

TOWN OF SALEM
REGULAR MONTHLY MEETING-TOWN BOARD
SEPTEMBER 14, 2022

Present: Supervisor Evera Sue Clary; Town Council: Marcus Blanck; Howard Law; Brenda Levey; Laura Dunham; Town Clerk-Patricia Gilchrist; Clerk to Supervisor-Kathy Chambers

Others Present: Travis Keys-H'Way/Water; Rebecca Brown-Water Clerk/Library; Maurice Patrick-Planning Bd.; Kim Erbe-Panning Bd./Library; Patty Burch-Battenkill Kitchen; Karen Sheldon-Courthouse; Dave Klingebiel, Attorney

Public Present: Art Hempel; Beth DellaRocco; Yvette Bordeaux-University of PA

Absent-Eric Rogers-Water Dep't.; Judy Flagg-Historian/Historic Preservation/Records Mg'mt.; Jeanne Smith-Georgi (report provided); Bob Graham-Salem Fire Dep't. (report provided); Nancy Quell-DCO (report provided)

5:00 P.M.-Review of **Warrants #9 & Abstract #9 of 2022** for approval & payment

6:00 P.M.-Meeting called to order by Supervisor Evera Sue Clary, followed by Pledge of Allegiance.

Approval of August 10, 2022 Minutes w/correction-Motion made by Councilman Law, seconded by Councilwoman Laura Dunham, to approve the August 10, 2022 minutes w/correction, (which Clerk Gilchrist has changed as email was sent to Clerk prior to meeting); passed unanimously 5-0. On Page 2 under **Highway Dep't.-Jordan Berger- Councilwoman Dunham** asked Mr. Berger if the flashing speed limit sign the Town just purchased could be placed on his property by the bridge & he said absolutely! Supervisor Clary will contact County DPW to see if they can place the sign for the Town.

Approval of Warrants #9 & Highway Abstract #9 of 2022-Two Vouchers pulled: #197 for Delaware Engineering (Councilman Law & Councilman Blanck would not sign)-Supervisor Clary will sign to make the majority; #193 for A J Catalfamo for sidewalk replacement in the amount of \$49,850 (grant money in the amount of \$60,000 has not been rec'd. yet for payment of the same). #78 was pulled last meeting for Lunch, Learn & Play in the am't. of \$1,000. Supervisor Clary explained that money coming from the Washington County Youth Bureau is for Youth Development & is earmarked for L, L & P. The Board feels that there are other Youth Development programs (including L, L & P) & the money should be either split equally between all or to those Youth Organizations that request support from the Town for their Youth programs. Clerk to Supervisor Chambers explained that the money rec'd. from Washington County Youth Bureau will go into Revenues w/a Budget increase if money is moved to the Youth line item in the Budget.

Resolution #65-Moton made by Councilman Howard Law, seconded by Councilman Marcus Blanck, to pay Voucher #193 to A J Catalfamo in the amount of \$49,850 from Fund Balance for the new sidewalk put in from Warren Street to the corner by Jacko's/Route 22. Money will be transferred back as soon as grant money is received; passed unanimously 5-0.

Approval of Warrants #9 & Highway Abstract #9 of 2022-Motion made by Councilman Howard Law, seconded by Councilwoman Brenda Levey, to approve Warrants #9 & Highway Abstract #9 of 2022 for payment (see above); passed unanimously 5-0

PUBLIC COMMENT

ART HEMPEL addressed the Board re a sign that was put on the side of a barn, located on North Main Street (across from a Nursery School), that is very offensive, w/profane language. Art confronted the homeowner re the offensive language & was shot at (possibly twice). Neighbors were interviewed by Washington County Sheriff's Dep't. & reported that they heard or saw nothing confrontational. Art spray painted 'JERK' on side near offensive language & now has to repaint the side of the homeowner's barn. Art was asked to leave the premises, went to the Sheriff's Sub-station on Rte. 22, but no deputy would take his statement as to what happened. What can be done? Can homeowner be made to remove offensive language?

Art also stated that the Salem Community Guide does not mention the Shushan Fire Dep't. & the ENCON hunting brochure that is printed every year has Shushan misspelled--it says 'Shuhan'.

Battenkill Kitchen-Patty Burch, Mgr.-As explained prior, *records were found but not stamped by an engineer (not no records were found as previously stated) locating the septic system on the Courthouse property. NYS Dep't. of Health wanted the septic pumped & with High-way Sup't. Travis Keys' help, six systems were found & pumped. A grease trap now needs to be installed correctly, w/Health Dep't. approval, at a cost of \$2,985, plus \$75 for a permit, for a total of \$3,060. The certification will only be good until May of 2023. A quote was rec'd. from Fort Miller; Councilman Law says to contact Utopia Precast in Hartford, NY, for a quote for a 3" wall w/4" top. If cost is over \$2,500, three bids/quotes are required (if three can be obtained). The kitchen, certified by NYS Dep't. of Ag & Mkts., is currently being used by 12 renters at a cost of \$100 for an annual membership from each, plus \$25 for the 1st hour & \$10/hour for each add'l. hour of use. Lunches were performed every day during L, L, & P, along w/afternoon snacks. Discussion back & forth re payment; some Board members felt the Courthouse should be paying the bill as the Battenkill Kitchen is now back under the Courthouse & not a separate entity anymore; others felt that the Town owns the building & should be paying the bill. Wait to see if quote is rec'd. from Utopia Precast before deciding.

Resolution #66-Executive Session-Motion made by Councilwoman Brenda Levey, seconded by Councilman Marcus Blanck, to go into Executive Session to discuss matter of employment; passed unanimously 5-0. Much discussion back & forth between Board members & Attorney Klingebiel. **Motion made by** Councilman Marcus Blanck, seconded by Councilman Howard Law, to come out of Executive Session; passed unanimously 5-0.

Someone inquired about an employment position that is no longer available. No name(s) will be released at this time until Board has contacted person in question.

Sign on Barn that Art inquired about-Reviewed everything Art had brought up w/Attorney Klingebiel & unfortunately whether offensive or not, this is Freedom of Speech & is also on private property so nothing can be done.

Yvette Bordeaux-teaches @ University of PA & currently has 58 graduate students in her fall class, Contemporary Issues in environmental Studies'; the group has a project component & she would like to use Salem as her class project at no cost to the Town. (Yvette is also Councilman Law's sister-in-law!) NYS has a Climate Smart Communities program, which seems pretty simple to join (Hebron & Cambridge have already done this). The students would do the work on any 'action items' that would seem important to the town; said 'action items' would give the Town points toward different levels: Gold, Silver, or Bronze. (More points give the Town a better standing when applying for grants/funding for certain types of projects.) If students do a good enough job, the Town would then decide if it wanted to join the Climate Smart Communities program. Depending on 'actions' chosen, students might need add'l. information/data from the Town to complete their reports. After the research is completed & reports written in the required format by NYS, said reports would be presented to Town Board at the end of the semester, w/recommendations on whether joining said Smart Communities program would be beneficial to Town of Salem. Information handed out states: "The Climate Smart Communities (CSC) Certification program supports your local government in building a sustainable, balanced climate action program, one step at a time." A municipal Resolution to join the program & become a Registered Climate Smart Community would need to be passed by the Salem Town Board; all ten points in the resolution template must be adopted verbatim. A task force would be created to oversee the various actions, which some can be designated as priority actions, while other actions might not be priority. A primary contact person should be designated to sign up for a portal account to complete the registration form & upload the adopted municipal resolution.

Motion made by Councilwoman Brenda Levey, seconded by Councilwoman Laura Dunham, allowing Yvette Bordeaux & her 58 graduate students from the University of PA to do the research on whatever action projects the Town of Salem Town Board should designate for them to research & to prepare their report(s) for

the Board to determine if it would even be beneficial for the Town of Salem to join the Climate Smart Communities program; passed unanimously 5-0.

DEPARTMENT/COMMITTEE REPORTS

Salem Fire Dep't.-Chief Graham emailed his report to the Board; total of 14 calls for August, 2022.

Training: station maintenance; driver training; other leadership training; junior membership training

OSHA Mandates: hose testing (lost 2-lengths of 5" hose)

Total Hours for Year-6,046; report will be filed

Highway Dep't.-Travis emailed reports to all Board members. He reported dry well by Stewart's could cost between \$4,000-\$7,000; gravel for Juniper Swamp approximately \$8,000. Down to three men working (lost one man today, 09/14/22); have ditching to do & shop work can be done if above projects cannot get done. Salt price is \$83.04/ton for 2022/2023 (750 tons ordered), up from \$64.27 a ton 2021/2022. Have finished the walls & insulation at the town barn; still have to hook up the new waste oil furnace. Vale Street sidewalks are almost finished. The new two-ton truck is @ Delury's if anyone wants to go look at it.

Will start replacing some road signs soon that did not get done in the spring.

Water-Travis reported that Mark Rode is done w/computer work @ water barn. Mark Rogers cleaned well #2; it will come back on-line Wednesday, 09/21/2022. Badger Meters are at 80% reads; \$4,163.40 is cost to upgrade w/ 1st & 2nd generation technology now, which will be phasing out sometime--will it work on old meters?? We currently don't sell by gallonage but it's nice to have the report anyway. Reading is done every month now. Travis will do some more research o different kinds of meters available.

Eric e-mailed June, July & August prior reports, as well as current September report to all board members: 317 meters in service; regular upkeep/maintenance performed; attended free water school in Whitehall; did a hand-full of dig safe mark-outs. Broken line leaking water into a basement on South Main St. Eye wash & fire extinguisher checks were done; get back July testing results & all is good. Monthly water sample required by NYSDOH me the bacteriological requirements for a public water supply. Fall hydrant flushing will begin on Monday, 10/10/2022-Friday, 10/14/2022; notice will be put in Eagle newspaper for three weeks.

All reports will be filed.

Planning Board-Meeting next Thursday, 09/22/2022; have two applications for Site Plan, one subdivision, & sign for Veteran's/Memorial Park.

Georgi-Jeanne Smith emailed report to all Board members. Volunteers help move the lending library over by the bathroom, where the camera can pick up activity. Councilwoman Levey, Councilwoman Dunham & Jeanne met w/Clerk to Supervisor Chambers to discuss the Georgi budget for 2023, which Councilwoman Levey is working on. Randy Quackenbush installed motion light switches in each restroom w/LED bulbs in each rest room; balusters have been added as well. Door w/code lock still does not work so someone must be there to open up & lock up when the CR is rented. Grounds have been rented for a celebration of life on 09/17/2022. Check-in & Check-out times need to be added to the contract. Three weddings have been booked for 2023. Report will be filed.

Councilwoman Levey reported that a wedding was held this past weekend. Contract is being looked at & revised; process of steps to follow for rentals; liability waiver reviewed by Attorney Klingebiel for the CR for non-business rentals. Councilwoman Dunham has been taking care of these things. Need to change the CR waiver agreement insurance amount back to \$1,000,000 from \$2,000,000, as the change to \$2,000,000 was never voted on. At the bottom of the Waiver, 'Proudfit Hall' needs to be changed to 'Georgi Community Room' renter.

Councilwoman Dunham would like Board permission to apply to LARAC for funds for 2023 for Al & Kathy Bain concert, the Washington County Band & Fall into Shushan. **Resolution #67-Motion made by Councilman**

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Marcus Blanck, seconded by Councilwoman Brenda Levey, giving permission to Councilwoman Laura Dunham to apply for LARAC Grant(s) for the above-named events; passed unanimously 5-0.

Much discussion followed re the lower price offered for renters in the 12865/12873 zip codes. Councilwoman Dunham wanted Jackson included but Jackson does not have a zip code. Most would be 12816, but so is Village & Town of Cambridge & Town of White Creek. **Motion made by** Councilman Howard Law, seconded by Councilman Marcus Blanck, to now include reduced prices to renters in the 1265, 12873 & 12816 zip codes; passed unanimously 5-0.

Councilwoman Dunham e-mailed ADA lift update to all Board members, Jeanne Smith, Clerk Gilchrist & Kathy Chambers on Sep't. 13, 2022.

Historian's Report-September, 2022 report e-mailed to all Board members. Judy busy working w/Tom McMorris & Kyle West (Fort Salem Theatre) to produce 5 or 6 YouTube videos of Salem's early pioneers that are buried in the Revolutionary War Cemetery. Kyle helping w/casting characters: St. John Honeywood-poet, artist, lawyer, first principal of Washington Academy; Joshua Conkey-original settler of Turner's Patent; Isaac Gray-"Old Head Allen" (his was the body that was exhumed). Hoping to take 2-3 segments this fall, w/others being added in spring of 2023. The portrayals will be accessed by visitor's smartphones using QR codes.

Historic Preservation Commission-met on Monday, 08/15, in the archive room @ the Courthouse. On the agenda: Proposed mural to be painted on south side of Jacko's Corner bldg. was discussed (illustration attached but hard to see). Kay & John Tomasi, owners, are proposing a depiction of historical personages appearing to take a 'curtain call' w/the view from SAW as a background. Several questions were asked: Are murals in keeping w/the historic character of the bldg. & the other bldgs.. in the historic district? Will the removal of two trees be necessary to clear the view of the mural? Are the characters chosen to be depicted appropriate? What if the painting were to be vandalized or graffiti added & how would this be dealt with? Clarification of certain details & a mock-up w/clearer features will be needed & will be provided by the owners. Proposed façade changes to John Tomasi bldg. (former Central House) to recreate the architecture of the bldg. from a 1935 photograph. Photo, elevation plan, application for certificate of appropriateness were all provided by John. The current plate glass double windows will become double abutted windows; double porches will be build to the 1935 photo, matching the varied balustrade patterns. Canvas awnings are planned on the 2nd floor windows (as in photo). Interior areas are dance studio, artist space & a possible restaurant. 2nd floor plans are for 6 offices (w/utilities to support the same), a conference room, & bathrooms. The structural engineer should be signing off soon so that the permitting process can begin. Street signage would be retained w/updated names for businesses w/in the bldg.; John will have to return to the HPC for signage approval. Exterior marble stairs will be replaced for safety reasons & access to the basement area on the bldg's. south end facing Main St. is being worked out.

Motion made by July Flagg to approve the Application for Certificate of Appropriateness Historic District; Salem, NY, as presented by owner, John Tomasi; seconded by board member John Clark; application approved by all HPC Board members present.

(John also stated that he is planning murals for both the north & south exterior walls of the Central House at a future date.)

All reports w/attachments will be filed.

Veterans/Memorial Park Update-Councilwoman Dunham e-mailed report to all Board members. Salem Rotary will be holding a Veteran's Day ceremony at the park w/a flag raising by the American Legion, a few words from Supervisor Clary, music from the Salem HS band, & a tent loaned by Herb Perkins w/a few enactors (we are hoping!). Hoping to have the Memorial Park sign installed by Veterans Day (Judy has for-warded a new idea for design so securing pricing for both the new & old design for the committee to choose. Message sent to Planning Bd. to see if there are requirements that need to be followed for this. Adding identi-

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fyng signage to the perennials/shrubs & the three shrub roses to add more color. Need to get the culvert discharge area cleaned out at some point.

Report will be filed.

DCO-Nancy Quell provided August report. Eight issues reported & being dealt with. Money turned into Town

Clerk re 2 dogs running & picked up on Route 30. Report will be filed.

SUPERVISOR'S REPORT-Annual contract due for signing w/C. T. Male on Landfill. Supervisor Clary would like the Board to approve the same. **Resolution #68-Motion made by** Councilwoman Laura Dunham, seconded by Councilman Howard Law, instructing Supervisor Evera Sue Clary to sign the annual contract with C. T. Male re testing, etc. regarding the landfill; passed unanimously 5-0.

Supervisor Clary also advised that Jason Baylor would brush hog the landfill as Kevin always did the same.

NEW BUSINESS

Insurance Renewal/CYBER SECURITY-Supervisor Clary advised that the renewal figure includes \$1,200 for Cyber Security--total renewal figure is \$36,376.96. Classes re cyber security will be required to be taken. Georgi insurance total has been broken out; raising \$275,000 art figure to \$500,000.

USDA GRANT-PRELIMINARY ENGINEERING STUDY FOR SEWER-DELAWARE ENGINEERING-Now have total needed for study of \$40,000--\$30,000 from USDA grant & \$10,000 private donation. Supervisor Clary would like a Resolution from the Board to sign the Agreement for the study. The \$10,000 already received can be paid now, with the \$30,000 payment being made after the grant money is received;

Resolution #69-Motion made by Councilwoman Laura Dunham, seconded by Councilman Howard Law, instructing Supervisor Evera Sue Clary to sign the Engineering Study Agreement for the sewer, being done by Delaware Engineering, paying the \$10,000 now (rec'd. from a private donation) & paying the remaining \$30,000 when the USDA grant money is received; passed unanimously 5-0.

Economic Development Meeting w/LGLCRP-Will be held in Salem on September 23rd, 2022, from 10:45 am-12:30 pm (approximately) for anyone interested in joining. Will be touring the former shirt shop, now owned by the Ketchums, the hotel now owned by John Tomasi, & having lunch @ Jacko's Corner.

NYS Restore Application-Meeting to be held in Salem on Monday, 09/26/2022, @ approximately 1 p.m. to review several different properties in the area (Linke properties will be looked at-behind five years in taxes). Supervisor Clary would like Board approval to proceed with the application process, filing the necessary paperwork for this program. **Resolution #70-Motion made by** Councilman Howard Law, seconded by Councilman Marcus Blanck, giving permission to Supervisor Evera Sue Clary to proceed with filing the necessary paperwork required for the application process for NYS Restore; passed unanimously 5-0.

2023 Budget Workshop Meetings-The following dates were set up: Wednesday, 09/21/22-5:15 pm @ Proudfit Hall; Wednesday, 09/28/22-5:15 pm @ Georgi Community Room; Wednesday, 10/05/22-5:15 pm @ Proudfit Hall. Regular monthly meeting of Salem Town Board Wednesday, 10/05/22-5:00 pm for payment of bills, business meeting to begin @ 6:00 pm. Budget will be discussed at meeting if necessary.

Review of 2023 Contracts-Glens Falls Hospital-discussion re raising price to either \$750 or \$850; Bancroft Trust; Courthouse-currently pays \$120/year; Carnival Grounds w/Salem Fire Dep't.-Currently \$1/year for 99-year Lease, renewable annually. Supervisor Clary would like Attorney Klingebiel to review the current lease agreement.

OLD BUSINESS

Community Pedestrian Loop-Chazen-will be put online as of 08/10/22. \$30,000 grant for the study--\$137,500 available for a Main Street revitalization grant. Councilwoman Levey asked who would maintain the loop? Supervisor Clary wasn't sure on this.

Friends of the Georgi-CFC Grant-Museum needs a new roof; climate control needs to be done to preserve the artwork, along w/several other items listed in the Waite assessment that was done recently. If

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the museum is to be recognized as an educational museum; an absolute charter must be obtained from the NYS Education Department. A Board of Trustees would need to be created, also. According to a prior Resolution passed by the Town of Salem Town Board several years ago, if & when another Board of Trustees was ever appointed for the Georgi Museum, the members of the Board of Trustees must be made up of residents from Shushan & the Town of Salem. 501 (c)(3) status could be applied for, allowing for more grants

to be sought for projects that need doing.

Sale of Town Office Building-supposedly closing sometime in September. Bank appraisal just done & Clerk Gilchrist just rec'd. an e-mail from the closing attorney inquiring about zoning--any permitted applications for work that had been done in any of the buildings included in the sale; what zoning district is property in & what are the uses allowed in the zoned district; any open code violations; when was a Certificate of Occupancy issued? Clerk Gilchrist forwarded the e-mail on to Planning Board Clerk, Kim Erbe as most of the questions would need answering through Washington County Code Enforcement.

Mixed Use Zoning District & Public Hearing-Attorney Klingebiel will draft language for a Local Law, amending the uses in the prior Mixed-Use District to include a medical office/health facility as an acceptable use in the Mixed Use District. The Planning Board has a certain amount of time to review the changes before a public hearing can be scheduled.

Standard Work Day & Reporting Resolution-Clerk to Supervisor Kathy Chambers reported that NYS Retirement had an issue w/prior paperwork submitted regarding the standard work day for appointed & elected officials for five employees: Evera Sue Clary, Travis Keys, Brenda Levey, Jean McLenithan & Patricia Gilchrist so the paperwork needs to be re-done & posted in the Town Office for thirty (30) days.

Resolution #71-Motion made by Councilman Marcus Blanck, seconded by Councilwoman Laura Dunham, to post the required paperwork regarding the standard work day for appointed & elected officials for the five employees listed above; passed unanimously 5-0. Kathy will get proper paperwork to Clerk Gilchrist to certify & post.

CORRESPONDENCE-rec'd. from Dieter Drake (Anthem Sports) regarding ride on October 1, 2022 & one in spring of 2023. Insurance certificates must be provided for both events.

E-mail rec'd. from resident Mary Sommer, who lives at 12 Adams Lane in Shushan, regarding the moving of a light, going down one pole, when existing street lights are replaced. Currently, the light is across from her front porch & too close to her house. Her neighbors don't have an objection to the light being moved closer to either of their properties (Virginia Hayes & Dale Bates), which is where the light used to be in the past. Mrs. Georgi did not like the location at that time so it was moved up closer to County Route 61. Supervisor Clary has spoken to Mary & checked out the lighting, said cobra fitting would go from pole 290.3 to pole 290.2, w/neighbors in agreement. NYSE &G rep is aware of lighting change request; it can be done when lights change to LED. Mary is also concerned about a hole-settled area in the sidewalk near the Shushan intersection that needs taken care of.

Motion to Adjourn-Motion made by Councilman Howard Law, seconded by Councilwoman Brenda Levey, to adjourn the regular monthly meeting of the Salem Town Board; passed unanimously 5-0; meeting adjourned @ 8:40 p.m.

Special Meetings on 2023 Budget-1st 2023 Budget meeting will be held on Wednesday, 09/21/2022, @ Proudfit Hall, beginning @ 5:15 pm. 2nd 2023 Budget meeting will be held on Wednesday, 09/28/2022, @ Georgi Community room, beginning @ 5:15 pm. 3rd 2023 Budget meeting will be held on Wednesday, 10/05/2022, @ Proudfit Hall, beginning @ 5:15 pm.

Regular Monthly Meeting-will be held on October 12, 2022 @ Proudfit Hall; review of Warrants #10 & Highway Abstract #10 for payment will begin @ 5:00 pm; business meeting will be called to order @ 6:00 pm.

