

**TOWN OF SALEM**  
**REGULAR MONTHLY MEETING-TOWN BOARD**  
**MAY 08, 2019**

**Present:** Supervisor Evera Sue Clary; Town Council: Harold Gilchrest; Marcus Blanck; Bruce Ferguson; Howard Law; Town Clerk-Pat Gilchrist; Clerk to Supervisor-Kathy Chambers

**Others Present:** Travis Keys-Highway; Eric Rogers-Water Dep't.; Al Cormier-Historian; Maurice Patrick-Planning Board; Kimberly Erbe-Planning Board Clerk & Library; Wendy Bordwell-Georgi; Rebecca Brown-Water Clerk

**Absent:** Bob Graham-Fire Chief; Janice Quartararo-Courthouse; Tina Fleming-Flood Mitigation; Judy Flagg-Deputy Historian; DCO-Nancy Quell

**Public Present:** Cathy McKeighan; Mike Miller; Beverly Greene; Sylvia Noonan; Mark Cary-Woody Hill Farms; Art Hempel; Cynthia Weinrich; Christine Eldred-The Eagle Newspaper; Cait Johnston-Journal Press

**6:00 p.m.-**Review Warrants #5 & Abstract #5 of 2019 for payment

**7:00 p.m.-**Regular monthly meeting called to order by Supervisor E. Sue Clary, followed by Pledge of Allegiance

**Approval of Minutes** from 02/25/2019 special mtg., 03/13/2019 regular monthly board mtg., 03/20/2019 special mtg., 4/10/2019 will all be done together when received.

**Approval of Warrants #5 & Abstract #5 for Payment:** Motion made by Councilman Marcus Blanck, seconded by Councilman Howard Law, to sign/approve **Warrants #5 & Abstract #5 of 2019** as presented for payment; passed unanimously 5-0 by the following Board members: Marcus Blanck; Howard Law; Bruce Ferguson; Harold Gilchrest; Supervisor Evera Sue Clary

**Salem Fire Dep't.**-Chief Bob Graham provided report: **5 calls for April, 2019:** 4-Salem (1-EMS assist; 1-alarm activation; 1-tree w/lines down; 1-traffic detail); Mutual Aid Calls: 1-Cossayuna (grass & brush fire)

**Training**-driver & pump training; monthly air pack, ladder & multi gas meter check

**Meetings**-Fire Dep't. monthly mtg.; Fire Advisory Board

**Fund Raising**-Sunday breakfast

**Total Hours for the year**-2,451; report will be filed

**Water Department**-Eric Rogers reported 315 meters in svc.; regular upkeep/maintenance performed; eye wash/fire extinguisher checks done. Fire hydrants were flushed; all went well & all hydrants in service except #37. Took monthly water sample as required by D.O.H; met the bacteriological requirements for a public water supply per NYS Sanitary Code under Public Health Law 225. Eric & Travis attended water school in Saratoga in April; got them the CUE's needed to renew both water certifications. Currently having issue w/meter reading; working with Water Clerk, Rebecca Brown, to try & fix the same. Cannot get all the meters to load in to Beacon Meter ama. Working on cleaning & operating main valves around the system; changed a few more 'no read' meter heads & hope to do more on rainy days. Hope to be doing well cleaning on well #1 & #2 soon; fixed well indicators & will be performing flow & loss test before cleaning begins so improvement can be seen & there is a base line to see what the wells are doing. Cleaned well #3 last year; high in manganese (use w/well #1 or #2). Salem Fire Dep't. used the hydrant at the fire house three times last month for training & did not let Eric know. Issue is now taken care of & Eric will be notified when training is going to happen; report will be filed.

**Highway Dep't.** -Travis Keys reported all trucks are now running; still working through the oil leak into the coolant. Fixed Tug Hollow rd.; new grad-all is working ok (did have a few issues but they are now fixed); chipped a lot of brush in various areas; all black tops have been swept; Kingsbury Sweeping coming soon to sweep the former Village area. Power company sending out a tree crew for a week soon. Crossing Guard doing well; training done. Dirt roads need to be graded but with all the rain that has been coming, this is impossible. Paved today (Wed.) & will be paving tomorrow (Thurs.) & Monday.

Woody Hill would like to rent the 3-4 acre field across from the Town Barn if the stumps are removed; can use

their equipment to remove the same. Travis will check w/Attorney Wrigley re the legality of this. Sign post is up at the Courthouse & on County Rte. 64 in Shushan. Travis reported that his town cell phone does not work most of the

**Page 2**

**May 08, 2019**

**Minutes**

time so he will be turning that in. Will need to transfer money from machinery/repairs into CHIPS at some point.

Monthly report for month of April, 2019 provided & will be filed.

**Georgi**-Wendy is planting trees by propane tank in back of Community room. The Greenway signs are up on the County Roads; Kent Foster will do Battenkill Corridor sign on a day he is doing cement work in the area. May 17, 2019 (Friday) @ 10 a.m. in the Community Room there will be an information meeting w/Lorraine on Greenway Grant. Need to make sure Greenway is paid to get reimbursed. Nothing from Alan Wrigley re de-accessioning the furniture in Depot w/Surrogate's Court; Wendy would like Alan to have a two-month deadline to get an answer. **Motion made by** Councilman Harold Gilchrest, seconded by Councilman Bruce Ferguson, instructing Supervisor Clary to inform Attorney Wrigley that the Board wants the Petition filed with Surrogate's Court within 60 days from this meeting date of May 08, 2019. **Roll Call Vote:** Councilman Marcus Blanck-Yes; Councilman Howard Law-Yes; Harold Gilchrest-Yes; Bruce Ferguson-Yes; Supervisor Evera Sue Clary-Yes; passed unanimously 5-0

A community work day is scheduled at the Georgi for general park clean-up on 05/23 w/approximately 40 students from the high school.

**Mettawee River Theatre** will present on 07/30 @ 9 p.m. in the park. Free, but donations accepted.

**Courthouse**-Janice Quartararo absent; no report given

**Historian**-Al reported that the Historic Preservation Commission wants to put up more historic signs in the area; the Pomeroy Foundation has grant money available. Al, Judy & Michele Bardwell want to do a 3-hr. historic tour of the Revolutionary & Evergreen Cemeteries, with re-enactors @ the Revolutionary Cemetery. Ed Napowocki has a bus to use for touring both cemeteries, ending @ Battenkill Creamery on Black Creek Road. Wash. Co. Historical Society has a bus going to attend the Cleo dedication in Gettysburg in Sep't. The 'Mills on the Kills' exhibit is going on the road to the Slate Museum in Granville. A booklet will be done to go along with the exhibit. Records Management is slowly closing down w/Sickler-Murphy.

Supervisor Clary read a Letter of Resignation from Historian, Al Cormier, who celebrated his 36<sup>th</sup> year on May 3, 2019. His official last day will be June 30, 2019. Al has requested that Judy Flagg take over as Historian on July 1, 2019; he will stay on as Deputy Historian at least for the time being. The Board thanked Al profusely for all his many years of service to the Town of Salem with grant writing, maintaining historical records, scheduling events, as well as his many community presentations and written articles. He will truly be missed in this position but Judy will do a great job of filling his shoes! And he won't be too far away!

**Planning Board**-Chairman Patrick reported there were two applications--one for a home on Black Creek Road & a home on Bogtown Rd. The application for a slaughter house on Riley Hill Rd. is subject to zoning; the application will be given to Scott McNeil, Zoning Enforcement Officer, for further review. Kim Erbe, Clerk, reported that there have been no fee raises for Site Plan since 2003 when the fee was raised from \$10 to the current \$25. The recommendation is \$75 for the Site Plan Application. Recommendations for Subdivision: Minor Subdivision-from \$35 flat fee to Application Fee of \$100, plus \$25/lot; Major Subdivision-Application fee of \$200, plus \$50/lot; Boundary Line Adjustments-Application fee of \$100; Zoning-Impose fee for Special Use Permits-\$50

**Resolution #36**-**Motion made by** Councilman Howard Law, seconded by Councilman Marcus Blanck, to set a Public Hearing for Wednesday, June 12, 2019, @ 7:00 p.m. for the purpose of obtaining public comment on proposed Local Law #3 of 2019, amending the Town of Salem Site Plan Law originally filed October 13, 1999, and amending a revision to Site Plan Law, filed with NYS Dep't. of State on September 18, 2003 (Local Law #1 of 2003, changing fee to \$25). The original law filed indicated that the fee was to be set by the Town Board and since it is a filed Local Law, a Public Hearing is required. Attorney Alan Wrigley will get the proper

language to Clerk Gilchrist. Passed unanimously 5-0 by the following Board members: Howard Law; Marcus Blanck; Harold Gilchrest; Bruce Ferguson; Supervisor Evera Sue Clary

**The Town of Salem also needs strict regulations/rules for solar companies** so Town isn't left hanging when & if they abandon the properties. Other areas require the companies to be bonded, the property must have screening and/or fencing.

### Page 3

May 08, 2019

### Minutes

The Planning Board also recommended to the Town Board that they consider approving another six-month Moratorium on certain Solar Land uses, allowing the Town Board & the Planning Board to review the current Site Plan & Zoning Laws to make sure that the Town and its residents are adequately protected in the future.

**Motion made by** Councilman Harold Gilchrest, seconded by Councilman Howard Law, to impose a six-month Moratorium on certain Solar Land uses, scheduling a Public Hearing after Clerk Kim Erbe contacts Attorney Wrigley to see if another Local Law can be filed. **Roll Call Vote:** Councilman Marcus Blanck-Yes; Councilman Howard Law-Yes; Councilman Harold Gilchrest-Yes; Councilman Bruce Ferguson-Yes; Supervisor Evera Sue Clary-Yes; passed unanimously 5-0. **(Note:** The original was passed as Local Law #1 of 2016, filed w/NYS Dep't. of State on August 29, 2016. A resolution (Resolution #108) was passed at the December 14, 2016, regular monthly meeting of the Salem Town Board, to extend the moratorium for an additional six (6) months from February 28, 2017 (when the first one expired) to August 27, 2017.)

**DCO**-Nancy Quell picked up two dogs running in the vicinity of County Route 30/Smith Road & submitted a voucher for 30 days of housing for each dog for a total of \$1,138.81. Code Enforcement has condemned the residence where the dogs were house & the Wash. Co. Sheriff was called to help locate the owner; there is currently a warrant out for arrest of the homeowner (who currently has not been found). Councilman Law asked if there was a limit on the number of days the dogs could be held & what the Town's responsibility was. That part of the voucher will not be paid until the matter is looked into.

**Flood Mitigation**-Tina Fleming absent; meeting was held on Monday, 05/06/2019. Drone was back today taking pictures from VT line down Co. Rte. 153, Chambers Road, etc., looking for changes in the stream bed.

**Supervisor's Report**-Supervisor Clary reported the transfer stations will now be charging for recyclables. 'No Littering' signs have been put up.

### OLD BUSINESS

**DMV**-has been coming to the Town Office the 3<sup>rd</sup> Tuesday of the month (Jan., Feb., March, April). \$289.51 in fees was rec'd. by the town for Jan.-March of 2019. DMV would now like to move to Proudfit Hall, which should be more private than the open space here in the Town Office. They are checking out the internet connection next Monday, 05/13, to see if the move would be beneficial. Money would then go into the Bancroft Trust.

**Salem Rescue Squad Contract**-**Motion made by** Councilman Harold Gilchrest, seconded by Councilman Howard Law to sign and pay the requested Salem Rescue Squad Contract as re-drafted; passed unanimously 5-0 by the following Board members: Harold Gilchrest; Howard Law; Bruce Ferguson; Marcus Blanck; Supervisor Evera Sue Clary

**Salem Family Health Center**-Building assessment was done by RD Services-Randy Dumas @ a reduced cost of \$250 for the Town. A thorough inspection was completed, the roof looks good. Small issue near top of some of the beams, along w/a correctable electrical issue coming out of the panel box. Full report is available. The Health Center is still currently open only on Tuesdays & Thursdays, w/no services (i.e. no blood draws or physical therapy). Still not signed lease agreement between the Town & Glens Falls Hospital. The hospital has hired a consultant to work w/Hudson Head Waters. Councilman Law stated that he felt the hospital would not be staying in Salem much longer w/the reduced days & no services. Will the hospital pay heat, lights, etc. during the upcoming winter season?? Anyone's guess at this point.

**Justice Court Grant**- \$17,000 rec'd. from OCA still sitting in our account to be used by July 1, 2019. OCA says the money cannot be used to replace the back windows in the Courtroom, nor can the \$17,000 come off the \$20,000 pledged by the Town to Bancroft Library for the grant. 100% of the money can be used to re-construct

the Judge's bench area; possible a 50-50 split on new carpeting; nothing on new lighting or replacing ceiling tiles. The Library Board prefers planking on the floor, not carpeting. The entrance door to Proudfit Hall is not ADA compliant for handicapped accessibility. Work on the bench would have to go out to bid through the Bancroft Trust--not the Town of Salem; bid already received from Todd Riche for approximately \$5,000.

Super-

visor Clary is expecting a conference call tomorrow morning (Thurs.) between OCA, Judge Baylor & herself regarding this matter.

**Monolith Solar Garden**-Supervisor Clary will be having a conference call w/Monolith & a tree nursery next

**Page 4**

**May 08, 2019**

### **Minutes**

week re planting of the trees on County Route 153 property.

### **NEW BUSINESS**

**NYS Retirement/Standard Work Day**-Clerk to Supervisor Kathy Chambers advised the Board that a Resolution was needed to establish the required standard work day, w/posting, as required for the Supervisor per the NYS Retirement System. **Resolution #37-Motion made by** Councilman Harold Gilchrest, seconded by Councilman Bruce Ferguson, to set the standard work day @ 8 hrs./day for an average of 14.73 days/month. Posting will be done for thirty (30) days as required after Clerk Gilchrist certifies the form. Passed unanimously 5-0 by the following Board members: Harold Gilchrest; Bruce Ferguson; Marcus Blanck; Howard Law; Evera Sue Clary

**Office Clean-up-Motion made by** Councilman Marcus Blanck, seconded by Councilman Harold Gilchrest, giving permission to Supervisor Clary to have Keys Refuse remove whatever filing cabinets need to go, as well as the metal desk in the back of the room at the Town Office, as well as anything else that needs to go; passed unani- mously 5-0 by the following Board members: Marcus Blanck; Harold Gilchrest; Bruce Ferguson; Howard Law; Supervisor Evera Sue Clary

**Polling Sites for Town**-District #2 in Shushan will remain at the Georgi Community Room; Districts #1 & #3 location still up in the air. Salem Volunteer Fire Dep't. voted at their recent meeting not to use the new firehouse as a voting location.

**Wood Hill Farm & Town Water**-Mark Carey was present from Woody Hill and asked the Town about the probability of looking into hooking into the Town's water supply from County Route 64 (under the road) to the farm. NYS inspectors have been to the farm & are not happy w/their current source for water (too close to a body of water). Drilled well did not or will not work, either. The farm would pay for the hook-up & water would only be used for the milk room plate cooler only (about a 3:1 ration of milk to water), approximately 40,000 gallons

per day. Water Dep't. Sup't. Eric Rogers responded that the 40,000 gallons would help as the system was designed to use more than is currently being used. Tank can hold 300,000 gallons; monthly average of water pumped for the month of April was 55,141. For two days during flushing, more than 150,000 gallons was pumped. Water main on north side of NYS Rte. 22 is 8"; it crosses Rte. 22 @ Rte. 64 intersection; that main is 6". Eric is guessing that they would be around 90-92 psi at normal running at the hydrant nearest to Pizza World. He thinks the Department of Health would require the farm to install an RPZ valve so it cannot back feed into the system. Water Clerk Rebecca Brown did a quick estimate of cost & came up with approximately \$43,435. Options: Create a 2<sup>nd</sup> Water District or sell water as private use. No decision was made at this time. A meeting was suggested for two weeks w/Eric, Mark & the Town Board.

**Youth Transportation for Summer Program**-would once again be provided to the Lake Lauderdale swim program by Salem Central School. Supervisor Clary reported that NYS Parks & Recreation has a grant available for \$1,000 that could go towards the cost of the bus; she will apply for the same. **Resolution #38-Motion made by** Councilman Harold Gilchrest, seconded by Councilman Howard Law, to accept the Transportation Contract with Salem Central School for the 2019 summer swim program; passed unanimously 5-0 by the following Board members: Harold Gilchrest; Howard Law; Bruce Ferguson; Marcus Blanck; Supervisor Evera Sue Clary

**Electronic Office Products Agreement**-Yearly Agreement rec'd. on lease of copier; Board instructed Supervisor Clary to sign the same & return

**Laberge Public Presentation**-Findings in Draft Report will be presented at a public meeting on May 22, 2019, @ 7 p.m. at the Salem Town Office. Councilman Ferguson will confirm again w/Ron Laberge.

**CORRESPONDENCE**

**Art n Plow Fest**-Will take place on July 4<sup>th</sup>, with parade beginning @ 5 p.m. Donation letter have gone out, along w/parade entries.

**Annual Bike Race**-will be held this weekend so be aware of traffic stops/road changes.

**Letter from Joe Rogers**-Supervisor Clary read a letter she had rec'd. from resident Joe Rogers, who lives by the Courthouse on Cato Street. He advised that most times he cannot get out of his driveway/road when events are being held at the Courthouse; people are parking in front of his house & even in his driveway. Supervisor Clary

**Page 5**

**May 08, 2019**

**Minutes**

contacted Joe Rogers, Bob Akland from the Courthouse, & Jim Sheldon from Woody Hill, who uses that road all the time w/farm equipment to get to property the farm owns beyond Joe's house.

**Resolution #39-Motion made by** Councilman Howard Law, seconded by Councilman Marcus Blanck, to accept the resignation of William Cormier as Town of Salem Historian, & Judy Flagg as Town of Salem Deputy Historian, effective June 30, 2019, and to appoint Judy Flagg as Town of Salem Historian & William Cormier as Town of Salem Deputy Historian, both effective July 1, 2019. Passed unanimously 5-0 by the following Board members: Howard Law; Marcus Blanck; Harold Gilchrest; Bruce Ferguson; Supervisor Evera Sue Clary

**Resolution #40-Motion made by** Councilman Harold Gilchrest, seconded by Councilman Marcus Blanck, for a transfer as follows:

DA9060.8 Health Insurance	\$ 6,640.00	
DA9010.8 State Retirement		\$ 6,640.00

Passed unanimously 5-0 by the following Board members: Harold Gilchrest; Marcus Blanck; Howard Law; Bruce Ferguson; Supervisor Evera Sue Clary

**Resolution #41-Motion made by** Councilman Marcus Blanck, seconded by Councilman Howard Law, for a transfer as follows:

DA9050.8 Unemployment	\$ 422.70	
DA9055.8 Disability Insurance		\$ 422.70

Passed unanimously 5-0 by the following Board members: Marcus Blanck; Howard Law; Harold Gilchrest; Bruce Ferguson; Supervisor Evera Sue Clary

**Resolution #42-Motion made by** Councilman Howard Law, seconded by Councilman Marcus Blanck, for a transfer as follows:

DA5142.4 Snow Removal	\$26,000.00	
DA5130.4 Machinery	\$40,000.00	
DA5112.2 CHIPS		\$66,000.00

Passed unanimously 5-0 by the following Board members: Howard Law; Marcus Blanck; Harold Gilchrest; Bruce Ferguson; Supervisor Evera Sue Clary

**Open Bids on Georgi Museum & Park Center Mowing for Two (2) Years:** Bids received from the following:

A & E Landscaping & Small Engine Repair (Adam Kaufman)-Hoosick Falls	\$ 125.00/mowing
Ashgrove Landscaping (George Whalen from Cambridge	\$ 135.00/mowing

**Resolution #43-Motion made by** Councilman Harold Gilchrest, seconded by Councilman Bruce Ferguson, to accept the bid from Ashgrove Landscaping (George Whalen) for mowing of the Georgi Museum & Park Center for the next two years at a price of \$135.00/year; passed unanimously 5-0 by the following Board members: Harold Gilchrest; Bruce Ferguson; Howard Law; Marcus Blanck; Supervisor Evera Sue Clary

**Open Bids on Mowing of Moravian/Camden Valley; Eagleville & Revolutionary War Cemeteries for**

**Two (2) Years:** One Bid received from the following:

A & E Landscaping & Small Engine Repair (Adam Kaufman)-Hoosick Falls-Moravian/ Camden Valley Cemetery	\$ 125.00/mowing
Eagleville Road Cemetery	\$ 100.00/mowing
Revolutionary War Cemetery	\$ 350.00/mowing

**Resolution #44-Motion made by** Councilman Howard Law, seconded by Councilman Harold Gilchrest, to accept the only bid received from A & E Landscaping & Small Engine Repair (Adam Kaufman) for mowing the above cemeteries at the stated prices for the next two years; passed 5-0 by the following Board members: Howard Law; Harold Gilchrest; Bruce Ferguson; Marcus Blanck; Supervisor Evera Sue Clary

**PUBLIC COMMENT-Bill Clary** asked the Board why the Sewer Committee had been dissolved after all their hard work & interviewing other engineering firms. He felt the Committee needed to be re-instated sooner rather than later. Councilman Ferguson responded that Laberge was hired to do a draft report & needed to present that draft report at a public meeting, which was already agreed upon by the Board.

**Motion to Adjourn-Motion made by** Councilman Marcus Blanck, seconded by Councilman Howard Law, to

**Page 6**

**May 08, 2019**

**Minutes**

adjourn the regular monthly meeting of the Salem Town Board; passed unanimously 5-0 by the following Board members: Marcus Blanck; Howard Law; Bruce Ferguson; Harold Gilchrest; Supervisor Evera Sue Clary; meeting adjourned @ 9:23 p.m.

**Regular Monthly Meeting**-The next regular monthly meeting of the Salem Town Board will be June 12 2019, at the Town Office, review of Warrants #6 & Abstract # for payment will begin @ 6:00 p.m., regular meeting will be called to order @ 7:00 p.m.

Respectfully Submitted:

Patricia A. Gilchrist-Town Clerk  
Town of Salem