

PUBLIC HEARING:

**Wilton Historic Preservation
Add Article XXVIII to the Town
Zoning Ordinance**

The following Notice of Public Hearing was legally advertised in the Daily Gazette, the Post Star and the Saratogian.

NOTICE IS HEREBY GIVEN pursuant to §20 of the Municipal Home Rule Law of the State of New York, that the Town Board of the Town of Wilton will hold a public hearing at the Town Hall located at 22 Traver Road, Gansevoort, New York, County of Saratoga, on 6th day of September at 7:00 p.m., to add Article XXVIII, to the Code of the Town of Wilton's Zoning Ordinance, to be called, Historic Preservation in Sections 129-205-129-210.

SAID PROPOSED ARTICLE would establish a Historic Preservation Board, designate landmarks, historic districts and regulations to preserve and protect historic districts in the Town.

At 7:00 p.m., **Supervisor Johnson** called the first public hearing to order and asked the Town Clerk to read the public hearing notice aloud, she did so. Supervisor Johnson stated that Deputy Supervisor O'Connor, has been chairman of that committee and asked him to bring everyone up to date. **Deputy Supervisor O'Connor** explained that to date there has not been anything on the books to try and protect the historic integrity of the Town and historic properties so with the help of Carol Maynard the Town Clerk, Jeanne Woutersz the Town Historian and the folks from the Wilton Heritage Society we put together a draft of a local ordinance that would help protect historic properties and landmarks. Last week we held a workshop and received other recommendations for the ordinance. Deputy Supervisor O'Connor went on to give a summary of the ordinance. **Supervisor Johnson** asked if anyone wanted to speak on this public hearing. There was no comment. Supervisor Johnson stated that the board would leave the public hearing open to receive public comment for 30 days.

PUBLIC HEARING:

**Local Law No. 3 of 2007
Regarding MS4 (the IDDE Law)**

The following Notice of Public Hearing was legally advertised in the Daily Gazette, the Post Star and the Saratogian newspapers.

NOTICE IS HEREBY GIVEN pursuant to §20 of the Municipal Home Rule Law of the State of New York, that the Town Board of the Town of Wilton will hold a public hearing at the Town Hall located at 22 Traver Road, Gansevoort, New York, County of Saratoga, on the 6th day of September at 7:10 p.m., to adopt Local Law No. 3 of 2007, known as Illicit Discharges, Activities and Connections to Separate Storm Sewer System Law.

SAID PROPOSED LOCAL LAW would provide for the health, safety, and general welfare of the citizens of the Town of Wilton through the regulation of non-stormwater discharges to the municipal separate storm sewer system (MS4) to the maximum extent practicable as required by Federal and State law. This law establishes methods for controlling the introduction of pollutants into MS4 in order to comply with requirements of SPDES General Permit for Municipal Separate Storm Sewer Systems. The Local Law in its entirety can be reviewed at the Town Clerk's office.

SAID PUBLIC HEARING will be held at Town Hall at which time all persons will be given the opportunity to be heard.

Immediately following the first public hearing, Supervisor Johnson opened the second public hearing at 7:08 p.m., and asked the Town Clerk to read the public hearing notice aloud, she did so. Supervisor Johnson asked if anyone had any comments. No comments. Supervisor Johnson then closed the public hearing at 7:09 p.m..

PUBLIC HEARING:

**Local Law No. 4 of 2007
Saratoga Heritage Apartments Phase II
Amending Local Law No. 2 of 2004**

The following notice of Public Hearing was legally advertised in the Daily Gazette, the Post Star and the Saratogian newspapers.

NOTICE IS HEREBY GIVEN pursuant to §20 of the Municipal Home Rule Law of the State of New York, that the Town Board of the Town of Wilton will hold a public hearing at the Town Hall located at 22 Traver Road, Gansevoort, New York, County of Saratoga, on the 6th day of September at 7:15 p.m., to adopt Local Law No. 4 of 2007, amending Local Law No. 2 of 2004, known as Saratoga Heritage Apartments, Phase II Planned Unit Development District.

SAID PROPOSED LOCAL LAW would amend Local Law No. 2, of 2004, by amending the legislation in section IV to provide more extensive on site recreation and fitness facilities, such as a 1,500 S.F. fitness center building, swimming pool and 10 parking spaces. The PUD legislation remains otherwise unchanged.

SAID PUBLIC HEARING will be held at Town Hall at which time all persons will be given the opportunity to be heard.

Immediately following the second public hearing Supervisor Johnson opened the third public hearing at 7:09 p.m., and asked the Town Clerk to read the notice aloud, she did so. Supervisor Johnson then stated that there was a presentation last month regarding the changes and the Town had recently received a positive recommendation from the County Planning Board on those changes. Supervisor Johnson then asked if there were any

comments on the PUD changes. No comments. Supervisor Johnson then closed the third public hearing at 7:11 p.m..

PUBLIC HEARING:

**Amending the Zoning Ordinance Article XXI
(Planned Unit Development) Regulations**

The following notice of Public Hearing was legally advertised in the Daily Gazette, the Post Star and the Saratogian newspapers.

NOTICE IS HEREBY GIVEN pursuant to §20 of the Municipal Home Rule Law of the State of New York, that the Town Board of the Town of Wilton will hold a public hearing at the Town Hall located at 22 Traver Road, Gansevoort, New York, County of Saratoga, on the 6th day of September at 7:20 p.m., amending the Town's Zoning Ordinance Article XXI (Planned Unit Development District) Regulations.

SAID PUBLIC HEARING would amend Article XXI Planned Unit Development Districts, §129-115. Regulations, adding P at the end and amending §129-249 Zoning Board of Appeals, B (3) Variances to read: Any variances to an existing Planned Unit Development District, shall be made by application to the Town Board, such as adding other uses, shall follow the PUD approval process as outlined in the aforementioned PUD Regulations.

SAID PUBLIC HEARING will be held at Town Hall at which time all persons will be given the opportunity to be heard.

Immediately following the third public hearing Supervisor Johnson opened the fourth public hearing at 7:12 p.m., and asked the Town Clerk to read the notice aloud. She did so. Supervisor Johnson asked Town Attorney Richard DeVall to address the board on this issue. **Attorney DeVall** stated the legislation is pretty straight forward whereby amendments of variances to existing Planned Unit Developments would be brought to the Town Board as an amendment to the PUD and follow the same procedure as outlined in the regulations. **Supervisor Johnson** asked if there were any comments on this public hearing. No comments. Supervisor Johnson then closed the fourth public hearing at 7:14 p.m..

REGULAR TOWN BOARD MEETING

Immediately following the public hearings, Supervisor Johnson called the Regular Town Board meeting to order at 7:15 p.m..

Pledge of Allegiance

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

Roll Call

Roll Call by the Town Clerk showed all board members present:

Arthur Johnson-Supervisor
Raymond O'Connor-Deputy Supervisor
Lawrence Gordon-Councilman
Ian McGaughey-Councilman
Charles Gerber-Councilman

Also present were Town Attorney Richard DeVall, Town Engineer Keith Manz, and Comptroller Jeffrey Reale.

Approve Pending Minutes

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

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

RESOLUTION # 170

NOW, THEREFORE, BE IT RESOLVED, to
approve the minutes from the August 2, 2007
meeting as typed, without amendment.

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

Proclamation

Rowing Competition

Caitlin Shufelt & Kate Russell

Supervisor Johnson stated that the Town has always taken great pleasure in honor to recognize residents that reach a significant accomplishment in their lives and tonight I would like to present two proclamations: one for Caitlin Shufelt and the other for Kate Russell. Supervisor Johnson then read the proclamations.

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

RESOLUTION # 171

WHEREAS, Caitlin Shufelt and Kate Russell are members of the Saratoga Rowing Association's Girls Junior Eight and recently received gold metals in the 2007 Scholastic Rowing Association of America National Regatta.

WHEREAS, being members of the Saratoga Rowing Association's Girls Junior Eight honors the athlete, their families, their team and their coach; and

WHEREAS, Caitlin Shufelt and Kate Russell and their team, won gold metals in the N.Y.S. Scholastic Rowing Champion Regatta on Fish Creek, the 2007 Scholastic Rowing Association of America National Regatta in Cherry Hill, New Jersey, and in the Canadian Secondary Schools Rowing Association National Regatta in St. Catharines, Ontario Canada, and

WHEREAS, it is fitting to recognize those young people in the Town of Wilton who have inspired and brought pride to their school and community by achieving outstanding success in athletic competition exhibited by **Caitlin Shufelt, and Kate Russell,** therefore, be it

PROCLAIMED, that the Wilton Town Board commends **Caitlin Shufelt and Kate Russell** for receiving gold metals in the 2007 Scholastic Rowing Association of America National Regatta, and be it further;

PROCLAIMED, that the Town Clerk forward a duly inscribed copy of this Proclamation of Commendation to **Caitlin Shufelt and Kate Russell.**

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

Proclamation

Literacy Awareness Month

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

RESOLUTION # 172

WHEREAS, More than 30,000 adults in our communities read or write below a 5th grade level.

WHEREAS, Low literacy skills prevent individuals from reaching their full potential as employees, parents, and community members.

WHEREAS, in order to make a difference in the lives of these citizens and their families, it is critical to raise awareness about the importance and implications of literacy in our daily lives, increasing knowledge, support and appreciation for literacy.

I, **Arthur J. Johnson,** do hereby proclaim the month of September 2007, commencing on September 8th, International Literacy Day, **Literacy Awareness Month in The Town of Wilton.**

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

Wilton Historic Preservation
Public Hearing held earlier

Supervisor Johnson stated that the board held the public hearing earlier and left the public comment period open to receive written comment for 30 days before we make formal adoption of the code. **Deputy Supervisor** stated he wanted to thank members of the Wilton Heritage Society, Jeanne Woutersz, Carol Maynard, Robert Roeckle, Charles Gerber and Town Attorney Rich DeVall for their help in drafting this code. No action taken.

Local Law No. 3 of 2007
MS4 (Stormwater Management)
The IDDE law
Public Hearing held earlier

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

RESOLUTION # 173

NOW, THEREFORE, BE IT RESOLVED, to adopt Local Law No. 3 of 2007, known as the IDDE Law relating to MS4 Stormwater Management.

The resolution was seconded by Councilman McGaughey, duly put to a vote, all in favor.

Local Law No. 4 of 2007

Saratoga Heritage Apartments Phase II

Amending Local Law No. 2 of 2004

Approval from Saratoga County Planning Board received

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

RESOLUTION # 174

NOW, THEREFORE, BE IT RESOLVED, to adopt Local Law No. 4 of 2007, amending Local Law No. 2 of 2004, known as Saratoga Heritage Phase II adding a swimming pool and fitness center.

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

Deputy Supervisor O'Connor, abstained from voting.

PUD Regulation Amendment

Amend Zoning Ord. Article XXI

PUD Regulations

Public hearing held earlier

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

RESOLUTION # 175

NOW, THEREFORE, BE IT RESOLVED, to adopt the legislation amending Zoning Ordinance Article XXI Planned Unit Development District §129-115, Regulations, adding P at the end and amending §129-249, Zoning Board of Appeals, B (3) Variances, to read: Any variances to an existing PUDD, shall be made by application to the Town Board, such as, but not limited to, adding other uses; shall follow the PUDD approval process as outlined in the PUDD Regulations contained in Article XXI of this chapter.

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

The Paddocks (Multi-Family PUD)
Capital District Properties

Supervisor Johnson stated that the board had received a presentation last month and this was referred to the Planning Board at this point I am looking to set a public hearing for next month to hear any comments. The board set a public hearing for October 6th, 2007 at 7:00 p.m..

Not on Agenda

Old Gick Road (Next to the Paddocks)
John Phillips

Deputy Supervisor O'Connor stated that Mr. and Mrs. Phillips would like to address the board on issues concerning their home on Old Gick Road. **Mr. Phillips** stated they had some issues with the project under construction near their home. The sewage facilities for the development including a pump and odor control station was built 19 feet from Mr. Phillips handicapped father's bedroom window. He questioned whether the proper notifications were sent out prior to the project being approved. **Mr. Fleming**, representing the project developer stated that the proper notices were sent out. **Engineer Manz** stated that this is related to the Hudson Springs Phase I project, which was before the board in 2005. Not the Paddocks. **Mrs. Phillips** was concerned that the odor control station would harm their ability to sell their home which is on the market now. After some discussion, **Supervisor Johnson** asked Mr. Fleming to work with the couple to come with a solution to the problem.

Route 9(Dentist Office)(Mark Moreau)
Possible mitigation of fees proposed
For sidewalk improvements
Ernest J. Gailor, P.E.

Supervisor Johnson stated that Engineer Manz, and Town Attorney Richard DeVall, would like this item tabled. No action taken.

Reappointment (IBR Board)
Dale Lang
Term to expire 9/30/07
New term 10/1/07-9/30/12

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

RESOLUTION # 176

NOW, THEREFORE, BE IT RESOLVED, to reappoint Dale Lang to the position of member of the Independent Board of Review, current term to expire 9/30/07, new term 10/1/07-9/31/12.

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

Reappointment (Sole Assessor)
Marge Little
Term to expire 9/30/07
New term 10/1/07-9/30/13

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

RESOLUTION # 177

NOW, THEREFORE, BE IT RESOLVED, to reappoint Marge Little to the position of Sole Assessor, current term to expire 9/30/07, new term 10/1/07-9/30/13.

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

Mulberry Estates, Rte 9 & Dandelion Drive
Plant flower & shrub garden at entrance
Diane Kivi

Supervisor Johnson asked Mrs. Kivi to address the board. Mrs. Kivi stated there are two entrances to Mulberry Estates and the grassy area in front has become a kind of used car lot where residents have been parking cars to sell. The parked cars are unattractive and impede visibility for residents pulling out on Route 9. Residents have suggested we get permission to landscape the Route 9 and Dandelion Drive entrance to Mulberry Estates, which they would maintain. The board told Mrs. Kivi to stop in the assessor's office to find out who the owner is. If it is town property the board would have no objection to a planting in that location. But if it is not town property, you will have to get permission from the owner.

Mulberry Estates, Rte. 9 & Dandelion Drive
Halloween Street Party
Diane Kivi

Supervisor Johnson asked Mrs. Kivi to address the board. Mrs. Kivi stated that this is an event that has been going on for a while and asked the board for permission to block off a small portion of Dandelion Drive for a Halloween street party. The board gave permission for Mrs. Kivi to have the party.

551 Route 9, (House fire)
Ltr from Robert Roeckle
Ltr From Owner (Daniel Graves)

Supervisor Johnson asked Robert Roeckle to explain the letters. **Building Inspector Robert Roeckle** stated that after he sent the letter regarding the Route 9 home destroyed by fire in April. Inspector Roeckle stated that complaints have been received from neighbors about an unpleasant odor as well as concerns over safety issues and vermin. The home owner responded informing the Town that the insurance company had released the property and he was ready to proceed with demolition. Mr. Roeckle stated that the home owner has to get to him by the next town board meeting. **Supervisor Johnson:** It sounds like the home owner has a schedule. There is no action we need to take tonight, just let us know if he does not follow through with a schedule. **Attorney DeVall:** If you need to come back to the town board next month, we need to coordinate the review on how to do that, because the provisions in the code have several sections to go through. No action taken.

Wilton/Gansevoort Rd.**Requesting easements to tie into sewer****William & Constance Leege**

Supervisor Johnson asked Mr. Leege to address the board. Mr. Leege stated that he is requesting to obtain an easement which will tie into the Wilton town sewer system. Attorney DeVall: From the Town's perspective, there is a technical aspect and a legal aspect to this. The legal aspect is pretty minimal, the technical aspect it seems to me, that whatever you propose to do has to run past Engineer Manz and Highway Superintendent Woodcock as to what plan to approve and then you will need to have someone draw up that easement as to what describing the easement. **Councilman Gordon:** To hold us harmless on our property in the future, I think we need something from DEC that says you can run a sewage line through an area defined as a detention basin area within our proposed deed. **Mr. Leege** stated that if the town owns 30 feet beyond the edge of the detention pond at what point do we still call it the detention basin. **Councilman Gordon** stated that without further information it would be defined by the legal property boundary that goes around it for that purpose. **Mr. Leege:** So the entire area that they are turning over to the Town would be considered. **Deputy Supervisor O'Connor** stated that at this point we can not give you permission to do anything, because we do not own the property. We ought to be the last cog in the wheel of progress here, because if DEC says that its not OK, there is no sense in giving you permission. On your plan, you have part of your line on County Road, Wilton/Gansevoort Rd. If the County is okay with this and DEC is okay with it, at the point in time when we take ownership of that property, I do not think you would get an objection from us. However, I would get the other two issues cleared up first. **Supervisor Johnson** thanked Mr. Leege for coming.

Committee Reports (If Any)

Supervisor Johnson asked if there were any committee reports.

Hazardous Waste

Councilman McGaughey announced the town will hold a free Hazardous Household Waste Disposal Day right here at the town, on Saturday Oct. 27, from 8:30 a.m. to 3:30 p.m. in conjunction with other towns in the area; Town of Northlumberland, Town of Moreau and Town of Saratoga will join us in this effort. Here in Wilton, town residents can pre-register on line. Only household items, no commercial waste, will be accepted.

Supervisor Johnson commended Councilman McGaughey on his effort putting this together.

Councilman McGaughey also announced that Wilton Wildlife Preserve and Park will be having an open house Saturday, September 8, at 2:00 p.m., at 80 Scout Road.

Comptroller's Report
(Including Bills and Transfers)

Budget (2007) Transfers

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

RESOLUTION # 178

NOW, THEREFORE, BE IT RESOLVED, to approve the budget transfers for 2007 requested for and listed in the Comptroller's 9/6/07 report to the Town Board.

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

Park Reserve

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

RESOLUTION # 179

NOW, THEREFORE, BE IT RESOLVED, to approve a request from Engineer Manz regarding Gavin Park School Lands Change Order in the amount of \$10,500 and;

FURTHER BE IT RESOLVED, to approve a budget amendment increasing Appropriated Reserves A5110 and Park Reserve A7111.2, for the amount listed above.

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

Personnel

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

RESOLUTION # 180

NOW, THEREFORE, BE IT RESOLVED, to approve the request submitted by Roger Blauvelt that he and Mark Mykins be allowed to attend the NYS Building Officials Conference to attain the necessary CE required for their positions. The conference will be held October 15-17, 2007 at the Holiday Inn Turf on Wolf Road in Colonie.

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

Informational

2008 Budget Process-Informational only

Supervisor Johnson asked if there was any other business, if not I will entertain a motion to adjourn.

On a motion introduced by Deputy Supervisor O'Connor, and seconded by Councilman Gordon, the meeting was adjourned at 8:15 p.m., all in favor.

Respectfully Submitted,

Carol Maynard, Town Clerk

Supervisor, Arthur Johnson

Councilman, Raymond O'Connor

Councilman, Charles Gerber

Councilman, Larry Gordon

Councilman, Ian McGaughey