

TOWN OF WILTON

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Susan Baldwin, Town Clerk

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REGULAR TOWN BOARD MEETING-MARCH 3, 2016

Supervisor Johnson called the Regular Town Board meeting to order at 7:00 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, P. E., 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 #81

NOW, THEREFORE, BE IT RESOLVED, to approve the minutes from the February 4, 2016 meeting, as typed.

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

Public Comment Session

Dan Tagiliento said New York State has made money available for highway improvements. He said he spoke with Senator Kathy Marchione and Carrie Woerner. Nothing was done. He said he would suggest addressing some of the safety concerns on the highways with the highway superintendent and five volunteers from the public. There are a number of highway concerns out there that are extremely dangerous. Twenty years ago they were supposedly corrected. The intersections were to be T's. One intersection is Northern Pines Road and Traver Road where it is impossible to enter the road without cranking your car around and hoping. There is a dip in the road. It should be addressed and it's easier to do it piecemealed with the highway superintendent's oversight. Either have him choose to do part or all of it himself or put it out to bid.

The second item has to do with the notes. A little, two or three sentences of explanation, either for or against a particular item. Reading the notes, you have no idea what is being done on our behalf, the citizens of Wilton.

Steve Rossi said he bought a home at 87 Cobble Hill Road in January. The advertising of this home stated the lot next door was "forever wild" for extra privacy. On February 4, 2016, Tom Roohan came in and cleared all of the trees of the lot next door. The lot is about 2 acres in size and is irregularly shaped. It is distinctly different from every other lot in the subdivision. \$35,000 was owed in back taxes. It was never collected by the town or never sought to be collected. The parcel was never foreclosed upon, therefore, thought it was true, the lot was "forever wild" or unbuildable. The lot was purchase for \$5,000 and the assessed value is \$97,000. He plans on building a home on this lot but to do so he has to jam it in right on top of mine. A FOIL request was submitted and the town has been very cooperative in trying to answer my questions. My concern is he is getting to do something so quick and recklessly, no one is going to catch up to see if this is kosher or not. If I don't pay my taxes my house gets taken away. My neighbor wanted to buy the parcel but wasn't allowed to or wasn't sold to him. It was sold to a private developer. It should have been taken back by the county or town. I'm 87 and my neighbor is 89. This house is going to be called 87B. I'd like to ask everybody to look into the building of this lot, the building permit and make sure everything is done right. He said he hopes the town will assist him in any way possible.

Supervisor Johnson said Ryan Riper has been researching the property as well as others at the town.

Colorectal Cancer Awareness Month

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

RESOLUTION #82

WHEREAS, The Town of Wilton joins to support observances that raise awareness of health issues that affect people across our state, nation, and the world, such as various types of cancer, including colorectal cancer; and

WHEREAS, colorectal cancer is leading cause of cancer-related deaths among men and women in the United States; each year in New York State, nearly 10,000 people develop colorectal cancer and close to 3,500 New Yorkers die from this disease; it is estimated that one in twenty people will develop colorectal cancer during their lifetime; and

WHEREAS, colorectal cancer occurs most often in older people; approximately 60% of people newly-diagnosed with colon cancer are age 65 and older, and 90% of all colorectal cancers are diagnosed after age 50; and

WHEREAS, about 75% of colorectal cancer occurs in people who have no known risk factors; while the causes of colorectal cancer are not well understood, scientists agree that the following factors increase a person's risk of developing this disease: age, family history and hereditary conditions, personal health history, obesity, physical inactivity, diet, and other lifestyle factors such as cigarette smoking and excessive alcohol use; and

WHEREAS, colorectal cancer often can be prevented through regular screenings that can detect small growths, called polyps, which can be removed before they develop into cancer; screening for colorectal cancer is a covered benefit through Medicaid as well as health plans participating in the New York State of Health, and the New York State Cancer Services Program offers colorectal cancer screening to eligible uninsured individuals in every county and New York City borough; and

WHEREAS, in support of the statewide and national goals to screen at least 80% of age and risk-appropriate men and women for colorectal cancer, New Yorkers and people everywhere are call upon to raise their awareness of colorectal cancer and take

preventive steps to safeguard their health and that of loved ones from this disease;

NOW, THEREFORE, I, Supervisor Arthur Johnson, do hereby proclaim March 2016 as

COLORECTAL CANCER AWARENESS MONTH IN THE TOWN OF WILTON.

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

Ethics Advisory Board Appointment

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

RESOLUTION #83

NOW, THEREFORE, BE IT RESOLVED, to approve the reappointment of Michael Coleman to the Ethics Advisory Board for a two year term.

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

Ethics Advisory Board Resignations

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

RESOLUTION #84

NOW, THEREFORE, BE IT RESOLVED, to accept the resignations of the following Ethics Advisory Board members, with regret.

**Matthew Lindley
Lee Murphy**

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

Park and Recreation Commission Appointment

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

RESOLUTION #85

NOW, THEREFORE, BE IT RESOLVED, to approve appointment of Erin Armstrong to the Park and Recreation Commission for a two year term.

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

Speed Limit Reductions

Supervisor Johnson said the town gets many requests for speed limit reductions. The requests are forwarded to the county since speed limits are not under our control. The county forwards the requests to New York State Department of Transportation. In this particular case, NYSDOT has recommended the reduction of speed limits on Woodard Road and Nichols Road. **Highway Superintendent Woodcock** said he was waiting for a work order from the state to put up the new speed limit signs.

Camp Saratoga-Delegan Pond Fishing Program

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

RESOLUTION #86

Camp Saratoga Delegan Pond, Scout Pond, Fishing Program

The Town of Wilton, owners of property known as Camp Saratoga, has stocked Scout Pond for resident fishing.

1. The stocking program is for the **Town of Wilton residents only**.
2. April 1st to July 1st will be reserved for fishing by Town of Wilton resident **youths age 16 or under** and may be assisted by an immediate adult family member.

3. The remainder of the trout fishing season will be open to Town residents to October 15th, the last day of trout season, for all persons over the age of 16 with the required valid New York State Fishing License.
4. Fishing limit is 2 per day.
5. Adult fishing shall be after July 1st (catch and release is recommended).
6. **No** live bait is permitted (worms and lures permitted).

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

Supervisor Johnson said the county used to cover the cost of the fish and then stopped. If the county does not pick up the cost, the town will.

Committee Reports

Supervisor Johnson said Councilman Lant has served as the liaison to the Historian. Councilwoman Klepetar has asked to take over that department and Councilman Lant has obliged.

Councilwoman Klepetar said the RUOK program has lost a volunteer. Fortunately, there have been no emergencies. We have an opening if anyone is interested.

Everything seems to be straightened out at the Senior Center. There were some personality conflicts.

Councilman Lant suggested putting an ad in the paper for volunteers.

Councilwoman Klepetar said she wanted to bring up an issue that was raised last year. It was brought up two other times by fellow Councilman John Lant long before she was elected. This is the issue of the town's sign in/sign out sheets. The issue was raised by Mr. Lant but never voted on by him on both February 2, 2012 and then again on June 7, 2012. Two memos followed from Nancy Riely, Secretary to Supervisor Johnson, to department heads and employees both in April of 2012 and again in June, stated the town board had reinstated the policy of signing in and out at the front desk. Most everybody has been conforming ever since. Because it is a very important issue, she said she is bringing it up once again. When she brought up this issue last year, she was told everybody has a cell phone so they can be located at any time if they are not in town hall and are needed by either a resident or for another reason. Unless the town is willing to pay for a cell phone for each and every one of its employees, it is unreasonable to ask employees to both buy and use their own personal phone to be located. The other argument that was made when she raised the issue was that changes made to the employee handbook are generally only made in January. This is in the handbook and she quoted, "Personnel policies are applied at the discretion of the town board. The town board reserves the right to change, withdraw, apply or amend any of the policies and or benefits including those covered in this manual at any time". Because of the new payroll system initiated just last year, employees don't even need to punch the clock when leaving this building for lunch or for any other reason. The system does this automatically, at least for lunch. The town employees need only to tell Jeff if it is one half hour or one full hour that they desire for the year. It invites abuse of the system. You are perhaps wondering why the big deal over this. She said she has three reasons she is pushing for this important change of policy to go into effect

immediately and will mention two of them now and if need be, bring up the third. First and foremost, it is a liability issue for the town. If someone is out of the building doing their job as a town employee, whether it is the building inspector checking out a job or the assessor out taking pictures, he or she is totally covered under the town's workman's compensation insurance and would be fully represented by the town in case of an accident. If an employee is out having lunch and has an accident of any kind then this is not the case. The town is not liable should any accident occur while an employee is at lunch. The sign in/sign out sheets ask for the date, the employee's name, the destination, time out, estimated time of return and finally, the actual time he or she returns to town hall. Secondly, if someone comes into town hall looking for a particular employee, Julie or Karen at the front desk need only to take a quick glance at the sign in/sign out sheet and be able to give the resident a time when the employee will return. It takes just seconds and makes the town look better and more professional instead of saying they just don't know when the employee is returning. Accountability is very important here. With the new Paychex payroll system, there is no accountability when an employee has left the building. There is even a strong temptation to abuse the system if someone were so inclined. The Town of Wilton gives excellent benefits to its employees but in turn the employees need to be accountable for the time they are being paid for. Signing in and out takes no more than five seconds and would be very suspicious of anyone who argued against or resisted doing this and would have to ask why. Having said all of this she said she would like to move on, once and for all, to make signing in and signing out mandatory for all non-elected employees in this building in the Town of Wilton.

Supervisor Johnson said for the most part employees do sign in and out. The exception is the flexibility that has been given to department heads as long as their staff is aware of where they are. He said he didn't require them to do that but everyone else is complying with it. It has not been made part of the personnel policy. **Mr. Reale** said department heads have the option of either having their employees punch in and out or have it automatically deducted. If a department head feels an employee is abusing their lunch hour, they can have that employee punch in and out. It creates more work for them. They don't always come back within 30 minutes. It could be 25 minutes, it could be 35 minutes. It has to be rounded off. **Deputy Supervisor Streicher** asked how the time works for department heads. **Mr. Reale** said it depends on if they punch out or not. If they don't punch out for lunch, it's automatically deducted. **Deputy Supervisor Streicher** asked if they have an option of taking a half hour or full hour for lunch. **Mr. Reale** said that is correct but it has to be designated at the beginning of the year and set up in the system. **Councilman McEachron** said that works for abused time but what works for accountability. The first reason is liability. If an employee is at Stewart's getting lunch and has an accident, the time clock doesn't know if they are in the field or at lunch. **Mr. Reale** said employees can punch out for lunch. **Councilman McEachron** asked if the sign in/sign out sheet is in place now. **Supervisor Johnson and Mr. Reale** said it is. **Councilman Lant** said it should be put to rest once and for all and put in the personnel policy. He said we should be able to trust the employees to be honest. **Councilwoman Klepetar** said she has a motion and is going to read it. "I'd like to make a motion, effective immediately, to reinstate the signing in and signing out by each and every non-elected employee of the town whenever he or she leaves the town hall premises. This will be done on the sheet provided at the front desk and will include date, employee name, destination, time out, estimated return time and finally, the actual time returned. This new policy would become part of the employee handbook, presently being revised. **Councilman Lant** seconded the motion. **Supervisor Johnson** said we have a personnel committee and before we do this there should be some rules. Who is going to do it? Is everybody going to do it? We should do a little more research before it is put in the personnel policy. **Mr. Reale** noted anything put in the personnel policy will affect the highway department. If you are going to have the highway crews come in from the field to punch in and punch out, **Councilwoman Klepetar** said the way she read it and the way it is intended is for this building. **Attorney Schachner** said he has the same concern because it refers to town employees.

Councilwoman Klepetar said it can be changed. **Mr. Reale** said the committee can put something together. If an employee is in the field and has lunch in the field, there are a lot of variables. **Supervisor Johnson** said more thought should be put into. **Councilman McEachron** asked if it could be revisited next month. **Supervisor Johnson** said we have a personnel committee and Councilman Lant is the chair. **Councilwoman Klepetar** said Councilman Lant seconded the motion and she said she is going to read the third reason if she can't bring this to a vote. She said she will bring up the third reason why this is important and why it is being pursued over and over again. **Supervisor Johnson** said the motion was seconded so the board can vote. **Councilman McEachron** asked if the board was going to vote on the highway department as well. **Councilwoman Klepetar** said she would make the motion again. **Councilman Lant** said it should be all town employees. **Councilwoman Klepetar** said the highway department is a very separate entity and so is Gavin Park. **Supervisor Johnson** said more thought should be put into it and the personnel committee should come back with a recommendation. **Councilwoman Klepetar** said she was just going to make a motion. **Deputy Supervisor Streicher** said we are still in the discussion portion. Does it include every single person except elected officials? **Councilwoman Klepetar** said it does. **Councilman McEachron** said the motion is only for the people in Town Hall. **Councilwoman Klepetar** said yes. **Deputy Supervisor Streicher** said it doesn't include the court, the park and highway. **Supervisor Johnson** asked why people are being treated differently. **Councilman McEachron** said he didn't know if people can be treated differently. **Councilman Lant** agreed. **Supervisor Johnson** said the logical thing to do would be to give it to the committee. You can't select certain people or certain departments. **Councilwoman Klepetar** asked who signs in and signs out now. **Supervisor Johnson** said as far as he knows everyone except department heads. **Councilwoman Klepetar** said department heads sign out. **Supervisor Johnson** said Ryan Riper, Jeff Reale and Steve Porto do not sign out. **Councilwoman Klepetar** said she was only referring to this building. **Supervisor Johnson** said Jeff Reale and Ryan Riper do not sign out. Mark Mykins signs out and Kathy Austin does, sometimes and sometimes not. **Councilman Lant** said he wanted to withdraw his second to the motion in order to do more research to be fair to everyone at the town. **Councilwoman Klepetar** asked if this could be discussed at the next town board meeting and is there a draft of the new personnel policy. **Supervisor Johnson** said the draft is close and should be ready for the next board meeting. **Highway Superintendent Woodcock** asked about the new personnel policy. **Supervisor Johnson** said HR Consultants was hired to go over the policy. **Highway Superintendent Woodcock** said there has been no input from department heads for the new policy. The department heads should have some input. **Supervisor Johnson** said the update is not an over haul, it's more to add items that have come up. Most of the changes have been done and it's mostly technical issues like drug and alcohol policies and work place violence. It doesn't affect the highway department's work hours and those types of things. It's more in keeping up with the legalities.

Comptroller's Report

1.) January 2016 Cash Disbursements

General Fund	\$447,180
<u>Highway Fund</u>	<u>\$211,083</u>
Total	\$658,263

2.) 2016 Budget Transfers and Budget Amendments

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

RESOLUTION #87

NOW, THEREFORE, BE IT RESOLVED, to approve the 2016 budget transfers and amendments requested for and listed in the Comptroller's 3/03/2016 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.

3.) Personnel

a.

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

RESOLUTION #88

NOW, THEREFORE, BE IT RESOLVED, to approve the request for overnight travel for Susan Baldwin to attend NYSATRC in Lake Placid June 12-15, 2016.

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

b.

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

RESOLUTION #89

NOW, THEREFORE, BE IT RESOLVED, to approve the request for overnight travel for Ryan Riper and an intern to attend Cornell Local Roads Program in Ithaca, NY May 31, 2016-June 2, 2016.

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

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

4.) Wilton Emergency Squad-Penfle Service Award Program

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

RESOLUTION #90

NOW, THEREFORE, BE IT RESOLVED, to approve the 2015 PENFLEX Service Award Program points listing of all volunteer ambulance workers at the Wilton Emergency Squad.

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

5.) 2015 Sales Tax, Mortgage Tax and Fine Revenue Update

Mr. Reale said the sales tax revenue for 2015 was \$5,483,195. \$5,523,384 was budgeted. The town was approximately \$40,000 short and came in at about 99%. The mortgage tax budgeted was \$500,000. We took in \$627,000. We are \$127,000 over. Fines and forfeitures budgeted \$200,000. We came in at \$220,000. We are over by \$20,000. Overall, we did well.

Informational

Supervisor Johnson noted the annual report for the Wilton Heritage Society is in the board's packets. **Councilman Lant** thanked the society for doing a great job.

Executive Session

Supervisor Johnson said there will be an Executive Session to discuss acquisition and/or sale of property.

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

Deputy Supervisor Streicher made a motion to reconvene at 8:10 p.m. The motion was seconded by Councilman Lant with all board members in favor.

Supervisor Johnson noted there was no action taken in Executive Session.

Adjournment

On a motion introduced by Councilman McEachron and seconded by Councilman Lant, the meeting was adjourned at 8:11 p.m.

Respectfully Submitted,

Susan Baldwin, Town Clerk

Supervisor, Arthur Johnson

Councilman, John Lant

Councilman, John McEachron

Deputy Supervisor Steve Streicher

Councilwoman Joanne Klepetar

DRAFT