

# TOWN OF WILTON

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WILTON, NEW YORK

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## **REGULAR TOWN BOARD MEETING-April 5, 2018**

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-Councilman  
Duane Bogardus-Councilman  
John Lant-Deputy Supervisor  
John McEachron-Councilman

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

### **Public Comment Session**

**Eric Rosenberg**, 16 Craw Lane said he spoke at last month's meeting about getting emails and other communications out. Emails have started going out. Thank you very much for that.

**Mr. Rosenberg** said you all don't know me and I don't believe anybody has made an attempt to get to know me. You may chose not to like me because I don't belong to the right political party or I haven't lived here long enough but I do expect to be spoken to and treated with respect and not like I'm some garden variety thief. We are celebrating our 200<sup>th</sup> Anniversary this year and it's really important to honor the past but what I have learned in my year and a half here is we are very much a town stuck in the past. In some ways we reflect what is worse in America today. We are a town that is sharply divided along political party lines and it is ugly. With all due respect, it is perpetuated by, among others, the very people sitting in front of me. We learned during the campaign a lot of this is based on fear. Fear of losing your position of privilege because you have lived here longer than other people or privileged because you think you belong to the right party. Protecting your power or perhaps abuse of power as was evidenced at that charade at the zoning board of appeals the other day. We have spoken

to people, people are afraid to voice disagreement and that is non-republicans as well. People don't want to voice their differences or disagreements because they are afraid of losing their jobs or they are afraid of repercussions. They won't put a political sign in their front yard because they are afraid they might lose business or some other form of retribution. It is very real and it's very ugly. I moved here because I wanted to live here. I have not been made felt welcome by a good portion of the community. What are you so afraid of? You have all of these people moving into town who want to contribute to this town, who want to be friends and neighbors and yet we feel rejected. Do we really want to be one of those towns where you are better or worse because of your political party you belong to, because you haven't live here long enough? This is a very real problem and there is an opportunity to be a little more progressive. We are not that little town any more but we certainly an ugly town in many ways.

**Eddy Miller** said he lives in Saratoga Spring but his sister lives in Wilton and on behalf of her and her family he said he would like to speak for her. He said Susan Baldwin used to help out his niece when she played on a travel hockey team and thanked her for looking out for her.

**Mr. Miller** said growing up in New York City his father had him for the day and they were walking through the streets of Williamsburg, Brooklyn. There was a young African American gentleman who was shining shoes. He said his dad asked him if I liked the way he shined shoes. He said yes. He said his Dad said to sit down and get his shoes shined. Mr. Miller said I don't need one. His Dad said the shoe shine boy has to make money also. Mr. Miller said his father asked him if he thought he was doing a good job and he said yes I do. His father said in this life do not ignore when something is done well whether it is shining a pair of shoes, riding a horse or running a city like Saratoga Springs or a town like Wilton. **Mr. Miller** said he has watched what this council does; my sister is well informed on what you do too. He said he thought the board has done a fantastic job and let them know he appreciates what they do and they all do a great job. As far as critics go, a great American, and this is a great American town, Theodore Roosevelt said critics are a dime a dozen. It is the gladiators in the arena with the sweat and blood and sun in their eyes, they deserve the accolades, that is the people on the council, small salaries and for a little bit of money you do an awful lot of work and take a lot of nonsense from people. Lou Schneider, formerly of Saratoga Springs, was a regular at Saratoga Springs Council meetings. It is straight business now. It seems like all of the stooges are up here right now. **Mr. Miller said**, Mr. Rosenberg, it appears to me like you are panning for a job. **Mr. Rosenberg** said the comments are to the town board. If you want to know about me, you come talk to me. **Mr. Miller** said I do know about you. **Mr. Rosenberg** said you don't know anything about me. **Mr. Miller** said "I don't have to talk to you". **Mr. Rosenberg** said then don't". **Mr. Miller** said it appears to me you are panning for a job. You are giving this council a hard time. They have jobs, they have businesses and they have lives. **Mr. Rosenberg** said he has a job. If you want to talk to me, talk to me. There are a lot of people in this town that disagree with that. **Supervisor Johnson** said there will not be a debate between the two of you. **Mr. Rosenberg** said if you want to talk nice to them, talk nice to them. If you want to talk to me, have the courtesy to come and talk to me. **Supervisor Johnson** asked Mr. Rosenberg to please stop. **Mr. Miller** said the board does a great job and he appreciates it and the town appreciates it.

### Approve Pending Minutes

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

### RESOLUTION #93

**NOW, THEREFORE, BE IT RESOLVED,** to approve the minutes from the March 1, 2018 meeting, as typed.

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

**Deceased Veteran's Program**

**Supervisor Johnson** said Saratoga County has a deceased veteran's program. It alternates towns each month and this particular month is the Town of Wilton. **Supervisor Johnson** said he selected James J. Lant to be the veteran honored. He is Deputy Supervisor John Lant's father and very proud to be able to select him as the honoree this month. The proclamation will be presented at the Saratoga County Board of Supervisor's meeting on April 17, 2018.

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

**RESOLUTION #94**

WHEREAS, America was founded on the principles of liberty, opportunity and justice for all, and we recognize the men and women of our Armed Forces who have valiantly defended these values throughout our Nation's history. These remarkable individuals have helped to make our Nation secure and to advance the cause of freedom worldwide. By answering the call of duty and risking their lives to protect their fellow countrymen, these patriots have inspired our Nation with their courage, compassion and dedication.

WHEREAS, **James J. Lant** was born on April 28, 1919 in Argyle, New York and he attended Greenwich High School, and

WHEREAS, **James J. Lant** entered in the US Army on May 16, 1942 and served our country honorably as an Infantry Squad Leader with the 337<sup>th</sup> Infantry Regiment, and

WHEREAS, **James J. Lant** and the 337th landed in Casablanca in January, 1944 and prepared for the invasion of Italy in late March, and

WHEREAS, **James J. Lant** and the 337<sup>th</sup> participated in the Rome-Arno, North Apennines and the Po Valley campaigns in the Mediterranean Theater as part of the Italian Campaign, and

WHEREAS, **James J. Lant** was awarded The Bronze Star, the Good Conduct Medal, the European African Middle Eastern Theater Ribbon with 3 Bronze Campaign Stars and the American Theater Ribbon, and

WHEREAS, **James J. Lant** was discharged at the rank of Staff Sergeant on November 2, 1945, and

WHEREAS, through the years, our veterans have returned home from their duties to become active and responsible citizens in their communities, further contributing to the growth and development of our Nation, and

WHEREAS, **James J. Lant** married Kathleen Lant on August 18, 1946 and they had five children: John, James, Jerry, Karen and Roberta, and

WHEREAS, **James J. Lant** owned and operated Lant's Auto Sales from 1960-2000. James was a member of the American Legion Post 70, The Gurtler Brothers Post 420 VFW and the Dominick Smaldone Italian American War Veterans Post 35. He was also a member of the Wilton Senior Citizens and Friends of Grant's Cottage. James also owned and raced many horses

at the Saratoga Harness Track over the years, and

WHEREAS, **James J. Lant** was laid to rest in the Gerald B. H. Solomon Saratoga National Cemetery in Schuylerville, New York on December 27, 2000 at the age of 81, and

WHEREAS, the Town of Wilton honors the memory of **James J. Lant** for his activities as a veteran and an outstanding member of the community, now thereof be it

PROCLAIMED, that the 17<sup>th</sup> day of April, 2018 is hereby dedicated to the memory of **James J. Lant** in grateful recognition on behalf of all of the Town of Wilton.

IN WITNESS WHEREOF, We have hereunto set our hands and affixed the Seal of the Town of Wilton this 5<sup>th</sup> day of April, 2018.

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

**Supervisor Johnson** said this will be presented to the family at the ceremony held at the Saratoga County Office Building at 40 McMaster Street in Ballston Spa. It is open to the public and everyone is welcome to attend. If you haven't been, it is a very nice ceremony and encouraged all to attend.

**Deputy Supervisor Lant** thanked everyone.

#### **Ernst Road PUDD Amendment**

**Mr. Riper** said it was discovered that the PUDD, Local Law #2 of 2009 was required to have a road extended from Ernst Road, through the PUDD and into the existing Burnham Hollow Subdivision. The PUDD has not been constructed but the landowner of the Burnham Hollow Subdivision did not agree to have this road constructed through their property. It has become an issue since they cannot further subdivide the parcel of land. The planning board sent a recommendation to the town board requesting the town board take action by amending the PUDD with the possible legislation to eliminate the connector road requirement from the PUDD legislation. There would be a consideration requiring a utility easement for water and sewer to be connected from the Burnham Hollow Subdivision to the Ernst Road PUDD. The Ernst Road PUDD, which is apartments, can be constructed in the future and the

owner of the existing subdivision can subdivide the parcel of land. **Supervisor Johnson** asked who brought this forward. **Mr. Riper** said the owner of Burnham Hollow wanted to subdivide the cul de sac. The subdivision ends with the cul de sac (indicating). There are existing homes along the roadway. The parcel of land showing the proposed apartments is shown connecting to Burnham Hollow Road. The section of the roadway is owned by the subdivision developer. He did not agree to have the road installed to make a connector road. He feels the existing homeowners would feel their properties will be devalued with a connector through road to Ernst Road and wishes to have it removed. The owner of the PUDD is in agreement with the motion to eliminate the road. They do need the water and sewer connector because the apartments cannot be built without them. **Councilman McEachron** asked if both owners agree with this. **Mr. Riper** said they do. **Deputy Supervisor Lant** asked if the planning board agrees with this. **Mr. Riper** said the planning board put forth a positive recommendation for the amendment. **Supervisor Johnson** said in lieu of the road, there will be a utility easement. **Mr. Riper** said the board will have to set a public hearing and refer the amendment to the Saratoga County Planning Board.

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

#### **RESOLUTION #95**

**NOW, THEREFORE, BE IT RESOLVED**, to set the Public Hearing for an amendment to Local Law #2 of 2009, Ernst Road PUDD, to be known as proposed Local Law #3 of 2018, Ernst Road PUDD, at 6:00 p.m. on May 3, 2018.

**BE IT FURTHER RESOLVED**, to refer proposed Local Law #3 of 2018, Ernst Road PUDD, to the Saratoga County Planning Board for a recommendation.

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

**Supervisor Johnson** noted there will be a time change to 6:00 p.m. for the May 3, 2018 meeting due to conflicts with several board members.

#### **MS4 Stormwater Management Report**

**Mr. Riper** said the MS4 Stormwater Report is an annual report he develops and draft will be available online for review. Each town creates their own report.

**Committee Reports**

**Councilman Streicher** thanked the Friends of Wilton Recreation. They are a local 501C3 and they donate monies to recreation programs and facilities at Gavin Park. They have raised money and purchased picnic tables throughout the park, exercise equipment along the walking path, donating \$5,000 towards a new PA system at Gavin Park and \$900 towards two "You are here" signs. Friends of Wilton have two fundraisers. Buy a Brick Campaign where bricks cost \$50 and \$100 for an 8" X 8" brick. Your name or a dedication can be etched in the brick. Community Day 5K Run is the second fundraiser. It is a 5K run on July 7, 2018. If anyone would like to sponsor an event, please contact Joe Bartol, President of Friends of Wilton.

**Councilman Bogardus** reported the all is well with the seniors and they are happy.

**Supervisor Johnson** said the Empty Bowls event will be held on Sunday April 8, 2018 from 1 p.m. to 4 p.m. to benefit the Wilton Food Pantry. In conjunction with that, the Wilton Food Pantry sent a letter thanking the town for the \$2,500 the town contributed to the pantry.

**Supervisor Johnson** said on April 20 from 6 pm to 7:30 p.m. the reenactment of the first town meeting will be held near the fountain area of Wilton Mall. We will have professional reenactors and refreshments will be served. It will be followed by the premier of the Wilton 200 video at Bow Tie Cinemas, produced by Tim Welch and Roy McDonald. Not for profit organizations will be there offering information on their services. On April 21 and 22, the historic site tours will be going on. At the end of each day, participants will convene at Camp Saratoga and have the opportunity to sample the Karner Blueberry ice cream, sponsored by Stewart's. These are all part of the Wilton Bicentennial Celebration. This information is available on the [townofwilton.com](http://townofwilton.com) and the town's Facebook page.

**Supervisor Johnson** said there will be a tire recycling program held on Tuesday, May 22, 2018 from 4 p.m. to 6 p.m. behind the Malta Town Court Office. There is a small fee of \$2 per tire and \$3 with rims. It does require preregistration and that can be obtained from Sue Baldwin at the Town Clerk's Office.

**Comptroller's Report****1.) 2018 Budget Transfers and Budget Amendments**

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

**RESOLUTION #96**

**NOW, THEREFORE, BE IT RESOLVED,** to approve the 2018 budget amendments requested for and listed in the Comptroller's 4/5/2018 Report (attached) to the Town Board.

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

**2.) Disposal of Assets**

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

**RESOLUTION #97**

**NOW, THEREFORE, BE IT RESOLVED,** to approve the request from Highway Superintendent Woodcock to dispose and sell two utility trailers online at Auctions International.

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

**3.) Refund of Fees**

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

**RESOLUTION #98**

**NOW, THEREFORE, BE IT RESOLVED,** to approve the request from Mark Mykins, Building Inspector, to reimburse Belmonte Builders for Permit #9661, minus the cost of the town's review fees and administrative costs.

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

**4.) Personnel**

**a.**

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

**RESOLUTION #99**

**NOW, THEREFORE, BE IT RESOLVED,** accept the resignation of Michele Ducrot, Park and Recreation Department, with regret.



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

**b.**

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

**RESOLUTION #100**

**NOW, THEREFORE, BE IT RESOLVED,** approve the request from Richard McCane to donate 40 hours of vacation time to Travis Lavigne.

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

**c.**

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

**RESOLUTION #101**

**NOW, THEREFORE, BE IT RESOLVED,** approve the request from Frank Holden to donate 40 hours of vacation time to Travis Lavigne.

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

**d.**

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

**RESOLUTION #102**

**NOW, THEREFORE, BE IT RESOLVED,** approve the promotion of Josh Harrington into the vacant MEO position effective April

17, 2018 at the starting base rate of \$18.01 per hour.

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

e.

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

**RESOLUTION #103**

**NOW, THEREFORE, BE IT RESOLVED,** approve the hiring of Bill Dowd into the vacant Laborer position effective April 17, 2018 starting at Step 2, \$15.53 per hour.

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

f.

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

**RESOLUTION #104**

**NOW, THEREFORE, BE IT RESOLVED,** to approve overnight travel for Sue Baldwin to attend the NYS Association of Tax Receivers and Collectors in Lake Placid, NY, June 10-13, 2018.

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

g.

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

**RESOLUTION #105**

**NOW, THEREFORE, BE IT RESOLVED,** approve the request from Josh Petrie to donate 40 hours of vacation time to each Travis Lavigne and David Coffinger.

**BE IT FURTHER RESOLVED,** to waive the 40 hour arrogate donation policy and the 250 hour minimum time accrual for donation policy.

The adoption of the resolution was seconded by Deputy Supervisor Lant, duly put to a vote, all in favor except Councilman Streicher. The motion passed 4-1.

**h.**

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

**RESOLUTION #106**

**NOW, THEREFORE, BE IT RESOLVED,** accept the resignation of Josh Petrie, Highway Department, with regret.

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

**i.**

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

**RESOLUTION #107**

**NOW, THEREFORE, BE IT RESOLVED,** to waive the 21 year old minimum age requirement in the town vehicle driving policy for Mark Welden.

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

On a motion introduced by **Councilman Bogardus** and seconded by **Councilman Streicher** all board members in favor, the meeting was adjourned at 7:35 p.m.

Respectfully Submitted,

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Susan Baldwin, Town Clerk

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Supervisor, Arthur Johnson

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Councilman, Steve Streicher

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Deputy Supervisor, John Lant

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Councilman, John McEachron

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Councilman Duane Bogardus