

**TOWN OF SALEM-JANUARY 26, 2023**  
**SPECIAL BOARD MEETING TO REVIEW CARNIVAL GROUNDS LEASE**  
**W/SALEM VOLUNTEER FIRE DEPARTMENT, INC.**

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

**Others Present:**-Salem Fire Dep't. Board of Trustees Members: Joe Wever-; Steven Saunders; Greg Fifield; Elmer A. Cary, III; Ken Colombraro; William Linendoll

**Absent:** Travis Keys-Highway/Water; Eric Rogers-Highway/Water; Maurice Patrick-Planning Bd.; Kim Erbe-Planning Bd./Library; Rebecca Brown-Water Clerk/Library; Rachel Clothier-Courthouse; Krista Sullivan-Courthouse; Herb Perkins-L, L & P; Judy Flagg-Historian/Records Mg'mt.; Jeanne Smith-Georgi; Nancy Quell-DCO

Special Meeting was called to order at 6:30 p.m. by Supervisor Clary, followed by Pledge of Allegiance.

**Just a couple of FYI's:** Red Barn on property belongs to the Town of Salem & the antique fire truck that was in the bldg. is gone. The Fire Dep't. does, however, have some things stored there.

Joe Wever will check to see if there is anything belonging to the Fire Dep't. in the bays at the West Broadway location by the library; he does not think there is.

**Boy Scouts** currently have a sub-Lease w/the Salem Fire Dep't. & their own insurance, which was approved by the Salem Town Board at that time.

**The following changes to the Lease Agreement were proposed by the Board of Trustees of the Salem Volunteer Fire Dep't., Inc.:**

1.-Page 1-Agreement will run from January 1<sup>st</sup>, 20\_\_ to December 31, 20\_\_ of any year.

2.-Page 2- Under 1. Lease Term-Will commence on January 1<sup>st</sup>, 20\_\_

Discussion ensued regarding the 99-year lease term-Attorney Klingebiel advises this is now 93 & not 99; his advice is that nothing should run for this length of time. Questions/comments went back & forth & the consensus between the Town Board & the Fire Dep't. Board of Trustees was that no one had a problem with a term of fifteen (15) years

Will now read: '1.-LEASE TERM: The term of this Lease shall commence on the 1st day of January, 20\_\_, continuing for of fifteen (15) years, renewable yearly. Either party choosing to end the Lease shall have one hundred eighty (180) days, or six (6) months, notice that a re-negotiation of the terms is requested.' Trustees of the Fire Dep't. would like the 'renewable yearly' removed wherever it appears in the current Lease, so the action of the \$1.00 annual payment, paid & accepted by the Town of Salem, keeps the Lease in place. This will be brought to Attorney Klingebiel's attention.

3.-Page 3-Under 2. Lease Rent-'The annual rent for the property subject to this Lease is \$1.00/ year. Rent will be paid to the Town annually within the month of January of the commencement of the Lease term.'

4.-Page 4-Under 8. Insurance-'The minimum coverage required is \$2,000,000.00 per person bodily injury and death, \$2,000,000.00 per occurrence, and \$300,000.00 fire damage.' This change was requested by Attorney Klingebiel & the Trustees of the Salem Volunteer Fire Dep't., Inc. had no problem w/this. Copy of insurance binder will be required.

All changes presented/discussed will be given to Attorney Klingebiel for review in preparation of new Lease Agreement.

Councilwoman Dunham asked if any additional insurance would be required because the firemen use the grounds for training. Joe Wever said no as the Fire Dep't. has liability coverage of their own.

She also asked if the Chamber of Commerce needs to do a Certificate of Insurance naming the Salem Volunteer Fire Department, Inc. because the July 4<sup>th</sup> parade ends on these grounds. That was a yes.

**Donation of property**-Greg Fifield reported that a prior owner of that property had donated it to the former Village of Salem, for use by the Salem Fire Department. Was this in perpetuity? Greg

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reported that there had been paperwork or microfilm/microfiche that was found prior or that there might be something in the Fire Dep't. minutes regarding this. He will check w/Al Cormier, too.

**Motion made by** Councilman Howard Law, seconded by Councilman Marcus Blanck, that the Lease would run month to month until a new Lease Agreement was finalized & executed, accepting the \$1.00 payment for the 2023 year's Lease; passed unanimously 5-0.

**Motion to Adjourn-Motion made by** Councilwoman Laura Dunham, seconded by Councilman Howard Law, to adjourn the special meeting of the Salem Town Board w/the Trustees of the Salem Volunteer Department, Inc.; passed unanimously 5-0. Meeting adjourned @ 7:20 p.m.

**Regular Monthly Meeting** of the Salem Town Board will take place on February 15, 2023, in Proudfit Hall; 181 Main Street; Salem, NY, beginning @ 5:00 p.m. to review Warrants #2 & Highway Abstract #2 for payment; business meeting to begin @ 6:00 p.m.

Respectfully submitted:

Patricia A. Gilchrist-Town Clerk-Town of Salem