

At 7:03 p.m., Supervisor Johnson 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  
Steve Streicher-Councilman  
Robert Rice- Deputy Supervisor

Also present were Town Attorney Richard DeVall, Town Comptroller Jeffrey Reale, Interim Engineer Ryan Riper and Building Inspector Mark Mykins.

**Proclamation (Wilton Baseball)**

**Supervisor Johnson** read the proclamation commending the Wilton Youth Baseball, 2012 11-year-old Wilton Rebels upon their winning the 2012 Eastern New York State Championship. He then presented a signed proclamation to each of the coaches and the players on the team. The players presented signed baseballs to each of the board members in appreciation of their recognition by the Town Board.

**Public Comment**

**Supervisor Johnson** asked if anyone had signed up for the public comment session.

Supervisor Johnson recognized Dan Tagliento, a town resident.

**Mr. Tagliento** wanted to discuss the traffic situation on the corner of Jones, Gick Rd and Route 50. He had observed on a weekend in July, 51 cars backed up on Gick Rd and Jones Rd. He stated there is a light there but only seven cars get out at a time. He would like to see some concentration put back onto this last intersection that hasn't been upgraded since its design thirty years ago. If there were plans for a second right-hand turn lane, it would relieve a lot of traffic. He knows it involves New York State DOT and the lack of funds. So anything the board could do would help save countless hours of aggravation. Mr. Tagliento remarked on the political signs sprouting up. He thanked the board for their time.

**Approve Pending Minutes**

**Supervisor Johnson** asked for a motion and a second to approve last month's Town Board minutes.

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

**RESOLUTION # 145**

**NOW, THEREFORE, BE IT RESOLVED,** to approve the minutes from the August 2, 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.

**Ridgeview Commons PUDD (Amendments)**  
**Public Hearing held August 2, 2012**

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

**RESOLUTION # 146**

**NOW, THEREFORE, BE IT RESOLVED,** to approve an unlisted action, Negative Declaration under SEQR for the Ridgeview Commons PUDD amendments.

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

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

**RESOLUTION # 147**

**NOW, THEREFORE, BE IT RESOLVED,** to approve the amendments for Ridgeview Commons PUDD, Local Law no. 3 of 2012.

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

**Proposed Zoning Changes (RE: H-1 Zone)**  
**Public Hearing held August 2, 2012**

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

**RESOLUTION # 148**

**NOW, THEREFORE, BE IT RESOLVED,** to approve a type one action Negative Declaration under SEQR for the H-1 Zone amendments.

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

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

**RESOLUTION # 149**

**NOW, THEREFORE, BE IT RESOLVED,** to approve the amendments as submitted, to the H-1 Zone, in the Town of Wilton Code.

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

**WWPP (Quarterly Report)**

**Margo Olson (Executive Director)**

**Supervisor Johnson** recognized Margo Olson, Executive Director of the Wilton Wildlife Preserve and Park.

**Ms. Olson** went over the events held at Camp Saratoga earlier in the spring, which were successful. She stated that with a grant from the Land Trust Alliance they were able to hire a second intern who began working before the start of the summer. She then went over the calendar of events that were held in the months of April, through August. She then discussed The Outreach and Education Programs, the Wildlife Festival, Recreation, which consists of Trail Maintenance and Building with Cory Reale and Pieter volunteering to clear the trail for most of its length. There is now access from the Fox trailhead on Route 50 into the Frawley parcel that was purchased with County Open Space funds. There were also 5k runs with the help of a partnership with Saratoga Stryders. She went over the hours available for the Fire Tower and Conservation with the Blanding Turtle Watch, Bird Surveys and the Karner blue butterflies programs. She discussed a fund raiser coming up October 21<sup>st</sup>, (Wild about Blue) at the Wishing Well, They also have their own conservation award called the metamorphous award for individuals who have made a dramatic change. The first to be honored will be Larry Gordon, for his work in the community. She then thanked the board for their time.

**Route 9 & Smith Bridge Rd. (Senior Apt. Project)**  
**Whitney Capital Co. LLC-Tom Granville**

**Supervisor Johnson** recognized Paul Tommell, from Tommell & Associates.

**Mr. Tommell** went over the proposed plans for a 226 unit senior housing development on the west side of Route 9 directly opposite SmithBridge Road, south of the Fire Station and north of the National Grid Sub Station. He then introduced Tom Granville, a principal of Whitney Capital Company, LLC. and Whitney Management Corp.

**Mr. Granville** went over the need for senior affordable renter. The rents will be restricted based upon income and they are obligated to keep the property affordable for a thirty year period. The Whitney Capital Company needs to apply to New York State for tax credit funding and he invited the board to take a look at one of the other senior communities they have locally. Mr. Granville went over the preliminary design as a presentation but when they go into communities they look for in-put, look for comments and suggestions then modify the plans and developments from that point forward.

A representative from SWBR Architects went over the preliminary design of the building stating that phase one will have 106 units of one and two bedrooms ranging in size from 600 square feet to about 800 square feet with all the amenities.

After some discussion the board set a public hearing for October 4, 2012 at 7:00 p.m., for the special permit process.

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

**RESOLUTION # 150**

**NOW, THEREFORE, BE IT RESOLVED,** to refer Eastview Apartments Senior Community to the Town & County Planning Boards for their recommendation and review.

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

**Gurn Springs/Dimmick Road (Stop signs)**  
**Letter from Kristin Holden, (Resident of 83 Dimmick Rd.)**

The board discussed the letter of concern submitted by Kristin Holden and asked Highway Superintendent Kirklin Woodcock and Engineer Ryan Riper to look into the situation and report back to the Town on a way to solve the problem with accidents at the intersection of Dimmick and Gurn Springs Roads. The board thanked Mrs. Holden for bringing the problem to the board's attention. **TABLED**

**Penflex Services (Mandatory Referendum)**  
**Service Award Program Proposition**  
**to increase monthly service award payments by \$20**  
**for each year of post entitlement age service credit**  
**earned in calendar year 2013 & beyond. Effective**  
**January 1/1/13**

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

**RESOLUTION # 151**

**NOW, THEREFORE, BE IT RESOLVED,** to increase the monthly service award payments by \$20 for each year of post entitlement age service credit earned in calendar year 2013 & beyond. Effective January 1/1/13. Subject to Mandatory Referendum. (see attached prewritten resolution and proposition approved by the Town Board).

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

**Route 50 from (Jones Rd to Kings Rd)**  
**Request for speed limit reduction (from 55 MPH to 45 MPH)**  
**Letter from Senator Hugh Farley**

**Supervisor Johnson** stated that because it is a State Road, the board needs to refer the speed limit reduction issue to Saratoga County DOT and let them handle it from there. The board agreed.

**Independent Board of Review**  
**Jane Cappela**  
**Term to expire 9/30/12**  
**(New term 10/01/12-9/30/17)**

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

**RESOLUTION # 152**

**NOW, THEREFORE, BE IT RESOLVED,** to reappoint Jane Cappela as a member of the Independent of Review New term 10/01/12-9/30/17.

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

**Committee Reports (If Any)**

Supervisor Johnson asked if there were any committee reports.

**2<sup>nd</sup> Alternate to the Planning Board**

**Councilman Lant** stated that last month the board interviewed Planning Board Alternates. Dr. David Gabay was one of them, so he wanted to make a motion to appoint Dr. Gabay to the alternate position.

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

**RESOLUTION # 153**

**NOW, THEREFORE, BE IT RESOLVED,** to appoint Dr. David Gabay as 2<sup>nd</sup> alternate member of the Planning Board New term 9/6/12-12/31/12. (Yearly)

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

**Ethics Law**

**Councilman Streicher** stated that the Ethics Committee has a draft of the revised Ethics Law that is almost complete. He just needs the board to review that law and add any changes. Then maybe next month it will be ready to go before the board for approval.

**Zoning Revision Committee**

**Councilman Pulsifer** stated that he and Town Engineer, Keith Manz has worked on the code changes for almost two years. Most of the items were housekeeping items but there were a few major items such as sidewalks ordinances. A copy of the list has been sent around and the Zoning Revision Committee will meet one more time to discuss any other changes to be added. We will then present the revisions that were made to the zoning code in whole at the October meeting.

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

**RESOLUTION # 154**

**NOW, THEREFORE, BE IT RESOLVED,** to declare the Town Lead Agency on this type one SEQR action on the zoning changes to be submitted at the October meeting.

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

**Coat Drive**

**Julie Hotaling** stated that the coat drive has started they will take coats up to October 25<sup>th</sup> and then give them out Saturday October 27, Sunday 28, and the following week. Then the coats will go to Cudneys for their coat drive.

**NOT ON AGENDA**

**Constitution Week**

Supervisor Johnson stated that the board had gotten a request for a proclamation from the Town declaring September 17<sup>th</sup> to the 23<sup>rd</sup> as Constitution Week in the Town. They also provided a sample resolution that they would like to see from local governments.

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

**RESOLUTION # 155**

**NOW, THEREFORE, BE IT RESOLVED**, to  
issue the proclamation as follows:

**Constitution Week Proclamation**

**WHEREAS:** The Constitution of the United States of America, the guardian of our liberties, embodies the principles of limited government in a Republic dedicated to rule by law; and

**WHEREAS:** September 17, 2012, marks the two hundred twenty-fifth anniversary of the framing of the Constitution of the United States of America by the Constitutional Convention; and

**WHEREAS:** It is fitting and proper to accord official recognition to this magnificent document and its memorable anniversary, and to the patriotic celebrations which will commemorate it; and

**WHEREAS:** Public Law 915 guarantees the issuing of a proclamation each year by the President of the United States of America designating September 17 through 23 as Constitution Week,

**NOW, THEREFORE, I, Arthur Johnson** by virtue of the authority vested in me as **Supervisor** of the **Town of Wilton** in the **Town of Wilton** do hereby proclaim the week of September 17 through 23, 2012 Constitution Week and ask our citizens to reaffirm the ideals the Framers of the Constitution had in 1787 by vigilantly protecting the freedoms guaranteed to us through this guardian of our liberties.

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

**Comptroller's Report**  
**(Including Bills & Transfers)****July 2012 Cash Disbursements**

General Fund	\$302,521
Highway Fund	\$116,427
Total	\$418,948

**2012 Budget Transfers**

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

**RESOLUTION # 156**

**NOW, THEREFORE, BE IT RESOLVED,** to approve the budget transfers requested and listed in the Comptroller's 9/6/12 report to the board.

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

**Personnel****Keith Manz Resignation**

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

**RESOLUTION # 157**

**NOW, THEREFORE, BE IT RESOLVED,** to accept with regret the resignation of the Director of Planning and Engineering, Keith Manz and wish him the best of luck in his new responsibilities at the County level.

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

**Interim Engineer**

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



**RESOLUTION # 158**

**NOW, THEREFORE, BE IT RESOLVED,** to ratify the decision to enter into a contract with RK Engineering, PLLC Ryan Riper for interim Engineering services.

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

**Education**

**Kathy Austin**

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

**RESOLUTION # 159**

**NOW, THEREFORE, BE IT RESOLVED,** to approve the request submitted by Kathy Austin to attend the NYSAA held in Lake Placid, NY on September 30-October 3, 2012.

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

**Building and Grounds-Camp Saratoga**

**Remove trees**

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

**RESOLUTION # 160**

**NOW, THEREFORE, BE IT RESOLVED,** to approve the request submitted by Building Inspector Mark Mykins, to remove trees for the safety of the ranger's home and its surroundings in the amount of \$29,500 under County Contract and;

**FURTHER BE IT RESOLVED,** to approve a budget amendment in as follows:

**Increase:**

A1110 Sales Tax Revenue \$29,000

A1623.4 Bldgs & Grounds-Camp Saratoga  
\$29,000

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

**Town Court Request to apply for JCAP**

**Comptroller Reale** stated that the Town Court is requesting approval to apply for the 2012-13 Justice Court Assistance Program (JCAP). This is a grant program providing up to \$30,000 per court for a variety of purposes including office furniture, security equipment, improvements and renovation.

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

**RESOLUTION # 161**

**NOW, THEREFORE, BE IT RESOLVED,** to authorize the Town Court to apply for the 2012-13 justice Court Assistance Program grant and;

**FURTHER, BE IT RESOLVED,** to authorize the Town Supervisor to execute all documents.

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

**Fire District Independent Audit-Informational**

**Comptroller Reale** stated that the Town had received from the Wilton Fire District their 2011 Annual Audit, as required by Town Law 181-b, this is on file with the Town Clerk.

**Executive Session (Not on Agenda)**

**Supervisor Johnson** stated that there is a potential litigation that the board needs to discuss in executive session.

On a motion introduced by Councilman Pulsifer, and seconded by Councilman Streicher, the board adjourned to executive session at 8:35 p.m..

On a motion introduced by Councilman Pulsifer, and seconded by Deputy Supervisor Rice, the board reconvened the Regular Town Board meeting at 9:04 p.m..

**No action taken in executive session**

**Adjournment**

On a motion introduced by Deputy Supervisor Rice, and seconded by Councilman Lant, the meeting was adjourned at 9:10 p.m..

Respectfully Submitted,

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Carol D. Maynard

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Supervisor, Arthur Johnson

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Councilman, John Lant

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Councilman, Robert Pulsifer

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Deputy Supervisor, Robert Rice

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Councilman, Steven Streicher