

# TOWN OF WILTON

22 TRAVER ROAD

WILTON, NEW YORK

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Susan Baldwin, Town Clerk

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**Public Hearing: May 3, 2018, 7:00 p.m.**

**Local Law #3 of 2018 Ernst Road PUDD**

**PLEASE TAKE NOTICE** that the Town Board of Wilton, New York, County of Saratoga, will hold a public hearing to adopt Local Law No. 3 of 2018 amending Local Law No. 2 of 2009 known as Ernst Road PUDD.

**SAID PUBLIC HEARING** would consider an amendment to the Ernst Road PUDD legislation by removing the proposed town road connection from the Ernst Road PUDD into the Burnham Hollow Subdivision.

**SAID PUBLIC HEARING** will be held on May 3, 2018, at 6:00 p.m., at Wilton Town Hall located at 22 Traver Road, Wilton, New York, at that time all persons will be given an opportunity to be heard.

## **BT RESOLUTION OF THE TOWN BOARD OF THE TOWN OF WILTON**

**Luigi Palleschi** of ABD Engineers said his client would like to develop the parcel at the end of the cul de sac in the existing Burnham Hollow Subdivision. The Ernst Road PUDD is located behind it (indicating). When the PUDD was approved there was a condition to allow an extension of Burnham Hollow Road through the PUDD and tying into Ernst Road. We are asking the condition of the through road be removed and leave the parcel with a cul de sac.

**Mr. Riper** said the cul de sac was never subdivided in the Burnham Hollow Subdivision. The developer recently was before the Wilton Planning Board to subdivide the cul de sac, however, the adjacent property with the PUDD legislative action required a through road. The owner of the Burnham Hollow Subdivision never agreed to a through road through his property. Discussions were held with both property owners and they agreed the road is not a necessity. If the Ernst Road PUDD is developed it would be a private road into the development.

**Connie Towers** of 92 Ernst Road asked what the other road is. **Mr. Riper** said the PUDD has not been brought forward. There is no application before the planning board. It is a legislative action to enable the developer to build two buildings with eight apartment units in each. **Ms. Towers** said that was in 2009. How long does the approval last? **Mr. Riper** said the town does not have a "sunset clause". **Ms. Towers** asked if there will be an access road for town water from the development. **Mr. Riper** said there will be a utility easement from Burnham Hollow Subdivision into the Ernst Road PUDD to allow for water and sewer. **Mr. Palleschi** indicated where the water line and force main would be located. **Ms. Towers** asked if it would be going through the wetlands. **Mr. Palleschi** said it was not. **Mr. Riper** said the easement is near the cul de sac and will go between two parcels. It will be a 30' wide easement for water and sewer. **Ms. Towers** said when it came out on Ernst Road it was the most viable area to cross, over the wetlands. **Mr. Riper** said the applicant for the PUDD has come before the town with an application to develop that parcel. They only have the right to build the two apartment buildings with eight units in each.

**Ms. LaTour** of 74 Ernst Road said she lives in first house on the right hand side. The last thing needed is another road on Ernst Road. The traffic on the road is horrendous, the cars come around the corner from Route 9 and fly down the road or they come down from the other end, as a shortcut, and fly down the other way. When you go out to get your newspaper and your mail you're lucky if you stay alive. There is also a dip in the road and sometimes you can't see vehicles. You have to hold on to your mailbox so you don't get hit. The town put a ditch there too. As long as another road isn't going in she said she could live with this.

**Supervisor Johnson** asked if there were any more questions, hearing none the public hearing was closed at 7:11 p.m.

### **REGULAR TOWN BOARD MEETING-May 3, 2018**

Supervisor Johnson called the Regular Town Board meeting to order at 7:11 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 Riper, P. E. and Jeff Reale, Comptroller and Mark Schachner, Town Counsel.

**Supervisor Johnson** asked for a moment of silence for Travis LaVigne, a 20 year Highway Department employee who tragically passed away last week at a young age.

#### **Public Comment Session**

**Pat Tuz** of 2 Amanda Court said she wanted to say how glad she was the Adirondack Trust rebuild situation worked out. That's just great but at the Planning Board hearing that occurred prior to this working out she said she wanted to say something about it. A lot of people spoke about what a great neighbor Adirondack Trust is and a lot of people came and were patting them on the back. That is not what this was about. There were a lot of people at the hearing who had their chance to speak about the issue which was wanting them to follow hamlet rules, which is the current zoning instead of getting "grandfathered" in for very good reason. In the end, it was proven because Adirondack Trust changed course and did the right thing. The people of the town, when they move here, buy into the Comprehensive Plan. She said she paid \$40 for the last plan in 2005. They pay attention to zoning rules. She said she understands that sometimes you have to give variances or you get "grandfathered" in but the residents have points. Making that a hamlet was a great idea and she said she was so glad in the

end the town is following it because it can be a town center and can be useful to everybody in this town. **Ms. Tuz** said she encourages two things, have planning board hearings earlier in the process so it's not so costly to Adirondack Trust to redo their plans and listen to your residents. A lot of people buy into something, read about something and variance often leads to something else. Thank you for your consideration.

**Joe Reinhardt** of 3 Ryanwood Court said he wanted to make the board aware of a situation that is affecting seventeen veterans in Wilton. The Eligible Funds Veteran's Exemption is being changed. Nobody was aware of it. This is different than a standard Veteran's Exemption. It is an older exemption that needs to be looked at again. He said he receives 100%, based on calculations, for eligible funds. With the change, he said he will now pay a 25% increase on his county tax bill. This will also affect the other veterans in one way or another. Supervisor Johnson is aware of this because of conversations with his secretary today, the Town Clerk and the Assessor's Office. Supervisor Johnson is looking into the details and what the expired legislation states. He said he will see Kathy Austin tomorrow. He said his main purpose is to make the board aware of this. By confronting the situation now, you will save a lot of your older veterans a huge tax increase. This legislation was enacted in the 1980's. **Mr. Reinhardt** said he has been a resident of the Town of Wilton for 41 years. He said he is asking the board to look at it and craft the proper legislation so we can return the Eligible Funds Veteran's Exemption to what it's been for the last thirty years. **Supervisor Johnson** said the town supports our veterans and certainly want to make sure they get every exemption they are entitled to. We will take the appropriate action to do that.

#### **Approve Pending Minutes**

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

#### **RESOLUTION #**

**NOW, THEREFORE, BE IT RESOLVED**, to approve the minutes from the April 5, 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.

#### **Ernst Road Planned Unit Development District**

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

#### **RESOLUTION #**

**NOW, THEREFORE, BE IT RESOLVED**, the original Ernst Road PUDD was subject to SEQRA Review and there are no new or different environmental impacts resulting

from this amendment, so no further SEQRA Review is necessary.

**BE IT RESOLVED**, to approve Local Law #3 of 2018, Ernst Road PUDD which amends Local Law #2 of 2009.

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

### **Committee Reports**

**Deputy Supervisor Lant** thanked Highway Superintendent Woodcock and crew for a great job on the parking lot at Gavin Park. **Councilman Streicher** said they did a fantastic job. **Supervisor Johnson** said the Highway Department did a great job handling an emergency situation on Nicklaus Drive.

**Town Clerk Susan Baldwin** thanked Boy Scout Troop 4024, David Hoffman, Troop Leader, as well as Martha Petteys and Reed Antis for their help cleaning grave stones. Also Highway Superintendent Woodcock and Frank Holden for getting the water truck to and from the site.

**Supervisor Johnson** said he and Deputy Supervisor Lant attended a ceremony at the State Police Barracks on Ballard Road honoring Trooper Timothy Pratt. The Exit 16 Bridge was dedicated to Trooper Pratt. The sign on the southbound lane was unveiled. It was a nice ceremony.

### **Comptroller's Report**

#### **1.) 2018 Budget Transfers and Budget Amendments**

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

#### **RESOLUTION #108**

**NOW, THEREFORE, BE IT RESOLVED**, to approve the 2018 budget amendments requested for and listed in the Comptroller's 5/3/2018 Report (attached) to the Town Board.

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

#### **2.) Disposal of Assets**

a.

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

**RESOLUTION #109**

**NOW, THEREFORE, BE IT RESOLVED,** to approve the request from Highway Superintendent Woodcock to dispose of and sell Asset ID# 1301, Truck #50 2006 Chevrolet Silverado online at Auctions International.

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 Councilman McEachron, the board adopted the following resolution:

**RESOLUTION #110**

**NOW, THEREFORE, BE IT RESOLVED,** to approve the request from Highway Superintendent Woodcock to dispose of and sell small hand tools at MOAK'S auction.

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

**3.) Personnel**

**Deputy Supervisor Lant** said he is the liaison to the Court and there are two part time clerks who don't make \$14.00 per hour. **Town Clerk Sue Baldwin** said we could pay the same rate to the new hire. **Supervisor Johnson** asked if there is a part time pay rate for a clerk. **Comptroller Reale** said we used to have one but did away with it. **Deputy Supervisor Lant** said he didn't mind paying the new hire \$14.00 per hour but the court clerks should make \$14.00 too. **Councilman Streicher** said if it's the same job it should be the same pay. **Councilman McEachron** said we should increase the court clerks to \$14.00. **Deputy Supervisor Lant** agreed. It will be addressed at the next meeting.

a.

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

**RESOLUTION #111**

**NOW, THEREFORE, BE IT RESOLVED,** approve the hiring of Amy Ward to the vacant part time clerk position with a starting pay rate of \$14.00 per hour with no benefits with an effective hire date contingent upon completion of all documents and passing of all screening requirements.

The adoption of the resolution was seconded by Councilman Streicher 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 #112**

**NOW, THEREFORE, BE IT RESOLVED,** approve the hiring of Steve Vance into the part time maintenance worker position with a starting pay rate of \$14.64 per hour with no benefits with an effective hire date contingent upon completion of all documents and passing of all screening requirements.

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

**c.**

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

**RESOLUTION #113**

**NOW, THEREFORE, BE IT RESOLVED,** approve overnight travel for Kirk Woodcock to attend Highway School for

Superintendents in Ithaca, NY, June 4-6, 2018

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

e.

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

**RESOLUTION #114**

**NOW, THEREFORE, BE IT RESOLVED,** approve the hiring of John Phillips into the vacant full time MEO position at Step 1, \$18.55 per hour and full benefits with an effective hire date contingent upon completion of all documents and passing of all screening requirements.

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

On a motion introduced by **Councilman Streicher** and seconded by **Councilman Bogardus** all board members in favor, the meeting was adjourned at 6:35 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

