

Bi-Monthly Town Board Meeting
January 25th, 2022
5:30 p.m. via Zoom

MTG #3
Res, # 57-71

BOARD MEMBERS PRESENT

Joseph P. Wilson, Jr., Town Supervisor
Teresa Cheetham-Palen, Council Member
David Deyo, Council Member
Jennifer Whitney, Council Member

TOWN OFFICIALS

Scott Smith, Highway Superintendent
Savana Li, Water Superintendent
Kimberly Smith, Town Clerk

MEMBERS OF THE PUBLIC PRESENT

31 participants logged onto the Zoom platform

SUPERVISOR WILSON called the meeting to order at 5:32 p.m.

APPROVE MINUTES:

RESOLUTION APPROVING TOWN BOARD ORGANIZATIONAL MINUTES

RESOLUTION NO.: 57,2022

INTRODUCED BY: TERESA CHEETHAM-PALEN
WHO MOVED FOR ITS ADOPTION

SECONDED BY: DAVID DEYO

RESOLVED, that the Town Board minutes from the January 7th, 2022 Organizational Meeting be accepted and approved with the following amendments:
Resolution No. 03, 2022, mileage reimbursement to 58.5 cents/mile
Resolution No. 26, 2022 Amend rate of pay for Transfer Station Attendant to \$18.00/ hour.

Duly adopted this 25th day of January, 2022 by the following vote:

AYES: Supervisor Wilson, Ms. Cheetham-Palen, Mr. Deyo, Ms. Whitney

NAYS: none

ABSENT: Mr. Biesemeyer

RESOLUTION APPROVING REGULAR TOWN BOARD MINUTES

RESOLUTION NO.: 58,2022

INTRODUCED BY: JENNIFER WHITNEY
WHO MOVED FOR ITS ADOPTION

SECONDED BY: TERESA CHEETHAM-PALEN

RESOLVED, that the Town Board minutes from the January 11th, 2022 Regular Town Board Meeting be accepted and approved.

Duly adopted this 25th day of January, 2022 by the following vote:

AYES: Supervisor Wilson, Ms. Cheetham-Palen, Mr. Deyo, Ms. Whitney

NAYS: none

ABSENT: Mr. Biesemeyer

PRIVILEGE OF THE FLOOR: (none)

Deputy Supervisor, Mr. Biesemeyer joined the meeting at 5:35 p.m.

OLD BUSINESS DISCUSSIONS

COVID UPDATE:

Supervisor Wilson announced that the Town received an additional batch of Covid test kits. There were approximately 40 kits and they have been divided amongst the Town Hall and Keene Valley Library for distribution. Additionally, the government is now distributing Covid test kits, up to 4 test kits per household, free of charge. To order these kits, residents should log onto www.covidtests.gov.

SHORT-TERM RENTAL WORK GROUP UPDATE:

Fritz Sabbow presented to the Town Board the draft Short Term Rental Registration Program, which was revised on January 19, 2022. He explained that the Board had been given the opportunity to ask questions about the draft and then the committee met again on January 13th, 2022. The STR (Short Term Rental) Group feels that their work is complete and they are presenting it to the Town Board to accept the report and for the Town Board to take over the process from here.

Supervisor Wilson asked if the Board had any questions. The next step would be legal review, a Public Hearing and then to discuss the possibility for a Local Law in conjunction with the Planning Board, the Site Plan Review Law and the Water Law.

Mr. Deyo stated that he didn't have any questions. Accepting the report was the next step and in the future they can work with Fritz if any questions come up.

Ms. Whitney thanked the group for working on it and said that it looks good.

Mr. Biesemeyer said that he hopes the Public Hearing can be held in person and not via Zoom. He would like to hold off until it is nicer weather if possible so that the meeting can be held outdoors.

Larry House, Co-Chairman of the Planning Board, spoke and he has drafted some proposed changes and additions to the Site Plan Review Law. He has talked to Tom Hickey, (additional Co-Chairman of Planning Board) and he is in agreement with the changes. They will discuss it with the other Planning Board Members in 2 (two) weeks at their next meeting. He plans to give the Town Board a draft proposal of the Site Plan Review Law which will cover Short Term Rentals.

Ms. Cheetham-Palen also thanked the group. She said she knows that they worked really hard and it was challenging but it was a respectful process. Thank you.

All Town Board members thanked Fritz Sabbow and the STR Group for their time and work, and Mr. Sabbow also thanked the Town Board and others of the task force.

RESOLUTION ACCEPTING THE SHORT TERM RENTAL REGISTRATION PROGRAM DRAFT REPORT

RESOLUTION NO.: 59,2022

**INTRODUCED BY: DAVID DEYO
WHO MOVED FOR ITS ADOPTION**

SECONDED BY: JENNIFER WHITNEY

WHEREAS the Town Board has reviewed the Short Term Rental Registration Program Draft Report and has had a chance to ask any questions,

BE IT RESOLVED, that theTown Board accepts the draft report.

Duly adopted this 25th day of January, 2022 by the following vote:

AYES: Supervisor Wilson, Mr. Biesemeyer, Ms. Cheetham-Palen, Mr. Deyo, Ms. Whitney

NAYS: none

(Below is a copy of the Draft provided)

SHORT TERM RENTAL WORK GROUP DRAFT:

DRAFT
Short Term Rental Registration Program
Keene, New York
December 16, 2021
Revised January 19, 2022

Task Force Subcommittee for Keene, New York 12942

Short Term Rental Registration Program

Attachment A: Registration Form

Attachment B: Self Audit Safety Checklist

Attachment C: Best Management Practices

Purpose

The purpose of registering short term rentals (STRs) is to provide controls, monitoring, and to ensure emergency management services, for short term rentals (STRs) in the Town of Keene, NY.

The Registration Program for STRs shall apply to all properties located in the Town of Keene, NY.

Part 1: Definitions:

Short-Term Rental (STR) means any premises that are rented, in whole or in part, to any person or entity, for a period of less than thirty (30) consecutive days, and includes but is not limited to residential structures, accessory dwellings, lean tos and camping sites. This excludes commercial lodging operations that are under the jurisdiction of the NYS Department of Health.

Rental means an agreement granting use or possession of a residence, in whole or part, to a person or group other than the owner of record in exchange for consideration valued in money, goods, labor, credits, or other valuable consideration.

Occupant means any person, including children two years of age and above, who intends to occupy the property overnight.

Part 2: Short-Term Rental Registration Program - General Requirements:

All STR property owners must Register with the Town of Keene. Once reviewed and approved, the Town will issue a Registration Certificate to the owner. The Terms and Conditions of the Registration are outlined in the Registration Application.

STR General Requirements Include the following:

- 1) A short-term rental Registration Certificate is required to operate a STR in the Town of Keene.
- 2) A short-term rental Registration Certificate is valid for a period of five (5) years as set forth by the Town of Keene Board. On expiration of the Registration a new Registration Application must be submitted to continue STR operation.
- 3) The STR Registration Certificate is not transferable.
- 4) If the Terms and Conditions of the STR Registration are not followed, the Town of Keene has the authority to revoke the STR Registration Certificate.
- 5) Each STR, except for campsites lacking a physical shelter, shall contribute occupancy taxes to Essex County. That tax may be paid through the STR platform (i.e. Airbnb), or paid directly by the STR owner/ manager to Essex County.
- 6) Registration fees to obtain a Registration are determined by the Town Board and changes of the fees are subject to public notification, public hearing, and referendum.

Part 3: Short-Term Rental Terms and Conditions:

The following Terms and Conditions of the Registration Requirements apply:

1. The property owners and/or operator of the STR property shall file current contact information to include names, addresses, telephone numbers and email addresses. If the owner and/or operator of the STR does not reside within an hour of the STR, then they shall file the contact information of another individual who shall be responsible and authorized to act on the owner's behalf to promptly remedy any issue on the property.
2. All short-term rentals shall meet the following occupancy and safety standards:
 - a. The number of occupants to a STR shall be limited to 2 times the number of bedrooms in the dwelling plus 2 additional occupants.

- b. All sleeping rooms must have at least 1 (one) functioning smoke detector; 1 (one) smoke detector in the main room of each level; 1 (one) functioning fire extinguisher on each level, and at least 1 (one) carbon monoxide detector on each level.
 - c. Exterior doors shall be operational and all passageways to exterior doors shall be clear and unobstructed.
 - d. Electrical systems shall be serviceable with no visual defects or unsafe conditions.
 - e. Sanitary facilities, including but not limited to latrines, must be maintained and in working order for each rental property.
3. A written notice of the following information must be posted in a highly visible area near the main entrance of the unit:
- a. The physical address of the rental unit.
 - b. The name, address, phone number and e-mail address of the owner/operator &/or designated contact person.
 - c. Local Fire and EMS Services - Dial 911
 - d. A statement of the number of sleeping rooms within the short-term rental property and the maximum number of occupants allowed.
 - e. A statement of the number of parking spaces on the property and a maximum number of parking spaces allowed.
 - f. A drawing showing the approximate size and location of the buildings and designated parking.
4. The property shall have an address number that is visible from the street or road.

Part 4: Compliance:

1. Failure to meet the Terms and Conditions of a STR Registration must be documented in a log book at the Town of Keene Offices.
2. Logged entries will be reviewed for purposes of STR Registration renewal or revocation.
3. Failure to meet the Terms and Conditions of the STR Registration may result in the Town of Keene demanding corrective measures at the STR within ninety (90) days of a recorded failure.
4. Failure to implement corrective measures may result in STR Registration revocation.
5. An STR owner and/or operator may appeal the STR Registration revocation at a Town Board meeting within ninety (90) days of the revocation.

Part 5: Best Management Practices:

Best Management Practices are suggested for all STRs in the Town of Keene, including but not limited to, the following:

1. Quiet hours shall be maintained after 10 pm.
2. The address of the dwelling and the owner/representative's contact info should be posted inside the STR near the front entrance.
3. Written rules or a guidebook should be included in each rental.
4. Property should have a maintained septic system with adequate capacity for the number of occupants to the dwelling.
5. Private water supplies should be tested periodically for public consumption.
6. Provisions should be made for management of garbage during rental periods.
7. Street signage for STRs should comply with the existing Town of Keene Site Plan Review Law stipulations.

8. A Registration may be modified by the holder at any time, and any modification is subject to all registration requirements.

Appendix A

Town of Keene Registration Form for Short-Term Rentals

Draft

Revised 1/19/2022

Applicability

As defined in the Town of Keene Site Plan Review Law (identify section), all Short-Term Rentals (STRs) must Register properties with the Town of Keene. This Registration applies to properties in the Town of Keene.

Section 1: Required Applicant Information

Property Owner:

Property Tax Map Parcel#:

Property Physical Address:

Property Mailing Address:

Rental Platform is used (circle): AirBnB ADK by Owner VRBO
Other (please specify):

Bed Tax is submitted to Essex County Treasurer (check one):

Automatically by Rental Platform

Submitted Annually by Owner; County Room-Tax Payer #: _____

Contact Information for Caretakers of this property who reside within 1hr of the physical address and have the authority to act in remedy of issues that may arise during rental periods:

Primary Contact:

Phone: Email:

Secondary Contact:

Phone: Email:

Section 2: General Requirements

All STR property owners must Register with the Town of Keene. Once reviewed and approved, the Town will issue a Registration Certificate to the owner. The Terms and Conditions of the Registration are outlined in Section 3 of this Registration Application.

STR General Requirements Include the following:

- 1) A short-term rental Registration Certificate is required to operate a STR in the Town of Keene.
- 2) A short-term rental Registration Certificate is valid for a period of five (5) years as set forth by the Town of Keene Board. On expiration of the Registration a new Registration Application must be submitted to continue STR operation.
- 3) The STR Registration Certificate is not transferable.
- 4) If the Terms and Conditions of the STR Registration are not followed, the Town of Keene has the authority to revoke the STR Registration Certificate. 1
- 5) Each STR, except for campsites lacking a physical shelter, shall contribute occupancy taxes to Essex County. That tax may be paid through the STR platform (i.e., Airbnb), or paid directly by the STR owner/ manager to Essex County.

6) Registration fees to obtain a Registration are determined by the Town Board and changes of the fees are subject to public notification, public hearing, and referendum.

Section 3: Terms & Conditions

Please check all (boxes) for self-certification:

The property owners and/or operator of the STR property shall file current contact information to include names, addresses, telephone numbers and email addresses.

If the owner and/or operator of the STR does not reside within an hour of the STR, then they shall file the contact information of another individual who shall be responsible and authorized to act on the owner's behalf to promptly remedy any issue on the property.

The number of occupants to a STR shall be limited to 2 times the number of bedrooms in the dwelling plus 2 additional occupants.

All sleeping rooms shall have at least:

1 (one) functioning smoke detector;

1 (one) smoke detector in the main room of each level;

1 (one) functioning fire extinguisher on each level, and at least

1 (one) carbon monoxide detector on each level.

Exterior doors shall be operational and all passageways to exterior doors shall be clear and unobstructed.

Electrical systems shall be serviceable with no visual defects or unsafe conditions.

Sanitary facilities, including but not limited to latrines, shall be maintained and in working order for each rental property.

A written notice of the following information shall be posted in a highly visible area near the main entrance of the unit:

The physical address of the rental unit.

The name, address, phone number and e-mail address of the owner/operator &/or designated contact person.

Local Fire and EMS Services - Dial 911

A statement of the number of sleeping rooms within the short-term rental property and the maximum number of occupants allowed.

A statement of the number of parking spaces on the property and a maximum number of parking spaces allowed.

A drawing showing the approximate size and location of the buildings and designated parking.

The property shall have an address number that is visible from the street or road

Best Management Practices (attached) are followed for the duration of operation.

Fire Safety Checklist (attached) is followed for the duration of operation.

Section 4: Compliance Requirements

1) Failure to meet the Terms and Conditions of a STR Registration shall be documented in a logbook at the Town of Keene Offices.

2) Logged entries shall be reviewed for purposes of STR Registration renewal or revocation.

3) Failure to meet the Terms and Conditions of the STR Registration may result in the Town of Keene demanding corrective measures at the STR within ninety (90) days of a recorded failure.

- 4) Failure to implement corrective measures may result in STR Registration revocation.
- 5) An STR owner and/or operator may appeal the STR Registration revocation at a Town Board meeting within ninety (90) days of the revocation.

Section 5: Certification

I certify that the information provided is accurate. I understand that by signing this Registration, I am agreeing to the Terms and Conditions of this Registration, Compliance Requirements and Best Management Practices. I also understand that the Town of Keene reserves the right to revoke this Registration if the Terms and Conditions are not met. I understand that if the Terms and Conditions are not met, I have an opportunity to resolve any deviations or deficiencies from the Terms and Conditions listed herein.

Signature: _____ Date: _____

Name & Title of STR Owner or Representative:

Signature of Town Official:

Registration is valid for STR operation for (five)(5) years

Payment Amount:

Payment Date:

Date for Registration Renewal:

Appendix B

This Form must be completed by all entities registering to own, operate and maintain Short Term Rentals in the Town of Keene, New York.

**STR FIRE SAFETY SELF-INSPECTION
CHECKLIST AND ACKNOWLEDGEMENT**

Follow these steps:

- Use this checklist as a guide to walk through your residence.
- Start by taking a walk around the exterior of your building, then the interior. Try to look as if you are seeing the residence for the first time.
- Look carefully for items which might pose a fire hazard – they may not be easily visible, such as underneath or behind furniture.
- Make note of any issues found and correct them – the sooner, the better.
- After the corrections are made, return this form to the Fire Department within 30 days.
- Maintain a copy for yourself.

These items must be maintained and in working order at all times, and require self - inspection and self-certification:

- Fire Extinguishers (Annual)
- Fire Alarm Systems (Annual)
- CO Monitors (Annual)

If you have any questions or are unsure if an item is a fire hazard or not, please call for Keene Valley at 518-576-4727 or KVFIRE19@gmail.com or for Keene at 518-576-4301 or Keenefd@gmail.com. The Fire Department is always glad to help you with any questions or concerns.

Thank you in advance for being a partner in fire prevention. This allows us to concentrate inspection efforts on entities posing the most risk.

OUTSIDE

___ **Is your address clearly posted?** In an emergency, seconds count. Can your address numbers (and suite numbers, if applicable) be seen clearly from the street?

___ **Are the fire lanes and hydrants clear and accessible?** Ensure that parked vehicles, garbage bins and stored items are not obstructing access to your property. Quick and unobstructed access is also required for fire hydrants, fire sprinkler control valves and fire department connections to sprinkler systems. Keep three feet of clearance around all fire hydrants and fire department appliances.

___ **Are garbage and recycle bins located away from the building?** These need to be at least 5 feet away from combustible walls, roof overhangs, doors and windows. If the dumpster catches fire and it is too close to the building, the fire can easily spread to the inside of the structure.

___ **Are exterior portions of exits clear and unobstructed?** An exit doesn't stop at the door – the exit corridor continues out to the public way. Check the outside portions of your exits to make sure they are not blocked or made impassable by storage or landscaping.

INSIDE

___ **Are compressed gas cylinders (even the small ones for balloons or BBQs) secured to keep them from falling over?**

___ **Are you using portable heaters?** Check your heater to ensure it is safe for indoor use – fueled appliances, such as kerosene, create carbon monoxide and can be deadly when used indoors. Also, check to see if your heater shuts off automatically when tipped over. If not, replace it with one that has a tip-over switch.

___ **Are your electrical appliances and cords in good condition?** Check appliances and equipment to make sure they are in good working order with no discoloration or warm spots that may be a sign of overheating. Check electrical cords for any signs of wear or fraying. Replace damaged cords – electrical tape is not a substitute for insulation around wiring.

___ **Are you keeping what's hot away from what's not?** Make sure anything that can burn is at least 36 inches away from any heat source, including furnaces, portable heaters, baseboard heaters, wall heaters and water heaters.

___ **Do you have a portable fire extinguisher?** Fire extinguishers can be very effective when used properly on a small fire.

___ **Is your electrical wiring covered?** Check your wall outlets, switches and junction boxes to ensure that switch and cover plates are in place. Keep the cover to your electrical panels closed, too. Missing or open covers are a common safety hazard and may lead to electrical shock and an increased risk of fire.

___ **What are you storing, and where?** If you have flammable or combustible liquids on site, store them in original or approved containers and check to see that they are clearly labeled.

___ **Are all exits clear, visible, unlocked and unobstructed?** Check hallways and corridors to make sure building occupants can get to the exit doors quickly, safely and free of any trip hazards or obstructions.

___ **Are equipment and appliances plugged directly into a wall outlet?** Extension cords, regardless of how “heavy-duty” they are, are still designed to be used on a temporary basis and may not be used in place of permanent wiring. If you need a longer cord, a surge protector that contains an internal circuit breaker may be used, provided it is not used to power large appliances or other equipment that draws a large electrical load. Always follow the manufacturer’s directions for powering equipment and appliances.

___ **Is the area in front of the electrical panel clear?** There needs to be a clear space at least 30 inches wide and from the floor to 78 inches high in front of all electrical panels. Also, this is a good time to make sure all circuit breakers or fuses are clearly labeled in the event the power needs to be shut off to a certain area or appliance.

Acknowledgement

Owner Name:

STR Address:

By signing below, I attest that the owner name listed above at the noted physical address has completed a fire/safety self-inspection and all hazards noted during the self-inspection have been corrected.

Name (Printed)

Signature

Date

Appendix C

Best Management Practices (BMPs) were created to assist Short Term Rental (STR) owners, managers and tenants with suggested operational guidelines.

1. General Respect for Neighbors. Be friendly, courteous, and treat your neighbors like you want to be treated. Respect your neighbors and their property.
2. Noise. Be considerate of the neighborhood and your neighbor’s right to the quiet enjoyment of their home and property, especially after 10 p.m.
3. Maintenance of Property. Be sure to pick up after yourself and keep the property clean, presentable and free of trash.
4. Garbage Disposal. Place trash and recycling containers at the appropriate place. Cigarette butts should be properly extinguished and disposed of in the garbage.
5. Parking & Traffic Safety. Do not park on lawns or in a manner which blocks driveways, sidewalks, alleys or mailboxes. Drive slowly through neighborhoods and watch for pedestrians, pets and children playing.
6. Pets. Promptly clean-up after your pets. Prevent excessive and prolonged barking, and keep pets from roaming the neighborhood. Control aggressive pets, and be sure to abide by the local leash laws. Store pet food indoors and in a secure container to reduce the likelihood of unwanted pest problems.
7. Guest Responsibility. Approved guests and visitors are expected to follow the above listed Best Management Practices. Be sure to read your rental agreement for additional terms and restrictions.

NEW BUSINESS DISCUSSIONS

YOUTH COMMISSION COMMUNITY TRAIL SYSTEM PRESENTATION:

The following correspondence was provided to the Town Board:

In 2020 Haley Moreli brought to our attention, in a Youth Commission Board Meeting, the need/desire to create mountain biking trails and a pump track in the Town Of Keene. Youth commission board agreed this type of trail system would meet the growing demand locally and from visitors to the area for a sport that is outside, healthy, individualistic and does not put pressure on our backcountry trail systems. We applied for grants and received funding from the ADK Foundation and Northern Forest Trail Alliance site(s) and preliminary plans developed.

Once we acquired funding we developed a committee with the interested volunteers to start discussing the project. We felt we needed Keene voices and professional voices as well.

Here is our committee: Joe Pete Wilson (Town Supervisor), Josh Wilson (BETA), Keith McKeever (APA), Patrick Carey (Nationally recognized bike instructor), Matte Morelli, Haley Morelli, Joanie Turbeck, Deanna Brown, Tammy Loewy, Caitlin Botcher, Robyn Shumer, Tyler Nichols, Sara Strobe.

After much discussion we asked Lude Peduzzi, former Keene graduate and owner of Peduzzi trails, to assist in site evaluation and design work. We investigated 4 locations, Marcy Field, 9N County lot on Clements Mountain, Community Center and Keene Central School. These sites contained options that we felt best suited our vision. We wanted to support the budding mountain biking program at KCS as well as trails for the general public. We wanted to look for trails that would be viable for winter access, cross country skiing and snowshoeing.

Luke reported back and the committee decided on 9N and KCS. We come to you to discuss the ability to create and maintain a trail system and possible pump track at the County site on Route 9N. Our vision is for a multi-use trail system and pump track that includes walking, biking, and skiing trails and that would engage our community and visitors to the area.

At the Town Board meeting several members of the Community Trail System Committee spoke:

Tammy Loewy announced that the proposal started about a year and a half ago. This past year has been the research phase, the securing of a grant, and forming a committee. Site analysis was done and the (2) two sites that have been decided upon are Keene Central School (KCS) and the County site on Route 9N. They are now at the Proposal Stage and are ready for Phase 1.

Haley Morrelli, Youth Commission Member, is the person that originally presented the mountain biking trail idea to the Commission. She explained where the vision originated from and the desire for Keene to take part in having a bike park.

Supervisor Wilson explained that grants and donations have already been established for the start of this trail. He has spoken with Essex County in regards to the property that is owned by them on Route 9N. Essex County Soil and Water, who manages the property, said that they like the idea of using it for something other than just logging. The Town of Lewis already has a Memorandum of Understanding (MOU) with Essex

County for a park that they have there, and we are looking at getting a draft Memorandum to enter into and for the Town to sign with Essex County. And we also would need an agreement with BETA in terms of operation and maintenance of this park. As the MOU is drafted, it will be shared and reviewed by the attorney as well.

Tammy Loewy, the grants from Northern Forest Alliance and Adirondack Foundation were used for the research part of this project.

Josh Wilson, Executive Director of Barkeater Trails Alliance (BETA), gave a background history of BETA. They have a dual mission of mountain biking and skiing trails. They are focused on a regional destination rather than just one town. Lake Placid, Saranac Lake and Wilmington have trails on state lands and Elizabethtown has trails on both town and private property. One thing that helps is the large amount of volunteer work that goes into maintaining the trails and building new things. There is currently a gap between Elizabethtown and Wilmington, so Keene is a great place for a trail system. This past fall BETA received a very large, one time donation which they used to establish a trail fund. This trail fund is used to kickstart transformational projects in the region. In 2021, BETA tentatively committed \$50,000 to Phase 1 of the Keene trail system being proposed. They were also able to obtain a \$25,000 pledge from the Stewarts Shop Foundation to match these funds. This is a very unique opportunity.

Mr. Deyo inquired as to what is needed from the Town Board.

Josh Wilson said that they plan to use County property, but there would be an agreement with the Town as well, and that they are asking for their blessing and support to move forward and want to be sure that there are no concerns from the Town Board.

Supervisor Wilson explained that at this point, no votes needed to be done. The review of the MOU's (Memorandums of Understandings) done between the County, Town and BETA which will then need approvals. The Committee wants to be sure that it is alright to move forward and there is nothing that the Board needs to address or that would prevent approval in the future. Are there any red flags or concerns?

Mr. Deyo, I think this sounds like a great idea.

Ms. Whitney, yes this is amazing. Happy to move forward.

Ms. Cheetham-Palen, I think this is fantastic and I'm so impressed with how much you were able to do in a year and a half. It's really, really impressive and I'm very excited. Thank you for all your hard work.

Supervisor Wilson showed a quick slideshow of the plan on his computer screen. The plan will be emailed to Board Members to review in more detail.

****A copy of these plans are attached at the end of these minutes.****

Patrick Carey, resident of Keene and Professional Coach for mountain bikers, spoke briefly about the trail system, stating that it is a multi-use network for Community access. Multi-use recreation is not as readily accessible in Keene or Jay.

Luke Peduzzi, graduate of Keene and developer of "Bike to School Day", gave a description of the trail system explaining that it will be a multi-use trail for walking, mountain biking, and skiing.

Mr. Biesemeyer asked if this trail system will connect to those in other towns that are already in use.

Luke Peduzzi said no, this will be a stand alone trail system.

Ms. Cheetham-Palen asked if it was safe to have multi-use with walking and mountain biking on the same trail.

Luke Peduzzi explained that it is common to have these types of trails. There will be some parts (approximately 2 miles) that will be mountain bike specific, there will not be any vertical stairs at all, and there will not be any jumps or major curves in the trail system in which speed would be a concern.

Tammy Loewy explained that there will be a kiosk which will detail the trail maps and which trails are specific to which uses. She emphasized that the committee wants to move forward with approvals as quickly as possible to be able to use the funds that they have secured and to start Phase 1. Both Luke and Peduzzi Trails are available to start doing the work this spring.

Supervisor Wilson explained that the next steps would be an MOU (Memorandum of Understanding) with both the County and with BETA. Josh is working on a draft MOU for BETA and the Town and Essex County are working on an MOU which will need to be reviewed by the County Attorney. Hopefully the Town will have these by the next Town Board meeting to look at.

Josh Wilson said that they want to get the project moving this year with it being in multiple phases. The first phase is the multi-use trail which will not connect to other trails but many people ride from trail to trail already, parking in one location and biking to others. Phase 1 of this trail system is approximately 3 (three) miles with the goal to eventually be 6 (six) to 7 (seven) miles total after the other Phases are finished.

Tammy Loewy finished the presentation by thanking the Board and everyone involved. She plans to bring options to the Community, such as creative naming, fundraising, and the multi-year installment of the system. She will continue to look for more grants to help with creation and maintenance of the system.

Supervisor Wilson thanked everyone involved, it has been a really dynamic group and you have come a long way and raised a lot of money to get this done.

Supervisor Wilson turned the meeting over to the Town Clerk/ Tax Collector to give an update.

TOWN CLERK/TAX COLLECTOR UPDATE:

Kimberly Smith, Town Clerk: I have been very busy with the tax collection and also getting access to all the programs needed as Town Clerk. I would like to thank Ellen Estes and Donna Reed-Austin for assisting me to get the taxes out and all the other questions that you answer for me. They both have a wealth of knowledge and I am grateful for all of their help. This week I will be in the office each day from 8:30 - 3:30. Monday, January 31st is the final day of the penalty free period and the final day to opt for the 4 pay installment option for taxes. I do bring home the tax book and the 4 payment schedules each night, so if residents need information after hours, please send me an email or call me at home at (518) 576-9039 for the payment amounts.

I have received several phone calls for receipts of past Tax Collection years. I spoke to the Essex County programmer, she is working on a program in which I can have this data. Once it is available, residents will be able to get receipts from me instead of the Treasurer's office.

A quick update on Town Clerk projects as well. I passed my Notary Exam, and now officially have my stamp and seal. So, there will once again be a Notary available at Town Hall. Please call ahead to book an appointment if possible, so that I can schedule you and be available.

Supervisor Wilson and I have been working jointly on the Agenda format for meetings. We are trying to add more details to it, with which items are discussion topics and which ones are planned resolutions. In addition, he will be providing me with any documents that pertain to the topics being discussed. The goal is to have the Agenda, and all pertaining documents scanned in and posted to the Town Website by 4:00 p.m. on the Monday before the meetings. This will allow time for residents to review them and decide if there is a topic that they would like to be present for and give input on. Aaron Miller is also assisting me with creating an "Archival Page" for the Town Website in which all of the minutes from 2021 can be moved to so that the 2022 ones will be easier to access. Eventually my hope is to scan in more archival minutes and provide them on the archival page.

Dog licenses: It is NYS Agriculture and Markets Law that if you own a dog in NYS, you MUST have it vaccinated against rabies and have a current Dog License. I encourage any residents that have a dog that is not licensed, to please come to the Town Hall with a copy of the rabies certificate and any spay/neuter paperwork, if applicable, and license their dog(s). The application is also available on the Town Clerk webpage. The fee is minimal. It is \$6.00 if they are altered and \$13.00 if they are not. This is an annual fee and a renewal will be mailed each year to remind you to update it and also to provide new rabies information when it expires. By doing this, you will be given an individualized dog tag to place on it's collar, so if your dog gets loose, lost, and hopefully found we will be able to look it up in the program and reunite the pup with the owner! And, it is the law.

Unfortunately there has been a lag time with getting access to the DECAL system. At this time, I cannot issue DEC licenses. (fishing licenses/ice fishing licenses) I am working to get this rectified as soon as possible.

I would like to thank Teresa for a desk that she posted on Nextdoor. It is all set up at home and is getting a lot of use.

Supervisor Wilson and I met with Derrick today to come up with a plan to help with his building permits and issuance of certificates and the collecting of the funds. So we came up with a plan for that.

One last thing, I would like to add that it is wonderful to have Ashley back. Tina and I have been working together with Supervisor Wilson this past month. We are very happy that Ashley has returned. With open communication in regards to different processes that go on at the Town Hall we look forward to serving the residents of Keene in the most efficient way possible. Thank you for your time tonight.

Town Board Members thanked her for the updates.

Supervisor Wilson stated that the update is a reflection of how much time has been put into the work. It is only 3 weeks into the term and you have got a lot of systems into place. So thank you. I can see the difference in our operations and it's excellent.

RESOLUTION TO ADOPT STANDARD WORKDAY AND REPORTING

RESOLUTION NO.: 60,2022

**INTRODUCED BY: ROBERT BIESEMEYER
WHO MOVED FOR ITS ADOPTION**

SECONDED BY: JENNIFER WHITNEY

WHEREAS, appointed and elected officials are required to submit
a standard work day calendar,

BE IT RESOLVED, that the Town Justices' and the Water Superintendent's
Standard Work Day Reporting was submitted and on file.

Duly adopted this 25th day of January, 2022 by the following vote:

AYES: Supervisor Wilson, Mr. Biesemeyer, Ms. Cheetham-Palen, Mr. Deyo, Ms. Whitney

NAYS: none

RESOLUTION TO APPROVE THE ANNUAL AUDIT OF THE BOOKS

RESOLUTION NO.: 61,2022

**INTRODUCED BY: TERESA CHEETHAM-PALEN
WHO MOVED FOR ITS ADOPTION**

SECONDED BY: ROBERT BIESEMEYER

RESOLVED, that the Audit of the books for 2021 for the Supervisor's Office, the Town Justice, the Town Clerk/Tax Collector and the Code Officer were performed and are now approved by the Town Board.

Duly adopted this 25th day of January, 2022 by the following vote:

AYES: Supervisor Wilson, Mr. Biesemeyer, Ms. Cheetham-Palen, Mr. Deyo, Ms. Whitney

NAYS: none

Discussion prior to the following vote:

Ms. Cheetham-Palen asked for clarification of what things the Code Enforcement Officer bills for. The ledger lists some things, such as sub-divisions, that are in the book but are not charged. Is that correct?

Supervisor Wilson explained that not all things in front of the Planning Board have a Building Permit fee, but upon the discussions that were had with Kim and Derrick, it was realized that there should be a \$40.00 appearance fee for anything that goes in front of the Planning Board. The Code Officer is working on getting a quote for a Code Enforcement software program that will correlate with the Town Clerk's fee collection program. So in the next meeting or so there will be a proposal for the software program to make sure that we are:

- A. Collecting the appropriate fees and that it is being tracked.
- B. It correlates with the Town Clerk's cash flow so that at the end of the year it is easier to track the permits and fees.

Ms. Cheetham-Palen: That sounds great because I couldn't quite follow it. Thanks.

Ms. Whitney: Will there be work done as far as what goes to Kim, Derrick, and then Rich (Assessor)? Because I feel like that's a disconnect too.

Ms. Smith: Jenn, I know that you had asked me that earlier this week, so I brought that up to Joe Pete and Derrick today. There is one program that Derrick is already looking into which will load all of Keene properties into it. It would then track anything that he does. It would track inspections and the reporting of everything. Also the Assessor would have access to that information as well. There can be 2 (two) users. I did tell them that it was something that had been asked (how the information gets to the Assessor). This would give the Assessor the ability to see when someone applies for a permit, what stage it is at, when it should be reviewed. Derrick did also say that he would be able to do monthly reports with this program and provide them to the Town Board in addition to the annual one.

Ms. Cheetham-Palen and Ms. Whitney agreed that the software would be useful.

Supervisor Wilson also stated that yes, it would help with the assessment process.

RESOLUTION TO APPROVE A FOOT RACE ROAD PERMIT

RESOLUTION NO.: 62,2022

**INTRODUCED BY: DAVID DEYO
WHO MOVED FOR ITS ADOPTION**

SECONDED BY: TERESA CHEETHAM-PALEN

WHEREAS, the Elizabethtown Community Hospital Auxiliary has submitted a road use application for a foot race,

BE IT RESOLVED, that the Town Board approves such a race for Sunday, May 1st, 2022 to be held on Route 73 and Route 9N.

Duly adopted this 25th day of January, 2022 by the following vote:

AYES: Supervisor Wilson, Mr. Biesemeyer, Ms. Cheetham-Palen, Mr. Deyo, Ms. Whitney

NAYS: none

RESOLUTION APPROVING MARCY FIELD USE

RESOLUTION NO.: 63,2022

**INTRODUCED BY: JENNIFER WHITNEY
WHO MOVED FOR ITS ADOPTION**

SECONDED BY: TERESA CHEETHAM-PALEN

RESOLVED, that the Town Board approves the use of Marcy Field on August 26th, 2022 for a wedding ceremony with the fee of \$1,000.00.

Duly adopted this 25th day of January, 2022 by the following vote:

AYES: Supervisor Wilson, Mr. Biesemeyer, Ms. Cheetham-Palen, Mr. Deyo, Ms. Whitney

NAYS: none

RESOLUTION APPROVING COMMUNITY CENTER PAVILION USE

RESOLUTION NO.: 64,2022

**INTRODUCED BY: TERESA CHEETHAM-PALEN
WHO MOVED FOR ITS ADOPTION**

SECONDED BY: DAVID DEYO

RESOLVED, that the Town Board approves the use of the Community Center Pavilion on July 14th, 2022 for a picnic from 5:00 - 9:00 p.m. without fee.

Duly adopted this 25th day of January, 2022 by the following vote:

AYES: Supervisor Wilson, Mr. Biesemeyer, Ms. Cheetham-Palen, Mr. Deyo, Ms. Whitney

NAYS: none

RESOLUTION APPROVING MARCY FIELD USE

RESOLUTION NO.: 65,2022

**INTRODUCED BY: DAVID DEYO
WHO MOVED FOR ITS ADOPTION**

SECONDED BY: JENNIFER WHITNEY

RESOLVED, that the Town Board approves the use of Marcy Field on September 10th, 2022 for a wedding ceremony with the fee of \$1,000.00.

Duly adopted this 25th day of January, 2022 by the following vote:

AYES: Supervisor Wilson, Mr. Biesemeyer, Ms. Cheetham-Palen, Mr. Deyo, Ms. Whitney

NAYS: none

EXECUTIVE SESSION:

**RESOLUTION FOR THE TOWN BOARD TO ENTER INTO
EXECUTIVE SESSION**

RESOLUTION NO.: 66,2022

**INTRODUCED BY: DAVID DEYO
WHO MOVED FOR ITS ADOPTION**

SECONDED BY: ROBERT BIESEMEYER

RESOLVED, that the Town Board entered into Executive Session at 6:40 p.m. to discuss personnel issues.

Duly adopted this 25th day of January 2022, by the following vote:

AYES: Supervisor Wilson, Mr. Biesemeyer, Ms. Cheetham-Palen, Mr. Deyo, Ms. Whitney

NAYS: none

RESOLUTION TO RETURN FROM EXECUTIVE SESSION

RESOLUTION NO.: 67,2022

**INTRODUCED BY: TERESA CHEETHAM-PALEN
WHO MOVED FOR ITS ADOPTION**

SECONDED BY: ROBERT BIESEMEYER

RESOLVED, that the Town Board is returning from Executive Session at 7:19 p.m. and resuming Regular Session.

Duly adopted this 25th day of January, 2022, by the following vote:

AYES: Supervisor Wilson, Mr. Biesemeyer, Ms. Cheetham-Palen, Mr. Deyo, Ms. Whitney

NAYS: none

RESOLUTION TO RAISE THE ANIMAL CONTROL SALARY

RESOLUTION NO.: 68,2022

**INTRODUCED BY: DAVID DEYO
WHO MOVED FOR ITS ADOPTION**

SECONDED BY: TERESA CHEETHAM-PALEN

RESOLVED, that the Town Board raise the annual salary of the
Animal Control Position from \$2,369.00 to \$2,700.00.

Duly adopted this 25th day of January, 2022, by the following vote:

AYES: Supervisor Wilson, Mr. Biesemeyer, Ms. Cheetham-Palen, Mr. Deyo, Ms.
Whitney

NAYS: none

RESOLUTION TO AMEND THE 2022 BUDGET

RESOLUTION NO.: 69,2022

**INTRODUCED BY: ROBERT BIESEMEYER
WHO MOVED FOR ITS ADOPTION**

SECONDED BY: DAVID DEYO

RESOLVED, to pay the Annual invoice for NYSLRS (NYS Local Retirement System)
in the amount of \$115,937.00 from the fund balance.

Duly adopted this 25th day of January, 2022, by the following vote:

AYES: Supervisor Wilson, Mr. Biesemeyer, Ms. Cheetham-Palen, Mr. Deyo, Ms.
Whitney

NAYS: none

AUDIT BILLS:

RESOLUTION TO AUDIT THE BILLS

RESOLUTION NO.: 70,2022

**INTRODUCED BY: TERESA CHEETHAM-PALEN
WHO MOVED FOR ITS ADOPTION**

SECONDED BY: ROBERT BIESEMEYER

RESOLVED, that the Town Board approved the audit of the bills for
2021-789 through 2021-852.

Duly adopted this 25th day of January, 2022, by the following vote:

AYES: Supervisor Wilson, Mr. Biesemeyer, Ms. Cheetham-Palen

NAYS: none

ABSTAINED: Mr. Deyo, Ms. Whitney

ADJOURNMENT:

RESOLUTION TO ADJOURN

RESOLUTION NO.: 71,2022

**INTRODUCED BY: DAVID DEYO
WHO MOVED FOR ITS ADOPTION**

SECONDED BY: ROBERT BIESEMEYER

RESOLVED, that the Town Board of the Town of Keene has completed all business and hereby adjourns the Bi-Monthly Meeting at 7:22 p.m.

Duly adopted this 25th day of January, 2022, by the following vote:

AYES: Supervisor Wilson, Mr. Biesemeyer, Ms. Cheetham-Palen, Mr. Deyo, Ms. Whitney

NAYS: none

Respectfully submitted,

Kimberly E. Smith, Town Clerk
January 31st, 2022