

**OPEN BIDS: Highway Equipment (purchase)
Spec. HE-1 (Trailer Mounted Disc Style Brush Chipper)**

At 7:01 p.m., Supervisor Johnson called the bid opening to order. The Town Clerk opened and read the bids aloud. Two bids were received as follows:

Nortrax, Clifton Park, NY	\$22,774
Abele Tractor & Equipment Albany, NY	\$22,958.82

Supervisor Johnson asked Highway Superintendent Kirklin Woodcock, to review the bids. The board would take action later in the meeting.

REGULAR TOWN BOARD MEETING

Immediately following the bid opening, Supervisor Johnson called the Regular Town Board meeting to order at 7:04 p.m..

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-Deputy Supervisor
Steve Streicher-Councilman

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

Approve Pending Minutes

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

RESOLUTION # 70

NOW, THEREFORE, BE IT RESOLVED, to approve the minutes from the January 5, 2012 meeting as typed without amendment.

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

Public Comment Session

Supervisor Johnson asked if anyone had signed up for the public comment session. He then recognized town resident Dan Tagliento.

Mr. Tagliento suggested that the board have two public meetings a month in case someone wanted to comment on an item brought up in the first meeting. He then thanked Councilman Lant for his proposal on the Food Pantry at the last meeting.

Supervisor Johnson then recognized Dennis Towers.

Mr. Towers stated that at the last meeting Councilman Lant brought up that the town is not giving any priority for jobs for qualified Wilton residents and that the Town Highway Department was not even posting on the Town web-site. Mr. Towers stated that the Town should take care of their own. The tax payers who are paying these salaries at least have the opportunity to apply any town job, bid or contract. The policies that the town has in place do not in fact act in the best interest of the community as a whole. He requested that someone on the board have the courage to stand up and make a motion to put into place and immediate freeze. Cover spending on contracts awarded, bids awarded and hiring until a standardized policy is put into place that insures that cronyism cannot be a factor.

Wilton Exit 16 Final Report

Supervisor Johnson recognized Ray O’Conor, a former Town Board member and Advisory Committee Chairman for the Exit 16 Linkage Study.

Mr. O’Conor stated that 2 years ago the Wilton Global Job Development Corporation which is a not-for-profit all volunteer economic development company put together a blue print for economical job growth in the Town of Wilton. It addresses both the Exit 15 and 16 areas and what the Town would envision what would happen with additional retail development at 15 and redevelopment as the landscape retail changes and the exit 16 area, which is an area intended for other then retail economic growth; light manufacturing, office parks and the like. So on the heels of the blueprint for economic and job growth we had an opportunity to prepare a corridor linkage study for the exit 16 area so we could present some concepts and visions about what we hope will transpire in this particular corridor in terms of additional economical and job growth. He then stated that the committee was delivering the final study to the Town Board for their review and consideration.

Chuck Voss, from Barton & Loguidice Engineers, explained the summary of revisions to the final plan. The emphasis was changed from recommendations to concepts and options. It was recognized that there are budgetary constraints that come into play and the report reflects the realities of the fiscal conditions that the State and Federal Governments are experiencing. The park and ride language was softened a little bit to reflect the fact that it is private property it is not a public facility and the owner certainly has the ability to take the idea or go with something different. There were a few minor changes throughout the document such as formatting, minor changes to some maps, and text clarifications. The final report was presented to the board to look at and guide the town in future growth and development of that area.

Sandy Misiewicz, from Capital District transportation Committee, presented the board with a copy of the Regional Transportation Plan (New Visions 2035 Plan Update) this document serves as a foundation

for their regional transportation plan in the Capital Region. It is the document for which the linkage program was derived.

The draft for the Wilton Exit 16 Linkage Study was formally presented to the Town Board on December 1, 2012 and based on comments received, the study was revised and presented and discussed at this meeting.

Supervisor Johnson thanked everyone who served on the committee and stated that the board got a good product it offers a lot of different concepts for the board to consider and a lot of information on transportation and potential improvements within the structure along the corridor.

WWPP (Quarterly Report)

Margo Olson

Supervisor Johnson recognized Margo Olson, Director of the Wilton Wildlife Preserve & Park and asked her to address the board.

Ms. Olson went over the third and fourth quarter report presented to the board. She mentioned that the park had their Fifteenth Anniversary this year and they honored a lot of people that were involved in the creation of the Wilton Wildlife Preserve and Park. She then went over the calendar of events that were scheduled for July, August, September, October, November and December; the outreach & education programs, she also mentioned Shabana Hoosein, her Education and Conservation Intern and her duties. The recreation programs; such as Trail Maintenance, 5K Runs, Fishing and the Fire Tower. Conservation work; Habitat Restoration Effort at Camp Saratoga, Karner Blues, Seed Collecting, Frawley Parcel, Wetland and other studies and Blanding's Turtles.

Highway Equipment (Award Bid)

Supervisor Johnson asked Highway Superintendent Woodcock, if he had a chance to look at the bids and which one he recommends.

Superintendent Woodcock asked the board if the Town Engineer Keith Manz could look at them with him and then make a decision.

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

RESOLUTION # 71

NOW, THEREFORE, BE IT RESOLVED, to approve the purchase of the Trailer Mounted Disc Style Brush Chipper subject to the choice made by the Town Engineer and the Highway Superintendent.

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

Paddocks PUDD (Amendment)

William Hoblock

Supervisor Johnson asked the representative for Mr. Hoblock to address the board.

Joseph Dannible, representing Mr. Hoblock went over the proposed amendment which consists solely of modifying the setback of the western property line a total of forty-two inches (42"). The existing setback is fifty feet (50'). The proposed setback is forty-six and one-half feet (46.5'). The reason for the amendment is human error. He then went over the drafting error that was made during the site plan design process.

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

RESOLUTION # 71

NOW, THEREFORE, BE IT RESOLVED, to refer the Paddocks PUDD to the Wilton Planning Board and the Saratoga County Planning Board and set a public hearing for March 1, 2012 at 7:00 p.m..

The adoption of the resolution was seconded by Councilman Streicher, duly put to a vote, all in favor except, Councilman Pulsifer, who recused himself from voting.

**Saratoga Co. Resolution for
Multi-Jurisdictional All-Hazard Mitigation Plan**

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

RESOLUTION # 72

To adopt the Saratoga County Multi-Jurisdictional All-Hazard Mitigation Plan as follows:

WHEREAS, the Town of Wilton, with the assistance from Tetra Tech EM Inc., has gathered information and prepared the Saratoga County Multi Jurisdictional All-Hazard Mitigation Plan and;

WHEREAS, the Saratoga County Multi Jurisdictional All-Hazard Mitigation Plan has been prepared in accordance with the Disaster Mitigation Act of 2000, and;

WHEREAS, the Town of Wilton is a local unit of government that has afforded the citizens an opportunity to comment and provide input in the plan and the actions in the plan and;

WHEREAS, the Town of Wilton has reviewed the plan and affirms that the plan will be updated no less than every five years;

NOW, THEREFORE, BE IT RESOLVED, that the Wilton Town Board adopts the Saratoga County Multi Jurisdictional All-Hazard Mitigation Plan as the jurisdiction’s Natural Hazard Mitigation Plan and resolves to execute the actions in the plan.

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

Committee Reports (If Any)

Supervisor Johnson asked if there were any committee reports.

Councilman Lant stated he had a couple of things he wanted to discuss. He wanted the board to think about adopting some of the fire company practices such as seeing reports every month from all the department heads. How many fire inspections are done, how many trips the plows make, how much sand was used. He thought that any purchases from any department the board should get proposal why it was needed and he did not think anything is that much of an emergency that it has to be approved that night. Months ago there was a sign out sheet at the Town Hall and he would like to see that come back. He also proposed a \$5,000 cut to council salaries and the money should be used to give lower salaried full-time town employees. He then got into a heated discussion with the Highway Superintendent regarding the expenditure of \$174 for breakfast during training meeting at the Saratoga Diner in Saratoga Springs. He wanted to know what was wrong with Scotty’s, the Town should patronize Wilton businesses first.

Highway Superintendent Woodcock stated the highway Garage does not have adequate space for his full staff to meet and that the Saratoga Diner was the least expensive place to hold a meeting. He then defended his department and his tenure with the town.

Supervisor Johnson mentioned that he would present a plaque in Kay Lant’s memory at the Senior Citizen Center Tuesday, February 7, 2012 at 1:00 p.m..

Comptroller’s Report
(Including Bills & Transfers)

December 2011 Cash Disbursements

General Fund	\$553,061
<u>Highway Fund</u>	<u>\$506,575</u>
Total	\$1,059,636

2011 Budget Transfers and Amendments

(See attached) Budget Transfers

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

RESOLUTION # 72

NOW, THEREFORE, BE IT RESOLVED, to approve the budget transfers and amendments requested for and listed in the Comptroller's 2/2/12 report to the Town 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 # 74

NOW, THEREFORE, BE IT RESOLVED, to approve the request submitted by Chris Ramsdill to attend the Association of Towns meeting being held in NYC on February 19-22, 2012.

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

b.) Recreation Assistant

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

RESOLUTION # 75

NOW, THEREFORE, BE IT RESOLVED, to approve the request submitted by Steve Porto, (Park Director) to hire Ross MacNeil into the vacant Recreation Assistant position effective January 27, 2012 starting at \$13.50/hr. This is a non-competitive full-time position with benefits.

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

c.) Mechanic Position (Highway)

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

RESOLUTION # 76

NOW, THEREFORE, BE IT RESOLVED, to approve the request submitted by Kirk Woodcock (Highway Superintendent) to promote Jonathon Hoffman into the vacant Mechanic position effective January 23, 2012, starting at \$20.00/hr, this is a full-time position with benefits.

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

d.) Cellular Phones (David Towne)

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

RESOLUTION # 77

NOW, THEREFORE, BE IT RESOLVED, to approve Judge Dave Towne to be added to resolution #12 Cellular Phones and is requesting to be reimbursed the flat rate of \$30/month, effective for February 1st.

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

e.) Insect Control Coordinator

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

RESOLUTION # 78

NOW, THEREFORE, BE IT RESOLVED, to amend resolution #46 "Insect Control Coordinator" to appoint Julie Hotaling, and pay the stipend of \$1,250.

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

f.) Vacation Hours (Rich McCane)

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

RESOLUTION # 79

NOW, THEREFORE, BE IT RESOLVED, to approve the request submitted by Kirk Woodcock to carry over Rich McCane's 14 hours of vacation.

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

Court Security Officer

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

RESOLUTION # 80

NOW, THEREFORE, BE IT RESOLVED, to authorize Supervisor Johnson to enter into a contract with William Marshall for the security position in our Town Court at a pay rate of \$23/hr. and a minimum of \$60 per court night.

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

Intermunicipal Agreement with City of Saratoga Springs

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

RESOLUTION # 81

NOW, THEREFORE, BE IT RESOLVED, to authorize Supervisor Johnson to enter into a contract with the City of Saratoga Springs.

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

BAR Contract

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

RESOLUTION # 82

NOW, THEREFORE, BE IT RESOLVED, to authorize Supervisor Johnson to enter into a contract for secretarial services for the Board of Assessment Review at a rate of \$25/hr. not to exceed \$2,000.

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

Building Department (Waive Fee)

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

RESOLUTION # 83

NOW, THEREFORE, BE IT RESOLVED, to ratify the decision to waive the \$100 Building Permit Fee for the Wilton Fire Department for the installation of Solar Panels.

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

Informational: Wilton Heritage Society 2011 Annual Report was submitted.

Planning & Zoning Attorney

Supervisor Johnson stated that at the last month's meeting the board tabled the reappointment of the Planning and Zoning Attorney.

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

RESOLUTION # 84

NOW, THEREFORE, BE IT RESOLVED, to reappoint Mark Schachner to the position of Planning and Zoning Attorney at an annual remuneration of \$13,000.

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

Adjournment to Executive Session

On a motion introduced by Councilman Pulsifer, and seconded by Deputy Supervisor Rice, the board adjourned to executive session at 8:07 p.m..

On a motion introduced by Deputy Supervisor Rice, and seconded by Councilman Pulsifer, the board reconvened the Regular Town Board meeting at 8:55 p.m..

Action Taken

Lowe's Litigation

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

RESOLUTION # 85

WHEREAS, Lowe's Home Centers, Inc. and the Town of Wilton are desirous of having certain assessment issues resolved as to property owned by Lowe's Home Centers, Inc. in the Town of Wilton, and

WHEREAS, a settlement proposal resolving pending tax certiorari litigation was recommended by Daniel G. Vincelette, trial counsel to the Town of Wilton, and reviewed by the Wilton Town Board at its regular monthly meeting and

WHEREAS, such a proposed settlement would present the parties with an expeditious and economic alternative to further litigation so as to resolve issues between the parties, and

WHEREAS, the Town Board has determined that the proposed settlement is in the best interests of the Town; now

THEREFORE BE IT RESOLVED, that the Town Board does hereby accept a proposed settlement for the 2008, 2009, 2010 and 2011 tax certiorari proceedings filed by Lowe's Home Centers, Inc. in which the 2008, 2009, 2010 and 2011 proceedings shall be discontinued with no refunds or costs, and the Town agrees that the assessment of the subject property shall not exceed \$11,500,000 for the 2012 assessment roll, consistent with provisions of the Real Property Tax Law;

And it is further

RESOLVED, that the Town Board does hereby adopt this resolution to end the litigation between Lowe's Home Centers, Inc., and the Town of Wilton as to the above referenced assessment.

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

Lee Smith Litigation

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

RESOLUTION # 86

WHEREAS, Lee Smith and the Town of Wilton are desirous of having certain assessment issues resolved as to property owned by Lee Smith in the Town of Wilton, and

WHEREAS, a settlement proposal resolving pending tax certiorari litigation was recommended by Daniel G. Vincelette, trail counsel to the Town of Wilton, and reviewed by the Wilton Town Board at its regular meeting, and

WHEREAS, such a proposed settlement would present the parties with an expeditious and economic alternative to further litigation so as to resolve issues between the parties, and

WHEREAS, the Town Board has determined that the proposed settlement is in the best interests of the Town; now

THEREFORE BE IT RESOLVED, that the Town Board does hereby accept a proposed settlement for the 2010 tax certiorari proceedings filed by Lee Smith with the following terms, in which the assessed value of the subject property shall be reduced to reflect the values on the annexed schedule as to the 31 discrete parcels. The terms of Real Property Tax Law §727 shall apply, i.e. the assessment shall remain unchanged for the 2011 assessment roll, provided that a petition was filed and served upon the Town, County and School District, consistent with the applicable law.

And it is further

RESOLVED, that the Town Board does hereby adopt this resolution to end the litigation between Lee Smith and the Town of Wilton as to the above referenced assessment.

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

Adjournment

On a motion introduced by Deputy Supervisor Rice, and seconded by Councilman Pulsifer, the meeting was adjourned at 8:56 p.m..

Respectfully Submitted,

Carol Maynard, Town Clerk

Supervisor, Arthur Johnson

Councilman, John Lant

_____ Councilman, Robert Pulsifer

_____ Councilman, Steve Streicher

_____ Deputy Supervisor, Robert Rice