

Bi-Monthly Town Board Meeting
October 25, 2022
5:30 p.m. at Keene Valley Library

MTG #26
Res. #289-304

BOARD MEMBERS PRESENT

Joseph P. Wilson, Jr., Town Supervisor
Robert Biesemeyer, Deputy Supervisor
David Deyo, Council Member
Chris Daly, Council Member

BOARD MEMBER ABSENT

Teresa Cheetham-Palen, Council Member

TOWN COUNSEL

Bryan Liam Kennelly, Esq. (arrived at 6:22 p.m.)

TOWN OFFICIALS

Reginald Whitney, Highway Superintendent
Dean Smith, Deputy Highway Superintendent
Kimberly Smith, Town Clerk

MEMBERS OF THE PUBLIC PRESENT

Donald Smith, Bill Ferebee, Martha Allen, Lissa Goldstein

SUPERVISOR WILSON called the meeting to order at 5:30 p.m. and welcomed everyone that was present.

APPROVE MINUTES:

RESOLUTION APPROVING TOWN BOARD MINUTES

RESOLUTION NO.: 289,2022

INTRODUCED BY: DAVID DEYO
WHO MOVED FOR ITS ADOPTION

SECONDED BY: ROBERT BIESEMEYER

RESOLVED, that the Special Town Board Meeting minutes from October 20th, 2022 are accepted and approved.

Duly adopted this 25th day of October, 2022 by the following vote:

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

NAYS: none

Mr. Deyo asked if Mr. Daly was going to abstain from the vote due to the fact that he was not present at the meeting. Supervisor Wilson asked Mr. Daly if he had reviewed the minutes. Mr. Daly stated that he had. Supervisor Wilson advised that yes he was able to vote on them.

PRIVILEGE OF THE FLOOR: (NONE)

Supervisor Wilson welcomed Chris Daly and thanked him for his interest in serving the town. He asked Mr. Daly if he would like to introduce himself.

Mr. Daly spoke and stated that he appreciated the vote of confidence that the Town Board had given him and he looked forward to working with them in the interest of the town.

OLD BUSINESS DISCUSSIONS

COVID UPDATES:

Covid had been affecting the Town employees. Supervisor Wilson stated that they had an employee out for 9 days with Covid and they had struggled to keep the transfer station opened. He had spoken with Reggie, Highway Superintendent, and between the Highway, Water, and Public Works crews they were trying to come up with a plan to help get them through the winter. He was especially concerned about snow removal. The plan was to get the roads cleared, then the sidewalks done, and the transfer station opened. They would all work together and adjust as needed if there were employees out due to Covid or other illnesses.

Mr. Deyo stated that he was fine with the discussions that they had and with all departments working together as needed.

BUDGET UPDATES: (Healthcare Discussion)

Supervisor Wilson spoke and gave out the cost for both the option to continue with the same Healthcare plan that the Town had and the cost of the new plan, which is an HSA (Health Savings Account). He stated that to stay with the current plan, the cost in 2023 would be \$320,000 and if they switch to the higher deductible plan, it would be \$293,664.

Mr. Biesemeyer and Mr. Deyo clarified whether the \$293,664 included the deductible amounts that the town would be paying for each participant. Supervisor Wilson verified that yes, that amount covers the deductibles as well. Even if the employees maxed out their deductibles, the town would already have the amounts needed set aside.

Mr. Deyo asked if at the end of 2023 there were still funds in the HSA account, would they roll that over to the next year.

Supervisor Wilson explained that they don't roll the funds over, they would look at the amount spent from the previous year and then rebudget for the upcoming year. Any unused funds would roll over into their unexpended fund balance. For 2023 they would start with an HSA of 100% of the expenditures, but in the years to come, that would be based on the prior year's usage. If they only used 65% of the funds, they may choose to set aside 80% instead of 100% for the new year. It would be based on need.

Dean Smith, Deputy Highway Superintendent, asked if the \$293,664 included the cost of the third party biller that would be involved.

Supervisor Wilson stated yes, that amount was with 100% of all the fees that would need to be paid.

Mr. Smith stated that he called and spoke to an employee in Minerva that had an HSA plan. That employee told Mr. Smith that the town never reaches the full deductible amount and he had been there for six years. The only issue that they had discussed

was the fact that the employees had to do some of the leg work with the paperwork that had to be filed. Mr. Smith was not sure if Minerva had a third party biller involved or if it was just the employees and the town.

Supervisor Wilson stated that when he had first discussed the plan option with the Highway Department 18 months ago, he had explained that part of the reason that the plan was cheaper was because the employees needed to do some of the leg work. Employees needed to monitor their deductibles and a little more responsibility falls on the employees.

Mr. Daly spoke and stated that they were right, there was a little more leg work to be done. The administrator typically has some resources to assist them on their website. When asked if Mr. Daly had that type of insurance he responded to and stated that he had not had it but he had gone to a presentation for it. The one that he had found out information about had been individual HSAs in which each employee had their own individual account. He stated that the one provided to the town, as a group HSA, appears to be a better plan than the individual HSA but there will be some paperwork that would need to be done.

Mr. Smith spoke and stated that he thought it was a good plan as long as they stay ahead of it, like Mr. Deyo said. They had to plan for those unexpected things that could happen and not cut themselves short.

Mr. Biesemeyer stated that the plan was a year-to-year plan. So, if they did not like the plan, they could always switch back or switch to another plan if they wanted to.

The healthcare discussion continued. The town would be saving approximately \$30,000 by switching to the new HSA plan, and that was the initial savings. If all of the deductibles were not reached, the town would have an additional savings at the end of the year. It was explained that in addition to the town saving money, the employees would also be saving money. The cost that they would be paying out of their paychecks would be less due to the fact that the plan costs less.

Supervisor Wilson explained that the Public Hearing on the budget was scheduled for November 10th. They did not need to make a decision on the Healthcare plan now, but he wanted to have accurate information and numbers to present to the public for that hearing date. Mr. Deyo stated that he wanted to verify with the other employees what their thoughts were before they came to any decisions. The Town Board that was there now was not necessarily the same Town Board that would be there in ten years. It may be that future boards determine that they cannot pay those deductibles for the employees. Supervisor Wilson stated that it was fine to wait, but they could not wait until noon on November 10th. He needed to have time to put the correct numbers into the budget prior to the Public Hearing Meeting.

Mr. Smith verified that he had asked all of his questions. He had inquired if any of the coverage was changing, such as procedures, but was reassured that none of that would change. He stated that he was concerned because the coverage was being changed from "Platinum" to "Bronze". He wanted to be certain that all coverages would remain the same.

Supervisor Wilson clarified that the only reason the label was changing was because the deductible amount rose, the coverage remained the same; doctor eligibility stays the same, prescriptions won't change, and the network won't change.

(Keene Valley Library Discussion)

Supervisor Wilson explained that the Keene Valley Library requested that they contribute a little more this year for their shared services agreement. The cost of electricity and heating oil has gone up.

Mr. Deyo asked if the Keene Valley Library was going to be the only library for the next foreseeable year.

Supervisor Wilson stated yes, that it was and that they have the money budgeted already. It would not be a lump sum payment. The Library sends them a bill each month. They were requesting an additional \$100 to \$120 per month.

RESOLUTION TO INCREASE THE AMOUNT PAYABLE TO THE KEENE VALLEY LIBRARY FOR SHARED SERVICES

RESOLUTION NO.: 290,2022

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

SECONDED BY: CHRIS DALY

RESOLVED, that the Town Board approves an increase to the amount payable to the Keene Valley Library for shared services up to an additional \$1,200 for the year.

Duly adopted this 25th day of October, 2022, by the following vote:

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

NAYS: none

WATER DISTRICT PROJECTS:

Supervisor Wilson stated that Savana Li, Water Superintendent, was unable to attend the meeting so he would be discussing the updates. He discussed the Financial Advisor that he had been in contact with and requested to be able to move forward with signing a contract to hire them. He asked Mr. Daly for his thoughts on the contract.

Mr. Daly stated that the services that they were going to provide and the rate that was stated was pretty good. He did not have any issues with the quote that they were giving. All of the items that they listed, some more complicated than others, without hiring someone to assist them then it would fall on the Town to do it. They would not all have the expertise to do all of the things listed and required. He stated that it would be money well spent because they were both moving targets in Water District #1 and #2 in how they get set up. He recommended that they go ahead with it.

**RESOLUTION TO ACCEPT THE PROPOSAL FROM FISCAL
ADVISORS & MARKETING, INC.**

RESOLUTION NO.: 291,2022

**INTRODUCED BY: CHRIS DALY
WHO MOVED FOR ITS ADOPTION**

SECONDED BY: ROBERT BIESEMEYER

RESOLVED, that the Town Board accepts and approves the proposal from Fiscal Advisors & Marketing, Inc. for the advisement of structuring the Water Bond for both Water District #1 and Water District #2.

(Proposal is attached to these minutes)

Duly adopted this 25th day of October, 2022, by the following vote:

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

NAYS: none

WATER DISTRICT #1

Supervisor Wilson stated that they had to take a pump from Water District #1 and install it in Water District #2. So now they needed to purchase an additional one to replace the one they used. The Department of Health requires them to keep one on hand. It has already been ordered. He thought that the price of it was around \$3,500, but they had to order it. They could not postpone it, so that bill would be coming as soon as it gets delivered.

WD#2: HYDROLOGY & ENGINEERING

Supervisor Wilson met with Claude, the Hydrology Engineer, about the well selection. Based on the work that had been done in 2017, they recommended doing a well in the area of where the defunct wells were. He was told that was the best bet because those areas had been producing water in the past.

Supervisor Wilson stated that Claude's recommendation was to do a test well and not a full bore production well. The costs of both types of wells were discussed as well as the pros and cons. There were limited sites that the town had available to drill. The history of the wells and why they could no longer be used was discussed. They can not be reconditioned, they already tried to do that and did not reach the appropriate DOH production. No decisions were made in regards to the drill site or whether it would be a test well or full bore well. They are waiting to see what the Hydrology Report says and what Layne says. There was also a discussion on how the DOH knows how much water is needed from the well. Supervisor Wilson explained that the water usage was metered daily and the town knows how much water gets used within the district, they just don't know how much water was used per household.

WATER LAW AMENDMENT/PETITION:

Supervisor Wilson stated that the Town Attorney drew up the needed forms and that if he had any questions as they moved forward, he would bring them to the Board.

TOWN HALL HEATING/COOLING SYSTEM REPLACEMENT:

Supervisor Wilson asked Mr. Biesemeyer to give an update on the Town Hall's heating and cooling system.

Mr. Biesemeyer stated that they had to replace the heating system and as they looked into it, they discovered that there was only 100 amps of power going into Town Hall. If they wanted to install heat pumps, they needed to upgrade the power. The baseboard heating system in the Courtroom uses 50 amps of power. If they need to upgrade the power, he stated that it made more sense to upgrade to 400 amps instead of 200 amps. They could then replace the oil burning boiler with an electric boiler. He recommended having Derrick write up a bid proposal. They need to do an electrical upgrade first. Once the electrical is updated, they would be able to upgrade the furnace, get rid of all of the duct work, and then spray foam the perimeter of the Town Hall. Then put the baseboard in the Town Hall and leave what is in the Judge's area.

Right now there is heat in the Town Hall. The ducts were cleaned and the furnace has been turned back on. They would work on getting bid proposals for a new heating/cooling system in the spring, once the electrical was updated.

BUDGET (ANCA DISCUSSION)

Supervisor Wilson stated that he had forgotten to discuss a budget item. He had received a request from ANCA to support them. They do a lot for the town. They help individuals, they help organizations.

Mr. Biesemeyer asked if they already had a membership with them.

Supervisor Wilson stated no, that was what they were asking. They wanted the Town Board to support them by purchasing a membership.

RESOLUTION TO SUPPORT ANCA (ADIRONDACK NORTH COUNTRY ASSOCIATION) BY PURCHASING A MEMBERSHIP

RESOLUTION NO.: 292,2022

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

SECONDED BY: DAVID DEYO

RESOLVED, that the Town Board approves of an annual membership to ANCA (Adirondack North Country Association) in the amount of \$100.00.

Duly adopted this 25th day of October, 2022, by the following vote:

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

NAYS: none

TOWN CLERK UPDATES:

Supervisor Wilson asked Ms. Smith if she had any updates that she wanted to provide. Ms. Smith stated that she did not have many updates. It had been the final day for people to pay their water rents that were outstanding. Any payments received with the

appropriate postmark would still be processed. She also stated that she would not be taking any forms of payment after October 31st. She and Supervisor Wilson had spoken with Melanie at Champlain National Bank and she would have access to the Town Clerk accounts until November 2nd in order to process her monthly reports.

BULKY DAYS REVIEW:

Teresa Cheetham-Palen was not present to discuss Bulky Days, but Supervisor Wilson gave an update. He stated that Ms. Cheetham-Palen and Roger Preston worked on the Bulky Days and that it was really slow. They had only filled two containers, when in the past they had filled five.

Mr. Deyo spoke and explained that he had talked with Roger about how it went. They had three paid employees plus Ms. Cheetham-Palen volunteered. Roger had expressed that there were not many people that showed up, and that financially it may not be a good idea to offer it again. He stated that he did not get a chance to ask Ms. Cheetham-Palen her thoughts on how it went.

Supervisor Wilson stated that was good feedback to have. He wanted to thank Roger, Craig, Laura, and Teresa for putting so much time into it. Because it was slow, Roger and Teresa were able to get the freon guys to come and get the freon out of all of the refrigerators. When the highway crew has time, they will crush them and get them into a container to be hauled away.

Martha Allen, resident, spoke and stated that there had not been much talk about Bulky Days. Since Covid, Bulky Days had not been happening and people sort of forgot about it.

Mr. Biesemeyer stated that he had heard that some people had gone there, and that because they had jacked the prices up, they turned around and left.

Martha Allen stated that it never used to cost anything.

Mr. Deyo stated that it was supposed to, but no one ever used to charge. People had gotten used to it being free and even people from other Towns were bringing things.

Mr. Biesemeyer stated that another issue in the past was that residents would go with things that were not their own regular things to get rid of but with things from other people's garages and houses.

Mr. Deyo stated that it was hugely popular when it was free.

Supervisor Wilson stated that once Teresa was back, they would get more information from her and see what her interpretation of it was.

POSITION APPOINTMENTS: (To Be Discussed in Executive Session)

NEW BUSINESS DISCUSSIONS

FARMERS MARKET AGREEMENT FOR 2023

Supervisor Wilson announced that Lissa Goldstein was present at the meeting to represent the Farmers Market. They were requesting to reserve Marcy Field for next year. They were the same rules that they had in the past. The only change would be

that they wanted to paint parking lines on the field to make it easier to safely park all of the cars. The Market would take care of painting the lines. He had spoken with Roger about the need to coordinate the mowing with the painting of the lines.

**RESOLUTION TO APPROVE THE CONTRACT WITH THE FARMERS MARKET
FOR MARCY FIELD USAGE IN 2023**

RESOLUTION NO.: 293,2022

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

SECONDED BY: ROBERT BIESEMEYER

RESOLVED, that the Town Board approves renewing the contract with the Farmers Market for 2023 with the additional permission to paint parking lines for the ease and safety of parking cars at that location.

Duly adopted this 25th day of October, 2022, by the following vote:

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

NAYS: none

Supervisor Wilson verified with Ms. Goldstein that she would relay the approval to the Farmers Market and that he would make Tina aware to reserve the field for Farmers Market usage. He thanked Ms. Goldstein for being present at the meeting.

INTRODUCE LEASH LAW:

Supervisor Wilson stated that the Dog Control Officer asked for them to consider having a leash law. He explained that the Town Attorney and the Dog Control Officer had come up with a draft, which he had provided to everyone. The front section of the handout was the current law that was in place, which was not a Leash Law. The current laws state information about licensing and that the dog should be under control, but there is not actually a Leash Law.

Mr. Biesemeyer stated that it was a question of whether they wanted one.

Supervisor Wilson explained that if they decided that they wanted to do it, it still had to go through the Local Law procedures; introduce it, have a public hearing,

Mr. Biesemeyer stated that then would be the time to deal with it. (Meaning at the Public Hearing)

Supervisor Wilson clarified and stated that they needed to decide whether to schedule the Public Hearing. That would be the first step.

Mr. Deyo wanted to know who the hell was going to go around and enforce this Leash Law.

Ann Whitney, resident, spoke and stated that if she was walking her dog and it was on a leash, and then another dog that was not on a leash came along and ripped her dog

apart.....there was a big problem. If someone calls the Dog Control Officer because they saw a dog loose, they can't do anything about it because there was no Leash Law.

Mr. Biesemeyer discussed the Law that was passed in 1998. He stated that as he remembered it, when there were discussions about it before it was passed, there was a lot of opposition in regards to a Leash Law. There were a large number of people that felt that they lived in a small town and they did not always want to have their dog on a leash. This was not like a gated community. They felt as though another freedom was trying to be taken away from them.

Residents in the audience voiced their concerns, both pro and con Leash Law as well as Board Members. They also recollected on "famous" local dogs that made their rounds in neighborhoods (Derby and Moses) over the years.

Ms. Smith asked to speak and stated that the Leash Law, if it does get passed, would only be as good as the Judges that also enforced it. If the tickets were going to get written, it only works if the fines were given as well.

With the varying opinions that were present at the meeting, Supervisor Wilson stated that it was clear that it was an issue that needed to be discussed.

Mr. Biesemeyer stated that if they wanted to bring it to a Public Hearing to see what the general consensus was, to go ahead.

Supervisor Wilson stated that they would wait until the next meeting to officially introduce it, and then schedule a Public Hearing.

Marth Allen asked for clarification. She asked if they were scheduling the Public Hearing.

Supervisor Wilson stated that they would not schedule the date of the Public Hearing until the next meeting.

Ms. Allen stated that the Public Hearing would be great for a news story.

CEMETERY PATH PURCHASE REQUEST:

Supervisor Wilson explained the request that was received to purchase a path in the Norton Cemetery to expand a current plot. The path is between two separate owners' plots.

RESOLUTION TO PURCHASE A PATH IN THE NORTON CEMETERY

RESOLUTION NO.: 294,2022

**INTRODUCED BY: ROBERT BIESEMEYER (DEFEATED)
WHO MOVED FOR ITS ADOPTION**

SECONDED BY: DAVID DEYO

RESOLVED, that the Town Board received a request from the Mahoney family to purchase a path in the Norton Cemetery which would expand the size of their current plot.

Defeated this 25th day of October, 2022, by the following vote:

AYES: none

NAYS: Supervisor Wilson, Mr. Biesemeyer, Mr. Deyo, Mr. Daly

Discussion prior to the vote:

Ms. Allen inquired what a path was. Supervisor Wilson explained that between each plot of the Cemetery there is a path (unowned section) in which people can walk to get to the plots. He held up a copy of the Cemetery Map and the section which was being requested. He explained that in the past, if a family owned two plots next to each other in which purchasing the path between them would not interfere with anyone else's, the Town Board had approved them. But, in this case, the sale of that path would block or obstruct areas in which people would want access to.

EXECUTIVE SESSION:

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

RESOLUTION NO.: 295,2022

**INTRODUCED BY: CHRIS DALY
WHO MOVED FOR ITS ADOPTION**

SECONDED BY: ROBERT BIESEMEYER

RESOLVED, that the Town Board went into Executive Session at 6:25 p.m.
to discuss legal advice on position appointments and water laws.

Duly adopted this 25th day of October, 2022, by the following vote:

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

NAYS: none

RESOLUTION TO RETURN FROM EXECUTIVE SESSION

RESOLUTION NO.: 296,2022

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

SECONDED BY: ROBERT BIESEMEYER

RESOLVED, that the Town Board is returning from Executive Session at 6:46 p.m.
and entering into a Regular Session.

Duly adopted this 25th day of October, 2022, by the following vote:

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

NAYS: none

**RESOLUTION TO AMEND THE SEPTEMBER 13TH, 2022 BOARD
MEETING MINUTES**

RESOLUTION NO.: 297,2022

**INTRODUCED BY: JOSEPH P. WILSON, JR.
WHO MOVED FOR ITS ADOPTION**

SECONDED BY: DAVID DEYO

RESOLVED, that the Town Board amends the September 13th, 2022 Town Board Minutes to reflect that the cost of cleaning the Courtroom was \$35.00 bi-weekly.

Duly adopted this 25th day of October, 2022, by the following vote:

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

NAYS: none

ABSTAINED: Mr. Biesemeyer

Discussion prior to the vote:

Ms. Smith, Town Clerk, asked for clarification of what she was amending. She asked if it was a resolution that they were amending or a statement. Supervisor Wilson stated that it was not a voucher that it was the minutes. Mr. Deyo stated that it was a typo in the minutes that needed to be corrected, to state \$35.00 bi-weekly.

Ms. Smith also asked if Mr. Daly was allowed to vote on an amendment of a meeting that he was not present at. Mr. Deyo stated yes, that they had discussed it during the Executive Session and that the Town Attorney advised that he could.

*****It should be noted that since this meeting, the September 13th, 2022 Town Board Minutes were reviewed by Ms. Smith, and there was no discussion in which such amendment could be made. In the minute book, at the top of the page for that date, a notation was added of this resolution number (297,2022) and the statement noted. *****

RESOLUTION TO AMEND THE TOWN'S WATER LAW

RESOLUTION NO.: 298,2022

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

SECONDED BY: DAVID DEYO

RESOLVED, that the Town Board approves and accepts the following amendment to the Town Water Law:

For any charge for water use accrued after January 1, 2022, a consumer may apply for a waiver or a credit with the Water Superintendent for cause.

- Waiver: All applications or appeals granted before September 1 of the given calendar year shall be eligible for a waiver of the relevant water use charges.

-Credit: All applications or appeals granted after September 1 of the given calendar year shall be eligible for a credit toward that consumer's next year's water use charges.

All applications to the Water Superintendent for a credit or waiver of water use charges must be submitted no later than seven (7) days after those water use charges are billed to the consumer. In the event that the application is denied, the consumer may appeal to the Town Board. Appeals must be submitted within fourteen (14) days of the Water Superintendent's denial of the credit or waiver application. Penalties and fines may not be waived or credited.

Duly adopted this 25th day of October, 2022, by the following vote:

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

NAYS: none

RESOLUTION TO WAIVE THE WATER RENT FOR 64 MARKET STREET IN KEENE VALLEY

RESOLUTION NO.: 299,2022

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

SECONDED BY: DAVID DEYO

RESOLVED, that the Town Board waives the 2022 annual water usage fee for the residence at 64 Market Street in Keene Valley owned by Reid Smith.

Duly adopted this 25th day of October, 2022, by the following vote:

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

NAYS: none

ABSTAINED: Mr. Daly

Discussion prior to the vote:

Ms. Smith, Town Clerk and Water Biller/Collector, asked what she was supposed to do for this year. She stated that this discussion had been ongoing, and that the current date, October 25th, had been the last possible day for Reid Smith to have paid the balance of the bill.

Mr. Kennelly, Town Attorney, asked Ms. Smith if she had submitted the re-levy report to the County yet.

Ms. Smith stated that the report had not been submitted to the County as of yet.

Mr. Kennelly stated that there was still time to waive the fee.

Ms. Smith asked for clarification of what they were waiving. Supervisor Wilson and Mr. Biesemeyer stated that they were waiving the usage fee but not the debt service fee.

Discussion following the vote:

Mr. Biesemeyer requested to give the audience an explanation of the waiver. He stated that Reid had purchased the house. He also stated that Ryan Hall had turned the water off for the previous owner's prior to the sale of the house. The house had water damage. Bob explained that the state of the house did not allow for them to have water. They were doing repairs to the house and asked why they had to pay for water usage if they were not able to use water at the location.

Mr. Kennelly stated that for the future, they have amended the Water Law so that this would not be done on an ad hoc basis, there was actually a process.

**RESOLUTION TO APPOINT ANN WHITNEY TO THE TOWN CLERK VACANCY
EFFECTIVE NOVEMBER 3RD, 2022**

RESOLUTION NO.: 300,2022

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

SECONDED BY: DAVID DEYO

RESOLVED, that the Town Board appoints Ann Whitney to fill the vacancy of Town Clerk effective November 3rd, 2022 with a term to expire on December 31st, 2023.

Duly adopted this 25th day of October, 2022, by the following vote:

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

NAYS: none

Discussion prior to the vote:

Ann Whitney, resident, stated that she had heard that there was a law stating that she would need to hold hours 3 days per week during business hours for the month of January.

Ms. Smith, current Town Clerk, stated that she had explained that to Mr. Biesemeyer prior to them looking for a replacement. She stated that the Tax Collection law stated that for the month of January.

Mr. Biesemeyer stated that yes he had neglected to tell Ann that.

Ms. Whitney explained that she was able to do one day during normal business hours but that her other availability would not be daytime hours.

Mr. Biesemeyer stated that Cori was also aware of what the commitment needed to be.

Ms. Smith stated that she wanted to give the Tax Collection book to Ms. Whitney so that she would be able to review it for herself.

Ms. Whitney stated that she knows that there were other towns locally that did not hold three business days. She did not want to be in trouble, but she could not do that.

Mr. Biesemeyer asked her, can't do what?

Ms. Whitney explained that she could not work the day hours three days per week during the month of January. She could do it one day.

Mr. Biesemeyer stated that they would investigate it and that they would also ask Donna Austin. He also recommended getting an opinion on it from Dan Manning.

Further discussion continued with options that Ann had for availability and for them to investigate it further and come up with a plan. Mr. Kennelly stated that they would work with her to establish appropriate hours to the bounds of the law.

BUDGET RESOLUTIONS:

RESOLUTION TO TRANSFER FUNDS WITHIN THE GENERAL FUND

RESOLUTION NO.: 301,2022

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

SECONDED BY: DAVID DEYO

RESOLVED, that the Town Board approves the following transfers
within the General Fund:

\$323.47 out of A#14904. Public Works CE
\$323.47 into A#14901.1 Public Works PS

\$5,402.74 out of A#019904.01.004.00 Contingency Account
\$434.08 into A#16201.1 Building PS
\$1,200.00 into A#16202.1 Buildings EQ
\$2,2052.15 into A#16204.1 Buildings CE
\$1,191.84 into A#30101.1 Public Safety PS
\$473.36 into A#51324.1 Garage CE
\$51.31 into A#16604.1 Central Supply

\$1,831.63 out of A#16501.1 Central Communications PS
\$1,831.63 into A#16801.1 Data Processing PS

\$500.00 out of A#30102.1 Public Safety EQ
\$113.08 out of A#30104.1 Public Safety CE
\$613.08 into A#3010.1 Public Safety PS

\$20.00 out of A#71101.1 Parks PS
\$20.00 into A#71104.1 Parks CE

\$408.59 out of A#71502.1 Recreation Facility EQ
\$408.59 into A#71501.1 Recreation Facility PS

Duly adopted this 25th day of October, 2022, by the following vote:

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

NAYS: none

RESOLUTION TO AMEND THE 2022 BUDGET

RESOLUTION NO.: 302,2022

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

SECONDED BY: CHRIS DALY

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

SW #1

To increase #83204.7 Source Power Pump line by \$3,615.42 to be transferred
from NYCLASS SW#1 Fund

SW #2

To increase #83204.8 Source Power Pump CE line by \$8,393.04 to be transferred
from NYCLASS SW#2 Fund

Duly adopted this 25th day of October, 2022, by the following vote:

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

NAYS: none

AUDIT BILLS:

RESOLUTION TO AUDIT THE BILLS

RESOLUTION NO.: 303,2022

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

SECONDED BY: DAVID DEYO

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

Multi-Fund Vouchers numbered 22-849 to 22-890, totaling \$29,307.67, as follows:

General Fund Bills	\$ 12,571.99
Highway Fund Bills	2,177.21
Public Library	60.01
Water District #1 Bills	3,615.42
Water District #2 Bills	8,383.04
COVID-19	2,500.00

Duly adopted this 25th day of October, 2022, by the following vote:

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

NAYS: none

Supervisor Wilson asked if any Town Board members had anything further to discuss.

Mr. Deyo asked for an item to be added to the next Board Meeting Agenda. With the town purchasing new tractors, he would like to see the shed at Marcy Field, the old airplane shed, used for the storage of the new tractors and supplies. He stated that the town was not even getting \$1,000 per year for that. He went by it over the weekend. It was open, and there were a lot of old appliances in there, wood stoves, etc. He stated that he knew that years ago they gave George Jacques a hard time about using it for that sort of thing. He thought that it should be requested to have it removed, in a timely manner, so that the tractors could be stored there in the spring.

Supervisor Wilson responded and stated that it was not from their airport lease. Those items were from a former Town Board Member.

Mr. Deyo clarified if they were talking about the same items and area of the building and stated that they need to have a discussion about it.

Supervisor Wilson stated that he could show Mr. Deyo information in regards to the situation. He said that he had worked on it for three years and it depended on how far the Town wanted to go.

Mr. Deyo stated that it was not just him personally, but that he had been approached by several people in regards to it.

Supervisor Wilson explained that he agreed with him, but they needed to decide if they wanted to go to court and were they prepared to go to court.

Mr. Deyo stated that he did not think that they had to, but that he wanted to have a discussion.

Supervisor Wilson stated that he would let Mr. Deyo know what they had already done in the past. Mr. Deyo stated that he would meet with Supervisor Wilson to discuss it further.

There was also a brief discussion about a port a potty that was being used at the store. Things were all set. It will remain there until the spring and then it will be returned to the town. The billing is all set and Carol will pay for it until April. Supervisor Wilson had already spoken to Boyer's.

ADJOURNMENT:

RESOLUTION TO ADJOURN

RESOLUTION NO.: 304,2022

**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 7:01 p.m.

Duly adopted this 25th day of October, 2022, by the following vote:

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

NAYS: none

Respectfully submitted,

Kimberly E. Smith
Town Clerk
Town of Keene