

Joseph P. Wilson Jr, Supervisor
Robert M. Biesemeyer, Deputy Supervisor
Regular Town Board Meeting
September 13, 2022
7:00 pm

Call to order

Approve Minutes: August 9 Regular Board Meeting
August 23 Public Hearing on WD#2
August 23 Special Board Meeting

Privilege of the Floor:

Town Discussion of Old Business:

- Covid Updates:
- Fund Balance draft
- Capital Plan draft
- Agenda Planning: Return of the Bi-Monthly Town Board meeting on Sept. 27:
Time & location TBD
- Bonding Plans Water Districts #1 & #2
 - WD#1; Bond Resolution
 - WD#2;
- Town Clerk Updates
- Tennis Court fence repairs

New Business:

- Marcy Field Wifi antenna

Executive Session:

Budget Resolutions

Resolution to transfer funds:

Resolution to amend the 2022 budget:

Supervisor's Report: June 2022 (tabled from last meeting)

Audit Bills:

Resolution to audit Vouchers #2022- through #2022-

Town of Keene
Fund Balance Policy
Draft August 2022

The purpose of this policy is to enhance long-term financial planning and mitigate the risks associated with changes in revenues due to economic conditions the town faces. These policies also guide the allocation of sufficient monies for the purchase of capital equipment, construction of capital improvements, meeting match requirements for grants, and unanticipated expenditures that may occur. Unrestricted reserve balances may be utilized for emergency expenditures, annual budget shortfalls, or other approved projects.

The fund balance of the Town's General Fund, Highway Fund, Library Fund, and water district funds have been accumulated to provide stability and flexibility to respond to unexpected adversity and/or opportunities. The objective is to maintain an unrestricted fund balance suitable for the most efficient operation of each fund. Town finances will be managed so as to maintain balances of the various funds at levels sufficient to mitigate current and future risks, such as revenue shortfalls and unanticipated expenditures, ensure stable tax rates and user fees, and protect the Town's creditworthiness.

General Fund: \$400,000

The General Fund needs a significant fund balance to respond to emergencies and leverage grant opportunities.

Highway Fund: \$100,000

The Highway Fund needs a significant fund balance to respond to emergencies and leverage grant opportunities.

Water District #1: \$

Water District #2: \$

The water districts need to be able to respond to emergencies and to leverage grant opportunities. This level of fund balance helps to protect residents in each district from fluctuating rates.

Library Fund: \$5,000

The library needs to meet unexpected expenses. Otherwise, it can rely on the General Fund for emergencies or capital projects.

The unassigned fund balance shall be any remaining amounts left within the above listed funds. At the end of the year, if there are unexpended funds above the fund balance limits set above, the Town will spend, these funds in the following order:

- a) Deposited into a reserve fund based on the capital/asset management plan.
- b) Applied to debt
- c) Balance the following year budget

If, at the end of a fiscal year, the fund balance falls below the established amount for each fund, the Town Board shall take action necessary to restore the unreserved, undesignated fund balance through the budgetary process to acceptable levels within a reasonable time frame.

This policy will be reviewed annually during the organizational meeting in January. This policy has been adopted August xx, 2022.

**Town Wide Capital Plan
Draft August 2022**

1. Bond Schedule

a. Highway Garage

- i. Last payment is 2025**
- ii. Annual payment approximately \$16,000**
- iii. When this is paid off, replace the debt with bond for new Facilities building**

b. Water District #1: Hamlet of Keene

- i. Last payment 2036**
- ii. Annual payment \$44,000**

c. Water District #2: Hamlet of Keene Valley

- i. Last payment 2038**
- ii. Annual payment is \$61,565, and it increases about \$1000/year. Final payment is \$76,000.**

2. Revenue Sources

a. Capital Reserves

- i. Library \$5,061.92**
- ii. Buildings \$68,615.67**
- iii. Highway Building \$45,044.25**
- iv. WD#2 \$30,281**
- v. Hiker Shuttle \$15,000**
- vi. ROOST (includes 2021 & 2022) \$128,893.97**
- vii. Bike Park \$2,403.68**

b. Fund Balance \$1,805,830

c. ARPA funds \$69,904.62 (this includes \$50,000 we committed to water projects but haven't spent yet)

3. Immediate needs

a. Sidewalks

- i. Replace sidewalks in Hamlets: Adirondack Street, Market Street, Church Street.
- ii. Cost \$
- iii. Possible fund sources: community enhancement funds, Fund Balance

b. Library

- i. Repair cost \$
- ii. Energy efficiency upgrades
- iii. Funds from Reserve and grant \$

c. Transfer Station updates

- i. Repairs to scale platform
- ii. Project: update and improve handling of trash and recycling; integrate with new regulations and new county system as these develop.
- iii. Timeline: We should hold money in reserve to make changes as the county-wide solid waste program is updated. Amount in reserve \$
- iv. In the meantime, we should continue to make small improvements to make the transfer station safer and more user friendly. Cost; up to \$10,000 from Fund Balance

d. Community Center

- i. What is valuable about this building for the community? We should invest based on what we want the building to provide residents. The cost depends on option chosen
 1. Renovate
 2. Replace with smaller building
 3. Rebuild and consolidate all town operations in new building
- ii. See engineering report for details of structural issues
- iii. Funds can come from different sources depending on plan for the building; Fund Balance, fundraising, grants, and a bond are all possibilities

- e. Town Hall
 - i. Maintenance and energy efficiency upgrades
 - 1. Replace furnace (for mold & for efficiency)
 - a. Combo of heat pump & propane furnace
 - b. Take advantage of NYSERDA grants for heat pump
 - 2. Replace some windows & back door
 - ii. Paint and repair trim, roof and siding
 - iii. ADA accessibility upgrades;
 - 1. Ramp
 - 2. Bathrooms
 - iv. Spread projects over 3 years
 - v. Funds from General Fund or Capital reserve
- f. Replacement building at Transfer Station site for Sidewalk and Grounds equipment
 - i. Fund the design & permitting from fund balance \$
 - ii. Fund construction with new bond timed to start when Highway Garage is paid off.
- g. Cemetery expansion
 - i. Phase 1 design underway and new rules being developed
 - ii. Permitting & Construction
 - 1. Cost \$
 - 2. Timeline
- h. Highway garage
 - i. Maintenance and Energy Efficiency Upgrades
 - 1. Windows
 - 2. Overhead & entry doors
 - 3. Boiler overhaul
 - ii. Cost
 - iii. Funds from Highway reserve; \$45,044.25 currently available

4. Hiker Management

- a. Replace shuttle vehicle
 - i. Cost \$47,000
 - ii. Capital Reserve \$15,000
 - iii. Community Enhancement Fund or hiker parking revenue \$32,000
 - iv. Transfer current vehicle to Highway Department

- b. Replace Attendant's booth at Garden
 - i. Cost \$4,500
 - ii. Fund with Parking Lot revenue
- c. Debit Card reader for ticket purchase if APA/DEC allows; fund with parking lot revenue

5. Community Projects

- a. Christmas Tree; Annual Budget of \$5,000 from CEF
- b. Skating Rink Liner
 - i. Replace every year. It saves water and labor costs, and allows us to recover from warm spells quicker.
 - ii. \$2,000 annually from CEF.
- c. Stone Planter at 73 & 9N Intersection
 - i. Cost of stone repairs \$
 - ii. Fund with Fund Balance
- d. Connector trail between Keene & Keene Valley
 - i. Unsolicited fundraising has been very successful and there is close to \$100,000 currently available. The goal is to entirely fund these with community support.
 - ii. Hulls Falls to Marcy Field section
 - 1. Easement pending

- iii. Airport Road to Holt Road section
 - 1. Easements in place
 - 2. Design and permitting underway
- e. FEMA property on 9N
 - i. Clear trails for walking and access to river
 - ii. Planning under way with recreation committee
- f. Town trails at Marcy Field
 - i. Smartgrowth grant approximately \$20,000
 - ii. Match with CEF \$8,500
- g. Bike Park
 - i. Phase 2 construction fundraising underway
- h. Health Center Building: Support AMC in renovating the building so we can keep medical services in Keene

6. Policy Updates

- a. Site Plan Review Law revision
 - i. Consultant \$
 - ii. Timeline: start in 2022
- b. Water Law Revision
 - i. Consultant \$
 - ii. Timeline; start in 2022
- c. Short Term Rental regulation development
 - i. Consultant \$
 - ii. Timeline: after water and Site Plan are revised

Water & Site Plan Review Law Revision

April 2022

1. Review Current Law and note changes and revisions needed
 - a. Site Plan Review Law; Planning Board members, Town Board members, public review. We should include Zoning as an option in the discussion.
 - b. Water Law: Water operators, Town Board, Residents of each district
2. Town Attorney review after marked up versions are complete.
3. Consultant reviews marked up versions and provides draft for town board to review.

Updated Town Board Meeting Schedule:

Tuesday, September 13th @ 6:00 p.m. Budget Workshop

Tuesday, September 13th @ 7:00 p.m. Regular Town Board Meeting

Tuesday, September 20th @ 6:00 p.m. Budget Workshop #2

Tuesday, September 27th @ 5:30 p.m. Bi-Monthly Town Board Meeting

Wednesday, October 5th @ 6:00 p.m. Special Meeting to submit the Tentative Budget to the Board

Tuesday, October 11th @ 6:00 p.m. or 7:00 p.m. (?) Regular Town Board Meeting

Tuesday, October 25th @ 5:30 p.m. Bi-Monthly Town Board Meeting

Thursday, November 10th @ 6:30 p.m. Public Hearing on the Budget

Thursday, November 10th Regular Board meeting following Public Hearing

Thursday, November 17th @ 6:00 p.m. Special Meeting to Adopt the Budget

Tuesday, November 29th @ 5:30 p.m. Bi-Monthly Town Board Meeting

Tuesday, December 13th @ 7:00 p.m. Regular Town Board Meeting

Tuesday, December 27th @ 5:30 p.m. Bi-Monthly Town Board Meeting

At a Regular meeting of the Town Board of the Town of Keene, Essex County, New York, held at the Keene Community Center Pavilion, in Keene, New York in said Town, on September 13, 2022, at 7:00 o'clock P.M., Prevailing Time.

PRESENT:

Supervisor

Councilperson

Councilperson

Councilperson

Councilperson

<p>In the Matter of The Increase and Improvement of Facilities of Town of Keene Water District No. 1 in the Town of Keene, Essex County, New York</p>	<p>PUBLIC INTEREST ORDER</p>
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WHEREAS, the Town Board of the Town of Keene, Essex County, New York, has duly caused to be prepared a map, plan and report, including an estimate of cost, pursuant to Section 202-b of the Town Law, relating to the increase and improvement of the facilities of Water District No. 1, in the Town of Keene, Essex County, New York (the "Water District"), consisting of replacement of water treatment plant control equipment, including pumps, meters,

valves, controls, and including incidental improvements and expenses in connection therewith, at a maximum estimated cost of \$300,000; and

WHEREAS, at a meeting of said Town Board duly called and held on August 9, 2022, an Order was duly adopted by it and entered in the minutes specifying the said Town Board would meet to consider the increase and improvement of facilities of Town of Keene Water District No. 1 in said Town at a maximum estimated cost of \$300,000, and to hear all persons interested in the subject thereof concerning the same at the Keene Community Center Pavilion, in Keene, New York, in said Town, on September 6, 2022, at 5:00 o'clock P.M., Prevailing Time; and

WHEREAS, said Order duly certified by the Town Clerk was duly published and posted as required by law; and

WHEREAS, a public hearing was duly held at the time and place set forth in said notice, at which all persons desiring to be heard were duly heard; NOW, THEREFORE, BE IT

ORDERED, by the Town Board of the Town of Keene, Essex County, New York, as follows:

Section 1. Upon the evidence given at the aforesaid public hearing, it is hereby found and determined that it is in the public interest to make the increase and improvement of the facilities of Water District No. 1, in the Town of Keene, Essex County, New York, being the replacement of water treatment plant control equipment, including pumps, meters, valves, controls, and including incidental improvements and expenses in connection therewith, at a maximum estimated cost of \$300,000.

Section 2. This Order shall take effect immediately.

The question of the adoption of the foregoing Order was duly put to a vote on roll, which resulted as follows:

_____ VOTING _____
_____ VOTING _____
_____ VOTING _____
_____ VOTING _____
_____ VOTING _____

The Order was thereupon declared duly adopted.

* * * * *

BOND RESOLUTION

At a Regular meeting of the Town Board of the Town of Keene, Essex County, New York, held at the Keene Community Center Pavilion, in Keene, New York, in said Town, on the 13th day of September, 2022, at 7:00 o'clock P.M., Prevailing Time.

The meeting was called to order by _____, and upon roll being called, the following were

PRESENT:

ABSENT:

The following resolution was offered by Councilperson _____ who moved its adoption, seconded by Councilperson _____ to wit:

RESOLUTION NO. 2022

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$300,000 BONDS OF THE TOWN OF KEENE, ESSEX COUNTY, NEW YORK, TO PAY THE COST OF THE INCREASE AND IMPROVEMENT OF THE FACILITIES OF WATER DISTRICT NO. 1 IN THE TOWN OF KEENE, ESSEX COUNTY, NEW YORK.

WHEREAS, pursuant to the provisions heretofore duly had and taken in accordance with the provisions of Section 202b of the Town Law, and more particularly an Order dated the date hereof, said Town Board has determined it to be in the public interest to improve the facilities of Water District No. 1, in the Town of Keene, Essex County, New York, at a maximum estimated cost of \$300,000; and

WHEREAS, the capital project hereinafter described, as proposed, has been determined to be a Type II Action pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act, which such regulations provide will not have any significant adverse effects on the environment; and

WHEREAS, it is now desired to authorize the financing of such capital projects, NOW, THEREFORE,

BE IT RESOLVED, by the Town Board of the Town of Keene, Essex County, New York, as follows:

Section 1. For the specific of object or purpose of paying the cost of the increase and improvement of Water District No. 1, in the Town of Keene, Essex County, New York, being the construction of improvements to and replacement of water treatment plant control equipment, including pumps, meters, valves, controls, and including incidental improvements and expenses in connection therewith, at a maximum estimated cost of \$300,000, \$300,000 bonds of said

Town are hereby authorized to be issued therefor pursuant to the provisions of the Local Finance Law.

Section 2. It is hereby determined that the plan for the financing thereof is by the issuance of the \$300,000 bonds of said Town authorized to be issued pursuant to this bond resolution. PROVIDED, HOWEVER, that to the extent that any grants-in-aid are received for such class of objects or purposes, the amount of bonds to be issued pursuant to this resolution shall be reduced dollar for dollar.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is forty years pursuant to subdivision 1 of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the serial bonds herein authorized will exceed five years.

Section 4. The faith and credit of said Town of Keene, Essex County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. Annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. To the extent not paid from monies raised from said Water District in the manner provided by law, there shall annually be levied on all the taxable real property of said Town, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the serial bonds herein authorized, including renewals of such notes, is hereby delegated to the Supervisor, the chief fiscal officer. Such notes shall be of such terms, form and contents, and

shall be sold in such manner, as may be prescribed by said Supervisor, consistent with the provisions of the Local Finance Law.

Section 6. The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the Supervisor, who shall advertise such bonds for sale, conduct the sale, and award the bonds in such manner as the Supervisor shall deem best for the interests of said Town, including, but not limited to, the power to sell said bonds to the New York State Environmental Facilities Corporation; provided, however, that in the exercise of these delegated powers, the Supervisor shall comply fully with the provisions of the Local Finance Law and any order or rule of the State Comptroller applicable to the sale of municipal bonds. The receipt of the Supervisor shall be a full acquittance to the purchaser of such bonds, who shall not be obliged to see to the application of the purchase money.

Section 7. All other matters except as provided herein relating to the serial bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue serial bonds with substantially level or declining annual debt service, shall be determined by the Supervisor, the chief fiscal officer of such Town. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Supervisor shall determine consistent with the provisions of the Local Finance Law.

Section 8. The Supervisor is hereby further authorized, at the Supervisor's sole discretion, to execute a project finance and/or loan agreement, and any other agreements with the New York State Department of Health and/or the New York State Environmental Facilities

Corporation, including amendments thereto, and including any instruments (or amendments thereto) in the effectuation thereof, in order to effect the financing or refinancing of the class of objects or purposes described in Section 1 hereof, or a portion thereof, by a bond, and/or note issue of said Town in the event of the sale of same to the New York State Environmental Facilities Corporation.

Section 9. The power to issue and sell notes to the New York State Environmental Facilities Corporation pursuant to Section 169.00 of the Local Finance Law is hereby delegated to the Supervisor. Such notes shall be of such terms, form and contents as may be prescribed by said Supervisor consistent with the provisions of the Local Finance Law.

Section 10. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 11. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a longterm basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 12. This resolution, which takes effect immediately, shall be published in summary form in the official newspaper, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

_____	VOTING	_____
_____	VOTING	_____
_____	VOTING	_____
_____	VOTING	_____
_____	VOTING	_____

The resolution was thereupon declared duly adopted.

* * * * *

AUGUST WATER COLLECTION REPORT

Town of Keene

Thursday, September 1, 2022

Acct#	Type	Chk#	Amt Paid	Chk Amt	Cash Amt	C Card Amt
			\$103,091.74	\$102,691.74	\$400.00	\$0.00

GRAND TOTALS:

CHARGES						
WATER DISTRICT 1	\$23,640.00	WATER DISTRICT 1	\$0.00	WATER DISTRICT 1	\$23,640.00	
WATER DISTRICT 2	\$47,437.50	WATER DISTRICT 2	\$13.00	WATER DISTRICT 2	\$47,450.50	
	\$71,077.50		\$13.00		\$71,090.50	
WTR DEBT SERVICE	\$32,001.24	WTR DEBT SERVICE	\$0.00	WTR DEBT SERVICE	\$32,001.24	
	\$103,078.74		\$13.00		\$103,091.74	*

PENALTIES

WD #1	\$23,640.00
WD #1	501.24
(debt serv)	
WD #1	\$24,141.24
TOTAL	
WD #2	\$47,450.50
WD #2	31,500.00
(debt serv)	
WD #2	\$78,950.50
TOTAL	

CHECK TO THE SUPERVISOR, \$103,091.74



Town Clerk Hours

Mondays and Tuesdays
8:30 a.m. - 3:30 p.m.

For your convenience, there is also a Town Clerk drop box that can be utilized to leave correspondences, dog license renewals as well as Tax and Water Payments.

Please use an envelope and provide your phone number in case I need to reach you.

Sincerely,

Kimberly Smith
Town Clerk