

# **TOWN OF WILTON**

**22 TRAVER ROAD**

**WILTON, NEW YORK**

**PHONE: 518-587-1939**

**FAX: 518-587-2837**

Susan Baldwin, Town Clerk

[sbaldwin@townofwilton.com](mailto:sbaldwin@townofwilton.com)

## **PUBLIC HEARING- Demolition of 7 Sarro Lane 7:00 P.M.**

Supervisor Lant opened the public hearing at 7:00 p.m.

Mark Mykins, Senior Building Inspector, said he took pictures of the property before the meeting. There is a little bit of progress, there is a path next to the van, but nothing extraordinary. Mrs. Germond said she is working very diligently to get it done when she feels well. Councilwoman Kolligian asked Mrs. Germond how everything is being disposed. Mrs. Germond said she is taking it to the dump. Deputy Supervisor McEachron asked if there is a roll off dumpster on the property. Mrs. Germond said there isn't one. Councilwoman Kolligian asked what the plan is to move the heavier objects. Mrs. Germond said she eventually will have people help her. Councilwoman Kolligian asked if they can help soon so it can get completed sooner. Mrs. Germond said hopefully. She said she has someone coming to get the metal. Councilwoman Kolligian asked about the car, the blue car full of garbage. Mrs. Germond said she didn't know. She was told it can be fixed. Deputy Supervisor McEachron said the board extended the cleanup for 30 days but based on the pictures, there has been little to no progress. He said we are going to keep extending it and doesn't see it ever being cleaned up. Councilwoman Kolligian asked Counsel if we do a photo comparison, can we require 50% of the debris be removed in the next 30 days. Mr. Mykins said if the board demands removal of the debris, Mrs. Germond gets 60 days to get everything cleaned up. She has 30 days to make a substantial cleanup. He said there is no issue coming back to the board and showing them how much has been done. He said he has not seen anything substantial and you still cannot get near the house. It appears stuff has been redistributed but cannot tell because there is still so much garbage on the site. Mrs. Germond said that is not true and she has thrown so much stuff away. She said she had been told the house was sinking and that is not the truth, it can't sink because it is on piers. Councilwoman Kolligian said the concern about the property is for the neighbors. If the house catches fire, the neighbors are concerned about their personal property.

On a motion introduced by Deputy Supervisor McEachron, seconded by Councilman Bogardus, the board closed the public hearing at 7:05 p.m.

## **REGULAR TOWN BOARD MEETING-May 2, 2024**

Supervisor Lant called the Regular Town Board meeting to order at 7:05 p.m.

### **Pledge of Allegiance**

Supervisor Lant led the board and the audience in reciting the Pledge of Allegiance to the Flag.

Supervisor Lant asked that everyone remain standing for a moment of silence for the 80<sup>th</sup> anniversary of D-Day and all of the Veterans who fought for our freedoms and have passed.

**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 was Director of Planning and Engineering, Ryan Riper, P. E. and Comptroller, Maria Moran, CPA and Mark Schachner, Town Counsel.

Supervisor Lant said the Comptroller is dealing with a personal issue and her report will be first on the agenda.

**Comptroller’s Report**

**1.) 2024 Budget Amendments**

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

**RESOLUTION #161**

**NOW, THEREFORE, BE IT RESOLVED,** to approve the 2024 budget amendments requested for and listed in the Comptroller’s 6/6/2024 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.

**2.) Asset Disposition**

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

**RESOLUTION #162**

**NOW, THEREFORE, BE IT RESOLVED,** to approve the request from Michael Monroe, Highway Superintendent to sell the following through Auctions International:

**Ride on mower  
Tires**

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

**3.) Personnel**

**a.**

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

**RESOLUTION #163**

**NOW, THEREFORE, BE IT RESOLVED,** to accept the resignation of W. Brian Crowe, part-time DCO effective June 3, 2024.

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

**b.**

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

**RESOLUTION #164**

**NOW, THEREFORE, BE IT RESOLVED,** to approve the hiring of Christian Clark as a part-time DCO, to fill the position vacated by W. Brian Crowe, at a base rate of \$34.37 per hour, effective June 18, 2024.

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

**c.**

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

**RESOLUTION #165**

**NOW, THEREFORE, BE IT RESOLVED,** to approve the hiring of Andrew Rougie as a

full-time Maintenance Worker at a rate of \$22.31 per hour with full benefits, effective June 18, 2024.

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

**d.**

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

**RESOLUTION #166**

**NOW, THEREFORE, BE IT RESOLVED,** to approve the hiring of Jean Tranchina to the vacant part-time clerk position at a rate of \$19.00 per hour, effective June 18, 2024 pending the successful passing of all pre-employment screening.

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

**e.**

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

**RESOLUTION #167**

**NOW, THEREFORE, BE IT RESOLVED,** to approve the request for overnight travel for the following to attend the NYS Assessors’ Association 2024 Cornell Seminar in Ithaca, New York, July 14-19, 2024:

**Tina Weber**  
**Melissa Miller**

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

**f.**

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

**RESOLUTION #168**

**NOW, THEREFORE, BE IT RESOLVED,** to accept the resignation of William Lemanski, part-time recreation maintenance worker, effective June 28, 2024.

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

Councilman O'Connor said he wanted to congratulate Maria Moran for being one of a few women in Saratoga County on being a Woman of Influence for her role, here at the town, county and in the community.

**Public Comment Session**

Ed Kokowski of 7 Knollwood Drive said he was present to speak about Quaker Springs. He said it is a solar farm proposed to be built next to the Knollwood neighborhood. It was submitted last year and rejected by the town board but yet Quaker Springs is now asking the zoning committee to allow construction. They are going ahead with a variance even though they were disapproved last year by the town board. The town board also passed a law specifying how solar farms can be built. In 2024, Quaker Springs is requesting a zoning use variance to allow the project to proceed. The project is not in compliance with the solar law. If this project is approved to a use variance, then all of the solar projects will ask for the same variance making the Wilton Solar Law unenforceable. He said he has also heard the project has been submitted as a utility. The project is a solar farm. The Wilton Solar Law should be the governing document for any solar farm built in Wilton. If a fire were to break out, it would spread quickly into the neighborhood. Mr. O'Brien is the Chairman of the Zoning Board and one of two owners of the properties. We feel it is a conflict of interest and he has recused himself. This will be a very important decision for the Zoning Board. Since the Town Board had initially rejected the project, perhaps it is right the Town Board should have the final say. If that is not possible, he suggested Mr. O'Brien step down before the Quaker Springs project is voted on.

**Approve Pending Minutes**

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

**RESOLUTION #169**

**NOW, THEREFORE, BE IT RESOLVED,** to approve the minutes from May 2, 2024 as presented.

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

**Eagle Scout Rank-Samuel LaMere**

Supervisor Lant said we have a great young man present, Samuel LaMere who is an Eagle Scout and he is here to be honored for his work in the town.

# Proclamation

## COMMENDING SAMUEL LaMERE

### UPON ATTAINING EAGLE SCOUT RANK

WHEREAS, **Samuel LaMere** is a member of the Boy Scout Troop 4024 of Wilton and recently achieved the rare distinction of the rank of Eagle Scout; and

WHEREAS, an Eagle Scout award honors the scout, his family, his troop and his troop leaders; and

WHEREAS, a Boy Scout is required to complete an Eagle Leadership Service project as part of qualifying for the rank of Eagle Scout; and

WHEREAS, **Samuel LaMere** planned and led a project to build ten new picnic tables for the Town of Wilton Camp Saratoga; and

WHEREAS, **Samuel LaMere** set his goal and coordinated volunteers, drafting building plans, procuring materials and supervising construction; and

WHEREAS, **Samuel LaMere** made sure several of the new picnic tables were ADA compliant and wheelchair accessible for all members of the public; and

WHEREAS, it is fitting to recognize the unusual dedication and diligence exhibited by **Samuel LaMere** in attaining the rank of Eagle Scout; therefore, be it

PROCLAIMED, that the Wilton Town Board commends **Samuel LaMere** for his attainment of the rank of Eagle Scout in the Boy Scouts of America; and be it further

PROCLAIMED, that the Town Clerk forward a duly inscribed copy of this Proclamation of Commendation to **Samuel LaMere**.

IN WITNESS WHEREOF, We have hereunto set our hands and affixed the Seal of the Town of Wilton this 6<sup>th</sup> of June, 2024.

**Meeting Date Change**

Discussion was held regarding the meeting date for July as it falls on the fourth and it is a holiday.

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

**RESOLUTION #170**

**NOW, THEREFORE, BE IT RESOLVED,** to approve the change in the meeting date for the July 2024 meeting to July 2, 2024.

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

**7 Sarro Lane**

Supervisor Lant said he doesn't believe in throwing anyone out of their home and would like to give Mrs. Germond a little more time. Councilwoman Kolligian asked Mrs. Germond if she had receipts from the dump. Mrs. Germond said she does not. Deputy Supervisor McEachron said no one lives at the address, the house is empty. Councilman Bogardus said Mrs. Germond live next door with her daughter. He asked Mrs. Germond if she had any means to get the property cleaned up in a timely manner. Mrs. Germond said she is trying to. Supervisor Lant asked her if she could afford to hire help. She said she cannot but if she had volunteers she could do it. Councilman Bogardus said we can't have volunteers on the property in case someone gets hurt. The property is a fire risk. There are other neighboring structures that would be endangered if a fire broke out. The way everything is piled up on the property, a machine would need to go in and separate. He said the firefighter's health and safety would be at risk if the fire department tried to make a fire stop. Something really needs to be done because, fire goes quickly. This has been going on for years. Unfortunately, this should have been cleaned up over the years and not when the town requires it. Mrs. Germond said she has been trying. Councilman Bogardus said Mrs. Germond does not have the capabilities, physically or financially to clean up the property on her own. The house is the same on the inside as it is on the outside. Deputy Supervisor McEachron asked Mrs. Germond what she intends to do with the property. Mrs. Germond said she wants to get it all cleaned up and have a contractor come in and look at it. Mr. Mykins said you cannot even get into the house right now. The last time he looked at the property, the floors were rotting in the house. The house is uninhabitable right now. Councilman Bogardus, as a fire chief, the house is in his territory. He would not send firemen in the building because someone could lose a life. They could only monitor to protect adjacent properties. There is a barn behind the property that is in danger as well as the house next door. Discussion was held. Mrs. Germond said she could physically try to clean up the property but financially, she said she doesn't have the means to hire someone. Deputy Supervisor asked if everything on the outside of the house is trash. Mrs. Germond said she has been going through items and putting them in storage totes. She said she is trying and finally was able to find a storage unit to put them in. She said she is getting rid of everything that is not good. Deputy Supervisor said we are just buying time, month after month. Councilman Bogardus said this has been going on for years and if there was anything good, it no longer is. Deputy Supervisor McEachron asked if he, on his own, at his expense, had a forty yard dumpster dropped off,

would it get filled in 30 days? Mrs. Germond said she would as long as she wasn't going to get billed for it. She said she does not have the money to pay for it. Deputy Supervisor McEachron said he is willing to pay for the dumpster out of his business but it has to be filled and the car towed. If it's not filled in 30 days, the dumpster will be removed and the house will be demolished. Mrs. Germond said she has vinyl sheds on the property which are not put together. Councilman Bogardus said if there is a standing structure with stuff in it. Mrs. Germond said she would not be able to pay for anything and if she can't do this and will have nowhere to live. Councilman Bogardus said Mrs. Germond does not live in the house now, she live next door. Structurally, the house is uninhabitable. Councilwoman Kolligian asked if it is safe to go inside the house take the garbage out? Mr. Mykins said you would have to be able to see the floors. The subfloor is rotting. Mrs. Germond said it is only by the back door. Councilwoman Kolligian asked if the house is habitable if it gets cleaned out. Mr. Mykins said it will need a lot of work. Councilman O'Connor said the owner stated she does not have the money to fix it. Mrs. Germond asked if she were at a point where the house was cleaned out, could she sell it. Supervisor Lant said she could sell it right now. Councilman O'Connor said if the board moved to condemn the property, had the home demolished and the site cleaned up, the town will pay for that and there will be a lien on the property. Mr. Mykins said Mrs. Germond has 30 days to start cleaning up the property and 60 days to complete. If it's not completed in 60 days, we contract to have the house demolished and the site cleaned up. Councilman Bogardus said the board should start the process and if it gets cleaned up in 60 days, the ball stops rolling. Supervisor Lant said there is an auto crusher on Ballard Road and they will buy the car. Councilman Bogardus said he was going to make the motion and Mrs. Germond has 30 days to start and make significant improvements on the property. He said if not, in 60 days, the house will be demolished. If there are significant improvements withing 60 days, the time can be extended.

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

**RESOLUTION #171**

**WHEREAS**, the Town of Wilton held a public hearing on June 6, 2024 regarding property at 7 Sarro Lane, Tax Map No. 153.9-1-11.

**WHEREAS**, the property owner was notified by certified mail, return receipt, the subject property was posted.

**WHEREAS**, the owner of record, Rose Germond appeared before the board.

**WHEREAS**, removal of the home and site cleanup of the property shall commence within 30 days and shall be completed within 60 days thereafter unless for good cause shown such time shall be extended.

**WHEREAS**, in the event cleanup and removal are not commenced and completed as set forth above, the Town of Wilton, Town

Board will order the demolition and removal of the structure and cleanup the property and assess all expenses thereof against the land on which it is located and institute a special proceeding to collect the costs of demolition including legal expenses.

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

### **Highway Garage Building and Stormwater Management Quality Improvements Consultant Selection**

Ryan Riper, Director of Planning and Engineering said he and Mike Monroe, Highway Superintendent have been discussing a truck wash bay for highway vehicles. The consultant selection has been part of it as well as improvements to the town complex stormwater regulations. We will have to make improvements at some point. If we put these two together, they are of similar nature. We requested five consultants to provide qualifications. There is a committee who reviewed them and requested the board to select two candidates to move forward with a scope and fee proposal. At the July meeting, the board can select one of the candidates to move forward. The stormwater portion of this project should be done this year because if we do not use or delegate the ARPA funds by December of 2024, we will lose the funds. We can move forward with that phase of the project.

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

#### **RESOLUTION #172**

**NOW, THEREFORE, BE IT RESOLVED**, to approve the selection of Barton and Loguidice and McClaren Engineering Group for the submission of a scope of work and fee proposal for the Highway Garage Building and Stormwater Management Quality Improvements.

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

### **Request to Bid**

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

#### **RESOLUTION #173**

**NOW, THEREFORE, BE IT RESOLVED,** to approve the request from the Highway Superintendent to go out to bid for a Direct Application System.

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

**Set Public Hearing for Proposed Local Law #2 of 2024 Removal of Unlawful Occupants from Dwellings**

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

**RESOLUTION #174**

**NOW, THEREFORE, BE IT RESOLVED,** to set a public hearing on July 2, 2024 at 7:00 p.m. for proposed Local Law #2 of 2024, Removal of Unlawful Occupants from Dwellings

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

Councilwoman Kolligian asked Mark Schachner, Town Counsel if he had the opportunity to review the document. Mr. Schachner said there are some peculiar provisions to the law. It requires any claims against law enforcement to be waived, no matter what they do. He said he didn't understand the need or purpose for the law. He said if the board would like to proceed, he would suggest removing some of the waiver provisions because he doubted they could ever be enforced. Councilwoman Kolligian asked if the law is to prevent squatters. Supervisor Lant said it is. Councilman Bogardus said there was one case at an apartment complex in town. The squatters were unable to be evicted until there was fire and the apartment was condemned. Mr. Brice spoke about his situation with squatters. Supervisor Lant asked Mr. Schachner if he reviewed the Saratoga County Local Law. Mr. Schachner said he did and they are almost identical to the proposed local law. There is some very unusual language in the law. He said he is a supporter of law enforcement but blanket waiver of any liability is unusual. Supervisor Lant asked if changes can be made. Mr. Schachner said he can but it won't be exactly like the local law presented. Discussion was held.

**Park and Recreation Commission Appointment**

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

**RESOLUTION #175**

**NOW, THEREFORE, BE IT RESOLVED,** to appoint Sara Bogardus to the Park and

Recreation Commission, 6/6/2024-12/31/2027.

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

### **Zoning Board of Appeals Appointment**

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

#### **RESOLUTION #176**

**NOW, THEREFORE, BE IT RESOLVED,** to appoint Chris Iwinski to the Zoning Board of Appeals to fill Amanda Pelfrey’s vacant term, 6/6/2024-12/31/2027.

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

### **Audited Financial Statements**

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

#### **RESOLUTION #177**

**NOW, THEREFORE, BE IT RESOLVED,** to approve the 2023 Audited Financial Statement.

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

### **Committee Reports**

Susan Baldwin, Town Clerk, thanked Pack 24 for their help in placing flags on Veterans headstones in honor of Memorial Day.

Councilwoman Kolligian said the Governor has tasked the legislature to come up with a statewide Short-Term Rental Law because they want sales tax. The Senate and Assembly could not be farther apart. It has now become a tax issue, whether a bed tax or sales tax or transfer of property to commercial use.

Councilman Bogardus said the town should be able to pass legislation regarding rules and conduct. Councilman O’Conor said he spoke to Tom Lewis about the Village of Lake George. They have a law and they now know what doesn’t work so they have made amendments that are effective.

Councilman O’Conor said and Mr. Riper spoke earlier in the week regarding the work the LA Group is doing on the parcel on Northern Pines Road. Mr. Riper said DEC mapped the wetlands on the parcel and are confirming them. After that, town personnel can walk the property and choose a location.

Deputy Supervisor McEachron said Community Day is on June 22, 2024 from 11 am to 5 pm. He thanked Nancy Riely for all of the work she has done to make this event possible.

Supervisor Lant said documentation was submitted for the additional lighting request on Pole #6, Davidson Drive and it should be installed within the next 30 days.

Patty Kelly of 229 Jones Road said she has lived in her home for 15 years and is on her fifth mailbox and has lost two pets. She said had issues with vehicles driving too fast, driving on her lawn and passing her while pulling out of her driveway. She said she would like something done about it because it happens all of the time. Councilman Bogardus said one of his firemen was directed traffic at an accident there and a woman did not want to wait and she ran over his leg. Councilwoman Kolligian said she was rear-ended there. Supervisor Lant said he will contact the Saratoga County Sheriff’s Office and the New York State Police and request patrols in the area.

### **Executive Session**

Deputy Supervisor McEachron made a motion to adjourn to Executive Session at 8:01 p.m. to discuss the medical, financial, credit or employment history of a particular person or corporation, or matter leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation. Councilman O’Conor seconded the motion with all board members in favor.

Councilman Bogardus made a motion to reconvene into open session at 8:18 p.m. Councilman O’Conor seconded the motion with all board members if favor.

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

### **RESOLUTION #178**

**NOW, THEREFORE, BE IT RESOLVED,** to appoint Scott Dussault to the Zoning Board of Appeals as an Alternate, 6/6/2024-12/31/2024.

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

### **Adjournment**

On a motion introduced by Councilman O’Conor and seconded by Deputy Supervisor McEachron, with all board members in favor, the meeting was adjourned at 8:20 p.m.

Respectfully Submitted,

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Susan Baldwin, Town Clerk

\_\_\_\_\_ Supervisor, John J. Lant

\_\_\_\_\_ Councilman, Raymond O’Conor

\_\_\_\_\_ Deputy Supervisor, John McEachron

\_\_\_\_\_ Councilwoman Erinn Kolligian

\_\_\_\_\_ Councilman Duane Bogardus