

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-June 7, 2018

Supervisor Johnson called the Regular Town Board meeting to order at 7: 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.

Public Comment Session

Eric Rosenberg of 16 Craw Lane said he was at the festival at the Wilton Wildlife and Park. It was a great event and very well attended with lots of kids and lots of families.

Mr. Rosenberg said some of the comments he made at the last meeting upset some people and some people felt he was being disrespectful to the 200th Anniversary Committee. He didn't believe he made comments about the committee or the celebration to the extent his comments were misinterpreted. It was not his intention and apologized. He said a lot of the comments he makes he does stand by and wanted to clarify a few other things. Some people may wonder why I haven't made an effort to speak privately with some community leaders and I have. He said he and another longtime resident of the town met with a community leader and had extensive dialogue trying to flush out some of the things we were talking about. The person did not seem to get it and denied these things existed and then proceeded, over the course of time, to do many of the very things we had talked about at that meeting. The other thing, people question my motivation. He said he's not a frivolous person and not trying to just be a trouble maker and he said he's not angry because he lost the election. These are things people bring up. Eddy Miller came to a meeting and said I seem like I am a person looking for a job. I still don't

know what he is talking about and in fact, I don't know why he was allowed to speak or why he was here. He said when he speaks he is not speaking as a member of any particular organization or political party. Eric Rosenberg, resident of Wilton, interested in this being the best town it can be. He said he has spoken to a lot of people and these issues do exist. I want to live in a town where our officials are committed to complying to the laws of the ordinances that apply in any particular situation. After the last meeting of the planning board there was an ethics workshop. He said he would like to feel confident our town officials are committed to conduct themselves with the highest level of ethics. I want to live in a town where people are not treated differently because of the political party they belong to or how long they have lived here. I want to live in a town where it's not okay to say things about our neighbors. Liberals are trying to take over our town government. We don't need that fear and animosity amongst neighbors. There are a number of ways we can respond to this. We can ignore they exist or we can say when we were a small town things were done one way but the old way of doing things doesn't work anymore. Let's get more people involved and get more people coming to meetings. Let's reach out and get more of the town officials speaking to residents to make our town a better place.

Approve Pending Minutes

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

RESOLUTION #117

NOW, THEREFORE, BE IT RESOLVED, to approve the minutes from the May 3, 2018 meeting, as typed.

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

Waller Road-Use by Saratoga Bridges

Peter Maynard, 3 Waller Road said Waller Road is unfortunately shaped like a dragstrip. A lot of kids and joggers use it and the shoulder is narrow. It has a 4 ton limit. The buses for Saratoga Bridges use Waller Road for a shortcut. He said he called Saratoga Bridges to let them know not only are they speeding, it's a 30 mph road, and it is being used as a shortcut and they are over the limit with both speed and weight. They slowed down for a little bit, never mind not using the road. Of course it creeps back up and I called again. The man handled it the best he could but the problem remains. Recently an email was sent to the town board. Supervisor Johnson responded. Mr. Maynard asked if the 8,000 lb. sign was put up for the heck of it or is there a real reason for it. Emails went back and forth but Saratoga Bridges said it doesn't apply to them because they are a nonprofit. He said it didn't make sense. Firetrucks have to go down the road and nobody has a problem with that but just using it as a shortcut, it seems like buses belong on Route 9 going to the light instead of flying down a small road. The last thing he said he understood was the town had asked Saratoga Bridges to please stop using the road and use Route 9, as appropriate. Saratoga Bridges then said they have a couple pickups on Waller Road. That is a legitimate reason to be on Waller Road, just like a firetruck. Today was a crazy day. Earlier in the week it seemed to slow down. At 2:45, one came flying by and at 3:45 another one came flying by. All during the day it was slower traffic. He said he can't tell if they are doing the speed limit but you can

tell when they are not. All day there were buses going east and west. So was there or wasn't there an agreement between the town and Saratoga Bridges. He said all he was asking was to use the roads appropriate for their activity which is Route 9 and Northern Pines and stay off a small road with an 8,000 lb. weight limit. **Supervisor Johnson** said there has been an exchange of emails. Jeff Reale called Saratoga Bridges. Mr. Cuda is here tonight to comment on the situation. We brought up Mr. Maynard's speeding issues and they have been monitoring it and reasons why they have to be on Waller Road and exempt from the weight limits. **Mr. Maynard** said when the town put up the radar, it shocked a few people and it did slow traffic down. **Deputy Supervisor Lant** asked when the buses go through. **Mr. Maynard** said around 8:00 a.m. to 9:00 a.m. or 9:30 a.m. **Deputy Supervisor Lant** asked if they go through twice. **Mr. Maynard** said they go through more than that. Earlier in the week, it looked like they were taking their buses out to Route 9. Today, it was business as usual. **Deputy Supervisor Lant** said he would contact the State Troopers and the Sheriff's Department. **Mr. Cuda** said Saratoga Bridges is NYSAR, Inc. which is the Saratoga County Chapter formerly known as Saratoga Association for Retarded Citizens. The agency was formed in 1962. It was and still is a not for profit agency. It's Board of Directors is made up of at least 50% of blood relatives of someone who is developmental disability. Our mission is "Saratoga Bridges is committed to advocacy for people with disabilities by providing resources that enable them to live enriching lives in the community with our values, abilities and contributions. In 1981, Saratoga Bridges opened a day habilitation facility at 690 Route 9 in Wilton. For 37 years Saratoga Bridges has been part of the Wilton Community. They serve adults with disabilities who live in Saratoga County. 136 individuals are enrolled at this site and another 17 people are attending a senior program on Mountain Ledge and 15 special needs individuals are located at a site behind our building. We feel we have been in good standing with our community. Some of the community based activities that happen out of that site are Meals on Wheels, we go to Skidmore College and volunteer at the local soup kitchen. Our building has been utilized as a polling place and has hosted numerous community activities. When transporting individuals to the day site, we use the most efficient method possible. The operation is like spokes on a wheel, starting from the furthest locations and bringing our folks to the day program. All the county residents are familiar with our busses because we travel nearly one million miles per year. Over the decades, Saratoga Bridges have had cameras on the busses and GPS recording systems. Recently, we upgraded to Verizon Network Fleet System. This technology tracks speed and location of every bus. The system can set up a geofence for a road or even a section of a road so we know exactly what is going on in real time. Most of the vehicles we have purchased are through a federal grant and we are required to run them for 350,000 miles or ten years. We are proud of the safety records of our drivers and proud members of the Wilton community. **Supervisor Johnson** asked if there is any evidence through the Fleet System they are exceeding the speed limit. **Mr. Cuda** said there is not. There is a sample available. When we did the county in the first couple days of the new system on all of the busses, there were four different speed situations. Some looked as though the geo tracking was set up with the wrong speed limit. We are going to check that out. We have not found a lot of speeding on Waller Road. He said that is not to say it has never happened but has talked to the drivers personally. We have two sites off Waller Road. If we go around we have to go back onto Waller Road to get there. We have been doing this for 37 years without complaints. We have implemented the system. We can set it up with a very tight window so we know what is going on. **Supervisor Johnson** asked if Saratoga Bridges has clients on Waller Road. **Mr. Cuda** said there are clients in a neighborhood off Waller Road. That is not all the busses. If the busses are east of the building, they are coming that way. The program is off Waller Road. **Supervisor Johnson** said whether it's clients or not the busses are using Waller Road whether they are picking up clients or not. **Mr. Cuda** said certainly not everybody and certainly not most. There are four different busses that use Waller Road once a day and a couple that use it twice a day. **Councilman McEachron** asked if it is because the system is programmed to use Waller Road. **Mr. Cuda** said the system is not programmed.

It is the most efficient way to get there. Once again, we are entering a site off Waller Road. **Deputy Supervisor Lant** asked if the busses on Route 9 go to Waller Road. **Mr. Cuda** said if they are on Route 9, they use the main entrance. **Deputy Supervisor Lant** asked if they use Route 9 when they exit. **Mr. Cuda** said if the busses are going north, south or west they use Route 9. **Deputy Supervisor Lant** asked if the busses could come in from Route 9 and exit from Route 9. **Mr. Cuda** said all of the busses could go that way but is inefficient which is why we don't do it. It adds time to the route. **Councilman Streicher** asked if the bus was coming from the McGregor County Club area, would it use Waller Road. **Mr. Cuda** said it would. **Councilman McEachron** asked Mr. Maynard if he would be satisfied with the speed being reduced. **Mr. Maynard** said he wondered how the board felt about busses well over 8,000 lbs. using a town road that wasn't designed for that weight. He said he takes issue with I should only see six busses per day. There are a lot more than that. The question is are the drivers taking it upon themselves to take a shortcut. It is more than six. He said he could see six busses in two hours. **Mr. Cuda** said the times the busses run are correct. We also have people who go into the community in vans. **Highway Superintendent Woodcock** said he received a phone call regarding this problem. He said he has never had a problem with Saratoga Bridges. Any road can be targeted in the Town of Wilton if we have a problem. He said he has targeted Waller Road in the past with the Sheriff's Department, not because we had a major problem. Waller Road is a rural road and it's well built. We have garbage trucks that gross over 100,000 lbs. with no complaints. We have school busses, probably over 20 per day, five days per week without a problem. He said he didn't know why there is a problem now with Saratoga Bridges. He said he spoke to the officials at Saratoga Bridges and they guaranteed they would only put necessary busses on Waller Road. They have clients on Waller Road they pick up and discharge on a daily basis. You cannot post a highway and stop somebody from doing their job like school busses, garbage trucks, milk truck or whatever they might be. He said he knows some of the vehicles are very heavy. The law states you are supposed to go the shortest possible distance to accomplish your task. Waller Road is not a new road and it's in very good condition. It is a minimum of 24' wide which is wider than some of our other roads. The highway department has been consistently building wider roads. Our previous engineer had us line the lanes at 10' to create a wider shoulder for pedestrians and bicyclists. **Highway Superintendent Woodcock** said he believes one of his foreman targeted Waller Road with the radar sign. We do have records on that. That radar will tell you what the 85 percentile was 38 mph. If there is a necessity and the Sheriff's Department determines there is a speeding issue, it is an enforcement issue. **Supervisor Johnson** said he has contacted the Sheriff's Department and asked for Waller Road to be patrolled when Mr. Maynard reached out to him. Other than the speeding, which is an enforcement issue, the question is whether the busses are allowed to use Waller Road. **Councilman McEachron** asked Highway Superintendent Woodcock if the busses are allowed to use Waller Road. **Highway Superintendent Woodcock** said yes they are allowed. **Councilman Bogardus** asked Mr. Maynard if his ultimate goal is to get them to reduce their speed. **Mr. Maynard** said he didn't think there was any reason for those busses to use that road to that extent. If Saratoga Bridges has a client on Waller Road, pick them up. The garbage trucks and other trucks mentioned are on the road for a purpose. Using it as a shortcut is not a legitimate purpose. **Councilman Bogardus** said there may be some ongoing dialogue until we are able to come to a compromise. **Deputy Supervisor Lant** said they should come from Route 9 and go back to Route 9. **Councilman Streicher** said as a nice gesture, Saratoga Bridges should send fewer busses down Waller Road. Can we really enforce that? It doesn't seem as though we can but as good gesture to the community they may want to try to go around. **Highway Superintendent** said if you send a Sheriff to Waller Road and you have a Saratoga Bridges bus on the road, don't expect the deputy to write a ticket. **Mr. Rosenberg** said if it is a well-built road and all these garbage trucks and school busses are using the road why is there a posted weight limit. **Mr. Riper** said it preserves the longevity of the road. **Mr. Rosenberg** said everyone is using it anyways and no one is paying attention to the sign and it's a well-built road according the Highway Superintendent. Something is not making sense.

Supervisor Johnson said roads are posted for a reason. **Highway Superintendent Woodcock** said it is because of springtime (thaw). **Supervisor Johnson** said speed is an enforcement issue and we can ask the Troopers and Sheriff to monitor that. Saratoga Bridges appears to be monitoring the speed on their own through their new technology. The Highway Superintendent is telling us the busses are allowed to use Waller Road. It appears the only solution is to ask Saratoga Bridges for some cooperation and maybe not send so many busses over the road or not use it as a regular bypass and only send busses that are necessary. It would be a business decision by Saratoga Bridges. **Mr. Rosenberg** said evidently the road sign is there for a reason but yet everybody is using it and nobody is stopping anyone from using it, which we end up paying for. So, there is a problem there. Either their needs to be an enforcement of a weight limit or there doesn't need to be an enforcement of a weight limit. **Supervisor Johnson** said if the vehicles are there for a purpose, the weight limit does not matter. **Highway Superintendent** said weight limits and the use of highways is a lot more involved than just the Town Board and the residents. It is up to the Town Board if you want to post a highway. It has to be done by resolution. If you post Waller Road, you are still not going to stop Saratoga Bridges for using it. **Mr. Maynard** said he is not talking about any reason to be on the road other than their own efficiency. **Supervisor Johnson** said if no one has any more questions, we are going to rely on Saratoga Bridges to alleviate what Mr. Maynard perceives or etc., they have a legitimate reason to be on the road. Saratoga Bridges does not have a legitimate reason as a problem with the number of busses using the road. The speed is an enforcement issue which will be further addressed with the Sheriff's Department.

WWPP

Margo Olson, Director of Wilton Wildlife Preserve and Park said it's been a great spring. We have received a couple of grants which have allowed us to do additional programs. The Community Arts Grant through the Saratoga County Arts Council through the New York State Legislature has enabled us to offer outdoor painting workshops led by artists. These are offered to people in the community with no charge for supplies or the artist's time. This Sunday at Camp Saratoga we have another Art's Grant which will pay for the Blues for the Karner Blues Concert. We worked with the Saratoga Acoustic Blues Society. The concert will be in the pavilion at Camp Saratoga. We chose this time of year because the Karner Blue butterflies are out and the Blue Lupine is in bloom. We hope it encourages people to come to the park for a slightly different reason. While they are there people can listen to music and go for a walk and enjoy some of the trails and activities. We had our Wildlife Festival last weekend. It was a great day with sunshine and an estimated 500-600 people attended between 11:00 a.m. and 3 p.m. We had volunteers from the Wilton Rotary and different community groups. Ballston Spa National Bank donated money for a live animal program. Last month we had a lot of activities with Earth Day and the Bicentennial. We have really benefitted from the relationship we have with the Town of Wilton by being able to provide programs, support from maintenance staff and having copies made when your printer dies. There is a new beautiful top on the signage at Camp Saratoga for the Bicentennial Celebration. There is a lot going on and please take the time to visit.

Nancy Gatland asked if there is an age limit for climbing the fire tower. **Ms. Olson** said children under five years old are not allowed. If a child is over five years old they must be accompanied by a parent or guardian.

Ms. Olson said the summer program will begin and we will be providing programs at Gavin Park on Mondays and Tuesdays for 1-6 graders at the onsite summer camp program. The travel kids will be going to Camp Saratoga.

Councilman Bogardus asked if there is a directional sign on Scout Road to Camp Saratoga. **Ms. Olson** said there is not. We have talked about directional signs from Ballard Road and Route 50. When we have an event we put out temporary signs. **Highway Superintendent Woodcock** said we can put a sign

up on Edie Road. We could also discuss putting one up on Route 50 and Ballard Road. We would have to get permission from the state to put a sign on Route 50. **Councilman Bogardus** asked if one could be put up on Edie Road. **Highway Superintendent Woodcock** said he could. He said he would also speak with Keith Manz at the County for a signage on Ballard Road. **Ms. Olson** said one of the problems is when you come up Route 50 for one of the guided walks on Gick Road, which is on Route 50, and they see one of the signs and turn when they really needed to go straight to get to Old Gick Farm. Is there a way to have a directional sign for Scout Road but also say to go straight for Old Gick Farm. **Highway Superintendent Woodcock** said there could be an additional sign at the top to guide people towards the other facility. **Councilman Bogardus** asked if Highway Superintendent Woodcock could coordinate signage with Ms. Olson. **Superintendent Woodcock** said he could.

Resignation

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

RESOLUTION #118

NOW, THEREFORE, BE IT RESOLVED, to accept the resignation of Joseph Sabanos from the Zoning Board of Appeals with regret.

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

Reappointments

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

RESOLUTION #119

NOW, THEREFORE, BE IT RESOLVED, to reappoint the following to the Parks and Recreation Commission for a 3 year term, 07/01/2018-06/30/2021.

Kenneth Bishop
John Roessner

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

Independent Auditor's Report

Mr. Reale said he provided a copy of the Independent Auditor's Report for year end 2017 to the board and filed with the Town Clerk. There are no discrepancies or audit findings. A copy of the report is on the Town's website. Pat Brennan does a lot of the work and this is her last audit. **Supervisor Johnson** thanked Mr. Reale and Ms. Brennan for their hard work. We have always had a clean report with no exceptions or recommendations for improvements.

Committee Reports

Supervisor Johnson said the Annual Saratoga Wilton Flag Day Parade. It starts at noon and begins on Broadway and ends in Congress Park. The Town will have a Bicentennial flare to it this year. The Highway Department will have their vehicles in the parade. Councilman McEachron will have a miniature fire engine and an ambulance which he built himself and they will also be in the parade.

Supervisor Johnson said Dorothy Nolan School will have their Flag Day Celebration on Thursday, June 14 at 9:30 a.m. **Councilman Streicher** said they will be honoring Supervisor Johnson for his hard work and dedication to the town.

Supervisor Johnson said the Strawberry Social will be held on Father's Day, June 17 from 1:00 p.m. to 4:00 p.m. at the Heritage Museum.

Comptroller's Report

1.) 2018 Budget Transfers and Budget Amendments

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

RESOLUTION #120

NOW, THEREFORE, BE IT RESOLVED, to approve the 2018 budget amendments requested for and listed in the Comptroller's 6/7/2018 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.) Personnel

Supervisor Johnson said this came up last month when a new employee was hired at a rate higher than two current employees. **Deputy Supervisor Lant** said he is at the Court Building often. The two clerks are always working. He said he still thinks starting someone at \$14 is okay but the two current employees should be making \$15 per hour or at least \$14.50. They've been there two or three years and to start someone new at the same rate doesn't seem fair. **Supervisor Johnson** said the point was to make all the clerks equal. We are going to be going back and forth. **Mr. Reale** said there are more than

three part time clerks. **Supervisor Johnson** said the part time salary schedule needs to be evaluation. In the mean time we can pay them \$14.00 since it affects more than just the Court Clerks. **Mr. Reale** said what we have done with part time clerks in the past at budget time, they receive a 5% increase. If you want to look at all of the part time people and make sure everything is fair and equitable, the board could do that at budget time. We shouldn't be picking one here and one there. **Supervisor Johnson** said we could get into trouble that way. **Mr. Reale** said another department head could say they have had an employee here longer. **Deputy Supervisor Lant** asked where all the employees work. **Mr. Reale** said we have them in the Court, Town Clerk's Office, Gavin Park and Highway. **Deputy Supervisor Lant** said the two Court Clerks have been there and it doesn't seem fair. **Councilman Bogardus** asked if there are other Clerks in the town who make below \$14? **Mr. Reale** said he would have to look. **Supervisor Johnson** said he thinks the board should further analyze it before making a decision. **Mr. Reale** said he would provide the Town Board a report of all of our part time administrative clerks and their date of hire and adjust accordingly. **Supervisor Johnson** said the board typically addresses salaries once a year at budget time; to start doing it in the middle of the year is not the right thing to do.

Councilman McEachron made a motion to approve a pay increase to \$15 per hour for Rebecca Dietz and Cheryl Brennan. Deputy Supervisor Lant seconded the motion. The motion failed.

Deputy Supervisor Lant made a motion to approve a pay increase to \$14.50 per hour for Rebecca Dietz and Cheryl Brennan. Councilman McEachron seconded the motion. The motion failed 2-3 with Supervisor Johnson, Councilman Bogardus and Councilman Streicher opposed, Councilman McEachron and Deputy Supervisor Lant in favor.

Councilman Bogardus asked if there are other employees in the same title that may be left behind if we only address two employees.

a.

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

RESOLUTION #121

NOW, THEREFORE, BE IT RESOLVED,
approve the hourly rate increase to \$14.00
for Rebecca Dietz and Cheryl Brennan.

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 #122

NOW, THEREFORE, BE IT RESOLVED,
approve overnight travel for Tina Weber to
attend New York Assessors Association in
Ithaca, NY, July 16-19, 2018

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

Executive Session

Supervisor Johnson stated the board will have an executive session to discuss a personnel matter leading to the appointment or promotion of a particular person.

On a motion introduced by Councilman Streicher, seconded by Councilman McEachron, with all board members in favor, the board adjourned to executive session at 7:55 p.m.

On a motion introduced by Councilman Bogardus, seconded by Deputy Supervisor Lant, with all board members in favor, the board reconvened at 8:20 p.m.

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

RESOLUTION #123

NOW, THEREFORE, BE IT RESOLVED, to
create the position of Bookkeeper, Grade 8.

The adoption of the resolution was
seconded by Councilman McEachron, 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 8:21 p.m.

Respectfully Submitted,

Susan Baldwin, Town Clerk

Supervisor, Arthur Johnson

_____ Councilman, Steve Streicher

_____ Deputy Supervisor, John Lant

_____ Councilman, John McEachron

_____ Councilman, Duane Bogardus