

Joseph P. Wilson Jr, Supervisor  
Robert M. Biesemeyer, Deputy Supervisor  
Regular Town Board Meeting  
Nov. 10, 2022  
7 pm  
Keene Valley Library

Call to order

Approve Minutes: October 11 Regular Board meeting  
October 25 Bi-Monthly Town Board

Privilege of the Floor:

Age-Friendly Communities Presentation  
Update from Keene Diversity Advisory Committee

Town Discussion of Old Business:

- Covid Updates:
- 2023 Preliminary Budget discussion
- Water Districts Projects
  - WD#1;
  - WD#2; Hydrology & Engineering
- Introduce Leash Law & Schedule public hearing
- Appointment of Tim Gay new assessor to start Nov. 28

New Business:

- Accept Reggie Whitney's Standard Workday Calendar
- Approve AATTV meeting attendance
- Resolution appointing Anna Whitney Registrar of Vital Statistics
- Resolution appointing Anna Whitney Tax Collector
- Resolution appointing Emily Whitney Deputy Town Clerk
- Resolution appointing Emily Whitney Deputy Registrar of Vital Statistics
- Resolution appointing Emily Whitney Tax Collector
- Review Safety Boot purchase reimbursement policy

Executive Session:

Budget Resolutions

Resolution to transfer funds:

Resolution to amend the 2022 budget:

Supervisor's Report: July & August 2022

Audit Bills:

## **Executive Summary**

In 2021, the Town of Keene became the first (and, so far, only) town in New York's six-million-acre Adirondack Park to join AARP's Age-Friendly Communities initiative as an outgrowth of the Town's Strategic Plan, which seeks to thoughtfully and intentionally enhance the Town's growth, while retaining our small-town atmosphere.

As a small community nestled in the heart of the largely state-owned Adirondack High Peaks, Keene has long nurtured – and relied upon – a vibrant spirit of volunteerism.

By participating in the Network of Age-Friendly Communities, the Town intends to continue its volunteer-led initiatives to enhance the Town's livability by ensuring access to resources that serve seniors and young families alike; expand year-round housing for individuals working and retiring in Keene; support continued access to primary health care within the Town; expand recreational opportunities for residents; and support recreational tourism that is respectful of Town residents.

We are dedicated to being the best place to live, work, and play as we age. Our vision is to ensure that our community remains an age-friendly place to live by continuing to nurture strong social connections; foster inclusion and respect; ensure safe and accessible environments; and support programs and services of importance for older adults.

## **Table of contents**

Town History	p. 2
Current Community Profile	p. 3
Keene's Age-Friendly Initiative	p. 5
Age-Friendly Task Force	p. 6
Assets and Challenges	p. 7
Domain-Specific Action Plans	p. 10
Summary Table	p. 14

### **Town History**

The Town of Keene was founded in 1808, originally encompassing what is now North Elba and parts of Jay and Elizabethtown. These towns and 14 others today comprise New York's Essex County. Keene's current town boundaries date from 1848.

The Town was settled early on by farmers living mostly in the flats along the East Branch of the Ausable River in the 1700s. Iron ore discovered in 1820 gave birth to some of the earliest structures in the town.

Keene was a stopping point for travelers coming from eastern and northern New York enroute to Lake Placid, which was another full day journey from Keene. Lodging was in high demand as early as the 1820s. Visitors stayed in local homes until around 1878, when multiple boarding houses and three large hotels were built.

In the 1900s the local iron ore industry lost out to more competitive larger operations. Lumbering declined as the supply of harvestable trees became exhausted and the state gradually enacted new forest and land management regulations. The automobile made short term travel easier and hotels struggled to maintain business.

Nonetheless, longtime summer residents remained, many at the 135-year-old Adirondack Mountain Reserve and Ausable Club (<https://www.ausableclub.org/about>). Completion of the Adirondack Northway (Route 87) in 1967 further contributed to the growth of the seasonal residences in the Town of Keene.

Today, the Town is within an easy day's travel for tens of millions of Americans and Canadians – it's closer to Montreal than Manhattan – making it a popular destination for hikers, climbers, paddlers, bicyclists, snowshoers and cross-country skiers. For people traveling from the east, it remains the key way station enroute to Lake Placid, home of the Winter Olympics in 1932 and 1980 and which continues to host many regional, national and international winter sports competitions along with an annual Ironman race, the bicycle portion of which uses two main roads in Keene; an annual marathon; and an annual horse show.

The popularity of hiking and other outdoor recreation pursuits makes the Town a popular vacation destination, sometimes to the detriment of local residents. Maintaining a balance between the tourism economy and quality of life for year-round residents is the challenge of our time.

### **Current Community Profile**

Keene's geography guides its demographics, social structure, culture and challenges. The Town lies wholly within the Adirondack Park, the uniquely public-private state park that is governed by special land use rules. Almost 75% of the land within Keene is state-owned forest preserve and state land use rules dictate that much of the private, buildable land outside the hamlets must be in large lots.

Keene is known as the "Home of the High Peaks," with one-third of the state's tallest mountains, including *the* tallest – Mount Marcy at 5,343 feet. It also includes the Ausable Lakes, the source of the Ausable River.

According to early 2020 U.S. Census estimates, Keene's official population is 1,144 individuals, most of whom are year-rounders and about 25% of whom are over 65. The median age is 50 and the median income is \$67,500, which is about 15% higher than Essex County's median income of \$58,109.

There continues to be a substantial seasonal population, many of whom have had second homes in Keene for generations, notably at the 450-member Ausable Club which is open for only about 12 weeks in the summer. The property taxes paid by our long-time seasonal homeowners are critical to supplementing those paid by permanent residents. These individuals have been and continue to be a major source of philanthropy and cultural influence.

COVID inspired several seasonal residents to stay for longer periods during the worst of the pandemic; it also inspired several new families to move to Keene, either permanently or seasonally.

However, the second-home market and the short-term rental business have increased housing costs, making it difficult for young families to settle here.

Keene's residents are clustered in and around three hamlets that lie along two-lane State Route 73, which brings traffic 15 miles from the Northway into Keene and another 15 miles through Keene to Lake Placid.

- Keene, the westernmost hamlet, is where the Town Hall, Community Center, U.S. Post Office, primary care health center, privately run pre-school, public library, St. Brendan's Catholic Church, Keene Volunteer Fire Department, a few small businesses and the town's only gas station are located.
- Keene Valley is home to Keene Central School; Keene Valley Congregational Church United Church of Christ; a few small businesses; a non-profit, state-licensed assisted living home; a non-profit library; Keene Valley Fire Department; the town's only full-service grocery store; and a hardware store that also provides limited postal services.

- St. Hubert's, the easternmost hamlet, is where the Ausable Club, a few year-round homes, and a seasonal Episcopal Church are located. The Ausable Club is also home to the Adirondack Mountain Reserve, which comprises 7,000 privately-owned acres which have been placed in an easement that enables year-round public access to several High Peaks.

In between the hamlets of Keene Valley and Keene lies Marcy Field, which has a grass airstrip used in part for mountain search and rescue operations; a Town-operated hiker parking lot and shuttle to nearby State trailheads; a mix of flat and moderately hilly Town walking trails; a community garden; the historic Holt House that now serves as the backdrop for summer music, dance and art shows; and the largest Farmers' Market in the Adirondacks. The Town also has a number of small parks and trails that are primarily used by locals.

Keene's geography is both blessing and bane. The blessings include clean air, clean water, four seasons of a wide variety of outdoor activities and a both year-round and long-term seasonal population that is deeply committed to maintaining Keene as a beautiful and bounteous place to live. The bane includes the traffic, trash and occasional disrespect of transient recreationists plus land use restrictions that severely limit the size of the property tax base.

The Town has assumed a disproportionate burden to enhance recreationist access to State trails by creating and maintaining parking lots and shuttles for hikers. The State only recently added its own, highly limited hiker shuttle routes and also worked with the Ausable Club to provide reservation-only hiker parking on its property to enable access to several State trails in the High Peaks and reduce illegal parking along State Route 73. As part of the 2021 Town Master Plan, a Hiker Parking and Recreational Infrastructure Workgroup addressed some of these issues; the recreation part of the workgroup continues to meet occasionally and has coordinated with the AFTF on enhancing resident recreation opportunities.

In addition, the short-term rental market has exploded in recent years in the Town of Keene, as throughout the Adirondack region and the nation as a whole. The positives include economic opportunity for local families, small businesses and an increase in revenue from the Essex County Occupancy Tax. In some cases, providing a short-term rental creates enough supplemental income for local residents to afford to live in Keene. The challenges include noise complaints, parking issues, safety concerns, and loss of neighborhood character, especially in the hamlet of Keene. As part of the Town Master Plan process, a Short-Term Rentals Workgroup was convened and delivered recommendations to the Town Council for enhanced oversight of such rentals.

Because of the Adirondack Park's land restrictions, most of the housing is single-family and those homes outside of the hamlets are on large lots spread over a mix of paved and dirt roads. Other than the Ausable Club's main building and the Keene Valley Neighborhood House assisted-living facility, there are no significant multi-family dwellings in the Town. Given the scarcity of year-round housing in Keene, its cost has also risen. This double-whammy of scarcity and cost has impacted recruitment of new teachers and other workforce to Keene. As part of

the Town Master Plan process, an Achievable Housing Workgroup was created and continues to meet with the goal of developing housing that would be affordable for teachers and others who work in town. Similar initiatives focused on both rental and owned housing are underway in nearby Lake Placid.

Residents are predominantly white. There have been and continue to be substantial efforts to support and encourage a diverse population. There is an active, all-volunteer Diversity Committee with which the Keene Age-Friendly Task Force has worked in regards to improving physical access to Town and State lands and facilities. And the Town's now-annual Pride Parade is not to be missed!

Our local government is small. It consists of a five-member elected Board; the Town Supervisor serves as the Board Chair. There is an elected Town Clerk/Tax Collector and a Highway Supervisor. The Highway Department maintains all Town roads and bridges year-round. There is a Water Department that maintains the town water supply for two special districts. The Parks Department maintains Town buildings and grounds including the cemeteries and Marcy Field. The Code Enforcement Officer and Planning Board, which is comprised of appointed members, review and approve building projects based on the Town of Keene Site Plan Law.

Volunteerism is the bedrock on which Keene's culture is built and thrives. The all-volunteer East Branch Friends of the Arts brings nationally and internationally renowned musicians and other artists to Keene for performances and shows in virtually every month of the year. Volunteers created and finance the Keene Valley Library which, in turn, hosts a wide variety of programming, including working with the Alzheimer's Disease Caregiver Support Initiative (<https://www.plattsburgh.edu/about/centers/cnbh/adcsi/index.html>) at SUNY Plattsburgh to create a monthly "memory café" program for individuals with dementia and their caregivers. A call goes out at least annually for volunteers to "Clean Keene", focusing on local roads, and parks and also helping seniors with clean up projects. Keene Central School has a volunteer "Seniors Helping Seniors" program that also helps senior adults with a host of seasonal and other chores. Both the Keene and Keene Valley fire and rescue departments are all-volunteer. Mercy Care for the Adirondacks (<https://www.adkmercy.org/>) volunteers visit and provide transportation for otherwise isolated seniors.

#### **Keene's Age-Friendly Initiative**

Keene's age-friendly initiative is an outgrowth of the Town's 2021 Master Plan process, which itself was largely conducted by volunteers and a few elected and appointed Town officials. The Master Plan was organized around the work of five workgroups, one of which focused on Seniors and Health Care. The vision and scope for that workgroup were:

**Vision:** In 10 years, the Town of Keene will continue to be a desirable community for seniors, with convenient access to health care and other senior services.

**Scope:** Explore solutions to maintaining access to health care in our community. Note that while the focus of this working group is to ensure health care access for the senior

population, this will also benefit the younger population in our community. Explore other senior services (recreation, housing, transportation, arts and culture, local businesses, technology support, etc.) that are important for the community.

The workgroup recommended, and the Plan affirmed, that Keene should pursue age-friendly designation, in part to continue planning efforts in these areas. We started our initiative with the premise that Keene already is age-friendly – a great natural environment, lots of civic engagement, convenient access to a wide variety of health and wellness services that is highly unusual for such a rural area, convenient access to fresh food that is also highly unusual for a rural area, and much more – but cognizant that there are opportunities to improve in certain areas.

Given that Keene’s Age-Friendly initiative is an outgrowth of the Town Master Plan, several individuals associated with the Master Plan workgroups assumed new roles on an Age-Friendly Task Force (AFTF) to direct this Action Plan. Our Mission and Vision Statements are also reflective of the Master Plan:

***Mission:*** The Town of Keene is dedicated to being the best place to live, work, and play as we age.

***Vision:*** The Town of Keene will ensure that our community remains an age-friendly place to live by continuing to nurture strong social connections; foster inclusion and respect; ensure safe and accessible environments; and support programs and services of importance for older adults.

#### **Age-Friendly Task Force**

The AFTF’s core members are:

- Jeannie Cross, chair; retired from careers in journalism and health policy
- Teresa Cheetham-Palen; Town Council member and owner of Adirondack Rock & River
- Monique Weston Clague; retired college faculty member and current member of Keene Diversity Advisory Committee and Friends of Refugees and Immigrants
- Susan Doolittle; retired journalist and attorney
- Milton Dudley; retired non-profit leader
- Lorraine Duvall; award-winning author and former educator, and active in Adirondack environmental initiatives.
- Melissa Eisinger; retired nonprofit administrator and current President of the Board of Mercy Care for the Adirondacks

- Carolyn Peterson; retired public official and certified in gerontology
- Barbara Strowger; founder of East Branch Friends of the Arts and founding member of High Peaks Education Foundation
- Peg Wilson; semi-retired educator

In addition, several other Town residents participate in individual components of the planning process and/or in providing feedback and we expect still more to engage in future actions.

### **Assets and Challenges**

The AFTF began meeting in September 2021 and immediately began to identify Town assets and challenges.

Assets include:

- Sidewalks in the hamlets of Keene and Keene Valley;
- Town trails and beaches (because most of these are easy, some are accessible to persons with limited mobility, and none are overrun by tourists);
- Access to the Adirondack's High Peaks;
- Keene Fitness Center and Adirondack Health's Lake Placid Health and Medical Fitness Center;
- Adirondack Health's Keene Health Center;
- Libraries in the hamlets of Keene and Keene Valley;
- Town shopping bus and Essex County bus routes;
- Valley Grocery that caters to residents' needs; Stewart's for gas and some fresh and some prepared food; and other boutique markets;
- Kinney Drugs in neighboring Elizabethtown will deliver to Keene;
- Farmers' Market at Marcy Field and local farm stores in Keene and nearby;
- Local arts events that don't require much driving:
  - East Branch Friends of the Arts events
  - Keene Arts
  - Events at Keene Central School
  - Corscaden Gallery
  - Music on the Back Porch of Holt House
  - library lectures
  - Upper Jay Arts Center in neighboring Upper Jay
- Mercy Care for the Adirondacks;
- Seniors Helping Seniors KCS program;
- Neighbors who keep an eye out for each other;
- Local churches;
- Wide range of volunteer opportunities; and
- Meals-on-wheels



Challenges include:

- Ensuring the availability of easy-to-find, up-to-date information on services that seniors – and others – need and want. As a result, one of the first action steps taken by AFTF members was to develop a “resource guide” to existing services both within Town borders and in nearby communities or at the County level.
- Ensuring reliable 24/7/365 internet and cellular telephone service, especially through Keene’s principal providers – SLIC/KVVI and Verizon, respectively. This is crucial to ensuring seniors’ access to telehealth (especially during a pandemic); schoolchildren’s access to remote learning; and the Town’s overall economy (merchant billing, reservations, etc.). Although improvements have been made on both fronts, there continue to be glitches that need resolution. In addition, some higher-income households have been able to obtain high-speed internet through Starlink in areas still not served by broadband.
- Ongoing maintenance and improvement of Town infrastructure such as hamlet sidewalks.
- Maintaining the culture of volunteerism, while cautious that over-reliance on volunteers can result in gaps and lapses. For example, the Golden Peaks seniors’ group that used to hold monthly potlucks and shopping trips on a Town-owned van has essentially dissolved, partly because of the impossibility of meeting during COVID but also because of the aging out of its volunteer leadership.

In January 2022, the AFTF distributed a community survey created on the Qualtrics platform that drew responses from more than 10% of the Town’s population. The results were shared on the Town website and are highlighted below:

- Respondents ranged in age from 29 to 84, with most in their 60s (38 of 121 respondents) and 70s (41).
- Two-thirds were women, which is only slightly higher than what the most recent available U.S. Census data for Keene show.
- 13 respondents identified as seasonal residents.
- Just over 70% thought Keene was a good or very good place to age though several suggested actions that would ensure/improve Keene’s age friendliness. Less than a third indicated interest in moving out of Keene or out of their current homes. The principal reasons cited for moving would be wanting to be closer to family or to move into an independent living retirement community/facility. At the same time, 32% said they need repairs/remodeling to stay in their homes long-term and 19% have no one to contact in an emergency.

- According to respondents, the Town's three most important assets are:
  - Our local markets and stores (93% said these were important).
  - The transfer station (86%), although there were several suggestions in the comment box for enhancing ease of access and the ability to recycle.
  - Town trails and parks, including Marcy Field (84%).
- Also highly ranked were:
  - Town streets (93% ranked as good or excellent).
  - Free access to computers and the internet in public places, such as the libraries (91%, good/excellent).
  - A range of volunteer opportunities (88%, good/excellent).
- Weak points were:
  - Unreliable cell service (53% said it was poor).
  - Activities specifically geared to seniors (also 53%, poor).
  - Unreliable internet (47%, poor).
  - Access to community information in one central source (46%, poor). This was underscored by the number of respondents who said they wanted information on health and social services (68%) and information on support services for family caregivers (56%). Fifty-six percent also said they could use help with repairs and chores like snow shoveling, with several commenting that they do not know who to contact for such help.
- Most people said they get around Keene by car, although several also walk. Several commented that they felt the sidewalks in the hamlets need to be upgraded and regularly serviced. Some also wished for more benches along the sidewalks and some trails. There also was a request for public bathrooms.
- There also were a few comments that Keene's public buildings, parks and the transfer station need to be Americans with Disabilities Act-compliant, e.g., accessible to persons with mobility, vision and other limitations. This is something that the Keene Diversity Advisory Committee has also prioritized.
- Several respondents indicated interest in activities for elders and some sort of central gathering spot. Few seemed aware of Golden Peaks or used the Community Center, where Golden Peaks used to meet.
- Some respondents also mentioned the need for affordable housing, primarily for workforce.
- 36 respondents were interested in house-sharing as they age.

Based on these results, the AFTF is considering or has started on the following next steps:

- Develop a guide to local services of interest to seniors and widely disseminate it such as at Town Hall, churches, the libraries, on the Town website, etc. As per the Keene Strategic Plan, for accountability and web page security purposes, we will seek to have a town employee charged with updating the guide at least annually. *Mr. Dudley and Ms. Wilson are the leads on this.*
- Obtain grant funding for handicap-accessible picnic tables at Town parks and other public spaces. *Ms. Cross and Ms. Eisinger are the leads on this.*
- Encourage the Town to make the transfer station, sidewalks, Town Hall, Community Center and other Town-owned facilities truly accessible to persons of all ages and mobility. On behalf of the AFTF, *Ms. Cross submitted specific recommendations to the Town Council for consideration beginning in the 2023 Town budget.*
- Ensure the age-friendliness of Town trails by:
  - Working with Keene Central School to restore/improve the walking trail around Lake Winifred. *Ms. Strowger is the lead on this.*
  - Supporting the development of the hamlet-to-hamlet walking/biking trail in Keene.
  - Supporting the Youth Commission's multi-use trail development on County-owned land in Keene and Upper Jay.
  - Supporting the Diversity Committee's concept for developing wheelchair-accessible trails and campsites on State-owned land in Keene.
- Amend the existing Town map to highlight where Town parks are located and where residents can find opportunities like easy walks, bicycling, ice skating, etc. This will be oriented to locals and not promoted to outsiders. *Ms. Cross is the lead on this.*

Other proposals that continue to be reviewed for feasibility include:

- Develop an "Angie's List" type of resource for house repairs, odd jobs, snow removal, etc.
- Organize a Neighbor-to-Neighbor program, encouraging individuals to make contact and soliciting volunteers for emergency contacts.
- Work with Keene Central School and/or volunteer fire departments on a program to replace smoke/carbon monoxide detector batteries in October for those who would like/need that service.

We also hope to schedule community outreach/feedback sessions to further inform our work.

### **Domain-Specific Action Plans**

#### **Outdoor spaces and buildings**

Given that Keene is wholly located within the Adirondack Park with its many trailheads and has numerous Town parks, trails and walking routes, the AFTF's focus is on ensuring that residents are aware of what is available to them and enhancing access for persons with physical limitations. To meet this goal, the AFTF plans to (1) enhance Keene's existing Town map, which currently focuses on local businesses, to include more of the Town's recreational opportunities and (2) to obtain wheelchair-accessible picnic tables for several Town parks and the outdoor pavilion at the Town Community Center. The tables are designed in such a way as to also be helpful to families with children in strollers, enabling the children to sit next to parents and siblings and easily be fed at the table. They are made by Essex Industries, which employs Adirondack Park residents with intellectual disabilities.

#### Transportation

Although most residents rely on individual automobiles to get around, there is some limited Essex County public transportation between Keene, Elizabethtown and Lake Placid. Trailways offers bus transportation from Keene to spots farther afield. For seniors with limited automobility and isolation, Mercy Care for the Adirondacks can provide some volunteer assistance.

Given the existing options, the AFTF's only plans in this domain are to highlight Mercy Care's services and the Essex County bus service in the resource directory and to review the feasibility of resuming the Town's monthly "shopping bus" to the City of Plattsburgh.

#### Housing

Besides supporting the ongoing work of the Town's Achievable Housing Workgroup, which is primarily focused on housing for people who work in Town, the AFTF plans to explore and provide information on various models supportive of aging in place. Specific models under review include:

- The Village model (<https://www.vtvnetwork.org/>), in which a group of seniors creates a non-profit membership organization to provide support and social engagement to seniors wanting to maintain independence. The nearest such Village to Keene is in Glens Falls (<https://aipgf.clubexpress.com/>).
- Shared housing facilitated by an independent entity such as Silvernest (<https://www.silvernest.com/>)
- Deed restrictions to bar homes from being used as short-term rentals and that will keep the homes' future cost reasonable.

#### Social participation

Keene already has a wide variety of ways in which residents – year-round and seasonal – can engage with each other and participate in the Town's cultural life, including through the Keene Valley Library and Keene Valley Congregational Church-sponsored social activities. In addition, we have an online Nextdoor site (Nextdoor Keene, launched and led by a local senior) that is a

digital bulletin board to social, cultural and government events in town. Our Resource Guide also lists a number of volunteer opportunities.

#### Respect and social inclusion

Keene has an active Diversity Committee whose work the AFTF supports. As noted previously, our main contributions in this domain are to obtain handicap-accessible picnic tables; urge the Town to improve its hamlet sidewalks for ease of walking; and make the Town Hall and Community Center bathrooms wheelchair accessible.

#### Work and civic engagement

There are many opportunities in Keene for work and civic engagement. In fact, there are more salaried jobs available than there are locals to fill them, partly because of the aforementioned housing crunch. As for civic engagement, the Town Council welcomes residents to its meetings – even holding them outdoors during COVID when weather permitted and via Zoom when not. As noted earlier, the Town engaged a large number of volunteers in its 2021 Master Plan process and unanimously endorsed the Age-Friendly initiative.

#### Communication and information

Ensuring that both long-time and new residents know what services are available to them, both within the Town and elsewhere in the area, is the key focus of the AFTF. Nextdoor Keene and the Town website (<https://www.townofkeeneny.com/>) are both useful resources but we think the latter, especially, could be enhanced with a simple directory that encompasses a variety of emergency, social, health, and other services and that the directory should be made available in print for those who lack internet access. A map that shows all of the Town-owned recreation sites is also needed.

#### Community and health services

For a rural town of 2,000, Keene is unusual in having primary care services within its borders; access within 15 miles to two emergency rooms (albeit one is expected to close); a fitness center in Town plus another with a pool 15 miles away; and an assisted living center in Town. There also are independent and subsidized senior apartments available within a 30-mile radius. Three hospitals are within a 40-mile radius, and a tertiary medical center is 50 miles away in neighboring Vermont.

That said, as in many areas of the U.S., home-based personal or health care is hard to find given workforce shortages. As noted previously, Mercy Care for the Adirondacks provides limited support for seniors who are aging in place but it has greater need than volunteers to fill it.

As noted in the housing section, AFTF members have discussed whether a Village model might work in Keene, but it's unclear if there is sufficient interest. This remains an option worth exploring further as does the option of intergenerational shared housing.

#### **Summary Table**

Matric of domain, goal, action items, target date for completion, indicators of progress

**TOWN OF KEENE  
LOCAL LAW #1 FOR 1998**

A Local Law relating to the keeping or running at large of dogs and the seizure thereof within the Town of Keene.

BE IT ENACTED BY THE TOWN BOARD OF THE TOWN OF KEENE as follows:

**SECTION 1            PURPOSE**

The Town of Keene, New York finds that the running at large and other uncontrolled behavior of dogs has caused physical harm to persons, damage to property and created nuisances within the Town. The purpose of this Local Law is to protect the health, safety and well-being of persons and property by imposing restrictions and regulations upon the keeping or running at large of dogs and the seizure thereof within the Town.

**SECTION 2.            AUTHORITY**

This Local Law is enacted pursuant to the provisions of Section 124 of Article 7 of the Agriculture and Markets Law.

**SECTION 3.            TITLE**

The title of this Local Law shall be "Dog Control Local Law, of the Town of Keene."

**SECTION 4.            DEFINITIONS**

- (a) "Owner" means any person who harbors or keeps any dog. In the event any dog found in violation of this ordinance shall be owned by a person under eighteen years of age, the owner shall be deemed to be the parent or guardian of such person (or the head of the household in which said person resides).
- (b) "Harbor" means to provide food or shelter to any dog.
- (c) "At large" means any dog that is unleashed and on property open to the public or is on private property not owned or leased by the owner of the

dog unless permission for such presence has been obtained. No dog shall be deemed to be at large if it is: (a) accompanied by and under the immediate supervision and control of the owner or other responsible person; (b) a police work dog in use for police work; or (c) accompanied by its owner or other responsible person and is actively engaged in hunting or training for hunting on unposted land or on posted land with the permission of the owner of the land.

- (d) "Town" means the area within the unincorporated village limits of the Town of Keene and shall apply to all those areas of Town of Keene.
- (e) "Recreational Area" means any real property owned by the Town of Keene which is used for recreational purposes by the public including, but not limited to, parks or play grounds.
- (f) "School Premises" means any real property situate within the Town of Keene which is used for educational purposes or purposes incidental thereto.
- (g) "Dog Control Officer" means any person authorized by the Town of Keene or the Town Board of the Town of Keene from time to time to enforce the provisions of this Local Law or the provisions of the Agriculture and Markets Law.

#### SECTION 5. RESTRICTIONS

It shall be unlawful for any owner of any dog to permit or allow such dog, in the Town of Keene, to:

- (a) be at large;
- (b) cause damage or destruction to property;
- (c) chase or harass any person in such a manner as reasonable to cause intimidation or to put such person in reasonable apprehension of bodily harm or injury;
- (d) Habitually chase or run along side of motor vehicles or bicycles;
- (e) deposit waste or commit a nuisance on the private property of a person, corporation or other entity other than that of the owner of the dog, save instances where the same is done with the consent of the owner of said property; or

- (f) be at large on any school premises or recreational areas, or the sidewalks adjacent thereto.

Establishment of the fact or facts that a dog has committed any of the acts prohibited by section 5 of this Local Law shall be presumptive evidence against the owner or harbinger of such dog that he has failed to properly confine or control his dog.

**SECTION 6.            ENFORCEMENT**

The Local Law shall be enforced by any dog control officer, peace officer, when acting pursuant to his special duties, or police officer in the employer under contract to the Town of Keene.

**SECTION 7.            SEIZURE, IMPOUNDMENT, REDEMPTION AND ADOPTION**

- (a) Any dog found in violation of the provisions of section 5 of this Local Law may be seized pursuant to the provisions of Section 118 of the Agriculture and Markets Law.
- (b) Every dog seized shall be properly cared for, sheltered, fed and watered for the redemption periods set forth in Section 118 of the Agriculture and Markets Law. Impoundment fees are \$25.00 for 1st offense, \$35.00 for 2nd offense and \$50.00 for the 3rd offense.
- (c) Seized dogs may be redeemed by producing proof of licensing and identification pursuant to the provisions of Article 7 of the Agriculture and Markets Law and by paying the impoundment fees set forth in Section 118 of said Article.
- (d) Any dog unredeemed at the expiration of the appropriate redemption period, shall be made available for adoption or euthanized pursuant to the provisions of Section 118 of the Agriculture and Markets Law.
- (e) No action shall be maintained against the Town of Keene, any dog control officer or peace officer when acting pursuant to his special duties, or any other agent or officer of the Town or person under contract to said Town of Keene, to recover the possession or value of any dog, or for damages for injury or compensation for the destruction of any dog seized or destroyed pursuant to the provisions of this local law or the Agriculture and Markets Law.



- (f) The seizure of any dog or its redemption shall not relieve any person from any violation of this law or penalty described herein.

**SECTION 8. COMPLAINT**

- (a) Any person who observes a dog in violation of this Local Law may file a complaint with any dog control officer of the Town of Keene specifying the nature of the violation, the date thereof, a description of the dog and the name and residence, if known, of the owner of such dog. Such complaint may serve as the basis for enforcing the provisions of this Local Law.
- (b) Upon receipt by the Town Justice of any such complaint, he shall summon the alleged owner to appear in person before him for a hearing, at which both the complainant and owner shall have an opportunity to be represented by counsel and to present evidence. If, after such Hearing, the Town Justice decides that further action is warranted, he may order:
1. The dog to be declared a vicious or dangerous dog to be restrained by collar and leash at all times whether on or off the owner's property.
  2. The dog to be confined to the premises of the owner.
  3. Such other remedy as may be warranted by the circumstances in such case.
- (c) A violation of any Order issued by the Town Justice under the provisions of this Section 6 shall be an offense punishable, upon conviction thereof, as provided in Section 10 of this Local Law.

**SECTION 9. APPEARANCE TICKET**

Any dog control officer, peace officer, when acting pursuant to his special duties, or police officer in the employ of or under contract to the Town of Keene, having reasonable cause to believe that a person has violated this Local Law or observing a violation of this Local Law in his presence shall issue and serve upon such person an appearance ticket for such violation. The exception would be a dog at large that has not violated Section 5, items (B) and (C).

**SECTION 10. PENALTIES**

Any person convicted of a violation of this Local law shall be deemed to have committed a violation and shall be subject to a fine not exceeding two hundred fifty dollars (\$250.00) or imprisonment for a period not exceeding fifteen (15) days.

**SECTION 11      SEPARABILITY**

Each separate provision of this Local Law shall be deemed independent of all other provisions herein, and if any provisions shall be deemed or declared invalid, all other provisions hereof shall remain valid and enforceable.

**SECTION 12.      REPEALER**

This Local Law shall superseded all prior local laws, ordinances, rules and regulations relative to the control of dogs within the Town of Keene and they shall be, upon the effective date of this Local Law, null and void.

**SECTION 13.      EFFECTIVE DATE**

This Local Law shall take effect immediately upon the filing of the same in the office of the Secretary of State of the State of New York.

TOWN OF KEENE  
DOG LICENSING AND CONTROL LAW  
LOCAL LAW # 3 OF 2010

**BE IT ENACTED BY THE TOWN BOARD OF THE TOWN OF KEENE, ESSEX COUNTY, NEW YORK, AS FOLLOWS:**

**SECTION 1: TITLE:**

Title: The Title of this Law shall be Dog Licensing and Control Law of the Town of Keene, County of Essex.

**SECTION 2: AUTHORITY:**

This Local Law is enacted pursuant to the provisions of (Chapter 59; Part T of the Laws of 2010) Article 7 of the Agriculture and Markets Law and the Municipal Home Rule Law of the State of New York.

**SECTION 3: PURPOSE:**

The Town Board of the Town of Keene, County of Essex hereby finds and declares that the purpose of this local law is to provide for the licensing and identification of dogs.

**SECTION 4: DEFINITIONS**

All terms not specifically defined herein shall have the meaning assigned to such terms with Section 108 of the Agriculture and Markets Law of the State of New York.

**AGRICULTURE AND MARKETS LAW:** The Agriculture and Markets Law of the State of New York in effect as of the effective date of this Chapter, as amended by this Chapter, and as thereafter amended.

**IDENTIFICATION TAG:** A tag issued by the Town Clerk which sets forth the identification number together with the name of the Town and State, and the telephone number of the Town Clerk.

**OWNER** Any person who harbors or keeps any dog or other animal

**OWNER OF RECORD:** The person in whose name a dog was last licensed pursuant to this chapter

**PERSON:** A person, partnership, corporation, association or other organized group of persons, business entity, municipality or other legal entity.

**RESIDENT:** A person or individual who maintains a residence within the Town of Keene, County of Essex, State of New York.

**TOWN:** means the Town of Keene, County of Essex, State of New York.

**RUN AT LARGE:** means to be in a public place or on private land without the knowledge, consent, and approval of the owner of such lands.

#### **SECTION 5: LICENSING OF DOGS**

No person shall own or possess a dog within the Town unless such dog is licensed and identified as provided in Article 7 of the Agriculture and Markets Law and laws of the Town.

All dogs within the Town that are four (4) months of age or older, unless otherwise exempted, shall be licensed. No license shall be required for any dog which is under the age of four months and which is not a large.

The owner of each dog required to be licensed shall obtain, complete and return to the Town Clerk of the Town a dog license application together with the license application fee, any applicable license surcharges and such additional fees as may be established by the Town.

#### **SECTION 6: LICENSES ISSUED BY ANIMAL SHELTERS AND POUNDS**

The Town does not allow the licensing of dogs by a shelter. The shelter **MUST** send the adoptive dog owners to the Town Clerk of the Town in which the dog will be harbored for licensing **OR** to the Town Clerk of the Town, where the Shelter is located for the purchase of the license for adoption purposes.

#### **SECTION 7: PROOF OF VACCINATION AGAINST RABIES**

Each license application shall be accompanied by proof that the dog has been vaccinated against rabies or a statement from a licensed veterinarian that such vaccination would endanger the dog's life in which case vaccination shall not be required.

#### **SECTION 8: TERM OF LICENSE AND RENEWALS**

Each license issued pursuant to this local law, shall be valid for a period of one (1) year and shall expire on the last day of the month for which it was issued. No license shall be issued for a period expiring after the last day of the eleventh

month following the expiration date of the current rabies certificate for the dog being licensed.

## **SECTION 9: FEES**

### **(A) Individual Dog License Fee**

\$ 5.00 for a spayed or neutered dog

\$10.00 for an unspayed or un-neutered dog

### **(B) State Mandated Animal Population Control Surcharge**

Each individual dog license for a spayed or neutered dog shall be subject to an Animal Population Control Surcharge in the amount of \$1.00 payable at the time the dog license application is filed.

Each individual dog license for an unspayed or un-neutered dog shall be subject to an Animal Population Control Surcharge in the amount of \$3.00 payable at the time the dog license application is filed

### **(C) REPLACEMENT TAG FEE**

A replacement tag fee of \$10.00 will be assessed to offset the costs associated with the replacement of a dog's lifetime identification tag number or a fee of \$5.00 will be assessed to offset the costs of acquiring a new number supplied by the Town Clerk.

### **(D) FEE EXEMPTIONS**

There shall be no fee for any license issued for the following:

- guide dog,
- hearing dog,
- service dog,
- war dog,
- working search dog,
- detection dog,
- police work dog,
- therapy dog

(all as defined in article 7 of the State Agriculture and Markets Law).

Each copy of any license for such dogs shall be conspicuously marked "Guide Dog", "Hearing Dog", "Service Dog", "Working Search Dog", "War Dog", "Detection Dog", "Police Work Dog", or "Therapy Dog", as may be appropriate, by the clerk.

## SECTION 10: ISSUANCE OF LICENSE; IDENTIFICATION TAG

- (A) Upon validation by the Town Clerk of the Town, a dog license shall be issued and a record of its issuance retained in the office of the Town Clerk of the Town. Such record shall be made available upon request to the State Commissioner of Agriculture and Markets, or successor thereof.
- (B) No license shall be transferable. Upon the transfer of ownership of any dog, the new owner shall immediately apply for a new license for the dog. A license cannot be transferred to another dog.

### (C) Change of Ownership, Lost or Stolen Dogs

Upon the transfer of ownership of any dog, the new owner shall immediately make application for a license for such dog. The identification tag on record in the Town Clerk's office shall remain the same for the life of the dog.

In the event of a change in ownership of any dog which has been assigned an official identification number or in the event of a change of address of the owner of record of any such dog, the owner of record shall within ten days of such change, notify the Town Clerk.

If any dog which has been assigned an official identification number is lost or stolen, the owner of record shall, within ten days of the discovery of such loss or theft, notify the Town Clerk.

In the case of a dog's death, the owner of record shall so notify the Town Clerk either prior to renewal of license or upon the time of such renewal.

### (D) Identification Tag

- The Town Clerk shall assign a Town permanent official identification number to a dog when it is first licensed. Such identification number shall be carried by the dog on an identification tag which shall be affixed to the collar of the dog at all times.
- An identification tag is not required to be worn while the dog is participating in a dog show.
- The official permanent identification number shall constitute the official identification of the dog to which it is assigned, regardless of changes of ownership, and the number shall not be reassigned to any other dog during the lifetime of the dog to which it is assigned. No tag carrying an identification number shall be affixed to the collar of any dog other than the one to which the number has been assigned.

- At the time a dog is first licensed, one identification tag shall be furnished to the owner at no additional charge. Any replacement tag shall be obtained by the owner at the owner's expense. Any person wishing to replace a tag previously issued shall pay the sum of \$10.00 to keep the same identification number or \$5.00 to replace this number with a new number, to be determined by the Town Clerk.

#### **SECTION 11: PUREBRED DOG LICENSE AND FEE**

There will not be distinct purebred licenses as previously provided for by the State. Any and all existing purebred licenses will not be required to comply with this local law

#### **SECTION 12: PENALTIES**

Any person convicted of a violation of this Local Law shall be liable for a civil penalty of Twenty-five Dollars (\$25.00) for a first violation; of Fifty Dollars (\$50.00) for a second violation and Seventy-five Dollars (\$75.00) for each subsequent violation.

#### **SECTION 13: REPEAL OF INCONSISTENT LOCAL LAWS OR ORDINANCES**

This Local Law shall supersede all prior inconsistent Local Laws, Ordinances, Rules and Regulations relative to the licensing of dogs within the Town. All prior inconsistent Local Laws, Ordinances, Rules and Regulations shall be, upon the effectiveness of this Local Law, null and void.

#### **SECTION 14: SEVERABILITY CLAUSE**

The provision of this local law are declared to be severable, and if any section, subsection, sentence, clause or part thereof is, for any reason, held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of any remaining section, subsections, sentences, clauses or part of this ordinance

#### **SECTION 15: EFFECTIVE DATE**

This local law shall be effective January 1, 2011 after filing with the Secretary of State.

## Leash Law Draft

Sept. 15, 2022

### Leash Law:

No owner, custodian, or person who keeps, harbors, or otherwise has charge of any dog shall cause or permit such dog to be on any street or other public place in the Town of Keene unless such dog is held on a leash not exceeding (8) feet in length; nor shall any dog be allowed or caused to run at large in the Town of Keene, except on the premises of the person who owns, keeps, or harbors or otherwise has the care or custody of such dog, or except on the premises of another person with the knowledge and consent of such other person. 2. No person shall remove or cause to be removed from any dog, its harness or leash or entice any dog out of any enclosed, house or grounds of the owner or harborer, or harbor or release such dog to run at large. 3. Any dog control officer, peace officer, constable, police officer, or other authorized individual acting pursuant to special duties, in the employ of or under contract of the Town of Keene having reasonable cause to believe that a person has violated this ordinance shall issue and serve upon such person an appearance ticket for such violation. 4. Any person convicted of a violation of this Town Law shall be subject to a fine not exceeding two hundred fifty dollars (\$250.00) Each specific violation of this ordinance shall constitute a separate violation pursuant to the Penal Law of the State of New York. 5. In addition to the penalties provided for Paragraph (4) of this Town law, any person retrieving a dog from the pound must pay to the Town Clerk of the Town of Keene the fee provided for in Sec. 118 of the New York State Agriculture and Markets Law. All other provisions of Sec. 118 of said law are hereby adopted and made a part of this local law.

### Barking Dog –

No person shall harbor, own, keep or permit a dog or dogs that howl, bark, cry or make other audible sounds in a unreasonable manner within the limits of the Town of Keene so that the peace and quiet of the neighbor or nearby property owner or occupant is disturbed or the peace, quiet and order of a neighborhood or the public with the Town of Keene is disturbed. Howling, barking, crying or other audible sounds made by a dog or dogs shall be considered unreasonable if it persists on an intermittent or continuous basis for more than thirty (30) minutes at a time without complete interruption of a least ten (10) minutes continuous duration or if it continues over a period of two (2) hours or more regardless of any interruption time. Violation of this Town Law shall constitute an offense and shall be subject to a fine not to



exceed twenty-five dollars (\$150.00) for any offense, and any violation of said Town Law shall constitute disorderly conduct, and any person violating the same shall be declared a disorderly person. 3. Any dog control officer, peace officer, constable, police officer, or other authorized individual acting pursuant to special duties, in the employ of or under contract of the Town of Keene having reasonable cause to believe that a person has violated this ordinance shall issue and serve upon such person an appearance ticket for such violation. Curbing dog-

1. It shall be the duty of each dog owner or person having possession, custody or control of a dog to remove any feces left by his dog on any sidewalk, gutter, street or other public area in the Town of Keene. 2. The provisions of this Town Law shall not apply to a guide dog, hearing dog, or service dog accompanying any person with a disability as defined in subdivision twenty-two hundred and ninety-two (292 - 22) of the Executive Law of the State of New York. 3. This town Law shall be construed and operate in the same manner as 1310 of the Public Health Law of the State of New York. 4. The Town Board reserves the right and shall have the authority to promulgate and adopt rules and regulations to carry out the intent and purpose of this Town Law. Said rules and regulations may supplement, modify and/or amend the express provisions hereof.

5. Any person violating this Local Law shall, upon conviction, be subject to a fine not exceeding two hundred fifty dollars (\$250.00). The continuation of a violation of this Town Law shall constitute, for each day the offense is continued, a separate and distinct offense hereunder. 6. Any dog control officer, peace officer, constable, police officer, or other authorized individual acting pursuant to special duties, in the employ of or under contract of the Town of Keene having reasonable cause to believe that a person has violated this ordinance shall issue and serve upon such person an appearance ticket for such violation.

Duly adopted this 7th day of January, 2022.

**RESOLUTION AUTHORIZING THE PURCHASE OF SAFETY SHOES**

**RESOLUTION NO.: 36,2022**

RESOLVED, that Highway, Landfill and Public Works employees be authorized an annual reimbursement, not to exceed \$150.00, for the purchase of approved safety footwear, except that, each newly hired employee in the above work categories shall receive total reimbursement for their first pair of safety footwear.

Duly adopted this 7th day of January, 2022.

**RESOLUTION DETERMINING MINIMUM DOLLAR LIMIT TO BE INCLUDED  
IN THE FIXED ASSET INVENTORY**

**RESOLUTION NO.: 37,2022**

RESOLVED, pursuant to the Generally Accepted Accounting Principles (GAAP) of the Office of the State Comptroller, the Town Board, Town of Keene, designates the Town Supervisor as the Fixed Assets Property Manager, and

BE IT FURTHER RESOLVED, that the Town Board, Town of Keen, determines that the minimum dollar valuation of a fixed asset for inclusion in the inventory has a non-expendable value of \$500.00.

Duly adopted this 7th day of January, 2022.

**RESOLUTION DESIGNATING RECORD ACCESS OFFICER(S)**

**RESOLUTION NO.: 38,2022**

WHEREAS, a Records Access Officer (or Officers) must be appointed to coordinate an agencies response to public requests for records, and

WHEREAS, municipal records of the Town of Keene are maintained in the Town Supervisor's office and the Town Clerk's office,

BE IT THEREFORE RESOLVED, pursuant to Sections 84-90, 110, 111 of the Public Officers Law, the Town Clerk be designated Record Access Officer and the Town Supervisor be designated the FOIL (Freedom of Information Law) Appeal Officer for municipal records maintained in these Town Offices.

Duly adopted this 7th day of January, 2022.

## **GENERAL POLICIES**

### **SAFETY SHOES**

By resolution, the Town of Keene Highway, Landfill and Public Works employees are authorized an annual reimbursement, not to exceed \$125.00 for the purchase of approved safety footwear, except that each newly hired employee in the above work categories shall receive total reimbursement for their first pair of safety footwear. In addition, the Town of Keene will provide bright colored safety T-shirts for workers of the above departments.



October 28, 2022  
 New York Rural Water Association  
 Water System Mapping Quotation

Essex County  
 Office of Community Resources

Water System	Labor \$	Travel \$	Equipment \$	TOTAL
Keene WD 1&2 (Town of Keene)	\$5,215	\$1,200	\$550	\$6,965
St. Armand WD (Town of St. Armand)	\$2,705	\$760	\$330	\$3,795
Crown Point WD (Town of Crown Point)	\$4,685	\$1,150	\$550	\$6,385
Schroon Lake WD (Town of Schroon)	\$7,850	\$1,970	\$880	\$10,700
Westport WD (Town of Westport)	\$4,420	\$975	\$440	\$5,835
Wadhams WD (Town of Westport)	\$860	\$250	\$110	\$1,220
Jay WD & Ausable Forks WD (Town of Jay)	\$5,875	\$1,425	\$660	\$7,960
Moriah WDs (Town of Port Henry)	\$9,570	\$2,485	\$1,100	\$13,155
Port Henry WD (Town of Port Henry)	\$4,950	\$1,170	\$550	\$6,670
Winebrook Hills WD (Town of Newcomb)	\$1,255	\$450	\$220	\$1,925
Ticonderoga WD (Town of Ticonderoga)	\$19,205	\$4,890	\$2,090	\$26,185
Willsboro WD (Town of Willsboro)	\$5,180	\$1,210	\$550	\$6,940
Chesterfield/Ausable (Town of Chesterfield)	\$10,560	\$2,755	\$1,210	\$14,525
Port Kent WD (Town of Chesterfield)	\$2,145	\$555	\$220	\$2,920
Lewis WD (Town of Lewis)	\$1,850	\$500	\$220	\$2,570
Ray Brook WD (Town of North Elba)	\$1,520	\$510	\$220	\$2,250
<b>TOTAL</b>				<b>\$120,000</b>

Proposed Work:

Hydrants, hydrant valves, main valves, miscellaneous main locations, storage facilities, curb stops, etc. will be GPS located by NYRWA with a Trimble 7X unit. These features will be located and marked by Town personnel prior to NYRWA GPS activities. If NYRWA needs to locate system attributes, that additional work would be expensed at \$60/hour for actual time locating. Town personnel with knowledge of the system will accompany NYRWA during GPS data collection and provide safety flagging and/or other safety measures.

The location of system features will be imported into a customized map project for each system using DiamondMaps.com, a cloud based asset mapping system designed for small water systems. Water mains will be mapped based upon the GPS locations of system features.

If this quotation is acceptable, please contact Jamie Herman at 518-828-3155, ext. 30 or [Herman@nyruralwater.org](mailto:Herman@nyruralwater.org) to execute a written agreement.

Thank you.