

At 7:05 p.m., Supervisor Johnson called the regular meeting to order.

**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 members present:

Arthur Johnson-Supervisor  
Raymond O’Conor-Deputy Supervisor  
Shirley Needham-Councilwoman  
Larry Gordon-Councilman  
Charles Gerber-Councilman

Also present: Town Attorney, Richard DeVal, Town Planner, Kate Maynard, Town Engineer, Keith Manz and Town Comptroller, Jeffrey Reale.

**Approve Pending Minutes**

**Supervisor Johnson** asked for a motion and a second to approve the pending minutes from the last meeting.

On a motion introduced by Deputy Supervisor O’Conor, the board adopted the following resolution:

**RESOLUTION # 112**

**NOW, THEREFORE, BE IT RESOLVED,** to approve the minutes from the April 2, 2009 meeting as typed, without amendment.

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

**Proclamations**

**Supervisor Johnson** read two proclamations: one for Thomas Coons, the past president of Wilton Youth Baseball and the other for Peter Hart, the new President. Supervisor Johnson will present the proclamations at the opening ceremony of Wilton Youth Baseball.

On a motion introduced by Deputy Supervisor O’Conor, the board adopted the following resolution:

RESOLUTION # 113

**NOW, THEREFORE, BE IT RESOLVED**, to  
approve the following Proclamations:

Commending Peter Hart  
President, Wilton Youth Baseball

WHEREAS, the mission of Wilton Youth Baseball is to implant firmly in the children of the community the ideals of good sportsmanship, honesty, loyalty, courage and respect for authority, so that they may be well adjusted, stronger and happier children and will grow to be good, decent, healthy and trustworthy citizens, and

WHEREAS, **Peter Hart** dedicated service to Wilton Youth Baseball and the community have maintained the mission, and

WHEREAS, **Peter Hart** helped start Wilton Youth Baseball by serving on the 2005 Outreach Committee to determine the need, and

WHEREAS, **Peter Hart** served on the Executive Board of Wilton Youth Baseball as Vice President form 2005-2008 and is currently serving as President, and

WHEREAS, **Peter Hart** has supported the community through volunteering his time and proving his commitment to 380 children and over 50 Coaches by creating opportunities for our children through baseball, and

WHEREAS, the Town of Wilton is proud to have **Peter Hart** as a part of the Wilton community, now, therefore be it

PROCLAIMED, that the Wilton Town Board commends **Peter Hart** for his dedication to Wilton Youth Baseball and, be it further

PROCLAIMED, that the Town Clerk forward a duly inscrolled copy of this Proclamation of Commendation to **Peter Hart**.

IN WITNESS WHEREOF, We have hereunto set our hands and affixed the Seal of the Town of Wilton this 7<sup>th</sup> day of May, 2009 and;

**FURTHER BE IT RESOLVED**, to approve the second Proclamation:

COMMENDING THOMAS COONS  
PRESIDENT, WILTON YOUTH BASEBALL

WHEREAS, the mission of Wilton Youth Baseball is to implant firmly in the children of the community the ideals of good sportsmanship, honesty, loyalty, courage and respect for authority, so that they may be well adjusted, stronger and happier children and will grow to be good, decent, healthy and trustworthy citizens, and

WHEREAS, **Thomas Coons** dedicated service to Wilton Youth Baseball and the community have maintained the mission, and

WHEREAS, **Thomas Coons** helped start Wilton Youth Baseball by serving on the 2005 Outreach Committee to determine the need, and

WHEREAS, **Thomas Coons** served on the Executive Board of Wilton Youth Baseball as Secretary for one and one-half years and served as President from 2006-2008, and

WHEREAS, **Thomas Coons** has supported the community through volunteering his time and proving his commitment to 380 children and over 50 Coaches by creating opportunities for our children through baseball, and

WHEREAS, the Town of Wilton is proud to have **Thomas Coons** as a part of the Wilton community, now, therefore be it

PROCLAIMED, that the Wilton Town Board commends **Thomas Coons** for his dedication to Wilton Youth Baseball and, be it further

PROCLAIMED, that the Town Clerk forward a duly inscrolled copy of this Proclamation of Commendation to **Thomas Coons**.

IN WITNESS WHEREOF, We have hereunto set our hands and affixed the Seal of the Town of Wilton this 7<sup>th</sup> day of May, 2009.

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

**Ernst Rd. (LL# 2 of 2009)**  
**Last discussed 4/2/09**  
**e-mail message from Nelson LaTour**  
**re: Ernst Rd.**

**Supervisor Johnson** explained that the public hearing was held last month and the board had suggested certain changes to be made to the PUD legislation. The legislation has been resubmitted, he then asked Attorney DeVall for his input. Attorney DeVall, explained that all the revisions were made and the

Conservation Easement was included in the packet. Town Engineer Keith Manz explained that building elevations would be made part of the legislation along with language stating no sheds allowed and just a few technical typing comments on page three that need to be corrected. Supervisor Johnson asked if the board had any comments. Councilwoman Needham asked if a traffic study had been done. Town Planner Kate Maynard asked Kenneth Wersted to give a brief overview of the traffic study done of that area. Mr. Wersted, traffic consultant, From Creighton Manning Engineering, LLP, explained that some of the comments brought up at the April meeting were looking at; the new traffic being generated from the project as well as the traffic from Burnham Hollow now under construction and what are the alternatives that could be looked at in terms of the excess for this project coming out to Ernst Rd.. Mr. Wersted stated that they looked at what traffic volumes were out there, existing. The Department of Transportation has traffic counts on Route 9, and there are approximately 7700 vehicles per day. Route 9 is posted at 55 miles per hour and the average speed is about 48 miles per hour. We also looked at the traffic volume on Ernst Rd. which is approximately 200 cars per day on Ernst Rd. from Route 9 down to Gailor Rd. That would be 12 to 15 cars during the peak times during the morning and afternoon when people are commuting back and forth to work. We also took a look at speeds on that section of road. The posted speed is 45 miles per hour (illustrating on site plan) but traveling south it lowers to 40 miles per hour. Mr. Wersted stated that the feasibility of people from the project or from Burnham Hollow coming down and using Ernst Rd, as a short cut to Saratoga Springs is not likely. Most people will favor using Route 9. We measured the distances and travel time from this point (the proposed driveway on Ernst Rd.) to travel up to Route 9, back down to Route 9 all the way to the intersection of Parkhurst Road to come out and travel down Ernst Rd. to Gailor Rd. over to Route 9 south. Then also to stay on Ernst Rd., go through the stop signs at Gailor Rd. and come out where Ernst Rd. reconnects with Route 9. The travel distance isn't much difference with all three routes. The fastest way to go would be to come out go north to Route 9, then travel south, because Route 9 has a higher speed limit. Most people will use Route 9. The 16-unit apartment complex we estimated to generate approximately 10 to 15 trips during the am and pm peak hours, while the 54-unit Burnham Hollow subdivision would generate 50 to 60 trips during peak hours. Ernst Rd. does not have a lot of traffic, we consider Ernst Rd. to be a low volume Rd. The traffic generated from the 16 apartment units and from Burnham Hollow subdivision is not expected to have any significant impact on Ernst Road resident's ability to access their properties. The last thing we looked at was alternatives where the driveway was located. Right now it serves as an extension of Burnham Road, 550 or 600 feet south of Route 9. One of the options to reduce the traffic on Ernst Rd. would be to come out and intersect with Route 9, through the northwest portion of the site. There are wetlands basically encompassing the whole west side of the site so through there would increase the wetland disturbance. Other options include not extending Burnham Road, and accessing the apartment project either from Ernst Rd. only or from Burnham Road only. This option would affect emergency access to each of the projects. In an effort to minimize the wetland impacts and the potential for site traffic to use Ernst Rd., turn restrictions at the site driveway/Ernst Rd. intersection could be constructed to restrict left turn movements from Burnham Road extension. Mr. Wersted explained that because of the low traffic volume on Ernst Rd., residents could easily make a left turn despite the restriction. Supervisor Johnson recognized Town Planner, Kate Maynard who had a few comments. Mrs. Maynard did a brief overview of the changes that were requested for and revised in the legislation such as: A couple of sentences in section five of the legislation be removed as follows: number one, The sketch plan is not intended to limit the developer and in regarding the number of units there was a discussion brought up about the plus or minus units, that was taken out, so the maximum threshold was set at sixteen units. Another point was in terms of the Conservation Easement there was a request to add language to the easement to insure that the existing vegetation would remain. It was confirmed and added to the legislation. Engineer Manz explained that from an engineering standpoint there is a very low volume road going to a low volume road (Ernst Rd.) so to do some convoluted island

to make people go right does not make sense, it is obvious that a straight intersection is warranted. You want the traffic going out to a local collector, not on Route 9. After some discussion between the Ernst Rd. residents and the board regarding some of the same issues brought up at the April meeting, Councilman Gordon, asked if Mr. Woodcock, the applicant, if he was going to clean up the storage facility. One of the items brought up in the April meeting. Mr. Woodcock stated he is waiting for quotes on different options to add to the top of the concrete wall. Supervisor Johnson asked the board for a motion and a second to adopt.

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

**RESOLUTION # 114**

**NOW, THEREFORE, BE IT RESOLVED,** to approve the Ernst Road PUD legislation, subject to Attorney DeVall's final review of the comments made by the Town Planner and Town Engineer.

The adoption of the resolution was seconded by Councilman Gordon, duly put to a vote, all in favor except Deputy Supervisor O'Connor, who cast a no vote.

Deputy Supervisor O'Connor, explained the reason for the no vote. About a year ago I had made a proposal to look at a zoning change along the Route 9 corridor north of Gailor Road. I thought we had provided more than an adequate amount of area subject to apartment complexes. I think in this particular case the applicant has improved the design and the quality of the design of the buildings. He has adequately addressed traffic and has made the changes to the legislation that everyone was looking for. My objection is not specific to the project, but I consider myself hypocritical to have proposed that change last year and then support an apartment complex in the stretch of the corridor.  
Motion carried 4 to 1.

**Pathway (update)**  
**Peter Faith**

**Supervisor Johnson** asked Town Planner Kate Maynard to address the board. **Mrs. Maynard** explained that there were a couple of items. The meeting that was held was well attended by several people. We will have written comments provided by Peter Faith the consultant that will be available at the June meeting and in addition we will work with Attorney DeVall to get the draft easement in place. That has been prepared and will go out to residents. We are looking to work with property owners along the stretches we need. Overall it is going very well.

**Traffic Study (Update)**  
**Peter Faith**

**Supervisor Johnson** asked Peter Faith to address the board. Mr. Faith, a traffic engineer from TVGA Consultants explained that this is the fifth or six traffic update since 1987. **Mr. Faith** did a brief overview of the report submitted to the board of their findings. He referenced a few hot spots that need

improvements as follows: The intersection of Perry Road and New York State Route 50, Jones Road and New York State Route 50, the south bound movement on Jones Road turning left on Route 50 northbound, Jones Road and Carr Road, Carr Road and Northern Pines Road, the last location is the intersection of Edie Road and Route 50. He went over some recommendations for these areas. The Gavin Park Pathway was also included connecting from Jodi Lane to Carefree Lane as part of a mitigation measure to be included in the traffic mitigation fees. In addition to the physical recommendations we have two planning recommendations; basically using some of the funds to participate in future studies of the Ballard Road Corridor and the New York State Route 50 Corridor. The Town could leverage some of the monies through grants from Capital District Transportation Committee to use mitigation funds as seed money to analysis improvements in those State Route Corridors. The Town study only looks at town roads. The total cost of all the improvements that have been identified in the Capital Improvement plan is just over 1.4 million dollars. Those costs will be funded by the mitigation fees presented in the report. The fees stayed the same since the last study. **Supervisor Johnson** asked Mr. Faith to explain how the traffic study ties into how the town charges mitigation fees and how mitigation fees can be used in relation to the traffic study. **Mr. Faith** explained that the area wide study is useful because it identifies cumulative transportation impact from any project within the town just like the one that was presented earlier tonight. It projects the needs and improvements required to accommodate all the traffic from all the sections over a planning period which goes to 2020. We identify the total cost of those improvements and split out the cost on a per trip basis. So we know for every trip being generated in the town by development there will be a certain cost to that trip to mitigate those impacts and then we relate that cost based on the expected trip generation for each project.

On a motion introduced by Deputy Supervisor O’Conor, the board adopted the following resolution:

**RESOLUTION # 115**

**NOW, THEREFORE, BE IT RESOLVED,** to adopt the Town Traffic Study submitted by TVGA Consultants and;

**FURTHER BE IT RESOLVED,** to adopt the related fees that go with the study.

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

**Historic Properties Preservation**

**Supervisor Johnson** asked Deputy Supervisor O’Conor, to speak on this item. **Deputy Supervisor O’Conor** explained that a couple of weeks ago myself, the Town Historian, Jeannine Wourterz, Kate Maynard, Larry Gordon and Jack Fleming had a discussion about providing some sort of financial incentive to maintain and improve historic properties. One of the things we were looking at is using assessments. It works like a pilot plan, where for the first five years after making improvements or making a purchase your assessment would be frozen. So if someone purchases a historic building worth two hundred thousand dollars and puts two hundred thousand dollars of improvements into it for the next five years their assessment would stay at two hundred thousand dollars, if the market value were

the same as opposed to having an increase. Then at the second period of five years, just like a pilot, you would see a twenty percent increase in value going to full value ten years later. During that ten year period there would be an historic easement on the property that would preclude them from destroying the property. Destroying its integrity after the period which they received the benefits. Deputy Supervisor O'Connor, stated he would bring something back to the board to review.

**Deed of Dedication Groundwater Facilities**  
**Olson Farm**

**Supervisor Johnson** explained that this is for the underground drainage system at Olson Farm, He asked Attorney DeVall to discuss this item. **Attorney DeVall** explained that this is the deed for groundwater facilities. I have reviewed the language and everything is in order.

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

**RESOLUTION # 116**

**NOW, THEREFOR, BE IT RESOLVED,** to accept the deed of Dedication Groundwater Facilities submitted to the Town for the Olson Farm PUD and;

**FURTHER, BE IT RESOLVED,** to authorize the Supervisor to sign all necessary documents.

The adoption of the resolution was seconded by Councilman Gerber, duly put to a vote, all in favor, except Deputy Supervisor O'Connor, who abstained.

**Resignation (IBR Board)**  
**Peter Hart term to expire 9/30/13**

On a motion introduced by Deputy Supervisor O'Connor, the board adopted the following resolution:

**RESOLUTION # 117**

**NOW, THEREFORE, BE IT RESOLVED,** to accept the resignation of Peter Hart as member of the Independent Board of Review, effective immediately, term to expire 9/30/13.

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

**Appointment (IBR Board)**

**Jane Capello to replace Dale Lang**

**Term 10/1/07-9/30/12**

On a motion introduced by Deputy Supervisor O’Conor, the board adopted the following resolution:

**RESOLUTION # 118**

**NOW, THEREFORE, BE IT RESOLVED**, to appoint Jane Capello as member of the Independent Board of Assessment Review, term 10/1/07-9/30/12.

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

**Appointment (IBR Board)**

**William Campola to replace Peter Hart**

**Term 10/1/08-9/30/13**

On a motion introduced by Deputy Supervisor O’Conor, the board adopted the following resolution:

**RESOLUTION # 119**

**NOW, THEREFORE, BE IT RESOLVED**, to appoint William Campola as member of the Independent Board of Assessment Review, term 10/1/08-9/30/13.

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

**Committee Reports(If Any)**

**Supervisor Johnson** asked if anyone had any committee reports.

**Economic Development Plan**

**Deputy Supervisor O’Conor** stated he had talked to the LA Group regarding the Economic Development Plan which is 75% done, in two weeks I will get together with the LA Group and get their final draft. So by the next board meeting I may have a final package to submit to the board.

**RUOK Program**

**Councilwoman Needham** stated she had spoke to Duane Bogardus, on the RUOK Program and I sent out letters to people to see if they still want to volunteer. To go through their list and then we will have a meeting to discuss the protocol and everyone refreshed with what’s going on.



**Hazardous Waste**

**Councilwoman Needham** stated she had a date for the Town Hazardous Waste Program which is October 17<sup>th</sup>, 2009. It will be held here with the Towns of Moreau, Northumberland, Saratoga and the Village of South Glens Falls.

**Elks Parade**

**Supervisor Johnson** stated he had a couple of announcements: First, The Elks Annual Flag Day Parade is Saturday June 13<sup>th</sup>. The parade starts at 12:00 (Noon).

**Highway Department(Seasonal Employee)**

**Highway Superintendent Kirklin Woodcock** asked the board if he could hire a seasonal part-time person to work in the cemeteries, the board agreed. **Comptroller Reale** stated the money for this person was in the Highway budget and did not need board approval.

**Softball Game**

**Supervisor Johnson** stated the second annual softball game between the City of Saratoga Springs and Wilton is scheduled again for June 19<sup>th</sup>. The Highway Department will play at 6:00 p.m., and the City Council and the Town Board will play at 7:30p.m..

**Postal Service**

**Supervisor Johnson** stated he had a discussion with the Postal Service this week and apparently it has been approved before, but a lot of people still do not know about it. Wilton residents that have Gansevort, 12831 zip code; can now use Wilton, 12831 and get their mail service. If you have a Saratoga mailing address, you still have to use Saratoga zip code 12866.

**Comptroller's Report**

**(Including Bills & Transfers)**

**2009 Budget Transfers and Budget Amendments**

On a motion introduced by Deputy Supervisor O'Connor, the board adopted the following resolution:

**RESOLUTION # 120**

**NOW, THEREFORE, BE IT RESOLVED,** to approve the 2009 budget transfers and amendments requested for and listed in the Comptroller's 5/7/09 report to the Town Board.

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

**Personnel Policy**

On a motion introduced by Deputy Supervisor O'Connor, the board adopted the following resolution:

**RESOLUTION # 121**

**NOW, THEREFORE, BE IT RESOLVED**, to approve the following deletions from the Personnel Policy: **a.)** Delete Section: Hiring – Part 1(2) Residency Requirements. **i.)** All employees deemed to be Town Officers (Town Law) must be a resident of the municipality for at least four months prior to accepting the position. Preference may be given to Town residents for all other positions in evaluating applicants of similar qualifications.

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

**Personnel**

**Education (Kirk Woodcock)**

On a motion introduced by Deputy Supervisor O’Conor, the board adopted the following resolution:

**RESOLUTION # 122**

**NOW, THEREFORE, BE IT RESOLVED**, to approve the request submitted by Highway Superintendent, Kirklin Woodcock, to attend the Annual Association of Towns Highway School in Ithaca, NY from June 1-3.

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

**Assessment Department (Tina Westover)**

**Amend resolution #97 stating the move to Grade 9 on a temporary basis.**

On a motion introduced by Deputy Supervisor O’Conor, the board adopted the following resolution:

**RESOLUTION # 123**

**NOW, THEREFORE, BE IT RESOLVED**, to approve the request from Town Comptroller, Jeff Reale, to modify

Resolution # 97 stating that Tina Westover would move up to Grade 9 on a temporary basis. Modified to state that this change is effective May 26, 2009, after this date Tina will go back to Grade 5 Step 9.

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

**Park & Recreation (Request to Hire Kurt Haas)**  
**To replace Brian Wilsey who is retiring June 1<sup>st</sup>.**

On a motion introduced by Deputy Supervisor O’Conor, the board adopted the following resolution:

**RESOLUTION # 124**

**NOW, THEREFORE, BE IT RESOLVED,** to approve the request submitted by Park Director, Steve Porto, to hire Kurt Haas as a Recreation Maintenance Worker. Start date will be May 26, 2009, at grade 3, step 3, \$14.50/hr. with full benefits. Hiring is subject to a background check.

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

**Park & Recreation (appoint Nicole Parianos)**

On a motion introduced by Deputy Supervisor O’Conor, the board adopted the following resolution:

**RESOLUTION # 125**

**NOW, THEREFORE, BE IT RESOLVED,** to appoint Nicole Parianos to the part-time clerk position starting at the base rate, effective May 26, 2009.

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

**Reforestation Lands Management Agreement**

On a motion introduced by Deputy Supervisor O’Conor, the board adopted the following resolution:

RESOLUTION # 126

**NOW, THEREFORE, BE IT RESOLVED**, to approve the Reforestation Lands Management Agreement and;

**FURTHER BE IT RESOLVED**, to authorize the Supervisor to sign a 5 year agreement with the County of Saratoga.

The adoption of the resolution was seconded by Councilwoman Needham, duly put to a vote, all in favor, except Councilman Gerber, who abstained, because his business does the management for the County.

Highway Department (Items for Auction)

On a motion introduced by Deputy Supervisor O’Conor, the board adopted the following resolution:

RESOLUTION # 127

**NOW, THEREFORE, BE IT RESOLVED**, to authorize Superintendent Woodcock to dispose highway items at the auction.

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

**Supervisor Johnson** mentioned the letter from Mark Mykins, the Building Inspector, regarding a historic house on Wilton/Gansevoort Road that has caved in and that should be condemned. The board took no action but asked Town Historian Jeannine Wourterz if she knew anything about the home. Jeannine told the board that the house was probably built in the early 1800’s. She thought Cooperstown Museum was looking for bricks, so maybe we could salvage some of them. The owners can’t afford to do anything with it. Supervisor Johnson suggested holding any action until the Town Attorney has a chance to look into the situation.

**Supervisor Johnson:** If there is no other business, I will entertain a motion to adjourn.

On a motion introduced by Deputy Supervisor O’Conor, and seconded by Councilwoman Needham, the meeting was adjourned at 8:45 p.m., all in favor.

Respectfully submitted,

\_\_\_\_\_  
Carol Maynard, Town Clerk

\_\_\_\_\_ Supervisor, Arthur Johnson

\_\_\_\_\_ Councilman, Raymond O’Conor

\_\_\_\_\_ Councilman, Charles Gerber

\_\_\_\_\_ Councilman, Larry Gordon

\_\_\_\_\_ Councilwoman, Shirley Needham