

TOWN OF WILTON

22 TRAVER ROAD

WILTON, NEW YORK

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Susan Baldwin, Town Clerk

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REGULAR TOWN BOARD MEETING-May 7, 2015

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 Deputy 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.

Public Comment Session

Barbara Collins, 15 Old Deer Camp Road, said she was present to discuss the fires in her neighborhood. There is one more week until the burn ban is over. The neighbors have a big pile of wood stacked up and she asked if there is plan since it has been dry. One neighbor has already been burning and not in a pit. She said she here a week ahead before the burning starts to see if there is a plan and also to propose a burn ban in developments especially if the lots are less than two acres. **Supervisor Johnson** said the town does have regulations on burning and will make sure they are complied with. **Ms. Collins** said she was at board meetings twice last year to discuss this and also sent letters and no one got back to her. She said she doesn't want to smell smoke or have damage done to her house. **Councilman Lant** said he spoke to New York State DEC and the Forest Ranger. As soon as something happens, they will be notified. **Ms. Collins** asked if that meant when the neighborhood was on fire. **Councilman McEachron** said it meant they will be notified when they don't comply with the rules. **Ms. Collins** asked if the ban was going to be extended. **Councilman McEachron** said DEC determines that. **Ms. Collins** said DEC told

her it was up to each town to have a burn ban. **Councilman McEachron** said there have been many fire calls in the town. When the fire department shows up the homeowner is asked to put the fire out. The regulations are given and they are told they have to abide by them. If the fire department has to go back, DEC or a forest ranger will be with them. **Ms. Collins** said the rules were gone over last year and unfortunately the neighbors have a stack of green wood ready to be burned. Councilman McEachron said to call 911 if they have a fire and the fire department will respond. **Ms. Collins** said it's not working because they listen to the scanner. They have the fire very low and bring out the marshmallows. It is very dangerous.

Approve Pending Minutes

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

RESOLUTION #105

NOW, THEREFORE, BE IT RESOLVED, to approve the minutes from the April 2, 2015 meeting.

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

Road Dedication-Craw Farm, Craw Lane

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

RESOLUTION #106

NOW, THEREFORE, BE IT RESOLVED, to accept the following road dedication in Craw Farm Subdivision, contingent upon Town Counsel's review and approval of all transfer and title documents;

Craw Lane

BE IT FURTHER RESOLVED, to exclude the storm water management area from dedication until completion of system and the Town Engineer's review and approval.

BE IT FURTHER RESOLVED, that the Town Supervisor and Town Counsel are authorized to finalize and execute any

documents necessary to effectuate the acceptance of the road.

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

Committee Reports

Mr. Riper said a Comprehensive Plan Update Committee public hearing is set for 7:00 p.m. on Tuesday, May 12, 2015. **Attorney Schachner** said the committee will make a recommendation to the town board. If and when the town board proceeds there will be a public hearing by the town board.

Supervisor Johnson said the annual Elks Flag Day Parade is June 13, 2015 and would like to invite all of the fellow council to walk. Kirklin Woodcock and the Wilton Highway Department will be entering one of our vehicles in the parade. It kicks off at Noon on Upper Broadway and it's always a great event.

Comptroller's Report**1.) March 2015 Cash Disbursements**

General Fund	\$
<u>Highway Fund</u>	<u>\$</u>
Total	\$

2.) 2015 Budget Amendments

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

RESOLUTION #107

NOW, THEREFORE, BE IT RESOLVED, to approve the 2015 budget transfer requested for and listed in the Comptroller's 5/07/2015 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.

3.) Personnel**a.)**

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

RESOLUTION #108

NOW, THEREFORE, BE IT RESOLVED, to approve the request to pay out Kathy Austin for 87 hours of accrued Comp Time.

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

b.)

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

RESOLUTION #109

NOW, THEREFORE, BE IT RESOLVED, to accept the resignation from David Ballestero, effective April 9, 2015.

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 Councilman Lant, the board adopted the following resolution:

RESOLUTION #110

NOW, THEREFORE, BE IT RESOLVED, to approve the request from Kirk Woodcock to attend the annual Association of Town's Highway School in Ithaca, NY, May 31-June 3, 2015.

BE IT FURTHER RESOLVED, to pay the per diem rate to Kirklin Woodcock prior to the conference.

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

Councilman Lant asked if any of the foremen would attend the training next year. **Highway Superintendent Woodcock** said the conference was for superintendents only. There will be training held with D.A. Collins. It is less expensive to train the department at home and with another company.

4.) Disposition of Town Assets

Mr. Reale said Kirklin Woodcock, Highway Superintendent, has requested permission to dispose of a 2003 Ford pick-up truck, Cub Cadet mower, 1998 Chevy pick-up truck, 1989 Hyster Roller, 1978 tanker trailer and miscellaneous small items at auction.

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

RESOLUTION #111

NOW, THEREFORE, BE IT RESOLVED, to approve the request from the Highway Department to send items listed on the May 7, 2015 Comptroller's Report to auction.

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.) Independent Auditors Report

Supervisor Johnson noted the Independent Auditors Report for 2014 has been filed with the Town Clerk. As previously stated by the Comptroller, there are no exceptions.

6.) Payroll Services

Supervisor Johnson stated Jeff Reale, Comptroller, presented a request for an outside payroll service. In addition to payroll it will assist in reporting New York State Retirement, attendance and other various reports. A budget transfer of \$8,000.00 is necessary to start the service which is scheduled to begin in July and continue through the rest of the year.

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

RESOLUTION #112

NOW, THEREFORE, BE IT RESOLVED, to approve the budget transfer from A1990.4 to A1315.4 for \$8,000.00 to enter into an agreement with Paychex.

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

7.) Solar Energy

Supervisor Johnson said the item was on the agenda for approval to enter into a contract with Solar City but there was a very recent issue with the amount of credits New York State will allow. It changes the benefits and there is also a problem putting the field on the landfill. **Mr. Riper** said the email was received from Solar City after 4:00 p.m. this afternoon and the PPA rate changed. The options are to go with a higher unattractive rate or choose an alternative site. More research is necessary. **Supervisor Johnson** said the board will not take any action on this.

Not on the Agenda

Kirklin Woodcock, Highway Superintendent, said he will be advertising for the vacant MEO position.

Executive Session

Supervisor Johnson said the board will have an executive session to discuss assessment litigation.

Deputy Supervisor Streicher made a motion to adjourn for Executive Session at 7:23 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 8:30 p.m. The motion was seconded by Councilman Lant with all board members in favor. The motion carried 5-0.

Supervisor Johnson said the board inadvertently did not make a motion for the vacant second alternate position on the Wilton Zoning Board of Appeals during the regular meeting.

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

RESOLUTION #113

NOW, THEREFORE, BE IT RESOLVED, to appoint Charles Foehser, II to the second alternate position on the Wilton Zoning Board of Appeals, term 05/07/2015-12-31-2015.

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

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

RESOLUTION #114

WHEREAS, Goodhue Wilton Properties LLC and the Town of Wilton are desirous of

having certain assessment issues resolved as to property owned by Goodhue Wilton Properties LLC in the Town of Wilton, and

WHEREAS, a settlement proposal resolving pending tax certiorari litigation was recommended by Daniel G. Vincelette, trial counsel to the Town of Wilton, and reviewed by the Wilton Town Board at its regular monthly meeting, and

WHEREAS, such a proposed settlement would present the parties with an expeditious and economic alternative to further litigation so as to resolve issues between the parties, and

WHEREAS, the town Board has determined that the proposed settlement is in the best interests of the Town; now

THEREFORE BE IT RESOLVED, that the Town Board does hereby accept a proposed settlement in which the 2013 and 2014 proceedings will be discontinued without change; and the assessed values for the subject properties, as set forth in the attached tale, shall be set for the 2010 and 2012 assessment rolls and refunds of excess taxes paid based on that revision shall be made, and

IT IS FURTHER RESOLVED, that the Town Board does hereby adopt this resolution to end the litigation between Goodhue Wilton Properties LLC, and the Town of Wilton as to the above referenced assessment.

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

Adjournment

On a motion introduced by Councilman McEachron and seconded by Deputy Supervisor Streicher, the meeting was adjourned at 8:34 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