

Public Hearing: Local Law No. 3 of 2011 Peddling & Soliciting (Chapter 85) of the Code

The following Notice of Public Hearing was legally 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 hearing to amend the Code of the Town of Wilton, Chapter 85 (Peddling and Soliciting).

SAID PROPOSED AMENDMENT would amend Chapter 85 of the Wilton Town Code, Peddling and Soliciting, by making revisions to the Law as discussed by the Town Board of the Town of Wilton.

SAID PROPOSED AMENDMENT would provide a mechanism for the applicant to have a thorough background check and proof that his/her New York State driver's license is in good standing.

SAID PUBLIC HEARING will be held on Thursday August 4th, 2011 at 7:00 p.m. at Wilton Town Hall located on Traver Road in the Town, at which time all persons will be given an opportunity to be heard. Copies of these revisions will be available for review in the Town Clerk's Office during regular business hours.

BY RESOLUTION OF THE TOWN BOARD OF THE TOWN OF WILTON

At 7:00 p.m., Supervisor Johnson called the public hearing to order and asked the Town Clerk to read the public hearing aloud, she did so. Supervisor Johnson then asked if anyone had any comments regarding this public hearing. No comments, he then closed the public hearing at 7:05 p.m..

Proclamation (Commending Schuyler David Mangino)

Supervisor Johnson explained that Schuyler Mangino is a Wilton resident who obtained the rank of Eagle Scout through a project to construct a commemorative area for Veterans at Geyser Park in Saratoga Springs, NY. He has already received the proclamation when he received the Eagle Scout award. The Town Board should adopt the proclamation officially by resolution. Supervisor Johnson stated that the board could do a resolution during the Regular Town Board meeting.

REGULAR TOWN BOARD MEETING

Immediately following the public hearing, Supervisor Johnson called the Regular Town Board meeting to order at 7:06 p.m..

Pledge of Allegiance

Supervisor Johnson led the board and the audience in reciting the Pledge of Allegiance to the Flag.

Roll Call

Roll Call by the Town Clerk showed all board members present. Except Councilman O'Connor who was absent.

Arthur Johnson-Supervisor
Raymond O'Connor-Deputy Supervisor (Absent)

Robert Rice-Councilman
Robert Pulsifer-Councilman
Charles Gerber-Councilman

Also present were Town Attorney Richard DeVall, Town Comptroller Jeffrey Reale and Director of Planning and Engineering Keith Manz.

Public Comment

Supervisor Johnson asked if anyone had signed up to speak under the public comment session.

Dan Tagliento, a Wilton resident, mentioned the ordinance regarding the posting of political signs in the Towns' right-of-way. Signs are already starting to appear on public highway right-of-way. In the past, the Highway Superintendent has done a diligent job removing all signs, but he suggested that the people who put the signs up prematurely be responsible for taking them off. He then thanked the board. No other comments.

Approve Pending Minutes

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

RESOLUTION # 119

NOW, THEREFORE, BE IT RESOLVED, to approve the minutes from the July 7, 2011 meeting as typed without amendment.

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

Local Law No 3 of 2011 (Peddling & Soliciting)
Public Hearing held earlier

Supervisor Johnson explained that the public hearing for this item had been held earlier, and asked the board for a motion and a second.

The board after some discussion regarding the validity of the ordinance approved the amendment.

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

RESOLUTION # 120

NOW, THEREFORE, BE IT RESOLVED, to approve Local Law No. 3 of 2011 (Peddling & Soliciting) and have a more in-depth discussion as to whether or not we need the law in the future.

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

Proclamation

Supervisor Johnson asked for a motion and a second for the Proclamation noted earlier in the meeting.

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

RESOLUTION # 121

NOW, THEREFORE, BE IT RESOLVED, to adopt the following Proclamation:

**COMMENDING SCHUYLER DAVID MANGINO
UPON ATTAINING EAGLE SCOUT RANK**

WHEREAS, **Schuyler David Mangino** is a member of the Boy Scout Troop 46 of Wilton and recently achieved the rare distinction of the rank of Eagle Scout; and

WHEREAS, an Eagle Scout award honors the scout, his family, his troop and his troop leaders; and

WHEREAS, a Boy Scout is required to complete an Eagle Leadership Service project as part of qualifying for the rank of Eagle Scout; and

WHEREAS, **Schuyler David Mangino** set his goal and completed his plan to construct a commemorative area for Veterans at Geysers Park in Saratoga Springs, New York; and

WHEREAS, it is fitting to recognize the unusual dedication and diligence exhibited by **Schuyler David Mangino** in attaining the rank of Eagle Scout; therefore, be it

PROCLAIMED, that the Wilton Town Board commends **Schuyler David Mangino** for his attainment of the rank of Eagle Scout in the Boy Scouts of America; and, be it further

PROCLAIMED, that the Town Clerk forward a duly inscrolled copy of this Proclamation of Commendation to **Schuyler David Mangino**.

IN WITNESS WHEREOF, We have hereunto set our hands and affixed the Seal of the Town of Wilton this 4th day of August, 2011.

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

Ridgeview Commons PUD (Street Lighting)

Supervisor Johnson asked Town Engineer Keith Manz to explain this item.

Engineer Manz explained that a representative from the Vertex Lighting Company Wendy O’Hearn, is here to go with the alternative because the code provides for the Sternberg or equal to the Sternberg Palmetto light fixture that the Town Board approved when the Hamlet Ordinance went into effect. This would not only be for Ridgeview commons but also the Crossings on Northern Pines Road and County Road 32. It is similar to the Sternberg. The board should take a look at it and decide if the staff should be involved in it or maybe give some in -put and then let the staff make a decision.

Wendy O’Hearn, the representative, went over the differences between the Hanover and the Sternberg light fixture and stated that the applicant is looking for a lesser expensive pole.

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

RESOLUTION # 122

NOW, THEREFORE, BE IT RESOLVED, to let the staff make the determination as Engineer Manz has explained it.

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

Property Maintenance Law

Rich DeVall

Supervisor Johnson explained that at the last meeting there was a sub-committee set up to look at taking care of abandoned or foreclosed property. The Supervisor asked Keith to bring the board up to date on the progress the committee is making.

Engineer Manz explained that the committee took Malta’s law, Mark Mykins, the Building Inspector, liked it. It was simple, we boiled it down a little further with some in-put for the Town attorney, copied board members and came up with a draft ordinance that is pretty simple and straight forward. It states we have the obligation of keeping up lawns as well as issued what’s in a house, infestation and that sort of thing if it is un-kept. Typically a foreclosure as we had in one sub-division last month. It is a question

of looking at this law and seeing if you like how it's administered as well as determining philosophically if the board wants to be obligated to take over every lawn that gets high. If the board does it for one, you would have to do it for all.

After some discussion by the board and the committee, the decision was made to table this item for further review, until the September meeting.

Recreation Fee Schedule (Sept. 1-Aug.31)

Supervisor Johnson explained that the fee schedule for Park and Recreation is just changing the dates because of the overlapping when programs started and ended.

Councilman Gerber explained that no matter when you start and stop you will have overlapping programs. No program is operational on September 1st, or August 31st, there is always something that will overlap those dates. If this addresses the concerns of the Park Director he was in favor of it.

Supervisor Johnson explained that the Town Board got the fee schedule in January and because the schedule went from September 2010 to August 2011 the fee was not the same as approved by the Town Board in January, so it appeared that the Park Director was not charging the right amount of money.

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

RESOLUTION # 123

NOW, THEREFORE, BE IT RESOLVED, to approve the Park and Recreation Fee Schedule as presented and;

FURTHER BE IT RESOLVED, that the Fee Schedule for the Park and Recreation Department be adjusted to be submitted on an annual basis.

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

Committee Reports (If Any)

Supervisor Johnson asked if there were any committee reports. There were none.

Comptroller's Report
(Including Bills & Transfers)

2011 June Cash Disbursements

General Fund	\$ 342,263
<u>Highway Fund</u>	<u>\$ 277,845</u>
Total	\$ 620,108

2011 Budget Transfers & Amendments

On a motion introduced by councilman Gerber, the board adopted the following Resolution:

RESOLUTION # 124

NOW, THEREFORE, BE IT RESOLVED, to approve the budget transfers and amendments requested for and listed in the Comptroller's 8/4/11 report to the Town Board.

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

Personnel
Kathy Austin

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

RESOLUTION # 125

NOW, THEREFORE, BE IT RESOLVED, to approve the request submitted by Kathy Austin to attend the 2011 NYSAA Seminar on Assessment Administration being held September 11-14 in Buffalo, NY. Total estimated cost is \$1,420, which is in her budget.

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

County Sales Tax Distribution

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

RESOLUTION # 126

NOW, THEREFORE, BE IT RESOLVED, to approve the Town's share of the sales tax revenue to be paid in cash.

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

Councilman Pulsifer thanked everyone for the e-mails he received after his eye surgery.

Supervisor Johnson asked for a motion and a second to adjourn the meeting.

On a motion introduced by Councilman Rice, and seconded by Councilman Gerber, the meeting was adjourned at 7:46 p.m..

Respectfully Submitted,

Carol Maynard, Town Clerk

Supervisor, Arthur Johnson

_____ Absent
Councilman, Raymond O'Conor

Councilman, Charles Gerber

Councilman, Robert Rice

Councilman, Robert Pulsifer