

**TOWN OF SALEM**  
**REGULAR MONTHLY MEETING-SALEM TOWN BOARD**  
**JUNE 14, 2017 MINUTES**

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

**Others Present:** Eric Rogers-Water Dep't.; Maurice Patrick-Planning Board; Al Cormier-Historian; Jean McLenithan-Assessor; Bob Graham-Salem Fire Chief; Kim Erbe-Planning Board Clerk; Caryn Mlodzianowski-Bohler Engineering; Caitlin Johnston-GJ/SP; Nicole Cartin-The Eagle Newspaper

**Absent:** Joe Boisclair-Highway; Wendy Bordwell-Georgi; Janice Quartararo-Courthouse; DCO-Nancy Quell

**Public Present:** Thirty (30) names on sign-in sheet; will be attached to these minutes; too many to list.

**6:30 p.m.-**Review of Warrants #6 and Abstract #6 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 **05/10/2017-Regular Monthly Meeting Minutes were approved with one change-Councilman Bruce Ferguson** requested that on Page 3 under **Bancroft Library Refurbishing** that the Salem FFA has agreed to find another location for their annual July 4<sup>th</sup> chicken bar-b-que--not that there is a possibility they will have to look into moving to another location. Motion **made by** Councilman Marcus Blanck, seconded by Councilman Harold Gilchrest, to approve the regular monthly meeting minutes from May 10, 2017, with the one change as so noted; passed unanimously 5-0. After review of Warrants and Highway Abstract, **motion made by** Councilman Marcus Blanck, seconded by Councilman Bruce Ferguson, to pay **Warrants #6 and Highway Abstract #6 of 2017** as presented; passed unanimously 5-0. **Supervisor's Reports** were presented for review and approval; **motion** made by Councilman Harold Gilchrest, seconded by Councilman Marcus Blanck, 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 stated there were a total of 17 calls for month of May: 13-Salem (2-fire alarm activation; 1-four-wheeler accident; 10-trees & power lines down); 1-Jackson (EMS lift assist) Mutual Aid-3; 2-Hebron (1-MVA; 1-stand-by); 1-Rupert, Vt. (stand-by)

**Training-**Quarterly air pack; driver training; rescue jack training; ladders; portable pump

**Meetings-**Monthly fire department meeting; town board meeting; Chief & Officers mtg. held in Salem

**Fundraisers-**Memorial Day BBQ & plant sale

**Total Hours for year-**3,228; report will be filed

Don't forget the Fire Department's Open House at their new fire house on Saturday, 6/10, from 2:30 p.m. on!

**Courthouse-**Janice Quartararo absent. Al Fresco tickets still available for the Fundraising Dinner to be held on July 29<sup>th</sup> from 5-9 p.m. Chef Bill Richter will be back again this year; prices for the tickets will go up after July 1<sup>st</sup> so purchase yours early!

**Highway-** Sup't. Boisclair absent but report provided. Began paving Thomas Street & Scott Lake; graded Blossom, Beattie Hollow & Blind Buck pot holes; took '02 to Zwack's to have box put on; mowed in Town; cut/chipped Black Creek & Cemetery; black-topped Scott Lake; graded Little Lane, Bowers, Center & Steele Rds.; painted '04; finished black topping on Scott Lake; Joe & 2 men to MSHA class in Fort Edward; painted '04 second coat; 4 men to MSHA training in Ft. Edward; worked around barn; dropped off '04 for box and picked up '02; put new head on mower & mowed in Town; worked on lights/hydraulic on '02; 2 men to flag school; graded potholes in Shushan; installed 18" x 40' culvert on Quarry Rd.; hauled gravel & graded Brook Lane; cleaned/weeded Archibald Street Bridge; started sand blasting one-ton; mowed/weeded in Town; picked up '04 @ Zwack's; rebuilt starter on grader; mowed McKinney, Black Creek & Joe Bean Roads; graded Butcher, Kaufman & Tug Hollow in Shushan; sandblasted one-ton; worked around library (fixed flower bed wall); worked on '04 & around barn; mowed in Town & Smith Rd; mowed Chambers/part of Beattie Hollow Rds.;

cut weeds around bridges on Joe Bean, McKinney & Black Creek Rds.; worked on box on '02 (lights, etc.); mowed Beattie, Blind Buck, Riley Hill Rds.; cut/chipped Steele Rd. & Black Creek Rd.; welded on '02; mowed Scott Lake & Steele Rds.; filled washouts on Riley Hill then graded; graded Quarry & Lower Bogtown pot holes; worked on '02 hoses & /04 box; mowed Co. Rte. 153; made gravel; worked on lights on box on '04; went to Troy to pick up parts for screener; worked on '04; mowed Perry Hill; borrowed shoulder machine from County to work on shoulder on new pavement; report will be filed.

**Georgi Museum**-Wendy Bordwell absent. Councilman Harold Gilchrest reported that the website was up, running and looking good. **Resolution #45-Motion made by** Councilman Harold Gilchrest, seconded by Councilman Marcus Blanck, giving Wendy Bordwell permission to apply to Peckham for a grant; passed unanimously 5-0.

**Resolution #46-Motion made by** Councilman Harold Gilchrest, seconded by Councilman Marcus Blanck, authorizing Supervisor Seth Pitts to sign the Contract with Arthur Hempel of Castle Enterprises so the interior work can begin at the Georgi Museum and for the board to sign and approve a Voucher for one-half the amount due at signing of the Contract; passed unanimously 5-0.

**Planning Board**-Chairman Maurice Patrick reported that currently there was 1 application for the June mtg.

**DCO Report**-Nancy submitted a Voucher for mileage only; took care to six complaints for April.

**Historian**-Al Cormier reported that he had a successful program at Fort Salem Theatre and a successful program on World War I at the Courthouse. He presented the diary of Salem native Louis LaTulippe from that era. July 21<sup>st</sup> @ 10:00 a.m. there will be a dedication ceremony at the Washington County Building for the replica of the 123<sup>rd</sup> Civil War Battlefield flag that has already been hung on the wall at the County Building.

**TD Bank**-Contacted the Planning Board after the Historic District passed along its suggestions. TD will move the sign out front to the side of the steps where it should no longer interfere with visibility leaving the bank parking lot. The Historic Preservation Committee held their last meeting for the summer; a certificate of appreciation was presented to Braymer Fuels for the renovation work done on their building.

**Water**-Eric Rogers reported 310 meters in service, with no new water hook-ups this month. Regular upkeep & maintenance was performed; finished lead & copper monitoring plan and met with the Dep't. of Health, who granted approval for the plan. Will be starting summer dead end fire hydrant flushing soon; this helps to keep the water moving in low water used spots. Eye wash/fire hydrant checks have been done; monthly water sample required by DOH met the bacteriological requirements for a public water supply as set forth in 5-1.5 of the State Sanitary Code under Public Health Law 225. June's iron and mineral test results will decide what well will have to be pulled, cleaned & replaced this year to keep up with the 3-year plan for well cleaning/maintenance so that all 3 wells will not have to be done in one year. Meeting w/Badger Meter the week of June 19<sup>th</sup> to see what they have to offer; base numbers for the meter read update looks to be around \$8,500.00. Met with Supervisor Pitts re EDU's, Rule/Regulations and Badge Meter issues. Working on updating/making minor modifications and will have more info in the coming months.

Eric has a new e-mail address: [salemwaterdept@gmail.com](mailto:salemwaterdept@gmail.com). Report will be filed.

**Resolution #47-Motion made by** Councilman Marcus Blanck, seconded by Councilman Bruce Ferguson, to declare the mower with the bent shaft as surplus equipment and sell it or otherwise dispose of the same. Passed unanimously 5-0

A sign was found at the storage area of the former Village located near the Revolutionary War Cemetery. It has all the local men listed from World War II. Seth, Eric and Historian Al Cormier will meet to see if this is anything that could be salvaged and saved.

### **Communications**

Letter rec'd. from NYS Department of Transportation re the Shared Service Agreement between the T/O/S & the NYSDOT that will expire in the very near future. This agreement allows the NYSDOT to provide emergency assistance to municipalities in the absence of a governor's Emergency Declaration. For services or materials

that are valued at less than \$10,000.00, NYS Comptroller rules allow NYSDOT to trade services under a simple one-page agreement; this facilitates things more quickly when an emergency arises. "Having this Plan in place will ensure that there are no procedural obstacles to our sharing of resources, if and when the need arises," the letter states. There are two proposed SSA's that provide the option of renewing for 1, 2 or 4 year terms.

**Resolution #48-Motion made by** Councilman Marcus Blanck, seconded by Councilman Harold Gilchrest, instructing Supervisor Pitts to renew the Shared Services Agreement for two (2) more years for emergency assistance; passed unanimously 5-0.

**UNFINISHED BUSINESS**

**Workplace Violence In-Service**-Will be held Tuesday, June 27<sup>th</sup>, @ 6:00 p.m. at Proudfit Hall, with Phil Spezio conducting the workshop; required of all Town employees.

**Sewer Study Kick-off & Update**-Kick-off letter received from Ron Laberge; Supervisor Pitts asked Councilwoman Laura Dunham if she would find some community members willing to serve on the committee and she said she would be glad to.

**NEW BUSINESS**

**Fuel Tank @ Highway Barn**-The in-ground fuel tanks that hold #2 fuel must be removed per DEC to above-ground w/cement enclosure. Highway Sup't. Joe Boisclair received one bid from Highland Tank & Mfg. Co. of Watervliet, NY, at a cost of \$3,014.74. There are not that many companies that do this kind of work, especially in this area. **Resolution #49-Motion made by** Councilman Bruce Ferguson, seconded by Councilman Harold Gilchrest, to accept the bid from Highland Tank & Mfg. Co. at a cost of \$3,014.74; passed unanimously 5-0.

**Mowing of County Route 153-Contract w/County**-The contract for mowing 5.49 centerline miles of County Route 153 for a lump-sum payment of \$1,479.56 (\$269.50 per centerline mile), for the period June 1-November 1, 2017. Cutting will be started no earlier than June 15<sup>th</sup>, 2017 and be completed no later than July 14<sup>th</sup>, 2017. The second cutting will be to mow as much of the Right-of-Way as possible averaging not more than three (3) cuts wide on each side of the highway. Second cutting will be started no earlier than August 1<sup>st</sup>, 2017, and be completed no later than September 15<sup>th</sup>, 2017. Town Superintendent of Highways will notify the County Department of Public Works at the start and finish of each cutting. All work is to be performed in a manner satisfactory to the County Superintendent of Public Works.

**Resolution #50-Motion made by** Councilman Harold Gilchrest, seconded by Councilman Marcus Blanck, instructing Town Highway Superintendent Gerald Boisclair to sign the Contract presented by the County Superintendent of Public Works for the 5.49 centerline miles of County Route 153 at a cost of \$269.50/centerline mile for a total of \$1,479.56; passed unanimously 5-0. Clerk Gilchrist will mail the Contract back to the Superintendent of Public Works, requesting a duplicate original for our file.

**Temporary Sprint Tower**-A representative from Aerosmith Development was in attendance at the meeting to find out what was necessary to install a temporary tower by the Water Barn. Kimberly Erbe, Planning Board Clerk, responded that the tower could not be over 100' and that they would have to come before the Planning Board with plans and a specific location. The temporary tower would be no more than 100' in height near the water tower for a minimum of one (1) year to determine if it would be viable to put in a more permanent structure. The town would receive \$650/month if the plan is approved. **Motion made by** Councilman Bruce Ferguson, seconded by Councilman Harold Gilchrest, giving permission for Aerosmith Development to move to the Planning Board stage with their plans. They will also work with Water Superintendent, Eric Rogers, to determine the best location by the Water Tower; passed unanimously 5-0 to present their request to the Salem Town Planning Board.

**Open RFP's for Courthouse Records Management Renovations**-Received two (2) RFP's for renovations in the Courthouse basement for storage of former Village and Town records according to specs put out by T/O/S:

1-Riche Builder's-Todd Riche-244 Beattie Hollow Road-Salem, NY-Cost of \$8,840.00

2-Arthur Hempel-Castle Enterprises-1260 County Rte. 153-Salem, NY-Cost of \$9,250.00

80% of the project is paid for with funds from the Citizens Empowerment Grant--20% will be paid by Town.

The Board felt that Supervisor Pitts should review the bids line by line for comparison to make sure that the two were submitting RFP's for the same project. **Resolution #51-Motion made by** Councilman Bruce Ferguson, seconded by Councilman Harold Gilchrest, to accept the lower RFP submitted by Riche Builder's-Todd Riche-in the amount of \$8,840.00 if the comparison was the same; passed unanimously 5-0.

**Assessor Jean McLenithan-Assessing & Taxes-** Assessor Jean McLenithan began her presentation by informing those present that the Town had at least twelve (12) foreclosures recently, which she felt was quite high. These properties are bought at significantly lower prices depending on the condition of the property, which usually is not very good. Foreclosures and sales have been a lot less than they are assessed for and nowhere near the listed market value. Values are lower, making it very difficult during budget time; you also have to think about School mandates. There are currently only 488 students in Salem Central School. \$100,000 properties are being sold for \$12,000.00. Combination parcels also out-weighed sub-divisions; five (5) parcels were lost from 2016-2017 due to combining parcels. There are currently 1762 parcels--1688-taxable; utilities-18; 7-special franchise and 49 are wholly exempt. You are assessed for what you have as of March 1<sup>st</sup> every year. The equalization rate indicates a loss of value to the Town due to sales recorded for the year. Re-Val of the total town would cost approximately \$127,000-\$150,000.00 if done properly and should be scheduled in the near future. Jean gave hand-outs to the board and those present comparing 2016 and 2017. The former Village had sales that are far less than assessed values. Two sales on Main Street lost about \$200,000 in value. Foreclosures and flood damaged properties have reduced property values and increased the equalization rate. Outside the former Village, sales have been stronger and a re-val would adjust the assessed values to reflect the changes. County tax concerns are losing General Electric in the Town of Kingsbury. GE is requesting a reduction in taxes of \$40+million. If this is granted, what will the 17 towns in Washington County have to come up with in the form of increased taxes in January of 2018?? This is a big concern for all 17 towns in the County and taxpayers should be made aware of a potential increase in County taxes.

**Resolution #52-Motion made by** Councilman Laura Dunham, seconded by Councilman Harold Gilchrest, to transfer money to pay for two dump boxes on trucks as follows:

DA5130.2 Equipment	\$ 35,424.00	
DA5130.4 Contractual expenses		\$ 35,424.00

Passed unanimously 5-0

**Resolution #53-Motion made by** Councilman Harold Gilchrest, seconded by Councilman Marcus Blanck, to transfer money to pay for shortage on interest payment for BAN as follows:

DA9730.71 BAN Interest	\$ 1,097.60	
DA5130.4 Contractual expenses		\$ 1,097.60

Passed unanimously 5-0

**Resolution #54-Motion made by** Councilman Bruce Ferguson, seconded by Councilwoman Laura Dunham, to transfer money to pay shortage on Barton & Loguidice (Economic Development is now at 0) as follows:

A6989.4 Economic Development	\$ 869.00	
A1620.4 Office Contractual		\$ 869.00

Passed unanimously 5-0

**Zoning Law Amendments/Changes-**No comments were received from the Washington County Planning Board; Town of Salem Planning Board made recommendations with some concerns that were presented at the first Public Hearing on June 7<sup>th</sup>, 2017. Another name could be used for the newly created district other than 'Mixed Use Zone' but Attorney Kara Lais felt that this terminology should stay. She responded that the trash issue could be very challenging and that it would be very difficult to prove 'noxious' or 'public nuisance', so just include the wording that all trash & trash receptacles would have to be concealed from public view and be properly contained. The Planning Board also commented on establishing some limit on hours of operation and Attorney Lais explained that there was 'a considerable amount of legislation' regarding limiting hours; if the law is challenged in any way, it's very hard to determine what a court of law would say. She gave the

Board a hand-out listing many different opinions in case law regarding this topic for the Board to review. The Town should also consider a local law regarding sign size, height, placement, etc., as both the prior Village's law and the Town's law apply mainly to billboards. Copies of the new Resolution and Local Law #3 of 2017 with the suggested changes included from the Planning Board to amend the Zoning Law were presented to the Board members. Councilwoman Laura Dunham still adamantly disagrees with the proposed zoning law changes and feels that the Board is just trying to find a way to run around the current zoning law. She still feels everything is being rushed through to accommodate one business. Time is needed to come up with a plan for the future of Salem so that it will grow for the next 20-25 years and in the right direction. Supervisor Pitts responded, saying that hundreds and hundreds of dollars could be spent, hiring professionals to come up with a 20-year plan and no matter where something was going to be built, someone would always have something to say about it. **Resolution #55-Motion made by** Councilman Bruce Ferguson, seconded by Councilman Marcus Blanck, to include the suggested changes that the Planning Board requested as presented by Attorney Lais and as discussed by the Town Board to Local Law #3 of 2017 and to schedule the second public hearing for July 12, 2017, at 7:00 p.m. at the Salem Volunteer Fire Department, Inc.'s new firehouse, located at 53 South Main Street (NYS Route 22); Salem, NY. **Roll Call Vote:** Councilman Harold Gilchrest-Yes; Councilman Bruce Ferguson-Yes; Councilman Marcus Blanck-Yes; Councilwoman Laura Dunham-No; Supervisor Seth M. Pitts-Yes; passed 4-1

**PUBLIC COMMENTS**

**Rob Southerland**-The Town needs planning beforehand; Salem is a vibrant agricultural community and he does not feel that Dollar General says 'Salem', even though it might be a gateway to many other small towns. He quoted writer Max McKeown, saying "Change is inevitable—progress is not".

**Cynthia Weinrich**-Sent a letter prior to the meeting to all Board members with her views but stated at the meeting that she feels special cases make bad law. She feels threatened by zoning changes that could happen at any time to any landowner.

**Crystal Burch**-responded by saying that she owns several pieces of land in the Town of Salem and property values are decreasing and something needs to be done to help the tax base. She feels that we have nothing here for people to come to Salem for. Most importantly, we all need to be respectful of everyone's points of view whether we all agree or not.

**Cathy McKeighan**-Property values continue to drop and more properties are going up for sale every week. She feels that Dollar General probably won't bring in a huge amount of business but that Salem needs something!

**Natalie Kennedy**-Doesn't feel that there will be that much of an increase in traffic in that area when NYS Route 22 is already one of the busiest roads in the area. Four parcels currently sit empty and their values are declining. She is in favor of the requested Planning Board changes.

**Kim Harrington**-Will the Town be able to limit any business that may be interested in locating in the same area as Dollar General? Yes

**Heather Bellanca**-Everyone is concerned about people moving away and property values going down. Who is buying property in this area; what for? Everyone should be concerned about the best possible way for getting people to re-locate to this area and look at what can be done to increase property values. Careful planning is needed.

**Julie Brown**-responded with be careful what you wish for; Salem had a market and it wasn't viable.

**Town Councilman Harold Gilchrest**-commented that the former Village residents voted to dissolve their Village, a plan was created and dumped in the laps of the Town Board members without Town residents being able to vote on the same. He feels that the Town got along quite nicely without zoning up to this point and even though zoning is in place in the former area of the Village, he would like to see it gone. He feels that the current location is a fine spot for Dollar General to locate.

**Motion made by** Councilman Marcus Blanck, seconded by Councilman Harold Gilcrest, to adjourn the monthly meeting of the Salem Town Board; meeting adjourned at 8:20 p.m. Passed unanimously 5-0

**Public Hearing on Zoning Law Amendment & Next Regular Monthly Meeting**-The second public hearing on changes to the Zoning Law (which were requested by the Town of Salem Planning Board) will be held on Wednesday, July 12, 2017, at the new Salem Firehouse, located @ 53 South Main Street (NYS Route 22); Salem, NY, beginning @ 7:00 p.m. The regular monthly meeting of the Salem Town Board will follow the Public Hearing. Review of Warrants #7 & Abstract #7 will begin at 6:30 p.m., as usual.

Respectfully submitted:

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



