

TOWN OF WILTON

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WILTON, NEW YORK
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Susan Baldwin, Town Clerk
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REGULAR TOWN BOARD MEETING-January 5, 2023, 7:00 p.m.

Pledge of Allegiance

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

Supervisor Lant asked for a moment of silence for Robert Barrett. Mr. Barrett was a long time member of the Zoning Board of Appeals and has passed away.

Roll Call

Roll Call by the Town Clerk showed the following board members present.

John Lant-Supervisor
John McEachron-Deputy Supervisor
Duane Bogardus-Councilman
Erinn Kolligian-Councilwoman
Ray O'Conor-Councilman

Also present was Ryan K. Riper, P. E., Director of Planning and Engineering, Maria Moran, CPA, Comptroller and Mark Schachner, Town Counsel via Zoom.

Organizational Resolutions

RESOLUTION #1: REGULAR MEETINGS-RESOLVED, pursuant to Town Law §62 that all regular meetings of the Wilton Town Board shall be held at the Wilton Town Hall, 22 Traver Road on the first (1st) Thursday of each month beginning at 7:00 p.m., excepting additional meetings will be scheduled as deemed necessary by the Town Board. Additionally, pursuant to Executive Orders established by the Governor of the State of New York which continue the temporary suspension and modification of laws relating to disaster emergency, in-person meetings and in-person public hearings may be conducted via a virtual platform, for example, Zoom.

RESOLUTION #2: CONDUCT OF MEETINGS-RESOLVED, pursuant to Town Law §63, that "Robert's Rules of Order" shall prevail as the source of clarification for any questions as to Parliamentary Procedure.

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RESOLUTION #3: PLEDGE OF ALLEGIANCE-RESOLVED, pursuant to Resolution #67 adopted January 3, 1991 that all official town meetings shall be opened by reciting the Pledge of Allegiance to the Flag.

RESOLUTION #4: COMMITTEES-RESOLVED, pursuant to Town Law §63, that the Supervisor shall appoint committees of Town Board members and others to aid the full Board.

RESOLUTION #5: OFFICIAL NEWSPAPER-RESOLVED, pursuant to Town Law §64 (11), to designate The Saratogian as the Official Newspaper of the Town of Wilton.

RESOLUTION #6: EMPLOYEE BENEFITS-RESOLVED, to provide employee benefits to all General Fund and Highway Fund employees as outlined in the Town's Personnel Policies under separate cover.

RESOLUTION #7: EMPLOYEE SALARIES-RESOLVED, to pay Town employees according to the 2023 pay rate schedule effective 1/1/23-12/31/23 and to pay merit pay as per schedule, in lump sum payment during the month of January.

RESOLUTION #8: STANDARD WORKDAY AND REPORTING - RESOLVED, that the Town of Wilton hereby establishes the following as standard workdays for elected and appointed officials and will report the following days worked to the New York State and Local Employees' Retirement System based on the record of activities maintained and submitted by these officials to the clerk of this body:

Elected Officials					
Title	Name	Standard Work Day (Hrs/day)	Term Begins/Ends	Employer Record of Time worked (Y/N)	Days/Month (based on sample Record of Activities)
Supervisor	John Lant	6	01/01/2022-12/31/2023	No	18.60
Councilman	John McEachron, Sr.	6	01/01/2022-12/31/2025	No	
Councilman	Duane Bogardus	6	01/01/2022-12/31/2025	No	N/A
Councilwoman	Erinn Kolligian	6	01/01/2020-12/31/2023	No	1.0
Councilman	Raymond O'Connor	6	01/01/2020-12/31/2023	No	
Town Clerk	Susan Baldwin	7	01/01/2022-12/31/2023	No	22.53

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Town Justice	David Towne	6	01/01/2020-12/31/2023	No	N/A
					4.91 for 2 pay period months 7.36 for 3 pay period months
Town Justice	Mathew Coseo	6	01/01/2020-12/31/2023	No	
Highway Superintendent	Michael Monroe	8	01/01/2022-12/31/2023	No	22.53
Appointed Officials					
Comptroller	Maria Moran	7	01/01/2022-12/31/2023	Yes	20
Engineer	Ryan Riper	7	01/01/2022-12/31/2023	Yes	20
Assessor	Tina Weber	7	10/03/2019-09/31/2025	Yes	20

RESOLUTION #9: REIMBURSEMENT FOR TRAVEL-RESOLVED, to establish the rate of reimbursement for travel on town business at the prevailing annual rate established by the Internal Revenue Service.

RESOLUTION #10: HOLIDAYS (PAID)-RESOLVED, pursuant to Gen Mun Law §90 and §92, that the following dates be designated as paid holidays for all full-time employees and all town offices shall be closed in observance of these holidays:

January 2, 2023	(Monday)	New Year's Day
January 16, 2023	(Monday)	Martin Luther King Day
February 20, 2023	(Monday)	Washington's Birthday
May 29, 2023	(Monday)	Memorial Day
July 4, 2023	(Tuesday)	Independence Day
September 4, 2023	(Monday)	Labor Day
October 9, 2023	(Monday)	Columbus Day
November 10, 2023	(Friday)	Veterans Day
November 23, 2023	(Thursday)	Thanksgiving Day
November 24, 2023	(Friday)	Post Thanksgiving Day
December 25, 2023	(Monday)	Christmas Day

RESOLUTION #11: PETTY CASH-RESOLVED, pursuant to Town Law §64(1a) To allocate the following amounts of Petty Cash to the department heads indicated:

Comptroller	100
Town Clerk	200
Town Justices (2) (\$50 each)	100
Planning Board Secretary	50
Zoning Board Clerk	25
Tax Collector	150

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Spray Park & Jr. NBA	200 (in season)
Dog Control Officer	<u>50</u>

TOTAL PETTY CASH ALLOCATED \$875

RESOLUTION #12: CELLULAR PHONES-RESOLVED, that the following employees are authorized to use cellular telephones. Amendment to policy on May 5, 2011 would give employees two options:

1. Employee would use their own cell phone and get a flat reimbursement rate of \$30 per month for phone only or \$65 per month for phone/data.

John Lant, Supervisor
John McEachron, Councilman
Duane Bogardus, Councilman
Susan Baldwin, Town Clerk
Ryan Riper, Town Engineer
Roberta Corrigan, Senior Center Director
Matthew Coseo, Town Justice
Scott Harrington, Buildings and Grounds Maintenance Supervisor
John Herlihy, Building Inspector
Marcus Hart, Assistant Building Inspector
Mark Marino, Park and Recreation Administrator
Michael Monroe, Highway Superintendent
Frank Holden, Deputy Highway Superintendent
Jason Brueckner, Highway
Maria Moran, Comptroller
Lori Olson, Highway Clerk
David Towne, Town Justice
Mark Mykins, Senior Building Inspector, Fire Marshall
Roy Vanderbogart, Buildings and Grounds Maintenance
Buildings and Grounds Maintenance

2. To continue the same way it is now, where they chose not to take a flat reimbursement rate and continue to use the Town's cell phones.

Brian Crowe, Dog Control Officer
John King, Super. Maintenance Supervisor
Lisa Muller, Bookkeeper
Tina Weber, Assessor
Assistant Recreation Director
Recreation Leader
(2) After School Care, Recreation Department

(2) Recreation Maintenance

RESOLUTION #13: HIGHWAY DEPARTMENT (4-TON ROAD LIMIT)-RESOLVED, to post all town roadways at a 4-ton road limit until further notice.

RESOLUTION #14: HIGHWAY SUPERINTENDENT SPENDING (TOWN ROADWAYS)-RESOLVED, pursuant to Hwy Law §284, that the Town Board and the Town Highway Superintendent shall enter into an Agreement for the Expenditure of Highway Funds for the repair and improvement of town highways

AND, BE IT RESOLVED, that these funds shall be expended at such places and in such manner as may be agreed upon by the Town Board and the Town Highway Superintendent

AND, BE IT FURTHER RESOLVED, that this Agreement is to be executed and signed by a majority of the Town Board members and the Highway Superintendent.

NOTE: Chapter 173 of the Laws of 1994 amended S284of the Highway Law to delete the requirement that the County Highway Superintendent must approve all agreements for the expenditure of town highway funds.

RESOLUTION #15: HIGHWAY SUPERINTENDENT SPENDING (MACHINERY TOOLS, MINOR EQUIPMENT & OTHER IMPLEMENTS)-RESOLVED, pursuant to Highway Law §142(a), to authorize spending by the Highway Superintendent for machinery, tools, minor equipment and implements up to \$3,000 without prior approval from the Town Board provided that sufficient appropriations exist, and the purchase has been made in compliance with the town's procurement policies and procedures and a Purchase Order has been issued for purchases equal to or greater than \$1,500.

RESOLUTION #16: DEPUTY HIGHWAY SUPERINTENDENT-RESOLVED, pursuant to Town Law §32(2) to establish the position of Deputy Highway Superintendent

AND, BE IT FURTHER RESOLVED, to appoint Frank Holden to the position at \$1,500 per annum.

RESOLUTION #17: ELECTIONS (VOTER REGISTRATION DAY)-RESOLVED, to consolidate election districts for Voter Registration Day at the Town Hall Annex, 20 Traver Road. **NOTE:** Pursuant to Saratoga County Board of Elections resolution adopted January 7, 1993, there

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shall be no meetings for local registration except in presidential and vice-presidential election years.

RESOLUTION #18: ZONING BOARD OF APPEALS-RESOLVED, pursuant to Town Law §267(1) to establish a Zoning Board of Appeals consisting of seven (7) members with terms of office effective from January 1 through December 31 (7-year terms).

RESOLUTION #19: PLANNING BOARD-RESOLVED, pursuant to Town Law §271(1) and 272 to establish a Planning Board consisting of seven (7) members with terms of office effective from January 1 through December 31 (7-year terms).

RESOLUTION #20: BOARD OF ASSESSMENT REVIEW- RESOLVED, pursuant to Real Property Tax Law §523 to establish a five-member Board of Assessment Review with terms of office effective from October 1 to September 30 (5-year terms).

RESOLUTION #21: CHAIRPERSONS FOR BOARDS-RESOLVED, pursuant to Town Law §271 (1) the Town Board shall designate the chairpersons to the following Boards on a yearly basis and;

FURTHER BE IT RESOLVED, to appoint the following chairpersons to said boards for the terms listed below:

a.) **Planning Board**, William Rice Current term 1/1/23-12/31/23.

b.) **Zoning Board**, Joseph O'Brien Current term 1/1/23-12/31/23

c.) **Ethics Advisory Board**, Charles Garrison Current term 1/1/23-12/31/23 and;

FURTHER BE IT RESOLVED, to approve the extended terms of chairmanship of the Planning, Zoning and Ethics Advisory Boards when those terms would expire and their scheduled meeting would occur prior to the first available organizational Town Board meeting at such time resolutions will be passed for the current chairmanship terms.

RESOLUTION #22: SARATOGA COUNTY YOUTH BUREAU-RESOLVED, to appoint the Town's Recreation Administrator to serve as the Town of Wilton's representative on the Youth Advisory Board.

RESOLUTION #23: DIVISION FOR YOUTH SPENDING-RESOLVED, pursuant to Resolution #159 of 2014, amending Resolution #89 of 1990, adopted on December 4, 2014 by the Wilton Town Board, to authorize the Town Supervisor, on behalf of the Parks & Recreation Department,

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to apply for funding through the Division for Youth.

RESOLUTION #24: TAX BILLS/THIRD PARTY DESIGNATION-RESOLVED,

Pursuant to a unanimous decision of the Wilton Town Board on November 6, 1986, and to comply with Chapter 758 of the Real Property Tax Laws of 1986, that the receiver of taxes shall include with each tax bill a notice that elderly and disabled tax-payers may designate an adult third party to receive duplicate copies of tax bills and notices of unpaid taxes

AND, BE IT FURTHER RESOLVED that all eligible taxpayers must file said application on or before the first day of November of each year.

RESOLUTION #25: TAX COLLECTOR DEPOSITS-RESOLVED,

pursuant to General Municipal Law §11, to authorize the Town Clerk to temporarily deposit or invest monies not required for immediate expenditure in special time deposit accounts, or certificates of deposit, in any bank approved by the Town of Wilton as an Official Depository.

RESOLUTION #26: OFFICIAL DEPOSITORIES-RESOLVED, pursuant to Town Law §64(1), Bk Law §96-6 and Gen Mun Law §93, to designate the institutions listed below as Official Depositories of the Town of Wilton:

Adirondack Trust Company
Saratoga National Bank & Trust Company
NBT Bank
Ballston Spa National

All Official Depositories must enter into a Custodial Agreement with the Town of Wilton if deposits exceed \$250,000. Maximum investment amount for each institution is not to exceed \$12,000,000.

RESOLUTION #27: EQUIPMENT AND CAPITAL RESERVE FUND-RESOLVED,

pursuant to a unanimous decision of the Town Board to establish a reserve fund to accumulate moneys to finance the cost of a type of capital improvement and/or equipment such as land, buildings, building alterations and studies or surveys related thereto, equipment and vehicles.

RESOLUTION #28: SIDEWALK FEE RESERVE FUND-RESOLVED,

pursuant to a unanimous decision of the Town Board to establish a reserve fund to accumulate moneys to finance the cost of specific capital improvement related to sidewalks.

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RESOLUTION #29: STORMWATER MANAGEMENT RESERVE FUND-RESOLVED, pursuant to a unanimous decision of the Town Board to establish a reserve fund to accumulate moneys to finance the cost of specific capital improvement related to stormwater management.

RESOLUTION #30: TRAFFIC MITIGATION RESERVE FUND-RESOLVED, pursuant to a unanimous decision of the Town Board to establish a reserve fund to accumulate moneys to finance the cost of a type of operation improvements, safety needs and address non-motorized transportation to mitigate the impact of increased development in the Town as outlined in the most recent Town Traffic Planning Study.

RESOLUTION #31: HIGHWAY EQUIPMENT RESERVE FUND-RESOLVED, pursuant to a unanimous decision of the Town Board to establish a reserve fund to accumulate moneys to finance the cost of a type of capital improvement for the purchase of highway equipment and vehicles.

RESOLUTION #32: INVESTMENT POLICY-RESOLVED, pursuant to a unanimous decision of the Town Board on June 3, 1993 and updated annually, to establish an Investment Policy to minimize risk to principal and interest, define eligible investments, provide sufficient liquidity to insure the availability of cash when needed and to insure a competitive rate of return.

RESOLUTION #33: CAPITAL ASSETS PROGRAM-RESOLVED, pursuant to a unanimous decision of the Town Board on May 7, 1987 and updated annually, to establish a Fixed Assets Program for the Town of Wilton with physical inventories to be conducted by all department heads by December 31 of each year.

RESOLUTION #34: PARKS AND RECREATION RESERVE FUND-RESOLVED, Pursuant to a unanimous decision of the Town Board to establish a reserve fund to accumulate moneys to finance the cost of a type of capital improvement for the maintenance and operation of land dedicated by the Town for public recreational use.

RESOLUTION #35: PURCHASE ORDER SYSTEM/PROCUREMENT POLICIES AND PROCEDURES-RESOLVED, pursuant to a unanimous decision of the Town Board on November 12, 1987 to establish a Purchase Order System for use by all departments with the Bookkeeper serving as Purchasing Coordinator.

AND, BE IT FURTHER RESOLVED, pursuant to Resolution #115 adopted on April 2, 1992, amended on December 4, 2003, December 6, 2007, July 1, 2010 and updated annually, to follow the

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procurement policies and procedures contained in that resolution for the procurement of goods and services not subject to bidding requirements under GML §103 or any other law, such procurement policies having been reviewed and reaffirmed by the Town Board annually. Pursuant to Resolution #194 adopted on July 6, 1995, the Comptroller is authorized to approve budget transfers after conferring with at least three (3) Town Board members with such action to be ratified by resolution at the next Town Board meeting. All town vouchers shall be certified or verified.

RESOLUTION #36: RETURN CHECK CHARGE-RESOLVED, pursuant to General Obligation Law 5-328, to charge \$20.00 for checks returned as unpaid.

RESOLUTION #37: TOWN COMPTROLLER-RESOLVED, pursuant to Town Law Article 8-§124 that the Comptroller assumes the duties of an Accounting Supervisor with approval to countersign checks and/or to use the Supervisor's signature stamp as deemed necessary.

RESOLUTION #38: FUND TRANSFERS-RESOLVED, pursuant to a unanimous decision of the Town Board on December 27, 1984, to approve fund transfers into appropriations at the same time expenditures not budgeted are approved. This shall be done at the Regular Town Board Meeting whenever bills are approved for payment.

RESOLUTION #39: WIRE/TELEPHONE TRANSFERS-RESOLVED, pursuant to a unanimous decision of the Town Board on August 13, 1987, that the Bookkeeper, in the Comptroller's office, is authorized to make wire/telephone transfers at the Adirondack Trust Company and Saratoga National Bank from the Money Market Account to the various checking accounts. **WITHDRAWALS ARE NOT AUTHORIZED except for payroll transactions related to the payment of taxes and direct deposit.**

RESOLUTION #40: CERTIFIED PUBLIC ACCOUNTANTS-RESOLVED, to retain Cusack and Company Certified Public Accountants to provide professional services for the annual audit.

RESOLUTION #41: SECTION 125 PREMIUM ONLY PLAN-RESOLVED, pursuant to Resolution #165 adopted on August 5, 2004, which allows employees to have pre-tax monies withheld from their paycheck to cover the cost of the employee's premium portion of Health Insurance, Group-Term Life Insurance and Disability Plans. Effective July 1, 2004 renewed on a yearly basis.

RESOLUTION #42: CONTRACTS-RESOLVED that the Town Board authorizes the Supervisor to enter into the following contracts:

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Contract	Description	Location of Contract	Terms
Adirondack Trust Bank	Banking Agreement	Town Clerk	On-going
ActiveNet	Parks Software	Bookkeeper	On-going
Amazon Web Services AWS formerly VPS	Tax Collection	Town Clerk	01/17/2021, ongoing
American Red Cross	Gavin Park Emergency Shelter	Town Clerk	On-going
CDPHP	Health Insurance	Human Resources	12/1/2022–11/30/2023
Centerline, AT&T	Right of Way/Pole Agreement	Town Clerk	09/25/2019 On-going
Constellation NewEnergy	Electricity Supply Agreement	Town Clerk	04/04/21-04/22/23
Davis Vision	Vision Insurance	Human Resources	12/01/2022-11/30/2023
Delta Dental	Dental Insurance	Human Resources	01/01/2023 – 12/31/2023
Miller, Mannix, Schachner and Hafner, LLC	Planning and Zoning Board Atty.	Town Clerk	01/01/2023-12/31/23
Miller, Mannix, Schachner and Hafner, LLC	Town Counsel	Town Clerk	01/01/2023 – 12/31/2023
Fundbalance	Accounting Software Maint. Agreement	Bookkeeper	01/01/2023 – 12/31/2023
Friends of Ulysses S. Grant	Service Agreement	Town Clerk	01/01/2023 – 12/31/2023
GAR Associates, LLC	Real Estate Appraisers and Consultants	Town Clerk	01/01/2020, ongoing
Greenfield Fire District	Gasoline Agreement	Town Clerk	12/05/2011,
Wilton Heritage Society	Service Agreement	Town Clerk	01/01/2023 – 12/31/2023
City Saratoga Springs	Inter-Municipal Agreement-snow plow	Town Clerk	5 year term, 02/22/12-2/22/17 On-going

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Mastrianni, Inc Joseph E.	Section 8 Housing Program	Town Clerk	01/01/2019, ongoing
Moran, Maria	Comptroller	Town Clerk	01/01/2022-12/31/2023, ongoing
Multiple Towns	Shared Services	Town Clerk	See file, On-going
MJ Engineering	Engineering Services	Town Clerk	01/10/13, On-going
Humana	Medicare Advantage	Human Resources	01/01/2023-12/31/23
National Grid	Outdoor Lighting	Town Clerk	06/27/2005, On-going
Northern Pines Housing Development	PILOT Program	Town Clerk	2007-08, 25 Years
NYS DOCCS	Mt. McGregor Rd. Snowplowing Contract	Town Clerk	2022-2023 Snow Season
PENFLEX	Service Award Program-WES		02/01/2000, On-going
Pitney Bowes	Mailing Lease	Town Clerk	09/17/13 – 09/17/2018, On-going
Riper, Ryan	Engineer	Town Clerk	01/01/2022-12/31/2023, ongoing
Saratoga County Animal Shelter	Impoundment of Dogs	Bookkeeper	01/01/2023 – 12/31/2023
Saratoga County Animal Shelter	Dog Shelter	Town Clerk	01/01/2023–12/31/2023
Saratoga County Office of the Aging	Nutrition Agreement Transportation Agreement	Town Clerk	01/01/2023 – 12/31/2023 01/01/2023 – 12/31/2023
Saratoga County Office of Emergency Services	Mutual Aid	Town Clerk	06/01/09--5 year renewal On-going
Saratoga County Intermunicipal Agreement	SC Sheriff's Dept. Substation/Wilton Mall	Town Clerk	Expires 11/30/2024 5 year contract
Saratoga National Bank	Credit Card	Bookkeeper	02/08/2010, On-going

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Saratoga Springs School District	Summer Camp Buses	Bookkeeper	01/01/2023 – 12/31/2023
Saratoga Springs School District	School Land Lease	Town Clerk	7/05/2019 – 7/04/2024
Saratoga/Wilton Soccer Club	Travel Soccer	Town Clerk	05/10/11, ongoing
Saratoga/Wilton Youth Soccer Club	Field Rental	Town Clerk	06/01/2009, Ongoing
Smith Conservation Subdivision Agreement	Naming Rights for open space	Town Clerk	07/02/2009, On-going
Spectrum			
Sprague Operating	Natural Gas Retail Sales Agreement	Town Clerk	02/01/20-1/31/22-auto-renewing
Spa Net, LLC	IT Services	Town Clerk	01/10/2011, Ongoing
Tamarack Composting	Animal Waste Management	Town Clerk	07/27/2020, Ongoing
Christopher Thomas	Health Officer	Town Clerk	01/01/2023–12/31/2023
Time Warner Cable	Franchise Fee	Town Clerk	Expired-Year to Year
Town of Saratoga	Intermunicipal shared services agreement	Town Clerk	01/01/2016-12/31/20, ongoing
Amazon Web Services AWS (formerly VPS)	Tax collection	Town Clerk	12/16/2010, On-going
Verizon Wireless	Wireless Service	Human Resources	On-going contract NYSOGS
Vincelette, Daniel	Assessment Attorney	Town Clerk	01/01/2023 – 12/31/2023
Wilton Commons Senior Housing	Pilot Program	Town Clerk	12/14/2000, ongoing
Wilton Emergency Services	Ambulate Services	Town Clerk	01/01/2023-12/31/2023
Wilton Emergency Squad	Gasoline Agreement	Town Clerk	01/01/2023 – 12/31/2023

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Wilton Fire District	Snow Removal Services	Town Clerk	09/01/2023 - 04/30/2023, ongoing
Wilton Fire District	Gasoline Agreement	Town Clerk	01/12/2004, Ongoing
WWSA	Building Lease	Town Clerk	06/28/2011, Ongoing
WWPP	Service Agreement	Town Clerk	01/01/23-12/31/23
Wilton Youth Baseball	Field Rental	Town Clerk	01/01/23-12/31/23

RESOLUTION #43: RECORDS MANAGEMENT OFFICER-RESOLVED, pursuant to a unanimous decision of the Town Board on August 6, 2020 to dispose of town records according to Schedule LGS-1;

BE IT FURTHER RESOLVED, to appoint Susan Baldwin to the position of Records Management Officer.

RESOLUTION #44: REGISTRAR OF VITAL STATISTICS-RESOLVED, Pursuant to Public Health Law §4121, to establish the position of Registrar of Vital Statistics and;

BE IT FURTHER RESOLVED, to appoint Susan Baldwin to the position. Amount included in salary. (This appointment is the responsibility of the Supervisor).

RESOLUTION #45: DEPUTY REGISTRAR OF VITAL STATISTICS-RESOLVED, pursuant to Public Health Law §4122, to establish the position of Deputy Registrar of Vital Statistics and;

BE IT FURTHER RESOLVED, to appoint Julie Hotaling to the position. (This appointment is the responsibility of the Registrar of Vital Statistics).

RESOLUTION #46: SAFETY OFFICER, RESOLVED, to appoint Nancy Riely to the position at \$2,500 per annum. Established 2/1/96 (Hazard Communication Program).

RESOLUTION #47: FIRE MARSHALL, RESOLVED, to appoint Mark Mykins to the position of Fire Marshall, established in 1998.

RESOLUTION #48: DOG CONTROL OFFICER-RESOLVED, to establish the

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position of Dog Control Officer and;

BE IT FURTHER RESOLVED, to appoint Brian Crowe to the position at \$25,025 per annum.

RESOLUTION #49: TOWN HISTORIAN-RESOLVED, to establish the position of Town Historian and;

BE IT FURTHER RESOLVED, to appoint Katherine Coons to the position at \$4,486 per annum.

RESOLUTION #50: TOWN HEALTH OFFICER- RESOLVED, to establish the position of Town Health Officer and;

BE IT FURTHER RESOLVED, to appoint Christopher Thomas to the position at \$1,500 per annum (under separate contract).

RESOLUTION #51: TOWN COUNSEL-RESOLVED, to authorize engagement of Town Legal Counsel and;

BE IT FURTHER RESOLVED, to appoint Mark Schachner (Miller, Mannix Schachner and Hafner, Attorneys At Law) as Town Legal Counsel at \$35,000 per annum and at \$240 per hour for services involving litigation, bond counsel and labor law (under separate cover).

RESOLUTION #52: PLANNING BOARD AND ZONING BOARD OF APPEALS ATTORNEY-RESOLVED, authorize engagement of Town Planning Board and Zoning Board of Appeals Legal Counsel **AND**, **BE IT FURTHER RESOLVED**, to appoint Miller, Mannix, Schachner and Hafner, Attorneys At Law to the position at \$15,000 per annum (under separate contract).

RESOLUTION #53: DEPUTY SUPERVISOR-RESOLVED, to establish the position of Deputy Supervisor at \$2,500 per annum (This appointment is the responsibility of the Supervisor).

RESOLUTION #54: NOTIFICATION POLICY FOR BREACH OF PRIVATE INFORMATION SECURITY-RESOLVED, to adopt this policy in accordance with New York State Technology Law Section 208 as added by Chapters 442 and 491 of the laws of 2005, and is consistent with the provisions of said Section. The purpose of this policy is to require the **Town of Wilton** to Notify a New York Resident when there has been or is reasonably believed to have been an unauthorized acquisition of the residents' private information from the computerized records maintained by the **Town of Wilton**.

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RESOLUTION #55: EMERGENCY SERVICES COORDINATOR- RESOLVED,

to appoint Robert Williams to the annual position of Emergency Services Coordinator, effective 1/1/23-12/31/23, the position was established at the April 5, 2007, Town Board meeting under the Home Land Security Law (Resolution # 115) at \$1,500 per annum.

RESOLUTION #56: DEPUTY EMERGENCY SERVICES COORDINATOR -

RESOLVED, to appoint Mark Mykins to the annual position of Deputy Emergency Services Coordinator, effective 1/1/23-12/31/23, the position was established at the March 6, 2014 Town Board meeting (Resolution #84) with no remuneration.

RESOLUTION #57: DEPUTY RECEIVER OF TAXES -RESOLVED,

pursuant to Town Law §20(3-c) to establish the position of Deputy Tax Receiver and one additional part time Deputy Tax Receiver with no remuneration;

BE IT FURTHER RESOLVED, to appoint Julie Hotaling to the position of Deputy Tax Receiver, at \$2,500 per annum and Amy Ward to the additional part-time Deputy Tax Receiver position at no remuneration.

RESOLUTION #58: FREEDOM OF INFORMATION APPEAL OFFICER-

RESOLVED, to appoint Supervisor John Lant to the annual position of Freedom of Information Appeal officer, effective 1/1/22-12/31/23.

RESOLUTION #59: PREVIOUS YEARS ENCUMBRANCES,

to authorize the Town Comptroller to roll forward all outstanding encumbrances and budget appropriation.

RESOLUTION #60: GAVIN PARK REFUND POLICY -RESOLVED,

pursuant to unanimous decision by the Wilton Town Board (Resolution #104 of 2014) on May 1, 2014, authorizing the Park and Recreation Administrator to refund fees in accordance with Facility Rental and Program Registration Refund Policy (see attached) and execute and deliver such documents as they may deem necessary, appropriate or convenient to affect the foregoing resolutions including, without limitation, causing to be prepared and filed such reports, documents or other information as may be required under applicable law.

RESOLUTION #61: FUND BALANCE POLICY,

for increased financial stability, the Town of Wilton desires to manage its financial resources by establishing a fund balance policy for the General Fund.

RESOLUTION #62: PART TIME LEAVE BENEFITS, RESOLVED-permanent part Employees hired prior to September 7, 2004 are eligible for the following leave benefits;

Vacation 90 hours
Personal 24 hours
Sick 45 hours
6 hours of pay for each holiday

NOW THEREFORE BE IT RESOLVED, that the indicated time will be credited to the employee's leave bank on January 1, 2023.

RESOLUTION #63: PETTY CASH ACCOUNT POLICY, RESOLVED-Petty cash shall be established for departments that request petty cash for the purchase of materials, supplies or services under conditions requiring immediate payment.

The amount of each account will not exceed \$200. At its annual re-organizational meeting, the Town Board shall appoint a custodian for each petty cash account who shall administer and be responsible for such account.

To ensure that these funds are properly managed, the following guidelines shall be followed:

1. All disbursements from such funds are to be supported by receipted bills or other evidence documenting the expenditure.
2. Receipts and cash-on-hand must always total the authorized fund amount.
3. Payments may be made from petty cash for materials, supplies or services requiring immediate payment.
4. Sales tax on purchases shall not be paid by the town from petty cash funds.
5. The town shall reimburse uses of petty cash funds up to the extent of expenditures, with appropriate documentary support and as approved by the Comptroller.
6. Each account will be reconciled by the Town Comptroller at the end of the calendar year.

RESOLUTION #64: HEALTH AND DENTAL INSURANCE AND HEALTHCARE BUYOUT, RESOLVED to provide health insurance benefits waiver to all eligible town employees and retirees, under separate cover.

RESOLUTION #65: ACTUARIAL SERVICES, RESOLVED, to retain Jefferson Solutions to provide professional actuarial calculation services for compliance with Generally Accepted Accounting Principles (GAAP).

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RESOLUTION #66: SENIOR CENTER DIRECTOR-RESOLVED, to establish the position of Senior Center Director and;

BE IT FURTHER RESOLVED, to appoint Roberta Corrigan to the position at \$17,072 per annum.

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

RESOLUTION #67

NOW, THEREFORE, BE IT RESOLVED, to approve Organizational Resolutions 1-66.

The adoption of the resolution was seconded by Councilman Bogardus, duly put to a vote, all in favor with Councilman O’Conor and Councilwoman Kolligian recusing from Resolutions 26 and 42. The motion passed 5-0.

Public Comment

Supervisor Lant said he let everyone speak last month about the solar code amendment so we could all understand each other. He said the goal of the Town Board is to protect Wilton. We are going back to the three minute rule. When the time goes off, please sit down.

Joanne Klepetar, 101 Parkhurst Road said she would like to thank our Town Clerk, Ms. Baldwin, for getting the minutes up so quickly. It was great to see them and read them before this meeting. The video was also on the website which is more transparency for the town, thank you. Ms. Klepetar said the proposal for a change in the solar code has given her cause to explore the Open Space and Pathways Plan for Wilton and questioned where we stand with the plan. With carefully chosen words and phrases, with help from the LA Group and MJ Engineering continue to identify timely considerations, develop and strategy and encourage existing, invest in, establish and adopt. When can the residents of Wilton expect that they might see the plan taken off the shelf and moved to the forefront of the town’s agenda. There is some great stuff written in the plan but unless there are people willing to do the work as Larry Gordon so tirelessly did, it will never happen. What better time than when there is such a large town surplus, could the items in the Open Space and Pathways Plan be accomplished. Mr. Riper does a great job connecting the neighborhoods and holding developers to the necessary guidelines but he is only one person. The town needs to make a monetary investment and hire someone who’s primary goal is to implement this plan. Wilton also needs to think outside the box and allow the residents to get involved in taking on, under the town’s guidance, some of this responsibility to tackle implementation of the plan. There are certainly enough residents who value our open space and many anxiously look forward to safely navigate our town with something other than a motorized vehicle. It is long overdue.

Erika Borman said she was speaking on behalf on Jess Dolan, Stacey Gammon and Monica Howe. We are part of a larger group of people who are interested in expanding open space and looking into the idea

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of adding trails and pathways to our town. It is obvious that suburban residents would like walkable and bikeable connected communities. Proof of this is that other nearby towns have added paved pedestrian paths to enhance the quality of life for their residents, Clifton Park, Bethlehem, Guilderland and now Saratoga Springs. It is surprising that Wilton does not already have these community connections since its evident that it is prioritized by other local suburban communities. We would like our town to be in sync with what residents want.

One of the great things about Wilton is Gavin Park and all it has to offer. Despite this being such an asset to our community, Gavin Park is only accessible by car. Even though we live less than a mile from the park, walking or biking there is not possible because of the danger of traveling on Jones Road. It is such a shame that a wonderful feature of the community and a gathering place can only be reached by car. This is so limiting to many of us who would love to walk, jog, bike or take stroller to the park.

Along with this, there are many neighborhoods in Wilton that seem isolated and not connected. Having a paved path would give the neighborhoods a safe connection route. Children from these neighborhoods could easily play together and neighbors could walk between neighborhoods.

In addition, property values have been shown to increase in proximity to trails, as communities recognize them as safe places to be active, healthy and community oriented.

We represent a much larger group of Wilton families that support the creation of multi-use trails in Wilton. We have spoken to neighbors, community members and friends, done research, created a proposal, a website and even have begun to collect signatures.

We realize that this idea has been looked at in the past and has not gotten much traction. It's time that Wilton recognizes that their residents want a walkable, bikeable connected community. We need paved pedestrian paths in Wilton to enhance the lives of residents, promote health and well-being and create a better sense of community.

Knowing that there is such a large surplus in the town budget, it seems like a perfect time to voice our request. We would like guidance on what the next steps should be for this proposal. We would love to work with you and share our ideas and look forward to hearing your thoughts. Thank you for listening to our proposal.

Toni Sturm, 41 Parkhurst Road said she would like to comment more and revisit some of the issues discussed with the proposed code amendments to the commercial scale solar installations. It seems the largest objections people on the town board have voiced and Councilman O'Connor with his letter to the editor, is the issue of clearcutting of forest land. Another primary issue seems to be the aesthetics of large scale solar. She said she would propose the town really look at zoning changes and code amendments that actually address these issues and differentiates between that will require clear cutting versus installations using already open space. It doesn't make sense to apply a nearly prohibitive fee of ten thousand dollars per acre to use of an open field versus where you have to clear cut thirty or forty acres. One of the responses to our comments at the last meeting, what about zoning codes? The zoning codes already have setbacks in place. Some of the setbacks in the R-2 zone is forty feet. That is not adequate to provide visual blockages. If you are going to install a large solar array, you really need a lot more to allow trees to grow or to keep trees in place to shield the public, road or nearby houses from a forty acre field. She said she feels the current zoning in place isn't really adequate to address these kind of issues, if those are the issues the board feels are the primary objections. The third point, whatever fee schedule or program is set up, she said she thinks we need to look, as a community, and get community input into what do we want these monies to be used for. Our town is sitting on an eleven million dollar budget surplus. We have this amazing open space, recreation and parks plan that has all of these connectivity of nonmotorized transportation and it has existed for a long time. We just revisited this last year and said

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she thinks it is time to move forward and start implementing some of those things. She said she hoped the monies for solar could be applied to that.

Minutes

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

RESOLUTION #68

NOW, THEREFORE, BE IT RESOLVED, to approve the minutes from the December 1, 2022 meeting, as typed.

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

WWPP

Margo Olson, Director of WWPP, said after doing the quarterly reports for ten plus years, Councilman O’Conor suggested presenting via multimedia.

Ms. Olson said she had a printout of the fourth quarter report which talks about all of the things that have happened at the park this year. We have received grants through the Town of Wilton, Saratoga County, New York State, and other organizations. She said she wanted to focus on what will be happening this year. At the December meeting, the board agreed to do some of these renovations that we have talked about for many years now at Camp Saratoga. She pointed out a map that had been done by the LA Group. You may be aware that we did not get the CFA grant that we were hoping for. We have raised some money. We are focusing on the existing structures. There is the health lodge that we used to rent out snowshoes and cross-country skis in the winter. There are new restrooms that were installed by the town a few years ago. The IP Lodge, the IP standing for International Paper, they supplied the funds for that. The Ranger cabin is sitting vacant right now.

This idea for the regional environmental education center, has been in the plans for many years. The catalyst for moving things ahead, was Larry Gordon. With his passing, was how to take his history collection and find a way to make it accessible to the public by reusing the existing structures. It is a more cost-effective way. The health building is right at the front, but it’s not handicapped accessible it’s small and the windows leak. We are proposing moving walls, insulation better doors etc. The Winter Lodge is basically just a big room. It has a wood stove, concrete floors, a lot of broken leaking windows. Although, It is used. The committee that’s worked over the last few years came up with idea that we can refurbish it. Windows, doors, insulation, heat it for year round use, school groups presentations, all kinds of things. The last building is the Ranger Cabin. The overseer for scouting and the towns caretaker lived in the building. When Scott Harrington and Ryan Ripper looked at the building they determined that it does not meet code for public use. The house part, we can’t use because it would have to be completely taken down. We’ve been focusing on the garage. It can be refurbished so it does not look like a garage it could be a welcoming cabin that would fit into the character of the historic Boy Scout Camp. We would add a restroom. This would be our museum, nature center building that would house exhibits and materials from

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the Larry Gordon scouting collection, along with information about the Karner blue butterfly, the sand plains and all of the things that we educate the public about. Again, it would be a collaboration between Wilton Wildlife Preserve and Park, the scouting group, and the Town of Wilton. Those are the three buildings we are looking at. In speaking with Scott Harrington, there are plans for us to move forward starting this spring so we can start with some of the renovations. We do have money that we have already raised, and with the resolution that was passed last month, we are excited about moving forward. Councilman Bogardus stated that Larry Gordon was a pioneer in our town. The location that you are currently at is and was the scout camp. The boy scouts brought that camp into our town and gave us a great resource. Councilman Bogardus said he noticed in the proposal that the Larry Gordon aspect part of it, the basic foundation of what you are today, is in phase three. We have been talking for years since Larry's passing, to honor him and it just seems to get pushed off year after year. He said he would like to see phase three get bumped up to phase one. Without Larry Gordon and the boy scouts we wouldn't have that part. He said he thinks we should finally get to it and honor him first. Because WWP didn't get the grant, he's afraid that it's going to get pushed off again. Ms. Olson stated the materials for the Larry Gordon Collection are in the museum part itself. We were hoping they would all be housed in a new building, but between covid and other things we decided instead of a new building to make use of the existing structures. The welcome cabin is like the front door. The IP Lodge becomes the multi-purpose room, and the museum becomes the museum where the exhibits are. We view the whole thing as part of a campus. We had originally called it the Larry Gordon Interpretive Center. But now that we have three separate buildings, the steering committee has not settled on whether the whole campus will be the Larry Gordon Campus or named individually. We view the whole thing as that project. We have now broken it into three parts. We are meeting in the next week or so to regroup after not getting the grant to go through. She said she can assure everyone; Larry is definitely front and center. Supervisor Lant said the purpose of this from the beginning was to honor Larry Gordon. Two of those donors were very close friends of Larry's. He said it was his understanding that it would be Larry's name on that building and that's how it should be. Mr. Riper said the original intent of the welcome center was that the Larry Gordon Camp Saratoga Visitors Center was going to be the name of the building at the end of the paved parking lot. It has changed over the years. He said he agreed, Larry was the first part of this. Ms. Olson said they do need to figure out the name. Councilman Bogardus said Larry Gordon needs to be up front and foremost for this project. Councilwoman Kolligian asked if there could be a space for Wilton history. Ms. Olson said Larry had many things of history, not just boy scouts. Supervisor Lant thanked Ms. Olson.

Unsafe Building-61 Jones Road

Mark Mykins, Senior Building Inspector, said he sent a report to the board regarding the present condition of the home. The applicant was asking for the town board to reverse the resolution to demolish the property. He said there is so much damage to this building, he said he can't see the value of trying to renovate the structure. The floor is rotted and there is mold throughout. It still smells of human waste and biohazards. It does not meet any of the present codes. The owners have demolished more than 50% of the structure. They are at a point now where they fall under the residential code versus the existing building code. Councilwoman Kolligian said the report states the north and south walls are bowing. Mr. Mykins said it is actually the east and west walls. Mr. Mykins said one wall has a visual crack that goes from one end to the other. It is bowed in and the crack is about and 1 ½ inches wide, horizontally across the foundation. That is the cause of the back wall being bowed forward. There is another photo which shows a separation on the end wall where the roof is tied in. It has separated the rafters from the ridge board.

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Mr. Colbert said he is asking for the board to consider a reversal of the resolution so that we can work with the building department to bring the house to code. The foundation wall in the plans shows how to remove the foundation and replace. It addresses those issues. When the inspection was done, there were additional items we spotted and they will be addressed with a plan review. He said it is his understanding that the building department cannot do that without a reversal from the town board. We realize there is an expense with this. There are many areas of the building that were let go by the previous owners. He said he has gone through to clean up the area to make it better. We know there are issues, including some of the ones Mr. Mykins has pointed out. We are asking the board to consider reversing the resolution so we can work with the building department, present all of the corrections for the deficiencies and bring the house to code.

Councilwoman Kolligian said the house cannot be renovated unless the board reverses the renovation. Mr. Mykins said that is correct. The town board has asked for the house to be removed by resolution. Councilwoman Kolligian said if the board reverses the resolution so the building department and the applicant can have a meeting of the minds, or not, it is still possible the board could draft another resolution to condemn the house if there is no return on investment or cannot be done safely. Mr. Colbert said if it is not cost effective, they will tear the house down. Councilman Bogardus said the applicant requested a thirty day extension for the demolition of the property last February. The property was condemned for health and safety reasons. Why are we here, a year later. That house was supposed to be razed in thirty days. We are here a year later and no attempt has been made to take the building down. It has now turned into a project, rather than tearing it down, as requested, and gave a thirty day extension. Now, a year later, Mr. Colbert is here asking the board to let him rebuild a house that really needed to go to the ground. Councilman Bogardus said he was at the house the night of the incident. The roof foundation is horrific. If you were to put a firefighter on the roof, he would fall through and get hurt. Someone took all of the condemned signs off the building. When a fire department goes to a condemned building, they look at it in a different aspect as opposed to a consistent structure like we live in. A condemned building, you don't risk life and safety by sending of a firefighter by sending them in the building to put the fire out. All of the condemned building signs are gone. He asked Mr. Colbert if he took the signs down. Mr. Colbert said none of them were taken down intentionally. During the process of the removal, the back door was removed and there was a sign on it. It was never the intent to take them down. Councilman Bogardus said if you can take the sign down, you can put it back up. Deputy Supervisor McEachron asked if the building was condemned when owned by the prior owner. Mr. Mykins said it was and then the new owner asked for the thirty day extension. Deputy Supervisor McEachron said if the board reverses the resolution, what do we look like to the prior owner. She sold the house at a loss because it was condemned and had to be removed. Mr. Colbert purchase the home at a loss for the same reason and now we are being asked to reverse the resolution whether it can be fixed it or not, it is unfair to the original owner. Mr. Colbert said the prior owner had already abandoned it. Councilman Bogardus said they were living in the house up until it was condemned. Mr. Mykins said the incident was in October of 2021. The house was posted uninhabitable, it was not abandoned. They were not allowed to stay in the house. We gave the prior owner thirty days to comply with codes and they did not. At that point, we were forced to condemn the home. The prior owner asked for an extension because she was trying to get a loan. Mr. Colbert came in the following month and stated he was buying the home and requested another thirty day extension. Mr. Colbert said he was not aware of the resolution until the very end, before closing. We found out about it at the closing. Deputy Supervisor McEachron asked if they found out at closing. Mr. Colbert said barely before closing and had yet to even find out, to what extent it was an order. What was the resolution for? Mr. Mykins said the public hearing notice was posted on the property and there are pictures of it. The pictures are also in the report. We post the violations and the condemned sign was on the door up until

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November of 2022. The door, which still had the condemned sign on it is still on the property. Someone removed the condemned sign. For someone to say they did not have knowledge of this is an outright lie. Mark Schachner, Town Counsel, said he didn't think the only choice is if we want to allow additional efforts by the property owner and the town board wants to allow, he said he is not of the opinion to rescind the order from last year. He said he would not recommend rescinding the order. If the board wishes to allow the property owner to work on the property, that is up to the town board, but said he is not comfortable recommending rescinding last year's order. If the board wants to allow additional opportunities to allow the property owner to work on it, the board can give him a set amount of time to make progress and bring it up to code. He is not saying to do that. He said he does not like the notion that the property owner said there is no way to preform additional work unless the prior order is rescinded. Councilwoman Kolligian asked if it would be an amendment to the original resolution. Mr. Schachner said an amendment, a modification or extension. Mr. Mykins said anything can be fixed or repaired. In this case, he said he feels the building is beyond that point. It is going to take a lot of work and cost. The owner also wants to add an addition. They may be able to save the foundation and build off that. Councilwoman Kolligian said the length of the walls are cracked and bowing. Why would you want to save the foundation? Mr. Mykins said he would not. Councilman O'Connor asked Mr. Colbert when he took possession of the property. Mr. Colbert said it was in February of 2022. In May, we requested a walk through inspection. Councilman O'Connor said a year has passed since possession of the property was taken and the issues have not been resolved, why would the board extend another thirty days when those things couldn't get done in 365 days. Mr. Colbert said he had asked Mr. Mykins to inspect the property and look at the conditions back then but we did get the chance to look at the conditions last month. Had the inspection been done back then we might not be having this conversation now. Deputy Supervisor McEachron asked what changed in a year. Mr. Colbert said they were removing contents inside and out. Supervisor McEachron said you were working on a house which should've been torn down. Mr. Colbert said, as for an inspection, we were looking for on the inside to see if we should consider tearing it down or not. Deputy Supervisor McEachron said that determination was made a year ago. He said you came in, bought it and decided to forget about that, work on it and then have the town come back to see what you did. Mr. Colbert said when he purchased it and then found out about the resolution to tear the house down. We went in with the knowledge that it may be the case. Things change with buildings. In the fifty years he has been doing this, he said existing buildings have issues and deficiencies. You work them out and figure out if it is cost effective. We had asked for that inspection, back then, for that purpose. Deputy Supervisor McEachron said if he owned that building and was told by the town it needed to be torn down, I would sell it. If I found out the new buyer didn't have to tear it down, I would be contacting an attorney. Mr. Colbert said he brought in his own engineers to find out what the building needed, structurally, cosmetically, to code and do a review. Councilman Bogardus said he has two concerns. Mr. Mykins said the house is damp and full of mold. Mold mitigation alone, without being airborne, is difficult. The second concern, he said he walked around the property. Many people in the audience don't know what transpired in the house and he said he can't really say but it was horrific. The stench from the house is still there. He said he wasn't sure what happened to the contents of the house but they were biohazardous waste. Mr. Colbert said everything went to the landfill. Councilman Bogardus said the electrical service is sitting on the ground in the back of the house in a damp area. A neighbor child could walk up and grab the main power feed, play around with it and tug on it. It is a very dangerous safety hazard. There is no barrier to prevent anyone from touching that live feed. Mr. Colbert said that panel was inspected by and electrical inspector and National Grid. It is underneath a roof. Mr. Mykins said he wasn't sure if the panel was inspected. He said he was sure the service meter was because that is what National Grid asked for. He said we have no knowledge or anything in writing that the panel was

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inspected. Councilman Bogardus asked if it is an outdoor panel. Mr. Mykins said it is not and does not meet the NFTA. Councilman Bogardus said it is under a leaky roof and everything around it is wet. He said he feels it is a safety hazard and should be disconnected tonight. Councilwoman Kolligian asked Mr. Colbert if he intends to live in the house or flip it. Mr. Colbert said he flips houses.

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

RESOLUTION #69

NOW, THEREFORE, BE IT RESOLVED, to deny the request to rescind Resolution #86 of 2022, demolition requirement for structure at 61 Jones Road, Tax Map No. 153.11-1-2.

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

Meeting Date Change

Supervisor Lant noted a meeting date change for the February meeting due to several conflicts.

On a motion introduced by Councilwoman Kolligian the board adopted the following resolution:

RESOLUTION #70

NOW, THEREFORE, BE IT RESOLVED, to approve the date change for the February 2023 Town Board meeting to Wednesday, February 1, 2023.

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

Solar Law

Councilman O’Conor said he has spoken to Mr. Riper or people in the solar industry or in the conservation business almost every day for the past few weeks. The construction and placement of solar arrays is a much more complex issue than he ever thought. The board has one chance to do this right. He said he is proposing a public hearing for a possible moratorium on solar arrays until we can make sure our code and all the considerations about the clearing of forest lands and other issues are adequately discussed and decided upon. Deputy Supervisor McEachron asked if there were any new applicants and if so, would they be excluded. Mr. Riper said there are two new applicants with no approvals. They were before the Planning Board as a pre-application status.

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Mr. Riper said there has been a lot of research done since the town adopted the current solar code, there have been many changes through NYSERDA. There are a few things that need to be addressed such as solar panel height. Discussion was held. Mr. Schachner said the moratorium has to be a local law which is subject to public hearing. If the board decides to they want to have the public hearing on February 1, 2023, he said he will prepare a proposed draft of the local law and have to the town next week. Councilman O’Conor said Deputy Supervisor McEachron how long a moratorium, if approved, would last. That is going to depend on the research we do in the coming weeks. We will have to decide what measures to take in order to do this right. Deputy Supervisor McEachron said with applications in, six months may be in order. We could always end it sooner. Mr. Schachner said he agreed and if it takes longer, it can be extended, it can also be shortened. Councilman O’Conor said he would like to read a letter to the editor, which he wrote, into the record.

A consensus has emerged that the planet is warming. Increases in carbon dioxide caused by the burning of fossil fuels, combined with the loss of vast tracts of forest, has upset the earth’s natural balance. One response has been an effort to reduce the removal of forest and encourage the planting of trees and other carbon-absorbing plants. At the same time, solar panels have developed as a clean energy source. The efficient production of these panels, plus generous tax and financial incentives, has reduced the cost of creating solar arrays

Solar arrays need space, and sometimes the most cost effective space is forested land. The clearcutting of forests to erect solar arrays is common. Conservationists remind us though that in addition to functioning as carbon-absorbing sponges, forests play a major role in maintaining healthy ecosystems, providing habitat for plants and animals. They filter air and absorb water, protecting against erosion and flooding. Forests provide our residents and visitors with recreational space for walking, hiking and biking.

Solar arrays are an important source of clean energy. However, the amount of forested land has been shrinking rapidly due to robust development. We should minimize the loss of forests, wildlife habitat, and wetlands that sequester carbon and provide other functions and values. These lands are an important part of the resilience of people and nature. Every effort should be made to site solar arrays on developed properties including commercial and industrial sites, parking lots,, commercial and industrial rooftops, capped landfills and developed municipal owned properties.

Councilman O’Conor said more than a decade ago, a plan was put together to try and connect the Fairways, the Estates of Northern Pines, Lake Elizabeth, that residential corridor we have, to put multi use paths to connect those neighborhoods and getting to Gavin Park and Dorothy Nolan School. At the time, there was not a majority of the board that saw fit to move that forward. Perhaps we can revisit that plan but back to solar arrays.

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

RESOLUTION #71

NOW, THEREFORE, BE IT RESOLVED, to set a public hearing for proposed Local Law #1 of 2023, Solar Array Moratorium, for Wednesday, February 1, 2023 at 7:00 p.m.

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

Opting Out of New York State RPTL Section 487

Tina Weber, Assessor said New York State has Tax Law 487, if any solar farm or energy efficient project comes in and applies for an exemption, as long as all of the documents are in order, the exemption has to be granted. The applicant will not be paying school taxes, New York State Mandate Taxes, county taxes but the will have to pay special district taxes. If the town opts out of the exemption, the project will be taxed, just like everyone else in the town. They will pay their fair share of all of the taxes. If the town does not opt out, it takes the value off the tax roll and every other resident in the Town of Wilton will pick up that tax bill. They are not one or two million dollar properties, they are valued much higher than that. Councilwoman Kolligian asked how it works of a solar array is built on a farm. Ms. Weber stated the class code changes and it is no longer considered a farm use, it becomes commercial. If a company sends a letter of intent, which we just received one, and they already have intercommunication with a utility and have a deposit put down, that is considered the start of construction.

Mr. Schachner said there is something we can do about the entity who sent the letter. We are allowed to send back notice that we are going to require a PILOT agreement, which is a payment in lieu of taxes. We have sixty days to send the agreement. We need to first set a public hearing for the local law to opt out of the state property tax exemption and also authorize the assessor to send a notice to the property owner who submitted that information, the town may require a payment in lieu of taxes agreement. That does not obligate the assessor to do that but it gives her the authorization from the town board to do that. Ms. Weber said the town does not have a town tax but with a PILOT program, the town can request other amenities like money for walking trails and other things that will benefit the town. Mr. Schachner said the town does not have a program but has the authorization under this section of RPTL to notify a solar facility developer that the town is going to require a PILOT agreement. The initial notification is just that without setting forth the terms we are going to ask for. The requirement does not have to be defined but in order to preserve our right to make that requirement, we have to notify them within sixty days.

On a motion introduced by Councilwoman Kolligian, the board adopted the following resolution:

RESOLUTION #72

NOW, THEREFORE, BE IT RESOLVED, to set a public hearing for proposed Local Law #2 of 2023, Opting Out of New York State RPTL Section 487, for Wednesday, February 1, 2023 at 7:01 p.m.

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

On a motion introduced by Councilwoman Kolligian, the board adopted the following resolution:

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RESOLUTION #73

NOW, THEREFORE, BE IT RESOLVED, to authorize the Assessor to send a notification to Galehead Development regarding the Town of Wilton's intent to require a PILOT program.

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

Appointment-Ethics Advisory Board

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

RESOLUTION #74

NOW, THEREFORE, BE IT RESOLVED, to approve the reappointments of the following members to the Ethics Advisory Board for a two-year term:

Richard Spackman-01/01/2023-12/31/2024
Alex Rusate-01/01/2023-12/31/2024

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

Reappointment-Wilton Water and Sewer Authority

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

RESOLUTION #75

NOW, THEREFORE, BE IT RESOLVED, to approve the reappointment of the following member to the Wilton Water and Sewer Authority Board for a five-year term of 01/1/2023-12/31/2027:

David McDougal

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

Reappointments-WPB

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

RESOLUTION #76

NOW, THEREFORE, BE IT RESOLVED, to approve the reappointments of the following members to the Wilton Planning Board for a 7 year term: 1/1/2023-12/31/2029:

William Rice-1/1/2023-12/31/2029
David Gabay-1/1/2023-12/31/2029

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

Committee Reports

Deputy Supervisor McEachron said he spoke to Gavin Park staff about updating the furnace in the small gym at the park. Councilman Bogardus asked if it was a commercial furnace. Deputy Supervisor McEachron said he wasn’t sure. Discussion was held on the funding for the replacement.

Supervisor Lant said he agreed with the ladies who spoke about a path to Gavin Park. He said he would like to set up a committee and asked Councilman O’Conor to sit on it along with Mr. Tom Murphy and Monica Howe. Deputy Supervisor McEachron said the last time this didn’t get approved was because the town did not own the property. Jones Road is a road by use. Councilman Bogardus said he is not in favor of eminent domain and the taking of personal property for this use. Deputy Supervisor McEachron said people want to get to Gavin Park and that has been one of the biggest obstacles. Councilman O’Conor said other communities have a right of way. There are multiple ways to get it done, the city or town owns the property and permission is not required to create the path. Along Lake Avenue, the city decided to put the bike path in the street. Deputy Supervisor McEachron said on certain roads, like Smith Bridge Road, the owners own the road. Mr. Riper said the town requires right of ways for any new developments coming into town. Deputy Supervisor McEachron said Forest Grove will have trails going to Scout Camp. Councilwoman Kolligian said there are six miles of trails. Mr. Riper said there will be roundabouts on each end of Carr Road. There is also a paved, multiuse pathway planned from the McGregor Golf Course, down Carr Road and continues to Dorothy Nolan School. There will be crosswalks and flashing beacons. That will be designed this year with construction within two years. That is the plan. It does not extend south on Jones Road under the railroad pass. Ms. Howe asked how it was approved for Carr Road, was it eminent domain? Mr. Riper said Carr Road will be shifted in the right of way on the east side. There will

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be no land obtained from the property owners along Carr Road. The pathway will extend to the entrance to the Greens of McGregor. It will be on the west side of Carr Road until you reach the Greens as you move towards the golf course. There will be a crossing to the Greens side of the road near the apartments and there is an easement there that will extend to the golf course. Conversations with the owners of the golf course indicate they are in agreement with the roundabouts and using their land for a multiuse path. Deputy Supervisor McEachron said he gave up his deed of Smith Bridge Road to the Town of Wilton in order to put his project in. There are a lot of things we are doing, as we move forward, to make this work. He said his son was hit by a car on Smith Bridge Road. We want bike trails; we want walking paths. Councilwoman Kolligian said Northern Pines Road in a county road, what rights do we have? Mr. Riper said there is an agreement from the county allowing a roundabout at the Carr Road and Northern Pines intersection. Councilwoman Kolligian asked about paths on the shoulders? Mr. Riper said that would be a county issue. Ms. Howe asked if there is any ordinance for safe walkways for the children to be able to walk to school. Supervisor Lant said that is why this committee has been formed. Mr. Monroe and Mr. Riper will also be on that committee. Councilwoman Kolligian said the kids are not allowed to walk to Maple Avenue Middle School. The school district has never allowed kids to cross at Jodi Lane because the property is not the school district's when they cross the road. There is a flashing light but there is not crossing guard or crosswalk. It has been an issue for a long time. That is why that end of Dorothy Nolan School has never allowed walking. Supervisor Lant appointed Councilman Bogardus to the committee.

Supervisor Lant appointed the following liaisons:

Ryan Riper-WWSA, WWPP and Town Trails Coordinator

Ryan Riper and Councilman O'Conor-Solar Committee

Nancy Riely-Insurance Committee, Personnel Committee and Safety Review Committee

Maria Moran-Personnel Committee

Deputy Supervisor McEachron-Parks and Recreation Department, Deputy Supervisor and Zoning Review Committee

Councilman Bogardus-Court, Safety Review Committee, RUOK and Americans with Disabilities, Zoning Review Committee

Councilwoman Erinn Kolligian-Senior Center and Historian, Exit 16 Committee

Councilman Ray O'Conor-Highway Department, Veteran's Committee and Sheriff's Department, Exit 16 Committee

Mr. Riper, Mr. Monroe and Councilman O'Conor will be on the Roundabout Design Committee

Comptroller's Report

1.) 2022 Budget Transfers

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On a motion introduced by Councilwoman Kolligian, the board adopted the following resolution:

RESOLUTION #77

NOW, THEREFORE, BE IT RESOLVED, to approve the 2022 budget transfers requested and listed in the Comptroller's 1/05/2023 Report to the Town Board.

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

2.) 2022 Budget Amendment

On a motion introduced by Councilwoman Kolligian, the board adopted the following resolution:

RESOLUTION #78

NOW, THEREFORE, BE IT RESOLVED, to approve the 2022 budget amendment requested and listed in the Comptroller's 1/05/2023 Report to the Town Board.

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

3.) Fund Balance

Ms. Moran said we are proposing to increase our assigned categories in the General Fund for various functional expenditures based on how we spend our money during the year. This would be our entry we take on for the 2022 beginning fund balance and then the revenue and expenditures that happen during 2022 will change those assigned categories based upon the activities. This is putting those monies into their functional categories.

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

RESOLUTION #79

NOW, THEREFORE, BE IT RESOLVED, to approve the increase of assigned categories in the General Fund.

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

4.) Personnel

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

RESOLUTION #80

NOW, THEREFORE, BE IT RESOLVED, to accept the resignation from Amy Ward, with regret, effective January 13, 2023.

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

ARPA Spending Update

Ms. Moran said we received twenty applications for the ARPA funding and have dispersed eighteen for a total of \$90,000 for not for profit organizations. We are working with the remaining two organizations to review applications and get the money dispersed. We are also working with Rebuilding Saratoga regarding the grant the Town Board approved in October of 2022 for \$200,000.

Adjournment

On a motion introduced by Councilman O’Conor, seconded by Councilwoman Kolligian, the board adjourned the meeting at 8:20 p.m.

Respectfully Submitted,

Susan Baldwin, Town Clerk

_____ Supervisor, John Lant

_____ Deputy Supervisor, John McEachron

_____ Councilman, Duane Bogardus

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_____ Councilwoman Erinn Kolligian

_____ Councilman, Raymond O'Conor