

Regular Town Board Meeting
June 14, 2022
6:30 p.m. at Keene Community Center Pavilion

MTG #14
Res, #176-199

BOARD MEMBERS PRESENT

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

BOARD MEMBER ABSENT

Jennifer Whitney, Council Member

TOWN COUNSEL

Bryan Liam Kennelly, Esq.

TOWN OFFICIALS

Reginald Whitney, Deputy Highway Superintendent (in charge)
Savana Li, Water Superintendent
Kimberly Smith, Town Clerk

MEMBERS OF THE PUBLIC PRESENT

Donald Smith, Kristy Farrell, Bronson Lawrence, Dean Smith, Michael Estes, Ellen Estes, Andrew Wadsworth, Ann Whitney, Linda Deyo

SUPERVISOR WILSON called the meeting to order at 6:31 p.m.

APPROVE MINUTES:

RESOLUTION APPROVING TOWN BOARD MINUTES

RESOLUTION NO.: 176,2022 (TABLED)

INTRODUCED BY: ROBERT BIESEMEYER
WHO MOVED FOR ITS ADOPTION

SECONDED BY: DAVID DEYO

RESOLVED, that the Bi-Monthly Town Board minutes from May 31st, 2022 are accepted and approved.

Discussion prior to tabling:

Mr. Biesemeyer stated that the trade in value of the Ventrac is not explained correctly in the minutes. Supervisor Wilson stated that he would look into clarifying the numbers.

RESOLUTION APPROVING TOWN BOARD MINUTES

RESOLUTION NO.: 177,2022

INTRODUCED BY: DAVID DEYO
WHO MOVED FOR ITS ADOPTION

SECONDED BY: ROBERT BIESEMEYER

RESOLVED, that the Special Town Board minutes from June 9th, 2022 are accepted and approved.

Duly adopted this 14th day of June, 2022 by the following vote:

AYES: Supervisor Wilson, Mr. Biesemeyer, Mr. Deyo

NAYS: none

ABSENT: Ms. Cheetham-Palen, Ms. Whitney

Reminder of the Rules of Order adopted in the Organizational Meeting

Supervisor Wilson addressed the Board Members and the members of the public in regards to the rules of order for the meeting. Board Members are not supposed to be addressing members of the audience, the last meeting had people talking over each other. There should be one conversation at a time. They must be recognized before they speak. The Board Members speak first, then the audience, and then the Board Members an additional time.

PRIVILEGE OF THE FLOOR:

Kristy Farrell, resident, spoke in regards to the parking issue at the swimming hole on Gristmill Lane. People are parking on both sides of the road, with some cars parking in the opposite direction as well. The riverside is eroding, so people are parking further into the road. Can there be a sign that states, "parking on one side of the road"? She stated that it is an emergent situation. In addition to the parking, drivers are also speeding in that area. Can the speed limit be reduced?

Supervisor Wilson responded and stated that he and Reggie, Deputy Highway Superintendent in charge, have been discussing the area. He asked Reggie to discuss the plans that they have been working on.

Mr. Whitney explained that they are looking into painting SLOW on the pavement in certain locations. The town has to follow DOT regulations when it comes to roadways. There is not a lot that they can do, but they are trying.

Supervisor Wilson stated that the areas of concern are Adirondack Street, Market Street, Johns Brook Lane, and Gristmill Lane. They want to paint SLOW on the roadways and also shoulder striping and striping at the stop signs with STOP painted on the roads as well. In addition to the painting, on Adirondack and Market they want to experiment with removable sidewalk bump outs. They have to check with the DOT on regulations because of the speed limit and the line of sight.

Mr. Deyo asked Supervisor Wilson and Mr. Whitney if they can ask people to park on one side of the road.

Mr. Whitney stated that he does not know that answer.

Mr. Deyo stated that he has been advocating a four-way intersection at Market Street, the Keene Valley Country Club and Route 73 for years. He has been concerned about

the kids crossing there and drivers locking up their brakes. He has asked about it since he came into office and it has gotten nowhere.

Supervisor Wilson discussed the warning signs that had been placed on roadways, such as the crosswalk warning signs. He stated that the DOT ordered for them to be removed after there had been a few accidents. DOT said they were more of a hindrance than a benefit. Adirondack and Market Streets, the town needs to re-engineer the roads but because of Route 73 everything needs to go through DOT Engineering process and permitting process.

Mr. Biesemeyer recommended having a “no parking beyond this point” sign on Gristmill Lane to be located on the hill on the river side going upstream. That is where it gets narrow, it’s a blind hill, it’s a narrow hill and it is more accident prone.

Ms. Farrell asked about the cars parking in the opposite direction. It is illegal. Should she call the police to report them?

Supervisor Wilson stated that the police will not have them towed. He mentioned the town having their own Police Force to address these issues: speeding, pedestrian safety, illegal parking, rowdy airbnbs. Do they want their own Police Department, or spend \$75,000 to contract with the sheriff’s office?

Mr. Deyo stated that they should go ahead with whatever signage they can do, the painting of the roads and see where things are at by the next meeting.

Supervisor Wilson stated that they will do their best to address these issues, but need to follow the DOT Engineering Manual. They can order the paint and the sign and see what they are allowed to do.

Ms. Farrell stated that getting the sign would be a huge help. The other issue is that when people are coming up the hill from swimming and are heading to their cars, they just pop up with kids, dogs, inner tubes, and they are in a dangerous spot. Not just for themselves, but also for the drivers.

Bronson Lawrence, resident, inquired about speed bumps and the possibility of using them.

Mr. Deyo stated that the Highway Department and the Fire Department do not want them. Even the temporary ones they are not in favor of.

Mr. Biesemeyer stated that speeding wasn’t as much of a concern as illegal parking is.

Mr. Lawrence stated that there is a lot of speeding that occurs on Adirondack Street.

Ms. Farrell commented and stated that the temporary type of speed bumps can move. If a car hits it hard enough, it can come off and what holds it in place is metal rods. If they come free, the metal rods can pop tires.

Supervisor Wilson stated that they will continue to work on the roadways and update as things move forward.

OLD BUSINESS DISCUSSIONS

RESOLUTION TO APPOINT REGINALD WHITNEY TO HIGHWAY SUPERINTENDENT

RESOLUTION NO.: 178,2022

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

SECONDED BY: ROBERT BIESEMEYER

WHEREAS, the former Highway Superintendent resigned prior to the end of his term,

AND WHEREAS, Reginald Whitney is the current Deputy Highway Superintendent,

BE IT RESOLVED, that the Town Board appoints Reginald Whitney to
Highway Superintendent for the remainder of 2022.

Duly adopted this 14th day of June, 2022 by the following vote:

AYES: Supervisor Wilson, Mr. Biesemeyer, Mr. Deyo

NAYS: none

ABSENT: Ms. Cheetham-Palen, Ms. Whitney

Supervisor Wilson also announced that Mr. Whitney filed his paperwork to run for the position, so he will be on the ballot for the upcoming election. Supervisor Wilson welcomed Reggie aboard.

COVID updates:

Supervisor Wilson stated that there is an increase in cases in Essex County. The transmission is still there. He reminded residents to be vaccinated and also announced that the Town Hall still has free test kits available as well as the Keene Valley Library.

Bond Plans for Water Districts #1 and #2:

Supervisor Wilson gave an update and stated the bond process is on hold right now. They are waiting for a response from the APA on their jurisdictional form. Hopefully that will all be in order before the July 12th Town Board meeting. The next step would be to schedule public hearings and a Special Town Board meeting to follow. The public hearings would need to be scheduled after 10 days but prior to 20 days. And then the Special Town Board meeting would be to pass the resolutions.

Ms. Cheetham-Palen joined the meeting at 6:51 p.m.

Supervisor Wilson discussed that he met with AES, the towns' engineering firm, to discuss Water District #2. They advised the town to do test wells in Keene Valley or to do a full diameter well. The Board will need to decide which way they want to proceed. He is waiting to find out the costs. The town may need to take out a BAN while they are waiting for the BOND to get set up. He doesn't want to lose a whole construction cycle without moving forward. There are no guarantees of hitting water with a full diameter well. They were lucky last time with having a good hydrology report.

Ms. Cheetham-Palen stated that last time they were pretty sure that they were going to hit water. How sure are they this time?

Supervisor Wilson stated that the hydrology report did have a secondary choice of location listed on it. That report was from 2018. It depends on how much the Board wants to gamble on the full diameter well and the costs involved. The test wells could cost between \$175,000 - \$250,000 per well. Last time they drilled a full diameter well and got good water at 180 feet.

Essential Worker Covid Pay Program:

**RESOLUTION TO APPROVE THE ESSENTIAL WORKER
COVID PAY PROGRAM**

RESOLUTION NO.: 179,2022

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

SECONDED BY: ROBERT BIESEMEYER

RESOLVED, that the Town Board approves the Essential Worker Covid Pay Program by using the American Rescue Act Funds from Essex County.

Duly adopted this 14th day of June, 2022 by the following vote:

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

NAYS: none

ABSENT: Ms. Whitney

Discussion held prior to the vote:

Supervisor Wilson explained that this is using the American Rescue Act Funds that the county gave to the town with the intent to pay the essential workers that worked through COVID. Other towns are doing a similar program. Most places did not include Elected Officials, a few included the Justices, it is for current employees and does not include employees that have left employment.

Mr. Biesemeyer stated that he was fine with the list of employees provided.

Mr. Deyo stated that he is not opposed to it. He knows that Dean Smith's needs to be looked at, but other than that there was a lot of thought put into it and reasons why it was done this way. He is fine with it.

Ms. Cheetham-Palen stated she is okay with it.

Dean Smith, resident and employee, asked if it would be a separate check or if it would be in with a regular paycheck.

Supervisor Wilson stated that he is not sure. He thinks it will be a separate check from an hours worked check. It will not be a 1099, it will be the gross amount listed with taxes taken out of it. He also stated that he will have Ashley double check Mr. Smith's calculation because he did notice that it was different from the others.

RESOLUTION TO ADJUST WATER BILLS

RESOLUTION NO.: 180,2022

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

SECONDED BY: ROBERT BIESEMEYER

WHEREAS, the Anticipated Water Lists were previously adopted,

BE IT RESOLVED, that the following adjustments are approved:

- Michael Hartson, one additional charge within Water District #1
- Nicholas Taylor, remove water usage charge for one property in Water District #2

Duly adopted this 14th day of June, 2022 by the following vote:

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

NAYS: none

ABSENT: Ms. Whitney

RESOLUTION TO AMEND RESOLUTION NO. 104, 2022

RESOLUTION NO.: 181,2022

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

SECONDED BY: ROBERT BIESEMEYER

WHEREAS, resolution number 104,2022 approved granting Little Peaks \$35,000.00 out of the American Rescue Plan Act,

AND, WHEREAS the actual cost of the project was \$35,500.00,

BE IT THEREFORE RESOLVED, that the Town Board approves to amend resolution 104,2022 to state the corrected amount of \$35,500.00

Duly adopted this 14th day of June, 2022 by the following vote:

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

NAYS: none

ABSENT: Ms. Whitney

NEW BUSINESS DISCUSSIONS

RESOLUTION TO APPROVE BOTH MEADOW TRAIL AS A ROAD NAME

RESOLUTION NO.: 182,2022

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

SECONDED BY: ROBERT BIESEMEYER

RESOLVED, that the Town Board approves the road name of Both Meadow Trail for the new road, off Route 9N, that Little Peaks will be constructed on.

Duly adopted this 14th day of June, 2022 by the following vote:

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

NAYS: none

ABSENT: Ms. Whitney

Discussion prior to the vote:

Mr. Biesemeyer stated that he was not opposed, but that this is not the normal procedure to choose a road name. There is normally a waiting period and the public generally has a chance to have suggestions.

Mr. Deyo clarified that Little Peaks are the ones that came up with the name.

Supervisor Wilson stated that yes, Little Peaks Board made a direct request for this name in honor of Tom and Alana Both.

Holiday Schedule at the Transfer Station:

Supervisor Wilson explained that the current Employee Handbook lists the Designated Holidays and does not state that they are different for the transfer station.

Mr. Deyo spoke and stated that he had spoken to Ryan (former employee) about this and that in particular: Columbus Day, Memorial Day, and Labor Day are very busy holidays in which the transfer station should be open on Monday. People stay over for the long weekend, and if they don't have a caretaker, they need to take care of their garbage. They don't want it left at the gate or somewhere else.

Mr. Biesemeyer stated that with Tuesday being a day that the dump is closed, it makes for an even longer time that the garbage sits. Those two additional days during the hot weather makes it difficult with nowhere to go.

Supervisor Wilson stated that they should make their manual reflect what they want to do. Let's identify what they want it to say so that they can update it. The Board delineated Memorial Day, Independence Day, Labor Day, and Columbus Day as the warm weather holidays that should be discussed with Laura, Transfer Attendant, as well and come up with a plan to update the manual. The new holiday, Juneteenth Day, would also be one to add to the list.

**RESOLUTION TO AMEND THE EMPLOYEE HANDBOOK IN REGARDS TO
DESIGNATED HOLIDAYS**

RESOLUTION NO.: 183,2022

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

SECONDED BY: DAVID DEYO

RESOLVED, that the Town Board approves adding Juneteenth Day, June 19th, to the list of designated holidays in section 701 of the Employee Handbook.

Duly adopted this 14th day of June, 2022 by the following vote:

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

NAYS: none

ABSENT: Ms. Whitney

Discussion on Transfer Station continued:

The Board agreed that the transfer station will be open on both Sunday, June 19th and Monday, June 20th. The Town Hall will be closed on Monday, June 20th this year.

**RESOLUTION ADOPTING INCREASED MILEAGE COMPENSATION RATES
FOR PRIVATE AUTOMOBILE USAGE**

RESOLUTION NO.: 184,2022

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

SECONDED BY: ROBERT BIESEMEYER

WHEREAS, the Internal Revenue Service increased the mileage rate from 58.5 cents per mile to 62.5 cents per mile,

AND, WHEREAS, the new rate is effective for the final 6 months of 2022, and begins on July 1st, 2022,

BE IT THEREFORE RESOLVED, that the Town Board adopts the mileage compensation rate of 62.5 cents per mile effective July 1st, 2022.

Duly adopted this 14th day of June, 2022 by the following vote:

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

NAYS:

ABSENT: Ms. Whitney

**RESOLUTION APPROVING THE USE OF THE COMMUNITY
CENTER PAVILION**

RESOLUTION NO.: 185,2022

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

SECONDED BY: ROBERT BIESEMEYER

RESOLVED, that the Town Board approves the use of the Community Center Pavilion on Saturday, July 30th from 12:00 to 2:30 p.m. for the Anne Friery Memorial.

Duly adopted this 14th day of June, 2022 by the following vote:

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

NAYS:

ABSENT: Ms. Whitney

**RESOLUTION APPROVING THE USE OF THE COMMUNITY
CENTER PAVILION**

RESOLUTION NO.: 186,2022

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

SECONDED BY: TERESA CHEETHAM-PALEN

RESOLVED, that the Town Board approves the use of the Community Center Pavilion on the afternoon of Sunday, June 26th for a Memorial Service gathering for Malcolm Martin.

Duly adopted this 14th day of June, 2022 by the following vote:

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

NAYS:

ABSENT: Ms. Whitney

**RESOLUTION APPROVING THE USE OF THE COMMUNITY
CENTER PAVILION**

RESOLUTION NO.: 187,2022

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

SECONDED BY: DAVID DEYO

RESOLVED, that the Town Board approves the use of the Community Center Pavilion on Saturday, June 25th from 11:30 a.m. to 3:00 p.m. for the Blacksmith's graduation event.

Duly adopted this 14th day of June, 2022 by the following vote:

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

NAYS:

ABSENT: Ms. Whitney

RESOLUTION TO ADOPT STANDARD WORKDAY AND REPORTING

RESOLUTION NO.: 188,2022

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

SECONDED BY: ROBERT BIESEMEYER

WHEREAS, appointed employees are required to submit a standard work day calendar of activities,

BE IT RESOLVED, that the Animal Control Officer, Emily Whitney, has submitted her calendar for the Standard Work Day Reporting and it is on file.

Duly adopted this 14th day of June, 2022, by the following vote:

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

NAYS: none

ABSENT: Ms. Whitney

Discussions in regards to the General Laborer Position:

Supervisor Wilson decided to wait and discuss both the General Laborer Position and the Mowing Contract together at the end of the agenda discussions. He stated that they had four candidates for the general laborer job, and they are good candidates. They are interested because it is a good job with the town; it's full-time with benefits. He would like to ask for the Board to appoint the new laborer and to replace the equipment that was budgeted for.

Mr. Deyo spoke and stated that he does not want to pull equipment and a laborer into the same thing. He is not in agreement to buy a new Ventrac. They need to research other equipment before they decide to purchase something.

RESOLUTION TO FILL THE FULL-TIME GENERAL LABORER POSITION

RESOLUTION NO.: 189,2022

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

SECONDED BY: TERESA CHEETHAM-PALEN

RESOLVED, that the Town Board approves the Town Supervisor to hire a full-time replacement for the general laborer vacancy.

Duly adopted this 14th day of June, 2022, by the following vote:

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

NAYS: Mr. Biesemeyer

ABSENT: Ms. Whitney

Discussion prior to vote:

Mr. Deyo clarified that this position would be up for discussion at budget time in regards to whether they will fund it for next year or not. He originally wanted to hire a seasonal replacement, but is willing to see how things go and revisit it in a few months. He also stated that if it is a full-time position, he wants the Community Center bathrooms open and clean for when people are reserving the pavilion.

Supervisor Wilson agreed that it will be reviewed before the 6 month probationary period ends and that the cleaning and maintenance of the bathrooms was part of the duties of this position.

Ms. Cheetham-Palen stated that it is a good idea to hire someone and that it is something that they had already planned for.

Mr. Biesemeyer stated that he wanted a chance to speak and that it seemed he may be the only one opposed to it. He is in favor of hiring Ryan for the mowing.

Mr. Deyo stated that he agrees with that too.

Mr. Biesemeyer explained that he has seen for too long money being spent on equipment which gets broken and then needs to be fixed. The lawns and the Cemeteries are a disaster. That is not personal against Bronson, who has been working there. Mr. Biesemeyer did speak to Bronson, a part-time employee, this past week about availability and found out that during the summer he cannot promise and commit to 8 hours a week. It is a very busy time for him. So Bronson does not have the time required, it would be impossible. The Old Cemetery hasn't been taken care of, Fairview Cemetery is the same thing, horrible. The other Cemeteries, he has not been to but he would guess that they have had zero attention. He recommends filling the open general laborer position with a full-time seasonal person and then decide in a few months what to do. He also would like to add a full-time employee to the Highway Department, and have Reggie oversee the plowing of the sidewalks and also the equipment. He does not want to have someone doing it out of the General Fund. That has not worked. He is not

in favor of hiring a full-time year round employee at this time. He is only in favor of hiring a full-time seasonal employee and then see how it is working out in a month or two.

Ms. Cheetham-Palen spoke and stated that she hears what Bob is saying, but they did have a plan in place for how they were going to manage parks and mowing and all of that stuff. That is the plan they agreed to and they budgeted for and she prefers to stick to that. Which is to hire someone full-time to replace a person who decided they didn't want to work there anymore. Roger is also coming back, so this is a temporary situation. She doesn't see why they would change something that they took a lot of time figuring out last year. She is happy moving forward with the plan they agreed to.

Mr. Biesemeyer doesn't see the logic in that if they are going to hire Ryan. If they pay Ryan \$1,600 per week to do the mowing, why would they hire a replacement for the general laborer position. He agrees with hiring a seasonal full-time laborer right away to address things other than mowing, and then to decide later how things are going.

Supervisor Wilsons stated that in the handbook, there is a 6 month trial period. So if someone is not working out they can separate from them pretty easily.

Mr. Deyo stated that they could call the position full-time for right now, but during that 6 month period they could re-evaluate the position when it becomes budget time and decide if they want to change it. They should let the person know that there is a 6 month period in which they can let them go if they choose.

Mr. Biesemeyer stated that he doesn't know how it will work because they don't have any machinery.

Mr. Deyo clarified again before the vote that this decision was until further discussion during budget season.

Kimberly Smith, Town Clerk, asked for clarification of the resolution.

Supervisor Wilson advised that he has four candidates to consider, he has already interviewed them, this will be to give him authority to hire one of them.

Mr. Deyo stated that since Supervisor Wilson will have direct supervision over the employee, he does not need to be involved in the hiring process.

Further discussions in regards to the Mowing Contract:

Supervisor Wilson announced that there was one bid submitted by Ryan Hall:

\$16,000 for mowing from June 9th - August 15th
Week by week mowing at the rate of \$1,600
Unforeseen work and extras \$120 per man hour

Bryan Liam Kennelly, Esq., Town Attorney, asked if that was a new bid.

Supervisor Wilson responded and stated that yes, it was a re-bid. He stated that it was a complete bid with the necessary insurance included. He also stated that he spoke with Roger today, and Roger takes pride in his work and will return next week (earlier than his planned leave) and that the hiring out for mowing would then not need to be done. Roger does not want to see the plan that they have in place disrupted and will return sooner to prevent that from happening.

Mr. Deyo clarified that Roger will now return rather than staying on leave until August.

Supervisor Wilson affirmed that.

Savana Li, Water Superintendent, spoke and stated that if Ryan comes back to work, then Morris (current Water License Holder) has expressed that he is not staying.

Mr. Biesemeyer stated that he doesn't understand what mowing has to do with Morris.

Ms. Li stated that there is conflict with the water and the mowing. There is a strong feeling with both her and Roger that if Roger comes back, Ms. Li is also available to help with the mowing. Morris would also be willing to mow, just not as many hours as she is able to give.

Mr. Deyo stated that he came into the meeting with the intention of hiring Ryan to do the mowing. He asked if Roger was out on paid leave. Supervisor Wilson stated that it was unpaid leave. Mr. Deyo recommended using the money that has been saved from not needing to pay Roger to hire Ryan.

Supervisor Wilson stated that the money that has been saved by not paying Roger for the past five weeks should be used to purchase equipment.

Mr. Biesemeyer was opposed to that. Ms. Cheetham-Palen was in support of it.

Mr. Deyo stated that waiting another week to mow was not a good idea.

Mr. Biesemeyer stated that it would be easier to farm out the mowing rather than purchasing more equipment that usually breaks, needs repairs, or needs to be replaced. He was not in favor of purchasing equipment. He stated that other towns farm out very successfully.

Ann Whitney, resident, spoke and confirmed that they needed to buy equipment regardless. She asked why they would wait to purchase it and farm out and spend money. She understands that they don't want to get farther behind with the mowing situation but can they get someone to mow for just one week while they work on getting equipment? She also asked if the town still pays Ryan to cover for the water.

Mr. Deyo responded and said no.

Mr. Biesemeyer explained that they pay Morris now to use his license instead.

Ms. Whitney stated that they need the equipment, so why are they not getting the equipment now.

Supervisor Wilson responded that they budgeted for the equipment. It is in their Asset Management Plan. Because of T.J.'s departure and Roger's unpaid leave, it does give them a little bit to help with getting what they need.

Mr. Deyo compared the cost of a full-time employee versus farming out for mowing. A full-time employee's salary would be \$45,000.00 and then with the cost of their benefit package of health insurance, time off, etc. it becomes close to \$60,000.00.

Ms. Whitney asked if he was talking about farming out for mowing every year.

Mr. Deyo stated that it is something that the town should consider doing.

Supervisor Wilson stated that the broader discussion is that they need to replace the equipment, regardless of who is operating it, they will need equipment to do the sidewalks.

Mr. Biesemeyer stated that investing in equipment was not a wise decision.

Supervisor Wilson clarified and stated replacing equipment.

Ms. Li stated that the town equipment is not being taken care of properly. She started for the town in September and she has watched the equipment not get taken care of properly.

Mr. Deyo stated that he agrees and would like to have Reggie take care of the winter equipment, have it kept in the garage, where he can take care of it. The summer equipment, they contract it out. Then they don't need to maintain it.

Ms. Li stated that if they hire a full-time laborer, then they need to train them on how to use and maintain the equipment.

Supervisor Wilson stated that the applicants they are looking at have experience.

Mr. Biesemeyer stated to hire them as seasonal and after one month they will know if they have experience or not.

Supervisor Wilson proposed to get Roger started, get the new person on board, and start working on the mowing. It will not be caught up in three days, but they will be able to make progress.

Mr. Biesemeyer stated that they do not have any mowers.

Supervisor Wilson stated that they have one and they are trying to figure out how to hook up the bat wing until they get the tractor back. It will be eight weeks before they get it back due to the wait for the parts.

Donald Smith, resident, stated that he thinks Roger is playing them. He went on social media and bad mouthed a subordinate, and then that subordinate quit. Now he is saying that he wants to come back. He stated that they should hire Ryan and get the job done.

Dean Smith, stated that he doesn't understand how they got to this point. Honestly, they gave raises to those two guys to take care of the mowing and look where they are at. Now they are subcontracting the mowing out? That was the whole reason that they got the two guys.

Supervisor Wilson stated that to take a Family Medical Leave is something that all employees have the right to do. They cannot say that it is a fault of Roger's.

Dean Smith asked for clarification if they were subcontracting the mowing out for this year only or for next year and following years. Are they doing it because they are in a pinch?

Mr. Deyo stated that is the discussion they are having.

Each Board Member had different views. Mr. Deyo wants to look at it for the short-term til August 15th with the bid and then consider it for the long term. Ms. Cheetham-Palen does not want to farm out. Mr. Biesemeyer wants to farm out for the long term as well as right now. Supervisor Wilson focused on the equipment aspect and getting ready for winter. Because of the supply chain and increased time, they need to decide about ordering.

Mr. Deyo then stated that he doesn't understand why they can't still move forward with ordering of equipment if it is already budgeted.

Mr. Biesemeyer stated that before they decide to order equipment, they need to decide who will be in charge of the equipment and he would like the Highway Department to be the ones to do that. He would approve the ordering of equipment if it were to be placed with the Highway Department but not with the General Fund.

Mr. Whitney, Highway Superintendent, stated that his first priority would be to hire a truck driver. He apologized and stated that the sidewalks are not.....

Ms. Cheetham-Palen interrupted and stated that if they had four good candidates, that they hire one of the candidates, and if Roger is coming back early then they go forward with replacing the equipment. If they have equipment that needs to be replaced and they have money to do it, they should order the new equipment.

Supervisor Wilson will talk to Champlain Valley Equipment to see if they have any word on when the Ventrac will be done. Also, the tractor to pull the batwing.

Mr. Whitney stated that after repairing the Ventrac he doesn't think they should replace it with a new Ventrac. He is not a fan of it and thinks it should be replaced with something else.

There was a discussion about equipment with the understanding that alternate pieces of equipment will be researched.

Supervisor Wilson stated that he proposed having Roger come back to work, and that Savana had addressed areas of conflict, Ann pointed out about using money for a contract that can be used for equipment that they are going to need no matter what.

Mr. Deyo stated that he is okay with that moving forward, that they need equipment and that it will need to be replaced, but they cannot get that in the next three days. In the meantime, from now until August, they need to get someone. If they do the bid, it can be started tomorrow. Even if they only use it for one season, in the short term. They would be able to get things cleaned up before the end of next week.

Mr. Biesemeyer stated that it will give them some time to put some good thought into it during budget season. In the meantime, right now they need to get someone to mow. The new employee will be able to spend all of their time on the Cemeteries. He asked Bronson what his thoughts were for the amount of time to get the Old Section of the Norton Cemetery done.

Bronson Lawrence, resident, gave a synopsis of what he has been able to do since being hired part-time. He stated that he offered to work for the town to try and fill in the blanks during Roger's leave. He was not able to put in as much time as he had hoped he would have. He put in 25 hours over the course of four weeks. During that time, he was barely able to get three quarters of the new section of Norton Cemetery done. He

used the zero turn, but was new to it. If you look at it, it would take one person approximately 30 hours to get Norton done. That is just about a full-time person to just get that one place done in a week. Then they have everything else to get taken care of. They are one guy down, one guy out, and he works 4.5 hours per week. One full-time person is needed just to take care of Norton Cemetery, then you have one other guy that would need to take care of all the other Cemeteries and anything else that the town needs. Two full-time employees will not be able to get all the Cemeteries done and everything else that needs to be done.

Mr. Biesemeyer recommended that everyone walk through Fairview Cemetery. He said to check it out, it is unbelievable.

Ms. Cheetham-Palen suggested hiring a full-time employee, for the vacancy, and an additional seasonal employee to help out through the summer.

Mr. Biesemeyer stated that with a new full-time employee, with Roger coming back, with Bronson working 4.5 hours per week, and plus hiring another part-time seasonal employee, they still would not be able to get all of the Cemeteries done plus Marcy Field the Community Center and everything else that needs to be done.

Ms. Li stated that Ryan only has one employee. She knows Ryan from outside of there, and that is T.J. How is he going to do all of that mowing? She stated that something will get neglected. She sees T.J. mowing all day long. Ryan has a ton of mowing jobs. Since both of them left the town on bad terms, the place that will be neglected is most likely going to be the town.

Mr. Biesemeyer spoke and stated that it is on Ryan to get the job done, he thinks T.J. works very well under Ryan, and they should give Ryan the chance.

Kristy Farrell, resident, spoke and stated that she wanted to give a different perspective. She thinks they can not afford to wait any longer. The town looks ridiculous. They should put that money towards whomever. There is a contract in place. He has given you a bid. There are rules and a contract in place. If he does not do it then you don't pay him. This is a discussion that maybe should not have been had in public about who might be upset with whom. To her it really was not relevant because there was a contract in front of them.

Supervisor Wilson asked how they wanted to proceed. They have each voiced their opinions in multiple ways.

RESOLUTION TO ACCEPT RYAN HALL'S BID FOR THE TOWN MOWING CONTRACT

RESOLUTION NO.: 190,2022

(DEFEATED)

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

SECONDED BY: DAVID DEYO

WHEREAS, the Town of Keene went out to bid for a mowing contract

AND WHEREAS, one bid was received by Ryan Hall as follows:

\$16,000 for mowing from June 9th - August 15th
Week by week mowing at the rate of \$1,600
Unforeseen work and extras \$120 per man hour

BE IT RESOLVED, that the Town Board accepts and awards such a bid to Ryan Hall as stated in the bid contract.

AYES: Mr. Biesemeyer, Mr. Deyo

NAYS: Supervisor Wilson, Ms. Cheetham-Palen

ABSENT: Ms. Whitney

Following the vote, Mr. Biesemeyer asked where they were at with mowing.

Supervisor Wilson stated that Roger is coming back, they are hiring a new general laborer.

Mr. Deyo asked when the new laborer would be starting. He stated that he wants to know because when he starts to get sh*t out in the community, he is going to direct them to Supervisor Wilson. And let Supervisor Wilson tell them when they are hired, when they are starting, and when the mowing is going to start. He just wanted to make that clear.

Supervisor Wilson stated that the first choice that he and Roger agreed on said that he can start on June 20th, and Roger is ready to start next week.

Mr. Biesemeyer asked for clarification that from now until June 20th, nothing is happening?

Supervisor Wilson responded and asked if all joking and attacks were done.

EXECUTIVE SESSION:

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

RESOLUTION NO.: 191,2022

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

SECONDED BY: DAVID DEYO

RESOLVED, that the Town Board went into Executive Session at 7:42 p.m. to discuss ongoing legal issues

Duly adopted this 14th day of June, 2022, by the following vote:

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

NAYS: none

ABSENT: Ms. Whitney

RESOLUTION TO RETURN FROM EXECUTIVE SESSION

RESOLUTION NO.: 192,2022

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

SECONDED BY: TERESA CHEETHAM-PALEN

RESOLVED, that the Town Board reconvened from Executive Session.

Duly adopted this 14th day of June, 2022, by the following vote:

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

NAYS: none

ABSENT: Ms. Whitney

Supervisor Wilson stated that they obtained legal advice and no decisions were made.

BUDGET RESOLUTIONS:

RESOLUTION TO TRANSFER FUNDS WITHIN THE GENERAL FUND

RESOLUTION NO.: 193,2022

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

SECONDED BY: DAVID DEYO

RESOLVED, that \$9,438.43 is approved to be transferred out of #A019904.01.004.00 Contingency Line with \$305.88 moved into #A016604.01.004.00 Central Supply CE, \$6,365.00 moved into #A074104.01.004.00 Library CE and \$2,767.55 moved into #A0162040.004 Buildings Contractual.

Duly adopted this 14th day of June, 2022, by the following vote:

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

NAYS: none

ABSENT: Ms. Whitney

RESOLUTION TO TRANSFER FUNDS WITHIN THE SW #1

RESOLUTION NO.: 194,2022

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

SECONDED BY: ROBERT BIESEMEYER

RESOLVED, that \$1,935.26 is approved to be transferred out of SW#1 83202.7.002
Source Power Pump EQ and \$1,935.26 moved into SW#1 83204.7.004
Source Power Pump CE.

Duly adopted this 14th day of June, 2022, by the following vote:

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

NAYS: none

ABSENT: Ms. Whitney

RESOLUTION TO TRANSFER FUNDS WITHIN THE GENERAL FUND

RESOLUTION NO.: 195,2022

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

SECONDED BY: DAVID DEYO

RESOLVED, that \$2,000.00 is approved to be transferred out of #A16202.01.002.00
Buildings Equipment Line with \$2,000.00 moved into #A16204.01.004
Buildings Contractual Line.

Duly adopted this 14th day of June, 2022, by the following vote:

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

NAYS: none

ABSENT: Ms. Whitney

RESOLUTION TO AMEND THE 2022 BUDGET

RESOLUTION NO.: 196,2022

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

SECONDED BY: TERESA CHEETHAM-PALEN

RESOLVED, to increase Other Home and Community Services Line
#A89890.01.000.00 by \$35,500.00 to be transferred from NYCLASS General Fund.

Duly adopted this 14th day of June, 2022, by the following vote:

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

NAYS: none

ABSENT: Ms. Whitney

Discussion prior to vote:

Supervisor Wilson explained that this is the line created to pay Little Peaks out of the ARPA Funds.

SUPERVISOR'S REPORT:

**RESOLUTION TO ADOPT THE SUPERVISOR'S MONTHLY REPORT
FOR JANUARY, 2022**

RESOLUTION NO.: 197,2022

(TABLED)

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

SECONDED BY: TERESA CHEETHAM-PALEN

RESOLVED, that the Town Board approves and accepts the January, 2022
Supervisor's Report.

Discussion held:

Board Members did not have a chance to review the Supervisor's Report yet. They decided to table this until the next meeting.

AUDIT BILLS:

RESOLUTION TO AUDIT THE BILLS

RESOLUTION NO.: 198,2022

**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 22-478 to 22-530, totaling \$ 70949.38, as follows:

General Fund Bills	\$ 65,019.19
Highway Fund Bills	4,385.30
Water District #1 Bills	635.71
Water District #2 Bills	909.18

Duly adopted this 14th day of June, 2022, by the following vote:

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

NAYS: none

ABSENT: Ms. Whitney

ADJOURNMENT:

RESOLUTION TO ADJOURN

RESOLUTION NO.: 199,2022

**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 Regular Meeting at 8:10 p.m.

Duly adopted this 14th day of June, 2022, by the following vote:

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

NAYS: none

ABSENT: Ms. Whitney

Respectfully submitted,

Kimberly E. Smith
Town Clerk
Town of Keene