

At 7:05 p.m., Supervisor Johnson welcomed everyone and wished them a Happy New Year. He then welcomed John Lant and Steve Streicher, two new board members (applause). He then called the Regular Town Board meeting to order.

Pledge of Allegiance

Supervisor Johnson led the board and the audience in reciting the Pledge of Allegiance to the Flag.

Roll Call

Roll Call by the Town Clerk showed all board members present:

Arthur Johnson-Supervisor
John Lant-Councilman
Robert Pulsifer-Councilman
Robert Rice-Councilman
Steven Streicher-Councilman

Also present were Town Attorney Richard DeVall, Town Comptroller Jeffrey Reale and Director of Planning and Zoning Keith Manz.

Public Comment

Supervisor Johnson recognized Town resident Ken Garcia to address the board.

Mr. Garcia thanked the board for the opportunity to speak. He stated that in 2007 he ran for Town Councilman and he ran to make certain that the people in this town are given a fair shot. We have a Republican Board and that's great, that's what the Town wants. You have done a wonderful job guiding the Town. The reason he stepped up now is with the new board members. When he ran people had addressed concerns regarding the Planning Board giving preferential treatment to certain people. He hoped that this board would treat everyone fairly.

Dennis Towers stated that tonight there are reappointments on several boards. All these folks have provided valuable public service to benefit our town and all are willing to continue that service. All should be reinstated by this board. Should any of the Town Board members choose to vote no, the voters here and the folks at home deserve the respect of knowing your reasoning. If you choose to hide behind no, with no reason, we will just insert the words, no disclosable logic, just back door politics.

Dan Tagliento thanked the board and welcomed the two new board members. He did not see the invitation for the reception and asked if it was opened to the public. It was not really advertised that well. Supervisor Johnson stated it was opened to the public.

Organizational Resolutions #1-#57

Supervisor Johnson stated that the reorganizational resolutions 1-57 have been distributed to the board members and there are a couple of changes before the board votes on these. The board wants to table Resolution # 49 (appointing the Planning and Zoning Attorney). There are two individuals to be considered for that position and the board members have indicated they wanted the opportunity to

interview both of them. He stated that Carrie Fisher has taken a job in the Town of Ballston and under Resolution # 46 she was the Insect Control Coordinator. The board would delete Carrie Fisher for that appointment and also as the Web Coordinator (Resolution # 55).

Councilman Rice asked if the board could approve Resolutions # 46 and 55 tonight without an individual being named.

Supervisor Johnson stated that the board could do that. Supervisor Johnson stated that those were the only changes he had and asked if any of the board members had recommended changes or questions regarding the resolutions.

Councilman Streicher stated he wanted to table Resolution # 47 (Health Officer) at this time the opportunity for a Health Office for an as needed basis was declined. So the Town will look for a person who would be interested in that position.

Supervisor Johnson stated he had questioned Dr Klepetar at your request and he was not interested in an hourly appointment. So the board would need to table this resolution. At this time Supervisor Johnson entertained a motion to approve all the resolutions except #49, #47 and then resolutions #55 and #46 amended to eliminate Carrie Fisher. **Reorganizational Resolutions as follows:**

RESOLUTION #1: **REGULAR MEETINGS-RESOLVED**, pursuant to Town Law §62 that all regular meetings of the Wilton Town Board shall be held at the Wilton Town Hall, 22 Traver Road on the first (1st) Thursday of each month beginning at 7:00 p.m., except that additional meetings will be scheduled as deemed necessary by the board.

RESOLUTION #2: **CONDUCT OF MEETINGS-RESOLVED**, pursuant to Town Law §63, that "Robert's Rules of Order" shall prevail as the source of clarification for any questions as to Parliamentary Procedure.

RESOLUTION #3: **PLEDGE OF ALLEGIANCE-RESOLVED**, pursuant to Resolution #67 adopted January 3, 1991 that all official town meetings shall be opened by reciting the Pledge of Allegiance to the Flag.

RESOLUTION #4: **COMMITTEES-RESOLVED**, pursuant to Town Law §63, that the Supervisor shall appoint committees of Town Board members and others to aid the full Board.

RESOLUTION #5: **OFFICIAL NEWSPAPERS-RESOLVED**, pursuant to Town Law §64 (11), to designate The Saratogian as the Official Newspaper of

the Town of Wilton. Legal advertising will also be placed in the Daily Gazette and the Post Star newspapers.

RESOLUTION #6: **EMPLOYEE BENEFITS-RESOLVED**, to provide employee benefits to all General Fund and Highway Fund employees as outlined in the Town's Personnel Policies under separate cover, except health insurance benefits see resolution # 56.

RESOLUTION #7: **EMPLOYEE SALARIES-RESOLVED**, to pay Town employees according to the attached 2012 pay rate schedule effective 1/1/12-12/31/12. Also to pay merit pay as per schedule attached in lump sum payment during the month of January.

RESOLUTION # 8: STANDARD WORKDAY AND REPORTING RESOLUTION

BE IT RESOLVED, that the Town of Wilton hereby establishes the following as standard work days for elected and appointed officials and will report the following days worked to the New York State and Local Employees' Retirement System based on the record of activities maintained and submitted by these officials to the clerk of this body:

| Elected Officials | | | | | |
|--------------------------|-----------------|------------------------------------|-------------------------|---|--|
| Title | Name | Standard Work Day (Hrs/day) | Term Begins/Ends | Employer Record of Time worked (Y/N) | Days/Month (based on sample Record of Activities) |
| Supervisor | Arthur Johnson | 6 | 01/01/2012-12/31/2013 | | N/A |
| Councilman | Robert Pulsifer | 6 | 01/01/2010-12/31/2013 | No | 10.99 |
| Councilman | Robert Rice | 6 | 01/01/2010-12/31/2013 | No | 5.37 |
| Councilman | John Lant | 6 | 01/01/2012-12/31/2015 | No | |
| Councilman | Steve Streicher | 6 | 01/01/2012-12/31/2015 | No | |
| Town Clerk | Carol Maynard | 7 | 01/01/2012-12/31/2013 | No | 20 |

REGULAR TOWN BOARD MEETING**JANUARY 5, 2012**

| | | | | | |
|----------------------------|---------------------|---|-----------------------|-----|-----|
| Town Justice | Gerald Worth | 6 | 01/01/2010-12/31/2013 | | N/A |
| Town Justice | David Towne | 6 | 01/01/2012-12/31/2015 | | N/A |
| Hway. Super. | Kirklin Woodcock | 8 | 01/01/2012-12/31/2013 | | N/A |
| Appointed Officials | | | | | |
| Comptroller | Jeffrey Reale | 7 | 01/01/2012-12/31/2013 | Yes | 20 |
| Engineer | Keith Manz | 7 | 01/01/2012-12/31/2013 | Yes | 20 |
| Assessor | Kathy Austin | 7 | 10/01/2007-09/31/2013 | Yes | 20 |
| | | | | | |

RESOLUTION #9: **REIMBURSEMENT FOR TRAVEL-RESOLVED**, to establish the rate of reimbursement for travel on town business at the prevailing annual rate established by the Internal Revenue Service.

RESOLUTION #10: **HOLIDAYS (PAID)-RESOLVED**, pursuant to Gen. Mun Lw §90 and §92, that the following dates be designated as paid holidays for all full-time employees and all town offices shall be closed in observance of these holidays:

| | | |
|-------------------|-------------|------------------------|
| January 2, 2012 | (Monday) | New Year's Day |
| January 16, 2012 | (Monday) | Martin Luther King Day |
| February 20, 2012 | (Monday) | Washington's Birthday |
| May 28, 2012 | (Monday) | Memorial Day |
| July 4, 2012 | (Wednesday) | Independence Day |
| September 3, 2012 | (Monday) | Labor Day |
| October 8, 2012 | (Monday) | Columbus Day |
| November 12, 2012 | (Monday) | Veterans Day |
| November 22, 2012 | (Thursday) | Thanksgiving Day |
| November 23, 2012 | (Friday) | Post Thanksgiving Day |
| December 25, 2012 | (Tuesday) | Christmas Day |

RESOLUTION #11: **PETTY CASH-RESOLVED**, pursuant to Town Law §64(1a) To allocate the following amounts of Petty Cash to the department heads indicated:

| | |
|-------------------------------|-----------|
| Town Clerk | 200 |
| Town Justices (2) (\$50 each) | 100 |
| Planning Board Chairman | 50 |
| Zoning Board Chairman | 25 |
| Tax Collector | 150 |
| Recreation Director | 200 |
| <u>Dog Control Officer</u> | <u>50</u> |
| TOTAL PETTY CASH ALLOCATED | \$ 775 |

RESOLUTION #12: **CELLULAR PHONES-RESOLVED**, that the following employees are authorized to use cellular telephones (see amendment to policy on May 5, 2011).

Kirklin Woodcock, Highway Superintendent
Michael Monroe, Working Foreman
Frank Holden, Working Supervisor
Richard McCane, Working Supervisor 5/1/08
Ronald Stunzi, Dog Control Officer
Keith R. Manz, Town Engineer
Steve Porto, Recreation Director
John King, Super. Maint. Worker 4/3/08
Arthur J. Johnson, Supervisor
Larry Gordon, Emergency Services Coordinator
Jeff Reale, Comptroller
Lori Olson, Highway Clerk (amended 6/7/07)
Kathy Austin, Town Assessor
Robert Pulsifer, Councilman

RESOLUTION #13: **LIAISONS-RESOLVED**, that the following will serve as liaisons to the departments indicated:

| | |
|-----------------|------------------------------------|
| Keith Manz | Wilton Water & Sewer Authority |
| Nancy Riely | Insurance |
| Robert Pulsifer | Highway Department |
| Steve Streicher | Parks & Recreation |
| John Lant | Americans w/Disabilities Committee |
| Arthur Johnson | Wilton Emergency Squad |
| John Lant | Justice Department |
| John Lant | Safety Review Committee |
| Robert Rice | Historian's Office |

RESOLUTION #14: **HIGHWAY DEPARTMENT (4-TON ROAD LIMIT)-RESOLVED**, to post all town roadways at a 4-ton road limit until further notice.

RESOLUTION #15: **HIGHWAY SUPERINTENDENT SPENDING (TOWN ROADWAYS)-RESOLVED**, pursuant to Hwy Lw §284, that the Town Board and the Town Highway Superintendent shall enter into an Agreement for the Expenditure of Highway Funds for the repair and improvement of town highways **AND, BE IT RESOLVED**, that these funds shall be expended at such places and in such manner as may be agreed upon by the Town Board and the Town Highway Superintendent **AND, BE IT FURTHER RESOLVED**, that this Agreement is to be executed and signed by a majority of the Town Board members and the Highway Superintendent.

NOTE: Chapter 173 of the Laws of 1994 amended S284 of the Highway Law to delete the requirement that the County Highway Superintendent must approve all agreements for the expenditure of town highway funds.

RESOLUTION #16: **HIGHWAY SUPERINTENDENT SPENDING (MACHINERY TOOLS, MINOR EQUIPMENT & OTHER IMPLEMENTS)-RESOLVED**, pursuant to Hwy Lw §142(a), to authorize spending by the Highway Superintendent for machinery, tools, minor equipment and implements up to \$3,000 without prior approval from the Town Board provided that sufficient appropriations exist, and the purchase has been made in compliance with the town's procurement policies and procedures and a Purchase Order has been issued for purchases of more than \$1,500.

RESOLUTION #17: **DEPUTY HIGHWAY SUPERINTENDENT-RESOLVED**, pursuant to Town Law §32(2) to establish the position of Deputy Highway Superintendent **AND, BE IT FURTHER RESOLVED** to appoint Sandra Woodcock to the position at no remuneration.

RESOLUTION #18: **ELECTIONS (VOTER REGISTRATION DAY)-RESOLVED**, to consolidate election districts for Voter Registration Day at the Town Hall Annex, 20 Traver Road. **NOTE:** Pursuant to Saratoga County Board of Elections resolution adopted January 7, 1993, there shall be no meetings for local registration except in presidential and vice-presidential election years.

RESOLUTION #19: **ZONING BOARD OF APPEALS-RESOLVED**, pursuant to Town Law §267(1) to establish a Zoning Board of Appeals consisting of seven (7) members with terms of office effective from January 1 through December 31 (7-year terms).

RESOLUTION #20: **PLANNING BOARD-RESOLVED**, pursuant to Town Law §271(1) and 272 to establish a Planning Board consisting of seven (7) members with terms of office effective from January 1 through December 31 (7-year terms).

RESOLUTION #21: **BOARD OF ASSESSMENT REVIEW- RESOLVED**, pursuant to Real Property Tax Law §523 to establish a five-member Board of Assessment Review with terms of office effective from October 1 to September 30 (5-year terms).

RESOLUTION #22: **CHAIRPERSONS FOR BOARDS –RESOLVED**, pursuant to Town Law §271 (1) the Town Board shall designate the chairpersons to the following Boards on a yearly basis and;

FURTHER BE IT RESOLVED, to appoint the following chairpersons to said boards for the terms listed below:

a.) Planning Board Michael Dobis Current term 1/1/12- 12/31/12.

b.) Zoning Board Joseph O'Brien Current term 1/1/12-12/31/12 and;

FURTHER BE IT RESOLVED, to approve the extended terms of chairmanship of the Planning and Zoning Boards when those terms would expire and their scheduled meeting would occur

prior to the first available organizational Town Board meeting at such time resolutions will be passed for the current chairmanship terms.

RESOLUTION #23: **SARATOGA COUNTY YOUTH BUREAU-RESOLVED**, to appoint the town's Recreation Director to serve as the Town of Wilton's representative on the Youth Advisory Board.

RESOLUTION #24: **DIVISION FOR YOUTH SPENDING-RESOLVED**, pursuant to Resolution #89 adopted on September 6, 1990, to authorize the Recreation Director, on behalf of the Parks & Recreation Commission, to apply for funding through the Division for Youth.

RESOLUTION #25: TAX BILLS/THIRD PARTY DESIGNATION-RESOLVED, pursuant to a unanimous decision of the Wilton Town Board on November 6, 1986, and to comply with Chapter 758 of the Real Property Tax Laws of 1986, that the receiver of taxes shall include with each tax bill a notice that elderly and disabled tax-payers may designate an adult third party to receive duplicate copies of tax bills and notices of unpaid taxes;

AND, BE IT FURTHER RESOLVED, that all eligible taxpayers must file said application on or before the first day of November of each year.

RESOLUTION #26: **TAX COLLECTOR DEPOSITS-RESOLVED**, pursuant to Gen Mun Lw §11, to authorize the Town Clerk to temporarily deposit or invest monies not required for immediate expenditure in special time deposit accounts, or certificates of deposit, in any bank approved by the Town of Wilton as an Official Depository.

RESOLUTION #27: OFFICIAL DEPOSITORIES-RESOLVED, pursuant to Tn Lw§64(1), Bk Lw §96-6 and Gen Mun Lw §93, to designate the institutions listed below as Official Depositories of the Town of Wilton:

Adirondack Trust Company

Saratoga Nat'l Bank & Trust Company
Key Bank of New York
NBT Bank
Ballston Spa National
HSBC (added 5/7/07) (resolution #133)

All Official Depositories must enter into a Custodial Agreement with the Town of Wilton if deposits exceed \$250,000. Max. investment amount for each institution not to exceed \$7,000,000.

RESOLUTION #28: **INVESTMENT POLICY-RESOLVED**, pursuant to a unanimous decision of the Town Board on June 3, 1993 and updated 1/1/11, to establish an Investment Policy to minimize risk to principal and interest, define eligible investments, provide sufficient liquidity to insure the availability of cash when needed and to insure a competitive rate of return. (See Attached)

RESOLUTION #29: **CAPITAL ASSETS PROGRAM-RESOLVED**, pursuant to a unanimous decision of the Town Board on May 7, 1987 and updated 1/1/08, to establish a Fixed Assets Program for the Town of Wilton with physical inventories to be conducted by all department heads by December 31 of each year. (Capital Assests Policy Attached)

RESOLUTION #30: **PURCHASE ORDER SYSTEM/PROCUREMENT**

POLICIES & PROCEDURES-RESOLVED, pursuant to a unanimous decision of the Town Board on November 12, 1987 to establish a Purchase Order System for use by all departments with the Account Clerk serving as Purchasing Coordinator.

AND, BE IT FURTHER RESOLVED, pursuant to Resolution #115 adopted on April 2, 1992, amended on December 4, 2003, and December 6, 2007, and July 1, 2010, to follow the procurement policies and procedures contained in that resolution for the procurement of goods and services not subject to bidding requirements under Gen Mun Lw §103 or any other law, such

procurement policies having been reviewed and reaffirmed by the Town Board on 11/8/01. Pursuant to Resolution #194 adopted on July 6, 1995, the Comptroller is authorized to approve budget transfers after conferring with at least three (3) Town Board members with such action to be ratified by resolution at the next Town Board meeting. All town vouchers shall be certified or verified. (See Procurement Policy)

RESOLUTION #31: **RETURN CHECK CHARGE-RESOLVED**, pursuant to General Obligation law 5-328, to charge \$20.00 for checks returned as unpaid.

RESOLUTION #32: **TOWN COMPTROLLER-RESOLVED**, pursuant to Town Law Article8-§124 that the Comptroller assumes the duties of an Accounting Supervisor with approval to countersign checks and/or to use the Supervisor's signature stamp as deemed necessary.

RESOLUTION #33: **FUND TRANSFERS-RESOLVED**, pursuant to a unanimous decision of the Town Board on December 27, 1984, to approve fund transfers into appropriations at the same time expenditures not budgeted are approved. This shall be done at the Regular Town Board Meeting whenever bills are approved for payment.

RESOLUTION #34: **WIRE/TELEPHONE TRANSFERS-RESOLVED**, pursuant to a unanimous decision of the Town Board on August 13, 1987, that the Principal Account Clerk, in the Comptroller's office, is authorized to make wire/telephone transfers at the Adirondack Trust Company and Saratoga National Bank from the Money Market Account to the various checking accounts.
WITHDRAWALS ARE NOT AUTHORIZED.

RESOLUTION #35: **CERTIFIED PUBLIC ACCOUNTANTS-RESOLVED**, to retain Certified Public Accountants to provide professional services (under separate contract).

RESOLUTION #36: **SECTION 125 PREMIUM ONLY PLAN-RESOLVED**, pursuant to Resolution #165 adopted on August 5, 2004, which allows employees to have pre-tax monies withheld from their paycheck to cover the cost of the employee's premium portion of Health Insurance, Group-Term Life Insurance and Disability Plans. Effective July 1, 2004 renewed on a yearly basis.

RESOLUTION #37: **CONTRACTS-RESOLVED**, that the Town Board authorizes the Supervisor to enter into the following contracts:

*on-going contracts:

Adirondack Trust (Collateral Agreement)
Attorney Planning & Zoning (yearly)
Blue Shield of Northeastern NY (Medicare Advantage) (on-going)
Camp Saratoga (Resident Caretaker Lease) *
CDPHP Health Ins. (In Nancy's Off)
Christopher Dailey Foundation (Ground Lease)
Christopher Dailey Foundation (Facility Lease Agreement)
County Waste (4 yd. T/H & 8 yd. G/P containers)
Delta Dental Service Contract (In Nancy's Off.)
DeVall, Richard F. (Town Attorney) (yearly)
Earthlinks Business (phones)
Fundbalance, Inc. (Maint. Agreement)
Grant, Ulysses S. (Friends/Cottage) (yearly)
Greenfield/Maple Ave. Fire District (gasoline)
Heritage Society (Wilton) (yearly)
HSBC (Banking Agreement)
HUD Housing * (Section 8 Housing Program)
Intermunicipal agreement (Highway)
Klepetar, Thomas, M.D. (Health Officer) (yearly)
M.M. Hayes Co., Inc. (Time-Clocks)*
Manz, Keith ., P.E. (Town Engineer) (10/1/92 as amended 5/5/94 & 12/2/04)
National Grid Agreement (Outdoor Lighting)
Nationwide Retirement Solution (Deferred Comp.)
Nextel (State Police Phones & Highway) (Nancy's Off.)
New York State (Gasoline & Diesel Fuel)
Northern Pines Housing Dev. (Agreement)(Pilot Program)
NYSERDA Agreement

Penflex, Inc. (Service Award Program)
Pitney Bowes, Inc. (Rental Agreement)
Reale, Jeffrey, (Town Comptroller) (2 years)
Saratoga Co. Animal Shelter (Impoundment of Dogs) *
Saratoga Co. (Co. maint. & operate shelter dogs)
Saratoga Co. Office of Aging (Nutrition Agmt.) (In Pat's Off.)
Saratoga Co. Office of Aging (Transportation Agmt.)*
Saratoga County Office of Emergency Services
Saratoga Co. Reforestation of Lands (Mngmnt Agreement)
Saratoga Co. Rural Preservation (Housing Asst.)
Saratoga Co. Youth Bureau (Youth Week program) (7/24/03) (In Pat's Off.)
Saratoga National Bank (Credit Card Contract)*
Saratoga National Bank (Ach Originator Agreement)
Saratoga Springs City School District (Summer camp buses)
Saratoga Springs School District (Lease of Lands)
Saratoga/Wilton Youth Soccer Club (thru 2014)
Small Cities Grant Agreement
Smith Conservation Subdivision Agreement
Southworth-Milton, Inc. (Mtce. Agmt.-Emergency Generator)
Tech II (telephone mgnt agreement)
Time Warner Cable (Franchise Agreement)
Upstate Elevator Company (Maint. Contract)
Value Payment Systems 1/1/11-12/31/11 auto 1 yr. renewal
John Vincek Lease
Vincelette, Daniel G. Esq. (Assess. Attorney)
Waste Management of Eastern NY (30-yd. open rolloff)
Wilton Emergency Squad (Ambulance Serv.)
Wilton Emergency Squad (Gasoline)
Wilton Fire Dept. (Gasoline)
Wilton Senior Center (**New** Contract) (Annual)
Wilton Water & Sewer (Lease Agreement) & (gasoline)
Wilton Wildlife Preserve & Park (Annual Contract) &
(Lease Agreement)
Wilton Youth Baseball (Annual)

RESOLUTION #38:

RECORDS MANAGEMENT OFFICER-RESOLVED, pursuant to a unanimous decision of the Town Board on March 2, 1989 to dispose of town records according to Schedule MU-1 issued pursuant to Article 57-a of the Arts & Cultural Affairs Law and;

BE IT FURTHER RESOLED, to appoint Carol Maynard to the position of Records Management Officer.

RESOLUTION #39: **REGISTRAR OF VITAL STATISTICS-RESOLVED**, Pursuant to Pb Hlth Lw §4130, to establish the position of Registrar of Vital Statistics and;

BE IT FURTHER RESOLVED, to appoint Carol Maynard to the position. Amount included in salary. (This appointment is the responsibility of the Supervisor).

RESOLUTION #40: **DEPUTY REGISTRAR OF VITAL STATISTICS-RESOLVED**, pursuant to Pb Hlth Lw §4130, to establish the position of Deputy Registrar of Vital Statistics and;

BE IT FURTHER RESOLVED, to appoint Julie Hotaling to the position. (This appointment is the responsibility of the Registrar of Vital Statistics).

RESOLUTION #41: **SAFETY OFFICER, RESOLVED**, to appoint Nancy Riely to the position at \$1,553 per annum. Established 2/1/96 (Hazard Communication Program).

RESOLUTION #42: **FIRE MARSHALL, RESOLVED**, to appoint Mark Mykins to the position of Fire Marshall, established in 1998.

RESOLUTION #43: **DOG CONTROL OFFICER-RESOLVED**, to establish the position of Dog Control Officer and;

BE IT FURTHER RESOLVED, to appoint Ronald Stunzi to the position at \$ 14,884 per annum.

RESOLUTION #44: **DEPUTY DOG CONTROL OFFICER-RESOLVED**, to establish the position of Deputy Dog Control Officer and;

BE IT FURTHER RESOLVED, to appoint Joan Kelly to the position at \$ 11,702 per annum.

RESOLUTION #45: **TOWN HISTORIAN-RESOLVED**, to establish the position of Town Historian and;

BE IT FURTHER RESOLVED, to appoint Jeannine Woutersz to the position at \$ 1,957 per annum.

RESOLUTION #46: **INSECT CONTROL COORDINATOR- RESOLVED**, to establish the position of Insect Control Coordinator and;

BE IT FURTHER RESOLVED, to appoint _____ to the position at \$ 1,250 per annum.

RESOLUTION #47: **TOWN HEALTH OFFICER- RESOLVED**, to establish the Position of Town Health Officer and;

BE IT FURTHER RESOLVED, to appoint Dr. Thomas Klepetar to the position at \$ 3,000 per annum (under separate contract).

RESOLUTION #48: **TOWN ATTORNEY-RESOLVED**, pursuant to Town Law §20 (2) (b) to establish the position of Town Attorney, and;

BE IT FURTHER RESOLVED, to appoint Richard F. DeVal to the position at \$ 30,600 per annum at \$ 145 per hour for services involving formal litigation and bond counsel (under separate contract).

RESOLUTION #49: **ASSISTANT TOWN ATTORNEY-RESOLVED**, pursuant to Town Law §20 (2) (b) to establish the position of Assistant Town Attorney **AND, BE IT FURTHER RESOLVED**, to appoint **Mark Schachner** to the position at \$ 13,000 per annum (under separate contract).

RESOLUTION #50: **DEPUTY SUPERVISOR-RESOLVED**, to establish the position of Deputy Supervisor and;

BE IT FURTHER RESOLVED, to appoint **Robert Rice**, to the position at \$ 4,537 per annum. (This appointment is the responsibility of the Supervisor).

RESOLUTION #51: **NOTIFICATION POLICY FOR BREACH OF PRIVATE INFORMATION SECURITY-RESOLVED**, to adopt this policy in accordance with New York State Technology Law Section 208 as added by Chapters 442 and 491 of the laws of 2005, and is consistent with the provisions of said Section. The purpose of this policy is to require the **Town of Wilton** to Notify a New York Resident when there has been or is reasonably believed to have been an unauthorized acquisition of the resident's private information from the computerized records maintained by the **Town of Wilton**.

RESOLUTION # 52: EMERGENCY SERVICES COORDINATOR- RESOLVED, to appoint **Larry Gordon** to the annual position of Emergency Services Coordinator, Effective 1/1/12-12/31/12, the position was established at the April 5, 2007, Town Board meeting under the Home Land Security Law (Resolution # 115), (no remuneration).

RESOLUTION # 53: DEPUTY RECEIVER OF TAXES-RESOLVED, pursuant to Town Law §20(3-c) to establish the position of Deputy Tax Receiver and;

BE IT FURTHER RESOLVED, to appoint **Julie Hotaling** to the position, at \$2,500 per annum. (This appointment is the responsibility of the Town Clerk).

RESOLUTION # 54: PREVIOUS YEARS ENCUMBRANCES, to authorize the Town Comptroller to roll forward all outstanding encumbrances and budget appropriation.

RESOLUTION #55: **WEBSITE COORDINATOR- RESOLVED**, to establish the position of Website Coordinator and;

BE IT FURTHER RESOLVED, to appoint _____to the position at \$1,250 per annum.

RESOLUTION #56: **HEALTH INSURANCE BENEFITS**, to provide health insurance benefits to all eligible town employees, under separate cover.

RESOLUTION #57: HEALTH REIMBURSEMENT ARRANGEMENT, that

The following is a formal record of action taken by the governing body of the Town of Wilton (the "Company").

With respect to the adoption of the Town of Wilton Health Reimbursement Arrangement (the "Plan"), the following resolution are hereby adopted:

NOW, THEREFORE, BE IT RESOLVED, that the Plan be adopted in the form attached hereto, which Plan is hereby adopted and approved;

RESOLVED FURTHER: That the appropriate officers of the Company be, and they hereby are, authorized and directed to execute the Plan on behalf of the Company;

RESOLVED FURTHER: that the officers of the Company be, and they hereby are, authorized and directed to take any and all actions and execute and deliver such documents as they may deem necessary, appropriate or convenient to effect the foregoing resolutions including, without limitation, causing to be prepared and filed such reports, documents or other information as may be required under applicable law.

On a motion introduced by Councilman Rice, the board adopted the following resolutions:

RESOLUTION # 1-57

NOW, THEREFORE, BE IT RESOLVED, to approve all the reorganizational resolutions except #49 (Planning & Zoning Attorney), #47 (Public Health Officer) and #46 (Insect Control Coordinator) and #55 (Website Coordinator) amended to eliminate Carrie Fisher's name.

The adoption of the resolution was seconded by Councilman Pulsifer, duly put to a vote, all in favor.

Proclamation

Supervisor Johnson stated that before he goes into the reorganizational resolutions he wanted to add that the Greenfield Fire District has their 65th anniversary coming up and he has drafted a proclamation that he would like to present to the Fire District at that banquet. He then asked for a motion and a second to present the proclamation to the Fire District.

On a motion introduced by Councilman Pulsifer, the board adopted the following resolution:

RESOLUTION # 58

NOW, THEREFORE, BE IT RESOLVED, to authorize the Town Supervisor to present the Proclamation to the Greenfield Fire District for their 65th anniversary.

The adoption of the resolution was seconded by Councilman Rice, Duly put to a vote, all in favor.

Approve Pending Minutes
November & December

On a motion introduced by Councilman Pulsifer, the board adopted the following resolution:

RESOLUTION # 59

NOW, THEREFORE, BE IT RESOLVED, to approve the minutes from the November 10, 2011 and the December 1, 2011 meeting as typed without amendment.

The adoption of the resolution was seconded by Councilman Rice, duly put to a vote, all in favor.

Reappointments

a.) **Ethics Board**
Shirley Jung

Current term to expire 12/31/11
New term 1/1/12-12/31/15

Supervisor Johnson stated that there are several appointments to various boards. All these listed on the agenda are current incumbents in the positions and have indicated that they would like to be reappointed for a new term.

A motion was introduced by Councilman Lant and seconded by Supervisor Johnson. Supervisor Johnson asked if there were any discussions.

Councilman Rice stated that he appreciated Mr. Tower's comments and he agreed. It makes sense to understand where the board is coming from. With the investigation that was done, which is the first time the Ethics Board functioned in some ten years, It was his opinion that they went astray. They far exceeded the letter of the Ethics Law we have in Town. He had asked Mrs. Jung to come in and meet with the board to have a discussion and find out what her opinion was and she declined. So without that information, he would not move forward in supporting her.

Councilman Streicher stated he would not support her either, he agreed with Councilman Rice's reasoning and he actually had a chance to talk to her about her opinions.

Councilman Pulsifer stated his opposition to the reappointment due to the attack against him and the investigation that followed.

Supervisor Johnson explained that everyone's entitled to their position and their vote. He then asked if there were any other comments. No comments.

Supervisor Johnson stated that there was a motion and a second to reappoint Shirley Jung, all in favor. The appointment **failed 3 to 2.**

Supervisor Johnson- yes

John Lant- yes

Councilman Rice-no

Councilman Streicher-no

Councilman Pulsifer-no

b.) Planning Board
Brett Hebner

Current term to expire 1/31/11
New Term 1/1/12-12/31/18

Supervisor Johnson stated that the next reappointment is Brett Hebner, a member of the Planning Board, who's term expires 12/31/11. He has asked to be reappointed to a new term.

A motion was introduced by Councilman Lant and seconded by Supervisor Johnson. Supervisor Johnson asked if there were any discussions.

Councilman Rice stated his opposition to the reappointment stating he would never support someone who is not pro-property rites for any board position in this town.

Councilman Pulsifer agreed with Councilman Rice and would not vote for Mr. Hebner.

Supervisor Johnson stated that Mr. Hebner is one of the members of the Planning Board who actually has Planning experience in his outside employment. The Planning Board members and the chairman are happy with his performance. He did not see any reason why he should not be reappointed.

Councilman Lant stated that Mr. Hebner is more than qualified and he recommended he be reappointed.

Supervisor Johnson asked if there were any further discussions. No comment. There was a motion and a second to reappoint Brett Hebner, all in favor.

The appointment **failed 3 to 2.**

Supervisor Johnson-yes

Councilman Lant-yes

Councilman Rice-no

Councilman Streicher-no

Councilman Pulsifer-no

Planning Board (Alternate)
Ron Slone

Supervisor Johnson stated that Ron Slone is the alternate and now that there is a vacancy on the Planning Board the practice has been to move up the alternate.

On a motion introduced by Councilman Rice, the board adopted the following resolution:

RESOLUTION # 60

NOW, THEREFORE, BE IT RESOLVED, to appoint Ron Slone to fill the vacancy that Brett Hebner no longer holds on the Planning Board. New term 1/1/12-12/31/18.

The adoption of the resolution was seconded by Councilman Streicher, duly put to a vote, all in favor. Except Councilman Lant, who abstained from voting. **Motion carried 4 to 1.**

c.) Zoning Board
Albert Mottau

Current term to expire 12/31/11
New term 1/1/12-12/31/18

On a motion introduced by Councilman Pulsifer, the board adopted the following resolution:

RESOLUTION # 61

NOW, THEREFORE, BE IT RESOLVED, to reappoint Albert Mottau to the position of

Zoning Board member. New term 1/1/12-12/31/18.

The adoption of the resolution was seconded by Councilman Rice, duly put to a vote, all in favor.

d.) **Zoning Board** (alternate)
Dean Kolligan

Current term to expire 12/31/11
New term 1/1/12-12/31/12

On a motion introduced by Councilman Rice, the board adopted the following resolution:

RESOLUTION # 62

NOW, THEREFORE, BE IT RESOLVED, to reappoint Dean Kolligan as alternate member of the Zoning Board. New term 1/1/12-12/31/12.

The adoption of the resolution was seconded by Councilman Pulsifer, duly put to a vote, all in favor.

e.) **Wilton Water & Sewer Authority**
Scott Duffy

Current term to expire 12/31/11
New term 1/1/12-12/31/16

On a motion introduced by Councilman Rice, the board adopted the following resolution:

RESOLUTION # 63

NOW, THEREFORE, BE IT RESOLVED, to reappoint Scott Duffy to the position of member of the Wilton Water & Sewer Authority. New term 1/1/12-12/31/16.

The adoption of the resolution was seconded by Councilman Lant, duly put to a vote, all in favor. Except Councilman Pulsifer, who abstained from voting.
Motion carried 4 to 1.

425 Wilton/Gansevoort Rd.

Attorney DeVall

Authorize the demolition, securing & funding

Supervisor Johnson stated that this dealt with this a couple of months ago, the board approved the demolition but never did a resolution to do it.

Attorney DeVal stated that Building Inspector, Mark Mykins, is here tonight to share some information with the board.

Mr. Mykins stated that on the Flewelling property, Mr. Flewelling brought in a contract today that is going to do the demolition by the 31st of January. The town attorney has advised Mr. Mykins that there is a possibility that the town should move forward with the resolution in case we need it.

Councilman Pulsifer asked the board to table this one more month to see if the resident gets it done.

Supervisor Johnson stated the board has been dealing with this and the resident has committed to do it. But he would just as soon have a resolution on the books to the fact that if they do not follow through with the commitment by the 31st, the town can go ahead and do this. This building is a real hazard and it should be demolished.

On a motion introduced by Councilman Streicher, the board adopted the following resolution:

RESOLUTION # 64

NOW, THEREFORE, BE IT RESOLVED, to give the home owner an opportunity to demolish the structure at 425 Wilton/Gansevoort Road. This resolution will not take effect until January 31st at that time the town will authorize the demolition of the property.

The adoption of the resolution was seconded by Councilman Rice, duly put to a vote, all in favor. Except Councilman Pulsifer who voted no. **Motion Carried 4 to 1**

70 SmithBridge Rd. (Cynthia Vincek)

Attorney Alison C. Thomas

Proposed Zoning change

Supervisor Johnson stated that there is a request from 70 SmithBridge Rd. from Cynthia Vincek to rezone not only her property but an area along SmithBridge Road and she has her attorney here. He then asked her attorney to address the board.

Councilman Pulsifer recused himself from the meeting because he had represented some of the Vincek family over the years.

Attorney Petterson, the lawyer here tonight, stated that Cynthia is in two and half years of an application that would allow her to keep horses on a farm property on which she has lived pretty much all her life. In the 80's the property was subdivided and a parcel went to her father and went to her when he passed away. In 1974 zoning went into effect and an R-1 was established a large district and it

made sense for most of the area because there were large parcels of land that could be sub-divided and were in use for residential purposes. He stated that R-1 is strictly residential and read from the Wilton Code. Attorney Petterson went on to state that Cynthia had been before the Zoning Board of Appeals seeking a variance (a use Variance) and there was a point where they were going to make a vote and the board suggested that Cynthia come before the Town Board and talk about rezoning the Vincek Farm even though it is a number of parcels now. As R-2 which would be more appropriate zoning for the area it certainly reflects what he thinks it should have been and what it is now. He went to state that they are in front of the board tonight asking for relief for the entire area that comprises the historical Vincek Farm. Is this something the board would consider and what would the board like from us.

Supervisor Johnson stated that this has been before the Town Board for several years ago. It was referred to the Zoning for considering a use variance and it has been there a long time. Going from R-1 to R-2 effects property values, he has spoke with John and Laura Vincek, who are the property owners on the South side of SmithBridge and they have indicated that they are totally opposed to any type of rezoning of their property. After some discussion the Supervisor stated that the message the Town Board is giving is that they are not interested in the rezoning of the property.

Saratoga Co. Resolution for
Multi Jurisdictional all-Hazard Mitigation Plan

Supervisor Johnson stated that there is a resolution before you that involves the adoption of the Saratoga County Multi Jurisdictional all-Hazard Mitigation Plan. What this is; is Saratoga County in conjunction with consultant Tetra Tech EM Inc. through Federal Funding came up with this plan. The purpose of the plan is to determine and analyze what particular hazards maybe in the county and pay grant money to actually try and correct situations before a disaster happens. In order to be available for funding each Town has to adopt their portion of the plan. It is an annex to the Town's Emergency Management Plan.

The board members after some discussion decided to table this item until the February meeting to get more information.

Committee Reports (If Any)

Supervisor Johnson asked if there were any committee reports.

Councilman Lant asked the Highway Superintendent, Kirklin Woodcock, if the laborer position that came up a couple of months ago was posted, if the position was filled and if it was a Wilton resident.

Superintendent Woodcock stated it was not posted, yes, the position was filled and he did not know if he is a Wilton resident, but gave the employees work history and his reason for hiring this particular employee.

Supervisor Johnson stated that employees do not have to be Wilton residents, only elected officials. But, we always look at Wilton residents.

Food Pantry

Councilman Lant made a motion to re-appropriate the funds back to the Wilton Food Pantry. No second, **MOTION FAILED.**

Global Foundries Job Fair

Supervisor Johnson stated that the County Board of Supervisor's is sponsoring a job fair to be held on January 12, 2012 at the Saratoga County Office Buildings, from 4 to 7 p.m.. Global Foundries has approximately four hundred jobs that they will be looking to fill in various fields within the next year.

Comptroller's Report
(Including Bills & Transfers)**November 2011 Cash Disbursements**

| | |
|--------------|------------|
| General Fund | \$ 193,566 |
| Highway Fund | \$ 82,229 |
| Total | \$275,795 |

2011 Budget Transfers and Amendments

On a motion introduced by Councilman Rice, the board adopted the following resolution:

RESOLUTION # 65

NOW, THEREFORE, BE IT RESOLVED, to approve the budget transfers and amendments requested for and listed in the Comptroller's 1/6/2012 report to the board.

The adoption of the resolution was seconded by Councilman Pulsifer, duly put to a vote, all in favor.

Personnel**a.) Education**

On a motion introduced by Councilman Pulsifer, the board adopted the following resolution:

RESOLUTION # 66

NOW, THEREFORE, BE IT RESOLVED, to authorize the following people to attend

the NYS Association of Towns meeting held in NYC on February 10-22, 2012.

Arthur Johnson-Supervisor, Robert Pulsifer-Councilman, Robert Rice-Councilman and Jeffrey Reale-Comptroller,
and;

FURTHER BE IT RESOLVED, to authorize Supervisor Johnson as the “voting delegate” and Comptroller Reale as the “substitute voting delegate” for the NYS Association of Towns conference.

The adoption of the resolution was seconded by Councilman Rice, duly put to a vote, all in favor, except Councilman Lant, who voted no. **Motion Carried 4 to 1.**

b.) Resignation (Carrie Fisher) (Informational)

Carrie Fisher has submitted her resignation from the Receptionist position effective Friday, January 6, 2012.

c.) Education

On a motion introduced by Councilman Pulsifer, the board adopted the following resolution:

RESOLUTION # 67

NOW, THEREFORE, BE IT RESOLVED, to authorize the following employees to attend the Northern Adirondack Code Enforcement Conference from March 4-8, in Lake Placid; Mark Mykins, Terry Anthony and Scott Harrington.

The adoption of the resolution was seconded by Councilman Lant, duly put to a vote, all in favor.

d.) Resignation (Andy Zwijacz)

Andy Zwijacz has submitted his resignation from the Mechanic position effective January 17, 2012.

e.) Resignation (Claudio Barrera)

Claudio Barrera has submitted his resignation from the Security Officer position in the Town Court effective Tuesday, January 3, 2012.

Planning Department

On a motion introduced by Councilman Pulsifer, the board adopted the following resolution:

RESOLUTION # 68

NOW, THEREFORE, BE IT RESOLVED, to approve the request from Dr. Raymond Angellini, for a refund of \$300 for fees paid to the Planning Department for a 2 lot subdivision that never appeared before the Planning Board for review.

The adoption of the resolution was seconded by Councilman Lant, duly put to a vote, all in favor, except Councilman Streicher, who abstained. **Motion Carried 4 to 1.**

Facebook and Twitter

On a motion introduced by Councilman Pulsifer, the board adopted the following resolution:

RESOLUTION # 69

NOW, THEREFORE, BE IT RESOLVED, to approve the request from Comptroller Reale to create a Town account for Facebook and twitter.

The adoption of the resolution was seconded by Councilman Rice, duly put to a vote, all in favor.

Adjournment to Executive Session (Personnel)

On a motion introduced by Councilman Pulsifer, and seconded by Councilman Streicher, the board adjourned to executive session at 8:43 p.m..

On a motion introduced by Councilman Rice, and seconded by Councilman Pulsifer, the reconvened the Regular Town Board meeting at 9:20 p.m..

Action Taken

No action taken in executive session.

REGULAR TOWN BOARD MEETING

JANUARY 5, 2012

On a motion introduced by Councilman Pulsifer, and seconded by Councilman Streicher, the meeting was adjourned at 9:20 p.m..

Respectfully Submitted,

Carol Maynard, Town Clerk

Supervisor, Arthur Johnson

Councilman, John Lant

Councilman, Robert Pulsifer

Councilman, Robert Rice

Councilman Steve Streicher