

TOWN OF SALEM
REGULAR MONTHLY MEETING-TOWN BOARD
OCTOBER 16, 2024

Present: Supervisor Evera Sue Clary; Town Council: Brenda Levey; Howard Law; Tom McMorris; Wyeth Coburn; Town Clerk-Pat Gilchrist; Clerk to Supervisor-Kathy Chambers

Others Present: Travis Keys-Highway/Water; Rebecca Brown-Water/Library; Kim Erbe-Planning Bd./Library; Larry Haber-Economic Dev.; Sandi Haber-Georgi; Mary Menard-Georgi

Public Present: Scott Eastman; Jillian Eastman; Brian Tift; Tom Clark; Tina Fleming; Laura Dunham; Mike Miller; Cindy Miller; Donna Farringer; Chuck Farringer; Mike Vogel; Resa Vogel; Gerry Magoolaghan; David Owens (joining the Georgi group)

Absent-Eric Rogers-Water Dep't.(Report provided); Moe Patrick-Planning Bd.; Al Cormier-Hist./Records Mg't.(Report provided); Steve Saunders-Salem Fire Dep't. (Report provided); Jim Carrolan-Sewer Comm.; Nancy Quell-DCO (report provided)

5:00 P.M.-Review of **Warrants #10 & Highway Abstract #10 of 2024** for approval & payment

6:00 P.M.-Regular monthly meeting called to order by Supervisor Clary, followed by Pledge of Allegiance

Open Bid(s) on Georgi Handicap Accessible Pathway-Councilwoman Levey opened the one (1) bid that was rec'd. from Grasshopper Garden of Gansevoort, NY in the amount of \$19,020; figure good until November 10, 2024. Non-Collusive Bidding Certificate & Certificate of Insurance were attached, as requested. Not responsible for any erosion during construction if weather related. Councilman Law wants to read the whole bid presented; will review later in the meeting.

Approval of Minutes from 08/21/2024 Regular Monthly Meeting (taken by Clerk to Supervisor Chambers)-Motion made by Councilwoman Brenda Levey, seconded by Councilman Wyeth Coburn, to approve the minutes from the 08/21/2024 Regular Monthly Meeting ; passed unanimously 5-08

Approval of Minutes from 09/18/2024 Regular Monthly Meeting-Motion made by Councilman Howard Law, seconded by Councilman Wyeth Coburn, to approve the minutes from the 09/18/2024 Regular Monthly Meeting; passed unanimously 5-0

Approval of Minutes from 09/25/2024-Third 2025 Budget Workshop Meeting-Motion made by Councilman Wyeth Coburn, seconded by Councilman Howard Law, to approve the minutes from the Third 2025 Budget Workshop Meeting; passed unanimously 5-0

Approval of Minutes from 10/01/2024-Special Meeting for Insurance-Motion made by Councilman Howard Law, seconded by Councilman Wyeth Coburn, to approve the minutes from the 10/01/2024 Special Meeting for Insurance; passed unanimously 5-0.

Approval of Warrants #10 & Highway Abstract #10 for payment-Motion made by Councilman Wyeth Coburn, seconded by Councilman Tom McMorris, to approve Warrants #10 & Highway Abstract #10 for payment; passed unanimously 5-0.

Financials/Bank Statements-were also reviewed by Town Board

Sewer Committee-Councilman Coburn reported that a location still needs to be finalized.

Georgi-Laura Dunham asked if the Board had received & reviewed all the documents that were emailed to them on Friday of last week. The following documents were emailed: Cultural Agency Profile (sent by NYS Education Dep't. to be filled out); Petition to Amend and Extend a Provisional Charter; By-Laws of the Georgi

Museum & Park Center; Constitution of the George Museum & Park Center; Georgi Museum & Park Center Board of Trustees; Trustees Committees; Collection Management Policy of the George Museum & Park Center; Code of Ethics & Conflict of Interest Policy of the Georgi Museum & Park Center; Whistleblower Policy for the Georgi Museum & Park Center; Disaster Preparedness/Response Plan for the Georgi Museum & Park Center. Councilman Law stated that the By-Laws & the MOU should both say the same thing regarding the Town of Salem retaining control of the trust fund, the collections & the real property. He asked this question of Town Attorney, Dave Klingebiel, who responded that both documents should state the same thing. **Motion made by** Councilman Tom McMorris, seconded by Councilman Howard Law, stating that the Town of Salem will retain control of the trust fund, the collections & the real property; passed unanimously 5-0. **Motion also made by** Councilman Wyeth Coburn, seconded by Councilman Tom McMorris, to send all documents to Town Attorney Klingebiel to review specific language used & respond back to Supervisor Clary within one week (Supervisor Clary will forward all documents to Attorney Klingebiel); passed unanimously 5-0.

Laura Dunham also emailed her report to all board members:

Mold Issue-Ryan Wilde is a state certified inspector, fully insured, & would charge \$375 (discounted rate for the Georgi) to test--would follow-up for \$325, although follow-up is supposedly not required by NYS. Need to confirm that NYS does not require a follow-up visit, which Laura will confirm. Sandi will look for another quote for mold abatement. If mold remediation is over \$2,500, it will need to go out to bid.

Sotheby's Appraisal-Waiting for check to be rec'd. before releasing appraisal documents. The appraisal is needed by the Hyde Museum for the correct amount of insurance to provide for the paintings.

Hyde Museum Exhibit-Painting will be picked up sometime in October if appraisal issue has been resolved & insurance can be secured. Hyde will wrap & transport. The exhibit will run from January-May; this will be great exposure for the Georgi Museum!

Gem/Mineral Inventory-Sandi reported that the inventory of the gems & minerals from Bill Cotrefeld's sheets have all been added to a flash drive & there is also a list. Both the list & flash drive will be put in the safe in the Town Office.

Available Funds-ARPA funds-\$8,000 for Trout Room roof (cost-\$8,565); issues w/product delivery. Pinnacle hopes to begin early November. Supervisor Clary asked that the rotted fascia board be replaced, also. \$16,900 available from the Deaccessioning Funds to be used for disability/HVAC/repairs

Grants-Salem Community Foundation-Asked for \$10,000 for disability/HVAC projects

Charles R. Wood Foundation-Asked for \$30,000 for ADA handicap accessibility-hope to hear in Nov.

Climate Smart Community-Qualified w/points to ask for \$10,000 for HVAC

Report will be filed

Hydrangeas/apple trees-Councilwoman Levey reported that Adam Kaufman has volunteered to trim the hydrangeas & take down the two apple trees. Thank you, Adam, for volunteering to do this!!

Bid from Grasshopper Garden-**Motion made by** Councilman Wyeth Coburn, seconded by Councilman Howard Law, to go to discussion regarding the bid from Grasshopper; passed unanimously 5-0. After much discussion: **Resolution #49**-**Motion made by** Councilman Wyeth Coburn, seconded by Councilman Tom McMorris, to accept the bid from Grasshopper Garden for the handicap accessible path & to include silk fencing at a reasonable cost, amount not to exceed the sum of \$2,500; passed unanimously 5-0

Salem Volunteer Fire Dep't.-11 Calls for month of September, 2024: 9-Salem (2-power line issues; 2-LP gas leaks; 2-lift assist; 1-log skidder fire; 1-MVA (unfounded); 1-MVA); **Mutual Aid:** 1-Hebron (propane leak);1-Rupert (fire alarm activation scene)

Meetings-Monthly Fire Dep't. meeting

Training-Station Maintenance; Driver/Pump Training; SCBA; Communication Bus Demo; Detail @ Fort Hudson for Paul Dietrich; Yearly Truck servicing has begun

Fund Raising-Fund letter being sent; coin drop; bar-b-que

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Salem Rescue Squad-August Report-43 calls: T/O/S-30; T/O/Hebron-14; VT-4

Call Disposition-GFH-13; Saratoga-7; SVMC-6; RMA-7; No PT-2; Lift Assist-4; RRM-2; Life Net-1; Albany Med-1

Year-To-Date Calls-357; 4451-9; 4452-20; 4453-14

10 Minute Response Time: 81% (35-Yes; 8-No)

Report will be filed

September Report-41 calls: T/O/S-30; T/O/Hebron-8; VT-3

Call Disposition-GFH-17; Saratoga-4; SVMC-1; RMA-7; No Pt.-4; Lift Assist-3; Albany Med-1; Cancelled-2; Transferred Care-2

Year-To-Date Calls-398; 4451-9; 4452-17; 4453-15

10 Minute Response Time: 76% (31-Yes; 10-No)

Report will be filed

Monthly Reports from Clerk Gilchrist-July fees turned over to Town-\$308; August fees turned over to Town-\$217; September fees turned over to Town-\$419; reports will be filed

Courthouse-Herb is away; no report. **November 13th** is the Annual Mtg. @ 6 p.m. w/refreshments in the Great Hall; several community members will be honored at this time. **November 30th-Holiday Market**

Planning Board-Clerk Erbe reported that the Town of Jackson Planning Board currently has a two-year moratorium on Wind Energy & Battery Storage. Salem Planning Board would like to work together w/the Town of Jackson to create a Local Law for each Town to file with the NYS Dep't. of State. Kim expressed concern about wind farms becoming defunct in the future, being left abandoned, putting the burden on the tax-payers for clean-up. Include a bond requirement in a Local Law like the Town did w/the newly filed Solar Law. Ag areas need to be looked at regarding the issue of renewable energy development. T/O/S Planning Bd. meets next Thursday, 10/24, in the Town Office; this is on their Agenda to discuss. Clerk Gilchrist reported that she had rec'd. an email on 10/12/2024 from a Stephen Mills, Data Ops @ paces.com re battery storage & wind energy. **Motion made by** Howard Law, seconded by Councilman Wyeth Coburn, giving permission for Supervisor Clary to contact Supervisor Jay Skellie on what the Town of Jackson has been working on. **Motion made by** Councilman Howard Law, seconded by Councilman Tom McMorris, to do a two-year moratorium on Wind Energy & Battery Storage, after seeking advice from Town Attorney Klingebiel; passed unanimously 5-0. A new Local Law for Solar was just filed in January of 2024; Kim does not know if another moratorium could be placed on Solar as well, as the Town had two previous Moratoriums before. This is also something Attorney Klingebiel would have to address.

Water Dep't.-Eric emailed his report to all Board members. 319 meters in service (had 1 new water hook-up for month); still looking into Master Meter as a passable replacement to the Orion system we are currently using. Regular upkeep & maintenance were performed; had a hand full of dig safe mark outs. Eye wash & fire extinguisher checks have been done; yearly inspection is due this month (October). Did the monthly water sample required by the D/O/H, which met the bacteriological requirements for a public water supply as set forth in subpart 5-1.5 of the State Sanitary Code under Public Health Law 225. Well #3 was cleaned, tested & is back in service. Eric would like to get the county drone here to do outside inspection of the tank. Flushing went well; we will be pumping all hydrants out soon before the cold weather sets in. Eric's report will be filed.

Travis advised that Well #3 crashed Tuesday a.m.; Well #1 was already down (not tested yet). Mark Rogers came up; wire will be pulled on Monday (2" conduit)--650' from bldg. to the well. \$2,100 approximately for

wire alone. Councilman McMorris reported that Terry McNall, from Wash. Co. IT, would come check out the computer system if necessary; Terry will call Mark Rode.

Historian's Report-Supervisor Clary forwarded Al's report to all. A copy of Vol. 1, "Camden Valley, the Moravian Church", was given to the archives by Terry Decora; this will complete the three-volume set. Steve & Sandy Watson arrived from Dallas, TX, 10/05, to research the Watson/Martin/Fitch families. Judy Flagg cur-

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rently lives in the Martin house on Black Creek Rd. & was unable to meet w/them. They did, however, view the house, the Fitch site, the Rev. War Cemetery, & the Rexleigh Covered Bridge. Al did find further information about the Watson & Martin families in the historical files. Al spoke to the Salem Area Woman's Club on 10/09, filling in for Herb Perkins, who was away. He spoke on the last 22 yrs. of the Courthouse development. Al was contacted by Julian Spallholz regarding his grandfather's trip in 1919 w/the family in their 1917 Haynes auto; the book is entitled "Auto Touring America's National Parks". His grandfather, Henry Spallholz, was the manager of the Salem Shirt Shop; Al send along a picture showing the shop workers & the Spallholz family on July 11, 1919, showing their departure. The book can be ordered from Amazon.com.

Al also showed a movie on 10/13, entitled "Expulsion, the Story of Acadia". The talk explained how the French Acadian pioneers became early settlers of the Hudson & Champlain Valley areas. French names of towns & citizens are a reminder of the French support during the American Revolution years & the French Acadian & Canadian immigration in the 1800's to work in the mills in New England & NY State. Thirty people from Washington, Warren, & Saratoga counties w/French Acadian backgrounds attended, talking about their family backgrounds. Al's report will be filed.

Economic Development-Larry Haber sent out his report to all Board members from the 09/16/24 mtg.

Chuck Barton from the Warren-Washington County IDA was present. There will be a meeting w/Bob Henke, the County Attorney, & the County Treasurer re the Linke properties after the County Budget cycle has been completed. Hudson Headwaters planned opening remains targeted for April-June, 2025. Larry submitted a \$29,000 grant for ADA work to the Charles R. Wood foundation on 08/29/2024.

Climate Smart-Salem qualifies for a \$10,000 grant for Climate Smart/Clean Energy projects already completed; Town Board has already earmarked the same for the HVAC costs @ the Georgi. Looking @ add'l. work that has already been completed that would qualify for other grants.

John Bardwell met with someone representing an organization from Philadelphia looking to possibly relocate its linen/uniform cleaning business to Salem.

John & Supervisor Clary reviewing potential sites for Solar. Economic Development Committee is discussing a potential trip to Easton to meet w/Eddie Johnson, owner of the Easton Solar Farm. Chuck Barton (IDA) discussed potential grant opportunities for Solar.0.

Larry met w/Melissa Carll from Bancroft Library.

Next meeting of EDC-10/21/2024 @ 9 a.m. in the Salem Town Office; report will be filed.

DCO-Report provided from Nancy Quell for September, 2024. Report of dog running through yards in Battenkill Grove Way; report from an owner that a lab got out from a home on NYS Rte. 22. Report will be filed.

Highway-Sup't. Keys reported that Easton & White Creek budget between \$30-\$40,000/year for dust control. Both use a mag-based solution for dust. Calcium chloride does not mingle well w/other solutions; this is not an issue w/the mag-based solution, which can co-mingle w/winter materials, making it easier to use across seasons. Can do a three-year contract w/Innovative for two-3,000-gallon tanks--12,000 gallons liquid per year, both summer & winter-- at a cost of \$13,080/year. This would add more salt storage for the winter season, while hopefully improving summer dust control. Travis was comfortable w/this approach. **Resolution #50-**

Motion made by Councilman Wyeth Coburn, seconded by Councilman Howard Law, to make the switch to the mag-based solution, for the two-3,000-gallon tanks--12/000 gallons/year over three-year period @ a cost of \$13,080/year, instructing Travis to sign the agreement w/ Innovative; passed unanimously 5-0.

Trevor paid a visit; Grad-all is down; working on problem.

'09 Challenger Mowing tractor back @ barn--electrical issue. It appears the body control module is not syncing w/rest. Spent about \$25,000 in 2023, not much in 2024. **Motion made by** Councilman Howard Law, seconded by Councilman Wyeth Coburn, to list '09 Challenger Mowing tractor either on Gov Deals or Auctions International or both, whatever Travis prefers to do; passed unanimously 5-0.

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Travis reported that he has two applicants for Town Highway. One has no CDL (only farm CDL); union will pay for him to get his CDL license @ a minimum of 40 hrs. drive time to Albany. Town of Kingsbury pays mileage for one of their men to drive his own truck to Albany. T/O/S will pay him to go for a minimum of 4 weeks.

Other applicant has worked for T/O/S twice before; has an issue getting up in the morning.

Non CDL pays \$22/hour; non-Union \$24.20 part-time rate. Talk to Benji @ Union re non CDL--won't start @ full rate. **Motion made by** Councilman Howard Law, seconded by Councilman Wyeth Coburn, instructing H'Way Sup't. Keys to call Benji tomorrow, Thursday, 10/17/2024; passed unanimously 5-0.

Travis provided his day-by-day report for September, 2024; report will be filed.

PUBLIC COMMENTS

Mike Miller--from Beattie Hollow Rd. had a hand-out for those present at the meeting, voicing concerns on road maintenance of the dirt section: re-gravelling & widening of the road, removing dangerous trees which will open the road to the needed winter sun, grade/crown/lay down calcium on a regular basis. There are also health & safety concerns regarding all the dust. Potholes on road due to gravel disappearing & water sits on top of the road; right before the pavement, the potholes are horrible. The road needs regular grading after graveling; there needs to be a crown created to divert water into ditches, which used to be lower than the road. Currently, water cannot find a ditch as shoulder is higher than the road. Calcium needs to be put down regularly to stabilize the road & control the dust. There is a lot of air pollution from the dust; many cannot open the windows in their houses. Much needed dust control has not been done like it should have been in the past 4-5 years. The Village had a truck with a water tank that was used to spray the dirt's; what happened to that truck? Need a posted speed limit lower than 55 mph. Donna & Chuck Farringer also spoke about the road maintenance needed on the dirt section & that the road needs grading & dust control. Windows cannot be left open the dust is so bad. Not much rain so that hasn't helped. Gerry Magoolaghan, who also lives on Beattie Hollow Rd., feels that dust creates a real health issue. Mike & Resa Vogel were also present as residents of Beattie Hollow Rd.; Resa also spoke on the condition of the road. Mike also spoke on the issue of using Beattie Hollow Rd. as the main access road to a State Park in VT--how much will that increase traffic in the area?? Supervisor Clary advised that she had spoken to County Treasurer Al Nolette regarding grants. The next round would be in May, 2025, & is a grant for erosion control for crowns & ditching.

Tom Clark-Flooding Issue--The flooding problem needs remediation! The proposed FEMA maps include areas that did not flood. No bridge currently meets the hydraulic analysis for flooding. Railroad bridge in W. Rupert is very undersized--12-1/2' wide for 15 sq. miles-- so that causes flooding in Salem. New bridge in Sandgate, put in after Irene, is 38' wide w/8' of clearance.

Brian Tiff--former Mayor of the Village of Salem says he feels the Highway Dep't. should be putting calcium down tomorrow & grading on Beattie Hollow as Mike reported the same thing at the Sep't. Board meeting & nothing was done. Regarding the flooding, the bridge on Archibald Street needs removing. Take out railroad bridge by Brian's house (Northeast Rail owns this) and remove Dan Sheldon's bridge. Trees need to be taken out of the creek & gravel needs removing.

SUPERVISOR'S REPORT & NEW BUSINESS

FEMA Maps--Supervisor Clary advised that there would be a Public Hearing @ County Bldg. w/FEMA on the newly proposed FEMA map as it now stands. Need to stop the draft map from going final at it now stands w/

the residents listed. She would like the Town of Salem & the Town of Jackson to draft article/letter for the Public Hearing appealing finalization of the draft FEMA map(s) as they are currently laid out. Homeowners will have to do the work themselves to be removed from the map to be taken out of the floodplain. FEMA nor the Towns will do the required paperwork for removal. The time limit to appeal is 90 days. **Motion made by** Councilman Tom McMorris, seconded by Councilwoman Brenda Levey, to draft a letter w/the Town of Jackson, sending the same to Washington County Board of Supervisors appealing the finalization of the draft FEMA

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map(s) at the map(s) now stand & to put a notice/article in the paper re the FEMA Public Hearing at the County Bldg., stating that the County needs to appeal the current FEMA floodplain map(s); passed unanimously 5-0.

Supervisor Tom McMorris would like to have Delaware Engineering review the Town's portion of the FEMA floodplain map(s) & get their opinion on the map(s) as it/they now stand. What would be the cost of doing something like this?? **Motion made by** Councilman Tom McMorris, seconded by Councilman Wyeth Coburn, to have Supervisor Clary check w/Delaware on the cost for them to review the current FEMA floodplain map(s) & to see if they could revise/redraft the floodplain map(s) to correct current issues. Would a revision by Delaware be accepted or hold any weight w/FEMA & Washington County??

Public Hearing on 2025 Fire Contract, 2025 Preliminary Budget & Local Law #6 of 2024 to

Override the 2025 Tax Cap-The Public Hearing for all will be held on 10/29/2024 @ 5 p.m. in the Salem Town Office; 214 Main Street; Salem, NY. Public Hearing on Fire Protection Contracts will begin immediately following the opening of the meeting @ 5 p.m. Amount for Salem Volunteer Fire Department, Inc. is \$209,316; Shushan Volunteer Fire Department, Inc. is \$63,378. Public Hearing on the 2025 proposed Preliminary Budget will begin @ approximately 5:15 p.m. Public Hearing on proposed Local Law #6 of 2024, entitled "A Local Law to Override the 2025 Tax Cap Limit established in General Municipal Law S3-C" will begin on or before 5:45 p.m. The appropriate Legal Notices were put in the Eagle Newspaper by Clerk Gilchrist.

Climate Smart Community \$10,000 Clean Energy Grant-Supervisor Clary advised that the grant cannot be used toward an HVAC system at the Georgi Museum but could most likely be used for energy efficient windows. Some of the current windows in the Museum could certainly be replaced.

Town Board Meeting Date Change-Supervisor Clary proposed that the regular monthly meeting be changed back to the second Wednesday of the month. This would be 11/13/2024 & 12/11/2024 for Nov. & Dec., 2024. There is a conflict w/School Board Meetings on the 3rd Wed. of the month. **Motion made by** Councilman Wyeth Coburn, seconded by Councilwoman Brenda Levey, agreeing to monthly meeting date change from the third Wednesday of the month to the second Wednesday of the month--11/13/2024 & 12/11/2024 for the remainder of 2024. Issue will be addressed for 2025 meetings at the Organizational Meeting in January, 2025; passed unanimously 5-0.

OLD BUSINESS

Master Comprehensive Plan-Zoom mtg. on CDRPC Sustainability Grant will be held on 10/17/2024 from 2-3 p.m.

Grant for Brine Storage-Supervisor Clary reported that the LGLC grant for brine storage was not accepted by NYS; said application was not completed in its entirety.

CORRESPONDENCE-None

Motion to Adjourn-made by Councilman Howard Law, seconded by Councilman Wyeth Coburn, to adjourn the monthly meeting of the Salem Town Board; passed unanimously 5-0. Meeting was adjourned @ 8:45 p.m.

Public Hearing on Fire Protection Contracts for Salem & Shushan Fire Dep'ts., 2025 Preliminary Budget & Local Law #6 of 2024 to Override the 2025 Tax Cap-will be held on 10/29/24, beginning @ 5 p.m. in the Salem Town Office; 214 Main Street; Salem, NY.

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Next Regular Monthly Meeting of Salem Town Board-will be held on Wednesday, November 13th, 2024, @ Proudfit Hall; 181 Main Street; Salem, NY. Review of Warrants #11 & Highway Abstract #11 for payment will begin @ 5 p.m., with business meeting being called to order @ 6 p.m.

Respectfully submitted:

Patricia A. Gilchrist-Town Clerk-Town of Salem

