

**TOWN OF SALEM**  
**REGULAR MONTHLY MEETING-SALEM TOWN BOARD**  
**MARCH 08, 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 Dep't.; Eric Rogers-Water Dep't.; Janice Quartararo-Courthouse; Wendy Bordwell-Georgi; Maurice Patrick-Planning Board; Al Cormier-Historian; Kim Erbe-Planning Board Clerk; Bob Graham-Salem Fire Dep't.; Aaron Jansson-The Eagle Newspaper

**Absent:** DCO-Nancy Quell (Report provided)

**Public Present:** Nancy Hand Higby; David Higby; Tauno Wirkki; Mike Buckowski; Cathy McKeighan, Dorothy Beattie; Linda Marlo; Jay V. Bellanca; Rebecca Brown; Sue Clary; Beverly Kerr; Wendy Hunter; Michele Bordwell

**6:30 p.m.-**Review of Warrants #3 and Abstract #3 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 February 08, 2017, were approved **by a motion from** Councilman Harold Gilchrest, seconded by Councilman Marcus Blanck; passed unanimously 5-0. After review of Warrants and Highway Abstract, **motion** made by Councilman Bruce Ferguson, seconded by Councilwoman Laura Dunham, to pay **Warrants #3 and Highway Abstract #3 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 reported that there were a total of 6 calls for month of February: 3-Salem (1-EMS assist; 1-chimney fire; 1-transformer fire); 1-Jackson (Carbon Monoxide call)

Mutual Aid-Total of 2 calls: 1-Cambridge (stand-by); 1-Cossayuna (structure fire)

**Training-**Monthly air pack/multi gas meter check & equipment check; adapters & hydrants; driver training along w/pump & hand line advancement

**Meetings-**Monthly fire department meeting for February; Fire Advisory Board; support group had a meeting

**Fund-raiser-**Super Bowl chicken bar-b-que

**Total Hours for year-**1,198; report will be filed

**Courthouse-**Janice Quartararo reported that the mural project for the 3<sup>rd</sup> & 4<sup>th</sup> grades was going very well; Thirteen students are taking free cooking classes with Sue Quillio and pottery classes have begun. Lunch, Learn n Play grants have been applied for this year's program. Five local artists will be exhibiting their works in the main hall of the Courthouse and only 7 more people need to sign up for the Weigh Watcher's Program to be held on Mondays @ 3:30 to make the Courthouse an official site for the program. History Lectures will begin next week with Town Historian Al Cormier talking about the Ringling Brothers and Barnum & Bailey Circus. Please check out the courthouse website at salemcourthouse.org for more information about upcoming lectures and programs.

**Highway-** Sup't. Boisclair reported that he and many other highway superintendents from the local area went to the capitol in Albany to ask for more CHIPS money in the State's 2017-2018 budget. The Town can tag on to Oneida County for the two boxes the highway dep't. needs to purchase at a cost of \$61,990.00 through Zwack. **Resolution #28-Motion made by** Councilman Harold Gilchrest, seconded by Councilman Marcus Blanck, to accept the bid with Zwack through Oneida County for the purchase of the two boxes at a cost of \$61,990.00; passed unanimously 5-0. The one-ton that belonged to the former Village is in rough shape, as

well as one of our own. Need to think about putting one or both up for auction or keep putting money into both--approximately \$60,000.00 for one new truck.

Crew has been out plowing and sanding from 02/09 storm; picked up parts for Gradall @ Stonebridge; in early-out early (no O/T) for snow removal under red light; cleaned trucks; pushed snow back on town streets; worked on tailgate of '98; sanded icy spots; took sander off one-ton (550), cleaned & fixed hydraulic line; worked on '98 and '91 new brake can & hydraulic hose; sent one-ton (550) to Carmody for estimate for oil pan; power washed '02; cold patched pot holes; cut/chipped; put boom on tractor and serviced the same; worked on soft dirt roads; hauled gravel; finished pot holes; turned water off in a home in town; hauled stone/gravel to Hart Hill for soft road; graded Hickory Hill; cut/chipped on Quarry; did temporary fix on sink hole on Thomas Street (will fix permanently in spring); trees down due to wind storm; worked on grader; worked on box floor on white ton truck; worked on lights on '07; graded/hauled gravel to Hart Hill; graded Hickory Hill; put sander on white ton truck. Washington County called at 10 p.m. so out to plow and sand slippery roads. Washed trucks; took '02 to Northern (oil leaking from rear seal) cut low hanging trees caused by the high winds; worked on exhaust on '92; filled pot holes on Priest Road; sanded icy spots; picked up parts for '04' picked up cylinders for Gradall in Glens Falls; worked on '04 putting drums/brakes on; put cylinder on Gradall; cut & chipped; Joe and other Superintendents went to Albany to lobby for more CHIPS money on 03/08; report will be filed.

**Georgi Museum**-Wendy Bordwell reported that the Community Building would be opening on April 1, 2017. There will be a celebration of life for Megan Becker by her family on April 28<sup>th</sup>. The family wished to donate a living red maple tree, approximately 6'-8' tall in memory of Megan, if acceptable to the Board. **Motion made by** Councilman Harold Gilchrest, seconded by Councilman Bruce Ferguson to accept the red maple tree being donated by the Becker family in memory of Megan; passed unanimously 5-0.

Survey has been completed by Dave Barass. There will be a meet and greet with Elizabeth Cockey on May 6<sup>th</sup> from 4-6 p.m. May 13<sup>th</sup> will be the annual plant sale at 9:00 a.m. and garden donations from the public will also be accepted. **Deaccessioning Plan**-Members of the committee were hoping to be able to auction the furniture items, approximately 14 items in storage, which the Trustee had originally said they could see no problem with. They are now saying the Will must be followed and selling is in conflict with the originally filed Will instructions and cannot be sold at this time. The Town must petition the Washington County Surrogate's Court Judge to obtain a Waiver to sell any items. **Motion made by** Councilman Bruce Ferguson, seconded by Councilman Marcus Blanck, instruction town attorney Alan Wrigley to draft whatever paperwork is necessary to petition Washington County Surrogate's for the Judge's opinion; passed unanimously 5-0. **Resolution #29-**

**Motion made by** Councilman Harold Gilchrest, seconded by Councilwoman Laura Burch, that a letter be drafted by the Town Attorney to MBT Bank, the Trustee of the Trust, requesting \$15,000.00 from principle funds to be used for repairs/improvements that are necessary at the Museum; passed unanimously 5-0. Wendy also reported that SUNY Plattsburgh has petitioned to hold the paintings they now have for further exhibit by them, which the Georgi Committee approved. **Resolution #30-Motion made by** Councilman Harold Gilchrest, seconded by Councilwoman Laura Dunham, to put the mowing bid for the 2017 season at the Georgi in the Journal-Press; passed unanimously 5-0. Clerk Gilchrist will send the same to the paper.

**Planning Board**-Chairman Maurice Patrick reported that there was nothing on the agenda so the March meeting would probably be cancelled.

**Historian- Historic Preservation Law** is progressing; the Town needs to be approved as a CLG first by NYS with an official application, which was never submitted originally but will be done now. TD Bank wants to do inside and outside renovations to the bank building; they wanted to remove the slate from the roof (this would affect the historic front of the building and the slate could be replaced with new slate but not removed), the drive-thru will be changed and some cosmetic grounds work will be done outside. The bank also requested some sidewalk work. They will be painting and doing other work inside the building. Mr. Cormier responded that something needed to be done about their sign as it was virtually impossible to see

pulling out of the drive-thru. He will work with them on this and feels that the town needs a sign ordinance or local law at least in the Historic District.

**Record Storage**-There is a meeting scheduled this Friday with Marion McCashion from NYS regarding storage of the old Village and Town records and how best to handle the same--the where and the how.

March 16<sup>th</sup> Al will be giving a presentation at the Courthouse on the Barnum & Bailey circus; they will be closing down in June of this year.

**DCO Report**-Nancy Quell absent; report indicated that Court was cancelled due to snow storm and she was requested to check on a chicken issue. She responded that she does not handle issues like this. Municipal Shelter Report received from NYS Department of Agriculture & Markets; everything rated satisfactory. Both reports will be filed.

**Water**-Eric Rogers reported 309 meters in service, with one new water hook-up this month; performing regular upkeep/maintenance, with one water turn-off for the month. Eye wash & fire hydrant checks have been completed; monthly water sample required by DOH met the bacteriological requirements for a public water supply as set forth in the law. Eric wants to meet with Supervisor Pitts to work on the EDU issues/problems with the water. He would like the Board to look into amending the Rules & Regulations for the Water Dep't. (last update was March 2, 2011). The boiler at the water office was inspected; it passed and looked good. Did a meter read; Supervisor Pitts gave Eric some info on a company that does metering and data; he will talk to them to see what they can offer. The Salem Fire Dep't. did a drill on fire hydrant #63, which was pumped out after the drill to prevent the hydrant from freezing. There will be a water school in April this year in Saratoga; the class is one day at a cost of \$60/operator. Both Eric and Travis will be going to a free water school later in arch. **Spring hydrant flushing** will begin the week of April 17-21. Clerk Gilchrist will post a notice in the Journal Press, the town's newspaper. Report will be filed.

### **COMMUNICATIONS**

Supervisor Pitts received a check for stumpage fees from the Washington County Treasurer's Office. NYMIR Risk Management report was received; will be reviewed later in the meeting.

### **PUBLIC COMMENT**

**Flood Mitigation**-Mike Buckowski asked questions re flood mitigation; Supervisor Pitts reported that the Public Works Committee met and looked over Evan's report. Farmers here don't want water coming out on their fields on Route 153 or the berms removed. No one along the former Village river banks want to lose any land so things are at a standstill. Mike had photographs he had taken of the gravel build up underneath the bridge. Supervisor Pitts responded that ENCON would not let the gravel be dug out without permitting the same and only at certain times of the year. He suggested putting the overflow at the bridge and routing the floodwaters in that way. This issue will be addressed at a Public Works meeting in the near future. He thought there was approximately \$18,000.00 left in grant money that would have to be used by December of this year.

### **UNFINISHED BUSINESS**

**SEQRA for Main Street Development Plan**-Supervisor Pitts read the questions on the Short Environmental Assessment Form Part 2-Impact Assessment; all questions were answered 'no' and a **motion was made** by Councilman Bruce Ferguson, seconded by Councilwoman Laura Dunham, to check the box that the proposed action would not result in any significant adverse environmental impacts; passed unanimously 5-0.

**Resolution #31-Motion made by** Councilman Bruce Ferguson, seconded by Councilwoman Laura Dunham, to accept the Main Street Development Plan as presented by Barton & Loguidice at the February 08, 2017, meeting; passed unanimously 5-0.

**Risk Management Inspection Results**-The following are the recommendations from the NYMIR Risk Management Inspection:

1. Policy for prior notice law protection from lawsuits from defects to streets and sidewalks
2. & 3. Fire Alarm and C/O detection system for water barn and highway barn

4. Update Certificate of Insurance with Glens Falls Hospital and Town
5. Hold harmless Agreements with contractors and Dog Control Officer
6. In-service training for all town employees on the following: A. Anti-Discrimination; B. Harassment; C. Workplace Violence (Phil Spezio will conduct these trainings.)
7. Facilities Use Form and Hold Harmless Agreement for Georgi and Courthouse
8. Replace plastic storage cans for gas with safety cans at Water Barn.

**Motion made by** Councilman Bruce Ferguson, seconded by Councilman Harold Gilcrest, to look at above issues re the highway and water barn and to put an RFP in the Journal Press for the fire and security systems at both locations for the weeks of March 30<sup>th</sup> and April 6<sup>th</sup>; passed unanimously 5-0.

**Sewer Study Update**-Supervisor Pitts informed the Board that the Town has been notified that we do have \$20,000.00 from the Economic Opportunity council and the Lake George-Lake Champlain Regional Development Corp. but we are still about \$7,000.00 short to go ahead with the study. He is still researching other avenues and will keep the Board informed of his progress.

**Easement on Health Center Property**-No Permissive Referendum was filed with the Town Clerk during the required period in objection to this Easement.

## **NEW BUSINESS**

**Zoning Amendment**-Supervisor Pitts explained that the new map posted on the bulletin board had been done at his request by Washington County Real Property, showing all current homeowners on South Main from the new Salem Fire Department down to the corner of Route 22 and County Route 64 on both sides of the road that is currently zoned residential; his proposal was to convert this section of a Mixed Use zoning. Board member Laura Dunham questioned the Supervisor why this was coming up now since there was already an application in front of the Planning Board that had not been acted upon. That application was for a sub-division only and never got reviewed as no one came to the Planning Board meeting so nothing could be acted upon. But that application has nothing to do with Zoning as the current owner has to go through sub-division before anything can happen. Supervisor Pitts explained that the Town Board could act upon the change of use, amend the currently filed zoning law with the new use, and file that change with the Secretary of State as a Local Law. Or if and when an application is received, Scott MacNeil, the Compliance Officer for the Town, would have to decide if the current use fit the plans submitted and if not, send the same to the Zoning Board of Appeals, who would set a public hearing on the granting of a Variance from residential to commercial on just that one piece Dollar General was interested in and then vote to change the use or not. Mrs. Dunham was concerned on how that area was the best area to put a Dollar General; Supervisor Pitts responded that reps from Dollar General chose that spot and did not want to have to demolish a structure in order to put up a store. She feels that there are areas to the north end of the former Village "that you could open up zoning on. Why not look up there?" Supervisor Pitts responded that no one has ever come to the Board and said that they wanted to put any business on North Main Street or that no one had come to say they wanted to put businesses in the Village at all. It was asked if the Salem Fire Department had ever received a Variance to put their building on South Main; former Village Clerk Rebecca Brown was in attendance at the meeting and said indeed they had and a public hearing was held and all legalities were followed, granting them a Variance by the former Village Zoning Board of Appeals. After much discussion back and forth and public comments, Town Councilwoman Laura Dunham made a motion to table any change in the current filed Local Law regarding Zoning from residential to mixed use from the Firehouse down to County Route 64 and Route 22 on both sides of the road for sixty (60) days so the matter could be researched further. Councilman Bruce Ferguson felt that if nothing was done, Dollar General would just purchase the property and then go before the 3-member ZBA, who would make the decision on whether or not to grant the Variance. "We will not be able to stop them (Dollar General) from trying to buy that property and going to the ZBA," replied Mr. Ferguson. After more

discussion, the motion to table the zoning change for sixty (60) days made by Councilwoman Dunham was seconded by Councilman Harold Gilchrest. A Roll Call vote was called for: Councilman Harold Gilchrest-Yes; Councilman Bruce Ferguson-Yes; Councilwoman Laura Dunham-Yes; Councilman Marcus Blanck-No; Supervisor Seth M. Pitts-No; motion passed 3-2.

**Open Bids on Surplus Property**-Two bids were received on the 2004 Crown Victoria, previously owned by the former Village of Sale--one from Eric Rogers for \$101.01 and the other from Alex Keys for \$251.50. **Motion made by** Councilman Bruce Ferguson, seconded by Councilwoman Laura Dunham, to accept the higher bid from Alex Keys of \$251.50; passed unanimously 5-0. Clerk Gilchrist will let Mr. Keys know he won the bid and to bring in a check for payment of the same.

**Mobile Home Request**-Mobil Home Application received from Judy Groesbeck; 170 Dunnigan Road in the Town of Salem, (Tax Map #192.-1-3.1) to place a 1988 mobile home on a 10.8 acre lot that already has one mobile home on it. There will be a new septic installed according to County Code Enforcement for the new home coming in and if approved by Code Enforcement, she would like to connect to the same water as the first home. Judy presented a tax map, a drawing showing the current location of the first home and the location of where this 1988 home would go with the approximate location of the septic depending on the perk test. She also supplied several pictures of the mobile home, showing the compliance certificate from the federal government as required by County Code Enforcement. Even though the Town's current Mobile Home Ordinance states only one home per lot, the Board felt there was enough acreage that it would be permissible to locate the 1988 trailer on the other 5.4 acre lot. **Motion made by** Councilman Harold Gilchrest, seconded by Councilman Bruce Ferguson, to grant the Variance for the second trailer on the lot and to allow the 1988 trailer to be placed (the age is over the six-year requirement), subject to the Town of Salem's Site Plan Review and approval of the septic system and electrical/plumbing by County Code Enforcement; passed unanimously 5-0.

**Insurance on Town Trucks**-Supervisor Pitts informed the Board that the trucks were over insured, based on the original purchase price paid for the trucks, and that the premiums could be lowered. After discussing the issue with NYMIR, our insurance carrier, future values will be placed using the Kelly 'Blue Book' values for depreciated vehicles. Supervisor Pitts will set up a meeting with Dick Look, our insurance representative to review the amounts paid.

**Licensed Water Operator Stipend**-Supervisor Pitts explained that the amount of \$1.00/hour for hours worked only on the Water Dep't. agreed upon before only worked out to about \$5.00 extra every two weeks for a Licensed Water Operator. Pitts suggested a stipend of \$2,500, annually, and be done with it; the Town has invested in his education and training and that the former amount sounded good in theory but it isn't turning out to be fair or appropriate. The money would come out of the Water Fund portion of the budget. Councilwoman Laura Dunham responded that she thought the amount was too high and should be reviewed first and Councilman Harold Gilchrist thought more discussion was needed; it was decided to table the matter until the April meeting of the Town Board.

**Topics of Concern by Other Board Members**-Councilman Bruce Ferguson responded by saying that he had attended the Library Board's meeting on March 7<sup>th</sup>, 2017, and requested that the Board approve the appointment of Alesa Wilson on the Library Board. He told the board that he felt Alesa was a very good choice for the position so **on a motion** from Councilman Bruce Ferguson, seconded by Councilman Marcus Blanck, the Town Board approved Alesa Wilson as a member of the Library Board; passed unanimously 5-0. Clerk Gilchrist will contact Alesa regarding swearing her in for the position and get the term from President, Kimberly Erbe.

**Next Regular Monthly Meeting**-The next regular monthly meeting of the Salem Town Board will be held on Wednesday, April 12, 2017, in the Salem Town Office; review of Warrants #4 & Abstract #4 to begin at 6:30 p.m., regular meeting to begin at 7:00 p.m.

**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 8:35 p.m.

Respectfully submitted:

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