

Public Hearing

Saratoga Heritage Phase II Amendment

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

PLEASE TAKE NOTICE THAT THE Town Board of Wilton, New York, County of Saratoga, will hold a public hearing to adopt Local Law No. 3 of 2010, amending Local Law No. 4 of 2007 known as "Saratoga Heritage Phase II Planned Unit Development District."

SAID PROPOSED AMENDMENT would propose an additional two (2) multi-family apartment buildings on a 2.0 +/- acre tax map nos. 140-1-73, 74, located at the southwest corner of Waller Road and NYS Route 9 Wilton, NY 12831. The parcel is situated within the 12.5 +/- acre Phase II PUDD.

SAID PUBLIC HEARING will be held on Thursday, August 5, 2010, at 7:00 p.m., at Wilton Town Hall located on 22 Traver Road in the Town, at which time all persons will be given an opportunity to be heard.

BY RESOLUTION OF THE TOWN BOARD OF THE TOWN OF WILTON

At 7:01 p.m., **Supervisor Johnson** called the public hearing to order and asked the Deputy Town Clerk to read the public hearing notice aloud, she did so. **Supervisor Johnson** informed the public that we were using our new camera tonight on a trial basis this month. Supervisor asked Donald Zee to give us a brief overview of the project. He introduced himself as the Attorney of the project. He began to explain the amendment requested. There was an additional parcel of land which was part of the original PUD that was conveyed to the Town of Wilton. They have under contract a purchase price. They are proposing 16 one bedroom apartments on the parcel. **Supervisor Johnson** thanked Mr. Zee and asked for the sign-up sheet for the public to speak.

Dan Tagliento-29 Jones Road, resident for 37 years, asked if it was correct that the land was donated then the Town is going to buy it back. **Supervisor Johnson** responded by saying the prior Supervisor wanted a 2 acre donation for the potential use of either a senior center or community center as part of the approval process of the PUD. That was done, and the Board decided that was not a good proposed use for those types of things, or for the Town's use, so, we put it for sale. **Dan Tagliento**-would it be a concern of traffic or congestion? **Supervisor Johnson** stated this was all addressed at the Planning Board. **Dan Tagliento**-what benefit do we have putting a building on a small site? Supervisor Johnson reminded him this wasn't a question and answer session this had already been reviewed at the Planning Board level. Dan continued to say "We're putting five pounds of building in a four pound box"

Jerod Dinsmore-22 Woodlake Drive, -At a past meeting I had asked when you're faced with legislative decisions like this, what do you use as your input to help make these decisions? I think 4 of you had said comp plan, code and staff recommendations. Mr. Pulsifer I think you had talked about your beliefs in small government and free market. He went through and explained what the comp, codes and staff recommendations from the Planning Board for PUD's stated in our manuals. I'm not sure why we've made it this far, he said. Perhaps knowing they've already reached the density, perhaps this will end tonight, but if it doesn't, I look forward to hearing your deliberation on this in public so we can hear how you've reached a decision. Thank you.

David Gabay-92 Parkhurst Road, brought to point the additional burden this would bring to the school districts. His concern is the taxes that are generated for the school system, will not cover the cost per student that are added to the school district. Mr. Zee and Mr. Farone had assured me that there would only be a handful of students that would be added. The facts tell us otherwise. As of yesterday there are 28 students registered in these units and that is growing every day as September approaches. These figures are from Carol Groff over at the school system. The amount of children there won't pay the taxes. Is this really fair? Who picks up the cost, ultimately it's everyone in Wilton. Also what merits this specific application processes that justifies the Board playing a trump card in allowing this super saturation as far as density is concerned. What happened to the rural character and spaces that everyone's supposed to be going by to maintain the feel, the look of our Town? We have to have balance. I believe this is one of those times where the Board needs to say no. Thank you.

Janet Telly- 36 Worth Road, I have also lived here for 37 years. I just want to know this doesn't serve anybody but Mr. Farone and I don't see how you can in good conscience pass this.

Donald Zee , explained that there was 231 apartments , that is a density of .12 children per apartment so it is approximately 1 child for every 9 apartment units. He also wanted the public to know that the land was donated to the town with the original PUD. There was a determination not by his client, by the town after sitting on this property for several years it was surplus property and the town could make better use of the money for the rest of the town in the event of a sale. The town offered it to the public, the only person that could utilize it would be my client because of the weird configuration.

Mike Worth-has it been purchased or is it contingent on the PUD? **Supervisor Johnson** stated there is a contract but it is contingent on the two units.

Supervisor Johnson stated he would close the public hearing at 7:24 pm and there would be no action taken tonight but written comment will be accepted for 30 days until next board meeting September 2, 2010.

Public Hearing**Saratoga Heritage Phase IV PUD**

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

PLEASE TAKE NOTICE that the Town Board of Wilton, New York, County of Saratoga, will hold a public hearing to adopt a Local Law amending the Code of Town of Wilton, providing the creation of a Planned Unit Development District (PUDD) to be known as" Local Law No. 4 of 2010, Saratoga Heritage Phase IV."

SAID PROPOSED LOCAL LAW would amend the Code of the Town of Wilton by changing the two existing zoning districts from CR-2 Commercial/Residential (existing Lot No.3) and R-3 Residential (existing Lot No.2) as such is now zoned and creating a Planned Unit Development District to be known and described as "Saratoga Heritage Phase IV Planned Unit Development District, Town of Wilton, Local Law No. 3 of 2010." The proposed 13.51+/- acre site, Tax Map No. 140-3-30, is located at the northwest corner of Hilltop Drive and NYS Route 9, Wilton, NY 12831.

SAID PROPOSED PUDD AMENDMENT would facilitate the construction of a 3 lot subdivision containing thirty-two (32) multi-family apartment units and two (2) single-family residences.

SAID PUBLIC HEARING will be held on Thursday, August 5, 2010, at 7:15 p.m., at the Wilton Town Hall located on 22 Traver Road in the town, at which time all persons will be given the opportunity to be heard.

BY RESOLUTION OF THE TOWN BOARD OF THE TOWN OF WILTON

At 7:24pm. Supervisor Johnson called the public hearing to order and asked the Deputy Town Clerk to read the public hearing aloud, she did so. **Donald Zee** indicated this is in excess of thirteen acres. There are two zoning districts and they are purposing the multifamily 32 units. These are comparable to what is being built in Saratoga Heritage Phase 3.

Dan Tagliento-I still have the same mindset it's not a corridor it's a canyon, over developed.

David Gabay- the additional foot traffic, the motorist, density, and bicyclist. I just want to remind the board this is a state highway. Even though there may be sidewalks in place I feel there is a potential problem with accidents. As the numbers of population become higher, there is a real danger of people getting hurt.

Janet Telly-explained how upset she is that there is one section that is not finished, no siding. She assumes that Mr. Farone is doing that on purpose for some sort of tax break.

Debi Zellan-35 Northern Pines Rd. It's been said already better than I can say it by Mr. Gabay and Mr. Dinsmore there are issues that surround the entire town by adding this number of people. I would ask that their comments be reintroduced in this public hearing as they were in the last.

Connie Towers-92 Ernst Road, Besides the 32% open space, there is supposed to be a percentage of recreation area? At another Board meeting I believe phase 3 is using phase 2's recreation area. I suggest you look at the past phases before you push this one through.

Donald Zee-in Phase 2 it does show a pool and club house and they wanted confirmation at the planning board meeting on Saratoga Heritage Phase 2 that they were able to come back and rezone and that be constructed before any additional construction occur for the sixteen units. My clients committed that they would we ran out of time last year to construct the additional swimming pool in Phase 2. We are looking in Phase 3 for the construction of another recreational area which would service both phase 3 and 4.

Supervisor Johnson-closed the public hearing at 7:34pm. He stated just as the first one, we will accept written comments for 30 days until the next Board meeting September 2, 2010.

Supervisor Johnson-Called to order the regular Town Board Meeting at 7:34 pm.

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 Deputy Town Clerk showed all Board members present:

REGULAR TOWN BOARD MEETING

AUGUST 5, 2010

Arthur J. Johnson-Supervisor
Raymond O'Connor-Deputy Supervisor
Robert Rice-Councilman
Robert Pulsifer-Councilman
Charles Gerber-Councilman

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

Public Comment

John Hook-12 Palmer Terrace, Spoke about The planning position work shop last July 27th. Why was it held at 8:00 am. He also wanted to know where Donald Zee is from-Albany. Supervisor Johnson explained that the workshop was an open session. There was not a vote but a consensus and the position wouldn't be filled at this time. As far as the time of the workshop, most have jobs and it was a convenient time for them to all get together. **Councilman O'Connor**-stated the workshop was to talk about two different issues. What the future of that Planning position might be, the other was assessment issues on properties.

Joanne Klepetar-Parkhurst Road, wanted to thank Kirk and crew for putting up the bicycle signs. Second on Farone Valley, I think it benefits just one person maybe 2 or 3 and that's all I have to say. Thank you.

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 Rice, the board adopted the following resolution:

RESOLUTION #132

NOW, THEREFORE, BE IT RESOLVED,
to approve the minutes from the July
1, 2010 meeting as typed without
amendment.

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

The Paddocks Amendment to Local Law #5 2007

Brian Ragone introduced himself representing Capital District Properties, filling in for Bill Hoblock. This is for an amendment for a PUD which was granted a zoning change by the board in October 2007. The Paddocks is situated on a 13 acre parcel and consists of 84 apt. units, and 7 residential buildings. It is a continuation of the adjacent Paddocks of Saratoga. Or the Hudson Springs PUD. A maintenance free community. The proposed amendment is to improve the quality of the amenities associated with the

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entire PUD with a 2 story state of the art, fitness center. With administration on the second floor. 12 parking spaces will be introduced for those wishing to access the facility by car. Storm water management areas have room to expand if needed. Just adding a new amenity. Councilman O'Connor asked if the fitness center would be available to anyone other than the residents there, Brian Ragone- no, just the residents of the Paddocks.

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

RESOLUTION #133

NOW, THERFORE, BE IT RESOLVED, to refer the submitted Paddocks PUDD (amendment) application to Saratoga County and Town Planning Boards for their review and recommendation.

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

Nature Conservancy

Supervisor Johnson explained to the Board that the application last month for the grant was submitted under Nature Conservancy and should have been under Wilton Wildlife Preserve and Park. So we need to amend the name to WWPP.

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

RESOLUTION #134

NOW, THERFORE BE IT RESOLVED, to amend the grant application submitted under Nature Conservancy, to reflect Wilton Wildlife Preserve and Park as the Applicant.

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

Councilman Rice abstained from voting.

REGULAR TOWN BOARD MEETING

AUGUST 5, 2010

Request for Door to Door Soliciting

Supervisor Johnson Checked with the Town Clerk because it is issued through her office. It does require Board approval to issue the license. Deputy Supervisor O'Connor said in this day and age it's a concern he has and if the license is issued by the town and if the town endorses it the public would believe it's safe. We don't know the individual so we would like to invite him to our next meeting, and get written verification from the company he's working for.

NO ACTION TAKEN

Committee Reports (if any)

Supervisor Johnson asked if there were any committee reports. Councilman Gerber said he does from Park and Rec. He then passed out an updated alternative fund development program brochure. He then gave a quick update on the program. If they want to apply for the 501c3 they need to encourage people to be board of trustee members, and upon this process they may happen to come across people they may want to be donors. Steve would like your input on potential donors off the list. Also partnering for a stronger community. Also an invite to an event they would have where Steve would have a power point presentation where he would talk about the Towns master plan, possible projects people could donate to, and potential trustees. He would like the Town Board to take a look at the proposed paper work and give him the authority to move on. We would want your full knowledge and consent before we move forward. Any questions I'd be happy to answer them. There were none.

Supervisor Johnson stated he would like to move the October Board Meeting, the original date is October 7th, 2010. I would like to move it to the 4th of October. Please let me know.

Comptroller's Report **(Including bills and transfers)**

June 2010 Cash Disbursements

General Fund-\$260,510

Highway Fund \$100,134

Total \$360,444

Comptroller Reale-the disbursements listed in the comptrollers report are for informational purposes only.

Budget Transfer's and Amendments

On a motion introduced by Deputy Supervisor O'Connor. The Board adopted the following Resolution:

RESOLUTION # 135

NOW, THEREFORE, BE IT RESOLVED,

to approve the budget transfers and amendments requested for and listed in the Comptroller's 8/5/10 report to the Town Board.

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

Parks and Recreation
(Amendment of fee schedule)

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

RESOLUTION # 136

NOW THEREFORE BE IT RESOLVED, to approve the request to amend Resolution #53, 2010 Park Fee Schedule for the off peak hours as introduced.

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

Personnel
(MEO position)

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

RESOLUTION #137

NOW, THEREFORE, BE IT RESOLVED ,
to approve the request submitted by
Kirk Woodcock to move Lou Jenison
to the vacant MEO position.

FURTHER BE IT RESOLVED, to start
Lou out at \$16. 79/hr. effective
August 9, 2010.

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

Procurement Policy Update

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

RESOLUTION #138

NOW, THEREFORE BE IT RESOLVED, to
modify the Town's procurement
policy to increase competitive bid-
ding requirements of purchase
contracts from \$10,000.00 to no more
than \$20,00.00.

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

NYS Retirement- Early incentive Program

Comptroller Reale Stated a survey was sent out to see if there was any interest in participating, there
was none. **NO ACTION TAKEN**

REGULAR TOWN BOARD MEETING**AUGUST 5, 2010****Capital Project #443****Wilton Fire District Photovoltaic System**

On a motion introduced by Councilman Rice, the Board adopted the following Resolution:

RESOLUTION # 139

NOW, THEREFORE, BE IT RESOLVED,
to set up Capital Project #443 for the
WFD Photovoltaic System in the total
amount of \$202,330.00 and;

FURTHER BE IT RESOLVED, to
authorize the Supervisor to execute
the documents.

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

Internet blocking sites

Comptroller Reale -stated that we have the ability to block 25 categories our current subscription is good through 2011. This would require our IT consultant to administer the program. There is no fee because it's included with our software sonic wall. Next year it would be \$495.00.

County Sales Tax Distribution

On a motion introduced by Deputy Supervisor O'Connor, the Board adopted the following Resolution:

RESOLUTION # 140

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

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

Not on Agenda

Supervisor Johnson-Kirk a resident has requested a 5k run, I believe that's your domain whether you allow it or not. Kirk Woodcock, we have in the past.

REGULAR TOWN BOARD MEETING**AUGUST 5, 2010**

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

On a motion introduced by Deputy Supervisor O'Connor, and seconded by Councilman Pulsifer, the meeting was adjourned at 8:12 p.m.

Respectfully submitted,

Julie Hotaling Deputy Town Clerk

Supervisor, Arthur Johnson

Deputy Supervisor, O'Connor

Councilman, Charles Gerber

Councilman, Robert Pulsifer

Councilman, Robert Rice

