

Special Town Board Meeting
October 4, 2022
6:15 p.m. at Keene Community Center Pavilion

MTG #23
Res. #268-271

BOARD MEMBERS PRESENT

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

TOWN OFFICIALS

Dean Smith, Deputy Highway Superintendent
Kimberly Smith, Town Clerk

MEMBERS OF THE PUBLIC PRESENT: Donald Smith, Ellen and Michael Estes, Jill Bassett, Ann Hough

SUPERVISOR WILSON called the meeting to order at 6:10 p.m.

NEW BUSINESS DISCUSSIONS

RESOLUTION APPROVING AND ENDORSING THE HOUSING ASSISTANCE PROGRAM OF ESSEX COUNTY IN ITS APPLICATION TO NEW YORK EMPIRE STATE DEVELOPMENT CORPORATION FOR FUNDING UNDER THE RESTORE NY COMMUNITY INITIATIVE PROGRAM.

RESOLUTION NO.: 268,2022

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

SECONDED BY: ROBERT BIESEMEYER

WHEREAS, the Housing Assistance Program of Essex County desires to apply for approximately \$80,000 in financial assistance through the 2022 Consolidated Funding Application (CFA) under the Restore NY Community Initiative Program; and

WHEREAS, the application proposes funding for a project involving the demolition and asbestos abatement of a house located at 10889 NYS Route 9N, Keene, NY 12942 in preparation for future affordable housing development; and

WHEREAS, the proposed funding will contribute to ongoing community housing efforts in accordance with the Town of Keene 2021 Strategic Plan; and

WHEREAS, the grant application requires that the applicant obtain the approval and endorsement of the governing body of the municipality in which the project will be located.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of Keene, NY approves and endorses the 2022 Restore NY Community Initiative for assistance prepared and to be submitted by Housing Assistance Program of Essex County.

Duly adopted this 4th day of October, 2022, by the following vote:

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

NAYS: none

FILING OF THE TENTATIVE BUDGET:

Kimberly Smith, Town Clerk, presented a certified copy of the 2023 Tentative Budget to each Town Board Member. The 2023 Tentative Budget was presented as approved by Resolution No. 256 at the September 27th, 2022 Bi-Monthly Town Board Meeting.

Supervisor Wilson explained the next steps of the budget process. He would be meeting with Community Resources to discuss the water districts. Thursday there was going to be a meeting in regards to the health insurance choices and he hoped that Board Members would be in attendance. He verified that Dean Smith, Deputy Highway Superintendent, and members of the highway crew were going to be in attendance at the health insurance meeting.

Mr. Biesemeyer asked for clarification of the Tentative Budget that he received and why he was receiving it.

Ms. Smith explained that normally the resolution would have been done at the time of the receipt, but the Town Board accepted the resolution prior to it being filed with her. The budget that he received was the one that was passed at the September 27th meeting. She handed out official certified copies to each Town Board Member, as required.

HIGHWAY PICKUP TRUCK:

Supervisor Wilson explained that Reggie, Highway Superintendent, was able to get a line on a new pickup truck. It was something that has been needed to be replaced for a couple of years and has been hard to find. Supervisor Wilson stated that they have \$45,000 in the Machinery Equipment Reserve Account. The cost of the truck is \$57,000 minus the trade of the current truck and minus the discount for Fleet. So the total for the purchase of the new truck, without a plow, is \$42,412.50. They would transfer that amount out of the reserve if they decided to approve the purchase.

Mr. Biesemeyer asked if the current plow would be transferred to the new truck.

Supervisor Wilson stated that the current plow needs a new frame, the new truck would not have a plow when purchased.

Mr. Deyo clarified that they have the money for it, it was there. The only thing would be another \$6,000 to \$8,000 to get another plow down the road.

Supervisor Wilson stated that it depends on if they can get a frame and a harness and use the old plow, it would be a little bit less. But they still have around \$4,000 in this year's budget to use.

Mr. Deyo recommended not trying to repair the old one, but to get a new one that would fit the new truck so that it could be used for the next six to seven years. He thought it would be a waste of money to try to fix the old one.

**RESOLUTION APPROVING THE PURCHASE OF A PICKUP TRUCK
FOR THE HIGHWAY DEPARTMENT**

RESOLUTION NO.: 269,2022

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

SECONDED BY: TERESA CHEETHAM-PALEN

RESOLVED, that the Town Board approves the purchase of a pickup truck in the amount of \$42,412.50 for the Highway Department.

Duly adopted this 4th day of October, 2022, by the following vote:

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

NAYS: none

Discussion prior to the vote:

Supervisor Wilson asked Dean Smith if Reggie had said anything in regards to a plow for the truck.

Mr. Smith stated that he thought Reggie Whitney, Highway Superintendent, wanted to purchase a new plow for the truck.

Ms. Cheetham-Palen asked Mr. Deyo for clarification of the plow.

Mr. Deyo explained that by the time they fixed the hydraulics and the frame of an eight year old plow, they would probably only be saving about \$1,000. He was in favor of purchasing the new truck for now and then finding money in the budget next year to purchase a new plow for it.

Ms. Cheetham-Palen asked what the pricing would be for a new plow.

Mr. Deyo responded and said approximately \$6,000 - \$8,000.

RESOLUTION TO AMEND THE 2022 BUDGET

RESOLUTION NO.: 270,2022

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

SECONDED BY: DAVID DEYO

RESOLVED, that the Town Board approves the following Budget Amendments:

HIGHWAY FUND

To increase #51302.03.002.00 Machinery EQ Line by \$42,412.50 to be transferred from NYCLASS Highway Reserve.

Duly adopted this 4th day of October, 2022, by the following vote:

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

NAYS: none

OLD BUSINESS DISCUSSION

TOWN HALL FURNACE REPLACEMENT:

Supervisor Wilson stated that the Town received four bids:

- A.D. Thornton Mechanical submitted two versions. One for \$26,207 and another for \$32,228
- NJP Heating submitted a bid for \$30,152
- Hogan Refrigeration and Mechanicals submitted a bid for \$38,750
- Cornerstone submitted a bid for \$49,893

He explained that there was a little bit of variation from contractor to contractor in how they spec'd it out. In essence, it was replacing the current oil fired furnace with a natural gas furnace and adding the appropriate heat pumps to provide heating, cooling, and dehumidification in the main part of the building.

Mr. Deyo asked for clarification of the company that sent in two bids.

Supervisor Wilson verified that one of the bids was with a fewer number of heads in the main room for the heat pump. The other one.....

Mr. Biesemeyer stated that before they went any further ahead, there was a major problem with not having enough electricity in the building to do any of the proposals. There were 100 amps coming in and there was a 50 amp subpanel going into the Judge's office. They had two 20 amp breakers for them. It was very well insulated and it had electric heat in it. It was impossible to do any of the proposals that were submitted in completion. The electrical service would have to be upgraded to 200 amps for any of them to actually work. None of the bids included cleaning the ductwork. He asked for verification if Supervisor Wilson was planning to have that done.

Supervisor Wilson stated that he had told all of the contractors that it (the cleaning of the ducts) would be done already.

Mr. Biesemeyer asked if there was a quote already for that cleaning.

Supervisor Wilson stated that he had not contacted them yet because he was not sure.....but that it was on the town.

Mr. Biesemeyer verified that they were not replacing the duct work and that nobody else was cleaning the duct work.

Supervisor Wilson stated that none of the contractors wanted to replace the duct work. The town also had to drain the oil tank that was there and remove it. That was also on the town.

Mr. Biesemeyer stated that the biggest fact was that there was not enough power in the building to do the heating system with the way that it had been spec'd. He stated that

he had spoken to Derrick, Building Inspector, and that he had not spec'd it that sharply. He also stated that the posting that went out on the County Website was completely nuts. They had an estimated value of it at \$200,000. They had the specs right in the description, but nobody put a great deal of thought into the whole thing.

Mr. Biesemeyer discussed the need for increased electricity and ideas of how to have it installed. He stated that it would be putting the cart in front of the horse if they accepted any of the bids when they did not have appropriate means in which it could be installed. Mr. Biesemeyer discussed the option of cleaning the ductwork and current furnace system and using that for the time being. Then once the electricity deficiency was resolved, consider going to an electric boiler, getting rid of the ductwork, insulating the perimeter and trying to make it so that no more mold can get in there. It would keep the Town Hall open for the winter, and also complete the mold remediation.

Supervisor Wilson asked Mr. Biesemeyer for clarification in regards to the electric boiler; they would still do the heat pumps to deal with the dehumidification.

Mr. Biesemeyer explained that the heat pumps were used to supplement the furnace. They were also used mainly for the air conditioning in the summer. The heat pumps were not really needed in the winter. He stated that they really needed to take a step back to look at everything.

Supervisor Wilson explained that to use the old system, they would need to pull the dehumidifier off the furnace and the motor and circulator for that. It would also cost them to fix that furnace too.

Mr. Biesemeyer agreed that there would be some money spent to limp through the winter.

Mr. Deyo spoke and explained that he had been following it and that he had met with Supervisor Wilson that morning. He agreed that even if they awarded the bid, they can't put it in. The electricity isn't there. They would be buying a race car without a race track.

Supervisor Wilson stated that just like anything, they could upgrade the power.

Mr. Biesemeyer asked if that meant all of that stuff he planned to get done.

Supervisor Wilson stated that they may need a separate electrician.....

Mr. Biesemeyer said absolutely. He stated that he had Brian Smith, an electrician, look at the building and that he had given him good advice. Bob stated that he had reviewed the information after realizing that there were only 100 amps of power. He had not realized or remembered that the Courtroom had electric heat and was using so much of the power already. It would be a disaster if they started the project and something kicked on and there wasn't enough power. They could end up having brownouts and it could affect the computers. He stated that he didn't see any major problems with the current system except for the mold issue.

Supervisor Wilson stated that they had been discussing energy efficiency and upgrades.....

Mr. Biesemeyer stated that he was not saying to never replace it, he was just saying that to try and jump on one of the bids with the deficiency that they have in the building was a mistake.

Supervisor Wilson stated that it was not jumping on the bids. They had been working on it for over two and a half months.

Mr. Deyo stated that he knew they needed heat in the building, but to perhaps get the ducts cleaned and see if they can get through or even clean the ducts, get the service in and maybe just do the heater in the basement this year. But doing all of it when they don't have the power, to award a bid and then not be able to complete it.....

Ms. Cheetham-Palen asked how long it would take to get the power in there.

Mr. Biesemeyer stated that it would take too long to try and get the power in there first. He stated that if they didn't want to limp through the winter, they could replace the furnace and use the cleaned duct work and wait to install the heat pumps. There was enough electricity to do the new furnace. It would only be a 15 amp breaker if it was propane. The issue was that the heat pumps take a 30 amp breaker which would put it over the top.

All Town Board Members continued to discuss the heating and cooling system issues. Topics were:

- The Courtroom heating system and whether or not a heat pump should be installed in there
- The process of putting tanks in the ground
- Cleaning the ducts
- Putting the propane in
- Running new electrical systems
- The bid specifications
- The heat pump system, pros and cons
- The need to prevent mold growth

Donald Smith, resident, spoke and recommended doing the vapor barrier, removing the vegetation on the side of the building, and proper drainage to prevent future mold. He also stated that he felt duct work was a bad idea. He suggested doing a ductless heat pump and an electric boiler system with baseboard heat. That would prevent mold, there would not be any ducts. He also stated that the heat pumps are not a primary source of heat. He agreed with Mr. Biesemeyer's suggestion to fix what they had to get them through the winter and then look into replacing the whole system in the spring.

Mr. Biesemeyer agreed and stated that it was a real clean system. That made the most sense to him as well.

Supervisor Wilson thanked everyone for all of their input and information but that it would have been helpful to have heard this before, since they had been working on it for two and a half months.

Mr. Biesemeyer stated that whatever happened, it didn't, shoulda, coulda, woulda, they just got those bids.

Supervisor Wilson stated that they got what they asked for.

Mr. Biesemeyer stated that he didn't want to argue with Supervisor Wilson.

Ms. Cheetham-Palen spoke and stated that they had agreed to.....it's frustrating.

Supervisor Wilson stated that was what they had agreed to ask for.

Mr. Biesemeyer said to go ahead and put in a system that hasn't even been thought through. Whatever. He stated to Supervisor Wilson that it was crazy to move forward just because they had been talking about it for two and a half months. They had been talking about a lot of stuff. It had been mentioned at a few meetings and he had reviewed whatever had been brought to him. He explained that he spent quite a bit of time, once he got all of the information this past week, and he went over everything and he was glad that he had.

Supervisor Wilson asked Mr. Biesemeyer and Mr. Deyo if either of them were going to accept any of the bids.

Mr. Deyo stated that he thought it was crazy to at this point.

Supervisor Wilson stated that Mr. Deyo's was a no.

Mr. Biesemeyer stated that he could not accept it.

Supervisor Wilson stated that they could not proceed then.

Mr. Biesemeyer stated that he felt as though he was being blamed for saying no. He wanted to turn it around and ask if Supervisor Wilson or Ms. Cheetham-Palen would vote yes to any of those systems.

Supervisor Wilson stated that he was frustrated. He had prepared specs, they were looked at and approved, they went out to bid, and now they were going to be right back at the beginning again.

The Board Members discussed whether to get the ducts cleaned and to try and use the current furnace for the winter or to possibly get the ducts cleaned and just replace the furnace and do more work in the spring.

Ms. Smith asked the question of, if they knew that the ducts had to be cleaned anyway, then why weren't they just cleaned when the guy came. Because he offered to.

Supervisor Wilson stated that he had thought about that a lot and he wanted a chance to answer the question. He said that if they had cleaned the ducts and then they had to work on the furnace, they would have had to clean the ducts again. They don't clean the ducts and then work on the thing generating the mold. It would have been: remove the furnace, then clean the ducts. They have to do it in order.

Mr. Deyo asked about pulling the old furnace out, cleaning the ducts, and the cost of putting in a new furnace.

Mr. Biesemeyer stated that then they have a new furnace, and there was no way to get rid of the ductwork because they would have already made that decision.

Ms. Cheetham-Palen stated that if they cleaned the ductwork and the current furnace and used it, they could end up with mold again and she did not want to see that happen.

Mr. Biesemeyer stated that he agreed.

Ms. Cheetham-Palen asked if it made the most sense to remove the old furnace, replace it, and decide now that they were going to continue to have ducts.

Supervisor Wilson stated that if they decided to replace the furnace and not do the heat pumps at the same time, that they might not have enough heating capacity.

Mr. Biesemeyer stated that he did not think that was true. He was told that the furnace was already oversized for what the building needs. The heat pumps run on electricity and are to supplement so they do not use as much fuel. They are not a primary heat source, but they could be used until around November when the temperature gets really low. But at that point, they would need to use a furnace. Then they would use the heat pump again in the summer for the air conditioning.

The Board Members discussed the possibility of going back out to bid with different specs due to the electrical deficiency.

Supervisor Wilson stated that he wanted to get things moving. He was going to get the furnace started by: getting rid of the humidifier, cleaning the furnace, then doing the ducts, because that was the order to do things.

Mr. Biesemeyer stated that then they would be set for the winter.

Supervisor Wilson asked to let him finish..... He stated that he was going to do those steps and then he was going to put those two guys (pointing to Mr. Biesemeyer and Mr. Deyo) in charge of coming up with the bid specs for how they are going to.....

Mr. Biesemeyer stated that he thought it was important to slow down. He stated that he was not going to do the bid specs. He recommended working together with the heating contractors to make sure that whatever they do will go along with full board approval. He did not want any surprises. He stated that he did not agree with saying, "you two guys do it".

Supervisor Wilson stated that he said that because those two clearly worked in that field more than him. The specs that he had put together, they had agreed to and now he doesn't want to go through it again and in two months they say that it's not what they should be doing. If they (Mr. Biesemeyer and Mr. Deyo) started by getting the ball rolling they will be headed in the right direction.

Mr. Biesemeyer stated that he was not criticizing him.

Mr. Deyo stated that he was not criticizing either and that it was a good step forward in the right direction but as he has gotten more information about the electrical, about none of the bids including putting tanks in the ground. He doesn't want to approve this \$30,000 and then the next meeting they find out that it's going to cost another \$30,000 to get the tanks in and a new electrical service. It's going to be substantial and he didn't want to knee jerk \$60,000.

Supervisor Wilson stated that it was why he wanted them to scope out the project because clearly it didn't get them very far ahead. He was going to work with getting the furnace and the ducts up and running. But they would have the winter to come up with their project.

Ms. Cheetham-Palen asked if they were going to get a new furnace.

Mr. Biesemeyer and Mr. Deyo both responded, maybe.

Mr. Deyo stated that they could not approve any of the current bids because they entail so much stuff that they may not need.

Mr. Biesemeyer stated that once Supervisor Wilson finds out how much it would cost to clean the ducts and to remediate the furnace, then if they find out that it is a hell of a lot to repair that old furnace, then they could contact the guys that bid and see if they would be interested in doing Phase 1. They could either do a hot air furnace or convert it to a propane furnace with baseboard heat in the main part and maybe eliminate the ductwork in the spring.

Ms. Cheetham-Palen wanted to make sure that everyone was aware that she does not want to get rid of the idea of getting heat pumps.

Mr. Biesemeyer agreed that the heat pumps were a good idea for the air conditioning.

With no further action being introduced and with it getting dark outside Supervisor Wilson asked for a motion for adjournment.

ADJOURNMENT:

RESOLUTION TO ADJOURN

RESOLUTION NO.: 271,2022

**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 Special Meeting at 6:47 p.m.

Duly adopted this 4th day of October, 2022, by the following vote:

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

NAYS: none

Respectfully submitted,

Kimberly E. Smith
Town Clerk
Town of Keene