etc.

He said that things need to be clarified mentioning that the County is supposed to be maintaining the facility. He said at this time, the Town would just do the fence.

Mr. Hall stated that the transfer station would continue to be Town staffed.

Mr. Wilson stated that Mr. Hall will continue to work on the pilot program with the County but said Mr. Hall had worked up the estimates for the current transfer station operations: he asked the Board how the Town was going to cut cost for now.

Mr. Biesemeyer said that the Town of Jay used to pay to use our facility; Mr. Both agreed and contributed to the conversation explaining how their fees were structured.

Mr. Wilson stated that the Town of Jay Supervisor refuses to contribute; he said that the Town of Essex let's non-resident's throw away trash but nothing bulky.

The Board discussed how to handle this issue; Mr. Deyo suggested charging more from people from out of town than the locals.

Mr. Wilson questioned how this would be carried out asking how would you handle stickers for locals.

Mr. Biesemeyer made the point that we need the tonnage from the non-residents.

Donna Austin mentioned that there may be changes with the pilot program.

Mr. Hall stated that he thought number 1 through 7 plastics would be accepted, but it wouldn't be zero sort.

Mr. Deyo stated "If we wait a couple weeks we may know more about the County".

Mr. Wilson said the Board needs to address bulky days.

Mr. Biesemeyer stated that should be for residents only; Mr. Wilson said there's an issue with enforcement, saying people get very angry.

When increasing the charge was discussed, Mr. Deyo said he's been back in Town for 20 years and didn't realize there was a charge.

Resolution No. 92 – 20

Mr. Deyo offered a resolution and moved its adoption. Be it resolved, that Bulky Days be held in April with a \$10 charge for cars and a \$20 charge for trucks. This resolution was seconded by Ms. Whitney.

Roll Call Vote:

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

Dates for the Bulky Days were discussed; it was agreed to try to set up Wednesday, April 22<sup>nd</sup>, Friday, April 24<sup>th</sup> and Saturday, April 25<sup>th</sup>.

Mr. Wilson asked if anyone was willing to volunteer to be present at bulky days to help enforce and explain this new charge; Ms. Cheetham-Palen, Ms. Whitney and Mr. Deyo agreed to help out.

Mr. Hall informed the Board that the first load of e-waste for the year had just been shipped out and he was estimating that it would have about an \$8,000 bill.

The next discussion was in regards to the Coronavirus.

Mr. Wilson said that the County has declared a State of Emergency as a preparation effort, he said there are currently no cases in Essex County. He said he has been talking to the school, the Neighborhood House and the Department of Health looking for advice.

He said that the Town has a plan for water personnel backups in case any personnel has to be quarantined.

When asked how to prepare, Bob Andrews stated that he has been monitoring the news; he stated that this virus could be a challenge to those with weakened immune systems. He suggested that people limit their travels and said it could result in schools closing, but said a basic practice is frequent hand washing and not touching your face. Deb Whitson asked where testing was being done; Mr. Andrews stated that a call to Public Health would give that information.

Henrietta Jordan said she had heard that EMS had been told not to transport patients with respiratory issues; the Board felt this was an unfounded rumor.

Mr. Wilson stated that the local EMS is modifying how they operate saying they are limiting it to 1 person going in to evaluate if the call is for a respiratory illness. He stated that Keene and Keene Valley EMS have a joint staff meeting planned for tomorrow night to continue preparations.

Ms. Whitney said they have been getting fitted for their N-95 masks; Mr. Wilson also stated that the State Inmates are making hand sanitizer.

Resolution No. 93 – 20

Ms. Cheetham-Palen offered a resolution and moved its adoption. Be it resolved, that the Town Board accept the resignation of Debra Whitson from her position as Town Justice, effective March 31<sup>st</sup>. 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 Board thanked Ms. Whitson for her service.

Ms. Whitson explained that her husband has been offered job opportunities to work abroad and she would like to be free to go more and more. She said she would not be readily available to continue serving in this position.

Mr. Biesemeyer asked if she was going to continue on as Town Attorney; she seemed to say yes and said she would give notice if that changed.

Mr. Wilson again thanked Ms. Whitson.

Mr. Wilson explained that the Town Board has the authority to fill this vacancy; he said the next Bench Certificate Course begins March 30<sup>th</sup> and you cannot take the bench without the course.

Mr. Biesemeyer suggested putting an ad out.

Mr. Wilson said a couple of people have already shown interest and he sees them here tonight.

Mr. Deyo was also in favor of putting out a notice and not deciding tonight.

Mr. Wilson said he would put an ad on Nextdoor Keene asking for letters of interest.

Ms. Estes commented that not everyone uses Nextdoor Keene; Mr. Biesemeyer asked if this had to be done through legal advertising.

Ms. Whitson said the Town Board can appoint.

Ms. Cheetham-Palen asked what the timeline was to get this on the November ballot.

Mr. Biesemeyer asked if Bill Harral could handle it alone.

Mr. Wilson asked the Board what the deadline date for the letters of interest should be: he suggested March 20<sup>th</sup>.

Mr. Deyo suggested holding interviews.

Answering Ms. Cheetham-Palen's question Mr. Wilson stated that designating petitions had to be filed by April 2<sup>nd</sup> and independent petitions had to be filed in May.

Mr. Wilson stated that if the Town Board was not ready before March 30<sup>th</sup>, that would leave Mr. Harral alone for a long time.

Mr. Deyo suggested someone talk to Mr. Harral and offer him a little more money to cover.

Mr. Biesemeyer asked Ms. Whitson how much time this position takes; She responded a couple hours a week as Judge and 8 – 10 hours a week being the clerk.

She went on to say she would be happy to help during the transition, saying she is just a phone call away.

The next agenda topic was the Community Center project.

Mr. Wilson began by saying the Board needed to pick a consultant to do the design. He said that Bill Ferebee was successful in being awarded a \$100,000 grant.

Mr. Wilson said he had put out requests for proposals for a consultant and that 3 of the proposals came back for under \$25,000.

He said the Town can use part of the \$100,000 on the design, speaking about plans to improve the Community Center for a library, for Little Peaks Preschool, for Golden Peaks and Youth Commission.

Mr. Deyo and Mr. Biesemeyer both said they were hesitant on spending this \$25,000 on a plan for a multi-million dollar project that there are no funds for.

Mr. Wilson spoke about the new building that the Town of Westport just built; He went on to say that Little Peaks would do some fundraising and the highway could do demolition as part of a match.

Mr. Biesemeyer said he feels the library serves its function; he said he would like to spend the \$100,000 grant on the "nuts and bolts" to fix up the existing community center building. He said his gut feeling is that the money will be squandered and the Town will still have an old building.

Barbara Dwyer said that Bill Johnson was instrumental in getting grant money for Westport, she suggested bringing him in for advice.

Mr. Deyo suggested checking out where Westport got money for their project.

Mr. Wilson explained that Little Peaks, Golden Peaks and Youth Commission would all have different streams of grant money available.

Barbara Dwyer spoke about the Natural Heritage Trust with Parks and Rec and suggested speaking to Dan Stec.

Mr. Wilson said the choice is to spend money on a new building or spend money to keep fixing up the old ones.

Mr. Deyo again suggested talking to someone in Westport to see how much taxpayer dollars were spent; Mr. Wilson said he could do that.

Mr. Biesemeyer stated that the Town could spend \$25,000 and not get any grant money.

Donna Austin asked where everyone would park at the Community Center; Mr. Wilson said there are all the fields.

Linda Deyo asked if the \$100,000 grant was use it or lose it; Mr. Wilson said we could lose it but DSNY doesn't move very fast.

Mr. Wilson said he needs to respond to the R.F.P.'s.

Barbara Dwyer also suggested that Steve McNally may help with finding funding.

Mr. Deyo asked Mr. Wilson if the Town Board has to make their selection tonight.

Mr. Biesemeyer said he would like to talk to someone in Westport before squandering the \$100,000 grant; Mr. Deyo agreed that he would also like more information.

The Board discussed the 3 proposals for consulting, one from Beardsley, one from Keil and one from AES.

Mr. Biesemeyer said he was intrigued by Keil, which seemed like a mom and pop and said he likes AES second.

Ms. Cheetham-Palen said she liked Beardsley and AES; Ms. Whitney agreed.

Mr. Deyo asked who did Westport saying it would be nice to get a reference.

Mr. Wilson said his preference was AES saying he had worked with them before, he also said that AES was the only consultant to come to the building and walk through.

Mr. Wilson said the Board needed to make a selection but didn't have to make the award tonight.

Mr. Wilson offered a motion to propose that the AES proposal be selected, Ms. Cheetham-Palen seconded that motion for discussion.

Mr. Wilson was asked to clarify this; "Was the Board making a selection but not awarding"?

Mr. Biesemeyer said he felt there hasn't been enough discussion about this project.

Mr. Deyo said he would like to make some phone calls and get more feedback.

Mr. Wilson conceded, asking if the Board wanted to table for tonight and follow up with other Towns; the Board Members seemed to want to and agreed to.

#### Resolution No. 94 – 20

Ms. Cheetham-Palen offered a resolution and moved its adoption. Be it resolved, that the Town Board adopt Resolution No. 94 – 20, a Resolution to Amend the 2020 Budget, this resolution, in its entirety, is 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

Ms. Cheetham-Palen: Yes

Mr. Deyo: Yes

Ms. Whitney: Yes

A letter was received from John Fritzinger asking the Town not to use Airport Road with the hiker shuttle.

The Board briefly discussed this request.

Mr. Wilson stated that they never do.

Mr. Deyo asked if a letter could be sent to Mr. Fritzinger telling him they wouldn't be.

Ms. Estes informed the Board that she had received a call from someone interested in having a small wedding on Marcy Field; the Board opted to wait for the written request before making decisions.

Ms. Whitson supplied Mr. Wilson with an example of a parking ticket from Lake Placid.

Ms. Whitney asked about the payment made to Mercedes-Benz Financing; she was informed this was a highway truck lease payment.

She also asked what the SPEDS fee was; Mr. Wilson said that is a fee to DEC for the oil / water separator at the highway garage.

Resolution No. 95 – 20

Ms. Cheetham-Palen offered a resolution and moved its adoption. Be it resolved, that the following bills be accepted for payment. This resolution was seconded by Ms. Whitney.

Roll Call Vote:

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

Multi-Fund Vouchers Numbered 128 to 170, totaling \$105,087.23, as follows:

General Fund Bills	\$58,504.74
Highway Fund Bills	45,575.49
Library Fund Bills	274.55
Water District No. 1 Bills	352.78
Water District No. 2 Bills	379.67

Resolution No. 96 – 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 8:40 PM.

Ellen S. Estes, Town Clerk  
March 13, 2020

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