

Regular Town Board Meeting
April 12, 2022
7:00 p.m. via Zoom

MTG #8
Res, #125-132

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

4 participants logged onto the Zoom platform

SUPERVISOR WILSON called the meeting to order at 7:01 p.m.

APPROVE MINUTES:

RESOLUTION APPROVING TOWN BOARD MINUTES

RESOLUTION NO.: 125,2022

INTRODUCED BY: ROBERT BIESEMEYER
WHO MOVED FOR ITS ADOPTION

SECONDED BY: DAVID DEYO

RESOLVED, that the Town Board minutes from March 29th, 2022 are accepted and approved.

Duly adopted this 12th day of April, 2022 by the following vote:

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

NAYS: none

Supervisor Wilson gave an overview of the work to be done by the Department of Transportation on Route 73 from the Northway to Roaring Brook Falls and into the Cascade Lakes area. At times, Route 73 will be down to one lane of traffic. DOT is planning to make wider shoulders on the roadways. The roadwork has the potential to make for longer trip times to the Northway.

**Recording of the Zoom meeting started at 7:05 p.m.

PRIVILEGE OF THE FLOOR: (none)

OLD BUSINESS DISCUSSIONS

COVID UPDATES:

The Town Board discussed whether to continue holding meetings via Zoom or in person. Bryan Liam Kennelly, Town Attorney, stated that the regulations allowing for the continuation of Zoom meetings as the platform has been extended through June 8th. After discussion of the Board, it was agreed to hold the April 26th, 2022 Bi-Monthly meeting via Zoom at 5:30 p.m. The Town Board will re-evaluate how to hold future meetings at that time.

WATER DISTRICTS:

The following handout was provided by Supervisor Wilson listing the current finances and projects for both water districts:

1. *Water District #1: Hamlet of Keene*
 - a. *Current Finances*
 - i. *Annual bond payment of \$44,000 with last payment in 2036*
 - ii. *\$200,000 loan from General Fund must be repaid*
 - iii. *\$52,000 Deficit*
 - iv. *Capital Funds Available \$6,684*
 - b. *FEMA appeal for reimbursement for Halloween Storm damage to Water Main*
 - i. *\$196,000 repair cost*
 - ii. *\$147,000 Potential reimbursement from FEMA. FEMA reimburses up to 75% of the town's expenditure.*
 - c. *Projects underway*
 - i. *\$80,000 Aqualogics control equipment replacement project*
 - ii. *Propane tank and line repairs*
 - d. *WD #1 needs to borrow \$200,000 to pay off the debt and to complete projects.*
 - i. *Take out a bond to spread out the payback so water rates don't rise too much for members of the district.*
 - ii. *Have the term of the bond coincide with current bond which ends in 2036. This would allow a new bond to be taken out in 2037 to undertake capital projects the plant will need by then.*
2. *Water District #2: Hamlet of Keene Valley*
 - a. *Well & Pump house control equipment can cost up to \$6,000,000*
 - b. *Bond needed*
 - c. *Current Bond: Annual payment is \$61,565, and it increases about \$1000/year. Final payment is for \$76,000 in 2038*
 - d. *Capital Reserves: WD#2 \$ **wait for 2022 AUD to determine amount***

Supervisor Wilson explained the status of each water district and the needs associated with them. He will continue to work with FEMA in regards to the reimbursement, Savana Li, Water Superintendent, will continue to work with Aqualogics on repairs. The next steps in the process are to meet with a BOND Attorney to discuss the costs and process, then to do Town Board resolutions, and to hold Public Hearings on the Bonding process.

Ms. Cheetham-Palen asked if Bonding can be passed via a Public Hearing and Town Board vote, or if it needs to be a public vote via ballot.

Supervisor Wilson was unsure and stated that he would look into the proper procedure due to it being Special Districts.

There was a discussion in regards to the Preliminary AES Engineering Report that was provided to the town. Mr. Biesemeyer reviewed the report and found it to be lacking in what the town needs. The report included plans for a Marcy Field Welcome Center and expansion of the Water District, which the Town Board does not plan to do. Supervisor Wilson explained that at the start of the engineering report, the town was considering expansion for tourism due to the fact there were grants funds. He will ask for a revised report from AES. Mr. Biesemeyer inquired if the town should look for a different engineering firm that concentrates on exactly what the town needs. It was agreed that Supervisor Wilson asks for the revised plan and to then make a decision.

After reviewing the needs of each Water District, Supervisor Wilson asked the Town Board members to consider allocating \$25,000 of the ARPA funds to each district (\$50,000 total), which would leave \$15,000 in ARPA funds unallocated and reserved for another project. The Town Board agreed to discuss this at a future meeting. Supervisor Wilson and Ms. Li will establish a plan of how these funds would be used.

There was a brief discussion in regards to water tap rates as well as charges for fire hydrants. Ms. Li is working on a billing structure for taps that need to be installed both on the same side of the road as the water line and those on the opposite side of the road as the water line. Those figures have not been established as of yet. Supervisor Wilson plans to meet with the Fire District Commissioners to discuss future billing of hydrants. The town maintains the maintenance of the hydrants. The Town Board discussed pros and cons of billing the Fire Districts versus billing the customers in the water districts. For 2022, the same billing structure will resume. The Town Board will discuss further options after feedback from the Fire Commissioners.

RESOLUTION TO ADJUST WATER DISTRICT RATES FOR 2022

RESOLUTION NO.: 126,2022

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

SECONDED BY: ROBERT BIESEMEYER

RESOLVED, that the Town Board approves the following rate changes for the water districts in Keene and Keene Valley, as follows:

Water District #1; Hamlet of Keene, the rates will be reset to the amounts used in 2019.
Water District #2; Hamlet of Keene Valley, the rates will increase by 7% and the debt service fee will increase from \$280.00 annually to \$300.00 annually.

AND, BE IT RESOLVED, that the Town Board approves the rate change for water turn-ons and turn-offs from \$25.00 to \$65.00 accordingly.

Duly adopted this 12th day of April, 2022 by the following vote:

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

NAYES: none

DISBURSEMENT OF ARPA FUNDS FROM ESSEX COUNTY:

There was a brief discussion in regards to how to spend the ARPA Funds received from Essex County. Ms. Whitney asked if it could be used towards Health Insurance. Supervisor Wilson explained that it can not be used to pay operating costs. Mr. Biesemeyer suggested that each Board Member make a list of recommendations to discuss at a later meeting. Supervisor Wilson asked if Board Members had reviewed the guidelines or videos that he had provided. Ms. Cheetham-Palen stated that she had watched one of the videos and plans to watch it again. No decisions were made on expenditures.

NEW BUSINESS DISCUSSIONS

BULKY DAYS:

Supervisor Wilson asked Ms. Whitney for her input on Bulky Days. Ms. Whitney stated that many residents have been inquiring about it on Nextdoor Keene. If the town wants to plan it, she is willing to stand at the gate to collect funds as she had planned to do before COVID hit.

The Town Board discussed the pros and cons of offering Bulky Days. In the past, there have been residents that have misused the opportunity and have brought truckloads that were not of personal property. Also, there were many items that were brought which should have been recycled and not thrown into the containers. There is also the issue of determining fees and the collection of the fees. The Town Board agreed that there needs to be specific parameters set if they are going to offer it again. Ms. Whitney and Ms. Cheetham-Palen agreed to come up with such parameters and to present them at the next meeting.

Supervisor Wilson spoke in regards to the Transfer Station. He explained that there are several food waste regulations coming out and the fact that the recycling market for both glass and plastic is diminishing. Due to these upcoming changes, he is not recommending doing any major changes to the Transfer Station.

ROAD PERMIT:

RESOLUTION TO APPROVE A BIKE RACE ROAD PERMIT

RESOLUTION NO.: 127,2022

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

SECONDED BY: TERESA CHEETHAM-PALEN

WHEREAS, the Adirondack Sports Council has submitted a road use application for a bike race,

BE IT RESOLVED, that the Town Board approves such a race for Saturday, June 4th, 2022 from 6:00 a.m. until 1:00 p.m. to be held on Styles Brook Road,

Route 9N and Bartlett Road in the town of Keene provided that the \$20.00 fee is submitted as well as the proof of insurance.

Duly adopted this 12th day of April, 2022 by the following vote:

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

NAYS: none

ABSTAINED: Ms. Whitney

EVENT REQUESTS:

Supervisor Wilson stated that he received a request to use the pavilion at the Community Center, as well as the field there, for the weekend of July 15th through July 17th. The request was for a gathering of approximately 165 people in which there would be a band and tents set up. The Town Board members agreed that this is not an appropriate type of venue for the location requested. In addition to it being a residential area, there is not adequate parking for an event of that size. Supervisor Wilson will reach out to the requestor and offer them to book Marcy Field on a date that it is available.

YOUTH COMMISSION SUMMER CAMP APPOINTMENTS:

RESOLUTION TO HIRE YOUTH COMMISSION SUMMER CAMP EMPLOYEES

RESOLUTION NO.: 128,2022

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

SECONDED BY: TERESA CHEETHAM-PALEN

RESOLVED, that the Town Board approves the hiring of the following Youth Commission summer camp employees at the rates of pay listed below:

Counselors at \$16.00/hr: Abigail Jucket, Addie VanNess, Anya Kazmierczak,
and Maya Silverstein

Lifeguards at \$18.00/hr: Pia Morrelli, Wren Klotzko, Hayley Buysse

Health Director at \$20.00/hr: Alissa Sumo

Bus Driver at \$25.00/hr: Helen Coolidge

Duly adopted this 12th day of April, 2022 by the following vote:

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

NAYS: none

**RESOLUTION TO ACCEPT THE RESIGNATION OF
SCOTT SMITH, HIGHWAY SUPERINTENDENT**

RESOLUTION NO.: 129,2022

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

SECONDED BY: TERESA CHEETHAM-PALEN

WHEREAS, Scott Smith, Highway Superintendent, submitted a letter of resignation to the Town Supervisor and Town Board Members dated April 11th, 2022.

BE IT RESOLVED, that the Town Board accepts his resignation with an effective resignation date of April 24th, 2022.

Duly adopted this 12th day of April, 2022 by the following vote:

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

NAYS: none

Board members thanked Mr. Smith for his time at the Town of Keene. They stated that he did a great job and they wished him the best of luck with his next endeavors.

Supervisor Wilson asked Kim Smith, Town Clerk to share what information she found out in regards to the Highway Superintendent vacancy. Ms. Smith explained that she reached out to the Board of Elections to find out the process for the vacancy. She knew that she had to report the vacancy and wanted to clarify the steps. The Board of Elections told her that with the timing of the resignation, there is enough time for someone to run for the position this November. Whatever the town policy is for vacancies, they can appoint someone to fill in for the rest of this year, but there will be a vacancy on the ballot in November. Anyone wishing to run, would need to run as an Independent. They can't start circulating petitions until after the vacancy is certified with the Board of Elections, which will be between April 25th and 27th. If no one circulates petitions, the vacancy will still be on the ballot in November as a write-in.

Supervisor Wilson stated that in a nutshell, if the Town Board appoints the Deputy or appoints someone else, the vacancy will still be on the ballot in November. So starting January 1st, 2023 there will be a new elected.....

The timing of the petitions was discussed. The Independent petitions end on May 25th. The circulation of them normally begins April 19th, but in this case they cannot start getting signatures until the Board of Elections certifies the vacancy, as stated above.

Ms. Whitney asked that since Mr. Smith will have vacated his position prior to the next meeting will the Deputy Highway Superintendent be in charge.

Supervisor Wilson recommended waiting until the next scheduled meeting to discuss the vacancy further, as no one can start circulating petitions until after that time anyway.

Scott Smith spoke and stated that he thinks that if he is unavailable that the Deputy does take over for the time being.

RESOLUTION TO TRANSFER FUNDS WITHIN THE GENERAL FUND

RESOLUTION NO.: 130,2022

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

SECONDED BY: DAVID DEYO

RESOLVED, that \$544.79 is approved to be transferred out of #A019904.01.004.00 Contingency Line with \$55.52 moved into #A016604.01.004.00 Central Supply CE and \$489.27 moved into #A035104.01.004.00 Dog Control CE.

Duly adopted this 12th day of April, 2022, by the following vote:

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

NAYS: none

SUPERVISOR'S REPORT: (none)

AUDIT BILLS:

RESOLUTION TO AUDIT THE BILLS

RESOLUTION NO.: 131,2022

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

SECONDED BY: JENNIFER WHITNEY

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

Multi-Fund Vouchers numbered 22-314 to 22-357, totaling \$ 36,587.25, as follows:

General Fund Bills	\$ 28,941.52
Highway Fund Bills	6,344.50
Library Fund Bills	475.03
Water District #1 Bills	644.18
Water District #2 Bills	182.02

Duly adopted this 12th day of April, 2022, by the following vote:

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

NAYS: none

ABSTAINED: Mr. Deyo

ADJOURNMENT:

RESOLUTION TO ADJOURN

RESOLUTION NO.: 132,2022

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

SECONDED BY: DAVID DEYO

RESOLVED, that the Town Board of the Town of Keene has completed all business and hereby adjourns the Regular Meeting at 8:11p.m.

Duly adopted this 12th day of April, 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

April 14, 2022