

**PUBLIC HEARING:**      **Route 9 & Smith Bridge Rd. (Senior Apartments)**

**The following Notice of Public Hearing was legally advertised in the Daily Gazette, The Post Star and The Saratogian newspapers.**

**PLEASE TAKE NOTICE** that the Town Board of Wilton, New York, County of Saratoga, will hold a public hearing on the issuance of a special permit for a Senior Living Community known as Wilton Ridge Apartments.

**SAID PROPOSED SPECIAL USE PERMIT** would allow the construction of a three story independent senior rental apartment building containing approximately 226 units. The property will be developed in three phases, with the first phase totaling approximately 106 units, at project completion there will be approximately 150 one bedroom and 76 two bedroom apartments with all the amenities.

**SAID PROPOSED SPECIAL USE PERMIT** would be issued to Whitney Capital Company. Property located on Route 9 adjacent to the Maple Ave. Fire Station in the Town of Wilton. Property located in a CR-1 zone with a total of 28 acres, 8+/- acres to be developed, property Tax Map No. 153.-1-15.11 (Town of Wilton).

**SAID PUBLIC HEARING** will be held on Thursday October 4, 2012 at 7:00 p.m. at Wilton Town Hall located on Traver Road in the Town at which time all persons will be given an opportunity to be heard.

**BY RESOLUTION OF THE TOWN BOARD OF THE TOWN OF WILTON**

At 7:02 Supervisor Johnson called the public hearing to order and asked the Town Clerk to read the public hearing notice aloud, she did so. He then asked if anyone had any comments on this issue. No comments. He then closed the public hearing at 7:04 p.m..

**REGULAR TOWN BOARD MEETING**

Immediately following the public hearing, 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 Attorney Richard DeVall, Town Comptroller Jeffrey Reale and Director of Planning and Engineering Ryan Riper.

**Public Comment Session**

**Supervisor Johnson** asked if anyone had signed up for the public comment session. No one had.

**Approve Pending Minutes**

**Supervisor Johnson** asked for a motion and a second to approve the pending minutes from the September 6, 2012 meeting.

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

**RESOLUTION # 162**

**NOW, THEREFORE, BE IT RESOLVED,** to approve the minutes from the September 6, 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.

**Proclamation**

**Supervisor Johnson** stated that last month was Wilton's month down at Saratoga County to honor our deceased veterans. We had the ceremony and honored Curtis Elton Petteys in a proclamation that was given to his family. He went on to say "It was a great event".

**Route 9 & Smith Bridge Road (Senior Apartments)**

**Whitney Capital Co. LLC-Tom Granville**

**Public Hearing held earlier**

**Rec'd referral approval from Saratoga County and the Town Planning Board**

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

**RESOLUTION # 163**

**NOW, THEREFORE, BE IT RESOLVED,** to approve an unlisted action, Negative Declaration under SEQR for issuance of a special permit for the Wilton Ridge Senior Apartments

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

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

**RESOLUTION # 164**

**NOW, THEREFORE, BE IT RESOLVED,** to approve the issuance of a special permit for the Wilton Ridge Senior Apartments and;

**FURTHER, BE IT RESOLVED,** to refer the project to the Town Planning Board for site plan approval.

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

**November Meeting Date**

**Supervisor Johnson** stated that the Town Board meeting date had to be changed from Thursday, November 1<sup>st</sup>, to Thursday, November 8<sup>th</sup>, because the board can not adopt the Town Budget before Election Day. The board agreed.

**2013 Tentative Budget****Tentative Budget received by Town Clerk  
& copies distributed to board members**

**Supervisor Johnson** went over the following summary of the 2013 tentative budget; He wanted to talk about this year's budget first, because it follows into next year's budget. This year we had a really good year with regards to revenues, especially the sales tax revenues. They are 11% higher than he originally projected. The Town should end up with a fund balance of about \$400,000. Because of this amount it allowed the Town to include in the 2013 budget some items that have been delayed in the past because of budget restraints. The total budget for 2013 is 7.4 million dollars with no use of Fund Balance and no taxes; it is a totally balanced budget. He went on to highlight some of the key points of the budget; 2013 will be 31 years with no Town Tax or Highway Tax. There is a 9% increase over our 2012 budget to make up for lost ground in the Highway Department and some things that were put off in the General Fund involving buildings, here in Town Hall, in Gavin Park, and elsewhere. The budget does include a 2% cost of living adjustment for the employees. There is \$89,000 in Gavin Park improvements which is funded through the Park Reserve Fund not the General Fund, the fees paid by developers as projects are approved. Improvements include air conditioning for the gym and some field equipment. There is a total of \$800,000 available for road improvements, a 41% increase over last year. The pavilion at Camp Saratoga, which was damaged, will be replaced. The phone system will be replaced in all Town buildings. A new pole barn is proposed and the old ones will be taken down. A new vehicle is proposed for the Code Enforcement Officer and a new tandem truck for the Highway Department. There will be two workshops scheduled for October 15<sup>th</sup> and October 17<sup>th</sup>.

The board set a public hearing for the 2013 Town Budget for November 8, 2012 at 7:00 p.m..

**Gurn Springs Road (Update on Stop Sign issue)**

**Discussed at the Sept. Town Board meeting Memo from Ryan Riper Town engineer**

**Supervisor Johnson** stated that this item was discussed at last month's meeting. There were some residents here regarding an intersection issue at Gurn Springs and Dimmick Road. He stated that Kirk and Ryan had been out there and done a lot of investigative work on that complaint. He then asked Engineer Riper to discuss his memo to the board.

**Engineer Ryan Riper** went over some of the points mentioned in his report such as site distance, which is not an issue there. Setting up a speed study for a one week period, the average speed is 41 MPH, the speed limit on that road is 55 MPH, and 85% percentile speed is 48 MPH, so people are driving slower than the 55 MPH limit. NYSDOT has done several speed limit reduction studies on Dimmick Road and stated that a speed limit reduction is not warranted. He stated that it is not recommended to put stop signs on Dimmick Road, it would create more accidents. It is more of an enforcement issue than anything.

**Deputy Supervisor Rice** stated that on the Galway Road there is a sign that says cross traffic does not stop, is that worth pursuing and maybe putting a sign on either side of the road.

**Councilman Pulsifer** asked Highway Superintendent Woodcock to look into getting some of those signs and putting them up.

**Supervisor Johnson** stated he had contacted the Sheriff's Department and asked them to monitor that area, rather than put up more stop signs.

**Resignation (Ethics Board)****Letter from Patricia Studenroth**

**Councilman Pulsifer** stated he would make a motion to accept her resignation. There had been only two ethics complaints ever since the Ethics Law was implemented, and one was against him, which he contends was illegal and abuse of authority for people on the Ethics Board including Ms. Studenroth. Now, she has done a letter to the Town Board, basically discussing the case. He then asked the Town Attorney to review that letter, because he believes she has committed an illegal act by discussing something. The Ethics Board is a Quasi-Judicial Board, with an obligation to behave somewhat like a judge would in a case. He then read a line from Ms. Studenroth's letter which stated "I prefer to be free to express my opinion, which would have been unethical were I still a member. He then read an exact line from the findings that Ms. Studenroth signed along with the rest of the Ethics Board members, where they say "While the Town of Wilton has adopted a Code of Ethics, it has not adopted a Code of Conduct". The rest of the paragraph, they go through and say "Even though we don't have a Code of Conduct were going to talk about conduct even though it is outside our scope of authority". The last line in that paragraph says "However, this is simply a statement of the feelings and opinions of the board on this matter". Obviously, in her letter to the board today, in which she makes many statements, which are probably illegal statements, since she served on a Quasi-Ethical Board and she is discussing a case that was in front of her without the ability to do so. He states that she even speaks that it was unethical the way that she and the rest of the board members behaved in the ethical opinion and they stepped outside the scope of their authority. Councilman Pulsifer thought that the remaining members of the board that signed that opinion ought to submit their resignations as well.

**Supervisor Johnson** stated that Ms. Studenroth had asked to have the letter read in public. The board does not read letters sent to the board in public. However, the letter will be made part of the minutes and available to anyone who wants to read the full content.

Patricia Studenroth  
PO Box 2067 Wilton, NY 12831

Supervisor Arthur Johnson  
Town Board Members  
Town Hall  
22 Traver Road  
Wilton, NY 12831

September 18, 2012

For Oct. 4 Town Board meeting

Wilton Town Board;

It has been a year and a half since the Ethics Board submitted a recommendation, (not a "decision" as Mr. Pulsifer has stated), to the Wilton Town Board regarding a complaint received about Councilman Pulsifer. In that recommendation the Ethics Board urged the Town Board to adopt a Code of Conduct, and provided a sample from another Town's code in order to make it as easy as possible. I am sorely disappointed that the Town Board has opted to ignore that suggestion.

As far as I am concerned, one definition of a good leader is one who will fight to implement and maintain the highest standards of conduct by those who represent their town, city, county, state or country. That includes being a role model in all facets of their lives. Another definition of a leader is being able to stand up against those in your own party or those with whom you work in order to accomplish this. It is obvious that our town's leadership is faced with a situation where one person controls two others on the board (still), for a majority, to the detriment of the entire town.

Mr. Pulsifer chose to use the Ethics Board recommendation as a vehicle for his own agenda, in which no one is accountable for any behavior that is not criminal. I would like to point out that had he not strewn the recommendation all over the floor at a town hall meeting, it would have been sitting in a confidential file where the public would have not even been aware of the portion pertaining to him.

I would also like to point out that the entire recommendation, which he referred to as "illicit", was approved by the attorney provided to guide the Ethics Board. An attorney who works for a firm recommended to the town by Mr. Pulsifer.

It is disheartening that Councilman Pulsifer, along with his two cronies, was able to effect what was obviously political retaliation by voting against Shirley Jung's reappointment to the Ethics Board. Again, it was Councilman Pulsifer who publicized the recommendation, (in which we stated we could not address his behavior without a code of conduct), yet he accuses the Ethics Board members of wrong doing and is set on retaliating against them. Councilman Pulsifer once insinuated that one of the town's departments was similar to a communist regime. Isn't political retaliation the epitome of communism?

In closing, please accept my resignation from the Ethics Board. Placed in a position where even positive change cannot be effected, I prefer to be free to express my opinion, which would have been unethical were I still a member. Ethics takes many forms, not just financial, but also moral, social, individual and global in nature. It is time the town acknowledges that and does the right thing.

Sincerely,

*Patricia Studenroth*  
Patricia Studenroth

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

**RESOLUTION # 165**

**NOW, THEREFORE, BE IT RESOLVED,** to accept Patricia Studenroth's resignation as a member of the Ethics Board, effective immediately (See letter above).

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

**Grievance Procedure under the Americans  
With Disabilities Act**

**Jeff Reale**

On a motion introduced by Deputy Supervisor Robert Rice, and seconded by Councilman Steve Streicher, the Town Board of Wilton adopted the following resolution:

**RESOLUTION # 166**

**NOW, THEREFORE, BE IT RESOLVED,** to adopt the Grievance Procedure Under the Americans with Disabilities act.

Supervisor -Arthur Johnson	<b><u>YES</u></b>
Deputy Supervisor -Robert Rice	<b><u>YES</u></b>
Councilman- Steve Streicher	<b><u>YES</u></b>
Councilman- Robert Pulsifer	<b><u>YES</u></b>
Councilman- John Lant	<b><u>YES</u></b>

**Notice under the Americans with Disabilities Act**

**Jeff Reale**

On a motion introduced by Deputy Supervisor Robert Rice, and seconded by Councilman Steve Streicher, the Town Board of Wilton adopted the following resolution:

**RESOLUTION # 167**

**NOW, THEREFORE, BE IT RESOLVED,** to adopt the Notice Under The Americans with Disabilities Act.

<b>Supervisor-Arthur Johnson</b>	<b><u>YES</u></b>
<b>Deputy Supervisor-Robert Rice</b>	<b><u>YES</u></b>
<b>Councilman-Steve Streicher</b>	<b><u>YES</u></b>
<b>Councilman-Robert Pulsifer</b>	<b><u>YES</u></b>
<b>Councilman-John Lant</b>	<b><u>YES</u></b>

**Town Engineer (Contract)**  
**Ryan K. Riper, P.E.**

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

**RESOLUTION # 168**

**NOW, THEREFORE, BE IT RESOLVED,** to approve the contract between the Town of Wilton and Ryan K. Riper for the full-time position of Town Engineer at a salary of \$80,000 effective September 28, 2012.

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

**Committee Reports (If Any)**

**Councilman Pulsifer** stated that he had a report from the Zoning Revision Committee he had hoped to get the changes to the board this month but will do a presentation next month.

**Councilman Lant** stated that he would like the board to spend monies locally. He looks at the bills every month. He stated that in the Town of Wilton there are at least eight privately owned repair shops but a truck was sent to Washington County for repair. He thinks that is wrong.

**Highway Superintendent Woodcock** then defended his actions for sending that truck to Washington County.

**Councilman Striecher** stated that he was presenting a draft Ethics Law to the Board for their review and the board set a public hearing for November 8, 2012 at 7:15 p.m..

**Supervisor Johnson** mentioned that the Town received a letter from the Friends of Grant Cottage inviting people from the Town to an event held at the Cottage. They are giving tours of the cottage and anyone who presents a copy of the letter will have a free tour. The event is Sunday, October 7 from 10:00 a.m.-4:00 p.m..

**Not on Agenda**

**Street Light (Camp Saratoga)**

On a motion introduced by Councilman Robert Pulsifer, and seconded by Deputy Supervisor Robert Rice, the Town Board of Wilton adopted the following resolution:

**RESOLUTION # 169**

**NOW, THEREFORE, BE IT RESOLVED**, to approve the request to National Grid for a 150W street light to be installed on Scout Road near the crosswalk of lot #1 at Camp Saratoga on pole #22.

Supervisor-Arthur Johnson  
Deputy Supervisor-Robert Rice  
Councilman-Steve Streicher  
Councilman-Robert Pulsifer  
Councilman- John Lant

**YES**  
**YES**  
**YES**  
**YES**  
**YES**

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

General Fund	\$331,363
Highway Fund	\$405,852
Total	\$737,215

**2012 Budget Transfers**

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

**RESOLUTION # 170**

**NOW, THEREFORE, BE IT RESOLVED**, to approve the budget transfers requested and listed in the Comptroller's 10/4/2012 report to the board.

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



**Comptroller's**

**Annual Resolution #11 (Amendment)**

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

**RESOLUTION # 171**

**NOW, THEREFORE, BE IT RESOLVED**, to approve the request submitted by Comptroller Reale, to amend annual resolution #11 to allocate \$100 worth of petty cash to the Comptroller's Office.

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

**Town's share of 2013 Sales Tax Levy**

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

**RESOLUTION # 172**

**NOW, THEREFORE, BE IT RESOLVED**, to approve the Town's share of the sales tax revenue to be paid in cash.

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

**Resignation (Building Department)**

**Terry Anthony**

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

**RESOLUTION # 173**

**NOW, THEREFORE, BE IT REOSLVED**, to accept Terrance Anthony's resignation as Assistant Building Inspector in the Town's Building Department effective October 8, 2012.

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

**Not on Agenda**

**ZBA (Appointment)**

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

**RESOLUTION # 174**

**NOW, THEREFORE, BE IT RESOLVED,** to appoint Chris Ramsdill to the position of Vice-Chairman of the Zoning Board of Appeals effective immediately.

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

**Adjournment**

On a motion introduced by Councilman Pulsifer and seconded by Deputy Supervisor Rice, the meeting was adjourned at 8:07 p.m..

Respectfully Submitted,

\_\_\_\_\_  
Carol D. Maynard

\_\_\_\_\_  
Supervisor, Arthur Johnson

\_\_\_\_\_  
Councilman, John Lant

\_\_\_\_\_  
Councilman, Robert Pulsifer

\_\_\_\_\_  
Deputy Supervisor, Robert Rice

\_\_\_\_\_  
Councilman, Steven Striecher