

Joseph P. Wilson Jr, Supervisor  
Robert M. Biesemeyer, Deputy Supervisor  
TOWN BOARD MEETING  
August 10th,2021  
6pm  
Community Center Pavilion

Minutes of the Town Board Meeting held Tuesday, August 10th, 2021 at 6:00 PM, at the Town of Keene Pavilion. The following Town Board Members were present: Joseph P. Wilson, Jr., Supervisor, Robert M. Biesemeyer and David R. Deyo, Councilmen, Teresa Cheetham-Palen and Jennifer G. Whitney, Councilwomen. Also present were: Ryan Hall, Water Superintendent, Highway Superintendent, Scott Smith, Cori-Anne Favro, Town Clerk, and town residents.

The Chairman, Mr. Wilson called the meeting to order at 6:00 PM.

Agenda and documents were available for review at the meeting for all attendance.

Resolution 170-21

The following resolution was offered by Mr. Biesemeyer who moved its adoption. Be it resolved, that the July 13th, 2021 Town Board meeting minutes and July 22nd, 2021 and July 28th,2021 special town board meeting minutes be accepted and approved. 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 opened the floor to the privilege of the Floor.

Ms. Kim Smith had questions about the water superintendent position that was posted. It is stated that Ryan would be staying on 3 weeks to train that person and staying on for possibly a year and half. What would be his compensation on that?

Mr. Willson: It's going to be the same hourly rate for the initial training period and the same for the ongoing for any work he does. Off the top of my head I cannot remember that rate.

Ms. Favro: It was set for \$25.00/hr

Mr. Ferebee: Can I ask a question since she asked about water as well? I looked online and saw the very generic job description. Is that the one you will be interviewing for? I feel there are many items that the water superintendent does but is not listed or explained. It looks like the descriptions came from the county. It also shows 3 different jobs.

Mr. Wilson: It's a pretty comprehensive description, there are 3 pages.

Ms. Cheetham-Palen: Ryan provided a pretty descriptive list of job duties to us.

Mr. Ferebee: Shouldn't that information be in the job description, instead of something so general?

Ms. Cheetham-Palen: We will go over that more in the job interview with the candidate.

Mr. Biesemeyer: Do we have any applicants as of now?

Mr. Willson: We do not, nope. None. I am concerned, Bill raised a good point, it's a pretty extensive job and we put out a 3 page description.

Mr. Biesemeyer: What is the status of that woman that was interested in the job? Ryan had told us about. She was perhaps moving closer and she was well qualified, not licensed but had other related experience? You have not received that application?

Mr. Wilson No, we have not received any contact from all of the different places I posted the job.

More discussion regarding the job description continued and then the next item that was not on the agenda was brought up by Town Board member Ms. Whitney.

Ms. Whitney: Keene Youth Commission is looking to get approval to have youth fall sports. Essex County will be having youth teams from all over the county participating this year. They would like to know if we as a board are okay with team creation, practicing and participating in soccer games.

Mr. Wilson: Is this related to Covid? Maybe we should put this on the agenda for our next meeting because the school needs fields.

Ms. Whitney: She said they needed to know before September because we need to let the county know, they need to find coaches and let parents know. So basically they just need to know if they can practice and participate in the county youth fall soccer ages K-6.

Mr. Wilson: So there is no guidance given really by the CDC about large outdoor gatherings or sports so it's hard. Can we talk about this more when we get to our Covid section of the meeting?

Ms. Whitney: Yes.

First item on the agenda is Water District #1.

Mr. Wilson: Scott Smith and I met with FEMA today to talk about all the Halloween storm damages we put in for FEMA. Everything was approved except our appeal for the water main repair. We are waiting to hear back still on our appeal from the denial of the water main repair for water district 1.

Mr. Biesemeyer: How much was that project to repair?

Mr. Wilson: A little over \$200,000.00 a lot of money. It was a big job.

Mr. Biesemeyer: And that one has not been approved?

Mr. Wilson: Correct. We are waiting, we got our dental appeal in and it's still in process in ALbany. Our local reps are checking with ALbany to see if they can find anything else. All the rest of the damages we are going to be reimbursed for about \$10,000.00 So by far the water main is our big one. I am continuing to keep after it and our local reps are continuing. As soon as I hear, I'll share that news. So I will turn it over to you Cori, I know you had a lot of questions about this.

Ms. Favro: Basically, I was just asking the amount because if FEMA does not pay, the town will then need to get a bond and that cost will go on to the district water 1 users. I am a district 1 water user that is why I was so concerned. So we have the possibility of our water rent to almost double if that FEMA reimbursement does not come through. So I just wanted to make sure that the town went through the proper channels to get the FEMA reimbursement and followed the protocols to get the funding. I know this will not affect the general fund and it does not affect everyone in the town but it does affect water district 1 users and we are part of the town too. It doesn't affect the whole town but it does affect a number of people quite substantially and that is why I was asking.

Mr. Willson: So, you are absolutely right. It is a big cost and water district one is a small district so, that's why I am pushing. We followed everything and did everything properly with all our FEMA submittals and our meeting today was about that. So it's in the hands of FEMA. I think stating that our water rates will double is a little premature until we know what we get. We won't be able to know until what kind of bond we will take and the water district one needs other work as well. And this water repair was a surprise and it disrupted our plan. Based on what FEMA comes back with we will need to decide if we take out a bond and if we can do other projects that the district needs and other maintenance.

Ms. Favro: So yes maybe not double but we have the chance that the water rent bills will go up significantly.

Mr. Wilson: That is why I am working so hard, it's a really small district and we still have maintenance we still have to pay for. So it's really putting that district in a bind.

Mr. Ferebee: Have you reached out to any other state agencies for assistance?

Mr. Wilson: Well FEMA is the first line, nobody is going to touch it. Until we hear back from them, we aren't going to know how much we are going to borrow and how much the water rates will go up.

Mr. Ferebee: What about the other agencies that help with grants?

Mr. Willson: With them I have been focusing on water 2, because we have even bigger payments and bonds to do there. We are not eligible for no interest loans and what I have been waiting for is the federal stimulus for infrastructure. We have a project in water 2 ready to submit. Again I think our best bet is if we don't get the FEMA in water 1, we see if the federal stimulus money.

Mr. Ferebee: Do you know how long FEMA takes to cash out, like for Irene it was a while.

Mr. Willson: Well they have the clock ticking, they have until 9/20 to respond to our appeal. SO again that's our first stop, and then the federal stimulus package is unfolding, and it's what we would do for our water 2 as well.

Mr. Ferebee: Don't you have to pay the interfund loan back by the end of the year, shouldn't you look at a BAN?

Mr. Wilson: Yes, best practices from the comptroller is that you pay the interfund loan back by the end of the year, but there is no penalty if you don't. There is not really an advantage to us jumping into a BAN, just because of accounting guidelines.

Mr. Biesemeyer: So at budget time we will have to look at this closely.

Ms. Favro: So just my last statement on this is that I just wish that things were communicated more, with the water district users so that we could prepare. Just to have transparency on the systems that are happening. That is all I request.

Mr. Wilson: Okay, so our next order of business is Covid and mask policies and youth commission sports. Over the weekend there were 13 new cases and 18 in isolation. Right now Essex county's spread is moderate, to the south of us it is higher.

Mr. Biesemeyer spoke about his experience in Lake Placid and that they seem to be experiencing more cases there recently.

Mr. Wilson: The Library has adopted mask wearing for their staff and I think what we need to decide as a town board, and what we want to adopt in our facilities.

Mr. Biesemeyer: I think it's a little early for us to make a policy change.

Ms. Cheetham-Palen: I know many of the colleges are implementing mask wearing and I have started wearing mine in public places as well.

Ms. Andrea Roebuck: Can I ask a quick question, the numbers themselves don't tell the whole story. The reason for the vaccines was to keep people from getting sick to the point that they would be hospitalized and overwhelm the hospitals. Are they reporting the hospitalization numbers? Creating more fear than there has to be. That's just my opinion.

Mr. Wilson: That's a good point, it's hard to get those numbers. Maybe what we can do with our policy is follow the state map that goes county by county.

Ms. Molly Lawrence: I think the CDC has a certain threshold number, I am pretty sure that the health department has a number or a level of a seven day rolling average and once we meet that number of cases then you will want to consider a mask mandate.

Mr. Deyo: Have we reached that threshold yet? I think you would be the most knowledgeable in this topic.

Ms. Lawrence: No, we have not. I think as a town we should follow what the county gives us.

Mr. Wilson: That's exactly what I was saying. The numbers you are describing go into generating the statewide/ county map. That's the map I have been looking at. We are at moderate.

Mr. Deyo: I agree with that, we should follow the state guidelines.

Mr. Wilson: Yes, so we need to prepare if the county does go to those levels, we are ready to put out a mask mandate.

Ms. Lawrence: We are a small county and it could fluctuate very quickly, so you may want to take into consideration that there may be a lot of changes week by week when you make your policy.

Mr. Wilson: The county wide data gives a pretty clear, if we go red then we go to mask. For now I think we are going to go by the county data.

Ms. Cheetham-Palen: I think what Molly is saying and I agree that maybe if we go back to masks then we should keep them for a full month and then if we go back down to yellow and stay there then we review to remove the mask policy, instead of a possible weekly change.

Mr. Wilson: Yeah that's a good idea. Any other thoughts on masks?

Mr. Ferebee: Speaking of masks at the Town Hall, the mask bin that is there is empty and dirty. Will that be cleaned up or updated?

Mr. Wilson: That was a very popular thing that was used so, but since we have stopped wearing masks. Okay, Jenn did you want to talk about youth commission soccer?

Ms. Whitney: I think if we are fine with moving ahead with it we are good. They won't be riding buses, parents do all the transportation.

Ms. Cheetham-Palen: I am okay with it, we have been doing activities all summer.

Ms. Whitney: Okay, I will tell them yes.

Mr. Wilson: The school is going to use the community center field because their fields are still torn up. Does Youth Commission, like when Keene host the tournament, will need to do it at Marcy Field? Or we will just handle that when we get there. Okay next item of business.

Mr. Ferebee: Just to clarify on my question on the mask bin at the town hall, you never answered me on that.

Mr. Wilson: I did, I said we will update it. So the next item on the agenda is the follow up on the short term rental group. Fritz Sabbow is here to report on that.

Mr. Sabbow: “ ***The short term rental group, as a part of the Strategic Plan of 2019/202, request the Town Board to approve the following charge:***

***1) To support the creation of a Short Term Rental task force made up of both voluntary community members and the Town Supervisor, 2 Town Board members and a representative from the Planning Board. This task force will take the recommendations presented by the Short Term Rental group and further define actions to be undertaken in order to establish a policy of managing STRs in our community.***

***2) This working task force will follow these guidelines as provided by the STR group:***

- a. To determine a definition for what a short term rental is and determine actions that may lead to a revision of the Site Plan Review Law.**
- b. To research and meet with other local town officials on their adoption of laws concerning short term rentals in order to recommend laws or rules that would be appropriate to our community.**
- c. To research and recommend the most likely means of enacting rules and laws, enforcing such and paying for the cost of compliance. Considerations here would be to review the cost of administering the program and how this cost will be offset without significant impact to those seeking compliance.”**

RESOLUTION No. 171-21

The following resolution was offered by Ms. Cheetham-Palen who moved it's adoption with modification. Be it resolved, that the Town Board accepts the charge put forth by the short term rental task force. Modifying the section in which it describes the makeup of the committee of 2 board members and the Supervisor. That section will need further review from the Town Attorney. This resolution was seconded by Mr. Biesemeyer.

Mr. Sabbow: Does anyone have any questions?

Ms. Whitney: I would just like to make sure that you have people that are on the task force that are for it and against it.

Mr. Sabbow: Yes, that has been the makeup of the short term rental group.

Ms. Whitney: Yes, maybe some people that do have rentals, some that don't.

Ms. Sabbow: I would say that it does have a good mix. We would also need 2 board members and the Town Supervisor.

Ms. Kim Smith: I would like to ask a question about that, with having 2 town board members and the supervisor that is considered a quorum? I don't believe you can have 3 board members on this committee.

Mr. Wilson: Well, it's not town business we are participating in.

Mr. Biesemeyer: I think that is a great question for the town attorney and we should really look into that.

Mr. Wilson: Well, we need to hire one first. You can still have multiple board members on this, we are not making decisions or spending money.

Mr. Biesemeyer: No, I think she is right about that.

Ms. Cheetham-Palen: I think I remember having this discussion a while back with the steering committee. At the time the lawyer said if it's committee work and nothing gets done, if you're not passing anything or spending money.

Mr. Biesemeyer: I think Kim has a point, it's something that definitely needs to be examined more. It is illegal.

Mr. Wilson: Okay, we could say that aspect of the committee is pending advice from our attorney. I got an email that came in a little while ago from Jen Kazmierczak as read:

***“Thank you to the board for your support of the Town of Keene Strategic Plan. I am encouraged to see the motivation and dedication of board members as well as community members who have put in the hard work and many hours to research and think through the recommendations outlined in the report. I was part of the initial STR group and I fully support moving ahead with the recommendations outlined in the strategic plan. Unfortunately, I am unable to be at the town board meeting in person tonight, so I hope you can accept these written comments.***

***I have been a Keene Valley resident for ten years. I own a home which includes an apartment that is located on my property. I have rented this space as both long-term and short-term rental, and it is currently set up as a short-term rental. I feel strongly that the town of Keene needs to move ahead with the implementation steps outlined in the strategic plan. It is essential to establish some basic controls to ensure health and safety for our community, as well as manage other challenges that can come from the short term rental market. We can learn a great deal from other towns, both near and far, to inform our path forward.***

***Thank you,***

***Jen Kazmierczak (Keene Valley resident, KCS board of Education member) “***

Fritz Sabbow read another letter from Carolyn Peterson who also could not make the meeting. It is read as follows:

***“To the Town Board, I am unable to attend this evening but remain deeply interested in the continuing work of the town board on the strategic plan recommendations. As you may recall from the report on this community driven process, short term rentals and affordable housing issues were the two highest identified topics from the community survey and other input. The topics were intertwined but the committee recommended separating them as they both required much research and work and different approaches. Thoroughly undering Keenes existing regulations and those of neighboring towns and villages could be the reasonable first step. A combination of officials and volunteers to work on this process is key to a successful outcome, the proverbial having “the right people at the table: working together. I look forward to assisting this effort as needed.***

***Thank you for your support, Carolyn Peterson. “***

Ms. Favro: If any community members are interested in joining the short term rental task force who should they contact?

Mr. Sabbow: They should contact me. The first meeting should be September 18th,2021

Mr. Willson: Thank you Fritz for following through on this and continuing to work on it.

Roll Call Vote:

Mr. Wilson: Yes

Mr. Biesemeyer: Yes

Ms. Cheetham-Palen: Yes

Mr. Deyo: Yes

Ms. Whitney: Yes

Ms. Favro: I just have a small request for all the working groups that are going on right now. It's all very exciting and the community is looking forward to what is coming out of those meetings. Is there any way for those working groups to submit a short report of what they went over at their meetings to the Town Supervisor to be read at the regular Town Board meeting? So we could all stay in the loop of what is going on and progress.

Mr. Wilson: Well the groups already do that, like having them here tonight. When they have stuff they bring it to the town board meeting. It happened the past 3 meetings.

Ms. Favro: I know they have come to the past 3 meetings and requested that the task force be formed, but now that the groups are formed. Do you plan on giving information?

Ms. Cheetham-Palen: I think right now they don't have anything to report, but I think come September when people are out of vacation mode there will actually be something to report on.

Ms. Favro: I was just wondering about things like Little Peaks and such.

Ms. Cheetham-Palen: That is separate out of the strategic plan and I know initially it was but they are separate now.

Mr. Wilson: That has been internal on their board and I don't know any details on what's happening with Little Peaks either because I am not part of the Little Peaks board, it's not a Town project.

Ms. Favro: Well just in the future with these groups that are meeting.

Mr. Wilson: You are welcome to join the groups and help them.

Ms. Favro: Yes, I know but I don't even know what they need and want. I don't think it's too much to ask for a little communication.

Mr. Wilson: Okay, I have a new agenda item. Well an old item coming back up. I got a letter from Rusty Hall. Rusty sent a letter as read:

***“ Dear Town Board Members; I apologize that I am not able to attend this meeting. I also know and understand that you have many difficult decisions to make. To be perfectly honest I still am confused by the lack of support for the dedicated volunteers that continue to serve this community unselfishly. I ask that you reconsider the Keene Valley Fire Departments request for funds for the wilderness response equipment.***

***I appreciate the fact that each one of the negative voters from the last meeting had reached out to justify their decisions for vote no. As I know it, the state wishes to negotiate a new agreement with regard to the hiker parking system. With that said, it certainly makes sense to use hiker parking***



***funds to assist our needs for this important life saving equipment. It gives you a bargaining chip in the game. I know there are those that have heard that the Rangers continue to borrow our equipment for their rescue efforts. I have wholeheartedly supported that since it reduces our responses and limits our members having to respond. Thus risking our volunteers. I feel it is a small insurance policy if you will. An additional bargaining chip for your negotiations. The state use of our tools has only increased our working relationship with the rRangers. They currently do all they can not to call for us unless it is absolutely necessary. Easily another bargaining chip.***

***I commend those that want to maintain a year end balance so that they can pay the bills and provide a cost of living raise for the hard working town employees. Please know none of my members get any such raise. Additionally, it is simple to ask your employees/ staff to inspect, repair and budget for equipment, asking a volunteer on top of all their time amassed for emergency responses, training, meetings, etc. after a full time job is not as easy as it may seem. I additionally ask that you place a line item in the 2022 budget and each year following for \$1000.00. (for each department) These funds will be earmarked for wilderness equipment to avoid these difficult conversations in the future. The funds would only be used if there were equipment needs for that year. Your final bargaining chip with the state.***

***I have to question why \$3500.00 in materials alone can be earmarked for power/ wifi upgrades at Marcy Field/ Farmers Market to support outside vendors and our request is denied.***

***As town board members, if you are not already aware, you should be, that volunteerism is at an all time low. This is a true hard fact. Please know that a negative vote for assistance from you resonates to the membership very loudly. Please reconsider your vote.***

***Sincerely;***

***Stephen "Rusty" Hall, Chief***

***Keene Valley Fire Department"***

Mr. Wilson: We didn't earmark the money for the farmers market, but Rusty just actually texted me that the rangers are using their ropes and litter right now but didn't have to call out Keene Valley members to assist. And they are doing a rescue using their equipment.

RESOLUTION No. 172-21

The following resolution was offered by Mr. Wilson who moved its adoption. Be it resolved, that the \$3500 request for a rescue litter and ropes requested by the Keene Valley Fire Department be granted in the current 2021 budget. This motion was previously denied in the last meeting and was brought again for reconsideration. This resolution was seconded by Mr. Deyo.

Mr. Deyo: I think we should add the \$1000 during budget time.

Mr. Wilson: So that is not part of the motion, that \$1000 is for next year. Right now we need to talk about the \$3500 for this current year. For the replacement ropes and litter.

Ms. Whitney: I am still confused on why they just cannot budget for it

Mr. Wilson: Well, I think there are 2 things, the ropes are at the end of their service life.

Mr. Biesemeyer: What is the breakdown of cost? It can't be \$3500.00 for ropes.

Mr. Wilson: I don't have the breakdown here with me but I think it was \$800 for ropes and then helmets and litter.

Mr. Biesemeyer: You think they would be willing to work with us. Whatever is an emergency purchase, our board is not going to stand in the way of this, but I have been in a lot of budget meetings to stay under the 2% cap that often comes down to thousands of dollars. And to spend money during the course of the year and we have already spent quite a bit this year and we also have mystery expenses like FEMA if they don't reimburse us for that river job. It will impact taxpayers money. He will need to give us a list of what he feels he needs immediately, I don't have a problem buying those items. But to just give carte blanche approval for \$3500.00, I think we should wait until we can negotiate our budget. It's so close to budget season now.

Mr. Wilson: Well he did provide a detailed list of those helmets and litter so it is a list and not open ended and those are the emergency items they need.

Ms. Whitney: Didn't you just say that they are out on a call using that equipment?

Ms. Lawrence: Yeah, I was just going to say that. So you are saying they have this emergency purchase, end of service life equipment out on a call now?

Mr. Wilson: Yes, they borrowed. So that's why I got the letter.

Ms. Lawrence: So that's safe?

Mr. Wilson: They don't carry the litter in their DEC truck, it's stored in Ray Brook. So if they are called out to call in Keene they borrow the equipment here. So part of what Rusty is explaining is that if the rangers have to go back to Ray Brook then they have to call out Keene Valley to take the rescue.

Ms. Roebuck: I'm curious to see if the town board gets to see the budget created by the fire district, is it detailed and is there a gap in funding?.

Mr. Wilson: You are getting to the details of this. The reason for talking to the chiefs and getting this request is. The people that are getting rescued are visitors to our town. What we are talking about here is using money that is generated from the parking lot and the shuttle. Using money generated by the hikers. If we turn this down again, this equipment that has to be replaced will be coming from tax revenue.

Ms. Roebuck: What about ROOST?

Mr. Wilson: No, No let me finish. So this is a way to put the cost of the rescue equipment on the people getting rescued rather than putting the cost on to the people in this room. It is allowable, so then the fire department is freed up.

Mr. Biesemeyer: I would like to correct you on what you are saying, because what you are saying is not correct. You are stating like there is a separate budget within the budget. The minute somebody puts money into that it becomes revenue for the town of Keene. That revenue for the town of Keene is offset by expenses for the Town of Keene. So regardless if it comes from hiker parking or whatever it's still money that belongs to the taxpayers of the town of Keene. It does not belong to us, it does not belong to the fire department, it is the taxpayers money. So when we receive revenue we need to spend that wisely.

We anticipate revenue in our budget so if we take revenue out of a revenue source because saying it's not taxpayer money.

Mr. Willson: I didn't say taxpayer money, I said property tax.

Ms. Cheetham-Palen: So I still have a question about my understanding: is that the money from the shuttle that the DEC is still questioning right? The DEC is telling us it is something else and can be used only for certain things. Based on some agreement that we still don't have an answer on. Sometimes revenue we get, even though its still revenue is earmarked for certain things. It's my understanding right now.

Ms. Whitney: So I asked this at the last meeting, it was still unclear about the cooperative agreement with DEC. Which is why I said I wanted to wait.

Mr. Wilson: So when Supervisor Tom Both worked with DEC and the private land owner and set up the shuttle. One of the informal agreements was that some of that revenue would go to the departments to support.

Mr. Biesemeyer: Only that year, so don't try and paint it like there is a line item. That is not true. That is why we run into these problems.

Mr. Wilson: Let me finish, so you are right. When the Town gets money that is the taxpayers money. The money that goes to the fire departments is property tax. If we use this money from the hikers it directly offsets the property tax used to pay the fire departments budgets.

Ms. Lawrence: I was just wondering if the board does not approve this now, does the department not have the money in their budget to pay for these items now?

Mr. Wilson: Yes, that is why they asked.

Ms. Lawrence: Oh, I thought you said at the last meeting that it was already on order? But it's not?

Mr. Willson: No, I said they have to replace it. The rope is at the end of its service life.

Mr. Deyo: No, these have already been ordered.

Ms. Lawrence: Okay then how are they going to pay for it if they don't get the money from us?

Mr. Wilson: They will have to cut money somewhere else.

Ms. Favro: How much money do they get as a district every year?

Ms. Whitney: I think around \$200,000 something.

Ms. Roebuck: Does this get reconciled at the end of the year? Do we get money back in the general fund?

Mr. Wilson: No, that money stays with the department.

Ms. Roebuck: Oh, so they should have saved some money?

Ms. Lawrence: So, if budget season is coming up, couldn't you budget to reimburse them?

Mr. Wilson: So that is what I am proposing, using the money generated off the parking lot. Incidentally, I have gotten a grant from DEC to pay for our stewards, so we are not using that revenue.

Ms. Favro: Have we actually gotten that grant money from the DEC yet?

Mr. Wilson: Yeah yeah, we signed a contract in 2020.

Mr. Biesemeyer: So how do you want to structure this, you want to give them the \$3500.00 now no questions asked?

Mr. Willson: Well no, the motion I made was to provide \$3500 to replace the ropes and other equipment.

Mr. Biesemeyer: So that's how we are going to do that.

Mr. Willson: Yes, that's what Rusty requested.

Mr. Deyo: Could we revisit this during the budget season.

Ms. Whintey: What happens if Keene Fire says oh you gave them \$3500, we want more money now too.

Mr. Wilson: Well I told you in the last meeting. I told Rusty and Jody that the proposal needed to come from both departments. They agreed that Keene Valley's request was what was needed.

Ms. Whitney: It says right in the letter it's for Keene Valley only.

Mr. Biesemeyer: Of course when fire departments ask for money in an election year, it comes down to this.

Mr. Willson: So both departments came up with this request. Keene Valley just had the most urgent need.

Mr. Biesemeyer: So you are saying this is an emergency purchase that is needed for \$3500.00, I don't think they do.

Ms. Wilson: Okay so we will call a roll call vote.

ROLL CALL VOTE:

Mr. Deyo: YES

Mr. Biesemeyer: YES

Mr. Willson: YES

Ms. Cheetham-Palen: YES

Ms. Whitney: NO

Ms. Whitney: I do want to say that I do support the fire departments, I was the founding member of the auxiliary in Keene, I have been a member for over 10 years. My husband has been a chief for 20 years. So I don't want this thrown in my face that I don't support the fire departments.

Mr. Wilson: Okay, thank you everyone for the spirited discussion, I'll follow up with Rusty to get him to submit an invoice and during budget season we will discuss \$1000 for each department. Our next item is that the Town of Keene Library Board needs to make an appointment.

#### RESOLUTION No. 173-21

The following resolution was offered by Mr. Wilson who moved its adoption. Be it resolved, that the Keene Library vacant board seat be filled by the appointment of Tarisa Holbrook 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. Biesemeyer: Update on Keene Library repairs. We have received engineered plans and it is ready to be put out to bid. We will get contractors that are interested in getting the work done.

Mr. Wilson: You and I can work on getting the bid out.

Mr. Ferebee: Has the foam boards been removed from the foundation and the trees growing in it pulled out yet?

Mr. Biesemeyer: Well we are about to start extensive work on the library, but I can go down and pull those boards for the time being. The library is going to be shut down all winter.

Mr. Wilson: Our next agenda item is to adopt our budget calendar for the 2022 budget.

#### RESOLUTION No 174-21

The following resolution was offered by Ms. Cheetham-Palen who moved its adoption. Be it resolved, that the Town of Keene Board adopts the 2022 budget workshop calendar that was presented. This resolution was seconded by Ms. Whitney.

Ms. Whitney: Will the budget worksheets come out?

Ms. Favro: Yes, those will be mailed or given to you by the date listed on the calendar.

Roll Call Vote:

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

#### RESOLUTION No. 175-21

The following resolution was offered by Mr. Biesemeyer who moved its adoption. Be it resolved, that the Town of Keene Board accepts the request for change in water rate for 1667 NYS Route 73 in Keene Valley. Owned by Enduring Mountain Holdings, Patrick Walsh for the 2021 billing cycle. This location formerly had an apartment upstairs and now it's just storage. This resolution was seconded by Ms.Cheetham-Palen.

Ms. Favro: This is the Old Mountain Coffee building just for clarification.

Mr.Wilson: This is not inhabited as a living space and just a storage space. I spoke with Ryan about this and it raised a broader issue about changing these changes of service. How do we verify, do we continue to take people's word or do we ask for proof? What do we use for proof?

Ms. Cheetham-Palen: The water is still on at the building so we couldn't use an on or off.

Mr. Deyo: I am fine with approving this one and tabling the bigger issue.

Ms. Cheetham-Palen: So this was being billed as 2 seperate things, is this a change of use?

Ms. Favro: I will update his water bill for this year so he will pay a lower rate for this season.

Roll Call Vote:

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

#### RESOLUTION No. 176-21

The following resolution was offered by Ms. Cheetham-Palen who moved its adoption. Be it resolved, that the Town of Keene Board accepts the reservation for use of the Town of Keene Pavilion for use by the Adirondack Mountain Club on August 19th, 2021 at 6pm.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

RESOLUTION No. 177-21

The following resolution was offered by Mr. Wilson who moved its adoption. Be it resolved, that the Town of Keene Board accepts the reservation for use of the Town of Keene Holt House at Marcy Field on the dates of August 20th-22nd, 2021 to the High Peaks Summer Arts show to Town of Keene residents. 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

RESOLUTION No. 178-21

The following resolution was offered by Mr. Wilson who moved its adoption. Be it resolved, that the Town of Keene Board accepts the reservation for use of the Town of Keene Pavillion on the date of September 12th to the Adirondack Mountain Club for 40 people. 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

RESOLUTION No. 179-21

The following resolution was offered by Mr. Biesemeyer who moved its adoption. Be it resolved, that the Town of Keene Board accepts the reservation for use of the Holt House on the date of August 28th, 2021 to Martha Gallagher for a free concert. 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

RESOLUTION No. 180-21

The following resolution was offered by Ms. Cheetham-Palen who moved its adoption. Be it resolved, that the Town of Keene Board accepts the reservation for use of the Keene Pavillion on the date of September 11th, 2021 to Marsha Mosey for a memorial reception. 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

RESOLUTION No. 181-21

The following resolution was offered by Ms. Cheetham-Palen who moved its adoption. Be it resolved, that the Town of Keene Highway to auction off surplus equipment. Two old sanders and a John Deere Tractor to be taken out of inventory. 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: Next item of business is MRTA (Marijuana Regulation and Taxation Act) Local opt-out.

Hand out was available and it was attached to the minutes regarding this topic.

Mr. Wilson: This has to be done by 12/31/21 or it's automatically legal, and we have to pass a local law through a public hearing process. So we cannot wait till November. If we want to pass a local law we need to decide what our resolution is going to be.

Ms. Whitney: If we say no, could we change our mind in two years?

Mr. Wilson: Yes.

Mr. Deyo: We should put it on the ballot and let the voters decide. I would rather be proactive and let the voters decide.

Mr. Wilson: It would not be a ballot it would be a public hearing. This has to be a local law and not just a board resolution. This is a smoke shop, dispensary.

Ms. Whitney: I am curious if you know what other towns have chosen?

Mr. Wilson: We are all in the same spot right now. Same timeline. No one is further ahead. We can say we will pass a resolution to opt out or law then have a public hearing. Or we can wait a little.

Mr. Biesemeyer: Is there any revenue associated with this?

Mr. Wilson: if we stay in and allow this we are eligible for a share of the taxes that those businesses generate.

Mr. Deyo: I think we just have the public hearing and hear from the them.

Mr. Wilson: If everyone says we want pot, then we don't need to do anything more.

Ms. Whitney: So we get 75% of the tax that comes in on the sales.

Resident: In Colorado the tax money collected was used to create parks and treatment centers. Also they are saying the tax money made off these sales would reduce the entire debt if implemented in california of 2 trillion dollars in just a matter or years.

Mr Wilson: We will set a date for a public hearing in the next couple of weeks and get feedback because there are a few things at stake here.

Ms. Favro: Is there a way we could put out a virtual survey to the residents of Keene to be able to vote so you could see numbers. I know google does a survey.

Ms. Whitney: Yeah, just like we did for the logo survey on google.

Mr. Wilson: Yes, let's work on a way to get as much input as we can. Thanks, Jenn.

RESOLUTION No. 182-21

The following resolution was offered by Mr. Wilson who moved its adoption. Be it resolved, that the Town Board will go into executive session to discuss 2 personnel matters at 7:17PM. 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

Board went into executive session at 7:17PM out in the field.

RESOLUTION No. 183-21

The following resolution was offered by Mr. Biesemeyer who moved its adoption. Be it resolved, that the Town Board will return from executive session at 7:26PM. 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. 184-21

The following resolution was offered by Mr. Wilson who moved its adoption. Be it resolved, that the Town Board will promote Roger to Facilities formen for the compensation of \$22.00/hr and TJ's compensation will be raised \$2.00 hour with no promotion. This resolution was seconded by Ms. Cheetham-Palen.

Mr. Ferebee: Can you tell me if you state they are not doing their job now, why are you going to increase their pay? Will this make them do their job? And who will oversee them? Clearly it's not being overseen now. Just look around at the Town. Their job is to take care of the grounds of the Town, if you drive around town right now. It's very clear that they are not doing their job, so now you are giving them a raise.

Mr. Biesemeyer: Sort of where we are at Bill is, Ryan has left. There is nobody left in the department to take care of plowing and mowing etc. I was in the interview with Roger and TJ and hopefully going forward since they were given the responsibility for that sector. This department is no longer going to be overseen by Ryan.

Mr. Deyo: The board is also going to take more of a role in helping keep accountability and that the work is getting done. I will put in work orders on things that need to be done. Joe Pete is going to be in charge of prioritizing these jobs. Sitting with Roger on a weekly basis and getting him a list of things to do. If that doesn't work out then we will reexamine this.

Mr. Ferebee: So who is going to make sure that they do the work?

Mr. Biesemeyer: Joe Pete is.

Mr. Ferebee: Okay so Joe Pete is going to tell them to do a job. In the last meeting I had mentioned a large list of items that needed to be done in town. Which is in the minutes. It's been 8 working days and nothing has been addressed. There is no accountability for those guys. NONE.

Ms. Cheetham-Palen: That is why we are doing a restructuring, so we are hoping to create a better sense of accountability. That's how we move forward, create a new plan and I think its a good plan and we will reevaluate.

Mr. Ferebee: So I just want to be clear, Joe Pete will be overseeing what they do. That's all I needed to hear.

Roll Call Vote:

Mr. Wilson: Yes

Mr. Biesemeyer: Yes

Ms. Cheetham-Palen: Yes

Mr. Deyo: Yes

Ms. Whitney: Yes

RESOLUTION No. 185-21

The following resolution was offered by Ms. Cheetham-Palen who moved its adoption. Be it resolved, that the Town Board will amend the 2021 budget, there will be an increase in the sidewalk contractual line. An increase of \$5038.85 to be transferred from C.L.A.S.S. This resolution was seconded by Ms. Whitney.

Ms. Whitney: What was done to the sidewalks to need this transfer of funds?

Mr. Wilson: Just catching up with accounting, we keep money in C.L.A.S.S because its interest bearing. Then as we spend down the account we transfer from back to the account.

Ms. Whitney: So, how did you decide to now just transfer for the sidewalks?

Mr. Wilson: It's from snow removal. We are just catching up.

.Roll Call Vote:

Mr. Wilson: Yes

Mr. Biesemeyer: Yes

Ms. Cheetham-Palen: Yes

Mr. Deyo: Yes

Ms. Whitney: Yes

#### RESOLUTION No. 186-21

The following resolution was offered by Mr. Biesemeyer who moved its adoption. Be it resolved, that the Town Board will transfer funds, within the general fund out of contingency in the amount of:

\$209.00 into unallocated insurance

\$1172.00 into traffic control

\$311.00 into publicity

\$2670.00 into refuse and garbage.

This resolution was seconded by Ms.Cheetham-Palen.

Ms. Whitney: What was the publicity for?

Mr. Wilson: The town stickers Any other board questions?. Bill, you had a question? No surprise.

Mr. Ferebee: How is the \$2000.00 of anticipated savings going at the transfer station now that we switched from zero sort? You had said it was going to save \$2000 a month when the town changed from zero sort to self sort. Has that savings shown true?

Mr. Wilson: Yeah, except we are spending more on trash hauling because the volume of trash we are receiving that's why we are transferring money. It's a busy year at the dump.

Ms. Favro: Wouldn't the ticket sales for trash keep up with that. There shouldn't be a deficit.

Mr. Wilson: What happens is, like on Friday when you get people not recycling responsibly and we have to throw stuff from recycling into the trash we don't get paid for it.

Ms. Favro: So we are having \$2000 a month of people throwing garbage into the recycling system?

Mr. Wilson: This isn't a monthly payment.

Ms. Favro: So in general we are having a significant amount of trash in the recycling area that is eating up the savings from switching to zero sort you are saying?

Mr. Wilson: yeah it's up to 40% sometimes.

Ms. Favro: 40% of what?

Mr. Wilson: Garbage, unscaled garbage going into recycling.

Ms. Favro: Would it then be beneficial to have someone standing in the recycling area?

Mr. Biesemeyer: We don't have...

Mr. Wilson: I am in the process right now of calling the State Troopers again to prosecute illegal dumping. We are trying to collect fines from people. It's a busy place and if we want to invest in another employee it might help but you can't get everything. What's more expensive, having another employee or eating tipping cost. It comes down to the numbers. It's a tough place to keep track of the behavior of everyone.

Ms. Favro: I had a thought about illegal dumping, I was wondering about why people do it. Are people renting here and getting up there and realize that you can't buy tickets up there and then just leave their garbage because they have no option?

Mr. Wilson: No, they come when the dump is not open and dump it.

Ms. Cheetham-Palen: Can we get a camera up there?

Mr. Wilson: Yeah, I am going to use the first fine money I get to put a camera up there.

Ms. Favro: Is there not a gate that locks?

Mr. Wilson: There is but the Highway gets there early, and then its open before the dump attendant gets there.

Ms. Favro: Cameras are really hard to execute. It is hard to see the person and then be able to track them down. Many stores in Lake Placid often post on social media like "Does anyone recognize this person" and they are never found.

Mr. Wilson: So instead of having an unscheduled discussion about this, we can put this on the agenda next time. But we are back to the motion at hand. If you want, let me know and we can put more dump conversations on the agenda.

Roll Call Vote:

Mr. Wilson: Yes

Mr. Biesemeyer: Yes

Ms. Cheetham-Palen: Yes

Mr. Deyo: Yes

Ms. Whitney: Yes

RESOLUTION No. 187-21

The following resolution was offered by Mr. Biesemeyer who moved its adoption. Be it resolved, that the Town Board approve the June Supervisors report. 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

Ms. Whitney: East Branch Friends of the Arts are going to pay \$31.47 to cover the cost of the tree lighting from mid January to February. They are also going to pay for all of it next year. That was very nice of them.

Ms. Whitney: I was also curious how the shuttle revenue was going this year.

Mr. Wilson: I haven't looked, it has rained every Saturday since it started.

Ms. Favro: Last weekend we brought in \$210.00. The weekend prior was \$150.00 and I believe the other was \$550.00. It has not been going great.

Ms. Whitney: So we are going in the red on the shuttle?

Mr. Wilson: Yeah, the shuttle is really expensive.

Ms. Lawrence: And If I remember you said it cost \$550 a day to run it?

Mr. Wilson: Yep.

Mr. Biesemeyer: The hiker numbers seem to be way down this year.

Mr. Wilson: It's the quietest year in a long time.

Ms. Whitney: I'm just curious, and we can put this on the agenda for another time but if the numbers are like this, is this smart to keep running it.

Mr. Biesemeyer: Yeah, well I think we need to give it some time.I think fall will actually be the busiest and if the border opens.

RESOLUTION No. 187-21

The following resolution was offered by Mr. Deyo who moved its adoption. Be it resolved, that the Town Board approved the auditing of the bills.. This resolution was seconded by Ms. Whitney.

Mr. Deyo: I just had a question about this cell phone charge?

Mr. Wilson: That is just closing her out.

Mr. Deyo; So that is just paying for the last month she was here?

Mr. Wilson: Yeah, yeah.

Ms. Whitney: That voucher says July, she was not employed in July.

Mr. Wilson: Well, she worked with Ashley, our new clerk and still is. She calls her to get help. So that will be the last time submitting. Anyone else have questions?

Ms Cheetham-Palen: I have a question about the metal recycling bin. The removal was \$516.00, and the rebate is what we get back?

Mr. Biesemeyer: Was that picked up because it was overflowing.

Ms. Whitney: So I see the ORDA bill. Are we just paying for the skiing now?

Mr. Wilson: We have a lot of families that were very slow to pay their bill. We still have a few more I think so we will have to probably pay more.

Ms. Whitney: So maybe we should rethink next year about paying before you get your tickets.

Mr. Wilson: Good idea.

Roll Call Vote:

Mr. Wilson: Yes

Mr. Biesemeyer: Yes

Ms. Cheetham-Palen: Yes

Mr. Deyo: Yes

Ms. Whitney: Yes

Mr. Ferebee: I have a quick question for you before you adjourn. Has it been announced anywhere that Susan Whitney retired and who the replacements are?

Mr. Wilson: yeah

Mr. Ferebee: Like has it been put out to the public introducing the new staff at the town hall?

Ms. Favro: so the appointment was in the minutes but there was no communication out to the public about who they are. Everyone still calls the town hall asking for Susan, people are coming in not knowing who the new hires are.

Ms. Cheetham-Palen: we could put it on Nextdoor Keene.

Mr. Ferebee: The last question is about the old soccer goals, washed out from Irene. Now that FEMA has paid out couldn't shoes be cleaned up and put into the metal bin?

Mr. Wilson: Yes we could get them into the metal bin.

Mr. Ferebee: The Highway has a saw that will work to cut them up and make it easy.

Mr. Wilson: Okay, motion to adjourn the meeting.

#### RESOLUTION No. 188-21

The following resolution was offered by Mr. Deyo who moved its adoption. Be it resolved, that the Town Board has completed all business and will adjourn. 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

Meeting adjourned at 7:41 PM

Respectfully submitted

Cori-Anne Favro, Town Clerk

8/24/21



