

**Regular Town of Keene Board Meeting**  
**February 14th, 2023**  
**7:00 P.M. Town Hall**  
**Meeting # 4**  
**Resolutions #68-87**

**Board Members Present:** Joe Pete Wilson, Supervisor, Robert Biesemeyer, Christopher Daly, Dave Deyo, Teresa Cheetham-Palen Council Members

**Absent:**

**Town Counsel Present:** Bryan Liam Kennelly, Esq

**Town Officials Present:** Reginald Whitney Highway Superintendent, Savana Li Water Superintendent, Roger Preston Building and Grounds, Anna Whitney Town Clerk

**Members of the Public:** Kristy Farrell, Jim Bernard, Scott Smith, Roger Allen, Lissa Goldstein, Barb Dumas

**Call to Meeting to Order** at 7:00 by Joe Pete

**Pledge of Allegiance**

**Approval of Minutes:**

**RESOLUTION APPROVING REGULAR MONTHLY TOWN BOARD MINUTES**  
**RESOLUTION NO.: 68-2023**

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

RESOLVED that the Regular Town Board minutes from January 10<sup>th</sup>, 2023 are accepted and approved.

Duly adopted this 14<sup>th</sup> day of February 2023 by the following vote:

AYES: Robert Biesemeyer, Teresa Cheetham-Palen, David Deyo, Christopher Daly, Joe Pete Wilson  
Nays: None

**RESOLUTION APPROVING BI-MONTHLY TOWN BOARD MINUTES**  
**RESOLUTION NO.: 69-2023**

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

RESOLVED that the Bi-Monthly Town Board minutes from January 31<sup>st</sup>, 2023 are accepted and approved.

Duly adopted this 14<sup>th</sup> day of February 2023 by the following vote:

AYES: Robert Biesemeyer, Teresa Cheetham-Palen, Christopher Daly, Dave Deyo, Joe Pete Wilson  
NAYS: None

**Privilege of the Floor**

Barbara Dumas asked if the board received her email in regards to zoom or broadcasting the meetings. Joe Pete said he has added it to the agenda and we will discuss it under new business.

***Attachment #1 Farmers Market Request for Community Enhancement Funds***

Jim Bernard & Lissa Goldstein here to speak on behalf of request for Farmers Market. This is a continuous discussion on providing Wi-Fi at the Farmers Market. Jim said it is a pretty straightforward request. We want to have a sustainable and long-term network. We are requesting \$5,000.

Teresa asked what is different from last year, Jim said this will make it business class and we will have support if service call is needed.

Dave asked why put it up and down just for the farmers market, easier to sell to the public if they can use it all the time. Jim said this would be separate channel for the vendors, the public channel stays up, it would only be the network for the vendors that is taken down every week.

Teresa asked what exactly does the \$5000 cover?

Jim stated it is the equipment, and the install.

Dave stated this is a for profit business, it is a great enhancement but has the Farmers Market thought of splitting it with the Town? I am not saying I don't like the idea. Lissa said I can go back and ask.

Joe Pete stated he would make this a more official discussion and made a motion to make a resolution approving the request.

**RESOLUTION APPROVING THE REQUEST FOR \$5,000 FOR THE FARMERS  
MARKET WI-FI**

**RESOLUTION 70-2023**

**INTRODUCED BY: JOE PETE WILSON WHO MOVED FOR ITS ADOPTION  
SECONDED BY TERESA CHEETHAM-PALEN**

Chris Daly asked to try to get something in black and white what we can and cannot do with the Community Enhancement Fund. Joe Pete said that is in the works at the county starting yesterday.

Dave thinks maybe we could table this and get a better understanding of these funds.

Jim Bernard is concerned there may not have time to get this done before the Market is ready.

Chris just wanted to state he is fairly confident with this but wants a clearer picture on the Community Enhancement Fund.

Dave Deyo tabled

the Resolution until the February 28<sup>th</sup> meeting.

**Old Business:**

- Water Districts Projects  
WD#1: None

WD#2:

Senator Gilland just launched her congressional spending initiative and water infrastructure is one of them. I am trying to get the word out and I need help from some board members. This is something positive for Water 2.

Then Joe Pete said Liam reviewed the easement agreement. Liam stated he conferred with the school attorney, Mr. Gerhardt, he will be working with him on the easement agreement. All's we have to do is give Joe Pete the authority to enter into an easement agreement with the school.

**RESOLUTION GRANTING JOE PETE WILSON AUTHORITY TO ENTER INTO AN  
EASEMENT AGREEMENT WITH KEENE CENTRAL SCHOOL**

**RESOLUTION NO.: 71-2023**

**INTRODUCED BY: ROBERT BIESEMAYER WHO MOVED FOR ITS ADOPTION  
SECONDED BY CHRISTOPHER DALY**

RESOLVED that the Town Board grant Joe Pete Wilson authority to enter into an easement agreement with Keene Central School, with payment being equal to the annual water charges for the purpose of operating and maintaining wells therein for the Town of Keene Water District #2 are accepted and approved.

Duly adopted this 14<sup>th</sup> day of February 2023 by the following vote:

AYES: Robert Biesemeyer, Teresa Cheetham-Palen, Christopher Daly, Dave Deyo, Joe Pete  
Wilson

NAYS: None

- Annual Audit of the Town Clerk and Code Enforcement Officers books:

**RESOLUTION TO APPROVE THE ANNUAL AUDIT OF BOOKS FOR  
THE TOWN CLERK, TOWN TAX COLLECTOR AND CODE**

**ENFORCEMENT OFFICER**

**RESOLUTION NO.:72-2023**

**INTRODUCED BY: ROBERT BIESEMEYER WHO MOVED FOR ITS  
ADOPTION SECONDED BY CHRISTOPHER DALY**

RESOLVED that the Town Board approved the annual audit of the Town Clerk, which consisted of two Clerks, Kimberly Smith and Anna Whitney, Town Tax Collector, and the Code Enforcement Officers Books.

Duly adopted this 14th day of February 2023 by the following vote:

AYES: Robert Biesemeyer, Teresa Cheetham-Palen, David Deyo, Christopher Daly, Joe Pete Wilson

NAYS: None

- Short Term Rental Law next steps:

Joe Pete asked do we want to have something similar to the Leash Law, an informational discussion gathering just for this?

Dave said this law was just for discussion this wasn't necessarily what we want to go with.

Bob said this is serious and we need to move slowly. It seems there is a misunderstanding what the direction the Town Board was given. It seems the strategic Planning Community gave us what Chris condensed here, then it went to the Task Force and they didn't like what was in this draft we have here in front of us. The last input was from the Task Force was to have a registration process.

Dave feels we need to do this and feels it needs to be when everyone can be here.

Bob thinks it needs to be end of May, Memorial Day.

Joe Pete feels this is too long to wait.

Kristy Farrell asked why such a rush.

Roger Allen asked, where is the problem.

Kristy Farrell said it's fixing the short term rentals. People were concerned with short term rentals because they thought it was the solution for the housing problem and this committee decided it was not.

Joe Pete stated the input he gets from the community is that they want us to proceed, they want some reining in on some of the commercial activates.

Bob stated the Board has not received many complaints, he can only recall two complaints.

Kristy said what people were most concerned of was parking, being neighborly, and safety.

Bob stated we need to do informational discussion and gather everyone's input.

Joe Pete asked to do end of March, we can do on zoom because it's just informational.

Liam stated the case law needs to track the strategic plan

**RESOLUTION TO SCHEDULE AN INFORMATIONAL MEETING ON SHORT TERM  
RENTALS FOR LATE MARCH**

**RESOLUTION NO.: 73-2023**

**INTRODUCED BY: JOE PETE WILSON WHO MOVED FOR ITS ADOPTION  
SECONDED BY TERESA CHEETHAM-PALEN  
RESOLUTION WAS THEN TABLED BY ROBERT BEISEMEYER**

- Settlement with Keene Valley Neighborhood House:

**RESOLUTION FOR THE AUTHORITY TO ENTER INTO A  
SETTLEMENT AGREEMENT WITH THE KEENE VALLEY  
NEIGHBORHOOD HOUSE**

**RESOLUTION NO.: 74-2023**

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

RESOLVED that the Town of Keene #1 agrees to pay \$4,000 to KVNH for a waiver of any and all claims against it, #2 The Town agrees to charge KVNH as one entity which is a change from the previous water debt rate structure, and #3 The Town agrees to charge the KVNH as one entity for its share of the debt for any future water utility bond unless required by any federal, state or regulation is accepted and approved.

Duly adopted this 14<sup>th</sup> day of February 2023 by the following vote:

AYES: Robert Biesemeyer, Teresa Cheetham-Palen, Christopher Daly, Dave Deyo, Joe Pete Wilson

NAYS: None

- Schedule change for fireworks:

**RESOLUTION TO MOVE THE JULY 1<sup>ST</sup> FIREWORKS TO JULY 8<sup>TH</sup>  
RESOLUTION NO.: 75-2023**

**INTRODUCED BY: DAVE DEYO WHO MOVED FOR ITS ADOPTION  
SECONDED BY ROBERT BIESEMEYER**

RESOLVED that the Fireworks will be moved from July 1<sup>st</sup> to July 8<sup>th</sup> are accepted and approved.

Duly adopted this 14<sup>th</sup> day of February 2023 by the following vote:

AYES: Robert Biesemeyer, Teresa Cheetham-Palen, Christopher Daly, Dave Deyo, Joe Pete Wilson  
NAYS: None

**New Business:**

- Travel March 12<sup>th</sup> and 13<sup>th</sup> for the Town Clerk to attend training:

**RESOLUTION TO APPROVE TRAVEL FOR THE TOWN CLERK ON  
MARCH 12<sup>TH</sup> AND 13<sup>TH</sup> FOR TRAINING**

**RESOLUTION NO.: 76-2023**

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

RESOLVED to approve travel for the Town Clerk on March 12<sup>th</sup> and 13<sup>th</sup> are accepted and approved.

Duly adopted this 14<sup>th</sup> day of February 2023 by the following vote:

AYES: Robert Biesemeyer, Teresa Cheetham-Palen, Christopher Daly, Dave Deyo, Joe Pete Wilson  
NAYS: None

- Permission to purchase equipment trailer for Building and Grounds:

**RESOLUTION TO PURCHASE EQUIPMENT TRAILER FOR BUILDING AND  
GROUNDS**

**RESOLUTION NO.: 77-2023**

**INTRODUCED BY: CHRISTOPHER DALY WHO MOVED FOR ITS  
ADOPTION SECONDED BY ROBERT BIESEMEYER**

RESOLVED to purchase an Equipment Trailer for \$10,741.00 from Diamond C Trailers for Building and Grounds is accepted and approved.

Duly adopted this 14<sup>th</sup> day of February 2023 by the following vote:

AYES: Robert Biesemeyer, Teresa Cheetham-Palen, Christopher Daly, Dave Deyo, Joe Pete Wilson  
NAYS: None

- Permission to purchase new shuttle van and transfer current van to the Highway Department:

**RESOLUTION TO PURCHASE A NEW SHUTTLE VAN FOR HIKER  
SHUTTLE**

**RESOLUTION NO.: 78-2023**

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

Discion: Bob asked where the request for proposal, the sales manager from Riley Ford said we wanted all wheel drive.

Roger said he didn't ask for all wheel drive

Joe Pete said the problem with RFP is a long process and vehicles are gone.

Joe Pete offered to make an amendment

**AMENDMENT TO 78-2023 RESOLUTION  
RESOLUTION GRANTING PERMISSION TO SPEND UP TO \$55,000 ON A  
NEW SHUTTLE VAN**

**RESOLUTION NO.: 79-2023**  
**INTRODUCED BY: DAVE DEYO WHO MOVED FOR ITS ADOPTION**  
**SECONDED BY ROBERT BIESEMEYER**

RESOLVED granting permission to spend up to \$55,000 or less for a Shuttle Van that meets all our specs and the current van goes to the Highway Department, accepted and approved.

Duly adopted this 14<sup>th</sup> day of February 2023 by the following vote:

AYES: Robert Biesemeyer, Teresa Cheetham-Palen, Christopher Daly, Dave Deyo, Joe Pete Wilson  
NAYS: None

- Highway Equipment:

Reggie has found a 5500 he would like to purchase and would need to use some of the fund balance for that and I also found a Tandem that I would like to order, I have a delivery of 14-16 months out. I also need to let them both know tomorrow.

Joe Pete stated how the spending will work, in 2023 the 5500 all outfitted with everything it is about \$100,000, we have \$55,000 in equipment budget and then would need to take \$45,000 from the fund balance which we could take comfortable, this vehicle we won't be taking any payments on. The Tandem we will start payments in 2024 we will again have \$55,000 in equipment budget and then trade in of maybe \$20,000 then finance the remainder. Then in 2024 we will order another Tandem to stagger them.

Reggie explained we are trying to get a 7-10 years on a Tandem to get money on the back end then get \$60-\$80,000 on trade in.

Dave said this all makes sense, it is stupid spending all this money on repair after repair.

Joe Pete explained our backhoe ends in 2024 so that frees up \$35,000 for the new trucks.

- Permission to purchase chemical feed pump for WD#2:

**RESOLUTION TO PURCHASE A CHEMICAL PUMP FOR WD#2**  
**RESOLUTION NO.: 80-2023**

**INTRODUCED BY: ROBERT BIESEMEYER WHO MOVED FOR ITS**  
**ADOPTION SECONDED BY DAVE DEYO**

RESOLVED to purchase a chemical pump for WD#2 for \$2,738.40 accepted and approved.

Duly adopted this 14<sup>th</sup> day of February 2023 by the following vote:

AYES: Robert Biesemeyer, Teresa Cheetham-Palen, Christopher Daly, Dave Deyo, Joe Pete Wilson  
NAYS: None

- Town Trail improvement SmartGrowth Grant: postponed

- ARPA Spending Plan:

Joe Pete explained that we need to commit to use this money. After meeting with Kathy she recommended using the remaining ARPA money for the WD#1 debt and start paying it back to the General Fund, it is just under \$60,000 of ARPA money.

**RESOLUTION TO COMMIT THE REMAINING ARPA MONEY TO THE**  
**DEBT OF WD#1**

**RESOLUTION NO.: 81-2023**

**INTRODUCED BY: ROBERT BIESEMEYER WHO MOVED FOR ITS**  
**ADOPTION SECONDED BY DAVE DEYO**

RESOLVED that we commit the remaining ARPA money to pay WD#1 debt to the General Fund is accepted and approved.

Duly adopted this 14<sup>th</sup> day of February 2023 by the following vote:

AYES: Robert Biesemeyer, Teresa Cheetham-Palen, Christopher Daly, Dave Deyo, Joe Pete Wilson  
NAYS: None

- Verizon:

Joe Pete wanted to let us know that Verizon wants to reduce our contract payment, they are requesting to pay less. The county is saying no to Verizon as Verizon is contacting everyone that has a tower. We will follow suit with the county.  
There was discussion from the public how our service has deteriorated, Verizon service has gotten terrible.  
Liam said we should meet with all the town and county attorneys so we are all on the same page.

- Marcy Field lights:

**RESOLUTION TO SHUT THE LIGHTS OFF AT MARCY FIELD**  
**RESOLUTION NO.: 82-2023**  
**INTRODUCED BY: DAVE DEYO WHO MOVED FOR ITS ADOPTION**  
**SECONDED BY ROBERT BIESEMEYER**  
RESOLVED that the Christmas lights be shut off at Marcy Field are accepted and approved.

Duly adopted this 14<sup>th</sup> day of February 2023 by the following vote:  
AYES: Robert Biesemeyer, Teresa Cheetham-Palen, Christopher Daly, Dave Deyo, Joe Pete Wilson  
NAYS: None

- Video of Town meetings:

Chris said we can't go back to zoom meetings, you can do video conferencing where the participants that attend the meeting remotely can participate in the meeting remotely. We would need to go through the process to adopt the local law, then written procedures, and then invest in the equipment. This video conferencing does expire in July of 2024.

Barb Dumas stated that what Chris explained wasn't what she was referring to. Barb called Albany and asked if there was a law against having a public town meeting at a public location and also allowing zoom during that meeting. Meaning you are here and I am home and I can log on and watch the meeting. There is no law saying you can't have a physical meeting open to the public and allow zoom. The Covid and the sub-section 103 that expire is not the same thing, that was an either or. What I am asking the board is that you have some type of video recording.

Dave asked, so you just want to be able to watch the meeting, you don't need to be able to participate.

Chris asked to be clear, this is a request to post the meetings.

Dave said you just want to watch us and not participate.

Barb said no I want to participate in my community so I can see what is happening in the community and to do this I would like the meetings recorded.

Joe Pete said we will work on getting this to happen for the next meeting.

**Budget Resolutions:**

- Resolution to transfer funds-

**BLANKET RESOLUTION TO TRANSFER FUNDS WITHIN A FUND**  
**RESOLUTION NO.: 83-2023**  
**INTRODUCED BY: DAVE DEYO WHO MOVED FOR ITS ADOPTION**  
**SECONDED BY TERESA CHEETHAM-PALEN**

RESOLVED for a Blanket Resolution to transfer funds within a fund to balance accounts are accepted and approved.

Duly adopted this 14<sup>th</sup> day of February 2023 by the following vote:  
AYES: Robert Biesemeyer, Teresa Cheetham-Palen, Christopher Daly, Dave Deyo, Joe Pete Wilson  
NAYS: None

- Resolution to amend the 2023 Budget-none

**Supervisors Report:**

- November 2022
- December 2022

**RESOLUTION TO ACCEPT THE NOVEMBER AND DECEMBER 2022  
SUPERVISOR REPORTS  
RESOLUTION NO.: 84-2023**

**INTRODUCED BY: DAVE DEYO WHO MOVED FOR ITS ADOPTION  
SECONDED BY ROBERT BIESEMEYER**

RESOLVED to accept the November and December Supervisors reports, accepted and approved.

Duly adopted this 14<sup>th</sup> day of February 2023 by the following vote:

AYES: Robert Biesemeyer, Teresa Cheatham-Palen, Christopher Daly, Dave Deyo, Joe Pete Wilson  
NAYS: None

**Audit Bills:**

**RESOLUTION TO AUDIT THE PREPAID VOUCHERS FROM DECEMBER 24-31  
2022-1079 THROUGH 2022-1081  
RESOLUTION NUMBER: 85-2023**

**INTRODUCED BY ROBERT BIESEMEYER WHO MOVED FOR ITS ADOPTION  
SECONDED BY DAVE DEYO**

RESOLVED that the Town Board approve the prepaid bills for payment from December 24<sup>th</sup> through 31<sup>st</sup>.

Multi-Fund Vouchers numbered 2022-1079 through 2022-1081, totaling \$28,051.51, as follows:

General Fund Bills \$22,292.01  
Highway Fund Bills \$5,151.63  
Water District #1 \$200.76  
Water District #2 \$407.11

Duly adopted this 14<sup>th</sup> day of February 2023 by the following vote:

AYES: Robert Biesemeyer, Teresa Cheatham-Palen, Christopher Daly, Dave Deyo, Joe Pete Wilson  
NAYS:

**RESOLUTION TO AUDIT THE VOUCHERS 2023-108 THROUGH 2023-172  
RESOLUTION NUMBER: 86-2023**

**INTRODUCED BY DAVE DEYO WHO MOVED FOR ITS ADOPTION SECONDED BY  
TERESA CHEETHAM-PALEN**

RESOLVED that the Town Board approve the following bills for payment including the prepaids.

Multi-Fund Vouchers numbered 2023-108 through 2023-172, totaling \$465,299.07, as follows:

General Fund Bills \$14,372.56  
Highway Fund Bills \$3,153.36  
Water District #1 \$369.36  
Water District #2 \$570.79  
Library \$18057.03

Trust & Agency Fund \$428,775.97

Duly adopted this 14<sup>th</sup> day of February 2023 by the following vote:

AYES: Robert Biesemeyer, Teresa Cheatham-Palen, Christopher Daly, Dave Deyo, Joe Pete Wilson  
NAYS:

**Adjourn:**

**RESOLUTION TO ADJOURN  
RESOLUTION NO.: 87-2023**

**INTRODUCED BY: ROBERT BIESEMEYER WHO MOVED FOR ITS ADOPTION  
SECONDED BY JOE PETE WILSON**

RESOLVED that the Town Board of Keene has completed all business and hereby adjourns the  
Regular Meeting at 8:34P.M.

Duly adopted this 14th day of February 2023 by the following vote:

AYES: Robert Biesemeyer, Teresa Cheetham-Palen, David Deyo, Christopher Daly, Joe Pete  
Wilson

NAYS:

Anna Whitney  
Town Clerk  
Town of Keene



Proposal to Keene Town Board  
February 14, 2023  
**Use of Community Enhancement Funds for Marcy Field WiFi**

**Request**

The Keene Farmers Market requests that the Town of Keene make available \$5000 in Community Enhancement Funds to expand and enhance the access to the internet through WiFi by the vendors at the Marcy Field venue.

**Background**

The Keene Farmers Market is a major draw for area full time residents, seasonal residents, and visitors. The Farmers Market vendors need internet access to enable them to process live credit card transactions during market days. The approach using cell phone access through Verizon has proven to be unreliable at that site, especially on crowded days when it is most critical. During the 2022 market season, the Market paid for a prototype system that proved the feasibility of bringing the Town's internet at the Holt House to the Marcy Field oval.

**Implementation**

The planned implementation builds on the work done during the 2022 season that uses a wireless point to point connection from the Holt House to the electrical panel within the oval. That equipment was purchased by the Farmers Market and has proven to be reliable. The Market plans to hire Adirondack Techs of Gabriels NY to improve the WiFi coverage from the electrical panel to the vendor sites.

The plan includes 3 WiFi access points to be connected from the electrical panel by trenched Ethernet PoE (Power over Ethernet) cable in conduit. The cables will be terminated at the north-south center line of the vendor layout with a south, central, and north location along the line. Before trenching, there will be consultation with the Town regarding other possible buried cable in the area. The cable terminations will be housed in waterproof boxes below the ground line when not in use. During the markets, the access points will be set up on poles about 6 feet high, and will be connected to the Ethernet cables.

**Support and Maintenance**

The Keene Farmers Market proposes to own and operate the equipment that attaches to the Town's router at the Holt House to implement this plan. There will be training of market personnel to support vendor connections and do basic troubleshooting during all market days. Backup support will be provided by Adirondack Techs on a fee for service basis at the Farmers Market's expense.

Thank you for your support.

Adirondack Farmers Market Cooperative  
Lissa Goldstein, Board Member, Keene Liaison  
Jim Bernard, Volunteer Project Manager

**11/30/2022**

~~354.00~~

*The error has been rectified, it was a duplicate entry.*

Champlain National BALANCE		Enhanced Business Solutions BALANCES	
<b>MULTI FUND</b>		<b>Cash</b>	
Balance	\$ 602,417.66	General Fund	0.01 \$53,723.52
Less OS Checks	(\$115,007.78)	Hwy Fund	0.03 \$37,063.62
		Public Library	0.06 \$2,497.52
		Water District SW1	0.07 \$120,445.51
		Water District SW2	0.08 \$270,609.01
		ARPA	0.17 \$807.69
		Safety Path	0.16 \$39,684.00
		Payroll in transit	(\$37,370)
	\$ 487,409.88		\$ 487,460.88

**12/31/2022**

Champlain National BALANCE		Enhanced Business Solutions BALANCES	
<b>MULTI FUND</b>		<b>Cash</b>	
Balance	\$ 584,490.71	General Fund	0.01 \$34,772.37
Less OS Checks	(\$76,469.24)	Hwy Fund	0.03 \$80,333.02
		Public Library	0.06 \$3,073.52
		Water District SW1	0.07 \$117,993.50
		Water District SW2	0.08 \$259,935.37
		ARPA	0.17 \$807.69
		Safety Path	0.16 \$11,157.00
	\$ 508,021.47		\$ 508,072.47