

TOWN OF WILTON

22 TRAVER ROAD

WILTON, NEW YORK

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Susan Baldwin, Town Clerk

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PUBLIC HEARING via ZOOM-LOCAL LAW #1 OF 2021, CEMETERIES

7:00 P.M.

Supervisor Lant opened the public hearing at 7:02 p.m. He asked if there were any questions or comments. There were none.

On a motion introduced by Councilman O’Conor, seconded by Councilwoman Kolligian, with all board members in favor, the public hearing was closed at 7:03 p.m.

PUBLIC HEARING via ZOOM-UNSAFE BUILDINGS, 173 TRAVER ROAD

7:01 P.M.

Supervisor Lant opened the public hearing at 7:04 p.m. He asked if there were any questions or comments. There were none.

Councilman Bogardus asked if this is the property which caught fire. Supervisor Lant said it is and the owner has applied for a demolition permit.

On a motion introduced by Councilman Bogardus, seconded by Councilman O’Conor, with all board members in favor, the public hearing was closed at 7:05 p.m.

VIRTUAL TOWN BOARD MEETING via ZOOM-May 6, 2021

Supervisor Lant called the Virtual Town Board meeting to order at 7:05 p.m. and welcomed everyone.

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.

John Lant-Supervisor

John McEachron-Deputy Supervisor

Duane Bogardus-Councilman

Erinn Kolligian-Councilwoman

Ray O’Conor-Councilman

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

Supervisor Lant noted on April 19, 2021, a town resident, Army Paratrooper Abigail Jenks, was killed in a training exercise at Fort Bragg. She was a hero and a patriot. Please keep her and her family in your thoughts and prayers and take a moment of silence for her.

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

RESOLUTION #116

NOW, THEREFORE, BE IT RESOLVED, to suspend public comment for the May 6, 2021 meeting.

The adoption of the resolution was seconded by Councilman O'Connor, duly put to a vote, all in favor. The motion passed 5-0.

Approve Pending Minutes

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

RESOLUTION #117

NOW, THEREFORE, BE IT RESOLVED, to approve the minutes from the April 1, 2021 meeting, as typed.

The adoption of the resolution was seconded by Councilman Bogardus, duly put to a vote, all in favor. The motion passed 5-0.

Speed Limit Reduction Request

Councilwoman Kolligian asked what the board would like the speed limit reduced to? Supervisor Lant said the intersection of Northern Pines and Ballard Road has had multiple serious accidents. In a five week period, there were four accidents. There is a firehouse, two warehouse distribution centers, D.A. Collins and a school. More people are dropping off and picking up their children. There is more traffic there now than ever. He said he feels it should be dropped to 40 mph. Councilwoman Kolligian asked why the school zone is not marked with a flashing light and reduced speed during the day. Supervisor Lant said he has asked the questions and cannot get any answers. Deputy Supervisor McEachron said there are no walkers. Councilman O'Connor said that makes sense, no walkers or crossers. Councilwoman Kolligian said

considering the firehouse, school and state troopers are across the street, there are a lot of emergency vehicles coming out of there. Supervisor Lant said the town had extra lights put up at the state trooper's barracks. The speed limit is currently 55 mph. Discussion was held on posting of Ballard Road while waiting for a response from the state. Councilman O'Connor asked for a speed limit reduction to 40 mph for Edie Road from Ballard Road to Route 50. Councilman Bogardus said the town should do a town wide traffic study. Councilman O'Connor said everyone on the town board knows the town is not permitted to set its own speed limits unless, through an act of legislature, we are given permission to do so. He said he had a conversation with the Supervisor about this. While we are waiting for NYSDOT to take a look at the current requests maybe we should move in the direction of setting our own speed limits. Councilman Bogardus agreed and said the issue is not isolated to certain roads; it is town wide. Maybe we need to look at other options. He said we could use traffic mitigation fees to do a traffic study. Supervisor Lant said he spoke with Ryan Riper about this.

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

RESOLUTION #118

NOW, THEREFORE, BE IT RESOLVED, to request a speed limit reduction request for the following roads:

**Ballard Road-Route 9 to I-87 Interchange,
40 mph**

**Edie Road-Ballard Road to Route 50, 40
mph**

The adoption of the resolution was seconded by Councilwoman Kolligian, duly put to a vote, all in favor. The motion passed 5-0.

Intent to Accept Land

Ryan Riper, Director of Planning and Engineering, said this was discussed last month. He said he didn't know of other board members had the opportunity for a site visit. Councilman O'Connor looked at the piece of property. It is part of a conservation subdivision. With a conservation subdivision, the developer can offer lands to the town and can receive up to a 10% density bonus if the town board so chooses to accept the land. We are looking for the intent to accept the lands. The subdivision map provided shows the lands offered to the town for public use, highlighted in green (indicating). There would be a trail system built by the developer. He said in his opinion, this is a valuable piece that could be used for trail development. Councilman Bogardus asked if the proposed trail connects to anything. Mr. Riper said not at this time but in the future, there could be some connections to other trails. Councilman O'Connor said he walked the property a couple of weeks ago. He said all property owners, especially those adjacent to the conservation/trail area are given notice that there will be a trail adjacent to their property. Mr. Riper said he spoke to the developer's engineer. All of the real estate material will show the trail and open space/public lands. There will be signage during construction. Councilwoman Kolligian asked if it will be a natural trail. Mr. Riper said it will be. There may be some areas with woodchips but no improvements

such as pavement. Councilwoman Kolligian said it will not be maintained in the winter months. Mr. Riper said that is correct. Councilman Bogardus asked if it would be maintained by the town. Mr. Riper said it would be. Councilwoman Kolligian asked if there is water near the trail. Mr. Riper said the trail will be elevated above the Bog Meadow Brook. It is near Route 50 and Edie Road but when you are in the woods it seems like you are quite a way from developed areas. It is very nice. Councilman O'Connor said he was out there in the early evening and it was very quiet. Councilman Bogardus asked if there is a parking area. Mr. Riper said there will be a stormwater management area with a gravel access road for future maintenance. There is no intended parking area. Councilman Bogardus said the residents of the developments could experience the walking trail as opposed to someone driving and parking and walking in. Mr. Riper said there is a development just north along Edie Road. There is a potential trail connection that would extend into other state and town owned lands. There could be a larger trail network made with this connection. Councilwoman Kolligian said she asked about the water because we had issues with beaver dams a couple of months ago. Are there any concerns about that happening in this connection and would the town be responsible for the removal, maintenance and trapping? Mr. Riper said he did not see any signs of beaver activity in the area but that does not mean they wouldn't come in. Given the topography of the land, the trail is elevated so high above the brook, it shouldn't be a problem. Deputy Supervisor McEachron said his concern is if the trail is primarily for the residents of the subdivision, we are responsible for anything that happens. We are basically taking responsibility for a trail system that only the people in that development can utilize. Councilman O'Connor said the large preponderance of the activity will be the folks in the subdivision and then the neighboring subdivisions. Mr. Riper talked about the future connectivity to other lands. He said it reminds him of Wilton Wildlife Preserve and Park around twenty five years ago. There were a limited number of acres of trail but there was a vision. The maintenance will most likely be minimal. When you look at the long term potential of connecting this to other properties, it's certainly worthwhile. Councilwoman Kolligian asked who would be responsible for the maintenance. Mr. Riper said it would be Buildings and Grounds Department. There are funds in the Parks and Recreation Fund from private developers. These funds could be utilized for future maintenance and equipment. The recent update of the Open Space Plan clarifies the maintenance of the trails by the highway department as well as building and grounds department. He stated the Neilmann Trails are about 3 miles a long and the town has owned them for almost twenty years. There is very little maintenance and this past year, NYSDEC helped us with the clearing of trees and cutting of brush. There is very minimal town impact, in cost, for these natural trail systems.

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

RESOLUTION #119

NOW, THEREFORE, BE IT RESOLVED, to declare the Wilton Town Board's intent to accept the open space dedication from Edie Road Conservation Subdivision and offer a 10% density bonus to the applicant contingent upon Town Counsel and Town review of all land dedication documents and final subdivision approval.

The adoption of the resolution was seconded by Councilman McEachron, duly

put to a vote, all in favor. The motion passed 5-0.

Local Law #1 of 2021, Cemeteries

Sue Baldwin, Town Clerk said Town Counsel had some minor amendments to the local law, which were made. Deputy Supervisor McEachron said the local law is well put.

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

RESOLUTION #120

NOW, THEREFORE, BE IT RESOLVED, to approve Local Law #1 of 2021, Cemeteries, with final form reviewed and approved by Town Counsel and Town Clerk.

The adoption of the resolution was seconded by Councilwoman Kolligian, duly put to a vote, all in favor. The motion passed 5-0.

Unsafe Building-173 Traver Road

Mark Mykins, Code Enforcement Officer said the property is owned by Tra-Tom Development. They did apply for and receive a demolition permit but they are having a problem getting the utilities disconnected at the road. They are working on that. If we proceed forward, they have thirty days to start and sixty days to complete.

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

RESOLUTION #121

NOW, THEREFORE, BE IT RESOLVED, to approve the commencement of the 30 to 60 day timeline for the start and completion of the demolition of 173 Traver Road.

The adoption of the resolution was seconded by Councilman O’Conor, duly put to a vote, all in favor. The motion passed 5-0.

Hazardous Waste Day

Supervisor Lant noted Hazardous Waste Day will be held on September 18, 2021 from 8:30 to 2:00 p.m. at the Highway Department. Councilwoman Kolligian asked if we are planning for more than usual

collection due to the hold up over the last eighteen months. Supervisor Lant said the town is going to do another recycling day.

Peddling and Soliciting Permits

Ms. Baldwin noted she received two peddling and soliciting permit applications. One is a drug and alcohol prevention and awareness program and they've been doing this for years. They are not selling anything, just going door to door and handing out drug and alcohol prevention and awareness brochures and programs. The other is a pest control company, which has gone door to door in the past without a permit. We've received phone calls from residents about them being aggressive. We have both applications before us and looking for input from the board regarding door to door during Covid-19.

Councilman O'Connor said he is not a big fan of peddling and soliciting, Covid or not Covid, in today's world, for the safety of residents, families and kids. It seems like there is another way to do it like direct mailing or newspaper. Supervisor Lant agreed.

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

RESOLUTION #122

NOW, THEREFORE, BE IT RESOLVED, to deny peddling and soliciting permits for Fox Pest Control and Albany Teen Challenge.

The adoption of the resolution was seconded by Councilwoman Kolligian, duly put to a vote, all in favor. The motion passed 5-0.

Proposed Local Law #2 of 2021

Opting out of Licensure and Establishment of Cannabis Dispensaries and/or Cannabis Onsite Consumption Sites

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

RESOLUTION #123

NOW, THEREFORE, BE IT RESOLVED, to set a public hearing, via Zoom, for Thursday, June 3, 2021 at 7:01 p.m. for proposed Local Law #2 of 2021, Opting Out of Licensure and Establishment of Cannabis Dispensaries and/or Cannabis Onsite Consumption Sites.

The adoption of the resolution was seconded by Councilman O'Connor, duly put to a vote, all in favor. The motion passed 5-0.

Public Employers Health Emergency Plan

Supervisor Lant said the board reviewed the draft document at the last meeting.

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

RESOLUTION #124

NOW, THEREFORE, BE IT RESOLVED,
approve the Public Employers Health
Emergency Plan.

The adoption of the resolution was
seconded by Councilman Bogardus, duly put
to a vote, all in favor. The motion passed 5-
0.

Committee Reports

Ms. Baldwin said Saratoga County Soil and Water will be holding a tire recycling day at the transfer station in the Town of Moreau on May 25, 2021 from 4:00 p.m. to 5:30 p.m. Saratoga County proof of residency is required as well as pre-registration. The fee is \$5.00 per tire

Deputy Supervisor McEachron said he spoke to Mark Marino about how the last tournament where he received good reviews. They were social distancing and doing what they're supposed to.

Mr. Marino said the next tournament is Mad Dog Mania on June 19th and 20th. He said he spoke with Nancy Stengel and it's a similar soccer tournament made for the older players. More people come in from out of state, but they're going to be following the same CDC guidelines as they did for the May Day Classic. Everybody followed the guidelines and they did a nice job. He said he anticipates that Ms. Stengel is going to do the same thing with the Mad Dog Mania soccer tournament. We have the Rhino Lacrosse Shootout on June 26 and 27, which is similar in size to the May Day Classic and 144 teams participated in a two to three day event part of it was Friday as well. The bulk of the activities are on Saturday and Sunday and is about two thirds of the day versus an all-day tournament. Mr. Marino said he is seeking for approval to go forward with two tournaments with a similar fashion as the May Day Classic.

Deputy Supervisor McEachron said he spoke to Josh Vincek and he was going to open the field for parking, it's going to be between Mr. Vincek and the vendor. The town is going to be out of it. We're not going to have any insurance liabilities. This is going to be between the Vincek family, and the vendor, which is what we initially wanted to do a couple of years ago. The parking will be alleviated from the Dorothy Nolan School and Beverly Drive.

Councilwoman Kolligian said it was her understanding Mr. Vincek can't use that for parking, with his agreement with Saratoga Plan, is that correct? Deputy Supervisor McEachron said he spoke to Mr. Vincek about that and he's adamant that it's his property. It's between the Vincek family, Saratoga Plan and the vendors. Mark Schachner, Town Counsel said that is not our issue.

Councilman Bogardus said theoretically, the parking is a private contract between the landowner and the soccer tournament organizers, with no involvement of the town. Deputy Supervisor McEachron said absolutely zero to do with the town. Mark Marino policed the last event and he said it went off without a hitch. He said he is in favor of continuing on, this is an outdoor event and it brings a lot of people to this county, to this town.

Councilman Bogardus said his only concern is there seems to be no information on COVID anymore. He said he's not sure if there's any COVID hotspots that are designated to certain states or anything. Deputy Supervisor McEachron said Governor Cuomo is opening the state. Councilman Bogardus said that is correct for in-state but we have teams coming from out of state. Deputy Supervisor McEachron said they're outside, and if they're doing what the CDC is saying they're supposed to do safely and with the masks he said he'd rather have them come and be outside. Go stand six feet apart and wear masks.

Councilman Bogardus said if you were going to see the Albany Firebirds or the Arena Football, in order to get into that you have to show proof of vaccination and proof of a COVID test within three days. Councilwoman Kolligian said those are indoor events. Councilman Bogardus asked where do we fall in those guidelines, as far as outdoor activities? Deputy Supervisor McEachron said we leave it to the vendors, it's their event and they're responsible for making sure that the guidelines are followed just like any other sport that we've opened up. Councilman Bogardus said we are the host of it.

Councilman O'Connor asked what the geographic catchment area is for these teams.

Mr. Marino said if you think of it as a pod with the different fields, you have less than 50 people, it's two spectators per participant, which reduces the numbers, significantly. They're going to have approximately 11 full sized soccer fields. It reduces the amount of people in a crowded area, spaces them out, it gives them an opportunity for social distancing. He said his understanding is if you had the COVID shot, the second shot or the one shot and you pass the timeframe that it takes to be effective, they recommend those people to wear masks, but it's not required. We have signage that says we want them to wear masks for social distancing and he said from observation, that is what he saw. With the small areas broken up into different fields, it keeps people separated. You can have spectators on one side of the field and the other side is the benches and the players. The distancing is there and 80% were wearing masks, if not more. People have had COVID shots, the outdoor venue was much different than the indoor venue, it's more relaxed now. They're allowing people to move about, without a mask if they've had the vaccine so he said he feels confident, comfortable with this, with these two tournaments going forward.

Councilman Bogardus asked who was ensuring that the people without masks have vaccines and how many out of state teams are playing? Mr. Marino said they come in from different states like Vermont and Massachusetts. Councilwoman Kolligian said we have them sign that Hold Harmless, correct?

Mr. Marino said we do have a Hold Harmless and were signed off. We're not liable for it, it's a facility rental, they run it, and they are responsible for the enforcement of all the masks, we're not. There is signage out there for the park, that does suggest that they should be doing that. Councilman Bogardus said only 80% of the people last tournament wore their masks. Mr. Marino said he was guessing and could be wrong. Most people wear a mask. The ones who don't, they're outside and they're family, a mother and father. Councilwoman Kolligian said the CDC just changed that guidance and if you're outdoors you don't need a mask. Mr. Marino said most people socially distance and that was what the key was, we were separating all these crowds. 100 or 200 people spread out with the soccer fields and then when they're done with their games, they move away, they just go to rest areas with picnic tables.

They will go to the playground or they leave the area to go get something eat in the all the places on Exit 15.

Councilman O'Connor said he was at Gavin Park a couple of weeks ago to watch his granddaughter's soccer game. He said he was very conscious about looking around at the different fields. He saw one person without a mask. He went to another recreation facility, outside of our town and at that recreation facility there were more people, and nobody except for him, wore a mask.

Councilwoman Kolligian said baseball has been doing a great job.

Councilman Bogardus said those are all local teams where we can govern. Recruited teams from out of state, we can't regulate because they go by their own regulations so when they come to New York, they may feel they don't need to wear a mask or in their state, they don't wear a mask, but here we are required. We just had, at the end of the last tournament wear masks, or we require masks outside, and only 80% complied. I think a decline but all that one person who did.

Councilwoman Kolligian said there's a difference between us requiring it and recommending it. If the CDC is saying we don't have to, that's kind of above our pay grade I think to dictate that.

Councilman Bogardus said he thought the CDC is still recommending wearing masks outside.

Mr. Marino said if you had two shots, have your card and social distance, you can go without a mask.

Councilman Bogardus asked if we check people's cards and if not, how do we verify?

Deputy Supervisor McEachron said if you're vaccinated, or you're outside, and you're social distancing, you don't have to wear a mask.

Councilwoman Kolligian said she had a co-worker flying from Costa Rica last night, we confirmed with the county whether they had to quarantine or not, and they did not. She was at work this morning and no, she's not vaccinated. That came directly from the county because we wanted to clarify it.

Councilman Bogardus said lately there has been no guidance at all, as far as COVID. He said he would hate it if one person who comes in and spreads it through our town and becomes a cluster.

Councilwoman Kolligian agreed. Deputy Supervisor McEachron said anyone would feel that way, but do we shut down? Councilman Bogardus said he did not know what the right thing to do is. Deputy Supervisor McEachron said to make a decision. They're not always going to be the easy decisions, but they have to be made.

Councilwoman Kolligian said we have to trust people at this point, make the right decisions.

Deputy Supervisor McEachron said he's in favor of outside events.

Councilman O'Connor asked if everyone who attends the tournament's expected to wear a mask when they're on our park property, Supervisor Lant asked if they are supposed to have monitors to enforce that? Mr. Marino said they have their own staff that goes around and enforces that when they sign a waiver and register with the coordinators. The town is released from any liability with that and as far as wearing the mask. The initial guidelines were to wear a mask when playing on the soccer field, everybody was required at that time but since then, the requirements changed. What they're recommending is that you wear a mask because the guidelines have changed. I think the coordinators do a great job with recommending that everybody wear a mask. The May Day Classic everybody basically wore a mask, maybe 80% was probably too low, probably more 90%, just randomly driving and looking around and he said when he did see the mask off it was typically the parents of the child that were a distance from other people. There are signs that indicate everyone needs to wear a mask, but it's a facility rental and they have their own soccer guidelines that they've been following like they did they May Day Classic. They

have a lot of respect for Gavin Park and the coordinators who run the tournament, and they follow whatever the lead is from them.

Councilman O'Connor said the CDC website states if you attend a crowded outdoor event, like a live performance parade or sports event, you should wear a mask. There's no national law that says, you're going to be arrested if you don't wear a mask, but he said he is in favor of going ahead with these tournaments if everyone is required to wear a mask.

Councilman Bogardus and Councilwoman Kolligian agreed.

Discussion was held regarding a sheriff at Gavin Park events.

Discussion was held regarding in state and out of state teams.

Mr. Marino said when setting up these tournaments we're going back to when the CDC was requiring everybody to wear a mask and that's what they're communicating to the people when they registered. We had some out of state teams from Vermont and Connecticut participate in the May Day Classic. He said his perspective is that everybody is strongly encouraged to wear masks, whether they're out of state or in state. They were very good with adhering to the CDC guidelines and thought it was a very successful tournament as a result of it.

Deputy Supervisor McEachron said the everyone will be advised of the mask rule for the next two tournaments. Mr. Marino said it's all posted around the park and have signs everywhere. He said similar to what Deputy Supervisor McEachron was saying the people he observed without a mask, were not part of the crowd, they were away, you know, they were like, 20 feet 30 feet away from the immediate area. When they get closer to people, they put their masks on.

Supervisor Lant said for hiring in any department he would like the liaison to that department to sit in on the interview. Deputy Supervisor McEachron agreed with that. Councilman O'Connor said he doesn't see himself sitting in an interview for the guy that's going to be the wing man on the plow. Supervisor Lant said it would be full time employees

Councilman Bogardus asked if we're going to hire an employee for the town, you're looking for the liaison of that department, a board member to sit in on an interview, the interview and hiring process is that what we're looking for. Deputy Supervisor McEachron said if some other council member knows a little bit more about that department, they could sit in on the interview.

Supervisor Lant said he would like all bids to go through the Comptroller.

Ms. Baldwin said bids have been opened in the public or opened at a town board meeting, but maybe Mark Schachner can weigh in on this, if the comptroller can be opening bids, or if that is the town clerk's duty.

Mr. Schachner said his recollection is that the town board is allowed to delegate the authority to anybody who wants, but they do have to be publicly opened. Deputy Supervisor McEachron asked if that is how it's been going so far. Ms. Baldwin said it is. Councilman O'Connor said it is immaterial as to who it's delivered to. Maria Moran, Comptroller said, to clarify what Supervisor Lant meant, keep everything the same, exactly the way it's working. The Town Clerk is handling the publications and running the bid process. Supervisor Lant is talking about, not procurement rules as it does not apply to going out to bid per se, that's a very specific process, nothing's changing there we have a great system it's working exactly the way it should. We're following all the procurement rules that are supplied by the state. Supervisor Lant is talking about when we have public works, or something that we do, that does not require bid per

se, that just requires making sure there's contract decisions that are made regarding purchasing exclusive of when it has to go to RFP. The RFP process the request for proposals for amounts that are greater than the threshold established by the state, which is \$20,000 for supplies. Mr. Schachner said those are not the thresholds for requests for proposals, those are the thresholds for bidding. He said he thinks what Ms. Moran is suggesting is not to change our current process as it relates to legally required competitive bidding, which would still be as it always has been advertised by the town clerk's office delivered to the town clerk's office and open publicly and read aloud by the town clerk's office, separate and apart from those things that require competitive bidding, things that don't require a competitive bid. The thresholds being discussed are the general municipal law thresholds for competitive bidding, not for RFPs requests for proposals. Ms. Moran said when there are decisions to be made as to which vendor to use for a similar service that it shouldn't be a decision of who we'd like to spend money with or if we have a good relationship with this vendor. It should be we go out and we get quotes, and we seek state contract information and that's what we strive to do. Councilman O'Connor said for town purchases that are not subject to public bidding and public openings that all such purchase proposals, go to the Comptroller. Councilwoman Kolligian said she is not comfortable with this conversation or making a decision tonight until we know more. Supervisor Lant agreed and would like to give the board more information.

Councilwoman Kolligian said the rental property rental legislation we were working on a year ago is not as easy as she thought it was going to be. When talking with Mark Mykins, it's going to be really hard to enforce. We have to have equipment to measure noise and establish a noise ordinance if we are expecting law enforcement to enforce it. They don't have the equipment they need either. We really need to brainstorm more about how we're planning on doing it, whether it's a build up to the noise ordinance. She said she didn't want to drop the conversation and thinks it's important. People who rent their houses are actually in favor of it because they want to know who they have renting and hold them accountable and obviously, any disputes between neighbors, they don't want that. We can sideline that but would like to have more conversation about that moving forward especially going into the summer months.

Councilwoman Kolligian said Dr. Kuhl's sent her an email with a lot of information that was forwarded on to the board. Councilman O'Connor responded. If everybody would look at that email with guidance from the state and the county. She said she had conversations with Maria Moran, Nancy Riely, Robin Corrigan and Mark Schachner. Robin is an employee of the town. The senior center is on town property. However, the Senior Center is guided by their own board. We're trying to establish who has authority and who actually makes the decision for reopening the Senior Center. It's the Senior Center board who could vote to adopt a policy that we put forward. The maximum capacity of the Senior Center is 141 we would want to establish a percentage. In the email from Dr. Kuhls, we need to determine what kind of building and facility the Senior Center is within that guidance because it actually doesn't say a Senior Center, so we have to figure out what percentage of capacity we are going to work with. Nancy Riely spoke with the insurance company and relayed some information to Mr. Schachner regarding liability. It's not 100% we are protected. We can use guidance from our town return to work policy. We should establish a sign in, sign out sheet. Have each senior sign a hold harmless agreement similar to Gavin Park for people to sign for indoor use, require mass social distancing, temperature checks, disinfecting and possibly partitions if found necessary in logging attendance. Obviously for any kind of tracking that may need done. Robin

would like to wait until all town buildings are open for the Senior Center to be open. She said she wanted to let the board know and get feedback on how they will feel about opening. When we do establish the Hold Harmless or use the return to work policy, we will have everything reviewed by Mr. Schachner to ensure that we are on track. Deputy Supervisor McEachron said he thinks Covid-19 is targeting the elderly and assumed most of these members are probably vaccinated. Councilwoman Kolligian said Robin would agree but can we even ask that question because people have the right to privacy for their medical history and we can't make it mandatory. Assuming maybe they aren't all vaccinated, we need to take the necessary precautions. To protect the ones that aren't or maybe medically could not be vaccinated. Deputy Supervisor McEachron said it is confusing because of the news. They're not going to let you fly unless you're vaccinated, you're not going to be able to do sporting arenas unless you're vaccinated. But you can go to a senior center and not be vaccinated.

Mr. Schachner said there's a difference, the different distinction is between private companies or employers versus public companies or employers. Those of us who have private, who own or participate in private companies, are allowed to ask our employees. We're also allowed to require our employees to vaccinate because we're private entities. The town is a public entity, it is not allowed to do either of those things.

Councilman O'Connor if the senior programs are being run by this senior group or organization and simply just using our facility, can that outside organization of seniors ask and require their members to verify they're vaccinated. Mr. Schachner said the short answer is he's unsure but the longer answer is he thinks it's a private entity.

Councilman Bogardus said he was the liaison for the seniors the last three years. They are technically a private entity, working within the town complex, the Senior Center. Robin Corrigan is our paid employee who is the liaison person between the town and the seniors, but technically the seniors are governed by their own board of directors and establishes and enforces rules and regulations within their organization. Robin is the liaison between the senior center and the town. She's our employee, she has no governing authority over them. She's just the liaison, or at least that was his understanding when he said he worked with the personnel department. That's consistent with what was suggested.

Deputy Supervisor McEachron said if it's a private entity and their board of directors were to say you need to be vaccinated in order to come to the senior center then we would probably rule out a lot of this. They have a board of directors, president, vice president, treasurer along with their suggested the guidance outline. They are their own governing body. Robin really has no authority over them.

Councilwoman Kolligian said according to our insurance company because Robin staffs the Senior Center and the senior center is on town property, the guidance to the senior center board should come from the town. We can require mandatory vaccinations or perhaps note from your doctor as to why you can't be vaccinated. Councilman Bogardus said they could make an addendum to their bylaws. Mr. Schachner said which makes sense if they're a private organization.

Councilman Bogardus said the organizational outline of the president, vice president, treasurer and their bylaws constitutes them being able to be a nonprofit organization.

Councilwoman Kolligian said that is correct but as the town board, we have to give permission for that building to be open. There's a lot of crossover inside that gray area that we have been trying to work through to make sure we're all covered and protected and doing the safest thing that we can, with wanting

to open like they deserve to have their moment together and get out of the house and have a safe place to go.

Deputy Supervisor McEachron asked what if they're their own private entity? Our job is merely to say you have permission to use the building.

Councilwoman Kolligian said, theoretically the organization can mandate. They can only come here because it's private. It's a private organization, they can regulate if you're not COVID vaccinated whether you can or cannot come. It's good, they have the authority as a board of directors for the senior center, they have the right to institute that by law, then they can or cannot come into the activities,

Councilman O'Connor said what needs to be accomplished is to go to their board and say, we'd love to welcome the seniors back, but we don't want anybody to get sick, we don't want anybody to die.

Councilwoman Kolligian said correct and give them a list of recommendations. The board doesn't have to decide tonight. Robin asked to send her an email if anyone has any thoughts. She said she can organize them and send them to the board. She asked if the board would you want feedback back from their board. If there's anything big, that comes up where they might disagree. Do you want me to come back and say here is where we stand?

Deputy Supervisor McEachron said he thought it was our job is to give them permission to use the building.

Councilwoman Kolligian said for the insurance company to protect us from liability, we propose the recommendations that they adopt because it's on town property and because Robin is a town employee.

Deputy Supervisor McEachron asked if we can legally do that because it's a public entity versus a private entity. Councilman O'Connor suggested to start with going to the senior group's board asking them under what circumstances they want to bring their members back. If they come back and they say we want everybody vaccinated and for those who aren't vaccinated, they have to wear masks and stay six feet away, and they're following all those protocols. But if they say they don't care if anybody's vaccinated, we don't have to wear masks and we're going sit shoulder to shoulder, then we have a problem.

Councilwoman Kolligian said the Saratoga Senior Center has been open the whole time, for the most part, but the Town of Colonie Senior Center has not been opened yet. There's a little bit of everything going around. It all depends on who's in charge. If you have any questions send an email.

Supervisor Lant said the board interviewed a candidate for the Ethics Advisory Board prior to the meeting.

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

RESOLUTION #125

NOW, THEREFORE, BE IT RESOLVED, to appoint Alex Rusate to the Ethics Advisory Board, 5/6/2021-12/31/2022.

The adoption of the resolution was seconded by Councilman Bogardus, duly put to a vote, all in favor. The motion passed 5-0.

Mr. Marino said he is not sure where we stand. Are we allowing this tournament to happen? Councilman O'Connor said under the same conditions that the last tournament was run. Deputy Supervisor McEachron asked how far apart the two tournaments are. Mr. Marino said a month and a half. He said the coordinator would like at least 30 day notice so that he can contact people who registered. He said the Mad Dog Mania is the 19th and 20th of May and then the Rhino Lacrosse Shootout is the week after. He said he would like to talk about the Splash Park. We usually open up Memorial Day and on weekends, and because there's no school, typically would wait till the kids get out of school. He said he wanted to see what the board wants to do with opening up. There are a lot of guidelines that are different, the water, and being that the Splash Park is more confined. He said he's gone through all the details of some of the pros and cons. He said his recommendation is not to open it up to the public this year. Councilman Bogardus said if we're not opening to the public, we shouldn't open it up at all. Mr. Marino said we were going to do it on site for summer camp because summer camp is different. Summer camp is in pods of 10 people. The space itself is approximately 50 by 50 feet. We have better control because we have counselors supervising the kids. If you open up to the public, we only have one person receiving the people coming in and checking the temperature. They're going to be prepaid and think you're going to have a lot of different people from the Wilton area coming in. You only can have 100 kids on the pad at one time when things are normal. You'd have to at least cut that in half to at least 50, it's still too close proximity, if you're trying to get people to be six feet apart, without a mask when they are in the water, it's just not logical.

Councilman Bogardus asked what happens when someone wants to bring their kids to the Splash Park and can't; but we have out of town people who go to summer camp who are allowed to use the Town of Wilton Splash Park. Supervisor Lant said it has to be one or the other; open or close the park. Councilman Bogardus agreed. We're not allowing our town people who pay the taxes for that splash park to use it and we're allowing people from Saratoga and Greenfield surrounding areas going to summer camp using it. Mr. Marino stated the people in summer camp are all town residents. Deputy Supervisor McEachron said he's all for the splash park because it's a great thing for the community. We get a lot of positive feedback on it, but he said if he brings his kids or grandkids over to the park to use the playground and they see kids in that splash park, and have to tell them they cannot go in, that's not going to happen. Either open it for all or close for all.

Councilwoman Kolligian said we need to control the capacity. Supervisor Lant said it should be open for all. Deputy Supervisor McEachron said he didn't think it should be limited just to people that participate in summer camp. Councilwoman Kolligian said we should establish a maximum capacity, and not what its maximum capacity is now, maybe even 50% of that number. Deputy Supervisor McEachron said we also have to remember, it's \$15,000 plus water that we use for the Splash Park, to operate per year and the revenue from the concession is about \$7,000 to offset it based on the fees. If you cut it in half, it's going to be a liability on the town and it's going to cost us, but there's a lot of money put into that Splash Park to turn it on. Mr. Marino said you're going to have a deficit of \$20,000, probably \$7,000 with water and \$22,000 for expenditures and new revenue if we have to cut the amount of attendance in half, you're going to bring in about \$5,000 in fees. Deputy Supervisor McEachron said it's going to cost \$25,000. Mr. Marino said his recommendation is not to open up at all, not even for summer camp.

Deputy Supervisor McEachron agreed. The cost to open it up and run it at half capacity, it just doesn't work financially, unfortunately. Councilwoman Kolligian said we need to make that very clear to Wilton

residents, because there's going to be a lot of bummed out people who once again are not going on summer vacation or relying on staying home and trying to find activities for their kids.

Councilman O'Connor said if demand exceeds the available spaces of people you can put in there, you can implement time limits on people when you have a two hour limit. Mr. Marino said you're going to have to people waiting in line to come in. The demand is high on a normal year.

Councilman Bogardus said if we lose some money, we, as a town do have the money, he would love to afford it to our town residents. If there is a possibility because a lot of good feedback about Gavin Park. Supervisor Lant said he felt the same way.

Councilman Bogardus said he would love to see it open, not necessarily to the summer camp, but would like to see it open to our town residents because of COVID, people are afraid to travel, and if we can do it safely, even though they have capacity, even if we lose \$10,000. He said our town residents, if they're not comfortable traveling, we should afford them some opportunities, locally, to bring their kids to. People like to splash park. Maybe we can't open it up to the summer camp but I think we definitely should open it up to our residents, even if the residents are summer campers. We should either open it on a limited capacity, and perhaps take a loss and give our taxpayers, some enjoyment to their town park, because they've lost enough. They're not traveling. Let's keep them local. They spend their money locally; we may lose in town funding but we may gain in commercial funding with takeout orders and restaurants. We need to accommodate our residents as well.

Councilman O'Connor said he didn't look at it as a financial issue, but as a public safety issue. If it's open, it should be open to everybody, except with very specific guidelines about capacity and if people are waiting whatever the time is you're limited to, one hour or two hours, so that everybody gets an opportunity to use it. What is the timing of the opening? Do you want to open Memorial Day weekend or wait until school's out, the third week of June?

Mr. Marino said the reason why we waited until school is out is because they usually come during the day to go to the splash park so we used to wait till the end of June, but if they're learning at home, they're free to come over at noon. Councilwoman Kolligian said the elementary kids are in school five days a week. Councilman O'Connor said they're in school until 3:00 p.m. Mr. Marino said we will wait until the end of school to open. Councilwoman Kolligian said we should keep this an open dialogue as the park comes up with rulings, expectations and capacity and keep the board informed. Councilman Bogardus said perhaps we can explore the possibility of people doing online reservations so we can regulate population or numbers in that park at a time. Mr. Marino said we will have the online registration like pickleball and have ten or twenty day passes. Councilman Bogardus said they can sign up for time blocks so there will be 20 people coming in at 10 o'clock until 12 o'clock, and just do it on a scheduled basis. This way we're not denying anyone admittance; but they'll have to call ahead and schedule it.

Mr. Marino said there is a Basketball Tournament. This is a little challenging. He said the tournament director representing Zero Gravity contacted him and they bring in people from all over, New Jersey, Connecticut, Massachusetts and Vermont. This is an indoor tournament with social distancing and masks. Mr. Marino said he spoke to Matt Hart and neither feel comfortable with the basketball tournament but wanted to present it to the board.

Councilman Bogardus asked Mr. Marino if he recommends we don't have the tournament. Mr. Marino said that is correct. Councilman Bogardus said he supports that recommendation. Councilman O'Connor agreed. Councilwoman Kolligian said their tournament is not just a gymnasium type of tournament. Gavin Park would be part of a bigger picture. They'd be using gymnasiums in Saratoga Springs. They use any basketball courts that they can find in the vicinity, within 20 minutes of each other, so it's not just for a few teams coming in, it's more like 50 teams. It's like a lacrosse tournament where we travel, and there's different sites and locations. It's a lot of mixing and mingling. Councilman Bogardus thanked Mr. Marino for his candor and honesty about not feeling comfortable with that.

Comptroller's Report

1.) 2021 Budget Transfers

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

RESOLUTION #126

NOW, THEREFORE, BE IT RESOLVED, to approve the 2021 budget transfers, requested for and listed in the Comptroller's 5/6/2021 Report to the Town Board.

The adoption of the resolution was seconded by Councilwoman Kolligian duly put to a vote, all in favor. The motion passed 5-0.

2.) 2020 Budget Amendments

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

RESOLUTION #127

NOW, THEREFORE, BE IT RESOLVED, to approve the 2021 budget transfers, requested for and listed in the Comptroller's 5/6/2021 Report 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 5-0.

3.) Use of Highway Equipment Reserve

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

RESOLUTION #128

NOW, THEREFORE, BE IT RESOLVED, to approve the use of Highway Equipment Reserve Funds for a 2017 paver, 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 5-0.

4.) Camp Saratoga Footbridge Project

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

RESOLUTION #129

NOW, THEREFORE, BE IT RESOLVED, to approve bidding process for the footbridge project at Camp Saratoga

The adoption of the resolution was seconded by Councilwoman Kolligian, duly put to a vote, all in favor. The motion passed 5-0.

5.) Penflex Service Award Program

Ms. Moran said the Penflex board members list was posted for the 30-day requirement with no changes. The Penflex data package has been mailed. The next step, we will receive a bill from Penflex, who is the actuary for the town’s contribution for the service participant’s pension.

6.) Internal Review-Justice Court System

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

RESOLUTION #130

NOW, THEREFORE, BE IT RESOLVED, to approve the annual internal review of the court records with no exceptions noted.

The adoption of the resolution was seconded by Councilwoman Kolligian duly put to vote, all in favor. The motion passed 5-0.

7.) Personnel

a.

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

RESOLUTION #131

NOW, THEREFORE, BE IT RESOLVED, to accept the resignation of Richard McCane as of May 27, 2021.

The adoption of the resolution was seconded by Councilman Bogardus, with regret, duly put to vote, all in favor. The motion passed 5-0.

b.

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

RESOLUTION #132

NOW, THEREFORE, BE IT RESOLVED, to approve the promotion of Jason Brueckner to Working Supervisor, vacated by Richard McCane, at the rate of \$28.54 per hour.

The adoption of the resolution was seconded by Councilman Bogardus duly put to vote, all in favor. The motion passed 5-0.

Ms. Moran said Mark Marino is requesting to hire Todd DiMenna to the full-time position of Program Events Coordinator. If he is approved, Todd would be hired at the base rate of \$20.31 effective Tuesday, May 11, 2021. Deputy Supervisor McEachron asked what the second request is. Ms. Moran said it’s the same employee who could potentially be hired is requesting to keep his current part time job at the YMCA. His hours would not conflict with the hours at the park. She said the position eliminated back in September of 2020, was a clerical one. This one is program related, facility rentals and the fiscal clerical duties would still have to be performed by these people who are now being hired. Councilwoman Kolligian said this is back filling a position that was not filled as a result of Covid and the park being closed. Deputy Supervisor McEachron said he’s having a problem with the spur of the moment without time to think it

over. We vacated a position to open another. Councilman Bogardus said technically it is the vacant position of Mary Salica. He said he also had questions about this and called Ms. Moran during the week. They are only working with 2 full time administrative positions, non-clerical. Right now, it's Mr. Marino and Mr. Hart running the park. Deputy Supervisor McEachron asked what happened to the woman we already hired? Ms. Moran stated her plans changed and it affected her availability to work full time and would not be able to fill Mary's position right now. Mr. Marino stated the person who was filling in is no longer working for us. She has resigned.

c.

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

RESOLUTION #133

NOW, THEREFORE, BE IT RESOLVED, to approve the hiring of Todd DiMenna for the full time position of Program Events Coordinator, starting May 11, 2021 at the base rate of \$20.31 per hour with full benefits, contingent upon completion of all documents and passing of all screening requirements

The adoption of the resolution was seconded by Councilwoman Kolligian duly put to vote, all in favor. The motion passed 5-0.

d.

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

RESOLUTION #134

NOW, THEREFORE, BE IT RESOLVED, to approve the request for Todd DiMenna to keep a part time job at the YMCA.

The adoption of the resolution was seconded by Councilwoman Kolligian duly put to vote, all in favor. The motion passed 5-0.

e.

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

RESOLUTION #135

NOW, THEREFORE, BE IT RESOLVED, to approve overnight travel for Susan Baldwin to attend the NYS Town Clerk's Association Regional Meeting on June 4, 2021.

The adoption of the resolution was seconded by Councilwoman Kolligian duly put to vote, all in favor. The motion passed 5-0.

8.) Asset Disposition

a.

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

RESOLUTION #136

NOW, THEREFORE, BE IT RESOLVED, to approve the request from Scott Harrington to sell the following items on Auctions International:

**2015 Ford F250
Ladder Rack**

The adoption of the resolution was seconded by Councilman O'Connor duly put to vote, all in favor. The motion passed 5-0.

b.

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

RESOLUTION #137

NOW, THEREFORE, BE IT RESOLVED, to approve the request from Michael Monroe to donate used radios to Saratoga County Radio Amateur Civil Emergency Service Association, Inc.

The adoption of the resolution was seconded by Councilwoman Kolligian duly put to vote, all in favor. The motion passed 5-0.

c.

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

RESOLUTION #138

NOW, THEREFORE, BE IT RESOLVED, to approve the request from Mark Marino to sell the following item on Auctions International:

John Deere mower/bagger

The adoption of the resolution was seconded by Councilman O’Conor, duly put to vote, all in favor. The motion passed 5-0.

Councilman Bogardus said he was involved with the Abigail Jenks funeral. He thanked the town residents, the town board, town employees and surrounding emergency service agencies who had a great outpouring of dedication in honoring Abigail Jenks who was tragically killed in a training exercise. In being part of the coordination, we had forty eight EMS and fire agencies participate and twelve law enforcement agencies in the four days of activities. On behalf of the Town of Wilton and the Wilton Town Board, Councilman Bogardus extended his gratitude to the public and all agencies for their support to the family. Supervisor Lant said he reached out to Sheriff Zurlo and let his department know our gratitude. Carl Zielmann, Saratoga County Emergency Services Coordinator is going to relay the message to all the emergency services. They all did a great job. Councilman Bogardus said agencies from all over the area brought apparatus and personnel to honor Abigail. It was a great tribute. If anyone witnessed the procession on Thursday night, it was great. The Town of Wilton was able to turn out and support a family who lives in town and support the family and friends of Abigail. Councilman Bogardus thanked the entire Town of Wilton.

Adjournment

On a motion introduced by Councilman Bogardus and seconded by Deputy Supervisor McEachron, all board members in favor, the meeting was adjourned at 9:04 p.m.

Respectfully Submitted,

Susan Baldwin, Town Clerk

_____ Supervisor, John Lant

_____ Deputy Supervisor, John McEachron

_____ Councilman, Duane Bogardus

_____ Councilwoman, Erinn Kolligian

_____ Councilman, Ray O'Conor