

# **TOWN OF WILTON**

**22 TRAVER ROAD**

**WILTON, NEW YORK**

**PHONE: 518-587-1939**

**FAX: 518-587-2837**

Susan Baldwin, Town Clerk

[sbaldwin@townofwilton.com](mailto:sbaldwin@townofwilton.com)

## **7:00 BID OPENING HW2015-1 New 4X4 5500 Regular Cab Chassis:**

Supervisor Johnson called the bid opening to order.

Two bids were received as follows:

Stephens Chrysler Dodge-\$46,699.00

West Herr-\$46,498.00

Supervisor Johnson stated the award of the bids will be subject to approval from Highway Superintendent Kirclin Woodcock.

## **REGULAR TOWN BOARD MEETING-March 5, 2015**

Supervisor Johnson called the Regular Town Board meeting to order at 7:02 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

Steve Streicher-Deputy Supervisor

Joanne Klepetar-Councilwoman

John Lant-Councilman

John McEachron-Councilman

Also present was Director of Planning and Engineering, Ryan Riper, Jeff Reale, Comptroller and Town Counsel, Mark Schachner.

### **Approve Pending Minutes**

On a motion introduced by Councilwoman Klepetar, the board adopted the following resolution:

**RESOLUTION #74**

**NOW, THEREFORE, BE IT RESOLVED**, to approve the minutes from the February 5, 2015 meeting.

The adoption of the resolution was seconded by Deputy Supervisor Streicher, duly put to a vote, all in favor. The motion carried 5-0.

**Public Comment Session**

There were no public comments.

**Road Dedication-Rose Terrace**

**Mr. Riper** stated all inspections have been made and have passed. Kirklin Woodcock, Highway Superintendent has also signed off on the road. **Attorney Schachner** said he had not completed the review. The road acceptance can be approved contingent upon counsel review.

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

**RESOLUTION #75**

**NOW, THEREFORE, BE IT RESOLVED**, to accept the following road dedication in Pine Brook Landing Subdivision, contingent upon final review from Town Counsel;

**Rose Terrace**

The adoption of the resolution was seconded by Councilman McEachron, duly put to a vote, all in favor. The motion carried 5-0.

**Belmonte Builders Land Dedication-Smith Bridge Road**

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

**RESOLUTION #76**

**NOW, THEREFORE, BE IT RESOLVED,** to reject the offer of lands on the Northside of Smith Bridge Road in the Smith Bridge Subdivision.

The adoption of the resolution was seconded by Deputy Supervisor Streicher, duly put to a vote, all in favor. The motion carried 5-0.

**Mr. Riper** said the radius of the curve was evaluated for the speed limit of the road. If the road is realigned in the future a center line radius was determined with a 45mph speed. The right of way line would be approximately half way through the existing barn. Belmonte Builders, LLC would be dismantling the barn. **Mr. Dannible** noted several area builders that use repurposed wood from the barns have been contacted. The barn will be disassembled and rebuilt in another location or the lumber will be used for reconstruction on other houses. **Mr. Belmonte** said he has spoken to two firms and they are both anxious to begin the project. **Mr. Riper** said there is a draft letter from the Town of Wilton to Mr. Belmonte in regards to the dismantling of the barn if the board chooses to accept the land. **Supervisor Johnson** said the expense of removing the barn and installing rubble would be Mr. Belmonte's responsibility and at no cost to the town. **Mr. Belmonte** said he would restore the apron on the southside of Smith Bridge Road where the pavement presently exists upon the removal of the barn. **Supervisor Johnson** asked if the barn should be removed prior to taking ownership of the property. **Attorney Schachner** said that it would be preferable. **Mr. Belmonte** said a permit to remove the barn still has to be obtained by the State and it will take three to six months. **Supervisor Johnson** said the town could accept the dedicated land, as proposed. **Attorney Schachner** said the proposed letter indicates the town has no objections to the barn being dismantled at no cost to the town. If the board wants that to happen, it would be most appropriate for the barn to be dismantled prior to the acceptance of the land. **Mr. Belmonte** said he is open to the town being as strong as possible because there is question with the state about the barn coming down. The state has placed a historical value to the existing barn. It has been pointed out there is little historical value and we are willing to have it dismantled so it is not destroyed. We have not yet received a "green light" from the state. We may need help from the town to get that point across to the state. **Supervisor Johnson** said the Historical Preservation Board reviewed the plan and has no issues with the barn being dismantled. **Councilman Lant** asked if the motion could be worded so the town would accept the property once the barn is removed. **Mr. Riper** said the motion could be made for the acceptance of the land and not sign off on the paperwork until it has been reviewed by the attorney and the barn has been dismantled. The board will also have to approve the letter to Mr. Belmonte for assistance in state review. **Attorney Schachner** said it is at the board's pleasure not having the transfer occur until the barn removal has been accomplished. **Mr. Belmonte** said if he needs further help with the state he will reach out to the town.

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

**RESOLUTION #77**

**NOW, THEREFORE, BE IT RESOLVED,** to accept the offer of lands on the Southside of Smith Bridge Road in the Smith Bridge

Subdivision, contingent upon counsel review.

**FURTHER BE IT RESOLVED**, to accept said transfer of property after the existing barn is dismantled and removed from the property.

The adoption of the resolution was seconded by Deputy Supervisor Streicher, duly put to a vote, all in favor. The motion carried 5-0.

**Wilton Senior Community-Perry Road**

**Supervisor Johnson** said there was a public hearing in January for the Wilton Senior Community on Perry Road. The project was referred to the Wilton Planning Board as well as the Saratoga County Planning Board. Both boards unanimously gave a positive recommendation for the special permit and the waiver that would allow the community to exit onto Perry Road instead of a state or county highway. The special permit application went back to the Wilton Planning Board for SEQRA and that is now complete.

**Councilwoman Klepetar** asked if the Saratoga County Planning Board made any recommendations as far as signage for turning north or south. **Councilman Lant** said he is against left hand turns and asked if that was addressed. **Mr. Riper** said it was discussed with New York State Department of Transportation and their stance is that it is very difficult to do that with an existing road. Not to say it is impossible, just difficult and it is their call. **Councilman Lant** said it is a dangerous intersection. **Supervisor Johnson** said typically, the Wilton Planning Board would look at the intersection as part of the whole site plan. In the review process they look at the data from NYS DOT and traffic engineering. **Attorney Schachner** said it is important to remember if the special permit is approved it is still subject to planning board site plan review. **Councilman McEachron** said most of the accidents occur at that intersection. **Mike Tucker** of VHB said he has a history of accidents from May of 2011 to April of 2014. There were 150 accidents between Weibel Avenue and Jones Road on Route 50. Ten accidents were at the Perry Road and Route 50 intersection. **Councilman Lant** said there were four accidents within a week about two months ago. **Mr. Tucker** said these are accidents that were reported to NYS DOT. **Supervisor Johnson** asked if there were any serious accidents. **Mr. Tucker** said eight involved making a left hand turn onto Perry Road. One was a car that slid off the road and hit a guard rail and one was a pedestrian accident. Four of the left hand turn accidents were rear-ended and the other four were hit when making the turn by a southbound vehicle. **Mr. Riper** said in conversation with NYS DOT they are taking a hard look at the intersection. They don't foresee any site distance, breaking or alignment issues. **Mr. Tucker** said a senior community doesn't add a significant amount of traffic during peak hours. The residents usually come and go at off times. In addition there will be a shuttle for the residents. **Deputy Supervisor Streicher** said there is also an assisted living facility. **Mr. Tucker** said there is a 110 independent living facility and a 92 unit assisted living facility. **Supervisor Johnson** said under the code the project requires a special permit and a waiver for the project to exit onto a town road. **Attorney Schachner** said the actual site plan review is still done by the Wilton Planning Board if the town board grants the special

permit. **Supervisor Johnson** said the planning board will address any particular traffic issues as they do on every project.

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

**RESOLUTION #78**

**NOW, THEREFORE, BE IT RESOLVED,** to grant the road access waiver for the Wilton Senior Community.

The adoption of the resolution was seconded by Councilwoman Klepetar, duly put to a vote. The motion carried 5-0.

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

**RESOLUTION #79**

**NOW, THEREFORE, BE IT RESOLVED,** to grant the Special Permit for Wilton Senior Community.

The adoption of the resolution was seconded by Councilwoman Klepetar, duly put to a vote. The motion carried 5-0.

**Acceptance of Bid**

**Highway Superintendent** said he would suggest approval of the low bid once the he and the comptroller look at the specifications. The difference between the two bids is only a few hundred dollars.

**Comprehensive Plan Update**

**Supervisor Johnson** said last year he appointed a committee to update the comprehensive plan. It was last done in 2004. The committee has been meeting regularly with committee members and the consultants.

**Mr. Riper** said there are two members from each land use board and town board. There have been invigorating meetings with a lot of discussion. Everyone has had great input. Currently, the committee is working on compiling, completing and formatting the first draft of the Comprehensive Plan Update. That draft document will be available for public review and comment. There will also be a public hearing by the committee. Once the revisions are made from the public hearing, the draft document will be presented to the town board for acceptance. A public hearing will also be held by the town board. We are anticipating having the final draft with the public hearing near the end of April. We are requesting the public share some photos of the Town of Wilton that could potentially be used within the

Comprehensive Plan. It is asked to submit photos to [wiltonphotos@mjels.com](mailto:wiltonphotos@mjels.com). We ask that you give your name and where the photos were taken. **Councilwoman Klepetar** asked if the revisions will be on the web. **Mr. Riper** said the final draft document will be on the website. There will be hard copies available. **Tina Weber** asked what type of photos are being request by the committee. **Mr. Riper** said any locations or places of interest within the Town of Wilton that would appeal to the general public. **Councilwoman Klepetar** said it has been a pleasure working on the committee with a lot of good people involved. **Mr. Riper** said a lot of the committee members have enjoyed the meetings and updating the plan. The committee has met every two weeks with ten working meetings that are open to the public. Discussions have been great with a lot of progress. There are no major or significant changes but a lot of good input.

**Committee Reports**

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

**RESOLUTION #80**

**NOW, THEREFORE, BE IT RESOLVED,** to appoint Richard Fish as the second alternate for the Wilton Planning Board with the term to expire 12/31/2015.

The adoption of the resolution was seconded by Councilman McEachron, duly put to a vote, all in favor. The motion passed 5-0.

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

**RESOLUTION #81**

**NOW, THEREFORE, BE IT RESOLVED,** to appoint Keith Burger to the Ethics Advisory Board for a two year term to expire 12/31/2016.

The adoption of the resolution was seconded by Councilman Lant, duly put to a vote, all in favor. The motion passed 5-0.

**Comptroller's Report**

**1.) January 2015 Cash Disbursements**

<b>General Fund</b>	<b>\$</b>
<b><u>Highway Fund</u></b>	<b>\$</b>
<b>(Books have not been closed out for 2014)</b>	

2.) 2015 Budget Transfers and Budget Amendments

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

RESOLUTION #82

**NOW, THEREFORE, BE IT RESOLVED**, to approve the 2015 budget transfers and amendments requested for and listed in the Comptroller's 3/05/2015 report (attached) to the Town Board.

The adoption of the resolution was seconded by Deputy Supervisor Streicher, duly put to a vote, all in favor. The motion passed 5-0.

3.) Amendment to Resolution #73 of 2015-Safety Boots

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

RESOLUTION #83

**NOW, THEREFORE, BE IT RESOLVED**, to approve an amendment for Resolution 73 of 2015 to be retroactive to January 1, 2015.

The adoption of the resolution was seconded by Councilman McEachron, duly put to a vote, all in favor. The motion passed 5-0.

4.) Personnel

a.)

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

RESOLUTION #84

**NOW, THEREFORE, BE IT RESOLVED**, to ratify the decision to hire Amy Worth as a permanent part time clerk in the Justice Department at a rate of \$12.00 per hour with no benefits, effective 2/10/2015.

The adoption of the resolution was seconded by Deputy Supervisor Streicher, duly put to a vote, all in favor. The motion passed 5-0.

**b.)**

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

**RESOLUTION #85**

**NOW, THEREFORE, BE IT RESOLVED,** to approve the temporary placement of Jason Brueckner to the foreman position during the leave of Rich McCann, at a temporary pay rate increase of \$1.00 per hour.

The adoption of the resolution was seconded by Councilman Lant, duly put to a vote, all in favor. The motion carried 5-0.

**5.) Wilton Emergency Squad-PENFLEX Service Award Program**

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

**RESOLUTION #86**

**NOW, THEREFORE, BE IT RESOLVED,** to approve the 2014 PENFLEX Service Award Program list of ambulance volunteers at the Wilton Emergency Squad.

The adoption of the resolution was seconded by Deputy Supervisor Streicher, duly put to a vote, all in favor. The motion carried 5-0.

**6.) 2014 Sales Tax, Mortgage Tax and Fine Revenue**

**Mr. Reale** said the final numbers are available for 2014. The sales tax is slightly above the 2013 number. The mortgage tax was significantly lower than the 2013 amount. The court fines had a slight increase over 2013. Sales tax is still strong and covers approximately 73% of the town's total revenue.

**7.) Solar Energy Update**

**Mr. Reale** said he and Ryan Riper have been researching Solar Energy for the last three months with the help of Councilwoman Klepetar. There were a lot of vendors interested in the town and then it stopped.

The reason it stopped is because the Public Service Commission changed the way they are going to deal with the solar energy credits with new mega block coming out in April. Councilwoman Klepetar forwarded an email from a vendor that had “an award in hand” meaning he had an award from the current block with the good incentives. We sat down with him and it looked good. Initially we were going to save \$1,000,000 over 20 years. It then went down to \$800,000. Now it is \$520,000 over 20 years. The current offer has to be rushed through and the town has to sign a contract by the end of the month. This has not yet been on the Town Clerk’s agenda and it should really be out to the public. The new block is coming out April 1, 2015. The Public Service Commission is going back to very similar credits. The vendors are now interested in the town again. The recommendation to the board is to wait until the next block comes out. This way we are not rushing through it and we can do better than the latest offer.

**8.) Outsourcing Town Payroll**

**Mr. Reale** said payroll for the town is done internally and very few towns do their own payroll. Clifton Park is one of the only towns that does their own payroll but they have a designated payroll clerk. The bookkeeper has made it known retirement is in the near future for her. She has not yet given a date. A couple of payroll services were contacted and they will be coming in and doing some demonstrations and giving some prices. There is nothing in the budget for it this year. There will be a couple of recommendations in the upcoming months regarding the outsourcing of payroll. **Supervisor Johnson** noted the payroll companies do a number of other reports. **Mr. Reale** said they will do year end reports and W-2’s to name a couple. The bookkeeper has been doing payroll for 25 years. The only reason it hasn’t been outsourced before is because she enjoys doing it. **Councilwoman Klepetar** asked if the bookkeeper would remain on as part time. **Mr. Reale** said he didn’t know. She has been with the town for a long time and he is going to miss her.

**Other Business**

**Supervisor Johnson** stated the county tax auction is coming up on March 17, 2015. There is a property in the Town of Wilton that is on the list for back taxes. The piece is off of Bullard Lane. It is a critical piece to the Town’s trail system. The county trail hits a dead end on Bullard Lane. This particular piece would open it up and offer potential to bring the trail system to Jones Road. The county policy is if a town wants to buy a parcel on the tax auction they can purchase it for the amount of back taxes, penalties and interest. It is a 34 acre parcel. Developers own the land around it and they are aware the property is on the auction list. It would be to the town’s benefit to exercise this option. It is not going to be expensive as the back taxes are under \$10,000. This will ensure connectivity to the trail system. The auction is on March 17, 2015 and the county requires a resolution from the town board for intent to purchase in order to take it off the auction. **Supervisor Johnson** asked if there were any questions. There were none.

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

**RESOLUTION #87**

**NOW, THEREFORE, BE IT RESOLVED,** to approve the purchase of property, tax map number 141.-2-1, for the amount of back

taxes, penalties and interest, for the use of trail connection, open space and recreational purposes.

The adoption of the resolution was seconded by Councilman Lant, duly put to a vote, all in favor. The motion carried 5-0.

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

**RESOLUTION #88**

**NOW, THEREFORE, BE IT RESOLVED,** to approve the budget transfer from Contingency (A1990.4) to Land Purchase (A1990.2) in the amount of \$10,000.

The adoption of the resolution was seconded by Deputy Supervisor Streicher, duly put to a vote, all in favor. The motion passed 5-0.

**Adjournment**

On a motion introduced by Deputy Supervisor Streicher and seconded by Councilman Lant, the meeting was adjourned at 7:43 p.m.

Respectfully Submitted,

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Susan Baldwin, Town Clerk

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

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

\_\_\_\_\_ Councilman, John McEachron

\_\_\_\_\_ Deputy Supervisor Steve Streicher

\_\_\_\_\_ Councilwoman Joanne Klepetar