

Regular Monthly Town of Keene Board Meeting  
October 10th, 2023  
5:30 P.M. Town Hall  
Meeting # 16  
Resolutions # 232-239

**Board Members Present:** Joe Pete Wilson Supervisor, Robert Biesemeyer Deputy Supervisor, Christopher Daly, Dave Deyo, Teresa Cheetham-Palen(arrived 5:34)Council Members

**Absent:**

**Town Officials Present:** Reginald Whitney Highway Superintendent, Savana Lia Water Superintendent, Anna Whitney Town Clerk

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

**Members of the Public:** Keith Hall, Donald Smith, Kimberly Smith, Sadie Kaltenbach, Ashley LeClair, Stephen Hall

**Call to Meeting to Order** at 5:30 by Joe Pete Wilson

Pledge of Allegiance

**Approval of Minutes:**

**RESOLUTION APPROVING BI-MONTHLY TOWN BOARD MINUTES**

**RESOLUTION NUMBER: 232-2023**

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

**RESOLVED** that the Bi-Monthly Town Board minutes from September 26th,  
2023 are accepted and approved.

Duly adopted this 10th day of October 2023 by the following vote:

**AYES:** Robert Biesemeyer, Christopher Daly, Dave Deyo, Joe Pete Wilson

**NAYS:** None

**ABSENT:** Teresa Cheetham-Palen

**RESOLUTION APPROVING BUDGET WORKSHOP #2 MINUTES**

**RESOLUTION NUMBER: 233-2023**

**INTRODUCED BY: CHRISTOPHER DALY WHO MOVED FOR ITS  
ADOPTION SECONDED BY ROBERT BIESEMEYER**  
**RESOLVED** that the Budget Workshop minutes from September 26th, 2023 are  
accepted and approved.

Duly adopted this 10th day of October 2023 by the following vote:  
**AYES:** Robert Biesemeyer, Christopher Daly, Dave Deyo, Joe Pete Wilson  
**NAYS:** None  
**ABSENT:** Teresa Cheetham-Palen

**Privilege of the Floor:**

**Playground**      *Attachment #-1-16*

Mr. Biesemeyer explained this is to look at seeing if we want to take advantage of the offer Mrs. Hamill wanted to give us of \$60,000 to replace the playground equipment. Kirk Baughman represents the company that does the installation and sells it.

Mr. Wilson stated you did the playground at the Ausable Club.

Mr. Biesemeyer, also Town of North Elba. With the regards to the playground equipment, the offer was off the table for a while because there is a Community Center Committee, somewhere it was thought not to take the offer but there was miscommunication. After some discussion, Ms. Hamill is willing to supply the equipment. The cost to do {see attached} this is all well within the scope of the offer.

Mr. Baughman, yes and it includes many other things within that. It includes renovation of the Ring Climber. We do not see the sense in eliminating something that is still useable. That does not apply to the slide.

Mr. Deyo, I think our main concern is if we decide to take it down and move the playground is it feasible?

Mr. Baughman, it surprisingly is. There are no posts in the ground, you can see the base timbers it is attached to.

Mr. Wilson asked to hear from the committee.

Ms. Kaltenbach, I am not against the idea. Can we get an ADA complaint swing? How long do the timbers last compared to the metal?

Mr. Baughman, yes we can install an ADA swing but you would lose a bay of swings. We have installations out there that are 25 years old. The treatment used on the timbers is a nontoxic pressure treatment.

Mr. Smith, how much to move it.

Mr. Baughman, they have to pay prevailing wage, but it can be done in house.

Ms. Cheetham-Palen, does the surface come with it?

Mr. Baughman, no but there are options, woodchips, which would be about 2 loads for \$3,500 a load, or sand.

Mr. Biesemeyer, as far as timeframe what is the earliest?

Mr. Baughman, it takes 60 days from approval. I talked to the owner and if you place the order within 60 days then you protect the price, you are locked in.

Ms. LeClair, is the donor ok if it has to be moved in the future?

Mr. Deyo, yes she is ok with it.

Mr. Wilson wants to make sure the members with the task force are ok with this.

Mr. Deyo, maybe we have the Task Force get back to us by the next meeting.

Mr. Baughman asked to go on record saying he would help move it for free.

Mr. Wilson, I will put this on the agenda for October 31<sup>st</sup>.

### **Jane Haugh Update from ADAC Attachment #2-16**

We got feed back on the Dear Neighbor letter.

The 1<sup>st</sup> question is the cost for a direct mail to every mailbox in Keene and Keene Valley. The total cost would be \$336.00. We wanted to know if we could apply to the fund to cover this cost?

The 2<sup>nd</sup> question is what does the board think about the way its signed, “a committee of the Keene Town Board”? Wondering what everyone thinks about the language of this?

Mr. Biesemeyer, I don't see a need for this letter. My fear is it will antagonize people.

Ms. Haugh, we have had people call State Troopers on people of color when they been in the wrong place. Somebody called the police in Westport because someone was trying to get water from the golf course pond.

Mr. Biesemeyer, do you think this letter in our mailbox will help?

Mr. Deyo, who are we mailing this to?

Ms. Haugh, Keene and Keene Valley.

Mr. Wilson, I have a thought, using this for our training of the backcountry stewards.

Ms. Haugh, I feel we need to be proactive.

Mr. Stephan Hall. I am perplexed, I am a long time resident here and I don't know how these people feel unsafe.

Ms. LeClair, maybe not a mailing, maybe put it on the website, maybe have a section of questions and answers.

Mr. Deyo, I like Ashley's idea, I think we need to get this to the people coming in, I do not think it is the residence here.

Ms. Cheetham-Palen, I am ok with the letter and with the ideas that were suggested here. Another option is maybe make the hospitality people aware of this.

Mr. Biesmeyer, I want to add that my son-in-law is from Venazwhala and his parents come for up to two months ever summer, they don't speak very much

English, the Mountain House has had a huge clientele for over 76 years and not one person has ever complaint about being mistreated.

Ms. Haugh, I want to mention that Kathy Hochul has started a Hate Crime Prevention Council. I am on that council, there is interest, and creating a broader ally by using a training, that SUNY Plattsburgh has started using with their Professors. They are interesting in bringing it to Essex County Board, what do you think Joe Pete?

Mr. Wilson, I need to think on that, I will get with you on this.

Mr. Daly wanted to suggest a few practical things. You asked at the onset about referencing the Town on the letter as a subcommittee of the Board, I would take that out, it's not a sub-committee of the Town of Board.

Ms. Cheetham-Palen, it came out of a resolution.

Mr. Daly, that does not make it a sub-committee.

Ms. Cheetham-Palen you are right it's not a committee.

Mr. Daly, second point I think given everything you have described any funding should come from the Roost money.

Mr. Wilson, I want to follow up with you Jane on the recreation sites for this letter.

Mr. Wilson asked anyone else had anything?

Mr. Smith asked for a light for the flag out in front of the Town Hall. Another thing is the banner in Keene Valley is upside down, can we take care of that. Then the speed sign does not work. The welcome sign on the Jay side is smashed.

### **Old Business:**

- **Water District**

Ms. Li said the lead pipe survey mailing is close to going out.

- **New Trails Update**

Mr. Wilson said we are planning a grand opening at the FEMA Park and the name is going to be **Linda's Loop**.

Ms. LeClair said we have a main trunk trail, it's all grass, then a path about 1/5<sup>th</sup> of a mile through the woods.

Mr. Wilson said we are aiming for the 28<sup>th</sup> of October for this opening. Also planning opening for the upper section of the Town trail at Marcy Field.

- **Adopt Fund Balance Policy *Attachment #3-16***

Mr. Wilson said he does not want to adopt the Fund Balance Policy yet. I am trying to come up with a way that we always have enough money to cover the Health Saving Account. On the last page where the appropriations for the unassigned Fund Balances are, I added a new number 1, which is if the Health

Reimbursement is in deficit use Fund Balance to replenish the account. I do not want to vote on this tonight we want to talk to Kathy Friday to get her thoughts. Mr. Daly thinks that maybe Liam could look into this because I do not think you can use Fund Balance for recurring expenses.

Mr. Wilson stated he is not looking at this for recurring, more of a safety net.

**New Business:**

- **Cemetery Requests**

Mr. Wilson said we are going to move this to October 31<sup>st</sup>. Ann and I will compile the requests we have and then get those to Board Members to look over. We will then discuss them in executive session because I feel there may be private information and then vote in public session.

- **Ongoing Local Law Process:**

Mr. Wilson stated Liam sent us the revised draft of the proposed STR Law at the last meeting, not everyone had time to read it.

Mr. Daly the only thing I have is typos which I can give to Liam. I do think which might be helpful is if we could generate a black line showing the revisions from the very beginning to this current draft. I think over the last 10 months we have made a fair amount of changes and I think it is important for people to see these. We have taken the suspension of permits away from the Code Enforcement Officer and put it to the Town Board, we have modified the appeals process, we cut the penalties in half, we removed the criminal violations, we watered down the septic and a few other things. I think for the people to see these changes it would be helpful if Liam could create a black line.

Mr. Biesemeyer, I still think this a huge, huge, mistake to make this a law.

The task force gave us the four steps in the registration plan, which was given to us in February 2022 as an end of the Strategic Plan. We as a Board accepted that to move forward but we never took it to the public. We had on the table a milder version of this. There is still so much in this law that I think will be challenged. What I have learned from the STR, I think they create more benefit then harm to our community. Last year they generated \$77,000 into Roost and this year we stand to gain \$100,000. There are many people that have STR's who benefit from the income.

Mr. Daly, there is nothing in here that says they will not still benefit.

Ms. Cheetham-Palen,I want to speak to this. We have had a lot of time to listen and go through this in workshops and you did not want to work.

Mr. Biesemeyer said the first workshop was an hour, I did not have a whole day. I saw all the recommendations and I knew there was no way we could do that in an hour we needed a special workshop.

Ms. Cheetham-Palen said we had more than one workshops.

Mr. Biesemeyer said it has not help in the law, or changes.

Mr. Hall said there has been changes.

Mr. Daly, we took feedback from the public and we made changes. That is what we did, that is more then what happened at our workshops.

Mr. Wilson, we will have Liam do the black line for this.

Mr. Hall said the original survey “What does the Town of Keene feel are the most important problems”. Well the affordable housing and STR’s were a signal line item. Affordable housing is a nationwide problem and everyone, most everyone is concerned about it, so the two of those being on the same line was wrong. They are different items. The item that failed to make it to the top five was taxes and equality. The other piece is the survey was available to everybody and anybody. There was no control of who could fill out the survey and you could do it 5 days a week if you wanted to. There was no control over who filled it out. On the other hand, the petition we turned in was thrown out because they were not tax roll members.

Mr. Wilson, may address that, your petition was not thrown out, after reviewing it we saw Labron James signed it and I think maybe 15 were tax payers in the Town.

Mr. Hall, I wanted to point out the survey was not too a certain population and the two together should have been split.

**Executive Session: Personnel Issue**

**RESOLUTION FOR THE TOWN BOARD TO ENTER INTO EXECUTIVE SESSION FOR TWO PERSONNEL ISSUES**

**RESOLUTION NUMBER: 234-2023**

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

**RESOLVED**, that the Town Board enter into Executive Session to discuss personnel issues at 6:46

Duly adopted this 10th day of October 2023 by the following vote:

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

**NAYS: None**

**RESOLUTION TO RETURN FROM EXECUTIVE SESSION  
RESOLUTION NUMBER: 235-2023**

**INTRODUCED BY: JOE PETE WILSON WHO MOVED FOR  
ITS ADOPTION SECONDED BY DAVE DEYO**

**RESOLVED** that the Town Board return from executive session at 7:02  
where no decisions were made.

Duly adopted this 10th day of October 2023 by the following vote:

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

**NAYS: None**

**RESOLUTION TO INCREASE THE FACILITIES MANGER PAY TO  
\$25.14**

**RESOLUTION NUMBER: 236-2023**

**INTRODUCED BY: TERESA CHEETHAM-PALEN WHO MOVED FOR  
ITS ADOPTION, SECONDED BY CHRISTOPHER DALY**

**RESOLVED** that the Town Board increase the Facilities Mangers pay to \$25.14  
per hour.

Duly adopted the 10<sup>th</sup> day of October 2023 by the following vote:

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

**NAYS: None**

**Budget Resolutions:**

- **Resolution to transfer funds :** None
- **Resolution to amend the 2023 Budget:** None

**Supervisors Report:**

**Audit Bills:**

**RESOLUTION TO PAY THE ONLINE BILLS**

**RESOLUTION NUMBER: 237-2023**

**INTRODUCED BY TERSEA CHEETHAM-PALEN WHO MOVED FOR  
ITS ADOPTION SECONDED BY ROBERT BIESEMAYER**

**RESOLVED** that the Town Board pay the online bills.

Duly adopted this 10<sup>th</sup> day of October 2023 by the following vote:

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

**RESOLUTION TO AUDIT THE VOUCHERS 2023-800 THROUGH 2023-831**

**RESOLUTION NUMBER: 238-2023**

**INTRODUCED BY CHRISTOPHER DALY WHO MOVED FOR ITS ADOPTION SECONDED BY TERESA CHEETHAM-PALEN**

**RESOLVED** that the Town Board approve the following bills and prepaid bills. Multi-Fund Vouchers numbered 2023-800 through 2023-831 totaling \$72,018.60 as follows:

General Fund Bills \$15,060.46  
Highway Fund Bills \$50,822.45  
Water District #1 \$587.67  
Water District #2 \$5,197.07  
Library \$235.84  
Trust & Agency Fund \$115.11

Duly adopted this 12<sup>th</sup> day of September 2023 by the following vote:

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

**Adjourn:**

**RESOLUTION TO ADJOURN**

**RESOLUTION NUMBER: 239-2023**

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

**RESOLVED** that the Town Board of Keene has completed all business and hereby adjourns the Regular Meeting at 7:03P.M.

Duly adopted this 10<sup>th</sup> day of October 2023 by the following vote:

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

Anna Whitney  
Town Clerk  
Town of Keene





# Columbia Cascade Company

Makers of TimberForm® PipeLine® Playground Equipment  
and Outdoor Fitness Systems, TimberForm Site Furniture  
and CycLoops® CycLocker® Bicycle Management Products.

Attachment #1-10  
5 pages  
PO Box 1039  
Camas, WA 98607-0039 U.S.A.  
Telephone 503/223-1157  
e-mail HQ@timberform.com

kebaughman@icloud.com

Date: Sep 21, 2023

Pages: 1 of 2

To: Baughman Brothers & Assoc., Inc.

Attn: Mr. Kirk Baughman

Reference: Keene Community Center  
Keene, NY

Quote No. Q-22-95049-A2

Customer Baughman Brothers & Associates, Inc.  
Mr. Kirk Baughman

Phone 315/427-8085

E-mail kebaughman@icloud.com

We are pleased to offer our quotation for the above-referenced project as follows:

### TIMBERFORM - OPTION TWO

<u>Quantity</u>	<u>Model No. and Description</u>	<u>Price Each</u>	<u>Total</u>
1 each	1563-8 Four Bay (Six Belt/Two Tot) Swing, free-of-heart-center premium Douglas fir posts and beams, BLACK swing hangers, TAN seats	\$ 10,195.00	\$ 10,195.00
1 each	TimberForm Play Structure Per drawing No. E-52473-F, dated 03-29-19, standard color CASPAX-7 powder-coated metal accessories, free-of-heart-center premium Douglas fir posts, BROWN SofDek Plastic-coated Perforated Steel Decks, Wood Walls, TAN or YELLOW plastic components	\$ 22,530.00	\$ 22,530.00
<b>SUBTOTAL</b>			<b>\$ 32,725.00</b>
<b>DELIVERY CHARGE TO KEENE, NEW YORK</b>			<b>\$ 4,290.00</b>
<b>DELIVERED TOTAL</b>			<b>\$ 37,015.00</b>

**LEAD TIME:** Shipment can occur within 60-75 days after our receipt of an acceptable order and final specifications.

This quotation is good for 30 days and subject to our confirmation thereafter. Any taxes imposed within the state of New York are extra and not included.

**BAUGHMAN BROS. INC.** P.O. Box 205, Jay, New York 12941  
Cell 315-427-8085 kebaughman@icloud.com

**A FEW PLAYGROUND PROJECT REFERENCES**  
**(NORTH COUNTRY)**

A) AuSable Chasm Campground, Keeseville, NY  
Director of Facilities & Campground  
Cell 518-637-3193 Office Phone 518-834-7454  
Email: Caleb Nappi [caleb@ausablechasm.com](mailto:caleb@ausablechasm.com)

Mr. Caleb Nappi, Manager of Ausable Chasm  
Office phone 518-834-7454  
Email: [caleb@ausablechasm.com](mailto:caleb@ausablechasm.com)

B) Momot Elementary School, Plattsburgh, NY  
Principal: Sue Wilson  
Office phone: 518-563-1140  
Email: [sdwilson@plattscsd.org](mailto:sdwilson@plattscsd.org)

C) Town of North Elba, Lake Placid, NY  
Mr. Butch Martin, Director of Recreation & Park District  
Office phone 518-523-2591  
Email: [butchmartin9@gmail.com](mailto:butchmartin9@gmail.com)

Mr. Zach Clark, Director of Park Facilities  
Cell: 518-524-6552  
Email [emmadelyn6@yahoo.com](mailto:emmadelyn6@yahoo.com)

D) Lake Placid Elementary School, Lake Placid, NY  
Principal: Ms. Sonja Franklin  
Office phone 518-523-3640  
Email [sfranklin@lpcsd.org](mailto:sfranklin@lpcsd.org)

E) Ms Erin Pangborn, Director of Parks & Recreation  
Town of Plattsburgh, Plattsburgh NY

Office phone 518-562-6860. [erin@townofplattsburgh.org](mailto:erin@townofplattsburgh.org)

F) Saranac CSD – (2) Play Areas – Petrova Elementary School &  
Bloomingdale Elem. School Vernon James, Director of Facilities  
Office phone 518-897-1726 Email [jamesver@slcs.org](mailto:jamesver@slcs.org)



**Columbia Cascade Company**

1300 S.W. Sixth Avenue  
Suite 310  
Portland, OR 97201-3464  
U.S.A.

Tel.: 503/223-1157  
Fax: 503/223-4530  
E-mail: HQ@timberform.com

[www.timberform.com](http://www.timberform.com)

Makers of TimberForm<sup>®</sup>, PipeLine<sup>®</sup>,  
RePlay<sup>®</sup>, TimberForm-2<sup>®</sup>, InterPlay<sup>®</sup>,  
CycLoops<sup>®</sup>, & CycLocker<sup>®</sup> Products.

This drawing reveals the  
copyrighted intellectual property of  
Columbia Cascade Company.  
Not for use by others without our  
express, written authorization.

TimberForm Playground Equipment  
Ausable Club  
Keene Valley, NY

Dwg. No.: P-19005-F

Drawn by: JK

Rev. by: JK

Scale: NONE

Date: 02-07-19

Date: 02-08-19

Sheet: 1 of 1













Dear Neighbor,

As you may have noticed, our beautiful mountain home is welcoming people who have not been visitors or residents of the Adirondack Park in the past. We believe this more open and accessible park benefits us all. In an effort to welcome our fellow citizens, below are some things to think about.

**People coming from an urban/city life:**

Do not always feel comfortable sharing where they are from. "Hey, where you all from?" is a way of connecting but can also be seen as a way of categorizing people in a hierarchy.

Don't often trust systems we take for granted. While our drinking water is amazing, many cities' tap water has turned out to be toxic. People often prefer bottled water while we take for granted the wells and water systems that bring us this gift from the earth.

May be worried about getting food they like to eat. If you have only eaten food that comes packaged, you might not trust a carrot with a bit of soil on it or an apple with the peel still on it.

May have grown up with different understandings and customs. Our ways serve us pretty darn well, but if you are coming here for the first time, how do you know the brown signs are trailheads? Or where it is safe to park? Or that you can serve yourself coffee (is it free then?). Or where the sales person is at the veggie/syrup stand -- wait... you make your own change and put the payment in a box?

Have different ideas about personal vs public property etc. In the city if you care about it you lock it up. If it isn't locked, the owner doesn't care about it. Private spaces are gated (that's how you know they are private). Open spaces are for everyone to use -- uh... that's someone's lawn? A place to play a game (golf)? A meadow for grazing? An airfield!?

This is not meant to be a comprehensive guide nor do urban peoples act the same all the time. **And as you can see, there is a LOT of room for confusion -- on both our community members' and newcomers' part. So let's be curious instead of suspicious. Let's assume good intentions. And let's ask sympathetic questions before calling on the authorities.**

Courtesy of the Keene Diversity Advisory Committee  
(A committee of the Keene Town Board)

**Town of Keene**  
**Fund Balance Policy**  
Draft August 2022

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

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

**General Fund: \$700,000**

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

**Highway Fund: \$100,000**

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



**Water District #1: \$10,000**

**Water District #2: \$20,000**

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

**Library Fund: \$5,000**

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

**Unassigned Fund Balance**

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

1. If HRA is in deficit, use fund balance to replenish the HRA account.
2. On projects from the asset management plan or deposit into a reserve fund based on the asset management plan.
3. Apply to debt
4. Balance the following year budget

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

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