

# **TOWN OF WILTON**

**22 TRAVER ROAD**

**WILTON, NEW YORK**

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Susan Baldwin, Town Clerk

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## **PUBLIC HEARING-7:00 P.M.**

## **AMENDMENT TO C-3 ZONE, ADDITION OF PERSONAL SERVICES**

Supervisor Lant opened the public hearing at 7:00 p.m. and asked if there were any questions or comments. There were none.

On a motion by Councilman O'Connor and seconded by Councilwoman Kolligian, with all board members in favor, the public hearing was closed at 7:01 p.m.

## **REGULAR TOWN BOARD MEETING-October 5, 2022**

Supervisor Lant called the Regular Town Board meeting to order at 7:02 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 our Past Planning Board Chairman, Michael Dobis, who passed away.

### **Roll Call**

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

John Lant-Supervisor

John McEachron-Deputy Supervisor

Erinn Kolligian-Councilwoman

Ray O'Connor-Councilman

Councilman Duane Bogardus was excused

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

### **Public Comment Session**

Pam Fabry of 22 Cider Mill Way said she wanted to make a comment about the proposal for an armed guard in the elementary school near her house. She asked if it was a proposal approved by the board or if it would be on the ballot for the general election. Councilman O'Connor said for several months he had

conversations with the Superintendent of Saratoga Springs City School District, his staff and some of the school board members about the feasibility of having a school resource officer. There is currently one in the high school, one is assigned to the Maple Avenue Middle School and also sporadically covers Dorothy Nolan Elementary School and Greenfield Elementary School. The conversations were about the possibility of having a School Resource Officer for Dorothy Nolan Elementary or the possibility of sharing an SRO with Dorothy Nolan Elementary and Ballard Elementary. There were a number of discussions and the Superintendent asked to be provided with a proposal. He said he spoke to each of the Town Board Members to see if the school district saw fit to pursue it, would the town be willing to negotiate with the school district to accomplish that task. Councilman O'Connor said he was invited to attend the most recent school board meeting at Dorothy Nolan Elementary School, which was held last Thursday, and make a presentation. A majority of the school board did not show an interest in pursuing it. There is no reason for the Town Board to act on this. He also said the school district is involved in updating their safety plan. Most of that work will probably be done in October, into November. It may or may not have an impact on the School Resource Officer. Deputy Supervisor McEachron said it would be more of a presence of the Officer at the school.

Toni Sturm of 41A Parkhurst Road said she is addressing the same issue and was puzzled by the offer made by Councilman O'Connor. On review of the meetings of the last twelve months there's absolutely no mention of this. It's puzzling that Councilman O'Connor felt confident enough having talked to the board members that they would be supportive of this not having brought it to the public. This is a highly controversial subject. The scientific data does not support having an armed presence in schools. She said she was disappointed to hear there was nothing brought before the board about this. Councilman O'Connor stated he wanted to be respectful of Dr. Patten and his staff to at least speak with them before our town board took any action. Dr. Sturm mentioned she thought the public would have liked to be notified first. She said her next question is what is the policy by which the items are placed on a town referendum, or citizen advisory boards created to research an issue. Councilman O'Connor said in his experience, we have put advisory committees together for all kinds of things, which have involved the residents. Mark Schachner introduced himself as Town Legal Counsel, said the important issue in Councilman O'Connor's last statement, certain financing decisions can be subject to referendum under limited circumstances. You would be shocked to know how few issues are allowed to go to referendum in the State of New York. Almost none that are not specific to financing or borrowing or elective offices. The Town Board does not have the legal authority to say we are contemplating doing...let's get the public to vote on that. Dr. Sturm said that was surprising because the SRO is \$90,000.00 a year and includes benefits, times five years, is \$450,000.00, almost half a million dollars. Councilman O'Connor said the current agreement the school district has is with the Sherriff's Department. The school district pays \$75,000.00, any expenses over and above that are born by the county and if the board had an interested in adding one or more SRO's, the contract would be between the school district and the Saratoga County Sheriff's office. It would be the same cost. Dr. Sturm thanked the board.

Joanne Klepetar of 101 Parkhurst Road said while watching the videos of the town board meetings she was struck by the number of people who came forward about the Airbnb's. In reading the minutes and learning more and more about the problems that our residents are having she said she feels for them and their quality of life is being taken from them. She said she thought everyone who rents out for short term should register their home, along with the address of the property. This information should be made available to the general public on the town's website. Digital signage, Maple Avenue School put up a digital sign with no special permit or coming before the town board. The lawyer for the school district claimed the school was exempt, our Town Attorney at the time said he disagreed, but our Supervisor at the time said he didn't want to fight the fight and we have a good repour with the district. She personally

does not like digital signs and felt it would bring down property values in this residential area. The audio system used at the town board meeting is flawed. Gavin Park, she said she would like to know if the town board could let us know about the recent destruction there and the people camping out on the property. She said she signed up to receive the towns newsletter. The last time she received one was about a year and a half ago. Senior Center, is there a report about the Senior Center? One thing that struck me while listening to the meeting minutes, is that Councilman O’Conor sometimes takes the time to inform the public about discussions taking place when the public is unaware of what has transpired from the previous meeting, she thanked him for that. She said she noticed that the same people speak at many meetings and the same issues remain unsolved. One fellow is asking for a public comment period to be allowed at planning board meetings. Ms. Klepetar said Councilman O’Conor spearheaded a town wide survey twenty-five years ago to find out what is most important to residents in our town. It’s time for another survey.

### **Approve Pending Minutes**

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

#### **RESOLUTION #199**

**NOW, THEREFORE, BE IT RESOLVED,** to approve the minutes from the September 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 4-0.

### **Honoring Veteran Ernest Belanger**

Supervisor Lant said Saratoga County honors our deceased veterans and it is a great program for all they have done for us. He said when he became a Supervisor he wanted to honor veterans while they are alive and be able to thank them. We have a town resident, Ernest Belanger and have known him for a long time. He lived next door to Supervisor Lant’s parents with his wife, Susie and raised their children. Mr. Belanger retired from the post office and is a pretty good bugler! Mr. Belanger and his wife have done a lot of work for the veterans and is very proud of them.

## **P r o c l a m a t i o n**

WHEREAS America was founded on the principles of liberty, opportunity and justice for all, and we recognize the men and women of our Armed Forces who have valiantly defended these values throughout our Nation’s history. These remarkable individuals have helped to make our Nation secure and to advance the cause of freedom worldwide. By answering the call of duty and risking their lives to protect their fellow countrymen, these patriots have inspired our Nation with their courage, compassion and dedication.

WHEREAS **Ernest Belanger** was born on July 11, 1945. He has been a long-time resident of the Town of Wilton, and

WHEREAS **Ernest Belanger** enlisted in the United States Navy on December 29, 1964. He went to Basic Training in Great Lakes, Illinois and specialty training at Naval Air Station in Lakehurst, New Jersey where he became an Aerographer's Mate, and

WHEREAS **Ernest Belanger** was subsequently assigned to the Naval Air Station in New Orleans in October 1965. In June 1966 he was transferred to the Fleet Weather Facility in Yokosuka, Japan. Ernie was assigned temporary duty onboard two aircraft carriers for support of naval air actions in Vietnam. First, he was flown to USS Intrepid, via airbases in Vietnam where he would serve onboard while the carrier conducted operations off Yankee Station and Dixie Station off the coast of Vietnam. From there, he was transferred to the USS Ticonderoga where he also served in support of naval air operations. After his tour on the carriers, he returned to Yokosuka to complete his enlistment, and

WHEREAS **Ernest Belanger** served our country honorably and was discharged on December 10, 1968. He was awarded the National Defense Service Medal and the Vietnam Service Medal reaching the rank of Petty Officer 2<sup>nd</sup> Class, and

WHEREAS **Ernest Belanger** worked at GE, John Hancock Insurance and the Saratoga Post Office for thirty years, retiring as the Assistant Postmaster, and

WHEREAS, through the years, our veterans have returned home from their duties to become active and responsible citizens in their communities, further contributing to the growth and development of our Nation. **Ernest Belanger**, along with his wife Susie, worked hard to have legislation finally pass the Blue Water Navy Vietnam Veterans Act of 2019 to extend benefits for those Veterans who served in the offshore waters of the Republic of Vietnam who may have been exposed to herbicides such as Agent Orange, and

WHEREAS the Town of Wilton honors **Ernest Belanger** for his activities as a veteran and an outstanding member of the community, now thereof be it

PROCLAIMED, that the 5<sup>th</sup> day of October 2022 is hereby dedicated to **Ernest Belanger** in grateful recognition on behalf of all the citizens of the Town of Wilton.

IN WITNESS WHEREOF, we have hereunto set our hands and affixed the Seal of the Town of Wilton this 5th day of October 2022.

Supervisor Lant presented a Saratoga County Viet Nam medal to Mr. Belanger in recognition and appreciation of his faithful service to our country and our armed forces.

Mr. Belanger said the bill that was passed by Congress, the Agent Orange Bill was spearheaded by his wife, Susie. She contacted Kirstin Gillibrand and Elise Stefanik and went to Washington D.C. It took ten years and as of last December, the bill covered 91,000 veterans.

# Proclamation

## Susie Belanger

In 2002, Susie's husband Ernie filed for benefits for Agent Orange Exposure while in Vietnam. His claim was met with resistance from the VA as they did not acknowledge his exposure. Susie realized that many Veterans were experiencing the same issues with the VA. Instead of only being concerned for her husband's benefits, Susie got involved to make a change for all Veterans who were exposed to Agent Orange.

Susie made connections and helped to start the Blue Water Navy Vietnam Veterans Association. This organization is a national organization whose mission was to pursue lawsuits and lobby for changes to legislation to grant benefits to those Veterans being left behind. For over 20 years Susie never gave up and serving as Legislative Director for the organization she made countless trips to meet with representatives in the US Congress and Senate. Susie lobbied tirelessly on behalf of these Veterans and it was through her work that legislation was finally passed The Blue Water Navy (BWN) Vietnam Veterans Act of 2019 which extended the presumption of herbicide exposure, such as Agent Orange, to Veterans who served in the offshore waters of the Republic of Vietnam.

Susie also worked on several other pieces of legislation and lobbied on behalf of other classes of Veterans who were exposed to Agent Orange and other chemicals in service.

Susie has retired from her role as legislative director in 2022, but she continues to be a lifetime member of the Board of Directors for the Blue Water Navy Veterans Association.

Supervisor Johnson said we have two heroes, Ernie and Susie Belanger. Mrs. Belanger said they are not done yet. There are too many veterans left behind. There is another group of veterans who cleaned up after World War II who have radiation issues and are very sick. There are still some burn pit issues which are not covered. We still have work to do and we will not forget them.

### **Addition of Use-Personal Services in C-3 zone**

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

### **RESOLUTION #200**

**NOW, THEREFORE, BE IT RESOLVED,** to approve the amendment to the C-3 zone to add personal services.

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

### **Saratoga Prime Properties**

Ryan Riper, PE, Director of Planning and Engineering said this item has been before the board several times. The Town Board performed SEQRA Part 2 and SEQRA Part 3 was generated. The board received the document for review. Mark Schachner, Town Counsel said the next step would be to adopt the SEQRA positive declaration, which means there are significant adverse environmental impacts and an Environment Impact Statement needs to be prepared or adopt a SEQRA negative declaration stating there are no significant environment impacts and an Environmental Impact Statement does not need to be prepared. The Part 3 analysis, if adopted, goes through each of the impacts the board identified as potentially, moderate to large, and discussed them in accordance with applicable criteria leading the board to a conclusion, one way or another.

Councilman O'Connor said there was discussion about the use of a conservation easement on the 200' buffer area. He said he didn't believe there would be significant impacts that would require taking that next step if the buffer became a dedicated easement to the town. Councilwoman Kolligian said the zoning change is contingent upon the 200' buffer. That would not be able to be negotiated once this project moves on to the Planning Board. Councilman O'Connor said he is not referring to a design buffer. He said the buffer will be memorialized as an easement. Mr. Riper said it will be filed at the county.

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

#### **RESOLUTION #201**

**NOW, THEREFORE, BE IT RESOLVED,** to declare a negative declaration for Saratoga Prime Properties, Tax Map No. 115.-2-31.

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

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

#### **RESOLUTION #202**

**NOW, THEREFORE, BE IT RESOLVED,** approve the requested zone change from R-2 to C-3 for Tax Map No. 115.-2-31, Saratoga Prime Properties, contingent upon the completion of the 200' conservation easement dedication to the Town of Wilton.

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

**Request to Release Funds-Park Reserve Fund**

Maria Moran, CPA, CGFM, Comptroller said the Splash Pad at Gavin Park needs major repair. In order to complete the repair, we are requesting to release funds from the Park Reserve Fund. We received quotes from vendors and they are over \$40,000 for piping and concrete replacement. We don't have an exact number and do not plan on releasing money until the project is complete. In planning for the improvement, we should consider the use of the reserve fund. The estimate for the project is \$60,000. The request is for up to \$60,000 to cover the quotes we have received and adjustments for price escalation. There is a possibility the cost may be less. If the cost comes in higher, we can use funds from the operating budget.

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

**RESOLUTION #203**

**NOW, THEREFORE, BE IT RESOLVED,** to approve the release of up to \$60,000 from the Park Reserve Fund for the Splash Pad repair, subject to permissive referendum.

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

**Request to Bid for Splash Pad Repair**

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

**RESOLUTION #204**

**NOW, THEREFORE, BE IT RESOLVED,** to approve the request to bid for the repair of the Splash Pad at Gavin Park,

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

### **2023 Tentative Budget**

Ms. Moran said the town board has been presented with the 2023 Tentative Budget. Our budget for 2023 is \$9.5 million dollars which represents approximately \$924,000 decrease from the current year's amended budget. There is no town tax for the 41<sup>st</sup> year. Supervisor Lant said there is also no highway tax. Ms. Moran said the budget is balanced with no use of surplus. We are not going into the prior year's surplus to balance the current year's budget or next year's budget. We are proposing \$772,000 for permanent road improvements, \$338,000 for new highway equipment, \$102,000 for park equipment and capital improvements including new basketball courts and tennis courts. There is a \$95,000 fuel tank replacement in the highway garage area and a \$50,000 pickup truck for the building department. A copy of the Tentative Budget has been submitted to the Town Clerk's Office and is available to the public and is also available online at [townofwilton.com](http://townofwilton.com).

Ms. Moran noted on the chart (indicating) the largest budgetary function is support and includes departments such as bookkeeping, assessor, comptroller and engineer which provide services to the town and the residents. The town's budget is highly dependent on sales tax, over 75% of the budget. It is consistent year over year. There are many factors when budgeting for revenue, such as inflation and consumer debt. We need to be conservative as to how we budget. If we run the risk of over budgeting our expectation of sales tax, it may mean we cannot provide services that we are expecting to provide constituency. We need to be cautious about our spending so that it stays within our projected revenue. Ms. Moran noted there is a Budget Workshop on Thursday, October 13, 2023. It is open to the public for observation. The town board will be working with certain department heads who are opting into attending the workshop. If the public needs more information, she said people can contact her by phone or email, [mmoran@townofwilton.com](mailto:mmoran@townofwilton.com).

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

### **RESOLUTION #205**

**NOW, THEREFORE, BE IT RESOLVED**, to set a public hearing for the 2023 preliminary budget for November 3, 2022 at 7:00 p.m.

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

### **Budget Workshop**

Ms. Moran noted the Budget Workshop will be held on Thursday, October 13, 2022 from 1:00-3:00 p.m. The public is welcome to attend.



**Resignation-Historic Preservation Board**

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

**RESOLUTION #206**

**NOW, THEREFORE, BE IT RESOLVED,** to accept the resignation of Karen James, Historical Preservation Board, with regret, effective October 5, 2022.

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-Historic Preservation Board**

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

**RESOLUTION #207**

**NOW, THEREFORE, BE IT RESOLVED,** to approve the appointment of Alison Schoonover to the Historic Preservation Board for the term of 10/05/2022-12/31/2025.

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

**Appointment-Historic Preservation Board**

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

**RESOLUTION #208**

**NOW, THEREFORE, BE IT RESOLVED,** to approve the appointment of Susan Gavin Lant to the Historic Preservation Board for the term of 10/05/2022-12/31/2024.

The adoption of the resolution was seconded by Councilman O’Conor, duly put to a vote, all in favor except Supervisor Lant

who recused himself. The motion passed 3-0.

**HUD Bank Agreement**

Ms. Moran said our Public Housing Administrator, which is Mastrianni, Incorporated, has asked us to complete a form issued by HUD. It is a deposit agreement which requires the town to keep the public housing account is a separate interest bearing account. There are a couple of other specific provisions. The bank, which is Adirondack Trust, is supposed to honor all checks presented against the account. It is a very standard agreement which needs to be approved, completed and sent back to the public housing administrator.

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

**RESOLUTION #209**

**NOW, THEREFORE, BE IT RESOLVED,**  
approve the HUD Bank Agreement.

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

**HCV-Certification**

Ms. Moran said this is also related to our public housing agreement. It is an annual certification that the public housing administrator certifies it will carry out the public housing program with civil rights in mind.

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

**RESOLUTION #210**

**NOW, THEREFORE, BE IT RESOLVED,**  
approve the annual HCV-Certification.

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

**30 Day Waiver for Renewal of Liquor License**

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

**RESOLUTION #211**

**NOW, THEREFORE, BE IT RESOLVED,** approve the 30 day waiver for a liquor license renewal for Saratoga Cheer!.

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

**Committee Reports**

Supervisor Lant said he spoke to Mark Hammond, Supervisor of Malta. Supervisor Hammond stated they put ARPA money aside to help less fortunate residents. He said he spoke with Michelle Larkin with Rebuilding Together Saratoga and couldn’t believe the number of people in the Town of Wilton, more than twenty, who need a new roof, new windows and other repairs. He said he would like to put \$200,000 aside for this purpose. We don’t have to use it all but Rebuilding Together Saratoga will work with us and screen the applicants. The town would make the final decision. Councilwoman Kolligian asked if this would be an approved use of the funds. Ms. Moran said it would be. Councilman O’Conor said he has done some work with that organization and they get a maximum return on investments for the projects they do.

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

**RESOLUTION #212**

**NOW, THEREFORE, BE IT RESOLVED,** approve the spending of up to \$200,000 in ARPA funds to help poverty level Town of Wilton residents in need of home repairs/improvements.

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

**Comptroller’s Report**

**1.) 2022 Budget Transfers**

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

**RESOLUTION #213**

**NOW, THEREFORE, BE IT RESOLVED,** to approve the 2022 budget transfers

requested for and listed in the Comptroller's 10/5/2022 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 4-0.

**2.) 2022 Budget Amendments**

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

**RESOLUTION #214**

**NOW, THEREFORE, BE IT RESOLVED,** to approve the 2022 budget amendments requested for and listed in the Comptroller's 10/5/2022 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 4-0.

**3.) Personnel**

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

**RESOLUTION #215**

**NOW, THEREFORE, BE IT RESOLVED,** to ratify the approval of a change in schedule for Marcus Hart.

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

**4. Other**

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

**RESOLUTION #216**

**NOW, THEREFORE, BE IT RESOLVED,** to approve the request from Ryan Riper to sell the 2015 Ford Explorer on Auctions International.

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

**Executive Session**

On a motion introduced by Councilman O’Conor, Councilwoman Kolligian, with all board members in favor, the board adjourned to executive session at 8:01 for discussions regarding proposed, pending or current litigation.

On a motion introduced by Deputy Supervisor McEachron, the board reconvened the monthly meeting at 8:20 seconded by Councilman O’Conor, all in favor, motion carried.

Supervisor Lant noted no action was taken.

**Adjournment**

On a motion introduced by Councilman O’Conor and seconded by Councilwoman Kolligian, all board members in favor, the meeting was adjourned at 8:22 p.m.

Respectfully Submitted,

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Susan Baldwin, Town Clerk

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Supervisor, John J. Lant

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Deputy Supervisor, John McEachron

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Councilman, Duane Bogardus

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Councilwoman, Erinn Kolligian

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Councilman Ray O’Conor