

TOWN OF WILTON

22 TRAVER ROAD

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REGULAR TOWN BOARD MEETING-June 4, 2015

Supervisor Johnson called the Regular Town Board meeting to order at 7:05 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 except Councilman McEachron who was excused.

Arthur Johnson-Supervisor
Steve Streicher-Deputy Supervisor
Joanne Klepetar-Councilwoman
John Lant-Councilman

Also present was Director of Planning and Engineering, Ryan Riper and Town Counsel, Mark Schachner.

Public Comment Session

There was none.

Approve Pending Minutes

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

RESOLUTION #115

NOW, THEREFORE, BE IT RESOLVED, to
approve the minutes from the May 7, 2015
meeting.

The adoption of the resolution was seconded by Deputy Supervisor Streicher, duly put to a vote, all in favor. The motion carried 4-0.

Road Dedication-The Mill at Smith Bridge, Portion of Saw Mill Court

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

RESOLUTION #116

NOW, THEREFORE, BE IT RESOLVED, to accept the following road dedication in the Mill at Smith Bridge subdivision, conditioned upon Town Counsel's letter dated June 2, 2015 and approval of all transfer and title documents;

Saw Mill Court-Station 9+00 to Station 18+40

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 Deputy Supervisor Streicher, duly put to a vote, all in favor. The motion carried 4-0.

Parks and Recreation Committee Reappointments

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

RESOLUTION #117

NOW, THEREFORE, BE IT RESOLVED, to reappoint to members to the Parks and Recreation Commission for three year terms;

Kenneth Bishop 07/01/2015-06/30/2018
John Roessner 07/01/2015-06/30/2018

The adoption of the resolution was seconded by Deputy Supervisor Streicher, duly put to a vote, all in favor. The motion passed 4-0.

Parks and Recreation Fee Schedule

Supervisor Johnson said there are a couple of changes to the fee schedule for Gavin Park. **Deputy Supervisor Streicher** said the afterschool program has a slight increase to \$440 which equates to approximately \$2.50 per hour for afterschool care. The increase is due to the cost of foods required by New York State. To offset the cost the program has increased by \$40.00. The Jr. NBA program will increase from \$120.00 to \$125.00 due to the cost of uniforms.

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

RESOLUTION #118

NOW, THEREFORE, BE IT RESOLVED, to approve the requested 2015 fee schedule increases (attached) for Gavin Park.

The adoption of the resolution was seconded by Councilman Lant, duly put to a vote, all in favor. The motion passed 4-0.

NYS Department of Transportation Pilot Program

Mr. Riper said New York State Department of Transportation uses Geospatial Information and update road lengths. There are some minor adjustments to roads as it relates to the CHIP program and funding. Highway Superintendent Woodcock is requesting the board to adopt a resolution to include the additional road lengths based on the NYSDOT Pilot Program.

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

RESOLUTION #119

NOW, THEREFORE, BE IT RESOLVED, to approve the amended New York State Department of Transportation geospatial listing of roadway data (attached Table 1).

The adoption of the resolution was seconded by Councilman Lant, duly put to a vote, all in favor. The motion passed 4-0.

Edie Road Land Dedication-Lands of Spencer

Mr. Riper stated there is a proposed subdivision before the planning board. The planning board has referred it to the town board for consideration of land acceptance. A map was emailed to board members several weeks ago. **Supervisor Johnson** said a recommendation from the planning board was received regarding acceptance of the land but they gave no reason as to why the board should consider the land. **Mr. Riper** said the property is along Bog Meadow Creek and is fairly dry with access to the creek. The property is the old Christmas Tree Farm on Edie Road. The developer is willing to create a trail. There is no connecting trail system and none adjacent to the parcel. It is additional lands but also additional liability. **Supervisor Johnson** said it is in a small subdivision with eight homes and seems more appropriate to use as a homeowner's association as opposed to the town taking over the land. We would have to put in a public parking area and people would have to drive through the subdivision. It seems as though it would be a detriment to a homeowner living there. It would have to be plowed in the winter. **Deputy Supervisor Streicher** asked if the town had to do anything with the land. **Supervisor Johnson** said no but why would the town want to own it if nothing was going to be done with it. **Mr. Riper** said it could have the benefit of a future connection with adjacent lands. There are some contiguous large parcels. The other option is the developer would extend the lot lines and deed restrict the land. **Supervisor Johnson** said it could be given to the landowners and it could be forever wild for the neighbors. The concern with taking the land is the creation of a public parking area within a small subdivision. There are kids that can go in and walk down through the stream unsupervised. It could create a liability for the town. **Councilwoman Klepetar** asked if there was frontage on Edie Road. **Mr. Riper** said there is not. It would have about 100' on the cul de sac. **Supervisor Johnson** noted there is only one way to access the property and it is through the cul de sac. The road would be between two homes with a parking lot. **Councilwoman Klepetar** asked why there has to be a parking lot. **Supervisor Johnson** said if people want to hike on the property they can't park on the cul de sac. Usually if the town takes land it is for the benefit of the public. This particular parcel could be used by the residents without the town owning it. **Councilwoman Klepetar** said parcels come up with no trail connectors now but if we don't accept any of them, there may be possibilities in the future to connect this parcel to an adjacent property. **Councilman Lant** said we should think about it but this parcel isn't the right one. **Supervisor Johnson** said on a positive note the town was able to purchase the Worrell parcel off Bullard Lane. That is a piece that makes everything possible. It connects County Forest Land with the trails that are there. **Deputy Supervisor Streicher** said he wished the planning board had given a reason as to why they thought the town should own the property. **Mr. Riper** said some of the discussion indicated the planning board thought land dedication should be looked at every time an offer is made. **Attorney Schachner** said it wasn't discussed at great length. **Councilwoman Klepetar** asked if it could be tabled until next month for further questions. **Mr. Riper** said the applicant is at the conceptual planning stage. There is no critical need to act on this tonight. **Attorney Schachner** suggested the board ask for more input from the planning board as to what the basis is for the recommendation.

Ace Hardware Distribution Center Fees

Supervisor Johnson said Ace Hardware has made a request for a fee reduction for their 400,000 square foot addition. Frank Nesbitt, General Manager of Ace Hardware Distribution Center appeared before the board.

Mr. Nesbitt thanked the board for allowing him to present. Ace Hardware is requesting a reduction and a cap to some of the fees. We wrote a letter to Supervisor Johnson requesting some concessions. The traffic mitigation fees are three times higher than they were when the center was built, which was unexpected. We understand we will be paying some fees but hoping for a cap on them. We were also asking for some time frames for getting approvals from the engineer for the general contractor more quickly than not being that it is an ongoing operation. We don't want to hold up some of the current business taking place. **Mr. Riper** stated the letter requested a 48 hour notice for inspections. The building department usually has a 24 hour turnaround time. **Mr. Nesbitt** asked if anyone had any questions. **Councilwoman Klepetar** asked how many Wilton residents are employed by Ace. **Mr. Nesbitt** said it is a very locally based employee base. 73% of our employees live within a 15 mile radius of the building. The other 27% do not live that much further outside of the radius. The biggest charity for Ace Hardware is the Children's Hospital in Albany. We raise about \$75,000 a year for the hospital. Locally we work with the Wilton Food Pantry. We donate raffle prizes to their events. Each Thanksgiving we donate as many turkeys as they can fit in their freezers. Throughout the year we try to give them as much food as we can. Deb Zellan, Wilton Food Pantry President is one of our star employees. It is an easy transition for us to help them out. In addition, many of our employees are community leaders. **Mr. Nesbitt** said he is on the school board in Schuylerville. **Councilman Lant** asked if Ace has helped Wilton Fire Department for their addition. **Mr. Nesbitt** said they haven't asked for anything yet. **Councilman Lant** noted Ace Hardware is very good to the fire department. **Mr. Nesbitt** said they try to do their part in the community. **Supervisor Johnson** said he is usually not in favor of waiving fees but there are certain projects that have significant long term economic benefits to the town. Eventually this project will have an assessed value of 16 to 18 million dollars which will help the South Glens Falls School District. **Mr. Nesbitt** said Ace wants to be here and we want to make this project a go. This is our destination of choice. **Supervisor Johnson** said the town relies heavily on sales tax revenues to have no taxes. The sales tax distribution is based on the town's total assessed value. This will help us in the future. There are almost 300 jobs there and it's important we keep them. We lost 300 jobs at the prison and we don't want to lose any more. This is not a done deal. Ace has other sites in mind so we need to be competitive. We should consider a reduction of fees. It is a great project that will be a long term benefit.

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

RESOLUTION #120

NOW, THEREFORE, BE IT RESOLVED, to approve the requested fee reductions with a \$200,000 fee cap for a 400,000 square foot addition at Ace Hardware Distribution Center.

The adoption of the resolution was seconded by Councilwoman Klepetar duly put to a vote, all in favor. The motion passed 4-0.

Committee Reports

Councilman Lant said there is a Veteran's Monument on Old Gick Road and has never seen anyone there. There is no road to access the monument. Has anyone ever approached Walmart and asked for an access road. **Supervisor Johnson** said people can park at Applebee's Restaurant and walk to the site. **Councilman Lant** said it would be nice to see a circular driveway around the monument. **Supervisor Johnson** said the town could ask for a driveway. **Richard Fish** of Ernst Road, said he parked at Applebee's on Memorial Day to visit the site. It is very well kept. There is another Veteran's monument on Ballard Road that is not as well kept. **Supervisor Johnson** said the monument of Ballard Road was an Eagle Scout project. **Councilman Lant** said we have young soldiers dying every day to protect our freedoms, we should do something. **Supervisor Johnson** said this year is the 50th anniversary of the end of the Viet Nam War. The town is planning on having a ceremony at the park on Old Gick Road.

Councilman Lant said a few months ago the board talked about a needs assessment. **Supervisor Johnson** said Councilman McEachron was working on it with the Highway Superintendent. **Councilman Lant** said we should consider hiring a professional.

Deputy Supervisor Streicher said he wanted to thank Friends of Wilton Recreation who have arranged for the installation of 20 new and much needed picnic tables for the pavilions at Gavin Park. The tables were made by a group of men and women at Unlimited Potential, a vocational rehabilitation center on Old Gick Road. Thank you to the men and women who made the tables as well as Friends of Wilton Recreation.

Supervisor Johnson noted the Wilton Heritage Society's Strawberry Social will be held on Sunday June 21, 2015 from 1:00 pm to 4:00 pm.

The Dorothy Nolan Flag Day Ceremony will take place on Friday, June 12.

The annual Elks Flag Day Parade is June 13, 2015 and would like to invite all of the fellow council to walk. It kicks off at Noon on Upper Broadway and it's always a great event.

Solar Update

Mr. Reale said the last time the solar project was discussed the proposed site was the old landfill. The numbers came back and the site is no longer feasible. The cost to construct on the landfill is more expensive than a rooftop or a field. Mr. Riper mentioned a property the town owns off Ballard Road across from Johnson's Auto. The property looks like a viable piece of property. Next to it is an approved subdivision that has not started yet. There is a buffer around it. If we are able to use this parcel we could buffer the front with more trees. **Mr. Reale** said he would like some feedback from the board regarding the new site. The preliminary numbers for this site are much better than the landfill site. The savings are estimated at \$840,000 in saving over 20 years. **Deputy Supervisor Streicher** asked what the estimated savings were on the landfill site. **Mr. Reale** said they were estimated at \$300,000. **Deputy Supervisor Streicher** said the landfill site isn't very controversial. The new site will be visible and it may attract neighborhood youth. **Mr. Reale** noted Johnson's Auto Crushers is across the street and the railroad tracks are on the west side. **Councilman Lant** said the town may want to send letters to the residents. There are houses on the other side of the railroad tracks and on Dimmick Road. **Mr. Reale** said it would be a 500 mw system. **Mr. Riper** said the town owns 6.7 acres of property. The solar company still has to come out and evaluate the site. DEC has been contacted because there was some

blue lupine habitat area on the parcel. **Supervisor Johnson** thought it would be worth it to have the company analyze the property to see what will fit. We can take it from there.

Mr. Reale said he wasn't sure how fast the town will have to move on the project. A non-binding application has been submitted. The credits get used up quickly. **Supervisor Johnson** said the solar company moves very quickly. They will be able to go out, analyze the site and know how many panels will be used. **Mr. Reale** asked how the homeowners will be notified. **Councilwoman Klepetar** asked if the objections to the sight would be for visual reasons. **Supervisor Johnson** most likely it is. **Deputy Supervisor Streicher** said he had concerns about the adjacent subdivision. Would the solar panels be a hindrance to building a home there? **Mr. Riper** noted the site has been an approved subdivision for ten years. **Mr. Reale** said he will contact Solar City and report back at the next meeting. **Mr. Riper** asked if the board wanted to send out notices to the adjacent landowners. **Supervisor Johnson** said not yet. **Councilman Lant** agreed and said the board should have something to show the residents. **Mr. Riper** said he thought it would be a good site next to the railroad tracks and it can be buffered with some evergreens along the frontage.

Comptroller's Report

1.) April 2015 Cash Disbursements

General Fund	\$283,737
Highway Fund	\$299,638
Total	\$583,375

2.) 2015 Budget Amendments

Councilwoman Klepetar asked what the overages were for the attorney. **Mr. Reale** said there is a miscellaneous attorney line, outside of our town attorney, that handles other issues. We are over budget because we had to bring in an outside attorney quite often.

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

RESOLUTION #121

NOW, THEREFORE, BE IT RESOLVED, to approve the 2015 budget transfers and amendments requested for and listed in the Comptroller's 6/04/2015 report (attached) to the Town Board.

The adoption of the resolution was seconded by Deputy Supervisor Streicher, duly put to a vote, all in favor. The motion passed 4-0.

3.) Personnel

a.)

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

RESOLUTION #122

NOW, THEREFORE, BE IT RESOLVED, to approve the appointment of Amy DiLeone to the Senior Clerk position, effective 6/4/2015.

The adoption of the resolution was seconded by Councilwoman Klepetar, duly put to a vote, all in favor. The motion passed 4-0.

b.)

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

RESOLUTION #123

NOW, THEREFORE, BE IT RESOLVED, to approve the appointment of Shari Worth-Holden to the Senior Clerk position, effective 6/4/2015.

The adoption of the resolution was seconded by Deputy Supervisor Streicher, duly put to a vote, all in favor. The motion passed 4-0.

4.) Internet Privacy Policy

Mr. Reale said the town is purchasing cyber insurance. An internet privacy policy is required and there was one in place. It was approved in 2008. Attorney Schachner provided an updated version put out by New York State Information Office of Technology. The policy will be on every page of the website.

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

RESOLUTION #124

NOW, THEREFORE, BE IT RESOLVED, to approve the Internet Privacy Policy (attached).

The adoption of the resolution was seconded by Councilwoman Klepetar, duly

put to a vote, all in favor. The motion passed 4-0.

5.) Splash Park

Mr. Reale said the town board will need to make a budget amendment in the amount of \$80,084 for additional costs to construct the Splash Park. The new budget for the Splash Park is \$415,000. There was a budget transfer from the Parks Department for \$64,916 to the Capital Projects. That was for two pieces of equipment that were never purchased with Park Reserve money. Mr. Porto opted to forgo the equipment. Along with the \$64,916, the request is to move another \$80,084 at Appropriated Fund Balance. The total is \$145,000 to move into Capital Project and with the additional monies, be able to purchase the Splash Park. **Supervisor Johnson** stated the project now has a vendor. Highway Superintendent Woodcock has been at the park with a crew doing site work. There will be a presentation within the next month or two, by the vendor.

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

RESOLUTION #125

NOW, THEREFORE, BE IT RESOLVED, to approve the budget amendment of \$80,084 for the Splash Park at Gavin Park.

The adoption of the resolution was seconded by Deputy Supervisor Streicher, duly put to a vote, all in favor. The motion passed 4-0.

6.) Internal Reviews-Town Court

Mr. Reale stated the Town Board must approve the 2014 yearend review of the Town Court by resolution as required by Section 2019-a of the Uniform Justice Court Act.

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

RESOLUTION #126

NOW, THEREFORE, BE IT RESOLVED, to approve the year-end 2014 internal review of the Wilton Town Court.

The adoption of the resolution was seconded by Deputy Supervisor Streicher, duly put to a vote, all in favor. The motion passed 4-0.

Adjournment

On a motion introduced by Councilwoman Klepetar and seconded by Deputy Supervisor Streicher, the meeting was adjourned at 7:48 p.m.

Respectfully Submitted,

Susan Baldwin, Town Clerk

Supervisor, Arthur Johnson

Councilman, John Lant

Deputy Supervisor Steve Streicher

Councilwoman Joanne Klepetar