

## **TOWN OF WILTON**

**22 TRAVER ROAD**

**WILTON, NEW YORK**

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Susan Baldwin, Town Clerk

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**Public Hearing: August 4, 2016, 7:00 p.m.**

**107 Old Gick Road**

**The following Notice of Public Hearing was advertised in the Daily Gazette, The Post Star and the Saratogian newspapers.**

**PLEASE TAKE NOTICE** that the Town Board of Wilton, New York County of Saratoga will hold a public health hearing pursuant to Chapter 47, "Buildings, Unsafe", of the Code of the Town of Wilton.

**SAID PUBLIC HEALTH HEARING** will be in relation to the manufactured home, all accessory structures and property at 107 Old Gick Road, Tax Map No. 140.-2-16.2, which have been deemed to be uninhabitable structures and unsafe site pursuant to inspections and reports of the Code Enforcement Officer of the Town of Wilton and pursuant to Resolution #121, dated July 7, 2016, adopted by the Town Board.

**SAID PUBLIC HEARING** will be held on Thursday August 4, 2016 at 7:00 p.m. at the Wilton Town Hall located on 22 Traver Road, Wilton, New York. At that time all persons will be given the opportunity to be heard.

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

**Supervisor Johnson** asked if there were any questions or comments. There was none.

The public hearing was closed at 7:01 p.m.

### **REGULAR TOWN BOARD MEETING-August 4, 2016**

Supervisor Johnson called the Regular Town Board meeting to order at 7:02 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-Deputy Supervisor  
Joanne Klepetar-Councilwoman  
John Lant-Councilman  
John McEachron-Councilman

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

### **Public Comment Session**

**Betty Gallagher**, of 27 Loughberry Road said she never thought she would at a town board meeting to talk about chickens. She said she lives on 3 ½ acres in one of the few historic farmsteads left in the Town of Wilton and has lived there for 55 years. The farmhouse was built in 1810 and it is her fervent hope the farmhouse will still be here in 200 years to remind Wilton of its historical heritage. She said she hopes all of their work will prevent their beautiful house and property of being a casualty of modern building trends and being plowed under for a grand mansion or a dozen smaller homes. She said they are deeply attached to the goals of living simply, enjoying our natural environment, recycling, composting, preserving and growing as much of their own food as possible. Chickens seemed a natural extension of our home gardens and when friends offered us 4 grown hens, we jumped at the opportunity. Her son built a coop with a fenced in yard. The fence had to be heightened because the hens learned to fly over the top. We enjoyed seeing the birds around the yard unfenced. We now realized this is not practical or advisable. A couple of times neighbors told us a chicken or two were on the edge of the property eating new grass seed. They also ate two plantings of broccoli and all of our cauliflower. On at least one occasion, they crossed the road. A neighbor commented on them and a town employee, from another neighborhood, was visiting and thought she would be helpful by turning us in to the authorities. She said she is here to ask the town board to schedule a public hearing to discuss extending chicken rights to R-1 homes. Since we live on one of the original farm properties, it never occurred to us our chickens would become illegals. Saratoga Springs allows chickens anywhere in the city. New York City allows chickens. Buffalo allows chickens. Chickens are allowed in R-1 in some of the other Saratoga County towns. Why would Wilton not allow well kept, back yard chickens? She said she considered asking for a special permit or an agricultural variance for her property but it seems better to try for a reasonable R-1 chicken ordinance for all chicken owners in Wilton. The Building Inspector has given 30 days instead of the 5 days to get rid of the chickens. She said she hopes the board will consider scheduling a hearing and perhaps give other Wilton residents a chance to voice their opinions. **Supervisor Johnson** said the board would look into the code and the requirements. If the board decides to change the current code a public hearing would happen afterwards. **Mr. Gallagher** asked if an extension of more than 30 days would be allowed. **Supervisor Johnson** said it will be discussed with the code enforcement officer.

**Nancy Gatland** of 28 Timbira Drive said last month she thanked the board for the wonderful splash park. Yesterday she brought her granddaughter to the park and guess what? It wasn't open. Why isn't it open? Because they are repairing it. At first she thought, okay, things break down but upon talking with people, she said she found out that whatever was defective has been defective since day one. So the question is, number one, why wasn't it fixed before you opened it and, number two, why didn't you keep it open until the end of August and then close it when the kids went back to school. She said it

really bothers her that we have kids all over Wilton and there is not much as far as water activities and now we have the splash park and it's closed. She said she would like to know why it was closed at this time. **Supervisor Johnson** said the park opened and the leaks were discovered. The leaks were under the concrete and it was going to compromise the soils underneath. It needed to be repaired. **Mrs. Gatland** asked when the leak was discovered? **Supervisor Johnson** said they were discovered after the splash park opened. **Mrs. Gatland** asked why the town waited until the middle of summer? **Councilman McEachron** explained if the leak undermined the concrete, we would lose everything. **Mrs. Gatland** asked why it wasn't fixed immediately. **Supervisor Johnson** said there were parts that had to be ordered and contractors were involved. It's not as simple as that. It was closed for three days. Two of the days it rained and it wouldn't have been open. The bottom line is we only lost two days. **Mrs. Gatland** asked if the park is closed on Mondays. **Deputy Supervisor Streicher** said it is open on Mondays unless it is raining and it rained Monday and Tuesday. **Supervisor Johnson** said two more elements are open and the kids are going to enjoy it that much more. It will be open tomorrow. It was fixed yesterday but the concrete had to cure.

#### **Approve Pending Minutes**

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

#### **RESOLUTION #128**

**NOW, THEREFORE, BE IT RESOLVED,** to approve the minutes from the July 7, 2016 meeting, as typed.

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

#### **107 Old Gick Road**

**Supervisor Johnson** noted there was a public hearing held earlier and asked if there were any questions or comments from the board. There were none.

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

#### **RESOLUTION #129**

**WHEREAS,** the Town of Wilton held a public hearing on August 4, 2016 regarding property at 107 Old Gick Road, Tax Map No. 140.-2-16.2, in accordance with Resolution #121 of 2016.

**WHEREAS**, the property owner was notified by certified mail, return receipt, the subject property was posted and a notice of pendency was filed at Saratoga County in accordance with Town Law §130.

**WHEREAS**, no one appeared and no correspondence was received on behalf of the owner of record, Brian Staunches.

**WHEREAS**, demolition and site cleanup, by the property owner, shall commence on or before August 7, 2016 and shall be completed by September 7, 2016.

**BE IT RESOLVED**, the Town of Wilton authorizes the demolition of the manufactured home, all accessory structures, site cleanup and removal of debris if not completed by September 7, 2016. The expense shall be relevyed to the 2017 Saratoga County Tax bill of subject parcel.

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

### **Committee Reports**

**Councilman McEachron** said Kirklin Woodcock is requesting a new truck. The truck to be replaced has some damage to the box and will be expensive to repair. It is one of the older trucks in the fleet. **Highway Superintendent Woodcock** said it will be \$46,000 plus to repair. The truck was in an accident when it was new and repaired. The hydraulics are now coming through the floor. This is a front line plow truck and the lead time for a replacement is 3-4 months, with another month to have the accessories put on. **Deputy Supervisor Streicher** asked if the \$46,000 will repair everything. **Highway Superintendent Woodcock** said it will but the truck is 14 years old. **Councilman McEachron** said he's done the analysis on the truck and it is not worth repairing. He said, in his opinion, it should be replaced. The problem is where the money will come from. **Supervisor Johnson** asked if this was going to be in the 2017 budget. **Highway Superintendent Woodcock** said it was. It was discussed with the comptroller. The biggest concern is being able to complete the schedule in the winter. **Supervisor Johnson** said it's really only a matter of whether we spend the money now or put it in the 2017 budget. **Councilman McEachron** said he thought the board should move ahead now if it's going to be his truck for the 2017 budget. **Councilman Lant** asked how many large plow trucks are in the currently in the fleet. **Highway Superintendent Woodcock** said there are 12 or 13. There are 3 5500 trucks.

**Councilman Lant** asked if the foreman's trucks have plows. **Highway Superintendent Woodcock** said they do. **Councilman Lant** asked how many full time employees are in the highway department. **Highway Superintendent Woodcock** said he has 20 full time employees. There may be 5 or 6 part time wing plow people. **Supervisor Johnson** said another truck has already been approved when the grant is received from Senator Marchione. **Highway Superintendent Woodcock** said that truck is for Corinth Mountain Road and the surrounding mountain area. It could be a year or two before we get the truck. **Councilman McEachron** said we discussed getting rid of a few vehicles this year. **Highway Superintendent Woodcock** said two pick-up trucks, the D-4 bulldozer and a snow blower are being sent to the auction. **Councilman McEachron** said the bus is going to auction at some point. **Highway Superintendent Woodcock** said the personnel director discussed the bus. We have had some issues with the people that use the bus. It is an old bus and it is falling apart but at least everything is contained. We don't need anything new to replace the bus, we can purchase used. We can move the shelving from the bus to a potential 16' van. It will be much more usable, especially on the road as the bus is too big. **Councilman Lant** asked if the ambulance was being sent to auction. **Highway Superintendent Woodcock** said it is not. It holds compressors, welders, toolboxes and jacks. It is a service vehicle when we have a breakdown on the road. It is used often. We haven't spent anything on it and the condition is still pretty good. **Supervisor Johnson** asked if the 2017 budget will have any trucks in it. **Highway Superintendent Woodcock** said there will be two small pickup trucks in it because they are being sent to auction in the fall. **Councilman Lant** asked which two trucks will be sent to auction. **Highway Superintendent Woodcock** said they are both Dodges. **Councilman Lant** said he thought that one had already been replaced. **Highway Superintendent Woodcock** said the cemetery crew used the Dakota and it has to go, it is all rusted out. **Councilman Lant** said he thought the town purchased a new truck to replace the Dakota that was rusted out and unsafe. **Highway Superintendent Woodcock** said that is one of the reasons we did that but instead of getting rid of the Dakota, an F-250 was sent to auction because it was worse. **Supervisor Johnson** asked if the truck is not delivered until 2017, a budget transfer still has to be made. **Mr. Reale** said the funds have to be encumbered for the purchase order. He said his suggestion would be to take \$100,000 from the salt account and moving the balance of \$120,000 out of the fund balance in the highway fund. **Councilman McEachron** said the truck being replaced should be out of service immediately. **Highway Superintendent Woodcock** said he will do that.

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

#### **RESOLUTION # 130**

**NOW, THEREFORE, BE IT RESOLVED,** to approve the transfer of \$100,000 from the salt account and \$120,000 from the appropriate fund balance for the purchase of a 2017 Western Star 4900 plow truck.

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

## **Comptroller's Report**

### **1.) June 2016 Cash Disbursements**

General Fund	\$257,199
<u>Highway Fund</u>	<u>552,736</u>
Total	\$809,935

### **2.) 2016 Budget Transfers and Budget Amendments**

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

#### **RESOLUTION #131**

**NOW, THEREFORE, BE IT RESOLVED,** to approve the 2016 budget transfers and amendments requested for and listed in the Comptroller's 8/4/2016 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 5-0.

### **3.) Wilton Fire District**

**Mr. Reale** said the Snow Plow Services Contract for 2016/2017 is due for renewal. This is for informational purposes and the contract automatically renews unless there is objection. There was none.

### **4.) 2017 County Sales Tax Distribution**

**Mr. Reale** said Saratoga County requires, by board resolution, that the town determine how we want to take our sales tax revenue distribution. It would be in credit or cash. **Mr. Reale** said he recommends cash.

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

#### **RESOLUTION #132**

**NOW, THEREFORE, BE IT RESOLVED,** to approve the payment of the town's portion of the 2017 county sales tax in cash.

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

### **Executive Session**

**Supervisor Johnson** said there will be an Executive Session.

Deputy Supervisor Streicher made a motion to adjourn at 7:35 p.m. for Executive Session to discuss the performance of two particular employees. The motion was seconded by Councilwoman Klepetar with all board members in favor. The motion carried 5-0.

Deputy Supervisor Streicher made a motion to reconvene at 8:26 p.m. The motion was seconded by Councilman McEachron with all board members in favor.

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

#### **RESOLUTON #134**

**NOW, THEREFORE, BE IT RESOLVED,** to move Nicole Monroe to Valuation Assistant, Grade 4, Step 4 with an hourly rate of \$20.31, effective August 9, 2016.

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

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

#### **RESOLUTON #135**

**NOW, THEREFORE, BE IT RESOLVED,** to create the position of Principal Clerk in the Engineering Department.

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

### **Adjournment**

On a motion introduced by Deputy Supervisor Streicher and seconded by Councilman McEachron with all board members in favor, the meeting was adjourned at 8:28 p.m.

Respectfully Submitted,

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Susan Baldwin, Town Clerk

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Supervisor, Arthur Johnson

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Deputy Supervisor, Steve Streicher

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Councilman, John Lant

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Councilman, John McEachron

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Councilwoman Joanne Klepetar