

Regular Monthly Town of Keene Board Meeting
April 9th, 2024
5:30 P.M. Town Hall
Meeting # 8-24
Resolutions # 125-134

Board Members Present: Joe Pete Wilson Supervisor, Teresa Cheetham-Palen, Robert Biesemeyer, Christopher Daly, Ann Hough, Council Members

Absent:

Town Officials Present: Savana Li Water Superintendent, Ann Whitney Town Clerk

Town Counsel Present: Bryan Liam Kennelly, Esq

Members of the Public: Keith Hall, Tracy Posdzych

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

Pledge of Allegiance

Approval of Minutes:

**RESOLUTION TO APPROVE THE MARCH 26TH, 2024 BI-MONTHLY
TOWN BOARD MEETING**

RESOLUTION NUMBER: 125-2024

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

RESOLVED that the Town Board of Keene has approved the Bi-Monthly Town Board Meeting.

Duly adopted this 9th day of April 2024 by the following vote:

AYES: Christopher Daly, Robert Biesemeyer, Joe Pete Wilson, Teresa Cheetham-Palen, Ann Hough

NAYS: None

Privilege of the Floor:

Town Discussion of Old Business:

- **Eclipse Day:**

Mr. Wilson said it went so well. There were about 1,000 or more people. He wanted to thank the Highway Department, Parks Department, and Cindy and Nathan Caner for their help. Airport and Hulls Falls Rd were closed about 11:00. People were very cooperative, all went very, very well.

- **Water District Updates:**

Ms. Li stated the water bills have all gone out and really haven't had a lot of complaints.

Ms. Li then said she met with Liam last week and went through the water law line by line, they are working on that.

Mr. Wilson added that he spent the morning working on the Northern Boarders Grant for Water District #2. He needs to get letters of support.

- **CEF Round 1 Awards**

Mr. Wilson said we have 2 applicants. We have not received any community members yet so we will need to pick another board member. It is good idea to have at least 3 members.

Ms. Posdzych asked what it is?

Mr. Wilson explained it is money from our occupancy tax. We get a portion of it to use for projects that support tourism, recreation, art events, and things similar to these items. We set up two application periods, we need a panel to decide if we should support this or deny. We were hoping for some community members to help with this.

- **KDAC Update and Notes**

Keene Diversity Advisory Committee sent us the minutes from their March 6th meeting.

Attachment #1-82024

- **Annual Audit of the Books**

Mr. Wilson asked for a motion to accept the annual audit of the books that we tabled at last meeting, we need to see if we are ready.

Mr. Daly said he has reached out to the Judges twice and still no reply, he is not ready.

Mr. Wilson said we will leave it tabled.

- **Community Day**

Ms. Cheetham-Palen said now that we are through the Eclipse they will get back to Community Day planning.

- **Norton Brook Cemetery Sales Documents**

Mr. Wilson said we now have our Bill of Sale and Deed ready to start the Norton Brook Cemetery. If everyone is good with this, we need to make a motion to close the sale of any remaining plots in Norton Cemetery as of April 10th, 2024 and start the sale of Norton Brook Cemetery plots as of May 1st, 2024.

Attachment #2-82024

RESOLUTION TO CLOSE THE SALES OF PLOTS IN NORTON CEMETERY AS OF APRIL 10TH, 2024 AND BEGIN SALES IN NORTON BROOK CEMETERY MAY 1ST, 2024.

RESOLUTION NUMBER: 126-2024

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

RESOLVED that the Town Board of Keene has approved closing the sale of plots in Norton Cemetery as of April 10th, 2024 and begin selling plots in Norton Brook Cemetery May 1st, 2024.

Duly adopted this 9th day of April 2024 by the following vote:

AYES: Robert Biesemeyer, Ann Hough, Christopher Daly, Joe Pete Wilson, Teresa Cheetham-Palen

NAYS: None

- **Marcy Field Parking Lot**

Mr. Wilson said he and Mr. Daly met with the Market Manager and a board member from the Farmers Market. The parking lot as we have laid it out, between the current paved parking lot and the Holt house, if you angle them we have room for 100-108 cars. What else we came up with was allowing them to use from Rt 73 to the oval, (the grass piece) that gives them 45 more spots and they can use this for overflow and limit mobility.

Mr. Daly mentioned that this piece is only used for overflow and limited mobility. We stressed this and told them this will not be graveled.

New Business:

- **Phone Line Replacement Planning**

Mr. Wilson explained that Verizon is doing away with POTS lines, cooper lines. They are increasing \$75.00 per line. Verizon is doing this to eliminate cooper lines. We will have to keep the 2 lines in each Water Plant. The recommendation from the County and Twin State is to keep these for now because they will be technically difficult to integrate with voice over internet. What we are thinking is to go to voice over internet and then upgrade the alarm system separate because we need to have

a backup so that piece will be cell service.

- **Liquor License 30 Day Waiver Request**

**RESOLUTION TO APPROVE WAIVING THE 30 DAY ADVANCE
NOTICE FOR APPLICATION FOR CHANGE OF CLASS
RESOLUTION NUMBER: 127-2024
INTRODUCED BY: CHRISTOPHER DALY WHO MOVED FOR ITS
ADOPTION SECONDED BY ANN HOUGH**

RESOLVED that the Town Board of Keene has approved waiving the 30-
day advance notice to change class for 5th & 20th, D/B/A Forty Six and
Dartbrook Lodge,

Duly adopted this 9th day of April 2024 by the following vote:
AYES: Robert Biesemeyer, Ann Hough, Christopher Daly, Joe Pete Wilson,
Teresa Cheetham-Palen
NAYS: None

- **Travel Approval**

**RESOLUTION TO APPROVE TRAVEL, REGISTRATION, AND
LODGING FOR CLERK TO THE SUPERVISOR FOR TRAINING
MAY 13TH & 14TH**

**RESOLUTION NUMBER: 128-2024
INTRODUCED BY: ROBERT BIESEMAYER WHO MOVED FOR
ITS ADOPTION SECONDED BY ANN HOUGH**

RESOLVED that the Town Board of Keene has approved travel,
registration, and lodging for Cindy Caner for training in Albany on May 13th
& 14th,

Duly adopted this 9th day of April 2024 by the following vote:
AYES: Robert Biesemeyer, Ann Hough, Christopher Daly, Joe Pete Wilson,
Teresa Cheetham-Palen
NAYS: None

- **Road Permit Wilmington Mt Bike Race**

**RESOLUTION TO APPROVE ROAD PERMIT FOR THE
WILMINGTON MT BIKE RACE
RESOLUTION NUMBER: 129-2024**

**INTRODUCED BY: TERESA CHEETHAM-PALEN WHO MOVED
FOR ITS ADOPTION SECONDED BY ANN HOUGH**

RESOLVED that the Town Board of Keene has approved the road permit
for the Wilmington Mt Bike Race on June 2nd, 2024.

Duly adopted this 9th day of April 2024 by the following vote:

AYES: Robert Biesemeyer, Ann Hough, Christopher Daly, Joe Pete Wilson,
Teresa Cheetham-Palen

NAYS: None

Town Clerk Report

Ms. Whitney asked if anyone had any questions with her reports and bank reconciliations.

Ms. Whitney then said her last day to collect property tax is April 15th and then anything that comes in she will endorse over to the County. On April 15th Louisa form Essex County will dial into her computer and remove all the information needed to balance the Warrant.

Ongoing Local Law Process:

- **Review Status of STR Draft Local Law**

Mr. Daly stated things we agreed to in the work session are not in the most recent draft. He thinks these changes need to be incorporated into the draft then reviewed to see if it is ready to distribute to the public. We need to make available the comparison draft showing the changes.

Ms. Hough added her concern for clarification in Section 3-E relating to the signing of a fadived and then Section 9-D.

Mr. Biesemeyer wanted to just say his concern that we are going to enforce a law that he feels we do not need.

Mr. Kennely wanted to advise, the Board should comply with the Strategic Plan or change it.

Executive Session:

**RESOLUTION TO ENTER EXECUTIVE SESSION FOR TWO
PERSONNEL ISSUES**

RESOLUTION NUMBER: 130-2024

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

RESOLVED that the Town Board of Keene entered into Executive Session at 6:31 P.M. for two personnel issues,
Duly adopted this 9th day of April 2024 by the following vote:
AYES: Robert Biesemeyer, Christopher Daly, Ann Hough, Teresa Cheetham-Palen, Joe Pete Wilson
NAYS: None

RESOLUTION TO COME OUT OF EXECUTIVE SESSION WHERE NO DECISIONS WERE MADE

RESOLUTION NUMBER: 131-2024

INTRODUCED BY: TERESA CHEETHAM-PALEN WHO MOVED FOR ITS ADOPTION SECONDED BY ANN HOUGH

RESOLVED that the Town Board of Keene return from Executive Session at 6:47 P.M. ,

Duly adopted this 9th day of April 2024 by the following vote:

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

Mr. Hall asked if anyone knew if you needed a building permit for a wheel-chair ramp.

Mr. Wilson said no unless you were doing a roof over it or wiring it to have electricity.

Budget Resolutions: None

Supervisors Report:

Mr. Wilson wanted to explain that the Operating Statement has been given to the Board but the Supervisors Report which is the finally product, there is an issue with the Enhanced Program that Cindy is trying to resolve. The program is duplicating things.

Audit Bills:

RESOLUTION TO PAY THE ONLINE BILLS

RESOLUTION NUMBER: 132-2024

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

RESOLVED that the Town Board pay the online bills.

Duly adopted this 9th day of April 2024 by the following vote:
AYES: Christopher Daly, Teresa Cheetham-Palen, Joe Pete Wilson
NAYS: None
ABSTAINED: Robert Biesemeyer

RESOLUTION TO AUDIT THE VOUCHERS 260 THROUGH 301,2024
RESOLUTION NUMBER: 133-2024
INTRODUCED BY CHRISTOPHER DALY WHO MOVED FOR ITS
ADOPTION SECONDED BY ANN HOUGH
RESOLVED that the Town Board approve the following bills and prepaid bills.
Multi-Fund Vouchers numbered 260 through 301, 2024 totaling \$140,509.98 as
follows:

General Fund Bills \$13,699.64
Highway Fund Bills \$10,385.86
Water District #1 \$44,558.05
Water District #2 \$70,391.26
Library \$1,475.17

Duly adopted this 9th day of April 2024 by the following vote:
AYES: Teresa Cheetham-Palen, Ann Hough, Christopher Daly, Joe Pete Wilson
NAYS: None
ABSTAINED: Robert Biesemeyer

Adjourn:

RESOLUTION TO ADJOURN
RESOLUTION NUMBER: 134-2024
INTRODUCED BY: ANN HOUGH 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 6:54 P.M. ,
Duly adopted this 9th day of April 2024 by the following vote:
AYES: Christopher Daly, Robert Biesemeyer, Ann Hough, Teresa Cheetham-
Palen, Joe Pete Wilson
NAYS: None

Ann Whitney
Town Clerk
Town of Keene

Attachment
#1 - 82024

Keene Diversity Advisory Committee
Meeting 3/6/24

Attended remote: Monique Weston, Meg LeFevre Bobbin, John Sampson, Betsey Thomas-Train, Teresa Palen, Jane Haugh (members) Becky Johnson (prospective member), Ben Runyon (as ATIS rep), Melissa LaVallee & Molly Fisk Jacobsen (as KCS reps).

The meeting started with introductions.

Jane gave some background on KDAC's push for the DEC to move forward on plans to make sites in Keene accessible. She also said that Meg was finding possible resources to use for accessibility on lands that Keene owns. Meg informed the committee of the earlier meeting of DEC's accessibility committee. Meg explained that it was only her second meeting so mostly, she listened. She has volunteered to be the secretary of the committee. DEC is working on a statewide map of accessible recreation destinations. Dec and Adventure NY have chosen June 8th for a Get Outdoors day. Melissa asked if Keene was on the list of the 12 Get Outdoors day sites. Meg said she didn't think Keene was on it. Melissa asked if we could get on it somehow. Meg will inquire both if Keene can get on the list in the future and also where DEC is in planning for Keene accessible sites.

Melissa said if there was an event like the one Adventure NY is planning, she thought KCS kids could get some required volunteer hours in by helping. She feels strongly that the students should be giving back and also that they could use the experience of being around different types of people.

Ben said ATIS could put the issue of accessibility on it's agenda for the next meeting. He said they'd be able to look at the Giant Mtn wilderness trails and also wondered about approaching AMR and the Ausable Club.

Betsey followed up re. the micro aggressions grid which was mailed (by her) to about 30 local businesses. She noted that there was no return address on the mailing and wondered where we might get feedback. Jane mentioned that as KDAC is an advisor to the town board, people might contact the board with any comments. Teresa said she had received her copy of the grid.

Jane raised the issue of trailhead signage educating hikers and asking for patience and understanding for people who have not traditionally been welcome to the park. She read some examples from a mailer that was considered and rejected by the town board. Ben said that ATIS has had to learn about differences in habits and preferences when engaging with "Girls Inc." a group of urban young women from the Albany area. Teresa mentioned the "share the road" signs which are meant to remind and educate motorists to be careful of bikers. Someone recommended a sign with a message that the park is Open to All. Betsey wondered if we might need a booklet or something for people to learn what protocols there are for being in the woods. Ben wondered about funding for a project like this. Teresa said money for something like this would come, not from ORDA (which is re-named?), but from a community enhancement fund which is funded by the Bed Tax. Teresa mentioned there might be resources

at Leave No Trace. Jane asked if this kind of thing is what KCS's DEI committee might be interested in developing. Melissa said maybe. Ben said it would have to be much clearer what the signage was hoping to accomplish. He also said it would be good to have consistency from Johns Brook to the Adk Loj, to Giant Mtn. Wilderness. Jane mentioned Barkeater Trail alliance as well.

Pride. John went through the history of last year's Pride events and how we were too late to coordinate anything in town. There was less interest than there had been during COVID when a parade was a big and welcome event. He'd like to start early to figure out what Keene might do and when. Saranac Lake Pride is 6/30/24 and Plattsburg Pride is 9/28/24. Despite hoping to, there were no busses up to SL Pride last year. Robbi Mecus hosted some smaller events that were well attended. Jane will ask Emma Dosch (former committee member) if she is interested in helping to plan something. The Gender Alliance is involved in both of the other local events and might be interested in sponsoring something. Jane asked if KCS students might be interested in being involved. Melissa will get back to us about this. (The planning of a possible event at the library also came up but there was no new news on that.)

John spoke about how to form an alliance so that KCS, KDAC, and KVCC are all working in harmony on issues of diversity and creating a welcoming place for all people. He mentioned the KVCC newsletter which Melissa and Molly both get. Jane said she had dropped off the mailing list. He said that any project the church is involved in could be extended to include KCS students, and that members of the church would be delighted to be involved with young people in the larger community. He mentioned the idea of a pollinator garden. Becky said the garden at school would gladly take any plants the church would like to give. There was agreement that fund raising for something like that might not be timely at the school.

Molly said she could say something about what the school is doing. She said they are trying to look at everything through a lens of welcoming diversity. She said she is particularly interested in graduates of the school gaining cultural competency before going out in the world. Melissa mentioned the presentation that two Keene students who identified as Black gave in 2018. Molly said that the students had experienced micro aggressions from well meaning teachers and students who didn't know better. Molly said she is looking for resources for education. Jane mentioned a training being put together at SUNY Plattsburg that should be available soon through the Hate and Bias Prevention Unit's North Country Council. Molly said she wants students to understand basic concepts like implicit vs explicit bias. Jane said she would try to get info on resources but asked that people remind her if she didn't get back to them about something she had promised.

The meeting ended at 7:58
Minutes taken by Jane Haugh

Dear Town of Keene Supervisor,

As follow up to these minutes, I am forwarding you Meg LeFevre Bobbin's call notes from her follow up with the DEC:

This is the info for the Get Outdoors & Get Together Day, Saturday, June 8, 2024

- The site for the Adirondacks is Ausable Point Campground & Day Use Area. Leah said if KDAC wants to participate there this year, she can put you in touch with the organizers.

- She said they are very open to a site in or around Keene for future events. She asked for ideas of locations.... said Marcy Field might be a good spot but is it town land? And she wondered if John Brown Farm is close enough?

- I got the sense they are genuinely open to ideas and working with KDAC.

Here are the highlights about Keene projects:

Chapel Pond:

- Leah said the hand launch boat site at this location is approved and DEC could do it as soon as funding and work planning allow -- funding needs to be identified and there is an engineer on the project. She will follow up with Rob, the regional forester, and get back to us. I asked for a specific timeframe and she said a couple weeks. I will check in with her about it again on 4/5.

She specifically said if people ask about it, it's more likely to get on the summer workplan. I asked if KDAC, the DEC Advisory Committee and other orgs should send letters of support. She said that is always helpful but then sort of back tracked and said she wanted to talk to Rob first.

- She said they could improve signage there as the current pull off is not well marked.

She also talked about several different sites in Keene that she visited to see access points and what DEC has going on. She said it's tricky because the parking areas are along a narrow highway leading to steep trails. Some sites need land agreements with landowners and there are a lot of wetlands and permitting issues...

The intersection site is challenging. There could possibly be a trail from the accessible viewing platform to the river.... But where would you expand the parking lot?

The next meeting is on May 8 in Warrensburg and I plan on attending in person.

KDAC has followed up re. signage with the Adirondack Land Trust which has been working on signage at their trailheads. KDAC members need to discuss if signage is purely for welcoming purposes (like the Keene Welcomes All signs) or also seeks to educate.

Attachment
2-82024

DEED TO A CEMETERY PLOT

The Town of Keene, proprietors of Norton Brook Cemetery of the Town of Keene, State of New York (hereinafter "Proprietors") exchange for good and valuable consideration, the receipt of which is hereby acknowledged, do sell, convey and transfer to {Insert Name} of {Insert Address} (hereinafter "Grantee"), (his, hers, their) heirs and assigns, one lot located at Cemetery Road, Keene NY and numbered as {insert plot number} on the Plan of Norton Brook Cemetery (hereinafter "Plot") to have and to hold by the Grantee, (his, her, their) heirs and assigns, subject to conditions and limitations set forth hereinafter:

1. That the Plot shall be used for the burial of the dead; and
2. That the Plot shall not be enclosed in any manner nor shall the Plot be divided; and
3. That the Plot may be adjourned by one monument and/or stone memorializing the dead; and
4. That not tree, shrub, plant or flower shall be planted on the Plot without permission of the proprietors; and
5. That the Plot shall be subject to the By-laws, Rules and Regulations of Norton Brook Cemetery, as they presently stand or later amended; and
6. That for any breach of the By-laws, Rules and Regulations of the Norton Brook Cemetery, the Proprietors may enter the Plot and take steps to remove any plant, structure or item in violation of the same or to do whatever else is reasonable or necessary to make good the breach; and
7. The Plot shall not be sold or transferred; and

The Proprietors covenant to the Grantee, that the Proprietors hold title to the Plot and cemetery premises in fee simple and free from all incumbrances and that the Proprietors have the right to sell, and convey the Plot to the Grantee (his, her, their) heirs and assigns as heretofore described and will indemnify and hold harmless the Grantor, (his, her, their) heirs and assigns for costs, including reasonable attorney's fees incurred in defending or making good title.

IN WITNESS WHEREOF, the Proprietors have caused this instrument to be signed and sealed by its Town Clerk, this _____ day of _____, 20

Proprietors - Grantor
Town Clerk
Town of Keene

Recorded in Town of Keene Cemetery Records, Book {Insert Book Number}, Page
{ insert page number}

BILL OF SALE

KNOW all MEN by these PRESENTS

That

Town of Keene, State of New York party of the first part, for and in consideration of the sum of {Insert Dollar Amount} lawful money of the United States, to it in hand paid, at or before the enscaling and delivery of these presents,

by

{Insert Name}, {Insert address} party of the second part, the receipt whereof is hereby acknowledged, have bargained and sold, and by these presents do grant and convey unto the said party of the second part, their successors, executors, administrators and assigns, the

Plot Number {Insert Plot Number} of the Norton Brook Cemetery of the Town of Keene, State of New York

TO HAVE and to HOLD the same unto the said party of the second part, their successors, executors, administrators and assigns forever. And do, for their successors, heirs, executors and administrators covenant and agree to and with the said party of the second part, to Warrant and Defend the sale of the said cemetery plot hereby sold unto the said party of the second part, their successors, executors, administrators and assigns, against all and every person and persons whomsoever.

IN WITNESS WHEREOF, they have hereunto set their hands and seals this _____ day of _____, Two Thousand {Insert Year}.

IN PRESENCE OF

Town Clerk
Town of Keene