

**NORTH SALEM TOWN BOARD AGENDA
PUBLIC HEARING/REGULAR MEETING/WORKSESSION
VIA ZOOM
June 22, 2021
7:30 pm**

ZOOM DIAL IN NUMBER

1. 929-205-6099
2. ID 914-261-2636
3. <https://zoom.us/j/9142612636>

PUBLIC HEARING

1. To Consider a Local Law to Opt Out of Allowing Cannabis Retail Dispensaries and On-Site Consumption Sites

PUBLIC MEETING

1. To Consider Community Development Block Grant (CDBG) Program Applications
 - a) \$66,700.00 to replace the existing Senior Van
 - b) \$250,000.00 for Town building energy improvements

RESOLUTIONS

1. To Issue a Notice of Negative Declaration and Adopt Local Law 03-21
2. To Acknowledge Appointment of Part-time Court Clerk
3. To Appoint Seasonal Personnel - 2021 Day Camp Staff
4. To Appoint Personnel – Recreation
5. To Authorize Tax Assessor to Attend Educational Seminar
6. To Authorize Town Attorney to Execute Stipulation – Lukashok
7. To Authorize Expense – Salem Roofing, Inc.
8. To Authorize Expense – CorrTech
9. To Authorize Supervisor to Sign Agreement and Authorize Payment - North Salem Day Camp Medical Services
10. To Award Bid – Frank Cyrwus, Inc.
11. To Authorize Expense – Siewert Equipment
12. To Authorize Expense – Peach Lake Wastewater Treatment Plant
13. To Amend Resolution #146-21 To Authorize Supervisor to Sign Insurance Renewal Coverage Agreement – Foa & Son
14. To Authorize Supervisor to Sign Stormwater Control Facility Maintenance and Access Agreement
15. To Go Into Executive Session – Tax Certiorari Matters
16. To Go Into Executive Session – Legal Advice of Counsel
17. To Authorize Supervisor And the Climate Smart Community Leadership Committee to Apply for Grants
18. To Authorize Supervisor to Sign Agreement and Authorize Payment for the 2020 Senior Citizens Nutrition Program

19. To Authorize Payment – Cooper Arias, LLP
20. To Authorize Payment – ELQ Industries, Inc.

WORKSESSION

1. Discuss Resumption of in-person meetings

Posted: June 18, 2021

**1. TO ISSUE A NOTICE OF NEGATIVE DECLARATION AND ADOPT LOCAL LAW
03-21**

Motion made by
Seconded by

WHEREAS, the Town of North Salem Town Board is considering the adoption of Local Law No. 3 of 2021 amending the Code of the Town of Salem, pursuant to New York State Constitution Article IX and New York Municipal Home Rule Law §10, to add Chapter 158 to opt-out of allowing cannabis retail dispensaries and on-site consumption sites from being established and operated within the Town of North Salem, as is authorized under NYS Cannabis Law Article 4 (hereinafter referred to as the “proposed action”); and

WHEREAS, the proposed (legislative) action is proposed pursuant to NYS Cannabis Law § 131 which expressly authorizes the Town Board to adopt a Local Law requesting the Cannabis Control Board to prohibit the establishment of cannabis retail dispensary licenses and/or on-site consumption licenses within the jurisdiction of the Town of North Salem, which Local Law is subject to a permissive referendum, the procedure of which is governed by Municipal Home Rule Law § 24; and

WHEREAS, the proposed action is an Unlisted (legislative) action pursuant to SEQR 6 NYCRR Part 617, for which a Short Environmental Assessment Form (SEAF) has been prepared assessing related potential environmental impacts; and

WHEREAS, the Town Board held a duly noticed public hearing, which public hearing was opened and closed on June 22, 2021, at which time interested parties were afforded an opportunity to be heard;

RESOLVED, the Town Board as the sole involved agency hereby confirms its status as lead agency for the environmental review of the Unlisted action pursuant to the provisions of SEQR 6 NYCRR Part 617. As lead agency, the Town Board has considered the Short EAF with corresponding Short EAF Narrative, as well as the comments and recommendations of its consultants and the public; and

FURTHER RESOLVED, the Town Board, as lead agency, hereby determines that the proposed Unlisted action will not have a significant adverse effect on the environment, and further determines that preparation of an environmental impact statement will not be required. As such, the Town Board hereby issues the attached Notice of Negative Declaration, which includes supporting reasons for its determination of SEQR Non-Significance; and

FURTHER RESOLVED, the Town Board hereby adopts Local Law No. 3 of 2021, which shall take effect immediately upon filing with the New York Secretary of State, pursuant to New York Municipal Home Rule Law §27.

2. TO APPOINT PART-TIME PERSONNEL – COURT

Motion made by
Seconded by

RESOLVED, that the Town Board of the Town of North Salem hereby appoints Theresa Robson as a part-time Assistant Court Clerk effective June 14, 2021 at a rate of twenty-five dollars (\$25.00) per hour for up to sixteen (16) hours per week for a probationary term of not less than twelve (12) weeks nor more than fifty-two (52) weeks to assist with Justice Court Vehicle and Traffic sessions.

3. TO APPOINT SEASONAL PERSONNEL – 2021 DAY CAMP STAFF

Motion made by
Seconded by

RESOLVED, that the Town Board of the Town of North Salem hereby appoints the following seasonal employees as the 2021 Summer Camp Staff for the period from June 25, 2021 through August 8, 2021.

* * SEE ATTACHED LIST * *

4. TO APPOINT PERSONNEL - RECREATION

Motion made by
Seconded by

RESOLVED, that the Town Board of the Town of North Salem hereby appoints Mary Anne Miras, on an as-needed basis to drive the senior citizen van for Recreation Programs, including Senior Club trips, at an hourly rate of twenty dollars and ninety-three cents (\$20.93), effective June 23, 2021.

5. TO AUTHORIZE TAX ASSESSOR TO ATTEND EDUCATIONAL SEMINAR

Motion made by
Seconded by

RESOLVED, that the Town Board of the Town of North Salem hereby authorizes the Tax Assessor to attend a “Seminar on Appraising” from July 11-16, 2021 through Cornell University at the Hotel Ithaca.

6. TO AUTHORIZE TOWN ATTORNEY TO EXTEND STIPULATION - LUKASHOK

Motion made by
Seconded by

RESOLVED, that the Town Board of the Town of North Salem hereby authorizes the Town Attorney to extend the Stipulation of Settlement in the matter entitled *Alvin Lukashok et al. v. Town of North Salem, et al.* - Index No. 19771/87 until December 31, 2021.

7. TO AUTHORIZE EXPENSE – SALEM ROOFING, INC.

Motion made by
Seconded by

RESOLVED, that the Town Board of the Town of North Salem hereby authorizes an expense of twenty thousand three hundred forty-five (\$20,345.00) to Salem Roofing, Inc. for the partial re-roofing of Delancey Hall per the quote dated April 30, 2021.

8. TO AUTHORIZE EXPENSE – CORRTECH

Motion made by
Seconded by

RESOLVED, that the Town Board of the Town of North Salem hereby authorizes an expense of one thousand two hundred dollars (\$1,200.00) to CorrTech for painting inspection services of the Sunset Ridge Water District Storage Tanks project.

9. TO AUTHORIZE SUPERVISOR TO SIGN AGREEMENT AND AUTHORIZE PAYMENT - NORTH SALEM DAY CAMP MEDICAL SERVICES

Motion made by
Seconded by

RESOLVED, that the Town Board of the Town of North Salem hereby authorizes the Supervisor to sign the Agreement dated June 3, 2021 with Dr. Elliot Barsh to serve as the North Salem Day Camp Physician on an emergency or as-needed basis from June 25, through August 6, 2021, and authorizes a payment in the amount of one thousand two hundred dollars (\$1,200.00) to Dr. Elliot Barsh, 110 South Bedford Road, Mount Kisco, NY 10549.

10. TO AWARD BID – FRANK CYRWUS, INC.

Motion made by
Seconded by

RESOLVED, that the Town Board of the Town of North Salem hereby awards the bid for a new Highway Salt Shed Roof at 250 June Road to Frank Cyrwus, Inc., as the lowest responsible bidder at the bid opening at Town Hall on June 4, 2021 at 2:00 pm, in the amount of sixty-one thousand two hundred ten dollars (\$61,210.00).

11. TO AUTHORIZE EXPENSE – SIEWERT EQUIPMENT

Motion made by
Seconded by

RESOLVED, that the Town Board of the Town of North Salem hereby authorizes an expense in the amount of six thousand four hundred fourteen dollars and thirty-four cents (\$6,414.34) to Siewert Equipment for the purchase of two (2) E/One Sewage Grinder Pumps (plus estimated freight) and five circuit panels for the Peach Lake Sewer District.

12. TO AUTHORIZE EXPENSE – PEACH LAKE WASTEWATER TREATMENT PLANT

Motion made by
Seconded by

RESOLVED, that the Town Board of the Town of North Salem hereby authorizes an expense of fifty-four thousand dollars (\$54,000.00) for Engineering Services to GHD for the computer and software upgrade to the SCADA system at the Peach Lake Wastewater Treatment Plant, and

BE IT RESOLVED, that the Town Board of the Town of North Salem hereby authorizes an expense not to exceed fifteen thousand dollars (\$15,000) to Logically for hardware and software network security upgrade and new CAT6 wiring.

13. TO AMEND RESOLUTION #146-21 TO AUTHORIZE SUPERVISOR TO SIGN INSURANCE RENEWAL COVERAGE AGREEMENT – FOA & SON

Motion made by
Seconded by

RESOLVED, that the Town Board of the Town of North Salem hereby amends Resolution #146-21 to read as follows:

RESOLVED, that the Town Board of the Town of North Salem hereby authorizes the Supervisor to sign the renewal agreement with Foa & Son for the Town's comprehensive insurance for the period of May 14, 2021 through May 14, 2022 and to make payment in the amount of one hundred twenty-two thousand five hundred twenty-four dollars and thirty-eight cents (\$122,524.38).

14. TO AUTHORIZE SUPERVISOR TO SIGN STORMWATER CONTROL FACILITY MAINTENANCE AND ACCESS AGREEMENT

Motion made by
Seconded by

RESOLVED, that the Town Board of the Town of North Salem hereby authorizes the Supervisor to sign the Stormwater Control Facility Maintenance and Access Agreement dated June 23, 2021 between the Town and Wellington Trust for the properties located at 369 and 371-387 Mills Road, North Salem, NY 10560 in accordance with the Stormwater Pollution Prevention Plan Permit number to be determined.

15. TO GO INTO EXECUTIVE SESSION - TAX CERTIORARI MATTERS

Motion made by
Seconded by

RESOLVED, that the Town Board of the Town of North Salem go into Executive Session to discuss issues pertaining to tax certiorari matters.

16. TO GO INTO EXECUTIVE SESSION – LEGAL ADVICE OF COUNSEL

Motion made by
Seconded by

RESOLVED, that the Town Board of the Town of North Salem shall enter into Executive Session to solicit advice of counsel on legal matters.

17. TO AUTHORIZE SUPERVISOR AND THE CLIMATE SMART COMMUNITY LEADERSHIP COMMITTEE TO APPLY FOR GRANTS

Motion made by
Seconded by

RESOLVED, that the Town Board of the Town of North Salem hereby authorizes the Supervisor and the Climate Smart Community Leadership Committee to apply for NYSERDA Grants including (but not limited to):

- A retroactively awarded Designation Grant in the amount of \$5,000 to be used for a clean energy project (North Salem was designated a Clean Energy Community in 2019 for completing four NYSERDA-identified high-impact actions)
- An Action Grant of \$5,000 for adopting the NYStretch Energy Code
- An Action Grant of \$5,000 for one or more clean energy Community Campaigns

18. TO AUTHORIZE SUPERVISOR TO SIGN AGREEMENT AND AUTHORIZE PAYMENT FOR THE 2020 SENIOR CITIZENS NUTRITION PROGRAM

Motion made by
Seconded by

RESOLVED, that the Town Board of the Town of North Salem hereby authorizes the Supervisor to sign a Memorandum of Agreement among the Towns of Somers, Lewisboro, and North Salem, for the Senior Citizen Nutrition Program provided by the Town of Somers, effective January 1, 2020 through December 31, 2020, and authorizes a payment in the amount of nineteen thousand nine hundred ninety-nine dollars (\$19,999.00) to the Town of Somers.

19. TO AUTHORIZE PAYMENT – COOPER ARIAS, LLP

Motion made by
Seconded by

RESOLVED, that the Town Board of the Town of North Salem hereby authorizes payment in the amount of sixteen thousand one hundred dollars (\$16,100.00) to Cooper Arias, LLP for preparation of the Town's December 31, 2020 audited financial statements.

20. TO AUTHORIZE PAYMENT – ELQ INDUSTRIES, INC.

Motion made by
Seconded by

RESOLVED, that The Town Board of the Town of North Salem hereby authorizes payment to ELQ Industries, Inc. in the amount of two hundred twenty-two thousand eight hundred fifty-two dollars and one cent (\$222,852.01) for construction services for Purdy's Train Station Pedestrian Access (Construction Payment Requisition #02, June 2, 2021).