

TOWN OF SALEM
REGULAR MONTHLY MEETING-SALEM TOWN BOARD
JULY 12, 2017 MINUTES

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

Others Present: Joe Boisclair-Highway Eric Rogers-Water Dep't.; Maurice Patrick-Planning Board; Al Cormier-Historian; Janice Quartararo-Courthouse; Jean McLenithan-Assessor; Bob Graham-Salem Fire Chief; Kim Erbe-Planning Board Clerk; Rebecca Brown-Water Clerk; Caitlin Johnston-GJ/SP; Nicole Cartin-The Eagle Newspaper

Absent: Wendy Bordwell-Georgi; DCO-Nancy Quell

Public Present: Forty (40) names on sign-in sheet; will be attached to these minutes; too many to list.

6:30 p.m.-Review of Warrants #7 and Abstract #7 of 2017 for payment.

7:00 p.m.-The second public hearing on the zoning amendment was opened by Supervisor Seth Pitts, followed by Pledge of Allegiance. (Separate minutes on the Public Hearing) **Regular Monthly Meeting** of the Salem Town Board began at 7:55 p.m. **Motion made by** Councilman Harold Gilchrest, seconded by Councilwoman Laura Dunham, to approve the following sets of minutes: a.) special Town Board meeting minutes from May 17, 2017, to open RFP's for Georgi renovations; b.) Public Hearing on Zoning Amendment from June 07, 2017 meeting; c.) regular monthly meeting of the Salem Town Board on June 14, 2017; 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 #7** and **Highway Abstract #7 of 2017** as presented; passed unanimously 5-0. **Supervisor's Report** was presented on Georgi Museum for review and approval; **motion made by** Councilman Bruce Ferguson, seconded by Councilwoman Laura Dunham, to sign and approve the Georgi Supervisor's Report as presented; passed unanimously 5-0. (Clerk to Supervisor Kathleen Chambers was having issues with her computer so no other reports were able to be provided at this time.) **Bank statements** were provided and reviewed by the Board.

DEPARTMENT REPORTS:

Salem Fire Department- Chief Graham reported 1 call for month of June: 1-Salem (alarm activation)

Training-All monthly checks on equipment were performed; did driver training; **OSHA Mandates-**Yearly gear inspection was done; all gear passed.

Fundraisers-Started getting carnival grounds ready for July 4th carnival

Total Hours for year-3,489; report will be filed

Courthouse-Janice Quartararo reported that 150 kids signed up for Lunch, Learn n Play; the daily average is 70-80. Kids have done farm photography with ASA and visited Laura's garden to do flower arranging.

Al Fresco will be held on July 29th; tickets are going fast (only about 30 left)-\$70.00/ticket. Looking for volunteers for that day if anyone is interested.

Washington County Band-is performing on July 18th on the lawn.

Highway- Sup't. Boisclair reported that the boxes are back, the grad all in back and the screener is working. Have been working on shoulders on Scott Lake Rd.; mowed in town; finished shoulders and moved machine to Argyle; fixed screener; put stone in ditch by Bogtown to slow water; cut/chipped downed trees on Binning; graded in Shushan; spread topsoil/seeded lawn on Williams St.; graded Moon Hill, Dillon Hill & Kilburn Rd.; took care of downed tree in Camden Valley; graded/hailed gravel to Hickory Hill; mowed carnival grounds; training man on tractor; hauled gravel & graded Hickory Hill & Hart Hill; worked on screener; mowed; took 2014 to Western Star; worked on '02 & '04 boxes; mowed in Town; safety meeting for all men all day on 06/21; picked up '14; worked on welding screener; mowed; county called-tree down; put new belt on screener; made gravel; got new part for grad all; graded Butcher Rd.; worked on culvert by water barn; finished grad all; cleaned beavers on Scott Lake; worked on box on '04; mowed/trimmed in Town; graded

Kilburn/Dillon Hill; made gravel; one man to County to help run grad all; graded ditches on Priest Rd.; graded Quarry Rd. pot holes; ditching on Quarry; cleaned banks; graded pot holes/ditches on Tug Hollow, Pitts Hill & Fleming Rds.; worked on '04 hoses; serviced grader; fixed heater coil in grader; hauled gravel/graded on Tug Hollow; filled wash-out spots on Scott Lake & Cemetery Rds.; mowed. Report will be filed.

Georgi Museum-Wendy Bordwell absent. Councilman Harold Gilchrest reported that renovations to the museum were progressing nicely (being done by Art Hempel). Web Site up and running, with rates listed on the site for rentals. Councilman Gilchrest thought the site was much better than previous and user friendly.

Planning Board-Chairman Maurice Patrick reported that there would definitely be a meeting for July; unsure how many applications there are currently.

DCO Report-

Historian-Al Cormier would like to get quotes from professional evaluators/archivists to review the records that will need to be stored for the former Village and the Town. The Board told him to go ahead with the quotes. New flags are needed in the Revolutionary War Cemetery at a cost of \$236; order and present a Voucher for payment of the same. There will be a dedication ceremony for the hanging of the 123rd Regiment flag at the Washington County Municipal Center, Bldg. B, on 07/21 @ 10 a.m.

Historic Preservation Committee-will not be holding a meeting in July but will meet in August. Mr. Cormier handed out a list of the members of the Commission with their terms of office, including dates, their e-mails and phone numbers.

TD Bank-replacing molding that is not quite done yet; still need to move the outside sign so exiting the parking lot will be safer; cannot currently see cars coming up the street.

Revolutionary War Cemetery-Jim Carrolan was present and indicated that he thought the Salem Rotary was interested in beginning a stone cleaning project in the cemetery. The biodegradable solution only costs about \$185 for a 5-gallon tub. The solution is put into a tank sprayer, spray the stones and rinse with water and spray again with the solution. This was used in Holy Cross Cemetery with much success; they are about ¾'s completed there and have used approximately 10 gallons of solution. If the Rotary wishes to proceed with the project, would the Board approve the same? They wouldn't object to money from the Board but could also seek donations from the public. **Motion made by** Councilwoman Laura Dunham, seconded by Councilman Marcus Blanck, giving permission to the Salem Rotary Club to proceed with cleaning of the stones in the Revolutionary War Cemetery; passed unanimously 5-0.

Human Bone-The human femur bone from the 1700's that had previously been analyzed by NYS was buried back in the Revolutionary War Cemetery, encased in concrete, with the help of water superintendent, Eric Rogers. The bone had been dug up previously by a woodchuck and carted somewhere else in the cemetery. It could not be determined what grave the bone had come from but the concrete should deter any further mischief from the woodchucks!

Water-Eric Rogers reported he now has a new computer; his blew up! He is trying to restore files. There are currently 311 meters in service, with 1 new hook-up & one that was disconnected a few years ago and got turned back on. Regular upkeep & maintenance was performed; 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 done; monthly water sample required by DOH met the bacteriological requirements for a public water supply as set forth in subpart 501.5 of the State Sanitary Code. Iron & mineral test results for June will determine what well will be pulled, cleaned and replaced this year so we can keep up with our 3-year plan for well cleaning/maintenance. This will prevent having to pull all 3 wells in one year. Well #3 was done last year. Finally talked to someone from Badger Meter and got some better numbers; new meter reading software is needed. Supervisor Pitts has the information. Met with Supervisor Pitts about reviewing EDU's Rules & Regulations. Working on updating & doing small modifications; more info in coming months.

There are currently 20 meters that don't work and the system is 14 years old. Supervisor Pitts handed out what the cost of the software upgrade would be for the water system and said that there were currently funds in the water budget to do this. Costs are as follows: Software Upgrade-\$5,740 (you can access software anywhere w/internet connection; includes 10 years of mobile hosting fees for 300 units; first year Mobile Read Module License; first year Mobile Read User License (1)); Reading Equipment-\$8,112 (Panasonic Toughpad Tablet; ORION CE Receiver Kit); 20, HRE Registers with ORION CE radios at \$125/each = \$2,500; one-day of onsite training-\$2,300 (can do training on the internet but it's the same price so it would be better to have someone come on-site) for a total of \$18,652. (Annual maintenance begins in the 2nd year: Mobile Read Module License-\$900; Mobile Read User License-\$360/user); pricing expires 12/31/2017.

Resolution #57-Motion made by Councilman Bruce Ferguson, seconded by Councilman Marcus Blanck, to proceed with the purchase of the software upgrade for \$5,740, the reading equipment for \$8,112, the radios @ \$2,500 and the one day on-site training of \$2,300 with Badger Meter; passed unanimously 5-0. Eric will set up a meeting with Badger Meter.

Resolution #58-Motion made by Councilman Bruce Ferguson, seconded by Councilman Marcus Blanck, to add the Queensbury Water Department of the pre-pay list; passed unanimously 5-0.

Eric has a new e-mail address: salemwaterdept@gmail.com. Report will be filed.

Communications-None

UNFINISHED BUSINESS

Greenway Grant-Councilwoman Dunham gave packet to Clerk to Supervisor Kathleen Chambers so she could attach copies of all cancelled checks paid with the invoices of Barton & Lougidice's showing total payment of \$13,500 for the Main Street project. The reimbursement grant from the Greenway would be \$7,500.

Sewer Study Kick-off & Update-Kick-off meeting held @ Town Office on 07/11/17 w/Laberge and the committee--members are: Supervisor Pitts; Councilwoman Laura Dunham; Sue Clary; Nancy Hand Higby; Dave Glover (Salem School); and Tom Tanaka. The cost of the study will be approximately \$29,000; we are currently \$1,500 short of that goal. The business proposal would be from the former Shirt Shop to Stewart's, if feasible. The study will also look at a system covering the area of the former Village boundary and where to put a waste treatment facility, etc. Cost will be the biggest issue.

Sprint Tower Update-Supervisor Pitts reported that no one has returned any of his phone calls; still waiting.

Courthouse Records Management Renovations-Voucher will be signed at tonight's meeting to pay Todd Riche one-half the cost of the renovations for record storage at the Courthouse. The Town will have to pay first before any sort of reimbursement.

DEC & Fuel Tank @ H'Way Barn-All of the paperwork/permits for removing the underground fuel oil tank at the highway garage has been sent to DEC; just waiting on their approval.

NEW BUSINESS

2018 Budget Process-Supervisor Pitts would like to begin having 2018 Budget Workshops sometime in August-preferably on Wednesdays @ 6:00 p.m. Set time & date at August monthly meeting.

Zoning Law Amendments/Changes- Washington County Planning Board will be meeting tomorrow morning, July 13th, reported Attorney Kara Lais, so she should be hearing from them shortly. She explained that a Petition had been presented prior to the meeting to Clerk Gilchrist, signed by 3 landowners in objection to the proposed Zoning Amendment changes and would have to be reviewed for its legality. Part I of the Short Environmental Assessment Form was filled in prior and we now need to proceed to answering the questions in Part 2-Impact Assessment; Kara read the following to the Board for its response:

- 1.-Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?
No or small impact may occur; passed unanimously 5-0
- 2.-Will the proposed action result in a change in the use or intensity of use of land? No, or small impact may occur. Four (4) board members voted no, or small impact; one board member felt the action would be a moderate to large impact in the use or intensity of use of land; passed 4-1 No, or small impact with

Councilwoman Dunham voting moderate to large impact may occur.

- 3.-Will the proposed action impair the character or quality of the existing community? No, or small impact may occur. Four (4) board members voted no, or small impact; one board member felt the action would a moderate to large impact to the character or quality of the existing community; passed 4-1 No, or small impact with Councilwoman Dunham voting moderate to large impact may occur.
- 4.-Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)? No or small impact may occur; passed unanimously 5-0
- 5.-Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway? Four (4) board members voted no, or small impact; one Board member felt the action would be a moderate to large impact in the existing level of traffic; passed 4-1 No, or small impact with Councilwoman Dunham voting moderate to large impact may occur.
- 6.-Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonable available energy conservation or renewable energy opportunities? No, or small impact may occur; passed unanimously 5-0
- 7.-Will the proposed action impact existing: a. public/private water supplies? b. public/private wastewater Treatment utilities? No, or small impact may occur to both a. & b.; passed unanimously 5-0
- 8.-Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources? No, or small impact may occur; passed unanimously 5-0
- 9.-Will the proposed action result in an adverse change to natural resources (e.g., wetlands, water bodies, Groundwater, air quality, flora & fauna)? No, or small impact may occur; passed unanimously 5-0
- 10.-Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems No, or small impact may occur; passed unanimously 5-0
- 11.-Will the proposed action create a hazard to environmental resources or human health? No, or small impact may occur; passed unanimously 5-0

Resolution #59-Motion made by Councilman Bruce Ferguson, seconded by Councilman Marcus Blanck, to check the box in Part 3-Determination of Significance-that the proposed action will not result in any significant adverse environmental impacts; passed unanimously 5-0.

Councilman Harold Gilcrest requested to make comments before the amendment came to a vote. He stated that he feels the process has gone on for many months and felt the situation had been handled poorly. He was surprised to learn that any property on State Route 22 in the former Village couldn't be sold as commercial. He was in favor of unzoning the whole area and felt that if there had been property available on the other side of Pizza World, the Town wouldn't be acting on this at all because it would be out of the former Village boundary. "The whole zoning law needs to be done over again properly or done away with entirely", he stated. He feels this is the closest that Salem will ever get to some kind of a grocery store.

Councilman Bruce Ferguson-commended the public for coming to so many meetings and expressing their opinions on the subject. He also reminded those present that sub-division still had to be done before the Planning Board and Dollar General would have to appear with their plans for the building and that would go before Site Plan. The Planning Board could well have many questions and/or concerns.

Councilwoman Laura Dunham-is still very much in disagreement with the zoning change. She feels that the Board is just going around laws that are already established, this sets a precedent for the future. "If current laws are inconvenient, then we'll just go around them", she responded. And that is a bad message to the sending to Town residents. Just because one developer wants that particular piece of property, doesn't mean that is what is in the best interests of the Town as a whole; we should be considering what is best for the future of Salem.

Councilman Marcus Blanck-feels that personal opinion should not enter into the vote for him. He feels that the majority of those people who have come month after month and also those people who have spoken to him personally, are in favor of having something come to Salem and it just happens that Dollar General is the

one interested. He feels that it's not his decision but that it's the people's decision and he needs to vote that way.

Resolution #60-Motion made by Councilman Marcus Blanck, seconded by Councilman Bruce Ferguson, adopting Local Law No. 3 of 2017 to amend the Zoning Law of the Town of Salem, to establish a new district to be known as the "Mixed Use District" and the Town Board issues a Negative Declaration in connection with its findings pursuant to the State Environmental Quality Review Act ("SEQRA"), under 6NYCRR Part 617 et. seq., relative to the adoption of the Local Law, whereby the adoption thereof constitutes an Unlisted Action that will not have any significant adverse impact upon the environment.

Roll Call Vote: Councilman Bruce Ferguson-Yes; Councilman Harold Gilchrest-Yes; Supervisor Seth M. Pitts-Yes; Councilman Marcus Blanck-Yes; Councilwoman Laura Dunham-No; passed 4-1

PUBLIC COMMENTS

Mike Buckowski-There is still a one-year extension on the grant money? Supervisor Pitts responded yes, until December 31, 2017. If the money wasn't used by that time, another extension would have to be applied for prior to that date but he wasn't sure if NYS would grant another extension. Was this based on Evan Fitzgerald's report? He feels there are other measures that can be taken to reduce the flooding that were brought up after the Fitzgerald study but nobody is responding to those ideas. Supervisor Pitts responded that he was done with the flooding issue--discussing and discussing ideas when no one wants to do anything to help the situation. No one will give up any of their land and no one can agree on anything to be done. Tina Fleming responded "Take my land; use my property" for a box culvert (this was one suggestion after the flooding) but Supervisor Pitts responded by saying that you told me no, you wouldn't give up what little land you had left. The Archibald Street bridge causes the flooding; the public doesn't want the bridge removed and Washington County won't take it out so this continues to be an issue. Councilwoman Dunham responded by saying that she will meet with those interested and take over the project from Supervisor Pitts.

Joseph Wever-responded by saying that when the former Village tried to dig out the stream, they were fined \$40,000 originally by DEC and had to do other work to make up for the amount of the fine. US Fish & Wildlife did some work but that didn't last, either.

Mike Miller-said Beattie Hollow Road was a mess; he understands that the grad all has been down for a few weeks but isn't there any other equipment that can be used on the roads? The grad all is back in service now and the crew is playing catch-up to get caught up. He also asked why the Town of Salem highway truck is parked in the Town of Argyle. Joe Boisclair bought a camp on Cossayuna Lake but still owns his own home on Rextleigh Road; there has been no closing yet on that property so he is still a legal resident of the Town of Salem. Councilman Blanck brought up the fact that Mr. Boisclair is on call 24-7 so he could legally have the vehicle at his camp and respond to a call. As soon as his closing takes place and the paperwork is signed with his new buyer, he will no longer be a resident of the Town of Salem.

Councilman Harold Gilchrest said he has had more phone calls and complaints regarding dirt roads in the Town of Salem this year than in any other prior year. The Town needs to be training another grader operator.

Motion made by Councilman Marcus Blanck, seconded by Councilman Harold Gilchrest, to adjourn the monthly meeting of the Salem Town Board; meeting adjourned at 9:00 p.m. Passed unanimously 5-0

Next Meeting-The next regular monthly meeting of the Salem Town Board will be held on Wednesday, August 09, 2017, in the Town Office building; review of Warrants #8 and Abstract #8 to begin at 6:30 p.m.; meeting will be called to order at 7:00 p.m.

Respectfully submitted:

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