TOWN OF WILTON

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Susan Baldwin, Town Clerk

PUBLIC HEARING-Proposed Amendments to Sign Code Amendments 7:00 P.M

The public hearing was opened at 7:00 p.m.

John McEachron explained that he had already purchased campaign signs in reliance on the current 32-square-foot limit and that changing the law in the middle of an election year would impose a financial burden on residents, businesses, nonprofits, and candidates who acted in good faith under the existing ordinance. He requested that any changes take effect only after the current election season and after a reasonable transition period. He emphasized that good government requires fairness, predictability, and reasonable notice before changing regulations, and he asked the board to delay the effective date so people who relied on current law would not be unfairly impacted. He also reminded the board that political signs are protected political speech under the First Amendment, that regulations must be content-neutral, and that both timing and substance of the proposal could raise constitutional concerns, suggesting the town attorney review compliance with constitutional standards.
David Buychan of 201 Heritage Way, argued that the current 32-square-foot limit corresponds to a standard four-by-eight sheet of plywood, which has long been the industry standard for campaign signs at all levels of office. Reducing the size would make Wilton inconsistent with practices across New York State and force campaigns to purchase custom-sized signs. He questioned any public benefit from such a change and noted that campaigns for higher-level candidates often bring in four-by-eight signs that volunteers place locally; under the proposed rules, residents would not be able to support those candidates using standard-sized signs. He also raised a long-standing request regarding corner lots: allowing up to two signs on corner properties, as long as the combined total area does not exceed 32 square feet. He said this would provide equal visibility on both streets without increasing total signage and noted that many candidates of both parties already violate the current "one sign per lot" rule in practice.
Michael Karam stated briefly that he opposed the sign code amendment this year because the election season had already started and suggested addressing changes in future elections.
Al Muskola then spoke more broadly against additional government interference, saying he opposed any further restrictions on sign size or similar regulations and felt government at all levels increasingly tells people what they can and cannot do.

Zachary Karam, urged the board to delay the sign amendment until after the election season, arguing that such a delay would be fair and respectful.

Deputy Supervisor Rohan, chair of the committee that drafted the sign code revisions, then addressed the room to explain the rationale behind the rewrite. He stated that a United States Supreme Court decision requires municipal sign codes to be content-neutral and that towns may not have separate “political sign” rules that depend on content. He explained that if a code enforcement officer must apply different rules based on the message on a sign, that amounts to unconstitutional government censorship. The proposed amendment, he said, eliminates the separate political sign code and instead treats all temporary non-commercial signs under one content-neutral standard, aligning the town’s code with constitutional requirements. He noted that the town’s current code is vulnerable, and in the event of a legal challenge, the town would likely lose.

Deputy Supervisor Rohan also responded to earlier comments about the number of signs allowed. Because the law cannot distinguish based on content, the rewrite removes limits such as “one sign per candidate” and instead allows any number of smaller temporary signs, applied uniformly. He stated that the committee process was bipartisan, with members from both major parties, and said he had been surprised by the level of opposition. He indicated he would have been open to discussing timing and postponement earlier if concerns had been raised to him.

A back-and-forth with members of the audience touched on whether the primary issue was the sign size rather than content. Deputy Supervisor Rohan clarified that the size being used, 24 square feet for temporary non-commercial signs, derived from the town’s existing code limits for such signs; the rewrite largely applied the existing temporary non-commercial sign size to all temporary non-commercial signs, including what were previously political signs. He confirmed that, under the rewrite, a 32-square-foot sign would not be compliant, but he stated he was willing to delay implementation until after the election, for example until December 1. Questions were asked about which Supreme Court he was referring to, and he clarified it was the U.S. Supreme Court and that the decision dated back to 2014. He also noted that while some municipalities had yet to update their codes, the 32-square-foot size was not a standard municipal size, and several towns (he mentioned Clifton Park) had adopted similar, smaller limits.

Supervisor Sturm reminded attendees that the hearing format was not intended to be a free form back-and-forth but a public comment period for statements, followed by board consideration. Discussion then turned to the precise measurements in the proposed law and whether 24 square feet or other dimensions applied. It was clarified that under the rewrite, a 32-square-foot temporary sign would not be permitted once in effect, though the board indicated an openness to delaying enforcement until after the election.

Councilman Keneally made a motion to close the public hearing at 7:14 p.m. and seconded by Deputy Supervisor Rohan with all board members in favor. The motion passed.

PUBLIC HEARING-Proposed Telecommunications Tower Code Amendments-7:01 P.M.

The public hearing was opened at 7:14 p.m.
There were no questions or comments.

Councilwoman Kolligian made a motion to close the public hearing at 7:15 p.m., Councilman Keneally seconded the motion with all board members in favor. The motion passed.

REGULAR TOWN BOARD MEETING-July 2, 2026

The town board meeting for the Town of Wilton on June 4, 2026 was called to order at 7:15 p.m. by Supervisor Sturm

PLEDGE OF ALLEGIANCE

Supervisor Sturm opened the meeting, and those present recited the Pledge of Allegiance to the flag of the United States of America.

ROLL CALL

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

Toni Sturm-Supervisor
Connor Rohan-Councilman
Erinn Kolligian-Councilwoman
Ray O'Conor-Councilman
Joe Keneally-Councilman

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

Public Comment

Franklin Mead addressed the board regarding the Jones Road/Car Road/Northern Pines improvement project. He commended the town's efforts to promote connectivity and pedestrian use but expressed concerns that the project design did not incorporate the town's repeated requests for speed limit reductions. He cited Department of Transportation findings that while the posted limit is 40 mph, the 85th percentile speed is

51 mph and explained that designers typically use that 85th percentile speed in planning, which risks reinforcing high speeds at a time when the town is trying to slow traffic and invite more pedestrians into the corridor. He suggested shifting the project scope toward traffic calming, including concepts like mini-roundabouts and curb bump-outs for better pedestrian access, and quoted from DOT guidance that permits designing improvements at a reduced design speed as part of a traffic calming effort. He noted that similar projects are eligible for TAP (Transportation Alternatives Program) funds and urged the town to involve stakeholders and consider a redesign before the project proceeds too far.

Trish Watkins spoke as a representative of the Larry Gordon Outdoor Education Center steering committee, Ms. Watkins explained that she had long been involved with efforts around Larry Gordon's scouting memorabilia and the concept of an outdoor education center at Camp Saratoga. She reported recently finding multiple historic proposals and budgets drafted by Larry Gordon, going back to when the Scout Council owned the property, all envisioning an outdoor education center. She thanked the town for its support and expressed anticipation of continuing to work together to realize the project. Councilman O'Conor noted that he and another official would be meeting with stakeholders at the site the following week.

David Buchan of 201 Heritage Way returned to the sign issue, giving more background on his political involvement from around 2012 through 2020 as Wilton Town Chair and Conservative Party Chair. He described past conflicts over lawn signs, including placement and size disputes, and recounted that a previous code enforcement officer, Mark Mykins, had encouraged the parties to resolve many of these issues among themselves rather than tying up code enforcement. Buchan said that, in practice, many sign disputes had been resolved on a party-to-party basis, and he suggested that such practices could continue rather than heavy enforcement.

John McEachront spoke, acknowledging his frustration with how earlier discussion had been managed and saying he felt he had been treated differently when attempting to speak. He read a prepared second statement, addressing broader issues of honesty and transparency from elected officials. He said that during the last election, residents had been told door-to-door that certain changes would occur if the current administration were elected, and that many of those promises later turned out to be legally or practically unachievable. He distinguished between good-faith efforts and making promises that cannot be delivered and argued that candidates have a responsibility to understand legal, contractual, budgetary, and regulatory limits before making commitments. He cited specific examples he believed were misleading, including promises of sidewalks and bike paths on county and state roads, and a pledge to stop development, which he said could not realistically be carried out. He asserted that voters deserved to be told before the election if something could not be done. He concluded by calling for greater transparency, accountability, and honest communication, stating that trust is earned by keeping one's word or candidly admitting when something is not possible. Deputy Supervisor Rohan responded stating that he had personally only ever promised to slow development, not stop it, and that the board had proceeded with approvals consistent with legal obligations.

Supervisor Sturm asked if there were any additional public comments; hearing none, the public comment portion of the regular meeting was closed.

Minutes

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

RESOLUTION #

NOW, THEREFORE, BE IT RESOLVED, to approve the minutes from the June 4, 2026 meeting, as typed.

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

Proposed Sign Code Amendments

Connor Rowan summarized that he had already explained the purpose and operation of the proposed code changes during the hearing. Councilwoman Kolligian raised questions about commercial temporary signage, particularly 16 and 32 square-foot limits, and about how the rules would apply to temporary construction signs and billboards.

Councilwoman Kolligian noted that on Route 9 many construction and development projects display large temporary signs naming contractors, developers, involved agencies, and banks, and that these are an important marketing tool. She questioned whether making such signs smaller would reduce distraction or potentially worsen it by making them harder to read. She also expressed support for allowing construction signs to remain at current sizes and asked how billboards, which are much larger and whose content changes frequently, fit within the code. There was some discussion about whether billboards are grandfathered under older regulations and whether a similar "grandfathering" approach could apply to existing large signs for nonprofits and other entities, so owners would not be forced to replace compliant signs they already own.

Deputy Supervisor Rohan explained that temporary commercial signs under the current code are limited to six months and, under the conforming amendment language, are limited in size. The board discussed how long construction signs typically remain in place and noted that many projects take longer than six months. They considered adding or clarifying language that ties sign removal to the completion of the project and issuance of a certificate of occupancy, rather than a strict time limit, noting that some of this language already exists in other code sections.

The board then considered operational practice: the code enforcement department rarely pursues construction signs unless complaints arise, and construction-related signs generally disappear once projects are complete. Given the number of questions and the desire to avoid unintended impacts on long-running construction and marketing signage, board members suggested deferring action on the sign code amendments for further review. It was noted that the six-month limit is already in the current code and has not historically led to significant enforcement actions.

Supervisor Sturm concluded that rather than proceed immediately, the board would defer action on the sign code amendments to the next month, allowing more detailed review of the text, particularly on temporary commercial signage, duration, size, and any grandfathering and enforcement practices. The board agreed to this deferral without a formal vote to adopt the amendment at this meeting.

Telecommunications Tower Amendments

Deputy Supervisor Rohan explained that the change concerned engineered "breakaway points" in towers, where a segment is intentionally designed to be weaker so that in a catastrophic event only part of the tower would collapse rather than the whole structure. He noted this design is already standard in recent tower projects in the town and that the amendment would simply codify this practice to avoid requiring variances.

The board confirmed that recent towers had been designed with such breakaway points and that local fire departments were aware and supportive.

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

RESOLUTION #160

NOW, THEREFORE, BE IT RESOLVED, to approve the Telecommunications Tower Amendments.

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

Resignation-Wilton Planning Board

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

RESOLUTION #161

NOW, THEREFORE, BE IT RESOLVED, to accept the resignation of Lauren Lourenco from the Wilton Planning Board.

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

Resignation-Zoning Board of Appeals

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

RESOLUTION #161

NOW, THEREFORE, BE IT RESOLVED, to accept the resignation of Andrew Bobbitt from the Zoning Board of Appeals.

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

Fee Waiver

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

RESOLUTION #162

NOW, THEREFORE, BE IT RESOLVED, to approve a fee waiver for approximately 20 children from Lifeworks Headstart Program for the Splash Park.

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

Alcohol Waiver

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

RESOLUTION #162

NOW, THEREFORE, BE IT RESOLVED, to approve an alcohol waiver for AIM Services.

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

Hazardous Waste Day

The Town Clerk reported that two bids had been received for a Hazardous Waste Day event. One bidder, MXI, had submitted an incomplete proposal, missing a full pricing page. The other bid, from Clean Harbors, was complete and detailed, including a setup fee of approximately $4,800–$4,900 for labor, materials, and a chemist, as well as per-unit pricing by waste type. Clean Harbors had previously worked with the town and helped prepare documentation for a DEC grant to partially reimburse hazardous waste event costs, which in the past had resulted in about $6,000 in grant funding on a total cost of around $13,000.

Ms. Baldwin explained that Clean Harbors' bid covered setup and then additional fees based on actual volumes collected; precise totals cannot be known until after the event. The proposed date for Hazardous Waste Day was October 10, 2026 from 8:00 a.m. to 1:00 p.m. at the town hall complex, with a bulk waste day to follow on October 17 from 9:00 a.m. to 1:00 p.m. at Town Hall and Gavin Park.

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

RESOLUTION #164

NOW, THEREFORE, BE IT RESOLVED, to accept the Hazardous Waste Day bid from Clean Harbors.

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

11/13 Rose Terrace Lot Line Adjustment

Ms. Baldwin reported a request from Scott and Susie Wartans, who sought to purchase a 35-by-180-foot strip of town-owned property adjacent to their driveway, near a retention area. A permissive referendum period had already run with no petition received. The town assessor, Nicole Monroe, had estimated the fair value at approximately $14,000, based on the current equalization rate (around 68.7%) and a full market value of about $22,000.

Town counsel confirmed that the property must be sold for fair value. The board discussed whether to treat the assessed-value-based figure as fair market and agreed to offer the parcel at $14,000.

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

RESOLUTION #165

NOW, THEREFORE, BE IT RESOLVED, to approve the sale of an approximate 35’ X 180’ portion of land adjacent to 11 Rose Terrace, TMN 154.-5-7 for fair market value of $14,000.

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

<u>Gavin Park Master Plan Addendum</u>

The board then revisited work on the Gavin Park master plan. Supervisor Sturm explained that the town had initiated a master planning process to evaluate existing space use, respond to survey feedback from residents about program needs, and consider future improvements. An addendum to the consultant’s scope of work, costing $6,000, had been proposed to expand the scope, including items like a population study.

Councilwoman Kolligian asked that action on this addendum be tabled. She wanted to wait until all survey results were compiled and shared and until more information could be gathered from school districts and other sources before committing additional funds. It was also noted that the draft addendum was still in redlined draft form and not yet suitable for final adoption. The board agreed to defer this item, seek a clean final scope document from the consultant, and revisit it once data and documentation were in better shape.

<u>Deputy Clerk Position</u>

Ms. Baldwin requested the creation of a second deputy position in her office, noting that a majority of board members had already indicated support in prior informal discussions.

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

<u>RESOLUTION #167</u>

NOW, THEREFORE, BE IT RESOLVED, to create a second deputy clerk position.

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

Decommissioning of Town Fuel Station

Supervisor Sturm led a discussion on whether to continue operating the town's own fuel station or to decommission it and move to a Wex fuel card system.

The town currently operates a 3,000-gallon tank and a 5,000-gallon tank at the town complex, used by town vehicles and by several outside entities, including Wilton Water and Sewer, Wilton EMS, the Greenfield Fire District, the Wilton Fire District, and the Saratoga County Water Authority. From 2014 onward, the town has averaged about $13,000 per year in maintenance and repairs on the fuel system, and there is only one local company capable of servicing the system, creating a dependence on that vendor. Annual pollution insurance costs about $2,300, and necessary near-term upgrades to the system would cost roughly $22,000.

Usage data showed that in a recent 12-month period, non-town users purchased about $43,000 worth of fuel through the system, while the Town of Wilton's own diesel and gas purchases totaled about $102,000. Diesel accounts for most of the cost because of the types of vehicles involved. Town staff noted that while outside users reimburse the town for fuel, they do not contribute to the annual maintenance and repair costs of the fueling infrastructure.

The alternative under consideration is adopting the state's Wex fuel card program. Fuel purchased with Wex cards through participating vendors is exempt from federal and state fuel taxes for municipal use, similar to the town's current bulk purchasing arrangement. A key participating station, Parillo's Scotties Truck Stop, is nearby, open 24/7, and would allow crews (for example, snow plows working overnight) to refuel conveniently. Many public entities, including other towns, sheriff and state agencies, already use Wex. The Wex system also offers robust reporting: fuel transactions can be tied to vehicles, departments, and odometer readings, facilitating fleet management and preventing misuse.

Pros of moving away from the town-owned station include eliminating the recurring maintenance and repair costs, pollution insurance, and DEC compliance burdens, including monthly reporting and the risk of unannounced inspections with potential citations for minor infractions. The fuel station occupies valuable, high-ground space on the town complex, and freeing it could improve site layout, especially with an expanded salt shed planned. Tanks and the pump canopy could be sold, recouping some value. The board and staff noted that the tanks are above ground with containment beneath them, reducing the risk and cost of environmental remediation compared to aging underground tanks in other cases.

Cons include the likelihood of paying somewhat more per gallon compared to current bulk contract pricing, though the exact spread is unclear and would need to be quantified using historical comparisons between Wex pricing at local stations and the town's contract prices. Decommissioning the station would cost an estimated $18,000 to remove tanks and canopy, with higher costs if a full removal and remediation were pursued. Outside entities that currently fuel at the town station would need to obtain their own Wex arrangements or other fuel solutions, though preliminary conversations with Wilton EMS and the Greenfield Fire District suggested they did not see this as an insurmountable problem. At an emergency services meeting, representatives from the two fire districts indicated familiarity with the Wex program and general support for it.

Board members raised the need for a thorough cost-benefit analysis, including historical per-gallon comparisons and consideration of potential long-term fuel contracts that might be available when operating a bulk facility. They also discussed liability and environmental considerations, noting that while the tanks are above ground and have containment, any remediation issues discovered in the future could be costly, whereas preemptively decommissioning on their own timetable would allow better planning. Another consideration was that moving to Wex would require a formal town policy on card issuance and use, which staff would later draft.

It was agreed that more detailed numbers and analysis would be gathered before any decision to decommission the fuel station. The discussion was informational only, with no vote taken at this meeting.

Crest Inn

The board next discussed the Crest Inn property located near the intersection of Ernst Road and Route 9. The building has been condemned by the building department since at least 2024 due to serious structural and safety issues and has a history of neglect, nuisance conditions, and reported squatting. Ownership had changed hands a couple of years earlier, but the new owner has repeatedly claimed plans for renovation without presenting an adequate engineering plan that satisfies the building department's concerns. A prior engineering report submitted on behalf of the owner was described as superficial and failing to address major structural problems.

Deputy Supervisor Rohan noted recent observations of obscene graffiti and easy access to the building, reinforcing concerns that the structure is an attractive nuisance and public safety risk. The highway superintendent and building officials shared the view that the building is beyond realistic repair and should be demolished.

Town Counsel and the board agreed that any condemnation and demolition process must be “legally defensible,” following all required procedures and documentation to withstand any potential challenge from the owner. Counsel requested that the building department supply all relevant paperwork and records so that the legal team can review and recommend the precise legal steps. It was clarified that the building is already under condemnation orders; the next phase would be the formal process toward demolition. No formal motion was taken at this meeting to order demolition; instead, the matter was referred to counsel for review, with the understanding that they would return with a recommended course of action.

Friendly Acquisition Agreement

Supervisor Sturm said the next item is about a friendly acquisition agreement. The Carr Road/Jones Road improvement and connectivity project is ongoing. There's a company that's specifically been hired to do the right of way easement and property acquisitions, a lot of it has been done. There's a small strip of property that belongs to the Greens. It's the proposed multi-use path, does not cross over their driveway. This is between their entry and exit ways and McGregor links, so it's along that edge of the property. It's not in front of anyone's home, because this is a purchase of property and not just an easement. By their rules and regulations, they need 60% of their HOA to approve it, and there's all kinds of rather onerous rules and regulations about what type of meeting and how you advertise and how you conduct this meeting to get this HOA vote, and so we were contacted by the Board of Directors of the HOA requesting that we proceed with a resolution, so that we can bypass the full HOA board vote and proceed along that way.

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

RESOLUTION #RELATING TO THE ACQUISITION OF REAL PROPERTY INTERESTS IN CONNECTION WITH THE TOWN OF WILTON TRAFFIC SAFETY AND PEDESTRIAN CONNECTIVITY IMPROVEMENT PROJECT IN THE TOWN OF WILTON, SARATOGA COUNTY, NEW YORK (PIN 1762.53).

WHEREAS, the Town of Wilton ("Town") is undertaking the Town of Wilton Traffic Safety and Pedestrian Connectivity Improvement Project ("Project") that involves the construction of single-lane roundabouts at the Carr Road/Northern Pines Road and Carr Road/Jones Road intersections and a multi-use path along Carr Road and Jones Road for the purpose of enhancing capacity and safety, reducing congestion and reducing delay during peak hour traffic for the Carr Road/Northern Pines Road (CR 34) and the Carr Road/Jones Road intersections; and

WHEREAS, in order to accomplish the Project, it is necessary for the Town to acquire a fee interest in and to an approximately 1795 square feet portion ("Fee Acquisition") of a parcel of real property situated on the eastern side of Carr Road and bearing Tax Map Identification Number 140.49-1-1.12 ("HOA Parcel") in the Town of Wilton, Saratoga County, New York; and

WHEREAS, the HOA Parcel is "Common Property", record title to which is held by The Greens at McGregor Links Homeowners Association, Inc. ("Association"), which is a New York Not-For-Profit Corporation whose members are the owners of the residential lots in the development known as The Greens at McGregor Links; and

WHEREAS, the Association's Certificate of Incorporation authorizes the Association to sell all or any part of the HOA Parcel; and

WHEREAS, the HOA Parcel is subject to a Declaration of Protective Covenants, Restrictions, Easements, Conditions, Charges and Liens made as of September 12, 1997 ("Declaration"); and

WHEREAS, the Declaration authorizes its Board of Directors ("Board") to convey part of the HOA Parcel, but only after satisfying the public hearing requirements of the Declaration; and

WHEREAS, the Town has offered to purchase the aforementioned fee interest from the Association for a price of $8,400, which offer amount represents the highest approved amount established by an independent, certified review appraiser; and

WHEREAS, the President of the Association has advised a representative of the Town that due to the seasonal absence of Association members and the notice requirements of the Declaration, it would not be possible for the Association to conduct a public hearing regarding the proposed acquisition for several months; and

WHEREAS, the Board of Directors of the Association is supportive of the Project and is agreeable to the Town acquiring the Fee Acquisition by means of proceedings pursuant to the New York Eminent Domain Procedure Law ("EDPL") in order to avoid the time and expense of conducting the hearing required under the Association's Declaration; and

WHEREAS, EDPL Article 2 requires, as a condition precedent to acquiring title by means of an EDPL Article 4 proceeding, that the Town conduct a public hearing to inform the public and to review the public use to be served by the proposed Project and the impact on the environment and residents of the locality where the proposed project will be constructed unless the Project is exempt from the EDPL Article 2 hearing requirements in accordance with EDPL Section 206; and

WHEREAS, it is the opinion of the Town Board that the Project is exempt from the EDPL public hearing requirement on the bases of grounds set forth in EDPL Sections 206 (A) and (D); and

WHEREAS, Section 11.2.1(5.) of Chapter 11 of the New York State Department of Transportation ("NYSDOT") *Local Projects Manual* ("LPM") provides that, if a local sponsor, such as the Town, intends to acquire property interests by means of eminent domain without conducting a public hearing, the Town must formalize, by local resolution, the basis for the exemption from the public hearing requirement; and

WHEREAS, EDPL Section 206 (A) provides that the Town is exempt from compliance with the provisions of the EDPL Article 2 hearing requirements when, pursuant to other state, federal, or local law or regulation, it considers and submits factors similar to those enumerated in Article 2, subdivision (B) of Section 204 of the EDPL, to a state, federal, or local government agency, board, or commission before proceeding with the acquisition and obtains a license, a permit, a certificate of public convenience or necessity, or other similar approval from such agency, board, or commission; and

WHEREAS, the factors enumerated in EDPL Section 204 (B) are as follows:

1) the public use, benefit or purpose to be served by the proposed public project;

(2) the approximate location for the proposed public project and the reasons for the selection of that location;

(3) the general effect of the proposed project on the environment and residents of the locality;

(4) such other factors as it considers relevant; and

WHEREAS, the Project is a Locally Administered Federal Aid Transportation Project administered by the Town, with funding approvals provided by the Federal Highway Administration (“FHWA”) and oversight provided by NYSDOT; and

WHEREAS, the Project is being progressed by the Town in accordance with the requirements of FHWA regulations, the NYSDOT LPM and other applicable FHWA and NYSDOT documents and policies; and

WHEREAS, in order to progress the Project through the project design phase and qualify for funding for later phases, it was necessary for the Town to obtain from NYSDOT and FHWA approval that the Town has satisfied the requirements of the NYSDOT LPM and other applicable NYSDOT documents, as well as complied with Federal and State laws and regulations; and

WHEREAS, in the course of progressing the design of the Project, the Town examined, considered and presented to NYSDOT and FHWA the Project’s public use, benefit and purpose, as well as the social, economic and environmental consequences of the Project and activities associated with the Project, including its impacts on: local residents; other affected populations; school districts; recreation areas; places of worship; businesses; police, fire and ambulance services; highway, traffic and overall public safety and health; social groups; regional and local economies and business districts; surface waters; water source quality; general ecology; wildlife; historic and cultural resources; farmlands; and visual resources; and

WHEREAS, NYSDOT and FHWA have reviewed the information and materials submitted to them by the Town, and FHWA has concluded that the Town has sufficiently and properly examined and considered the location of and public use, benefit and purpose to be served by the Project, as well as the Project’s general effect on the environment and residents of the Town of Wilton; and

WHEREAS, based upon its review of the Town’s submissions, FHWA has issued Final Design Approval and Authorization to Proceed With ROW Acquisition, which constitute approvals within the meaning of EDPL 206(A); and

WHEREAS, EDPL §206 (D) provides, in pertinent part, that the Town is exempt from compliance with the hearing and determination and findings requirements of EDPL Article 2 “when in the opinion of the condemnor the acquisition is de minimis in nature so that the public interest will not be prejudiced by the construction of the project”; and

WHEREAS, the HOA Parcel consists of approximately 8.85 acres of land area; and

WHEREAS, the portion of the HOA Parcel in which the fee interest is sought consists of an approximately 1795 square feet strip of vacant land situated immediately adjacent to the eastern highway boundary of Carr Road; and

WHEREAS, the purpose of acquiring the Fee Acquisition is to construct and maintain a multi-use path; and

WHEREAS, the Project will not involve the removal of any structures or trees and will not interfere with the current use of the HOA Parcel; and

WHEREAS, the Project and the nature and extent of the Town's acquisition of the aforementioned Fee Acquisition in and to a portion of the HOA Parcel is de minimis in nature such that the public interest will not be prejudiced by the construction of the Project, as a consequence of which the Town has satisfied the criteria set forth in EDPL Section 206 (D).

NOW, THEREFORE, BE IT RESOLVED, that the project development process implemented by the Town, as well as the approvals necessarily obtained from FHWA and NYSDOT, and the de minimis nature of the proposed acquisition of a fee interest in and to a portion of the HOA Parcel, qualify the Town and this Project for exemptions from the hearing requirements of EDPL Article 2, pursuant to EDPL Section 206 (A) and (D); and

BE IT FURTHER RESOLVED, that the Town Supervisor or her designee is hereby authorized to acquire the aforementioned Fee Acquisition in and to a portion of the HOA Parcel, and, if necessary, any other real property interests that may be required to accomplish the Project, by means of proceedings pursuant to EDPL Article 4; and

BE IT FURTHER RESOLVED, that this Resolution shall take effect immediately.

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

Councilwoman Kolligan reported ongoing work on the Gavin Park master plan. The committee had met recently and planned to meet again the following week. She mentioned a possible opportunity for one of the contractors working on the Champlain Hudson project to pave the back parking lot at Gavin Park, though details were not finalized. She also noted the presence of an unsightly berm that the town planned to address.

Councilman Keneally reported on the recent emergency services meeting. Representatives from the two fire districts were pleased with the recently adopted moratorium on battery energy storage systems (BESS), which they had supported, and they acknowledged that the town might need to revisit or extend the moratorium as technologies and best practices continue to evolve. Councilman Keneally mentioned his work with the committee revising nuisance alarm provisions in the town code, focusing on false fire and burglar alarms. The goal is to update language and adjust fine structures so they are meaningful, especially for commercial properties, without unfairly penalizing residential users or those with occasional, unavoidable alarms. He noted that this is separate from building department fee updates and does not yet include medical alert systems, though that might be considered in the future. There was discussion about the need for discretion so that residents are not fined for issues beyond their control, such as water main breaks or extreme weather causing system malfunctions, and about the complexity of handling modern medical or fall detection alert systems, especially for residents with cognitive impairments. The draft nuisance alarm code language will go to the code revision committee once refined.

Deputy Supervisor Rohan reported on the work of the code revision subcommittees on the Hamlet Zone, the comprehensive plan, and battery and solar issues. Each subcommittee has been performing a “gap analysis” between existing code and desired policy outcomes. The comprehensive plan and Hamlet Zone groups are now working on next steps based on that analysis. For battery and solar, Deputy Supervisor Rohan had provided guidance to help the committee move toward permanent code language that can accommodate changing technologies while protecting the town.

Deputy Supervisor Rohan reported from the Code Revision Committee, which is juggling several major code-overhaul tasks. He described upcoming presentations from:

- A comprehensive plan working group that has done a gap analysis between the comprehensive plan’s objectives and the existing zoning and code language.
- A Hamlet zone working group examining what the Hamlet should realistically look like and how to align code with that vision. He also notes that the committee is working through a draft comprehensive lighting code aimed at issues like light pollution and consistency across developments, and that they have a septic code draft that still needs substantial work but is on the agenda if time allows.

Comptroller's Report

1.) Budget Amendments

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

RESOLUTION #

NOW, THEREFORE, BE IT RESOLVED, to approve the Budget Amendments on the 7/2/2026 Comptroller's Report.

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

2.) Personnel

On a motion introduced by Councilman O'Conor, the board approved the following resolution:

RESOLUTION #

NOW, THEREFORE, BE IT RESOLVED, to approve hiring of Mark Concilla to the temporary, part-time Building Inspector position a maximum of for twenty hours per week and duration of no longer than six months.

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

Adjourn

Councilwoman Kolligian made a motion to adjourn the meeting. Councilman O'Conor seconded the motion with all board members in favor. The meeting was adjourned at 8:30 p.m.