

OPEN BIDS: Highway Equipment (to purchase)
Spec. HE-1 (Catch Vacuum/Street Sweeper)

At 7:03 p.m., Supervisor Johnson called the bid opening to order. The Town Clerk opened and read the bids aloud. Two bids were received as follows:

Cyncon Equipment Inc., Rush, New York	\$ 122,300
Joe Johnson Equipment, Rochester, New York	\$ 123,090

Supervisor Johnson asked Highway Superintendent Kirklin Woodcock, to review the bids. The board would take action later in the meeting.

REGULAR TOWN BOARD MEETING

Immediately following the bid openings, Supervisor Johnson called the Regular Town Board meeting to order at 7:04 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’Conor-Deputy Supervisor
Robert Rice-Councilman
Charles Gerber-Councilman
Robert Pulsifer-Councilman

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

Public Comment

Supervisor Johnson asked if anyone had signed up for the public comment session. No one had.

Approve Pending Minutes

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

RESOLUTION # 109

NOW, THEREFORE, BE IT RESOLVED, to approve the minutes from the June 2, 2011 meeting as typed without amendment.

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

Saratoga Convention & Tourism Presentation

Supervisor Johnson recognized Todd Garofano, President of the Saratoga Convention and Tourism Bureau and Heather McElhiney, Group Tour, Sports and Convention Sales, also from the Bureau. Mr. Garofano stated that sports marketing had become an important initiative to the Bureau to do business throughout Saratoga County. The Bureau has been working with Steve Porto, Director of Gavin Park and has had some success. The Bureau had done a presentation for the Park Commission a few weeks back and they thought it would be a good idea to come before the Town Board. Mr. Garofano and Heather McElhiney explained what the Bureau was and the services they could provide. The Convention and Tourism Bureau was formed to help market, promote and sell new space at the Saratoga Springs City Center and position Saratoga as a Convention & Group destination. The focus of the bureau is groups...conventions, conferences, meetings, incentive groups, motorcoach, sports tournaments...anything with 10 rooms or more. The bureau places businesses throughout Saratoga County. In addition to large conventions & conferences at the City Center, they work with groups that have business throughout the county whether it be an association or corporate meeting, sports group or motorcoach tour group. The Saratoga Convention and Tourism Bureau would like a partnership with Gavin Park to work to bring events to Gavin Park and the Saratoga County area during key need times for the venue, town, city and county. As these opportunities arise, Saratoga Convention and Tourism Bureau would present specific details/requirements for each event to determine if it's a good fit for both (i.e. co-sponsorships, event operation expertise, rental considerations). The Bureau would connect with existing tournaments to enhance their Saratoga County experience by working with Steve Porto, Park Director, and other sporting venue management to introduce the Bureau and their menu of free services to tournament directors. The Bureau would also promote existing Gavin Park tournaments & events in Saratoga Convention and Tourism media outlets and channels.

Supervisor Johnson thanked them for coming and looked forward to working with them.

WWPP (Quarterly Report)

Margo Olson

Supervisor Johnson recognized Margo Olson, Director of Wilton Wildlife Preserve and Park. **Ms. Olson** presented her quarterly report to the board going over events, outreach and education, Recreation and conservation. Ms. Olson mentioned the First Lupine Festival held at the park that was a success and they received notice that the \$25,000 grant request to the State Giving program of the Walmart Foundation was successful. The grant will cover half the cost of the Education and Conservation intern and the rest would be for supplies and materials for their Education Programs. Ms. Olson highlighted some topics under Recreation such as Trail Maintenance, 5k Runs, fishing and the Fire Tower and under Conservation were: Habitat Restoration effort at Camp Saratoga, Karner blues, seed collecting, planning for the Frawley Parcel and Wetland studies. Ms. Olson mentioned a slight change in the annual schedule. The Open House is normally held on the first Saturday after Labor Day in September however, this coming October is the Parks 15th Anniversary so there will be a special celebration on October 16th, 2011 instead.

13 Peach Tree (Abandoned house)

Maurice lynch

Supervisor Johnson stated that the board had received a letter from Maurice Lynch, resident who brought up an issue which is not new and becoming more prevalent in the Town. Homes that are foreclosed on and sit abandoned for a period of time. They get in disrepair; lawns get neglected, and even get broken into. The Town building Inspector has provided a memo to all the Town Board members regarding this issue and there are different options the board can take. Building Inspector Mark Mykins is working with Keith Manz, Director of Planning and Engineering and Town Attorney, Richard DeVall on this. The Board will have to amend the Town Code for some type of enforcement procedure. Mr. Mykins has looked into other Towns to see what they have done. The Town of Malta has amended their Code to state that if whoever holds title to the property does not maintain it, the town would send someone in to do it and then the charge for that would be billed back to the property owner in their tax bill the following year. There are also some fines and town fees that would be put upon the owner. Supervisor Johnson asked the board to take a look at what the Town of Malta did and see if we are interested in amending our Town Code. Supervisor Johnson asked Councilman Pulsifer to work with Mark Mykins, Keith Manz and Rich DeVall and then come back to the board.

Highway Equipment (Award bids)

Bids opened at 7:00 p.m..

Catch Vacuum/Street Sweeper (Spec. No. HE-1)

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

RESOLUTION # 110

NOW, THEREFORE, BE IT RESOLVED, to award the bid for the Catch Vacuum/Street Sweeper Specification No. HE-1 to Cyncon Equipment Inc. for \$ 122, 300 and;

BE IT RESOLVED, to do a budget amendment appropriated from A599 Appr. Fund Balance in the General Fund in the amount of \$122,300 and transfer to A9901 Transfer to Highway Fund and;

FURTHER BE IT RESOLVED to appropriate same to DA 5031.0 inter fund transfers and DA 5130.2 Highway Equipment.

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

Reappointments (Park & Rec. Commission)

Supervisor Johnson asked for a motion and a second to reappoint three of the Parks and Recreation Commission members mentioned on the agenda.

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

RESOLUTION # 111

NOW, THEREFORE, BE IT RESOLVED, to approve the following reappointments for the new terms as indicated:

Joseph Bartol

Current term 7/31/11; new term 8/1/11-7/31/14

Brendan Geraghty

Current term 7/31/11; new term 8/1/11-7/31/14.

Thomas Coons

Current term 7/31/11; new term 8/1/11-7/31/14.

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

Peddling & Soliciting (LL No. 3 of 2011)

Supersede LL No. 2 of 1995

The Town Board set the public hearing for August 4th, 2011, at 7:00 p.m..

Appointment (Historic Preservation Board)

Katie Griffin Coons

Supervisor Johnson stated that there is a vacancy on the Historic Preservation Board and the board has interviewed Katie Griffin Coons earlier tonight.

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

RESOLUTION # 112

NOW, THEREFORE, BE IT RESOLVED, to appoint Katie Griffin Coons as member of the Historic Preservation Board to replace

Dagmar Helenek. New term 07/07/11-12/31/11.

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

Committee Reports (If Any)

Supervisor Johnson stated that Saturday July 9th, 2011, is the Park Fest Community Day that starts at 12:00 and includes the fireworks around 9:00 p.m., and the first Food Drive.

Councilman Gerber mentioned that two months ago the board appointed him to chair a sub-committee to look into the Ethics Law for the possibility of revising it and updating it. Richard DeVall will serve on the committee. What he is trying to do is get people from both sides of the aisle that have different views on the issues. Hopefully by next meeting we can start talking about the issues.

Deputy Supervisor O'Connor, stated that he has been working on the Code of Conduct and asked Councilman Gerber if that could be incorporated in process. Councilman Gerber agreed.

Supervisor Johnson stated that **Household Hazardous Waste Day** is scheduled for September 17th, 2011. He asked the board for a resolution to apply to DEC for their financial assistance.

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

RESOLUTION # 113

WHEREAS the Town of Wilton has appropriated \$9,000 for the collection and disposal of household hazardous waste within the Town; and

WHEREAS the Town of Wilton has agreed to allow Town of Saratoga, Town of Northumberland, Town of Moreau and the Village of South Glens Falls residents to participate in the Town of Wilton household hazardous waste collection program which has been tentatively scheduled for September 17, 2011 with all Town's being responsible for its fair share of the program's net cost; and

WHEREAS pursuant to General Municipal Law Article 5-G, Section 119 of the Town of Wilton desires to enter into a municipal cooperation agreement with the Town of Saratoga, Town of Northumberland, Village of South Glens Falls and the Town of Moreau relating to the collection and disposal of household hazardous waste; now, therefore, be it

RESOLVED the Town Board of the Town of Wilton does hereby authorize the Town of Wilton to enter into an inter-municipal agreement with the Town of Saratoga, Town of Northumberland, Village of South Glens Falls and the Town of Moreau to participate in Town of Wilton Household Hazardous Waste Day pursuant to the following:

- Town of Wilton will be responsible for the proper administration of the program and will be responsible for the registration process.
- Town of Saratoga, Town of Northumberland, Village of South Glens Falls and the Town of Moreau will reimburse the Town of Wilton its fair share of the net cost based upon the number of residents participating to the total number.

Estimated total net cost of the program to the Town of Wilton will be approximately \$9,000 which has been appropriated in the 2011 adopted budget

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

Highway Superintendent, Kirklin Woodcock mentioned the there is a Children’s Day at the Middle School, (like a fundraiser). Numerous Fire Departments, DA Collins and some of the Townships take a piece of equipment to the School for the kids (Big Truck Day).

Comptroller’s Report
(Including Bills & Transfers)

2011 May Cash Disbursements

General Fund	\$ 205,378
<u>Highway Fund</u>	<u>\$ 116,329</u>
Total	\$ 321,707

2011 Budget Transfer & Amendments

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

RESOLUTION # 114

NOW, THEREFORE, BE IT RESOLVED, to approve the budget transfers and amendments requested for and listed in the Comptroller’s 7/7/11 report to the Town Board.

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

Parks Department

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

RESOLUTION # 115

NOW, THEREFORE, BE IT RESOLVED, to amend the payment schedule with the Saratoga Wilton Soccer Club to include two payments one October 1st, 2011 in the amount of \$5,000 and one December 1st, 2011 in the amount of \$5,500.

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

Cell Phone resolution #12

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

RESOLUTION # 116

NOW, THEREFORE, BE IT RESOLVED, to amend Annual Resolution #12 to include Councilman Pulsifer, who was mistakenly left off the original resolution.

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

Executive Session

Supervisor Johnson stated that the board needed to adjourn to executive session due to Assessment litigation.

Deputy Supervisor O’Conor left the meeting before the executive session. He was not present to vote on the resolutions.

Adjournment to Executive Session

On a motion introduced by Councilman Rice, and seconded by Councilman Pulsifer, the board adjourned to executive session at 8:04 p.m..

Reconvene Regular Meeting

On a motion introduced by Councilman Rice, and seconded by Councilman Pulsifer, the board reconvened the Regular Town Board meeting at 8:26 p.m..

Assessment Litigation Settlement

Frank Parillo

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

RESOLUTION # 117

To approve the resolution as submitted;

WHEREAS, Frank R. Parillo and the Town of Wilton are desirous of having certain assessment issues resolved as to property owned by Frank R. Parillo in the Town of Wilton, and

WHEREAS, a settlement proposal resolving pending tax certiorari litigation was recommended by Daniel G. Vincelette, trial counsel to the Town of Wilton, and reviewed by the Wilton Town Board at its regular monthly meeting, and

WHEREAS, such a proposed settlement would present the parties with an expeditious and economic alternative to further litigation so as to resolve issues between the parties, and

WHEREAS, the Town Board has determined that the proposed settlement is in the best interests of the Town; now

THEREFORE BE IT RESOLVED, that the Town Board does hereby accept a proposed settlement for the 2009 and 2010 tax certiorari proceedings filed by Frank R. Parillo in which the 2009 and 2010 proceedings shall be discontinued without refunds or costs, and the 2011 assessment shall be reduced from \$6,669,100 to \$5,400,000, and the reduction shall not result in any refunds or costs from the Town; and the settlement shall be subject to the provisions of Real Property Tax Law §727; and it is further

RESOLVED, that the Town Board does hereby adopt this resolution to end the litigation between Frank R. Parillo and the Town of Wilton as to the above referenced assessments and;

FURTHER BE IT RESOLVED, to authorize Supervisor Johnson to sign the stipulation of settlement.

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

F & G Holdings

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

RESOLUTION #118

To approve the resolution as submitted;

WHEREAS, F&G Holdings LLC and the Town of Wilton are desirous of having certain assessment issues resolved as to property owned by F&G Holdings LLC in the Town of Wilton, and

WHEREAS, a settlement proposal resolving pending tax certiorari litigation was recommended by Daniel G. Vincelette, trial counsel to the Town of Wilton, and reviewed by the Wilton Town Board at its regular monthly meeting, and

WHEREAS, such a proposed settlement would present the parties with an expeditious and economic alternative to further litigation so as to resolve issues between the parties, and

WHEREAS, the Town Board has determined that the proposed settlement is in the best interests of the Town; now

THEREFORE BE IT RESOLVED, that the Town Board does hereby accept a proposed settlement for the 2009 and 2010 tax certiorari proceedings filed by F&G Holdings LLC in which the 2009 and 2010 proceedings shall be discontinued without refunds or costs, and the 2011 assessment shall be reduced to \$2 million, and the reduction shall not result in any refunds or costs from the Town; and the settlement shall be subject to the provisions of Real Property Tax Law §727, with the understanding that the assessment shall not be increased as a result of the town-wide revaluation, the filing of a Declaration of Condominium, or the filing of building permits for the property; and it is further

RESOLVED, that the Town Board does hereby adopt this resolution to end the litigation between F&G Holdings LLC and the Town of Wilton as to the above referenced assessments and;

FURTHER BE IT RESOLVED, to authorize Supervisor Johnson to sign the stipulation of settlement.

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

On a motion introduced by Councilman Rice and seconded by Councilman Gerber, the meeting was adjourned at 8:29 p.m..

Respectfully Submitted,

Carol Maynard, Town Clerk

Supervisor, Arthur Johnson

Councilman, Raymond O'Conor

Councilman, Charles Gerber

Councilman, Robert Pulsifer

Councilman, Robert Rice