

Regular Town Board Meeting
February 08, 2022
7:00 p.m. via Zoom

MTG #4
Res, #72-84

BOARD MEMBERS PRESENT

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

TOWN COUNSEL

Bryan Liam Kennelly, Esq.

TOWN OFFICIALS

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

MEMBERS OF THE PUBLIC PRESENT

10 participants logged onto the Zoom platform

SUPERVISOR WILSON called the meeting to order at 7:00 p.m.

APPROVE MINUTES:

RESOLUTION APPROVING TOWN BOARD MINUTES

RESOLUTION NO.: 72,2022

INTRODUCED BY: ROBERT BIESEMEYER
WHO MOVED FOR ITS ADOPTION

SECONDED BY: JENNIFER WHITNEY

RESOLVED, that the Town Board minutes from January 25th,2022
are accepted and approved.

Duly adopted this 8th day of February, 2022 by the following vote:

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

NAYS: none

PRIVILEGE OF THE FLOOR: (none)

OLD BUSINESS DISCUSSIONS

COVID UPDATE:

Supervisor Wilson gave an update in regards to Covid test kits. The test kits have been distributed as they are received. Currently there are a few test kits at the Town Hall and also a few at the Keene Valley Library. The Town receives them periodically and will continue to have them at each location as they become available.

OTHER NEWS:

Mr. Biesemeyer thanked Jennifer Whitney for her help with assisting Ashley and Lance LeClair in their time of need, and also for the support of the Community.

Supervisor Wilson also thanked the Fire Department for their involvement and the success of the “Go Fund Me” page that was created by Jennifer Whitney.

Ms. Whitney wanted the Community to know that her efforts were on behalf of the Keene Fire Auxiliary.

**RESOLUTION TO ENTER INTO AN AGREEMENT WITH ESSEX COUNTY TO
CONSTRUCT RECREATIONAL TRAILS ON COUNTY OWNED LAND**

RESOLUTION NO.: 73,2022

INTRODUCED BY: ROBERT BIESEMEYER

WHO MOVED FOR ITS ADOPTION *(with condition on Town’s insurance)*

SECONDED BY: DAVID DEYO

WHEREAS, the Town of Keene Youth Commission submitted a Design and Construction Plan for the development of Recreational Trails within the Town of Keene,

AND, WHEREAS, such Recreational Trails will be constructed and operated on property owned by Essex County, known as 11688 NYS Route 9N, bearing the Tax Map No. 35.4-5-5.000,

NOW, BE IT THEREFORE, RESOLVED, that the Town of Keene enter into a License Agreement with Essex County, ***conditioned on the Town’s insurance coverage***, for the use of such property to construct and operate this Recreational Trail project.

Duly adopted this 8th day of February, 2022 by the following vote:

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

NAYS: none

Discussion prior to vote:

Supervisor Wilson stated that the Essex County Board of Supervisors approved the project and that they are very excited about it. They are hoping that eventually the trail system can be connected to those in Jay, Elizabethtown, Wilmington and North Elba. The next step is to approve the MOU (Memorandum of Understanding) with the county, and then to enter into an agreement with BETA (Barkeater Trails Alliance) for the construction, operation and maintenance of the trail system.

Patrick Carey spoke on behalf of the Town of Keene Youth Commission as well as for BETA. He stated that once the MOU’s with both the County and with BETA are signed that the funding is in place to begin the project. They are looking for the town’s endorsement.

Bryan Liam Kennelly, Esq., Town Attorney, spoke in regards to the liability insurance for the trail system. The Essex County agreement states that the Town is the entity liable. The liability will be with the town even if the agreement ends. He asked if BETA has liability insurance for the trail system.

Patrick Carey explained that BETA does not cover the insurance. The insurance is generally either carried by the town or the state, depending upon who owns the land.

Mr. Kennelly, Esq., stated that the town needs to find out if their current policy covers liability in the case of using a licensed property with the county. Other options may be to do a Commercial Lease or purchase the property from the county directly.

Supervisor Wilson stated that he had a discussion with the insurance about general liabilities. The town already has general liability coverage for hiking trails and other property. He did not specify with them about the liability insurance on licensed land. He will follow up with the town's insurance carrier to verify.

It was decided to approve the resolution with the clause, "conditioned on our insurance coverage".

**RESOLUTION TO ENTER INTO AN AGREEMENT WITH ESSEX COUNTY
TO ACCEPT AMERICAN RECOVERY FUNDS**

RESOLUTION NO.: 74,2022

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

SECONDED BY: DAVID DEYO

RESOLVED, that the Town of Keene enter into an agreement, as set forth by Essex County, to receive \$25,741.66 in American Recovery Funds as a subrecipient of the Coronavirus State and Local Fiscal Recovery funds grant.

Duly adopted this 8th day of February, 2022 by the following vote:

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

NAYS: none

Ms. Whitney asked if there is a list of what funds can be spent on.

Supervisor Wilson discussed that the county hired the firm, Drescher & Malecki, LLP to consult on the use of ARPA funds, do the accounting and auditing of it, and then do the required Federal reporting. So this firm is to: (A) Help comply with the grant spending, and (B) Make sure the town(s) report the spending properly. He explained that Essex County advised that these charges are allowable under the American Recovery Act and can be charged against the recovery funds rather than the town's budget funds.

Mr. Deyo stated that the town should accept the ARPA funds from the county, but not hire a consultant.

Supervisor Wilson gave examples of what the funds could be used for: direct public health issues, masks, vaccinations, Vaccine clinics, the hepa filters that were already purchased, water infrastructure, broadband expansion, and for any loss of revenue (due to COVID) during the calendar years of 2021 or 2020.

Mr. Biesemeyer asked if there was a loss in hiker parking. Supervisor Wilson does not think that hiker parking revenue would fit in, but perhaps a consultant could help to clarify it.

Mr. Deyo stated that the town can easily spend \$25,000 on Water District #1 (one), so why give any money to a consultant.

Supervisor Wilson stated that the consultant would oversee and advise the town in regards to the ARPA funds received directly to the town, approximately \$104,000, as well as the grant funds received from the county, \$25,000. There is about \$126,000 that the town has to spend and using that money for the water district would only benefit those residents in Water District #1 (one) and not the town as a whole.

Mr. Biesemeyer asked what the timeframe was in order to spend the funds. How much time does the town have to spend it?

Supervisor Wilson stated that they have 2 (two) years to spend it. There is no need to rush into spending it. Does the Town Board want to hire a consultant to advise on the spending and reporting?

The Town Board decided to hold off on hiring a consultant at this time. The first reporting of funds spent is due in April. Supervisor Wilson will see how the process goes and bring it back to the Town Board if he has any concerns.

LIBRARY REPAIR PROJECT UPDATE:

Mr. Biesemeyer gave an update on the Keene Public Library status. He stated that he talked to both Aaron Miller and Maggie Sheldon within the past week. It looks encouraging that we will receive a grant for \$100,000, but they won't know until this summer. Aaron (Miller) does not want to start anything (repairs) until they are certain (if the grant is received). Currently, the only secured funds for the repairs is a CD from the Board of the Methodist Church in the amount of \$30,000. It does not look like anything will move forward before this summer. The heat in the library was resumed by Supervisor Wilson and there is now a "smart thermostat" set at 50 degrees to insure the integrity of the books and documents at the library. Aaron can access the thermostat remotely and is watching over it.

Ms. Palen-Cheetham inquired about how the library sharing is working out. (Between Keene Public Library and Keene Valley Library)

Mr. Biesemeyer said it's going very well. Karen Glass (Keene Valley Library) told him they are working very well together with two libraries working out of one building.

Supervisor Wilson asked if they have decided to wait to try and find a contractor for the project at this time until they hear for sure about the grant.

Mr. Biesemeyer said yes.

Aaron Miller was asked for any input and discussed the following: The grant was applied for through NYS Department of Education. He spoke with them and the paperwork has been filtered through. The library is now being established as a "vendor". He was not sure exactly what that meant, but the process is underway. He was given a timeframe of June or July for notification. Julia Maxwell, from NYS Dept of Education told him that they are behind in processing. He also noted that the working relationship between him (Keene Public Library) and Karen Glass (Keene Valley Library) is going very well. He is also installing a "smart thermostat" at the Keene Valley Library because they lost power this past week and when he went into work, the library temperature was at 45 degrees. He has also been assisting there with other Tech(nology) things. He stated that the students from Keene Central School, grades K - 6 (six) have resumed attending the library on Mondays and Wednesdays for programs.

Supervisor Wilson asked whether the sharing agreement between the 2 (two) libraries was planned to continue into the summer.

Aaron Miller said that is his sense, that an extension may be needed. During the summer, they may be able to resume using the Keene Library location. The current issue is the snow load on the existing roof. When the weather improves they could possibly return to the Keene space for a few seasons.

WATER DISTRICT # 2 UPDATE:

Supervisor Wilson explained that since the presentation by the Community resources about funding, his first task was to connect with the AES Engineering firm to update the Engineering plan. Supervisor Wilson, Savana Li (Water Superintendent), Community Resources and AES are scheduling a meeting to update and revise the engineering plan. By the next Town Board meeting he should have a proposal from AES to give them the foundational agreement that they need to figure out how much they want to bond for, and to start the bonding process. Supervisor Wilson informed Town Counsel that he will need assistance with the bond process once it gets to that point.

WATER BILLING & WATER TAX COLLECTION:

Supervisor Wilson discussed figuring out how the town should do water billing and water tax collecting. Previously, it had been two different clerks (Town Clerk and Collection Clerk) doing the billing and collecting. Last year it had been the Water Superintendent doing the billing and the Town Clerk doing the collecting. We need a system that is thorough, efficient, and properly accounted for. Charging the correct rates for their type of dwelling or business and a system for collecting the right amount of money. Supervisor Wilson asked Kim, Town Clerk, to give an update on what she found out about the software that is being used and her thoughts on a system.

Kimberly Smith, Town Clerk, explained that in December she had reached out to counsel at the NYS Association of Towns with questions in regards to Town Clerk duties with water rent billing and collection and also whether it had to be two separate people doing it or if one person could do both. Those responses were provided to the Town Board at that time. At the January Organizational Meeting there was a resolution that was postponed to designate the individuals because nothing had been discussed at that time or decided upon by the board. This past month, she reached out to the Essex County programmer that created the water program. There are calls that come into the office requesting water account receipts from residents, closing agents, and realtors. She is not very familiar with the program. It was first used and created last year for water billing and collection. Upon speaking with the programmer, it was found out that the program cannot be installed on multiple laptops or computers. It is a standalone database. Information entered into it from another laptop will not show up elsewhere.

Past practice has been to bill turn on and shut off charges in July with the annual water bills. The county also advised that the operation/maintenance billing is a separate bill than the annual usage bill. Because of that, they see no reason to wait until July to bill for them. They should be billed when the services are rendered.

Supervisor Wilson explained that we are trying to find out if statutorily it is okay to have one person doing the billing and collecting and that we may need Town Counsel to advise us as to guidance. We have had different places tell us different things. We are in need of clarification and want to comply and will need Town Board approval.

Mr. Biesemeyer asked for clarification as far as the term “usage” that was used in the discussion. The town doesn’t have meters and is not billing according to usage.

Ms. Smith clarified that when she said “usage” she was referring to the annual July billing that goes out, which yes, is a flat rate usage charge.

Ms. Smith asked Mr. Kennelly, Town Counsel, for his advice since he was present at the meeting.

Mr. Kennelly, Esq. asked questions in regards to the process and duties. As Town Clerk, she is not obligated to bill or collect water taxes, but also as a Town Clerk she can, if she accepts the duties, do either or both. He wants to study case laws to see what he can find out. There is always the opportunity for embezzlement when both the receiving and billing are done under the same hat. Statutorily it is allowed to do both billing and collecting, but should both be done by the same person?

Mr. Biesemeyer stated that this (water billing and collecting) has not been an issue in the past 24 years that he has been on the board.

Ms. Smith explained that they didn’t have the computer program back then. They did handwritten bills which one person would do and another person would collect the funds.

Mr. Biesemeyer inquired if it was always two individuals within the Town Hall. He does not recall the Water Commissioner ever being involved in the process.

Supervisor Wilson verified that yes, in the past it had been. Last year was the first time that they could not find a person to take on the role of billing agent. So, Ryan (Water Superintendent) was billing last year working with Cori-Anne (Town Clerk). This year we are being forced into it by: not having a candidate, and the software.

Mr. Biesemeyer’s recollection was that it was always the Town Clerk and one of the other clerks in the Town Hall that fulfilled the obligations.

Ms. Smith verified that yes, in the past it was generally the Town Clerk and an additional clerk according to what had been explained to her.

Ms. Whitney asked if it had been put out there to see if anyone wanted to do it, any other candidates.

Savana Li, Water Superintendent, stated that she has offered but there are concerns with that moving forward.

Ms. Whitney asked if it could be someone from the town who might be looking for a side gig.

Ms. Smith stated that first they need to decide if it will be one person or two people. If it is two people, we may need to get a new program.

Mr. Biesemeyer asked how it is being handled today.

Ms. Li stated that it is not.

Ms. Smith explained that the program is currently on her laptop. She has been providing receipts to those that request them, but she doesn't know anything else about the program. Whoever does use the program for billing and collecting would need to meet with Essex County to be trained. She has reached out a few times to the programmer with questions. It was a lot of work between the programmer, Cori-Anne, and Ryan to establish this program. It was created just for Keene. It is frustrating that neither Savana or herself have knowledge of the program at this time.

Mr. Biesemeyer asked who is doing the collection? He inquired as to whether the Town Clerk was doing the collection.

Ms. Smith, Town Clerk, stated that no one is doing any collecting. No bills have gone out, so there is nothing to collect. That is the issue. There have been some turn ons and turn offs. They have not been billed. It has been past practice to wait and bill them in July. The county thinks they should be billed that \$25.00 service fee when the service is rendered and not wait until July to bill for all of those.

Mr. Biesemeyer asked for Ms. Smith's recommendation according to the knowledge of the situation.

Ms. Smith said her recommendation is that it should be one person. It should be a duty that is added to their position and that it should not be a stipend but an additional salary that is set according to the duties. It's no longer a one time billing in July if we start billing for the services of turn ons and shut offs as they occur. Penalties also need to be added if the bills are not paid, and there is also the relevely process at the end of the year. Ms. Smith is familiar with the process and has experience in doing the water collection and relevely process, however there was always a water billing clerk that always did the quarterly bills.

Mr. Biesemeyer stated that Ms. Smith would be the most logical person to take it on and inquired if she was interested in it?

Ms. Smith said that she is interested in discussing it further with the board to find out what duties would be expected and what the compensation would be.

Mr. Kennelly, Esq. stated that he wants to dive into case laws before further discussion. He doesn't want to set the Town Clerk up for failure.

Ms. Smith agreed. She stated that she has been asking for guidance since December. She wants to know if there needs to be two separate people and agrees that she wants his guidance before any decisions.

Mr. Kennelly, Esq. asked the Town Board to authorize him to move forward with looking into the laws.

Ms. Smith explained that she also needs time to find out more about the status of the program before she will make a decision as well. There are areas of the database that are not complete and it is difficult to use at this point in time. Service addresses are not linked to the accounts.

Mr. Biesemeyer said that he is sure it is difficult, as both Ms. Smith and Ms. Li did not grow up in Keene, so they are unfamiliar with the residents.

Mr. Kennelly, Esq. asked for the due dates of the bills.

Ms. Smith explained that a list of anticipated bills goes to the Town Board in April, and then the bills get printed and mailed in July.

Ms. Whitney asked that if it needs to be two people, can they buy a cheap computer and just have the two people use the same computer.

Mr. Kennelly, Esq. wants to look into it further and will come back to the Town Board with options.

Supervisor Wilson explained that if the Town Counsel comes back saying that we need to use two separate people for the process, then the town may need to buy a new software program that will work.

Ms. Cheetham-Palen asked what the process was last year. If there were two people last year, what did they do? Did they use the same computer?

Ms. Smith stated yes that they did. They worked together. Ryan and Cori-Anne worked together to create the program. They had to input everything into it including the rates. She did reach out to Cori-Anne before the meeting to ask a few questions, but was not able to touch base with her. She is unsure who did the printing, stuffing, and mailing of the bills. The billing aspect of it is making sure the rates are correct and printing out the bills.

**RESOLUTION APPROVING TOWN ATTORNEY TO CLARIFY WATER BILLING
AND WATER COLLECTION LAWS AND GUIDELINES**

RESOLUTION NO.: 75,2022

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

SECONDED BY: TERESA CHEETHAM-PALEN

RESOLVED, that the Town Board requests and approves the Town Attorney to study case law and provide guidance on the process required for water billing and water collection as it pertains to water rents and operational billing.

Duly adopted this 8th day of February, 2022 by the following vote:

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

NAYS: none

WATER DISTRICT FUEL DISCUSSION:

Supervisor Wilson asked Ms. Li if she was in receipt of the contract from Hyde Fuel.

Ms. Li explained that it is not a contract. They don't do contracts and are not accepting the State Contract because they won't make any money. We are already full, because Griffith filled us. So they (Hyde) don't have to come and fill us until we are empty, or close to empty, so not any time soon. She talked to Peter, who is the manager at Hyde Fuel, and they can't give us a fixed price because they haven't filled our tank yet. So this year, when they come to fill it, it will be that price and then the following year it will be fixed.

Mr. Biesemeyer said that he had a discussion this afternoon with Chris Bourgeois, Salesman at Hyde. When he was going through the vouchers today, he saw that there was one from Griffith, who is now Superior. It was a small voucher, but both him and Ms. Whitney had thought that the town was no longer using Superior. Mr. Biesemeyer checked with Supervisor Wilson to find out if the town had been approved to use Hyde Fuel. Mr. Biesemeyer recommended for Ms. Li to reach out to Chris Bourgeois, he has his cell number, and he thinks Chris will be able to help her. Mr. Biesemeyer spoke with Chris about the rates and Chris said there is no problem with converting it. Chris wanted to know if it was for everything in the town (property). Mr. Biesemeyer explained to Chris that there are very few places that use propane. Griffith/Superior hasn't got the ability to service the account and what they are charging us is over \$4.00 per gallon for the propane. Mr. Biesemeyer asked Chris how much Hyde Fuel would charge the town if they were to buy propane from them today, and Chris said \$2.80 per gallon. So, we are paying way more. The sooner we can get switched over.....

Ms. Li stated that we are already switched over. It is done.

Mr. Biesemeyer said the only other thing that Chris asked was if they could get the code to get in the gate to do deliveries. But Chris was told that he didn't need the code because they wouldn't need to get in right away. But when the time comes.

Ms. Li, yes and we will want them to put the heaters in at some point as well, but she doesn't have them yet.

Mr. Biesemeyer said that he thinks Nick Pepe ordered them already.

Ms. Li said that she hasn't been able to connect with Nick.

Mr. Biesemeyer said that if Nick hasn't ordered them yet or if he can't order them, then Hyde could order them.

Ms. Li said Hyde doesn't have a problem with putting in the heaters, they just need to know when we get them and what they are.

Mr. Biesemeyer said that she should check with Nick to see if they have been ordered.

Ms. Li said that it seems that everything is on backorder. She is still waiting for tools that she ordered when she started.

Supervisor Wilson thanked Savana and reiterated that we need to wait until we need fuel before we can get a firm price from Hyde.

GRANT RECEIVED:

Supervisor Wilson announced that Justice Jordan received a grant in the amount of \$3,300.00 for filing cabinets and office chairs from the Unified Court System.

SHORT-TERM RENTALS:

Supervisor Wilson stated that the next step for short-term rentals would be to hold a public meeting for a question and answer session for the community to attend and talk over the recommendations that the Short-Term Rental Group came up with. Supervisor Wilson asked the Town Board if they want to try and hold the public meeting via Zoom or do they want to wait a bit and try to do an in person meeting.

Mr. Biesemeyer 100% wants to wait until we are able to meet in the Pavilion. It is much easier to answer questions and inform the public in person than on a Zoom meeting. And the Covid infection rate seems to be decreasing.

Ms. Whitney agreed.

Mr. Deyo is in 100% agreement with Bob and Jennifer. He said it is hard enough with five or six people trying to have a discussion on Zoom, and that trying to hold one with forty to fifty people would be ridiculous. Hopefully the weather will break or the infection rate continues to go down. He said that even if they need to wait 3 or 4 more months until May and have it outside at the Pavilion and let people have a chance to speak. It's silly to try and even consider it before then.

Ms. Cheetham-Palen thinks that it could be done via Zoom, but if everyone is more comfortable with doing it in person, she supposes that it could wait.

NEW BUSINESS DISCUSSIONS

VOUCHER SYSTEM CHANGES:

Supervisor Wilson discussed that Kim (Town Clerk), Tina (Clerk/Typist), and Ashley (Clerk to the Supervisor) have been working to update the voucher system; the way that we process the vouchers, what the Town Board Members look at, and how they are signed. There will be a summary sheet for the prepays, the ones we are paying, and then the full summary abstract. Those are the sheets that we would like the Town Board Members to sign, then we are signing in the same place that the Town Clerk is signing when she verifies all the payments. This is a way to include all of our signatures with the Clerk's signature so that we are auditing the bills correctly and comprehensively. It doesn't prevent the Town Board Members from reviewing each voucher and asking questions about it. Board Members can still protest a voucher and ask what it is for. This is to have all of our signatures together on one report that includes all the vouchers. Supervisor Wilson asked Ms. Smith if there was anything else to add.

Ms. Smith stated that some Board Members wanted to know the process that would happen if there was a voucher that they did not want to approve.

Mr. Biesemeyer saw the process this afternoon and he liked it. It would be a bit of a learning curve of what to do if there was a voucher that you wanted to protest. Otherwise, it was much easier to sign the reports instead of having to sign your name one hundred times.

Ms. Whitney, agreed. She liked that you didn't have to sign your name one hundred times. But the question is, if there is one, once in a blue moon, that you don't want to sign, what do you do?

Supervisor Wilson recommends that if you have a voucher that you don't want to sign and you are refusing to authorize a bill, that you say it in public meetings. Saying, "I signed all the vouchers but I am refusing to sign the voucher to so and so, for such and such amount of money in protest. I don't think we should be paying for it." So you go on the record of doing it. I think that is a suitable way of not holding up all the other vouchers. And to still make your protest.

Ms. Whitney, right. But by signing that last page, does that mean that you approved all of them though? That seems a little confusing to her.

Ms. Smith, perhaps at the last page where you do your signature, if there is one that you are protesting, next to your name write "except for voucher #". Just a suggestion. I'm not sure of the right answer for that.

Mr. Biesemeyer stated that if it is the majority of the Board to not authorize a certain voucher, then it doesn't get paid.

Ms. Cheetham-Palen asked that when the Board audits the bills, isn't that approving them anyways? At the meetings, they do the audit of the bills and everyone votes on it and they get approved.

Supervisor Wilson explained that when they vote to audit the bills, that is a formal resolution that the process has been done. We followed all of the steps. We are approving the payments. But your signatures on those sheets are the authorization to do so.

Mr. Biesemeyer stated that if the majority of the Board felt that there was one voucher that was not in agreement to sign, they can always remove it out of that stack.

Supervisor Wilson agreed. Your signature is your vote in essence. But we need the majority of signatures in order to pay it. If only one person signs it and everybody else says no, we don't pay that voucher.

Mr. Biesemeyer asked if they could isolate one voucher out of the whole stack.

Supervisor Wilson verified and stated that they do it all the time if they find a voucher that is incomplete, they pull it to have it fixed and resubmitted. We already do that.

Mr. Biesemeyer finds it easier to review the vouchers the new way rather than having to sign each and every one of them.

Mr. Deyo stated that we should just move forward with it and if we have any problems we can discuss it as we go.

**RESOLUTION TO HIRE EMILY WHITNEY AS THE THE TOWN OF KEENE
ANIMAL CONTROL OFFICER**

RESOLUTION NO.: 76,2022

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

SECONDED BY: TERESA CHEETHAM-PALEN

RESOLVED, that the Town Board approves the hiring of Emily Whitney as the Town of Keene, Animal Control Officer at the annual salary of \$2,700.00.

Duly adopted this 8th day of February, 2022 by the following vote:

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

NAYS: none

Supervisor Wilson thanked Jennifer for her recruitment effort and he thinks Emily will make an excellent Animal Control Officer.

RESOLUTION TO SIGN NORTH COUNTRY SPCA CONTRACTS FOR DOG POUND/SHELTER SERVICES AND CARE OF DANGEROUS DOGS

RESOLUTION NO.: 77,2022

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

SECONDED BY: TERESA CHEETHAM-PALEN

RESOLVED, that the Town Board approves the signing of the 2022 North Country SPCA Agreement for Dog Pound/Shelter Services and the agreement for the North Country SPCA to care for Dangerous Dogs Seized.

Duly adopted this 8th day of February, 2022 by the following vote:

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

NAYS: none

RESOLUTION WAIVING THE APPLICATION FILING REQUIREMENTS FOR THE GRANTING OF REAL PROPERTY TAX EXEMPTIONS FOR THE DISABLED (SECTION 459-C) OR THE AGED (SECTION 467) IN 2022

RESOLUTION NO.: 78,2022

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

SECONDED BY: TERESA CHEETHAM-PALEN

WHEREAS, Governor Kathy Hochul issued Executive Order 11.1 on December 26, 2021;

WHEREAS, Executive Order 11.1 permits the governing body of an assessing unit to waive certain exemption mailing and filing requirements for the 2022 assessment roll;

NOW, THEREFORE, BE IT RESOLVED, that the Town of Keene, pursuant to the authority granted by Executive Order 11.1, hereby directs the city assessor to grant exemptions pursuant to sections 459-c and 467 of the Real Property Tax Law on the 2022 assessment roll to all property owners who received that exemption on the 2021 assessment roll, thereby dispensing with (1) the need for impacted property owners to file renewal applications and (2) the requirement for the assessor to mail renewal applications to such persons.

BE IT FURTHER RESOLVED, that the Town Board directs the assessor to require a property owner to file such a renewal application in instances when the assessor has reason to believe that an owner who qualified for the exemption on the 2021 assessment roll may have since changed his or her primary residence, added another owner to the deed, transferred the property to a new owner, or died.

Duly adopted this 8th day of February, 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.: 79,2022

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

SECONDED BY: TERESA CHEETHAM-PALEN

RESOLVED, that the Town Board went into Executive Session at 8:10 p.m.
to discuss personnel issues

Duly adopted this 8th day of February, 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.: 80,2022

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

SECONDED BY: JENNIFER WHITNEY

RESOLVED, that the Town Board is returning from Executive Session at 8:16 p.m.
and entering into Regular Session

Duly adopted this 8th day of February, 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.: 81,2022

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

SECONDED BY: JENNIFER WHITNEY

RESOLVED, to amend the 2022 Budget to increase the 2022 General Fund Revenue in the amount of \$5,306.00 for an Aid and Incentive for Municipalities (AIM) payment received from NYS.

Duly adopted this 8th day of February, 2022, by the following vote:

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

NAYS: none

Discussion prior to vote:

Ms. Cheetham-Palen asked what the AIM payments are.

Supervisor Wilson stated that this was totally unexpected. Two years ago New York State discontinued AIM (Aid and Incentive for Municipalities) and they said we will make it up to you by letting you get that by getting the sales tax that you were going to get. So, this is an example of New York State backtracking and in essence making us whole. It restores what we were getting in years past.

Ms. Cheetham-Palen asked if the funds go to a specific place or is it just revenue.

Supervisor Wilson stated that in the past he doesn't remember how they assigned it. It didn't have a specific expense for AIM, it just went to the general fund. Next year we can create it so it goes to a specific (place) but this year it was totally unexpected. It just showed up in our account.

AUDIT BILLS:

RESOLUTION TO AUDIT THE BILLS - ABSTRACT #1

RESOLUTION NO.: 82,2022

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

SECONDED BY: DAVID DEYO

RESOLVED, that the Town Board approves the following bills for payment, including those that were prepaid.

Multi-Fund Vouchers numbered 22-001 to 22-075, totaling \$233,793.04, as follows:

General Fund Bills	\$127,305.90
Highway Fund Bills	92,476.71
Library Fund Bills	200.27
Water District #1 Bills	6,818.31
Water District #2 Bills	6,991.85

Duly adopted this 8th day of February, 2022, by the following vote:

AYES: Supervisor Wilson, Mr. Deyo, Ms. Whitney

NAYS: none

ABSTAINED: Mr. Biesemeyer, Ms. Cheetham-Palen

RESOLUTION TO AUDIT THE BILLS - ABSTRACT #2

RESOLUTION NO.: 83,2022

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

SECONDED BY: ROBERT BIESEMEYER

RESOLVED, that the Town Board approves the following bills for payment, including those that were prepaid.

Multi-Fund Vouchers numbered 22-076 to 22-130, totaling \$42,448.47.

Duly adopted this 8th day of February, 2022, by the following vote:

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

NAYS: none

ABSTAINED: Mr. Deyo

Discussion prior to the vote:

Ms. Cheetham-Palen asked about a fire-proof file cabinet that was ordered. She asked who ordered it and what it was for.

Supervisor Wilson stated that it was a General Fund purchase. They are running out of storage space for documentation that the town has to keep. They have freed up space at the Community Center and at the Town Hall, but they need more storage space.

Ms. Cheetham-Palen asked if that is the normal cost for a fire-proof file cabinet because it was very expensive. She said that she assumes it is fire-proof because of the cost. And is that a requirement, that it has to be fire-proof?

Supervisor Wilson stated that we have to save the documents. That is what our file cabinets are for essential records, they are fire-proof.

Ms. Cheetham-Palen asked about the Highway BAN. Is that from the salt shed?

Supervisor Wilson said nope. That is the building payment for the construction of the highway garage. We pay once a year on the loan for the highway garage.

Ms. Cheetham-Palen asked how many years are left on that. Is it a lot?

Supervisor Wilson stated that he would have to go to the bond book. He doesn't know that off the top of his head.

Ms. Cheetham-Palen asked who the Kinsley Group was.

Mr. Biesemeyer stated that it was for generators.

ADJOURNMENT:

RESOLUTION TO ADJOURN

RESOLUTION NO.: 84,2022

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

SECONDED BY: TERESA CHEETHAM-PALEN

RESOLVED, that the Town Board of the Town of Keene has completed all business and hereby adjourns the Regular Meeting at 8:22 p.m.

Duly adopted this 8th day of February, 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
Town of Keene

02/18/2022