

Regular Monthly Town of Keene Board Meeting
November 14th, 2023
5:30 P.M. Town Hall
Meeting # 18
Resolutions # 257-270

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

Absent:

Town Officials Present: Reginald Whitney Highway Superintendent, Anna Whitney Town Clerk

Town Counsel Present: Bryan Liam Kennelly, Esq

Members of the Public: Keith Hall, Becky Odell, John Odell, Peter Slocum

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: 257-2023**

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

RESOLVED that the Bi-Monthly Town Board minutes from October 31st, 2023 are accepted and approved.

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

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

NAYS: None

Privilege of the Floor:

Mr. Wilson welcomed Mr. & Mrs. Odell. Becky and John have an issue we talked about last year but never came up with a resolution so we are going to need your input on this Liam. Can you bring everyone up to speed?

Ms. Odell stated they bought the property in 2013, built a house and in the process had to takedown 1 tree for power and then 2 for water. I asked to take down the other 2 and we were told no. We have now moved into the house and our insurance company is telling us the trees are dead and need to come down, we do not know who owns the property.

Mr. Kennelly looks at the property maps Becky has brought.

Mr. Deyo asked if it was in the Town easement and Mr. Kennelly said no, then this seems like a mute point.

Ms. Odell said we do not know who owns the property they are on.

Mr. Kennelly said so the question is who actually owns it.

Mr. Wilson said I assumed it was in the Town right away, go ahead and cut them but when they followed up further they found they did not own them. A right of way does not mean we own it.

Mr. Kennelly asked, I am sure the Town will not oppose you to take them down or are you asking the Town to pay for them?

Ms. Odell said yes.

Mr. Kennelly ok I have to go through this and see who owns it. I will follow up once I find this information out.

Old Business:

- **Water District**

Mr. Wilson said the lead pipe survey, we have about 50% back.

- **Approve 2024 Budget**

Mr. Wilson said it is time to approve our Preliminary Budget and make it our official budget. It has to be turned in November 20th.

RESOLUTION ADOPTING THE 2024 TOWN OF KEENE BUDGET

RESOLUTION NUMBER: 258-2023

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

Mr. Biesemeyer asked a question in regards to Mr. Kennelly salary. I wanted to make clear that the base salary did not change.

Mr. Kennelly said no salary here.

Mr. Biesemeyer just wants to make sure, any billing you do over the base can you make it clear what it is for.

Mr. Kennelly said I will notify the Board when it is going over that and why.

RESOLVED that the Town Board adopts the 2024 Proposed Budget as presented.

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

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

NAYS: None

- **Town-wide Capital Plan**

Mr. Wilson said it is now time to consider our Town wide Capital Plan. We are not voting on this now, I want you to start thinking about it for January. This is the first step. Maybe we have a workshop on this.

Mr. Daly asked if these numbers are accurate, I see it says draft 2022.

Mr. Wilson said yes I did update most of it, 2022 is when we started to talk about it. The big things should be accurate, some are not.

- **Cemetery Rates**

Attachment #1-18

Mr. Wilson said the cemetery is all laid out, the committee has done 2 years of work on this. The one piece we need Liam is the template for the sale document. The name the committee would like to recommend is “Norton Brook Cemetery” and the rates here are broken down. This is a recommendation from the capital cost.

Mr. Deyo asked if these rates are consistent with some of the others that you looked at.

Mr. Slocum said yes, some are higher and some lower we are in the middle.

Ms. Cheetham-Palen asked why do we need a different name?

Mr. Slocum stated to differentiate it from the other one.

Mr. Kennelly said a new policy is going to apply, new rules.

Mr. Wilson said what we are trying to do is to collect enough money to cover the cost of building the cemetery and the perpetual care is to cover the maintenance of it. Let me give you a run down,

Traditional Burial Plot, you can be buried in a casket and have a headstone, two caskets can be buried here.

Natural is each plot for one body, perpetual care is less because it does not need to be mowed every 4-5 days.

Cremation plot can accommodate 4 urns and also perpetual cost is less as well.

Do you all feel ready to approve the name and rates?

RESOLUTION APPROVING THE NAME “NORTON BROOK CEMETERY” AND THE PROPOSED FEES

RESOLUTION NUMBER: 259-2023

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

RESOLVED that the Town Board approve the name “Norton Brook Cemetery” and the rates as follows, Traditional Burial Plot \$750 & Perpetual Care \$750, Natural/Green Plot \$750 & \$500 Perpetual Care, and Cremation Plot \$750 & Perpetual Care \$500 is accepted and approved.

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

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

NAYS: None

- **Resolution to set General Laborer hourly rate \$21.07**

Mr. Wilson said our Comptroller went through our minutes and did not find a resolution for this. We have been doing it and need to do this resolution.

**RESOLUTION TO SET THE GENERAL LABORER HOURLY RATE AT
\$21.07**

RESOLUTION NUMBER: 260-2023

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

RESOLVED that the Town Board approve setting the General Laborer rate to \$21.07 an hour is accepted and approved.

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

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

NAYS: None

- **Leave time: Increase sick leave accumulation**

Postponed

- **Playground**

Mr. Biesemeyer asked to give update. I talked to Ms. Hamil now that we have the two quotes and it is right around \$57,000. What is still left is removing the old swings and supply the sand for the base. I wanted to make sure with her she was still good with her offer and she is good with \$60,000. Ms. Hamil would like to give a check to the Town of Keene and then we pay for the project. That is where we stand.

**RESOLUTION TO ACCEPT THE GIFT OF \$60,000 FOR THE
PLAYGROUND AT THE COMMUNITY CENTER**

RESOLUTION NUMBER: 261-2023

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

RESOLVED that the Town Board accept the gift for \$60,000 for a new playground at the Community Center is accepted and approved.

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

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

NAYS: None

New Business:

- **Marcy Field**

Mr. Wilson said we are going to aerate Marcy Field and then follow with grass seed in the high traffic turf. I am brining this up because it is going to be \$8,000 for seed. Mr. Biesemeyer asked why, grass is coming back. I think we need to create a place for parking. I think where the Holt House is and the Farmers Market is the area closet to 73 seems the most logical for the parking lot.

Mr. Wilson said I am in favor of building a parking lot. I still think we should seed that.

Mr. Daly said maybe the part that is not used for parking.

Mr. Wilson said we need to order the grass seed soon to have it by spring.

**RESOLUTION TO DO SOME SEEDING IN THE WORST HIT PLACES
AND EXPLORE THE LONG TERM SOLUTION**

RESOLUTION NUMBER: 262-2023

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

RESOLVED that the Town Board approve to do some seeding in the worst hit places and explore the long term solution for Marcy Field is accepted and approved.

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

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

NAYS: None

- **Community Enhancement Requests**

Attachment #2-18

Mr. Wilson informed us he has two requests concerning the Community Enhancement Fund. One is update the Community Map that we did with Roost money a few years ago. It is out of date. Julia Gronski who did this map is going to update the map, we paid her with occupancy tax, and I want to see if I can do that again.

**RESOLUTION TO USE COMMUNITY ENHANCEMENT FUNDS TO
UPDATE THE COMMUNITY MAP
RESOLUTION NUMBER: 263-2023**

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

RESOLVED that the Town Board approve the use of the Community Enhancement Funds to update the Community Map is accepted and approved.

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

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

NAYS: None

Mr. Wilson second item is a proposal for the Keene Community Garden. Letter attached that Mr. Wilson read.

Attachment #3-18

**RESOLUTION APPROVING FUNDS FROM THE COMMUNITY
ENHANCEMENT FUND TO PURCHASE MATERIAL AND LABOR
COSTS FOR A NEW FENCE AT THE COMMUNITY GARDEN
RESOLUTION NUMBER: 264-2023**

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

Ms. Cheetham-Palen states we need to have a better system for people to apply for this fund.

Mr. Deyo thinks we need some sort of accountability, a proces so we are not just handing money out.

Mr. Wilson said this is what I have in mind. We have a subcommittee of the board with someone that is in charge of the committee Enhancement process, we have a set application, we decide we have a rolling acceptance or set a date that we take applications until a deadline, I think having maybe 2 board members and a couple community members for this. I will work on this, now back to this specific request, any questions.

RESOLVED that the Town Board approve the request of \$6500 from the Community Enhancement Fund for a new fence around the Community Garden is accepted and approved.

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

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

NAYS: None

Mr. Wilson stated Aaron Miller set me up with a preview of text notification system. I am giving you this to read, we are not voting on this I want you to read through this. You can set up groups like Water District #1 and if there is something just for them, you can send message just to WD #1, have different categories set up.

Ongoing Local Law Process:

- **Local Law for Assessment Review**

Mr. Wilson said we have been working on a law establishing the date for the meeting of the Board of Assessment. This Local Law gives us the authority to schedule it in the time that is allowed.

**RESOLUTION TO SET THE DATE OF DECEMBER 12TH AT 5:00 P.M.
FOR THE PUBLIC HEARING ON THE LOCAL LAW #2 OF 2023
ESTABLISHING DATE FOR MEETING OF BOARD OF ASSESSMENT
RESOLUTION NUMBER: 265-2023**

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

RESOLVED that the Town Board set the date of December 12th 2023 at 5:00 P.M. at the Keene Town Hall to hold the Public Hearing on the Local Law 2 of 2023 establishing the date for the meeting of the Board of Assessment is accepted and approved.

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

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

NAYS: None

- **Draft Local Law on STR Regulations**

Mr. Wilson said we were waiting for the side-by-side comparison.

Mr. Kennelly suggests we use that at the hearing. We can put it up 10 days before the hearing. We can show based on their input how it changed.

**RESOLUTION TO SET THE DATE OF DECEMBER 12TH AT 4:30 P.M.
FOR THE PUBLIC HEARING ON THE LOCAL LAW #3 OF 2023 TO
REGISTER, AND IMPLEMENT PUBLIC SAFETY STANDARDS FOR
SHORT TERM RENTAL PROPERTIES**

RESOLUTION NUMBER: 266-2023

**INTRODUCED BY: JOSEPH PETER WILSON WHO MOVED FOR ITS
ADOPTION SECONDED BY TERESA CHEETHAM-PALEN**

Discussion on time with having Local Law 2 of 2023 and regular Town Board meeting is there time for this Public Hearing as well. Mr. Biesemeyer wants it a separate day.

**AMEND RESOLUTION 266-2023 TO SET THE DATE OF DECEMBER
13TH AT 5:30 P.M. FOR THE PUBLIC HEARING ON THE LOCAL LAW #
3 OF 2023 TO REGISTER, AND IMPLEMENT PUBLIC SAFETY
STANDARDS FOR SHORT TERM RENTAL PROPERTIES**

**INTRODUCED BY: JOSEPH PETER WILSON WHO MOVED FOR ITS
ADOPTION SECONDED BY TERESA CHEETHAM-PALEN**

RESOLVED that the Town Board set the date of December 13th 2023 at 5:30 P.M. at the Keene Town Hall to hold the Public Hearing on the Local Law 3 of 2023 to register, and implement public safety standards for short term rental properties meeting is accepted and approved.

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

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

NAYS: None

Executive Session:

Budget Resolutions:

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

Supervisors Report: June, July, August, September

**RESOLUTION TO APPROVE THE SUPERVISOR REPORTS FOR JUNE,
JULY, AUGUST, AND SEPTEMBER
RESOLUTION NUMBER: 267-2023**

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

RESOLVED that the Town Board approve the June, July, August, and September Supervisor Reports are accepted and approved as presented and placed on file with the Town Clerk.

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

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

NAYS: None

Audit Bills:

**RESOLUTION TO PAY THE ONLINE BILLS
RESOLUTION NUMBER: 268-2023**

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

RESOLVED that the Town Board pay the online bills.

Duly adopted this 14th day of November 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 2023-875 THROUGH 2023-
910**

RESOLUTION NUMBER: 269-2023

**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 2023-875 through 2023-910 totaling \$51,542.59 as follows:

General Fund Bills \$27,695.25

Highway Fund Bills \$4,865.53

Water District #1 \$2,019.60

Water District #2 \$1,962.21

Roost Enhancement Tax \$15,000

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

AYES: Christopher Daly, Teresa Cheetham-Palen, Joe Pete Wilson

NAYS: None
ABSTAIN: Robert Biesemeyer, Dave Deyo

Adjourn:

RESOLUTION TO ADJOURN
RESOLUTION NUMBER: 270-2023
INTRODUCED BY: DAVE DEYO WHO MOVED FOR ITS ADOPTION
SECONDED BY TERESA CHEETHAM-PALEN

RESOLVED that the Town Board of Keene has completed all business and hereby adjourns the Regular Meeting at 6:51P.M.

Duly adopted this 14th day of November 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

KEENE'S NEW NORTON BROOK CEMETERY

Proposed Fees

November 2023

BACKGROUND: The Keene Cemetery Advisory Committee recommended a plan for the new Norton Brook Cemetery which was adopted by the Town Board in December of 2022. Since then, the Town has worked to develop and survey the three distinct sections of the cemetery: Natural Burial, Cremation, and Traditional Casket. That work is now complete, along with an access loop road, and the plots can soon be offered for sale.

In order to recommend a pricing plan for the new cemetery, the Advisory Committee took into account the capital cost of developing the area*, current and projected maintenance expenses and past history.

PROPOSAL:

Traditional Burial Plot \$750 & Perpetual Care \$750

Natural/Green Plot \$750 & Perpetual Care \$500

Cremation Plot \$750 & Perpetual Care \$500

The cost of plots in Keene's Norton Cemetery was last increased 15 years ago, when the price was raised from \$200 to \$250.

- The proposed increase recognizes increased costs associated with maintaining the cemetery (Labor and equipment), and a portion of the cost the Town incurred in developing this expanded cemetery. The capital expense is approximately \$50,000 as of this writing.
- The Town has used previously allocated reserve funds to underwrite the capital costs to date and will continue to use regular town funds to pay for maintenance of its cemeteries.
- The cemetery budgets adopted by the Town Board for 2022 and 2023 were approximately \$14,000, more than \$10,000 of which was for the personnel doing the mowing and clipping.

Each Natural Burial Plot is 4' x 10' and will be for one body only.

Each Traditional-casket plot is 12' x 10' and will accommodate two casket burials, or one casket and up to 4 cremation urns.

Each cremation plot is 6' x 4' and will accommodate up to 4 cremation urns.

OPTIONS:

–Because the Natural Burial Plots have room for only one grave each, the committee recommends that the Town institute a discount plan allowing a family to buy a second Natural plot at half price. (The Perpetual Care fee would remain at \$500 for that second grave.)

–The Town should review the pricing plan on a regular basis, rather than waiting 15 or more years.

NEXT STEPS: The Cemetery Advisory Committee will prepare an information sheet for members of the public, particularly for people and families interested in purchasing space in the new cemetery. This will explain the rules for the three different sections of the cemetery and pricing of plots.

The Committee is also working on additional design plans, signage, plantings, and so forth.

CEMETERY ADVISORY COMMITTEE. The committee is made up of members of the Keene Historical Society: Tom and Alana Both, Donna Reed Austin, and Peter Slocum, with advice and input from Jerry Smith, sexton.

*The new 11 acre-cemetery was obtained in a 1995 land swap with the State of New York, approved in a statewide referendum.

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Peter Slocum
(518) 708-5607

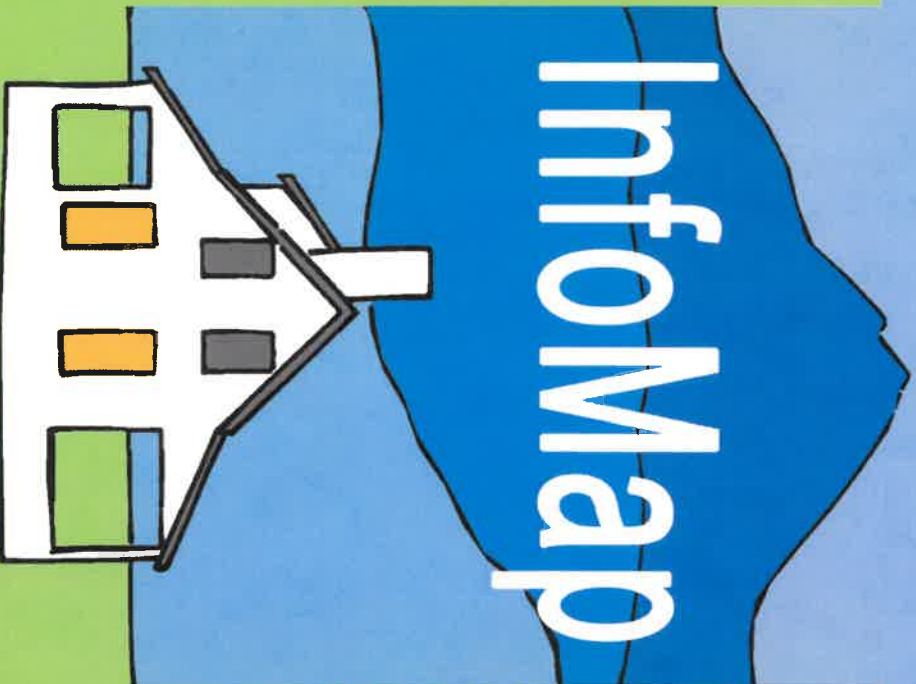
HAMLET OF
KEENE

Attachment #2-18



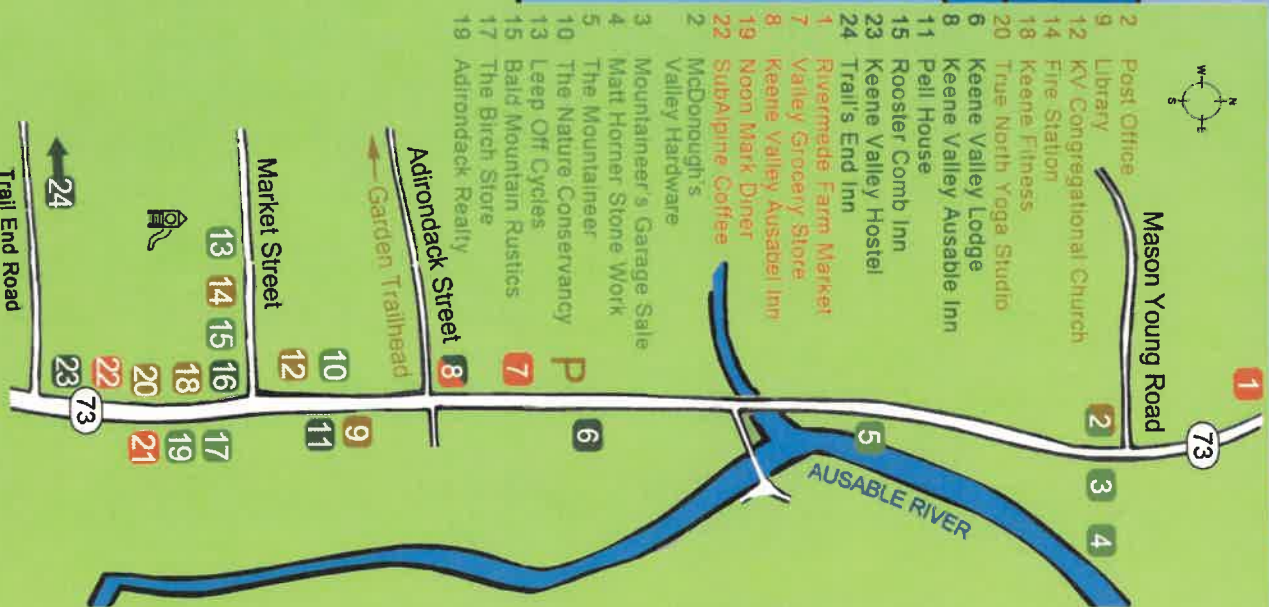
TOWN OF KEENE

InfoMap



Community
Lodging
Dining
Shopping

HAMLET OF
KEENE VALLEY



Trail Heads

given distance for roundtrip

- 1 Clements Pond 3 miles moderate
- 2 Jack Rabbit Trail 7 mi. easy
- 3 Little Crow 1.2 mi. moderate
- 4 Big Crow 1.4 mi. moderate
- 5 Baxter Mountain 2.2 mi. moderate
- 6 Town Trail 1.25 mi. easy
- 7 Garden Trail Head
- 8 Rooster Comb 5 mi. moderate



Lodging

- 9 ADK Trail Inn
- 10 Bark Eater Inn
- 11 Rock & River Lodge and Guide Service
- 14 Snow Goose Lodge

Retail

- 12 Owl's Head Rustic Furniture

Dining

- 13 Baxter Mountain Tavern

Hello Joe Pete and Town Board members,

I am writing as the Keene Community Garden Coordinator to submit a proposal for funds from the "Community Enhancement Fund".

The Keene Community Garden has been operating for over 15 years. We have 35 garden plots with about 25 active gardeners. The garden is evidence of a vibrant community committed to local agriculture. The variety of plants and flowers additionally serve as a wonderful habitat for our pollinator population, as well as, a beautiful and diverse piece of our community hub at Marcy field.

The garden measures 175' x 50'. The protective fence around the garden is failing and after a variety of fixes over the years, it is now in need of full replacement. We are very mindful of the aesthetic beauty of the garden and the structures to support it. We are proposing to replace the existing fence with one made of 3-4" natural cedar post, spaced approximately 10' apart. Covered with a wire deer fence. The existing doors and corner posts would remain and be incorporated into the new fence. We would utilize our volunteer group for removal of the old fence and as assistants for the install. The following is a list of the material and labor costs for the proposed project:

9' cedar posts, 45@\$10 each= \$450

500' of wire deer fence= \$2250

Labor/prep/post hole digging/installation=\$3500

We are seeking up to \$6500 for this project. We truly appreciate your support and any financial assistant that you can award. Thank you for your consideration. We look forward to hearing from you.

Sincerely,

Tamra Mooney

Keene Community Garden Coordinator