

TOWN OF WILTON

22 TRAVER ROAD

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Susan Baldwin, Town Clerk

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REGULAR TOWN BOARD MEETING-May 5, 2022

Supervisor Lant called the Regular Town Board meeting to order at 7:00 p.m.

Pledge of Allegiance

Supervisor Lant 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 Councilwoman Kolligian who was excused.

John Lant-Supervisor

John McEachron-Deputy Supervisor

Duane Bogardus-Councilman

Erinn Kolligian- Councilwoman-Excused

Ray O'Conor-Councilman

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

Resignation of Michael Dobis of the Planning Board

Supervisor Lant addressed the Board, and the public, stating it was with great sorrow and a loss to the town, a member of our Planning Board Michael Dobis is resigning. I'd like to thank you for all your years of service.

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

RESOLUTION #122

NOW, THEREFORE, BE IT RESOLVED, to accept the resignation of Michael Dobis,

with regret, from the Wilton Planning Board
as of May 5, 2022.

The adoption of the resolution was seconded by Councilman O’Conor, duly put to a vote, all in favor.
The motion passed 4-0.

Councilman O’Conor said Mike has done an extraordinary job for this community over a long period of
time. We are all grateful for all the time you’ve donated and devoted to us. Councilman Bogardus said
you have really molded the town throughout the years to where we are now. Nice job.

Supervisor Lant said he’d like to present a plaque to Mr. Dobis:

Presented to

Michael Dobis

by the

Wilton Town Board

In recognition of your 37 years of dedication,
contribution and loyal service
while serving on the Town of Wilton Planning Board.

Your 25 years as Chairman
had guided the Town of Wilton to where we are today.

We thank you for your allegiance
to the Town of Wilton and your position.

May 5, 2022

John Lant	Supervisor
John McEachron	Deputy Supervisor
Duane Bogardus	Councilman
Raymond O’Conor	Councilman
Erinn Kolligian	Councilwoman

Public Comment Session

Paul Kelly of Cobble Hill spoke and said he lives in a R-1 residential district. It came to our attention last month that a house was going to be bought and turned into a bed and breakfast, which happened this past month. I'd like to meet with everyone, because there may not be a complete understanding of the town code in the R-1 district. I can say for sure, 100%, it is not allowed. It is compulsory for the town to take action. I would like something to be done. I have all the information and I would be glad to share it. We would like to get a resolution to this before next month's meeting. Supervisor Lant said that we have been working on this for over a year. We will address this.

Alex Rusate of Sweetbriar Drive, which is the house right next door, so I'd just like to echo Mr. Kelly's concerns. Talking to the other neighbors they share the same concerns. It's not that kind of neighborhood from a zoning or residential perspective. Councilman O'Connor stated that this has been a trend nationally. Investors are buying homes with no intention of living in them.

Rich Pollock of Carlyle Terrace. He had requested last month that there be a privilege of the floor included at the Planning Board meetings. He had spoken to the chairman, and they had a difference of opinion. He's concerned about the higher density in the development on Ingersoll Rd. Town Council Schachner stated there's another side. Most planning boards don't have privilege of the floor and there are some strong reasons to not have. I'll just mention one. When it is open, members of the public, tend to try to get planning boards involved in things they have no legal authority to be involved with. It's a slippery slope. Their job is to review applications.

Approve Pending Minutes

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

RESOLUTION #123

NOW, THEREFORE, BE IT RESOLVED, to approve the minutes from the April 7, 2022, meeting, as typed.

The adoption of the resolution was seconded by Councilman O'Connor, duly put to a vote, all in favor. The motion passed 4-0.

Bid Approval for Fuel Pump

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

RESOLUTION #124

NOW, THEREFORE, BE IT RESOLVED, to approve the award of the bid to Dalrymple Company Inc. in the amount of \$42,451.45 for the installation of a new Wayne fuel pump and Fuel master fuel management system.

The adoption of the resolution was seconded by Councilman O’Conor, duly put to a vote, all in favor. The motion passed 4-0.

Request to bid new Telephone System

Supervisor Lant asked the Comptroller to speak about the new phone system. She said, we were notified by our current carrier Windstream, that they will no longer be servicing, not only us, but several other municipalities and organizations within our area. Technology has advanced far greater than what we have.

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

RESOLUTION #125

NOW, THEREFORE, BE IT RESOLVED, to go out to bid for a new telephone system

The adoption of the resolution was seconded by Councilman O’Conor, duly put to a vote, all in favor. The motion passed 4-0.

Saratoga Prime Properties

John Lapper, for the record with Frank Parillo. I know this was discussed last month and I wasn't here. Frank is a long-time business and property owner here in town. He purchased the property across the Northway from where we are, adjacent to an 80-acre parcel that he already owns. His goal is to have them both zoned C-2 to be developed in the future. Mr. Parillo has no intentions to develop them himself. It seems to be appropriate to sell them with the same zone. Since the last meeting, Councilman O'Connor had requested a large buffer along Edie Rd. and Mr. Parillo was happy to put that on the plans. We would just like to get this scheduled for a public hearing so we can hopefully get approved. Councilman O'Connor said it's C-3 not C-2. Mr. Lapper said that's correct. Councilman O'Connor said 3511 ft of frontage on Edie Road. Which is fifty-five acres, in addition to the adjoining properties is 139 acres total. He had approached Mr. Parillo about having a 200 ft. buffer the entire length of Edie Road. It's an R-2 area and a change to C-3 is a dramatic change. In reviewing this I thought about I have never in all my years seen such a dramatic change in zoning without a plan. Mr. Lapper responded by saying that would be a site plan issue and would go before the planning board. This makes the property more sellable. Entrance would be off of Ballard Road. Councilman O'Connor asked, so the only access would be off Ballard Road. John Lapper stated that's what I would expect. Councilman O'Connor said so the buffer would be the entire length. He said we haven't purposed it that way, because there doesn't need to be a buffer from the Northway but that's something that we can talk about at the public hearing. Councilman O'Connor said if you had a 200-foot buffer from Ballard to the end of the property, it's a total of sixteen acres, roughly 10% of the entire site combined. Under any proposed development the code requires 35% be green space. And 35% of the combined properties is forty-nine acres. So, if you had a buffer of two hundred feet for the entire length, it would satisfy sixteen out of the forty-nine required acres of green space. It would give a more suitable buffer than just 150 feet for roughly half the property. Mr. Lapper said, green space has other uses such as stormwater infiltration. It does limit development. He believes going to two hundred feet would really affect the value of the property. Councilman O'Connor said the property is under option for sale to a company called Scannell. Mr. Lapper said we don't know if this is going through or not, but he certainly wants to sell it. Councilman O'Connor said if it were rezoned, and it was sold you would have the option of many businesses along that line. Mr. Lapper stated along Ballard Road those are appropriate uses. Councilman O'Connor stated he didn't want to mislead somebody into thinking that he'd be comfortable doing such a dramatic zoning change from R-2 to C-3 in a predominantly rural residential zone without having a prospective plan. Mr. Lapper stated we don't have a deal with anybody. The company you mentioned or anybody else. This is Frank as a property owner asking to match the zoning. Councilman O'Connor said once it's zoned, as long as they meet the provisions of the zoning ordinance, for C-3 they can put whatever they want in there. C-3 includes a lot of things. He doesn't want to go in blind. Deputy Supervisor McEachron asked if they were going around the corner with that buffer. Mr. Parillo said yes.

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

RESOLUTION #126

NOW, THEREFORE, BE IT RESOLVED, to set a public hearing for June 2, 2022, at 7:00 pm, to declare lead agency, and to refer to Saratoga County.

The adoption of the resolution was seconded by Councilman Bogardus, duly put to a vote, all in favor. The motion passed 3-1.

Supervisor Lant asked to poll the board:

Deputy Supervisor McEachron: Yes

Councilman Bogardus: Yes

Councilman O’Conor: No

Supervisor Lant: Yes

Councilwoman Kolligian: Absent

Local Law #2 of 2022 Amendment to OML

Allowing public bodies of the town to participate in meetings via videoconference.

RESOLUTION #127

NOW, THEREFORE, BE IT RESOLVED, to set a public hearing for June 2, 2022, at

7:01 pm, to amend the Open Meetings
Law for videoconference

The adoption of the resolution was
seconded by Councilman Bogardus, duly
put to a vote, all in favor. The motion
passed 4-0.

Transfer of Development Rights -TDR

Engineer Ryan Riper stated this was discussed at the last meeting. Moving forward we need some guidance from the board. There is a 3-page document on development rights. We can add or change but I think it needs to be looked at in detail to make sure everyone's on board with moving forward if you so choose. Also, the details of the Local Law. Deputy Supervisor McEachron asked if it can be done one on one or across the board. Town Council Schachner said, both. You can't do it on an application specific basis unless there is a general authorization. The general authorization would be across the board, but it wouldn't actually apply until implemented on a particular property. Councilman O'Connor said it does not convey a right for a property owner to do it but allows for a mechanism to do it. Mr. Riper said case by case with town board approval and planning board as well. The intent is to preserve large tracts of land that are desirable for the town. A Town Board decision. The one parcel that we are talking about, I had a developer come to me 5 or 6 years ago, he said I can build eighteen lots on this property. Mr. Belmonte came in and his engineer said we can build say thirty lots, which is not the correct number. So, Mr. Riper said this was a red flag and we need to figure out the actual number. There would need a third-party engineer. Councilman Bogardus asked who pays for that? Mr. Riper said the developer seeking the approval. If anyone would like to talk about it, we can. Deputy Supervisor McEachron said I'm ready. Based on what I heard last month, I thought it was a great idea to move forward. Town Counsel Schachner said he was comfortable setting a public hearing and I will have some minor revisions. Mr. Belmonte said we have a contract on the property that does expire in June. He doesn't know if that can be extended or not.

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

RESOLUTION #128

NOW, THEREFORE, BE IT RESOLVED, to
set a public hearing for June 2, 2022, at

7:02 pm, to discuss the Transfer of Development Rights for a certain piece of property.

The adoption of the resolution was seconded by Councilman Bogardus, duly put to a vote, all in favor. The motion passed 4-0.

Foothills Basketball Enterprises, LLC Proposal

Supervisor Lant said they would like to use Gavin Park. Deputy Supervisor McEachron and I spoke to Michael Wolfe. They train girls in basketball. Deputy Supervisor McEachron said the only reason the \$60.00 is crossed out is they can have a bonus for using the facilities. To offset the prices after using the gym so many hours. This would be for all organizations not just them.

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

RESOLUTION #129

NOW, THEREFORE, BE IT RESOLVED, to accept the partnership with Foothills Basketball Institute to use Gavin Park as their Home Base

The adoption of the resolution was seconded by Deputy Supervisor McEachron, duly put to a vote, all in favor. The motion passed 4-0.

Appointment -WPB

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

RESOLUTION #130

NOW, THEREFORE, BE IT RESOLVED, to appoint Christopher Price as a member of our Planning Board term 5/7/2022-12/31/2027.

The adoption of the resolution was seconded by Councilman Bogardus, duly put to a vote, all in favor. The motion passed 4-0.

Appointment-WPB Alternate

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

RESOLUTION #131

NOW, THEREFORE, BE IT RESOLVED, to appoint Thomas Murphy as an Alternate member of our Planning Board term 5/8/2022-12/31/2022

The adoption of the resolution was seconded by Councilman O'Conor, duly put to a vote, all in favor. The motion passed 4-0.

Peddling and Soliciting

Supervisor Lant explained with covid spiking again I have to agree with Councilman O'Conor. I don't believe people in our community want people going to their homes. I think we should wait awhile to see how the numbers go. Supervisor Lant asked Town Council Schachner what he thought. It basically says in the town code the Town Clerk's office will issue permits unless there is some compelling health safety or welfare reasons for denial. Covid is a compelling reason for denial.

On a motion introduced by Councilman O'Conor, the Board adopted the following resolution:

RESOLUTION #132

NOW, THEREFORE, BE IT RESOLVED, due to the ongoing rise in the pandemic related illnesses, that we deny Peddling and Soliciting at this time.

The adoption of the resolution was seconded by Deputy Supervisor McEachron, duly put to a vote, all in favor. The motion passed 4-0.

Committee Reports

Deputy Supervisor McEachron spoke about baseball. He met with Saratoga Wilton Baseball in the last month about the field conditions at Gavin Park. I sat with Supervisor Lant, John King, Mark Marino, Kurt Haas. We have some issues with the fields. We agreed the town would do whatever it takes to make the fields safe. We had a company come in and look at them and based on their observation, they were impressed with the park. They were going to give us quotes to fix these fields, but they felt like they were in great condition. He showed everyone the pictures of the fields. He said our fields were second to none. We had gotten a couple of complaints about dust conditions. He said he watched three games and talked to the parents that were there. The only complaint were little rocks from the fill that they're using. We will get some screened fill. I didn't see any dust conditions. We will continue to work closely with baseball. The town is willing to do whatever it takes to keep that park number one.

Councilman O'Connor spoke. He had been at Open Space Committee meeting of the Saratoga County Board of Supervisors. It was about the county's first community forest which is here in Wilton. The official name is the Graphite Range, A Saratoga County Community Forest. Our presentation was very well received by the open space committee. Saratoga County has been generous with their support. The revised grant for Wilton Wildlife Preserve that we approved last month has been taken care of. Another thing I've been working on, is getting an electrical vehicle charging station here for the town hall property. There are grants for that. Supervisor Lant said Comptroller Moran and Mr. Ripper have been working on this. Mrs. Moran said there are different levels of grants according to where you're at, your demographic area. We are trying to do a dual charger at town hall as well as the park. Councilman Bogardus asked if we can use some of that federal money we received? Comptroller Moran said yes. There is a broader scope of use now and we can use it on any governmental activity. The park would be one of them.

Supervisor Lant said Scott Dussault is in the audience and he represents the Greenfield fire district he's a commissioner. Do you have an agreement with Verizon for that antenna to go at Maple Ave.? He said yes. Supervisor Lant said there will be one there and one on Northern Pines Road which should help the service in those areas which has been lacking. I'm hoping in the next 2 or 3 months there will be an improvement with these towers. He also reminded the residents that we have a lot of masks and covid tests.

Councilman Bogardus said the Heritage is going to co-host an event with the Town of Wilton Historic Preservation Committee. That will take place at the Brill Mansion at 683 Route 9 at 6pm on Wednesday May 18th. They'll be offering tours of the Brill house. It's the original Peppers turkey farm. It was built in 1850, and an open house.

Comptroller's Report

1.) 2022 Budget Transfer

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

RESOLUTION #133

NOW, THEREFORE, BE IT RESOLVED, to approve the 2022 budget transfer requested for and listed in the Comptroller's 5/5/2022 Report (attached) to the Town Board.

The adoption of the resolution was seconded by Councilman Bogardus, duly put to a vote, all in favor. The motion passed 4-0.

2.) 2022 Budget Amendments

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

RESOLUTION #134

NOW, THEREFORE, BE IT RESOLVED, to approve the 2022 budget transfers requested for and listed in the Comptroller's 5/5/2022 Report (attached) 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 4-0.

Personnel

Mr. Lewis Jenison has resigned from his position as MEO, effective April 27, 2022.

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

RESOLUTION #135

NOW, THEREFORE, BE IT RESOLVED, to accept Lewis Jenison resignation as of April 27, 2022

The adoption of the resolution was seconded by Councilman Bogardus, duly put to a vote, all in favor. The motion passed 4-0.

Tina Weber, Town Assessor, is requesting that she and Melissa Miller attend the 2022 Cornell Seminar in Ithica NY from Sunday, July 17th through Thursday, July 21, 2022. This training entails overnight travel and therefor needs Town Board approval.

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

RESOLUTION #136

NOW, THEREFORE, BE IT RESOLVED, to approve overnight travel for Tina Weber and Melissa Miller, to the Cornell seminar in Ithaca, NY, on July 17th through July 21, 2022

The adoption of the resolution was seconded by Councilman Bogardus, duly put to a vote, all in favor. The motion passed 4-0.

Adjournment

On a motion introduced by Councilman O’Conor, and seconded by Councilman Bogardus, all board members in favor, the meeting was adjourned at 8:04 p.m.

Respectfully Submitted,

Susan Baldwin, Town Clerk

_____ Councilman, Raymond O’Conor

_____ Deputy Supervisor, John McEachron

Excused _____ Councilwoman Erinn Kolligian

_____ Councilman Duane Bogardus