

TOWN OF WILTON

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REGULAR TOWN BOARD MEETING-FEBRUARY 5, 2015

Supervisor Johnson called the Regular Town Board meeting to order at 7:03 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 and Town Counsel, Mark Schachner.

Approve Pending Minutes

Councilwoman Klepetar said under committees she knows she is the liaison for the Seniors, RUOK and thought Wilton Wildlife as well, and there was something added, Personnel Committee. She said she didn't know what the Personnel Committee was.

Supervisor Johnson said Councilwoman Klepetar recommended amendment by deleting her from the Personnel Committee.

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

RESOLUTION #68

NOW, THEREFORE, BE IT RESOLVED, to approve the minutes from the January 5, 2015 meeting, with amendment.

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

Public Comment Session

Kirklin Woodcock, Highway Superintendent said the recent storm was a major storm. The highway department cannot help putting snow in driveways. The trucks have to plow two lanes of the road. Garbage cans have become projectiles in the streets. Someone is going to get hurt. Hundreds of phone calls have been received about garbage cans being hit. The plows are 15' wide and each side of the road is plowed to equal 30'. The streets are 24' wide. That means there is 3' on each side of the road the wing plow is on and that area has to be clear. After inspecting the roads there are many areas the drivers avoided garbage cans and the snow was not removed. The areas are freezing and it can't be removed unless we use tons of salt. All of the garbage companies have been called and letters have been sent. We have been told it is our problem. It is not our problem; it is the garbage company's problem and the residents. We try to sneak by them but we end up taking them from one driveway and broadcasting them down the road to someone else's driveway. It is a very serious.

Saratoga County has a salt contract that we draw off. One company sold out to another and we can't get salt. It is available at the port but we can't get it delivered. The new company does not want to pay any kind of overtime is what we are being told. That may be true or false. That will be addressed at the Saratoga County Superintendent's meeting tomorrow. There was 1,000 ton of salt ordered and only three loads have been delivered. We need 150 ton of salt, bare minimum to do 216 miles of road. Hours have been spent trying to solve this problem. The Saratoga County Superintendent, Keith Manz, made some phone calls and we received seven or eight loads. We may have 250 ton of salt in the shed now with a major three day storm predicted. Thank you to the board for the support. We need the residents support. Please tell your neighbors to put your garbage cans in your driveways. The trucks that pick up the hoppers have an eight foot arm. You can put your garbage can six feet back in your driveway without having any problem with the arm reaching the can.

Supervisor Johnson noted the highway department did a great job with the last storm. It lasted over several days and they kept up with it. There were many compliments as to how well the roads were kept. **Councilman Lant** asked if we could hire someone to pick up the salt at the Port of Albany.

Highway Superintendent Woodcock said he has a truck that can haul up to 32 ton of salt. The problem is there are two or three hundred trucks lined up trying to load. It is taking up to three hours to get a load. It is not cost effective to send a guy down with a truck to wait three hours for one load. The county contract can be avoided and not use the company the county is using. The second bidder was \$8 a ton more than the county contract. It will cost us more. We will probably use 6000 ton this winter. We are over 4200 ton now and it is only February. The added cost would be between \$40,000 and \$50,000. It is not money that we want to spend unless we have to. **Councilman Lant** said we have to keep the roads safe. **Highway Superintendent Woodcock** said he was going to call the County Commissioner again and make another call to the trucking company and let them know our situation. Salt was ordered on January 20 and the last of that order was delivered today. The contract states salt will be delivered within 24 hours. You may get one or two loads. They do this to everyone and they never catch up. **Supervisor Johnson** said if it comes to the situation we have to go to someone else we will.

Wilton Wildlife Preserve and Park

Margo Olson, Executive Director of Wilton Wildlife Preserve and Park, said they had an excellent year with a lot of public programs and offerings. The mission is with conservation, environmental education and outdoor recreation and making an effort to meet all of the aspects of the mission. In the conservation end, we signed a new volunteer stewardship agreement with the Department of Environmental Conservation. ENCON is one of the largest landowners and own most of Camp Saratoga. They continue to buy more land. They have purchased the Fox and Frawley parcels from the Nature Conservancy. There has been no public announcement and haven't posted anything yet. We will continue to maintain the trails on the parcels for the school and public programs. The biggest change is the Nature Conservancy was more restrictive and did not allow hunting. Now the two parcels will be open to the multipurpose activities as part of the Saratoga Sand Plains Wildlife Management Area. New York State has put in for a contract to do some logging on the Frawley property for additional habitat for the Karner Blue butterfly. Most of the work will be through federal grants for endangered species. There was a new recreational project in which Larry Gordon was instrumental in the work that was done along the waterfront at Camp Saratoga. His help was greatly appreciated. We had hundreds of hours of volunteers. The Navy had a couple of days with crews of 12, community service workers, interns and different volunteers all helped with the project. We also received a \$10,000 grant which paid for stone and some of the equipment work for the waterfront access and handicap parking. We continue to work with Schuylerville, South Glens Falls and Saratoga City Schools in addition to BOCES, Granville School District, Ballston Spa, Burnt Hills and several other school districts with after school programs and science, technology and math enrichment programs.

This is an over view of last year and an over view of the coming year as well.

We just had our annual candle light ski and snow shoe event which went very well. We had many volunteers including Ryan Riper and Dale Willman. Kirklin Woodcock made the pedestrian safety signs available. It is a cooperative effort and it is greatly appreciated. There was some good snow and we had between 300-400 people. Most of the grooming is done by the interns and Ryan Riper. DEC will go out and clear any fallen trees.

Councilwoman Klepetar asked if Alpine Ski Shop donated any items. **Ms. Olson** said Alpine Ski Shop donated cross country skis and boots. On Sunday we are having a winter fest at Scout Camp. There will be a bonfire with hot cocoa and s'mores. We will be renting snow shoes and the skis for the public. We were using the health lodge which wasn't heated. We did install a propane heater and the interns were there today and said it is working. Volunteers were not very happy about standing in an ice cold space renting out snowshoes. We now have volunteers lined to rent out the equipment.

Smith Bridge Road/Route 9 Intersection

Supervisor Johnson said Ryan Riper, Town Engineer, drafted a letter to send to NYS DOT to evaluate the intersection. There are some residents in the Smith Bridge Road and Davison Drive area that have questioned that intersection, primarily the left hand move out of Smith Bridge Road onto Route 9.

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

RESOLUTION #69

NOW, THEREFORE, BE IT RESOLVED, to approve request for an evaluation of the Smith Bridge Road and Route 9 intersection by New York State Department of Transportation.

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

Gavin Park Maintenance Building Bid Awards

Mr. Riper said there were three separate bids sent out, one for the building, one for the electrical and one for the plumbing and mechanicals. There is a list of all of the bidders. We are looking for a motion for the three low bidders. Munter Enterprises was low bidder on the building for \$294,800. Dunham Electric was low bidder for the electrical for \$40,836. Rozelle Industries was low bidder for the plumbing and mechanical for \$43,439. **Supervisor Johnson** noted the amounts to do the project are within what was set aside in the Capital Improvements account.

Councilman Lant said the low bidder built a firehouse and the roof has leaked for over a year and nothing has been done about it. **Councilman McEachron** asked if the low bid had to be accepted. **Attorney Schachner** said the lowest responsible bidder is supposed to be accepted. Unless there is a reason to believe that one of the low bidders is not what is legally called a “responsible bidder”, and there are limited grounds for that and doubt we have that, we are obligated to take the lowest bidder. **Councilman Lant** said a few months ago we passed a local law that allowed us to take something other than the lowest bid. **Attorney Schachner** said it could apply but it is usually applied to the purchasing of goods. **Supervisor Johnson** said the contractor is required to put up insurance and the town would have recourse if they didn’t perform. **Attorney Schachner** said there are certain bonds that are required. **Councilman McEachron** said he didn’t want to spend \$300,000 and have the roof leak. **Councilman Lant** said a roof was put on a firehouse in Middle Grove and it wasn’t corrected. **Councilman McEachron** said if the roof is leaking in Middle Grove what makes him believe the one they put up here won’t leak. **Mr. Riper** asked Highway Superintendent Woodcock about the roof in the highway department. **Highway Superintendent Woodcock** said Bast-Hatfield put up the building in highway. **Mr. Riper** said there were similar issues with the roof leaking and Bast-Hatfield tried to fix it several time. Munter Enterprises came in and fixed it. **Highway Superintendent Woodcock** said they fixed it almost 100%. **Councilman Lant** asked if it was a leak or sweat. **Highway Superintendent Woodcock** said it was a leak. **Supervisor Johnson** asked why legal action hasn’t been taken. **Councilman Lant** said he wasn’t in charge in Middle Grove. **Supervisor Johnson** said he didn’t know if the board could hold that particular job against the low bidder. **Councilman Lant** said they seem to be dragging their feet. He said he didn’t want the town to spend \$300,000 and have the roof leak. **Mr. Riper** said Munter Enterprises has a good reputation in the community as far as their quality of work. **Councilman McEachron** said whatever it is that is making the roof leak; extra care needs to be taken. **Attorney Schachner** asked if there are performance standards and performance bond requirements in the contract. **Mr. Riper** said there are and noted the town will be doing the inspections as well. **Highway Superintendent Woodcock** said if there is a Clerk of the Works on the job he should pay attention.

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

RESOLUTION #70

NOW, THEREFORE, BE IT RESOLVED, to accept the following low bids for the Gavin Park Maintenance Building:

Munter Enterprises-	Building-\$294,800
Rozelle Industries-	P & M- \$43,439
Dunham Electric-	Electric-\$40,836

The adoption of the resolution was seconded by Councilwoman Klepetar, duly put to a vote, all in favor except Councilman McEachron, who was opposed. The motion carried 4-1.

Committee Reports

Councilwoman Klepetar said she has all of the volunteers she thinks are necessary. Nancy Riely is trying to schedule a meeting with Duane Bogardus and all of the volunteers. **Councilman Lant** asked if people have been contacted to see if there have been changes in their needs. The clerk noted people have been contacted through phone calls and letters.

Councilwoman Klepetar said she spoke with Phyllis Dumont from the Senior Center and encouraged her to contact her with any problems instead of going to the town hall and reinforced that she is the liaison for the Senior Center.

Supervisor Johnson said the Greenfield Fire District had their annual Installation of Officers dinner. They recognized members for their years of service and two of them are from Wilton. One is our own Councilman John Lant with 40 years of service with the Greenfield Fire District at the Maple Avenue Fire Department. He is Chief of the District and Chief of Maple Avenue. Also Toby Jones has 20 years of service and he was recognized as well. The Town of Wilton presented both with a Resolution.

Councilman McEachron said the problem with the garbage cans should be on our website. He said he did drive around and saw how the trucks avoided the cans. Probably 80% of the residents keep the garbage cans in the driveway. **Supervisor Johnson** said it is on the website. County Waste will call residents when they are not going to pick up so the garbage doesn't get put out.

Councilman McEachron said he had several people drop off an article at the shop about a developer seeking a tax break for a complex. Is the town in charge of that? **Supervisor Johnson** said it is the Saratoga County IDA. They can offer incentives to locate businesses. **Councilman McEachron** asked if they take a recommendation from the town. **Supervisor Johnson** said there is a public hearing on Monday, February 9, 2015 and anyone can speak at it. They are not looking for any real property tax breaks. They are looking for sales tax exemptions on construction materials and mortgage tax exemptions. They are typical requests for applicants. **Councilman McEachron** asked how typical is it to be exempt from sales tax. **Supervisor Johnson** said it is routine if it is a qualifying business. **Councilman McEachron** said the only way the town actually gets any revenue is by the money they spend in our town and we are going to give them a break on it? **Councilman Lant** asked when was the last time a business received a sales tax break in the town. **Supervisor Johnson** said SUNY Adirondack was one. Ace Distribution and Target Distribution Center also received tax breaks. It is up to the Saratoga County IDA if it is approved or not. The only reason the public hearing is here is because the project is in Wilton.

Councilman Lant asked if the IDA would listen if the town board was against it. **Supervisor Johnson** said they would listen. **Councilman Lant** said he was against it. The board should be against it. **Supervisor Johnson** said he was for any new business creating new jobs and investing in the town. **Councilman Lant** said he was too but other people spend money on buildings and they don't get a tax break. **Supervisor Johnson** said it has to be a qualifying business. They don't give it to every business. The purpose is to induce investment and job creation. It is county wide, not just the town. The meeting is February 9, 2015 at 8 a.m. at Town Hall.

Comptroller's Report

1.) December 2014 Cash Disbursements

General Fund	\$522,291
<u>Highway Fund</u>	<u>\$437,840</u>
Total	\$960,131

2.&3.) 2014 and 2015 Budget Transfers and Budget Amendments

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

RESOLUTION #71

NOW, THEREFORE, BE IT RESOLVED, to approve the 2014 and 2015 budget transfers and amendments requested for and listed in the Comptroller's 2/05/2015 report (attached) to the Town Board.

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

4.) 2014 Salary Transfers

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

RESOLUTION #72

NOW, THEREFORE, BE IT RESOLVED, to approve the budget transfers for 2014 salary overages (attached).

The adoption of the resolution was seconded by Deputy Supervisor Streicher,

duly put to a vote, all in favor. The motion carried 5-0.

5.) Safety Boots

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

RESOLUTION #73

NOW, THEREFORE, BE IT RESOLVED, to approve the modification to the personnel policy: General Practices: Uniform and Clothing Benefit to change the boot allowance from \$130 to \$150.

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

6.) Solar Update

Mr. Ripper said Solar City is still a work in progress. We are trying to get some information from them. We did hear back from Gross Solar and the project is a bit too small for them and they stepped out. Councilwoman Klepetar sent an email today with a contact for Dynamic. We will contact them.

Deputy Supervisor Streicher said Saratoga County had the annual Planning and Zoning Conference and the Town of Wilton had 23 people attend. We had the highest number of attendees. This only benefits our town and the residents by educating our board members and staff on the process. Thank you to everyone who attended. **Supervisor Johnson** said board members are required to have education credits every year to be able to sit on the boards. The Town of Wilton was recognized by Saratoga County for having the most attendees.

Executive Session

Supervisor Johnson said there will be an Executive Session to discuss the performance of particular individuals.

Councilman Lant made a motion to adjourn for Executive Session at 7:40 p.m. The motion was seconded by Deputy Supervisor Streicher with all board members in favor. The motion carried 5-0.

Deputy Supervisor Streicher made a motion to reconvene at 8:15 p.m. The motion was seconded by Councilman McEachron with all board members in favor.

No action was taken in executive session.

Adjournment

On a motion introduced by Deputy Supervisor Streicher and seconded by Councilwoman Klepetar, the meeting was adjourned at 8:16 p.m.

Respectfully Submitted,

Susan Baldwin, Town Clerk

Supervisor, Arthur Johnson

Councilman, John Lant

Councilman, John McEachron

Deputy Supervisor Steve Streicher

Councilwoman Joanne Klepetar