

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-December 1, 2016

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

Public Comment Session

Phyllis Dumont of 62 Gailor Road said she teaches ceramics at the Senior Center and has for over 30 years. She said she used to fire the kiln at night because a power company employee told her there is less fluctuation of power. The kiln is fired the same way as the one she has at home, fully loaded, when there is less fumes, less heat and nobody around. If a kiln should over fire, it is automatic. Because it is automatic, anything could go wrong at any time. If it over fires, it will blow up. It is very important to shut it off manually. It could burn the center down. During holiday season, there is a need for firing more than once a week. Gold firing and regular firing are two different firings. The gold firing is very, very smelly. Both types need to be fired this week so items can be finished and ready for people to work on. **Mrs. Dumont** said Robin told her this week, because Robin was mad at all the girls in the ceramic room, she could not fire and that's why we are here. It is very important because some of the things they do have to be fired two and three times. They want it for Christmas. Robin has been coming in every week since September threatening to close us down. It is upsetting to them and to me. This is therapy for some who have ill husbands at home or have problems with their bodies and need the

movement to keep going. It gives them time away for themselves. Some items take several weeks to complete, depending on the method used. In May, she told me she would have my job. There is nothing I can do about that and I told her that. She said she would have someone from the Town Court come over and carry me out bodily because I answered her back. I should have a right to do that. Most people know nothing about the kilns at all. They know nothing about the way it runs, the things it's done, how many times everything has to be fired and it's a lot of work. We are not allowed to use the ceramic door anymore. When I come in with boxes, I have to carry them all the way around through the main room, around to the bathrooms and out to the ceramic room. It's a lot of work when you have 4, 5 or 6 boxes. **Mrs. Dumont** said she has been bullied by Robin since she told people she didn't have any money. Robin never asked for the money and it was offered to her two different times. Robin said it was okay. Robin also said "Don't cross me or you've had it".

Rose Nesbitt thanked the town for the Senior Center. It is a wonderful place to have for the seniors to go to get out of the house. **Mrs. Nesbitt** said she is a care taker for her husband and she does enjoy going to the center for three hours every week. She said she works on ceramics with her friends and the girls. Every year we have a party and she said she went in to tell another ceramics person about the get together, Robin told her to get out and that she didn't contribute to the center and didn't belong there and to leave. **Mrs. Nesbitt** said she pays her dues every year. She goes for herself, for relaxation and to get out. She said she doesn't go on the bus trips because her husband can't go and she doesn't like to go by herself. There are certain things she said she doesn't participate in but that shouldn't mean she can't be a member.

Audrey Mills thanked the town for providing ceramics to the seniors. That is what brought her to the senior center when she became of age. It is fun, relaxing, therapy and it takes all the stress away. It has been an extremely stressful year. Phyllis used to be in charge on the Senior Center for a couple of years and has been in the center for 30 years. She knows the place inside out. In January, Phyllis asked someone to step up and be president. No one else wanted it. In February, Phyllis asked again and no one wanted it. In March, Robin stepped up as Vice President to back up Phyllis and help her out but no one wanted to be President. In April, Phyllis is no good, get out, Robin is in charge, she's taking care, she's taking over and things come up missing. Phyllis has the keys for 30 years and we never missed anything. Robin has keys for 3 months and things are missing. She said she took all of her stuff home, ceramics is expensive. The items can cost between \$5 and \$25 and the paint and kiln are additional. We thank the town for the kiln but now Robin won't let us fire. She came into the ceramics room this week and told Phyllis she had to work with her. Phyllis said "I am working with you, Robin". Robin said "No, you're not and I've had it. We are not doing this again; you are not firing this week." One of the girls won the 50/50 raffle and Robin had the money. It was only \$17 and it wasn't a big deal but it was the principle. Robin brought the money and Nancy wasn't there to receive it. Tom said to Robin, "She's not here, take it and give it to somebody else". I said, "Whoa, wait a minute. You sold Nancy that ticket and you sold me one too. You said you would save the money for us. That's Nancy's money and you can't do that." She was out of the room as I was saying that to her and she came back in and through the money on the table. She said, "There's the money, give it to Nancy if you want to. I'm done. I've had it in here. I'm not coming back and I'm not doing this anymore." She looked at me as I was saying something and said, "Oh, shut up Audrey". That is unacceptable.

Nancy Auffinger said she's known Phyllis for 30 years. She said she also knew her mother and sisters. She said she's never heard anything bad about Phyllis until the Senior Center with Robin. She has always been a very good friend and that is the reason for joining ceramics. When Robin fights all of the time, it

makes us all nervous. It is hard to go there knowing how rude she is. She's a bully and bullies should not be accepted. It's not accepted in the schools and it shouldn't be accepted in the Senior Center.

Cheryl Wood said she is a resident of the Town of Northumberland but has been going to the Senior Center for a number of years. She said she came back because she had taken ceramics from Phyllis many years ago and then got involved with the other functions at the Senior Center. She said attended a board meeting last spring at the behest of Joanne Klepetar, to let everyone know what we do at the Senior Center. She explained there was ceramics, trips, bingo and cards. Tonight, she said she is here again at someone's request. To use the analogy of "The Music Man", there's trouble in River City. Just like in "The Music Man", there is a conniver. She's been allowed to come in and stir up trouble. She said she blames Councilwoman Klepetar, as the liaison, for allowing this to go on. She said she is sorely disappointed in the management situation and allowing it to become what it is. She said she is really surprised that an educated intelligent person could listen to histrionic babble and accept it as fact. Things are happening over there that never happened over decades. Why, all of a sudden, are so many issues being raised? Perhaps you need to look more closely at the things that are disappearing and the things going on there now.

Approve Pending Minutes

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

RESOLUTION #169

NOW, THEREFORE, BE IT RESOLVED, to approve the minutes from the November 9, 2016 meeting, as typed.

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

Scout Road Closure-Boy Scout Klondike Event

Dave Hoffman, Scoutmaster Troop 4024 said the scouts are present as part of their merit badges. They have to attend a public forum or a public meeting. This is a great example of them becoming part of our town to get that requirement taken care of. The troop of the Saratoga District has decided to bring the Klondike back to Camp Saratoga, which has been absent for about 15 years. In doing so, we will be bringing 300 scouts, leadership and adults to Camp Saratoga on February 3-5, 2017. The day of the event is Saturday, February 4, 2107. In order to accommodate the manpower, scouts, safety, parking and all aspects of what we have to do, we recommend closing Scout Road from the railroad trestle to Edie Road on Saturday February 4, 2017. In conversation with Highway Superintendent Woodcock, he is onboard with the idea. It will affect one resident, Mr. Larry Gordon, who is a great scout and also a part of us and is leading us in the charge to bring the Klondike back to Camp Saratoga.

Deputy Supervisor Streicher asked what the Klondike is. **Mr. Hoffman** said the Klondike is an annual winter event where all of the scouts get together and have 18 or 19 activities which test their scout knowledge and skills. It is competition based, covering everything they have learned as the smallest scouts all the way up to the older scouts. They compete head to head, troop to troop and patrol to patrol. At the end of the day, whoever has the highest score wins the event. It has been at Boyhaven

for the last 15 years. This is an event put on and presented by the Saratoga District. The Saratoga District is being dissolved. Boy scouts are being reduced in numbers, people are collecting larger salaries, the labor laws of 477 kick into effect and the DE's will be paid more money. There isn't enough money in the scouting community so the district will be dissolved and moving to Wapominee in the Glens Falls area. This is the last Klondike the Saratoga District will be sponsoring. We are proud to have it in our backyard.

Supervisor Johnson asked what time the road should be closed. **Mr. Hoffman** said he would like it closed at 7 a.m. on Saturday and reopened by 5 or 6 p.m. on Saturday evening. The competition will be from 9 a.m. to 4 p.m. **Supervisor Johnson** asked about access to the parking lot for cross country skiing. **Mr. Hoffman** said that lot will remain open. There is a large amount of people who use the north side where the trails are groomed. We will be staying off the groomed trails since the following weekend is the Moonlight Ski and Snowshoe. The boy scouts are also involved in that.

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

RESOLUTION #170

NOW, THEREFORE, BE IT RESOLVED, to approve the closing of Scout Road from the railroad trestle to Edie Road on Saturday, February 4, 2017 from 7 a.m. to 6 p.m. for the Boy Scout Klondike Event.

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

Resignation

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

RESOLUTION #171

NOW, THEREFORE, BE IT RESOLVED, to accept the resignation of Joe Bartol from the Wilton Park and Recreation Commission, with regret.

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

Reappointments

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

RESOLUTION #172

NOW, THEREFORE, BE IT RESOLVED, to approve the reappointment of the following to the Wilton Zoning Board of Appeal:

Christopher Ramsdill 1/1/2017-12/31/2023
Charles Foehser, II 1/1/2017-12/31/2017
Joseph Sabanos 1/1/2017-12/31/2017

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 #173

NOW, THEREFORE, BE IT RESOLVED, to approve the reappointment of the following to the Wilton Planning Board:

Erin Kolligian 1/1/2017-12/31/2023
Brett Hebner 1/1/2017-12/31/2017

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 Councilman Lant, the board adopted the following resolution:

RESOLUTION #174

NOW, THEREFORE, BE IT RESOLVED, to approve the reappointment of the following to the Historic Preservation Board:

Katie Griffin Coons 1/1/2017-12/31/2021

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 Deputy Supervisor Streicher, the board adopted the following resolution:

RESOLUTION #175

NOW, THEREFORE, BE IT RESOLVED, to approve the reappointment of the following to the Ethics Advisory Board:

Keith Burger 1/1/2017-12/31/2018

The adoption of the resolution was seconded by Councilwoman Klepetar, 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 #176

NOW, THEREFORE, BE IT RESOLVED, to approve the reappointment of the following to the Parks and Recreation Committee:

Lynette Robinson 1/15/2017-1/14/2020

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

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

RESOLUTION #177

NOW, THEREFORE, BE IT RESOLVED, to approve the reappointment of the following to the Wilton Water and Sewer Authority:

Scott Duffy 1/1/2017-12/31/2021

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

Harran Lane

Ryan Riper, Town Engineer said the Harran Lane parcel is off of Jones Road and adjacent to the Wilton Emergency Squad. The applicant would like to realign the existing Harran Lane and the lands around it that dead end at I-87. This would require the town to abandon the existing road by use. The applicant

would like to construct a new cul de sac and provide a land swap from the lands that are the existing road by use and provide lands to the Town of Wilton, adjacent to Jones Road. There are also lands to the northeast of the subdivision the applicant would like to dedicate to the town, as open space. Another parcel, .2 acres, would be acquired by the Wilton Emergency Squad. The applicant has agreed to donate the land to the Emergency Squad for easier movement of vehicles around the building. A public hearing will be required. **Supervisor Johnson** said there is one home on Harran Lane. **Mr. Riper** said the home is owned by the applicant. There will be access to the house. Instead of a road, it will be a driveway. **Attorney Schachner** said there are several different ways, under New York State Highway Law, to consider the abandonment of a road. Some formally require a public hearing and some do not. He said he always recommends having a public hearing for any road abandonment. **Mr. Riper** noted only a portion of the road is being abandoned. It will be realigned to add a little more curve to it. The highway superintendent has met with him and the applicant on site and discussed the realignment. **Deputy Supervisor Streicher** said the old Harran Lane will be considered a driveway after the abandonment. **Mr. Riper** said that is correct. Harran Lane will then become a cul de sac and serve the lots in the development.

Mr. Riper asked if the board was willing to accept the lands the applicant is offering so the applicant would know whether to move forward with the proposed layout. There are lands in the northeast quadrant of the subdivision, behind lots 2, 3, 4 and 5. It's a 50' buffer strip. Adjacent to Jones Road, there is a 2.1 acre portion of land to be dedicated to the town. That would extend the right of way. **Deputy Supervisor Streicher** said the town will abandon the road and at a later date accept it again. **Mr. Riper** said the town will later accept the new road. **Councilwoman Klepetar** said she likes the fact the applicant is proposing to dedicate three acres to the town and future trails are mentioned. She said it is a passion of hers and commended Mr. Roohan for that. **Supervisor Johnson** said it would be good for the town to accept the lands as they are adjacent to other town lands and would be good for trail connections.

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

RESOLUTION #178

NOW, THEREFORE, BE IT RESOLVED, to set a public hearing, for the proposed abandonment of a portion of Harran Lane, on January 5, 2017 at 7:00 p.m.

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

Forest Grove Conservation Subdivision-Referral from WPB

Supervisor Johnson said the board received a letter from the Wilton Planning Board regarding a subdivision proposal called Forest Grove. They have asked for input from the town board. In the letter, they ask for two things. What future development is planned for a town parcel that was purchased in a county foreclosure and the reason being, its proximity to Bullard Lane. We have trails coming down from Camp Saratoga through Saratoga County forest lands and ending on Bullard Lane. This particular 35 acre piece of property just south of Bullard Lane could possibly be used to continue the connection of

the trails. Our hopes are, once the property to the south gets developed, we would get the opportunity to continue the trail connection down to Jones Road. There is also the potential for a future pocket park. These are the two possible uses for the parcel.

The second question asked if the town board has an opinion about the extension of sewer and water under the Northway to service the lands on the east side of the Northway. **Supervisor Johnson** said, in his opinion, it has always been the intent to have all of those lands services by sewer and water. That was the reason for requiring easements on Cobble Hill Drive. It would enable the extension of water and sewer from Cobble Hill Drive. It is about a 500' extension. **Councilman McEachron** said it makes sense. **Supervisor Johnson** said the planning board would like to see an overall development plan for the entire area. They have concern and understandably so, for potential piecemeal development. Those lands are the last and largest undeveloped properties in the town. It is a highly visible area on one of the most travelled roads. It is important the project is looked at and planned, in total, for the future of the town. **Deputy Supervisor Streicher** said he agreed and water and sewer would be appropriate. The water and sewer easements on Cobble Hill Drive were dedicated for future use. **Councilman McEachron** asked what the maximum amount of lots allowed is before sewer and water is required. **Supervisor Johnson** said it is 49 lots. **Councilman McEachron** said if they had one more lot, it would be out of the town's hands. It seems like the developer is keeping under 50 to meet the regulations. Quite a few years ago, the town planned on water and sewer going under the Northway. **Councilman Lant** said it is a must. **Councilwoman Klepetar** agreed.

Supervisor Johnson said the board's response to the two questions is the Worrell parcel would be used for trail connection or a future park and the board's opinion is water and sewer would best serve the area.

Joe Dannible of EDP said he is a representative for DCG Development and the application for the 49 lot subdivision on the other side of the Northway. The current application is for septic and wells consistent with other developments on the east side of the Northway that have been reviewed by the planning board. One of them is a project currently being reviewed by the planning board and being looked at by the town board tonight. There is another subdivision approved on septic and well on the north end of the property, closer to Edie and Scout Roads. The applicant is coming to the planning board simply asking for the same treatment that was given to those developers to install and construct subdivisions on well and septic. **Councilman McEachron** said the board is not making a decision, only an opinion. **Attorney Schachner** said it is not a town board decision. **Councilman McEachron** asked if the subdivision was kept under 50 lots to avoid the Department of Health requirement. There are a lot of people in town who had their wells dry up. We can't see that in the future. Somewhere it has to stop. **Supervisor Johnson** said it is great piece of property and would like to see a better design. It has so much potential. Different types of housing that would enhance the area rather than cookie cutter subdivision. **Mr. Dannible** said if sewer and water could be extended, there would be a feasible design that could be developed, that would be creative and provide the design that could be incorporated into a park. The extension of sewer and water to the site is not something that is feasible for this developer. **Deputy Supervisor** said there is so much land in the area. If this was the only feasible subdivision in the whole entire area, he said he could understand having well and septic. With the idea of more projects in the future, having water and sewer there is priority number one. **Councilman McEachron** agreed and it would be a plus for the builders and future builders as well as the town.

Josh Silver, Attorney for the applicant, said in the letter from the planning board it was never discussed what the town's appetite was and what the water department's appetite was for incurring the expense of bringing the water and sewer underneath the Northway. If it was extended under the Northway, it probably wouldn't be a difficult decision for the applicant. We see it as a public work that is being asked to be carried by a private developer. It would serve all of the development (Harran Lane) as well as this development. All of the developments on the east side of the Northway would benefit from this. The

question was asked at the meeting if the town would be interested in incurring that expense or whether the water department would be incurring that expense. **Supervisor Johnson** said it wouldn't be the town. Wilton Water and Sewer Authority is a separate entity and it's something that can be discussed. **Councilman McEachron** asked who brought the water line up Smith Bridge Road. **Mr. Riper** said it was the builder. **Supervisor Johnson** said Wilton Water and Sewer Authority could consider extending their district and bringing the water to the other side of the Northway. **Deputy Supervisor Streicher** asked if Wilton Water and Sewer Authority has been contacted. **Mr. Silver** said they had a conference with Wilton Water and Sewer Authority. **Councilman Lant** asked if there have been any meetings with the other developers. **Mr. Silver** said he did not think so. **Councilman McEachron** said he thought it would be beneficial to the developers to get water to the site. **Supervisor Johnson** said it would be great if all of the landowners could work together. **Deputy Supervisor Streicher** agreed. **Councilman Lant** said the area used to flood and he would hate to see it happen again. **Mr. Silver** said there is an environmental review as part of the application. **Supervisor Johnson** said Wilton Water and Sewer Authority should be involved with the proposal to see if it's something they are interested. The landowners could potentially get together and proportionately share in the cost and not give one developer the burden of the extension. The distance of 500 feet is not that onerous. We've had projects where the developers run water and sewer for 2,000'-3,000'. **Mr. Dannible** said there are unique circumstances with the extensions being run under the Northway. It is a very significant cost in the development. This project and this referral to the town board has come as we have been in front of the planning board on several occasions. Our application is for septic and well and the planning board is pursuing and nearly requesting us to extend sewer and water to the site. That is not required for the application and we can get approvals from New York State Department of Health and Department of Environmental Conservation. It is allowed, under the zone, to develop without public sewer and public water, as has been approved and is continuing to be approved by the planning board. **Supervisor Johnson** said the project will continue through the planning process and ultimately it is their decision to review and authorize a project. The town board is offering an opinion to them. **Supervisor Johnson** said he thought it could be a better project, for the area as a whole, if the property owners got together. There is almost 400 acres and would like to see something nicely done there. **Mr. Dannible** said his applicant would like to see the lines extended and would like to work with Wilton Water and Sewer Authority to allow for that extension to occur. The planning board is currently approving a plan that could help contribute to bring sewer and water across the Northway. **Donald MacElroy**, representing DCG, said they feel the extension should be under the auspices of Wilton Water and Sewer Authority and a district has to be created so those involved in the process and those who hookup in the future, don't ride on the backs of those who have to pay for it. A district is a wonderful idea and the applicant would be on board with that. It is something the Wilton Water and Sewer Authority needs to step up and take charge of. **Supervisor Johnson** said he would discuss it with the director.

Committee Reports

Deputy Supervisor Streicher said the Annual Tree Lighting at Gavin Park will be held on Friday, December 2, 2016 from 6:00 p.m. to 8:30 p.m.

Councilman Lant said the board should consider hiring a part-time director for the Wilton Senior Center for next year.

Comptroller's Report

1.) October 2016 Cash Disbursements

General Fund	\$301,549
<u>Highway Fund</u>	<u>148,413</u>
Total	\$449,962

2.) 2016 Budget Transfers and Budget Amendments

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

RESOLUTION #179

NOW, THEREFORE, BE IT RESOLVED, to approve the 2016 budget transfers and amendments requested for and listed in the Comptroller's 12/1/2016 report (attached) to the Town Board.

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

3.) Personnel

a.

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

RESOLUTION #180

NOW, THEREFORE, BE IT RESOLVED, to approve the request from Frank Holden to carry over an additional 2.45 hours of vacation time.

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

b.

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

RESOLUTION #181

NOW, THEREFORE, BE IT RESOLVED, to approve overnight travel to New York City

for the Association of Towns meeting to be held February 19-22, 2017 for the following:

Arthur Johnson
Jeffrey Reale
Sue Baldwin
Ryan Riper
Scott Kingsley
Joanne Klepetar

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

Executive Session

Supervisor Johnson said there will be an Executive Session to discuss acquisition and/or sale of land.

Councilwoman Klepetar made a motion to adjourn for Executive Session at 7:55 p.m. The motion was seconded by Councilman McEachron with all board members in favor. The motion carried 5-0.

Councilman McEachron made a motion to reconvene at 8:07 p.m. The motion was seconded by Deputy Supervisor Streicher with all board members in favor.

Supervisor Johnson said no action was taken in Executive Session.

On a motion introduced by **Councilman Lant** and seconded by **Deputy Supervisor Streicher** all board members in favor, the meeting was adjourned at 8:23 p.m.

Respectfully Submitted,

Susan Baldwin, Town Clerk

Supervisor, Arthur Johnson

Deputy Supervisor, Steve Streicher

Councilman, John Lant

Councilman, John McEachron

Councilwoman Joanne Klepetar