

TOWN OF SALEM
REGULAR MONTHLY MEETING-SALEM TOWN BOARD
JANUARY 11, 2017 MINUTES

Present: Supervisor-Seth M. Pitts; Town Council Members: Bruce Ferguson; Marcus Blanck; Harold Gilchrest; Laura Dunham; Town Clerk-Patricia Gilchrist

Others Present: Joe Boisclair-Highway; Eric Rogers-Water Dep't.; Janice Quartararo-Courthouse; Maurice Patrick-Planning Board; Al Cormier-Historian; Wendy Bordwell-Georgi; Kim Erbe-Planning Board Clerk; Planning Board & Zoning Compliance Officer-Scott MacNeil; Cait Johnston-Salem Press

Absent: Bob Graham-Salem Fire Dep't.; DCO-Nancy Quell (Report provided)

Public Present: Cathy McKeighan, Dorothy Beattie; Evera Sue Clary; Scott Perkins; Scott Thetford; Sue Keyes; Joan Greene; Ed Hutchins; Nancy Gray; Sheldon Brown; Jess Corey; Gail Bearup; Sylvia Wilson; Anita Witten

6:30 p.m.-Review of Warrants #1 and Abstract #1 of 2017 for payment.

7:00 p.m.-The regular monthly meeting of the Salem Town Board was called to order by Supervisor Seth Pitts, followed by Pledge of Allegiance. The regular monthly meeting minutes from December 14, 2016 were approved **by a motion from** Councilman Bruce Ferguson, seconded by Councilman Marcus Blanck; passed 4-0 in absence of Councilman Gilchrest. The year-end meeting minutes from December 27, 2016, were approved **by a motion** from Councilman Harold Gilchrest, seconded by Councilman Marcus Blanck; passed 4-0 as Councilwoman Dunham was not yet on the board. The Organizational Meeting Minutes from January 04, 2017, were approved **by a motion** from Councilman Marcus Blanck, seconded by Councilwoman Laura Dunham; passed unanimously 5-0. After review of Warrants and Highway Abstract, **motion** made by Councilman Harold Gilchrest, seconded by Councilman Bruce Ferguson, to pay **Warrants #1 and Highway Abstract #1 of 2017** as presented; passed unanimously 5-0. **Supervisor's Reports** were presented for review and approval; **motion** made by Councilman Marcus Blanck, seconded by Councilman Harold Gilchrest, to sign and approve the Supervisor's Reports as presented; passed unanimously 5-0. **Bank statements** were provided and reviewed by the Board.

DEPARTMENT REPORTS:

Salem Fire Department- Chief Graham absent but report provided; a total of 10 calls for month of December: 5-Salem (2-MVA's; 1-propane leak; 1-EMS assist; 1-carbon monoxide call); 2-Jackson (1-EMS assist; 1-MVA); Mutual Aid-2-Hebron (MVA's)

Training-Monthly air pack/multi gas meter check; driver training; yearly Santa Claus detail for community

OSHA Mandates-All trucks have been services & pumped tested; all interior firefighters had annual fit testing completed; all ladder inspected & passed

Meetings-Monthly fire department meeting for Dec.

Firehouse-Officially moved into the front half on the new fire station on November 27th, 2016; totally moved out of the Proudfit Hall Firehouse. New firehouse is approximately 80% completed.

Elections-Were held for the following positions for 2017-2018: President-Steve Dougherty; Vice-President-Jeremy Gillis; Secretary/Treasurer-Howard Fifield; Financial Officer-Ray Fairly; Board of Directors-Jim Conety and Ray Fairley

Total Hours for year-9,297; report will be filed

Highway- Sup't. Boisclair reported that the crew is keeping the equipment going and it is holding up well so far. Plowed/sanded icy spots; worked around barn; serviced pay loader; cleaned trucks; put new blade on '98 wing & plow; worked on oil leak in '04; made shoes for '98 wing; cut branches on low-hanging trees; more sanding of icy spots; worked on '92 spinner; worked on '98 (new hub & brakes); plowing & sanding late; cleaned trucks; cut/chipped Perry Hill & Tug Hollow; cleaned ditches on Kaufman; sanded Stanton Hill; took '13 to Western Star to fix injector; serviced 550 ton truck; worked on '92; graded ice on Stanton Hill; sanded more icy spots; cleaned branches up from wind storm. Report will be filed

Courthouse-Janice reminded everyone that the mural the kids made will be presented to the firemen on January 24th. Mark Cummings, Stacey Parker & Tauno Wirkki are the new board members. She is working on securing grants. More classes will be offered during the February break.

Georgi Museum-Wendy Bordwell reported she had been notified from LARAC for approval of a \$3,500.00 grant for the 2017 program year; money will be presented at an Award's Ceremony at a later date.

Wendy hopes to be attending a NISCA Conference at Proctor's on January 18th. She requested the Board approve her applying for a \$7,500.00 Conservation Treatment Grant, due by March 1, 2017. No match is required. **Resolution #14-Motion made by** Councilman Harold Gilchrest, seconded by Councilman Marcus Blanck giving Clerk Bordwell the go-ahead to apply for the \$7,500.00 Conservation Treatment Grant; passed unanimously 5-0. There is also a DEC Urban Community Forestry Grant under the State Grant Gateway program for funding from \$11,000.00-\$75,000.00. An inventory is required which has already been done, also a March 1, 2017, deadline. Wendy would like permission to apply for a Restoration Grant in the amount of \$15,000.00. **Resolution #15-Motion made by** Councilman Harold Gilchrest, seconded by Councilwoman Laura Dunham, allowing Clerk Bordwell to proceed with the application process for a \$15,000.00 DEC Urban Community Forestry Grant; passed unanimously 5-0.

There is a NISCA conference in April of 2017 in Saratoga (a Museum Association of NY Conference) that she would like to attend and can apply for a \$750.00 Professional Development Grant. **Resolution #16-Motion made by** Councilwoman Laura Dunham, seconded by Councilman Harold Gilchrest, giving permission to Clerk Bordwell to apply for a \$750.00 Professional Development Grant; passed unanimously 5-0.

RFP was presented re Georgi Museum Renovations to the interior of the museum was presented but RFP still needs fine tuning before it can be put out to bid.

The gem and mineral collection will be put on display once the museum is re-opened and is in great condition.

Planning Board-Chairman Patrick reported that an application had been received from Dollar General for sub-division of the Laura Burch property.

Historian-Al Cormier reported that certain records needed culling and that it is too late to make this year's grant round. He is currently working with Sara Kelly on the Historian's part of the Town of Salem's website to make it more informative and easier to navigate. **Civil War Flag**-has been encased behind the glass; Peg McCarren has been doing flag work, currently waiting on the County.

Historic Preservation Law-Hope to have the public hearing on the Historic Preservation Law at the beginning of the regular monthly meeting of the Town Board on February 8th.

DCO Report-Nancy Quell absent; had a complaint from Battenkill Grove Way and is working on it. Report will be filed.

Water-Eric Rogers reported that there are 310 meters in service currently with no new hook-ups. At the end of 2016, about 12.1 million gallons had been pumped from well 1; 6.8 million gallons from well 2 and .5 million gallons from well 3—just under 19.5 million gallons for 2016 year. Performing regular upkeep/maintenance. Eye wash/fire hydrant checks done; monthly water sample required by DOH met the bacteriological requirements for a public water supply as set forth in subpart 5-1.5 of the State Sanitary Code under Public Health Law 225. One dig safe mark-out was done; 2 back flow preventers at the water office had yearly inspection and both passed. One is on the in line near the meter and the other is for the boiler. Eric took a couple of the FEMA (IS) classes for water credits (IS-100b; IS-200b; IS-700a & IS-800b). Monthly and year-end paperwork completed. Both Eric and Travis Keyes will be attending water school on March 16, 2017. Report will be filed.

COMMUNICATIONS

Supervisor Pitts has a copy of the state of the County report if anyone is interested in looking at the same.

Martin Luther King Day-Received flyer advising of a free dinner at the Presbyterian Church, in remembrance of Calvin and Millie Chapman for all of the mission work they both did for the church over their many years.

UNFINISHED BUSINESS

Main Street Development Grant-Committee member and Councilman Bruce Ferguson reported that the final plan was e-mailed by Barton & Loguidice for final approval of the Committee. Hopefully, the plan will be presented at the February board meeting.

Web Page Update-Update is almost completed and there is a lot more information available than before.

Proudfit Hall Renovation Project-Supervisor Pitts reported that he should have final numbers to present to the Board at the February meeting; hopeful of obtaining grants through Senator Little’s office and Congresswoman Carrie Woerner’s office.

Phone Cell Tower-Waiting to hear back from Mobilite representative re constructing on the Town’s right-of-way.

Library Report-Councilman Bruce Ferguson reported that Kim Erbe was the new President of the Library Board and Ed Donoghue was Vice-President. He is hoping for a report from the Library Board to present at our Town Board meetings. Supervisor Pitts and the Board congratulated Kim as she was present at the meeting.

NEW BUSINESS

Resolution to Move ‘B’ Accounts to ‘A’-The following Resolutions are to close out the Town Outside the Village Cash accounts: **For the General Account: Resolution #17-Motion made by Councilman Harold Gilchrest**, seconded by Councilman Bruce Ferguson as follows:

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|-----------|--------------|--------------|
| B200 Cash | | \$ 27,711.41 |
| A200 Cash | \$ 27,711.41 | |

Passed unanimously 5-0

For the Highway Account: Resolution #18-Motion made by Councilman Marcus Blanck, seconded by Councilwoman Laura Dunham as follows:

| | | |
|------------|---------------|---------------|
| DB200 Cash | | \$ 182,322.56 |
| DA200 Cash | \$ 182,322.56 | |

Passed unanimously 5-0

Establish Standard Work Day-Resolution #19-Motion made by Councilman Marcus Blanck, seconded by Councilman Bruce Ferguson, to set the Standard Work Day per requirement of NYS Retirement for the following elected officials:

- Highway Superintendent Gerald Boisclair at 8 hours
- Town Clerk Patricia A. Gilchrist at 6 hours
- Supervisor Seth M. Pitts at 6 hours

Set the Standard Work Day per NYS Retirement for the following appointed officials:

- Dog Control Officer Nancy Quell at 6 hours

Clerk Gilchrist will prepare the Affidavit of Posting, which will be posted at the sign board and on the door of the Salem Town Office for thirty (30) days as required by the Office of the NYS Comptroller, NYS & Local Retirement System; passed unanimously 5-0.

Resolution #20-Motion made by Councilman Marcus Blanck, seconded by Councilman Harold Gilchrest, to declare the 2003 Ford Crown Victoria (formerly owned by the Village) as Surplus Equipment and put the same out to bid. Supervisor Pitts will work on this; passed unanimously 5-0.

Procedure for Committee Reports-will be as outlined in the January 4, 2017, Organizational Meeting.

Right-of-Way behind the Health Center-Attorney Alan Wrigley is working on this.

Certified Water Operator-Supervisor Pitts reported to the Board that Travis Keyes is now a certified water operator, having passed all testing requirements, etc., to obtain his water license. Supervisor Pitts asked the Board if they would consider an additional stipend of \$1.00/hour for Travis’ work in the Water Department.

Resolution #21-Motion made by Councilman Marcus Blanck, seconded by Councilman Bruce Ferguson, to approve a stipend of \$1.00/hour for Travis Keyes, the new certified water operator; passed unanimously 5-0.

PUBLIC COMMENT

Georgi De-accessioning-Sylvia Wilson from Shushan and a long-time supporter of the Georgi Museum, read from a statement she had prepared requesting that the Board not sell or give away any of the treasured art and that she would prefer all items, including the furniture, stay as part of the Museum. She explained that this was a legacy from the Georgi family to the inhabitants of the Shushan community and the very history of the museum and these items should stay in Shushan. Wendy Bordwell, Councilman Ferguson and Councilman Gilchrest reiterated that the artwork was currently in climate controlled storage and that some of the pieces were on loan to SUNY Plattsburgh and would be going nowhere. The furniture, however, has been re-appraised and the value is no longer set at the prices that were put on years ago. Mrs. Wilson thanked the Board for letting her speak and was glad to hear that no art work was being sold but urged the Board to re-think the auctioning of the furniture.

Gail Bearup, also a Shushan resident and former Clerk at the Georgi, informed the Board that she had spoken with a Shushan resident and attorney and told the Board that they must gain approval of the current Trustee if any items in the collection were to be de-accessioned, especially those with a number as most of the furniture pieces seem to have. The Trustee would also have to pay for any associated costs, saving the Georgi money. She explained that 'art must buy more art'; money from an auction could not be used for a handicapped ramp or anything else. The board once again explained that the de-accessioning **did not** include any art work. If for some reason, the Trustee agreed to the de-accessioning, she believes that the pieces should be sold through a local auctioneer so local people could purchase pieces they were interested in. Who is Carlson Galleries?? Wendy Bordwell explained that she searched high and wide and that they were highly recommended to auction the pieces as not many auction houses are familiar with some of the pieces in the collection. The re-appraisal re-done by Dudley & Dudley indicated that some pieces were worth a lot less than previously thought and some were now worth more. She explained that she will be watching closely to see what the Board does with this information and how they will proceed.

Motion made by Councilman Bruce Ferguson, seconded by Councilwoman Laure Dunham, instructing Councilman Gilchrest to pursue this matter with the current Trustee and that the matter be tabled until the February meeting or until such time as an answer is obtained regarding the proper procedure for de-accessioning.

Passed unanimously 5-0

Dollar General Store-An application was submitted to the Salem Planning Board for sub-division by the engineering firm that represents Dollar General. Is the Village's Zoning Law currently in effect due to the fact that the Town's Zoning Law for the former area of the Village boundaries was never filed with the Secretary of State as a Local Law. That seems to be the big question. Who should be filing Legal Notices in the paper regarding the Zoning Board of Appeals? Clerk Gilchrist explained that she had been putting in the notices that had been required as the request of Zoning Board of Appeals Chairman, Sheldon Brown, under Mr. Brown's name as the ZBA Chairman. Gilchrist felt that since any zoning issues now come before the Town's Planning Board that the Planning Board Clerk (currently Kim Erbe) should be dealing with any future filings. Since Clerk of the Planning Board, Kim Erbe, was present she was asked by Supervisor Pitts and the Board if she would become the Clerk for the Zoning Board of Appeals as well as her duties as Planning Board Clerk, and she said she didn't have a problem with it. **Motion made by** Councilman Bruce Ferguson, seconded by Councilman Marcus Blanck, to appoint Kimberly Erbe Clerk for the Zoning Board of Appeals; passed unanimously 5-0.

The Village's Zoning Law stated that the Mayor had the authority to act on zoning issues and the Mayor was also the ex-officio Compliance Officer as there wasn't one for the Village. The issue seems to be does the Town Board act first saying the area needs to be re-zoned from medium density residential to commercial and then turn the matter over to the Zoning Board of Appeals for a Public Hearing or does the Town's Zoning Compliance Officer make the determination that it fits or doesn't fit under the Town's Zoning Law and turn the matter over to the Zoning Board of Appeals. Mr. Brown seemed to think the application needs to be rejected because it does not comply, then the Zoning Board of Appeals would have to hold a Public Hearing to

act on a variance. But the application as presented does not deal at all with the issues of how it is zoned; they only applied to the Planning Board for sub-division, which the current owner would need before Dollar General could proceed with anything. After much discussion from those present and the Board, it was decided that a meeting needed to be held with either or both Town Attorney Alan Wrigley, dissolution Attorney Kara Lais, Supervisor Pitts, Sheldon Brown as ZBA Chair, Kim Erbe as Planning Board Clerk, and Maurice Patrick as Chairman of the Planning Board to sort out the proper procedure to follow and if in fact the Village's Zoning Law was to be followed. The Town Board did pass and approve the Zoning Plan; it just wasn't filed with NYS as a Local Law. **Motion made by** Councilman Harold Gilchrest, seconded by Councilman Marcus Blanck, to set up a meeting with the above-mentioned people and table the matter until the February 8th meeting; passed unanimously 5-0 and discussion ended.

Motion to Adjourn-Motion made by Councilman Marcus Blanck, seconded by Councilman Harold Gilchrest, to adjourn the regular monthly meeting of the Salem Town Board; passed unanimously 5-0; meeting adjourned at 9:10 p.m.

Next Regular Monthly Meeting-The next regular monthly meeting of the Salem Town Board will be held on Wednesday, February 08th, 2017, in the Salem Town Office; review of Warrants #2 & Abstract #2 to begin at 6:30 p.m., regular meeting to begin at 7:00 p.m.

Respectfully submitted:

Patricia A. Gilchrist-Town Clerk
Town of Salem, NY

