

# 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-Proposed Local Law #9 of 2023 Wilton Mall PUDD**

**7:00 P.M.**

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

Mike Shaffer spoke. He is a 22-year resident of the Town of Wilton and the General Manager of the Wilton Mall. Transforming vacant department stores is nearly impossible in today's retail landscape due to the dwindling number of such stores. Consequently, shopping center developers and municipalities nationwide are embracing a new trend to reverse the decline of malls. They are converting their properties into mixed use destinations where people not only shop, but also live, work and play. The ultimate outcome is increased property values, reduced vacancies, and boosted sales tax revenue. To facilitate the sharing of information with the public in a complete and fully transparent manner we created the [reimaginedwiltonmall.com](http://reimaginedwiltonmall.com) website where we posted every document, plan and report prepared to date for public preview and participation. The proposed plan unit development district at the Wilton Mall restricts the residential development to a designated multifamily zone at the property's East End and caps the maximum density in units of 400. This ensures that the mall won't transform into a residential campus preserving its retail character. News about the proposed redevelopment of Wilton Mall has already piqued the interest of new brands including an innovative fitness concept, Orangetheory Fitness and a fresh theater operator eager to breathe life into the center and occupy available space. An economic and physical impact study prepared by Camoin Associates found out the residential project at the Wilton Mall will generate an impressive \$368,000 in net new sales tax revenue annually from Saratoga County to the town. This increase comes from onsite jobs and new household spending as renters spend much more than condominium owners. The study also forecasts an annual net benefit of more than \$809,000 to the Saratoga Springs City School District after accounting for an estimated additional just 25 new students. The proposed residential project will not involve section eight and will instead feature market rate apartments and townhomes with luxury amenities. This accommodation will be attainable to over 65% of current one to two person households in the Town of Wilton. The traffic study conducted in the spring of 2022, post COVID, for the proposed residential project indicates that the existing roadways and intersections in the area have sufficient capacity to accommodate the project without any significant adverse traffic impacts. As part of our commitment to the community in this project, our contribution of over three quarters of a million dollars will ensure the placement of a conservation easement over a long-standing family farm. This step will remove vested residential density from the area and preserve this cherished community staple. Our PUDD application has received unanimous favorable recommendations from the Town Planning Board and the County Planning Board.

Joe Moran, 63 Sheffield Dr. spoke. He was born and raised in Brooklyn, New York. I've seen an increase in population density. It creates more traffic, more congestion, creates overcrowding of schools. When you bring in new housing, I know we mentioned section eight, but section eight finds a way of getting there. I

live next door to Section Eight, and it is a nightmare. Evictions are impossible. This type of urban development brings in a whole slew of other problems and really destroys your quality of life. We have enough traffic here in Wilton. I moved here to get away from traffic and congestion. I liked the open highways. I liked being able to park your car without really looking for a parking spot, which creates a wonderful quality of life issue. I've been here for over 15 years. I've seen the increase of the population of Wilton. It's getting more and more crowded. When you have these multiple dwellings, they're going to have to increase the size of the schools. With these open borders, with the invasion, you have illegal aliens coming in, we're going to be committed to house these people over American citizens. I don't think anybody's thought about that. We should limit housing and apartments. I think everything should stay the way we are right now. I think it's gotten overcrowded in the last 15 years I've been living here.

Sue Martin, 11 Homestead Rd. spoke. She moved up here about 25 years ago from Albany. I watched the first Saratoga Mall go away. I saw the Wilton Mall when it was developed. We shopped at the Wilton Mall constantly with my family growing up. It's not the same. We all know it's not the same as it was then. I was excited when I first started hearing about the plans for the new housing. I work in this area. I know the difficulty we all have finding reliable long-term employees who can get to work every day. When I saw housing, going up on the bus route near the grocery store, near the jobs, I got very excited. Then I started hearing more of that term luxury apartments and luxury dwellings. What we really need there is working class dwellings and working-class apartments. When you mentioned that a portion of the property is going to be just that. Not Section Eight and not luxury, but working-class income property. That's the property I'd like to see for the whole facility. Luxury housing has been going up in Saratoga County. I don't think it's at capacity. I may be wrong on that however, I'd like to see that if the other luxury housing that's in the area is at capacity that we may have room for more but I really think what we need to see is working class housing in that location where people can take the buses to go to work in downtown Saratoga to take care of the service industry and to fill the many jobs that are looking for work in this area.

Chad Jerome, 42 Gailor Rd. spoke. He is a resident of the Town of Wilton and sits on the town planning board, but says he is not speaking tonight in my capacity as planning board member. I'm speaking as a resident of the town of Wilton. I'm not supporting the mall project. The idea that this is somehow going to turn around the mall and make it forever be well is just a ruse. It's not going to do it. You're putting residential property next to a mall with the idea that the residents of that are going to somehow make the mall successful that has been in decline. The mall needs to reimagine its structures, not sell the property to residential properties. Reimagine itself. Clifton Country Mall did. Latham Mall did. Store frontages: internal malls are not what people want. That's not what tenants want. They want to have store frontage not a placard on the outside of a building or signage by Route 50. It's not going to work. Reimagine the structure of the mall. An influx of cash for a residential dwelling with the idea that somehow these residents are going to get all these tenants into your mall that are going to make the mall good for 20, 30, 40 and 50 years from now, it's just not going to happen. But the reality is malls are in decline for a lot of different reasons. It'd be unfortunate if the Wilton Mall went away. Businesses come and go unfortunately. The town isn't here to save every business. That may or may not work. We aren't saying we want them all to go but, if the business isn't there, it's not there. Therefore, if you start putting residential there what's going to happen is that commercial zone won't be available for some other commercial property. The benefit to the residents of the Town of Wilton is we don't have a town property tax for our real property for a reason. If you start diluting that and putting the residential properties on commercially zoned property when the mall unfortunately fails, which I hope it doesn't, but if it does, what's going to happen? That property will be less desirable when other commercial developers want to come. They will see that they need to build around a three- or four-story residential property so it's less desirable. What then is going to happen? In my opinion, I think the developer who is already here will

want to build more. You're going to dilute the sales tax revenue and eventually you'll have a town property tax and that's going to affect every single resident of the Town of Wilton - in their pockets. I'm telling you this is a ruse. It's the idea is this hope that they're going to come in and save them all. I don't see it as being the case. Thanks.

Scott Kingsley, 105 Traver Rd, a 50-year resident of the Town of Wilton. In the 20 years that I've been actively following the political goings in this town I know our comprehensive plan has been opened at least three times. That is a commercial corridor. That corridor has been created by public input, community investment and sound decision making by our public officials. I do not believe that a PUDD is an appropriate way to just swipe that whole process away. You may say that this is just a little bit of change, but the problem is, when you open the door, the door never closes. What happens when the rest of the mall continues to struggle? We see malls struggling all throughout the country. We know what's going to happen. I do feel sorry for the property owners there, however, they're going to want more residential when other parts of the mall fail. Lowe's is a company that's had financial problems in the past. If they go out of business, why can't that property owner develop residential? What happens if Barnes and Noble goes out of business? They have had financial problems in the past, right? Who buys books anymore? So, why can't they have residential? Therefore, I am against the urbanization of this town. I was against the hamlets 20 years ago, and I'm consistent that I am against urbanization. The renderings that they put out on their own Facebook ads could be right out of Brooklyn, right out of Albany right out of Buffalo. If you want to look like Saratoga Springs, the problems of Saratoga Springs will follow. I am against this PUDD.

Chuck Cronin, 199 Clinton St. spoke and says he can talk factually about some of the negative opinions that I've just heard about. I'm a resident of Saratoga Springs. My family shops at property and I'm very much in favor of the project. What I do for a living is finance commercial real estate. In the past 10 years we have financed over a billion dollars in apartments in the capitol district, properties that are HUD, the properties that are luxury, and properties that have affordable housing. I know very much what they cost and the needs that the community has when you want to finance a project. I really believe that this is a project that will help rejuvenate this mall. It is happening across the United States. I can speak to it factually. If anybody is shaking their head and would like to come to my office and sit down and go through factual data from multiple organizations that support such endeavors, I'm more than welcome to open it up to anybody in the room. The project will help our community when we talk about tax revenues. I know that the assessment of this property was at one point \$79 million. I believe today, it's down below \$20 million. So, when we talked about this costing the town residents' money, not doing something is going to cost the town residents money. I'm very much in favor of the project. I've seen it happen. I just financed the acquisition of the Clifton Country Mall so I'm very familiar with that. I also financed the acquisition of the Latham Circle Mall, so I'm very familiar with that. But we don't do this just in the Capital District. We do this all over the country. I will be very happy to provide such information to anyone. With respect to the school districts, a project of this nature puts significantly less demand on the school districts than other projects that are being considered by the town. On Wednesday, September 20, there was an expansion of a project from 391 residential units to 400 and change. Single family homes have a significantly greater impact on the school district than apartment complexes. Again, if anybody would like to see the actual data rather than hearsay, I'm very happy to provide it.

Laura Vincek of the Vincek Farm spoke. She said she researched the Wilton Mall project thoroughly and searched for anything that could possibly be, in any way, detrimental to Wilton Mall or the surrounding county. She said she made many phone calls to unbiased engineers and local officials and tracked and verified every question posed by anyone and I found nothing harmful about the project. The project's

impact on the town of Wilton will financially benefit Wilton for decades to come. Moving on to what you see as the conservation easement of the Vincek Farm; What this means is that the development rights would be lifted, removed, gone, and it will make the farm forever a farm. It will be a protected ecosystem for eternity. The permanent easement will not only benefit Wilton, but it will benefit the planet for as long as the planet exists. A few facts about the Vincek Farm: It was built and worked before this country became a sovereign nation, Pre-Revolutionary War. The Vincek Farm is the 18th allotment of the Kaydeross dated by the King of England for the settlement of the New World. The Vincek Farm has been continuously operating since the 1700s. The Vincek Farm has the distinction of a Centennial farm established in 1919 and in operation by one family for over one hundred years. The Vincek Farm is a historic landmark and a national treasure that should be protected eternally for the generations to come. People have said to me things like well, you could just remove the development rights. Well, if I could do that someone else could put them back. People have said to me, well, why don't you just have it rezone? Well, if I can do that, someone else can undo it later. The only way for this to be permanent and perpetuity forever farm is for it to be in a conservation easement, such as Adirondack Park. That's a different kind of easement, I must add. It's been said that only one person benefits from this well, obviously that's not true. Everyone does the plan and the ecosystem; it goes on and on. And lastly, it's been said that our family is trying to sell the development rights for the money involved. If that were true, we would have sold it to one of the many developers knocking on our doors for the highest price, not pennies on the dollar and I had to say that because that's been going around. So, in essence, this is for the world and then generations to come. It will be forever a farm, a working farm, not a hobby farm, not a decoration farm, not a horse farm, it will be food producing and protected ecosystem to always stay a farm. Thank you very much.

Tori Roberts from the Saratoga Plan said she would like to read an excerpt from a letter to the town board on behalf of Saratoga Plan in support of the protection of the Vincek Farm. "Dear Honorable Members of the Wilton Town Board. As a private nonprofit conservation organization Saratoga Plan is dedicated to preserving the rural character, natural habitats, and scenic beauty of Saratoga County, including the town of Wilton so that these irreplaceable assets are accessible to all and survive for future generations. One of the best ways to accomplish this is through the conservation of farmland. The Wilton Mall group approached Saratoga Plan about supporting an undeveloped property in a prime development area of Wilton that might better help their plans to repurpose the green fields of the already developed Wilton Mall and prevent development on the green fields of the Vincek family farm. The completion of this forever farm easement will allow this family farm to be passed on to the next generation with the Vincek family and ensure that the property remains a farm in perpetuity". Saratoga Plan offers this letter to indicate that is fully prepared to move forward and pursue the conservation of the Vincek family farm, which has the following environmental benefits. The properties order and provide a buffer to spring run, a source of drinking water designated as Class A by the New York State Department of Environmental Conservation. The properties also lie atop an aquifer designated by the New York State Department of Environmental Conservation as a principal aquifer. The properties are in a large area of development and developments increase impervious servicing. Protecting this property will help to reduce stormwater runoff and flooding risk, which is particularly important considering recent flooding events. Farms purify air and surface waters, provide wildlife habitat, moderate heat island effect, increase local food security and lower property taxes. Farms pay more taxes than they use for services. The Saratoga Plan takes no position on the development plans for the Wilton Mall group. However, from an environmental and conservation perspective, Saratoga Plan is supportive with the concept of using previously developed land for sustainable redevelopment strategies. Concentrating development in these areas offers the potential to reduce urban sprawl and preserve open space for the entire community. The Wilton Mall Groups participation and private funding will allow this project to move forward to completion before the pending expiration of the New York State Department of Ag and Markets. The Saratoga Plan thanks the board for

their time to present this unique opportunity to protect this important farm, landmark, and community asset.

Betsy Hutchison, Pyramid Pines Estate spoke saying she is here on behalf of Pyramid Pines Estates. I'm not going to go through and repeat everything everybody else says but we did want to come and let you know that we do oppose the expansion of the Wilton Mall. Thank you.

Paula Schmidt, 19 Foxhound Run in Wilton strongly supports the Wilton Mall apartment development and the rezoning to allow that to happen. I think it's the best chance for revitalizing the mall property and saving the tax base that comes from that. The economic benefit from the apartment complex is undeniably positive. There's no negative environmental impact because you're redeveloping what is now basically a parking lot. The traffic infrastructure is in place already so there's no negative traffic effect. There's no pressure on collector roads like there are with some of the other developments that are happening very nearby. I am strongly in favor, and I hope that the zoning changes will have to happen.

John Solomon, 17 Jones Rd., has lived here 66 years. He and his wife had some issues with my taxes. And the girls in the tax department did a wonderful job. I just want to thank them for all their help. Thank you.

Mike Brice, Loudon Rd spoke, and he is opposed to this Wilton Mall project. I think that having that many people, four hundred units is 400 to 800 people and possibly 400 to 800 cars going out of very small entrances. The emergency services are going to be overwhelmed. That's a lot of calls they're going to have to go to in a spot that is commercial. I do feel the Wilton Mall should strategize and try to entice retail to get back there. Fix it up, like you said, make it more friendly for businesses to come in. But to have an apartment there we are turning Wilton into Saratoga and I'm totally opposed to it. Thank you.

Josh Vincek, 141 Jones Rd. spoke and said if anyone in this room should be worried about the traffic, it should be me. In the Town of Wilton, I farm around 280 acres in this town. With the Wilton Mall project, I think there's a lot of "what ifs". At first, I was against it when I was told some facts that weren't true. This seems to be a very big thing to happen to the future of the town and future generations. I feel there should be a committee set up to include other people and sit down to re-evaluate everything from emergency services to the roads to taxes and get all the facts correct. You let these guys know they're doing a great job. I think that's how we should figure it out. The farm, obviously I want to preserve here for the next one thousand years. It is a benefit to the community. We have groups of young mothers who come in to use the corn maze. The plan for the farm is to get more things for the community to enjoy, just walk through it. Every day there are groups coming in. We help all the different nonprofits every fall. We love it. We'd love to have this town stay beautiful and want to see this land here. I think we should just set up some sort of committee and just try to really sort this out. Thank you.

Brian Russell, 22 Cobble Hill spoke. He and his wife Nikki have lived here for 23 years.

I want to show my support for the project. I think that the reasons that Mr. Schaefer and Mr. Cronin mentioned were well said. The two areas I'd like to just expound a little bit upon are that when I hear people talking about the mall and bringing in different businesses and things like that, I think the mall has done a good job of repurposing itself. Years of us going to bricks and mortar stores, the whole United States is showing this doesn't happen anymore. If Wilton thinks that it's going to be the destination for a lot of big box stores they are probably mistaken. I think the repurposing that's going on with bringing in the hospital, bringing in the DMV have really repurposed the mall in a way that brings people in. I think by having the apartments there, it'll have an impact and keep people that pay property taxes there because for right now, there are just empty parking lots and empty buildings. I'm also an HR executive so

I know that difficulty that companies in the area have in finding employees that can live close enough to Saratoga to go to work. I believe that having market rate apartments in the area will help significantly in getting more people here. I've got five kids we raised here; all five kids couldn't afford to stay in Saratoga. They lived in outside towns in market rate apartments. I'm not talking about low income and we're not talking about luxury, the places where you can get an apartment there and walk down the hall and go to your job in the hospital administration. It just makes sense. This is a good way of keeping the tax base where it is and not having it continue to drop. Thanks

Jonathan Locke, 826 King Rd. spoke and says he is the proud owner of Salty Buns restaurant now located in the Wilton Mall. We opened this past June and the reasons why we chose this place wasn't necessarily about a strategic move but, it's our heartfelt dedication to this untapped potential embedded within this initiative. The transformation of Wilton Mall transcends mere aesthetics and commerce. It's honestly about fostering a new type of growth, prosperity, and progress. The potential for fresh job opportunities increase revenue, and the substantial advantages at our local businesses, local, not big box are poised to enjoy from this development are nothing short of awe-inspiring. This endeavor will breed vitality into our town, offering decent living spaces and crafting a vibrant community complete with essential amenities at our fingertips from a grocery store, gym, DMV, food court, movie theatre, local shops, and the convenience of major retailers to come. What truly set this project apart is capacity to offer employment prospects on numerous fronts from the skilled labor that will be necessary during the construction to the countless positions needed to support the residents and businesses within this new complex. We're talking about possibly substantial sustained enhancement to our local job market. Let us be unequivocal. This is not merely about increasing tax revenue for our town. It is about resurrecting not only the mall, but also the very spirit of what Wilton was. We aim to breathe new life into our physical surroundings and invigorate the hearts and minds of our fellow residents and business owners. Our mission now has become to instill hope, construct a flourishing community, and cultivate an environment where dreams cannot only take root, but also thrive, my dreams, my family's dreams, our dreams for Wilton. In conclusion, I implore each of you to perceive the potential inherent in this venture, not just in the steel and concrete that will shape this new complex, but in the countless lives that it will touch. Let us embrace this change. Welcome the growth and together. Let's build a brighter future for Wilton. I thank you all for your attention. Let us move forward with optimism, unity, and unwavering determination in our hearts. This will not just reimagine the Wilton Mall but reimagine all our futures. Thank you.

Susan Howe, 10 Stonehenge Rd. spoke. It seems like everything that's underpinning the arguments against them all are fear based. Things that are underpinning the arguments in favor of them all are hope based. I have six quick fictions and ten quick facts. I'll just compare. A fiction is that they're going to be taking out green land. The fact is they're going to be adding trees and green areas, they're only redeveloping a parking lot. Fiction, there's going to create all kinds of traffic problems. Fact, the traffic studies have been done, the infrastructure is there, this is not going to create traffic problems. Fiction, and here's one that no one in this room has mentioned yet, that Democrats tend to live in apartments. I did the research myself. Over 55% of the residents in the Paddocks, across the street, are Republican. Fiction, apartment dwellers are transient. We don't want transients in our town. Fact, over 90% of the residents at the hamlet down the road have been there three to five years or more. Fiction, this won't save our mall. Fact, this is going to attract small businesses, this is going to attract residents, this is going to attract restaurants. This has been proven across the country to be a successful strategy to save the mall. Fiction, this is taking away the town that I grew up in, just doesn't look the same. I've been here 26 years. When I got here, there was like a population of four thousand people. I cherished it as a small town, too. But here's the facts, that ship sailed when this town and this town board agreed to develop the Route 9 corridor. Here's my

last four points. This is growth. This is jobs. This is saving our tax base. This is what we call economic development. Let's go for it.

Chantel Couture, 98 Jones Rd., spoke. I've been a resident of Wilton for over 33 years. I live on Jones Road and the corner of Vincek Lane right next to the Vincek Farm. I'd like to say I'm in favor of this project not only for the reuse of the Wilton Mall but also for the easement corridor for the Vincek Farm leaving it a forever farm. I want this place not for me but for my grandchildren and my grandchildren's grandchildren. This farm has been here before this country. It should stay here for as long as this planet is alive, in my opinion. Not only for our grandchildren's grandchildren, but for the entire community for growth for teaching children about farming. We're losing that essence here.

Tony Sturm, 41 Parkhurst Rd. spoke and is strongly in favor of this project. Wonderful points from different people have been made. I think some of them are very strong. I think it does present an opportunity to revitalize a really significant potential sales tax base for our town. There's a cinema, a multiplex that's interested in coming back to the mall if the apartments are there. This is a large project that will have no environmental impact. It's a gray zone, it's already paved over, which is in far contrast to some of the other projects that seem to make their way through the planning board and town board approval project process. There is significant financial benefit to our town through this project, not only in sales tax revenue, which they've mentioned is to the tune of an estimated \$368,000 annually, but also in our Saratoga Springs school tax. A net gain of again, it's approximation but about \$800,000 a year. That's not chump change. And the final positive point is that this is a special opportunity to preserve a beautiful farm that I had no idea had that has this kind of historical background. This is over 120 acres of key prime residential R1 developable land. People who are concerned about the significant growth in our town, I think it makes planning sense to concentrate on growth. I think Hamlet zones make sense. I think the mixed residential commercial zone at the mall, if it stands a chance of revitalizing the mall, makes sense. Also, to link it to protecting over 120 acres of R1 land in the Jones Rd., Smith Bridge Rd., Gavin Park area is a beautiful feather in the cap for the Town of Wilton. This would be an amazing accomplishment. I really encourage the town board to let this project move forward and to approve the mixed commercial residential zoning. One thing that I would put in as a request to the mall developers and to the town board, for future projects of significant size, would be to seriously consider putting in energy capture technology on rooftops and in parking lots. We know that the mall area is not adjacent to high tension power lines. You can't put in any kind of commercial solar or large scale solar, but you can put in solar that will furnish the energy for those homes and businesses. I strongly encourage that process forward as well. Thank you.

Duane Hendershot, 3065 Route 50 spoke. He is the store director for the Healthy Living Market in the Wilton Mall and I stand in support of the transformation project at the Wilton Mall. The site at the Bonton is the part of the mall that will be torn down. It's currently in bad shape and it can't even be developed. I'm excited for the prospect of a new future for that site and the parking lot around it. I've worked at the mall for nine years, and I've never had to wait to get out of the parking lot one time, not even during the holidays. I come and go day and night. If you've ever worked at a grocery store, you know, it's not a nine to five job. And I've never had to wait. There's a picture in Mike Shaffer's office from 2009 showing the mall completely full. People seemed to manage to get out. There was a car in every spot. If you have been around that mall, there are a lot of spots. There's a lot of room for growth. There is a traffic study posted right on the site, you can't miss it. It will cause a snowball effect. We'll see better retailers, we will see improved services and it's going to generate a lot of tax dollars, those are all the facts. If this revitalization effort is not passed, I hate to see what would happen to the site. I foresee further deterioration followed by a sale of the property to who knows who for who knows what. Why gamble on what will happen when there's a perfectly good plan in place. A plan that is documented at every step on the website. If you have

any fears or concerns everything is documented, top to bottom. A plan that will generate a lot of tax dollars, a plan that will help to conserve a family farm forever, a plan that will help to revitalize a tired old mall and make it viable again. It's a win for local business, it's a win for the community and it's a win for Wilton. Thank you very much.

Katy Rusate, 12 Sweetbriar Dr. is here to voice her support for this project. I've been going to the Wilton Mall for as long as I can remember. I remember seeing my first movie theater movie there, The Hunchback of Notre Dame in 1996. Every year for Christmas My aunt would give me \$50 to go wild at this mall. I would go to the bookstore, the carousel, which is now the fountain and we always finish off at the food court that was hustling and bustling. I grew up, went to college, lived in Boston, then came back home and brought my husband with me. We chose to live in Wilton versus Saratoga because of the good school district, low taxes, and the safe and inviting neighborhoods. Obviously, a lot has changed since my childhood. COVID hit and the movie theater shut down. Stores just kept closing like a revolving door of small businesses that just didn't make it. This was true for malls across the country. It started happening well before COVID. Malls were a suburban delight. They were the only and best game in town. Things changed with the rise of e-commerce. The convenience factors of malls as a one stop shop is now completely dead. But malls are so much more than just leasing space to retailers. The mall itself, not the shops within it, is the product the consumer consumes. COVID, although it destroyed a lot of businesses it created a demand for community and the mall is a place where our residents and visitors can mingle. Think of another place in Wilton where we can do that other than Home Depot. I've been excited when we rethink how to reinvigorate malls because that's what we need to do to keep it alive. It's a place of community and its successes keep our taxes low. I love that we added Saratoga Hospital to the old Sears location. I heard about adding apartments into the old Bonton area, I thought that's great. Here's why. You'll increase foot traffic. They're synergistic business opportunities for Planet Fitness, Healthy Living, Home Goods and pretty much any food vendor. Residences provide a stable and consistent customer flow and will create demand for more businesses to want to come to the mall and build on the live work play model primarily sought by young adults. The problem is time. Sometimes these projects take 5 to 10 years before they even get entitled to put a shovel in the ground. And struggling malls don't always have that timeline. In some cases, the malls that have fallen out of demand that have projects like these on the docket, are demolished which happened in White Plains, New York. But we're not White Plains. When a department store is vacant, we are taking those immediate necessary steps to rethink and redevelop that space like Saratoga Hospital. We're bringing community events like the farmers market here. I'm seeing new stores open other than Yum Yum Kitchen, like Sara's Kitchen and Salty Buns. We're revitalizing dead space that was meant for a lot of people years ago. People in businesses want to go to malls where there's people. Malls are about the people. This project will bring those people. It will reinvent unused space and I believe will bring a greater sense of community to Wilton. Thank you.

Alex Rusate, 12 Sweetbriar Dr. spoke in support of the Wilton Mall project. I'm also on the Town of Wilton Ethics Board, but I'm not here in that capacity. I won't repeat anything but one concern that someone brought up was emergency services. An important point I want to make is that the Saratoga County Sheriff's Department stays within the Wilton Mall building. My understanding is that that is rent free, and it allows for quicker response times. So, if the mall ends up falling apart and goes out of business that's going to be something where you're going to get slower response times potentially so, I'm in strong support of this project for all the reasons everyone else has said. And I wish everyone involved in this project the best of luck. Thank you.

Matt Rose, 23 Adirondack Circle says he has lived in Wilton for the past eight years. I think this is a little bit of a short-sighted plan. We have Route 9 zoned for residential. You can always add apartments there. I think sacrificing commercial property for this plan just isn't smart for the long-term future.

Carol Shupp-Star, 6 Chipmunk Chase spoke. She has lived in Wilton for 40 years. She is in favor of the Wilton Mall project. She feels it will be enjoyable to be able to walk into the mall and see thriving businesses. When you walk into it now, it's so empty. She thinks it will bring a lot of revenue to Wilton. The other reason is the support for Vincek Farm. It is a beautiful place that she visited with her children. It is a wonderful farm that everyone in the community should enjoy.

Darlene McGraw of Halfmoon spoke. She rode her trike her all the way from the Halfmoon exit in Clifton Park, NY. She is here because she used to work here in the town of Wilton. She volunteered here in the town. She says she came because somebody needed help mowing their grass and raking their leaves. She came up here to help them do that today. She states she takes the bus a lot and feels the Town of Wilton should consider having a bus line go through our corridor. She feels there needs to be transportation available not only for workers of local jobs but for state workers. She feels that if they can't get to work to do their jobs the taxpayers will be paying more to compensate for trying to get those jobs done. She also feels that the traffic study that was done here was insufficient. While on her way here she experienced multiple problems riding her trike. She's inviting anyone who would like to experience the problems for walkers and bicyclists to join her on her daily travels to see the issues for themselves.

Jack Kelly said he's a professional economic developer. Some of you may know me from my experience, was the Senior Vice President of the Saratoga Economic Development Corp. I have a certain affinity for Wilton. I led the team along with Ray O'Connor and some other people in the community that brought Ace Hardware Distribution and Target Distribution. One of the things that really concerns me the most, by the way, I am in favor of this project, is the vacant buildings at the mall and the things that can happen to vacant buildings. You may remember the call we got one morning at one o'clock from the State Police, I worked with Bobby D'Andrea on the old Wilton Developmental Center. We had a bunch of teenagers that had broken in there and they had a big bonfire going in that open space just outside the swimming pool. People here have really done their homework. And I congratulate you. I also congratulate the people that brought in some concerns, and I hope that they are taken into consideration here. But this is a very positive project. Saratoga County is one of the few areas in New York State that gained in population. We didn't lose it down to the south or to other areas. That's because of the economic development we've had here for the last 40 years, which has been fostered with good support from our elected officials and volunteers. First, I would like to publicly say this community owes a real debt of service to Ray O'Connor and the vision that he's had over the years. So, thank you Ray for that and the vision that you have for the future. And I thank you, the community for coming out and speaking this evening; continue to do it. Let's take instead of having politicians let's have some statesmen as it relates to this project. Thank you.

Richard Spackmann, Maple Ave. spoke. He is also a member of the Ethics Committee. I am not speaking in that capacity here tonight. I'm speaking as a resident of the Town of Wilton. I've heard the word "fact" that has been thrown around here a lot tonight and I think the reality is that this project has pros and cons. A lot of the facts that were thrown around really aren't facts, right? They're educated guesses or predictions on what might happen in the future based upon data that occurred in some other part of town or the parts of the city or the country. It's not a certainty. It's probably likely but it's not a certainty. I want to urge the town board to safeguard against what happens if the development doesn't occur. I think the truth is somewhere in the middle. There are pros of this and there are cons of this idea. But what happens if it doesn't come with all the advantages that we that we think might occur? So, I want to urge the board

to think about that and safeguard the town against that possibility. I think it is a very real possibility. Lastly, I must agree with Mr. Vincek. I think the information about this thing really stinks. The information getting out and the quality of it and accuracy of it, it just stinks. I think the corporation has some blame for that. I'm not talking about marking materials. I'm not talking about websites. I'm talking about unfiltered data, not spin just the facts. That's all I want to see to make an educated guess, a better educated guess without spin. My understanding is the? has asked him to rezone the entire property. I don't know why it's necessary. You want to talk about protecting against the risk here, we should probably only rezone the part necessary for this project. I don't think you should rezone the whole thing. I think that's the middle ground here. I think that's the safety net. I think that should be considered. Thank you for sticking up for the town. Thank you for making sure this goes the right way and making sure that the town's best interests are represented. Thank you.

Deserae Matala who lives in the area and works at the Wilton Mall spoke saying I love the Wilton Mall. I remember the carousel and all the times that I went there with my grandmother. It was amazing. Like I said before the last meeting. It's a ghost town now. We need to do something to keep that around. What are we going to do, if that goes down and businesses are going to go out the door, people are going to lose their jobs, everything. I support my family, I have two children and a wonderful husband, and I am the sole supporter of them. I don't want to lose my job there. I absolutely love working there. I love the reminder of my grandmother every single time I go there, This project is going to help a lot of people. It's not only going to help the people that work there, but also the community. It's going to revitalize that place so that we can have it back, we can go there and see big stores that everybody wants to have there. We can go and have a place like we used to when we were younger and be able to sit there with our friends and just go window shopping if we wanted to. Right now, it's so sad that a piece of our childhood is about to be gone because we can't all come to an agreement to be able to revitalize that spot. It's going to be better for us, it's going to bring more people into the community. I heard a lot of people saying it's going to congest the roadways. How is that going to congest the roadways when they're all going to be basically working, eating, and playing all at the same place and staying there? I'm a manager at a jewelry store. I can barely find anybody to work. This is going to help our businesses as well. It's going to help get more people in to apply to help us be able to stay where we are and to be able to serve the public. I want to see this place continue to be there, to continue those memories of my childhood and to continue to make memories with my family there. Hopefully my children will have memories there. Thank you.

John McEachron, Deputy Supervisor spoke. I've been working on this project now for about two years. Duane Bogardus and I sat down with the mall people. A lot of points that you are hearing have to do with the fact that we sat down in that committee meeting about making a percentage of the housing, workforce housing. During the first meeting, we asked what they were going to do with the proceeds from the sale of the property. The answer they gave was "nothing". They will not put money into a failing mall. It was brought up again during the second meeting. The answer we got then was "We don't put lipstick on a pig". We won't put money into a failing mall. I am in favor of the project but there must be something in it for Wilton. Wilton doesn't get anything. A few of the points were addressed and they went back to the drawing board. They sat down with their CEO's, Maserich and Paramount. During that meeting I was humiliated by the owner of Paramount who called me "dad" about four times during the meeting. I'm a little upset over that, but I still haven't lost my train of thought. The facts are clear. The mall was built for heavy traffic. Traffic's not my issue. School is not my issue. Following the road is not my issue, however, what's in it for Wilton? We're changing the zoning. We're changing the zoning to a 110-acre PUDD that can never change back. What do we get out of it? It's got to be a public benefit. We asked them to do a PDR. The two lawyers got fired for that. They don't do that. Why should I? That's what I was told. They came back with all the things that you're hearing that you like about the project. That's only out there

because of myself and Councilman Bogardus. Those are the things that we must protect. I must protect the Town of Wilton. That's what I was elected for. I'm asking for a transfer development of 65 acres of prime real estate to offset the 65 acres they want to build on at the mall. That's what it was. It was not about protecting other areas of the town. I just wanted everybody to understand we are working with the mall. We wanted to see the mall get transformed with the proceeds from the sale. If there's a public benefit with this next deal that's going to benefit the town of Wilton, I've yet to hear it. I just want everybody in the area to know that this is something that we're working on heavily. Personally, I'm not there yet and I don't want to sit down in another meeting where I get insulted.

### **REGULAR TOWN BOARD MEETING-October 5, 2023**

Supervisor Lant called the Regular Town Board meeting to order at 8:00 p.m.

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

### **Public Comment Session**

Scott Kingsley spoke and wanted to point out that we are approaching a pretty special milestone in the town of Wilton historically, because it was 50 years ago, Sunday, October 7, 1973, that the new Town Hall was dedicated by Supervisor Gavin and the rest of the town board. They did it in the name of a longtime public servant, Justice James Wesley Worth, who had just passed away earlier in the year. That was 50 years ago, Sunday, October 7, 1973, and I think a milestone that I really wanted to bring everybody's attention because I think that's important.

Angelo Calbone spoke, he and his wife live on Loughberry Lake Road. He was interested in a discussion about the traffic on Loughberry Lake Road and Maple Avenue. He states that there is outrageous speeding. He clocked someone at 70mph going past his house. The average speed is probably about 50. The speed limit is about 30. He has worked on and driven performance cars since he was 15 years old and knows speed. It's very dangerous. He would like to know what can be done to reorient that road in any way. There are kids playing on the street and people walking on the street. People cut through from Maple Avenue to Route 50 can't be stopped but the only reason they cut through is because they can speed to make it a shortcut.

Supervisor Lant stated that they're doing a traffic study right now and that there are warning signs up but he will contact the Sherriff's Department and inform them of the issue.

Cindy Robbins, who said she is a Vincek and lives on the farm, is very much in favor of preserving the farm. Her grandfather was born in the house and that means everything to her. She agrees with Josh Vincek when he said there needs to be a way for everyone to get together and talk about preserving the farm. She is also a school nurse in the Saratoga School District. She has been working at Dorothy Nolan. She was moved to the middle school because Wilton's population at Dorothy Nolan school was so low, they couldn't afford two nurses there. She says her salary is public knowledge and she makes \$25,426. She could never afford to live in a \$1,800 a month studio apartment. Her husband is disabled. He gets \$923 a month for the rest of his life. If something happened to her, where would her husband go? He couldn't stay living here in his community. She hopes that if you approve this project that the rents are realistic for a normal person to afford.

Darlene McGraw of Clifton Park spoke and says she has epilepsy. She must ride her trike to get places and is concerned about pedestrian and cyclist rights-of-way.

She also feels that Wilton needs to keep affordable housing in mind when developing projects like the Wilton Mall. She feels that new developers may be practicing income discrimination, and the town should not be a part of this.

### **Approve Pending Minutes**

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

#### **RESOLUTION #211**

**NOW, THEREFORE, BE IT RESOLVED,** to approve the minutes from the September 7, 2023 meeting, as typed.

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

### **Tentative Budget**

Maria Moran, Comptroller stated this is the presentation of our 2024 tentative budget that's being presented to the board. Very high level summary for our fund perspective. The two funds that we have in our budget is our general fund and our highway fund. We have appropriations of \$6.5 million in our general fund and an appropriation on highway fund of \$1.2 million. The combined total is \$10.7 million, which actually represents a 13% decrease from the current year's budget. It's pretty important to recognize that this is the tentative budget it will be voted on in the future. There's a budget workshop coming up. Once the budget is passed, there is the ability of the board to amend the budget. This is our starting point right now. Some key points about our 2024 tentative budget is that this is the 42nd year that there is no town tax for either the general fund or the highway fund, which is a pretty significant accomplishment. It relates to the wonderful foresight that boards in the past have had as well as the current board in terms of managing the current period and prior expenditures. The budget that's

presented today is a structurally balanced budget. We're not using fund balance to plug any deficits. We are balancing our revenues and our expenditures without the use of surplus funds. We do use surplus from prior years when we fund our reserves. We take the previous year's surpluses, we increase our reserves and then in the future, we use it for specific reasons. This year for 2024 we're planning on using \$383,000 of our reserves for projects and equipment. \$208,000 is for our park equipment and park capital improvements. \$100,000 is for a planned garage improvement, we're going to be bringing in a new water line for a hydrant, and \$70,000 is for a repaving project at our town hall campus. Again, this represents a decrease of \$1.7 million from the current period amended budget. We're also planning on tentatively using \$900,000 for road improvements for the highway as well as purchasing new highway equipment of approximately \$430,000. A copy of our tentative budget is available online as well as at the clerk's office.

This slide is our functional categories of expenditure. Both the general fund and the highway fund. One of the largest expenditure types, functional categories is our general government category. That would include services that would benefit the entire town. So, think of your assessors department, the Justice Court, think of the accountant, the engineer those types of services that apply to every program. Another large category is our culture and recreation program, which was \$1.6 million. And that represents categories at Gavin Park, also at Scout road. It also encompasses historical activities. The greatest part of that would be Gavin Park. This slide (indicating) depicts our revenue sources. The town relies a great deal on our sales tax. Our sales tax is over 76% of our total budget. When we talk about our appropriations, that we are tentatively budgeting, we always have to be cognizant of the sensitivity to the budget from changes in sales tax, we know the kind of economic situation that we're in as a country as a whole, we have to be very aware of changes in sales tax relative to consumer spending, relative to other factors such as inflation and the high level of consumer debt that exists right now. Spending may not be as strong in 2024, as it is in 2023. Those appropriations that we're talking about are going to have to shift according to how the sales tax revenue comes in during the year,

Our sales tax revenue was up and we are projected to have a total of about \$7.6 million in sales tax revenue this year. So that's very strong, everything is steady this year. We always enter the new year with the sense of caution, extreme caution, because you just don't know what's going to happen. When we talk about these expenditures, we could make shifts either decreasing expenditures or increasing expenditures, depending on what sales tax does.

Our upcoming budget workshop is Wednesday, October 11, 2023 at 2:00 p.m. and it can go as long as it needs to go. The meeting is open to the public. The public is invited to attend and listen to the board deliberate on different things. Ms. Moran said if you need more information, please feel free to call her and her phone number is on this slide. The information about the budget workshop is on the town's website and is also going to be on Facebook.

Councilman O'Connor said he spent forty years in the banking and finance business and has seen a lot of people good at crunching numbers over the years. But it's so unusual to see somebody who not only is a number cruncher, but also gives in depth analysis and looks at the possible risks to forecast in three dimensions. So just want to commend the town comptroller for doing such a thorough job on the budget

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

**RESOLUTION #212**

**NOW, THEREFORE, BE IT RESOLVED, to**  
approve the 2024 tentative budget.

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

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

**RESOLUTION #213**

**NOW, THEREFORE, BE IT RESOLVED**, to set a public hearing for the 2024 preliminary budget for November 2, 2023 at 7:00 p.m.

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

**Appointment-Park and Recreation Commission**

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

**RESOLUTION #214**

NOW, THEREFORE, BE IT RESOLVED, to approve the appointment of Andrea Glogowski to the Park and Recreation Commission, to fill a vacant position with a term of 10/05/2023-10/04/2028.

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

**Reappointment-Park and Recreation Commission**

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

**RESOLUTION #215**

NOW, THEREFORE, BE IT RESOLVED, to approve the reappointment of Mark Dailey to the Park and Recreation Commission, with a term of 10/01/2023-09/30/2028.

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

### **Reappointment-Board of Assessment Review**

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

#### **RESOLUTION #216**

NOW, THEREFORE, BE IT RESOLVED, to approve the reappointment of Michael Coleman to the Board of Assessment Review with a term of 10/01/2023-09/30/2028.

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

### **Wilton Wildlife Preserve and Park Quarterly Report**

Margo Olson, Director of Wilton Wildlife said these quarterly reports come up faster and faster. Technically, the quarter was the end of September but as you can see, for a lot of the program information I gave you the year to date. The third quarter program attendance, in the summer, we do an awful lot with the summer camps so our summer attendance for those programs was up from last year. So again, we've continued doing lots of different programs, you have the public programs that we do, we have the programs that we do out in the community. We're able to serve the Town of Wilton very well. We've been expanding to serve the greater community, but it doesn't take away from what we're doing with the town, to be able to have the capacity to work broader in the town into the county of Saratoga. One of the ways that we're doing that is we had the grant that we received through the Land Trust Alliance through the Conservation Partnership Program. We're partnering with Saratoga Plan. In addition to doing programs here on trails in the Town of Wilton, like at the Ora Phelps that is in the Saratoga Plan trail, we've been doing programs at Bog Meadow, we were doing programs this summer and this fall down around Lake. That was a funding program that we were able to hire interns to be able to give us that capacity to be able to build on what we're already doing. That's been something that we've been very happy with the way that program has been growing. There's all the information here, in the report. Ms. Olson said she did put together an update because as we continue to work on The Larry Gordon Outdoor Education Center Project at the Wilton Camp Saratoga, she said she wanted to kind of keep everybody up to date on where we are. This is just a recap of what we have talked about before, again, this outdoor education center project,. We're honoring Larry Gordon and his vision related to that area at and around Scout Road and his dedication to the Town of Wilton. We know that it's a gem. We've been talking all this evening about what a gem that the Town of Wilton is and the role that it plays in Saratoga County, and certainly within the Town of Wilton, that boy scout camp area is really a gem and a treasure. We're really hoping that this project will take that and take it to the next level. So again, we've got these historic buildings, we will be improving and creating a welcoming, welcoming campus there. It'll be this one of a

kind outdoor education center serving both the Town of Wilton residents, and then beyond. And then it gives us that year round space to enhance the programming for as I said, for the Town of Wilton, and then for the community. She said she is surprised how many people maybe have not been to Camp Saratoga. She pointed out the Striders Fun Run (indicating). They have the 5k runs this summer, so you can get an idea of how many people come and use the park for those recreational purposes. The other picture was a campfire program that we had. That was a picture from last summer. Again, this is right in the area where we're talking about this core of Camp Saratoga where these improvements will be taking place.

Ms. Olson said Scott Harrington continues to work the steering committee, we've refined our budget plans, we've been really looking at and hammering out the usages of the buildings and revising our plans based on that. Roy and Scott are both really invaluable, giving us their expertise to help us stay on track, we had a site plan meeting with the steering committee, Ryan and Scott. Some of you know Joe Sporko, from the LA group. He came and we walked over the whole site and we talked about how we wanted to move people around and what we thought it would be so the LA group has developed this preliminary site plan, which I'll be showing you next. Scott has started with ordering materials, the steel beams are order that are needed to support the floor new windows, and then the committee is continuing to prepare for the fundraising that will be needed. This gives the board an idea, this is the draft site and pathways plan. You can see the buildings. These will be accessible paths using stone dust and will allow people to park in the parking lot and then be able to move from building to building and as we refurbish them and into the places where the Larry Gordon Collection is will be so people can see the scouting collection that was Larry's, exhibits and materials on the butterflies and on the flora and fauna of the Saratoga Sand Plains. And then of course, all of the other kinds of public program spaces. In the winter, from the welcome cabin, we'll be able to rent out cross country skis and snowshoes., It's a place where people can stop year round, pick up maps, ask questions and figure out where the best places are to go. This is the preliminary map that's from the LA Group. Ms. Olson said the LA group is doing this as a pro bono project. So we're really appreciative of their community mindedness to be able to work with us on this and I know they have a long and close history with the town. This is just a zoom in so you can see the main parking lot number one (indicating), kind of finishing it up a little bit, adding a couple more spots, creating accessible entrance into the welcome cabin, where people will be able to come in, and then the path that will be accessible heading towards the restrooms and the other buildings. This is all very new, very new and exciting. So again, we're continuing to meet regularly, we're really waiting for that day, when Scott tells us he's at the building, putting those beams in or installing the windows, because then we'll really start to feel like this is real, this is happening. We'll continue working on developing the interior exhibit plan. We're working with the scouting group to identify which of the objects, the many, many, many objects in Larry's collection, which will be part of that, at least the preliminary exhibits. We're gathering cost information on the internet phone service. We had some good news that it's actually going to be less than we thought because Larry put a conduit under the road that they can use to connect. We don't have to deal with the railroad. We're working on the signage plan. We're going to be in fundraising mode for a while and we are developing donation materials to reach out to the community and people to help move the project along. So again, pictures, Saratoga independent school, this is over by the old Cornell Fire Tower and they were doing a program and learning about the forest . And then you can see the cute kids from Wheeling RAC going there with red shirts at the pond where they came for a field trip. So not only do we go to Gavin Park to do the programs, but they come and visit us as well.

Hopefully, next quarterly report next week. We'll have all kinds of pictures of Scott installing things, all kinds of wonderful and bad smells. We do have our main fundraiser next Sunday at the Wishing Well and they do a wonderful, wonderful job there for us. Next Sunday afternoon, you can still get tickets, if you're interested in attending, you can go to our website. And that supports what we're celebrating this year. We're celebrating not an individual, we're celebrating what our mission is. We're supporting, celebrating our work and environmental education, outdoor recreation, and conservation. That's a great event. She

said some of you who are in the room are on the list that will be coming and I hope many more of you will be able to join us.

### **Wilton Wildlife Preserve and Park Contract**

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

#### **RESOLUTION #217**

**NOW, THEREFORE, BE IT RESOLVED,** to approve the 2024 Wilton Wildlife Preserve and Park Contract.

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

### **Champlain Hudson Power Express**

Councilwoman Kolligian said she and Ryan had a conference call with Champlain Hudson Power Express and we just want to make sure that everybody's on the same page at the same time. There are 28 affected residents and CHPE is looking for temporary to permanent easements. Anybody within 100 feet can also be affected as the construction goes along the railway. We just want to make sure that everybody is aware of the construction, the clearing for the project, the value of their property and making sure that it's consistent depending on the amount of kind of access that will be taken. People within 100 feet can get their property foundations inspected, so that they know that they are safe and sound. There's a flyer, we're going to have a public open house, where all the major players are going to come together and help give a presentation, answer questions, open to the public, whether it's at your house, or you're on the other side of town, you just want to know more about it. Andre Rush, representing Champlain Hudson Power Express said the project is a 340 mile energy line that's going to connect Canadian hydro power from Quebec to New York City. It's going to be completely buried either in Lake Champlain or in the Hudson River and in this area, to avoid the PCB dredging, it's going to go on land. So, it comes out of the water around Putnam Station, follows rail and road rights away and goes back into the water south of Catskill. In the town of Wilton, it's going to follow the rail rights of way. Where we can't stay in the rail rights of way, we do need temporary or permanent easements from about 20 landowners. As of this afternoon, we have agreements with 15 of them, our land team has reached out to everyone who has made contact. They're continuing to talk, there will be an open house meeting in two weeks, as noted. In terms of what we're talking about the construction process, it's two five inch cables. What we're going to do is cut three foot by five foot deep utility trench. In that trench, they're going to install two, eight inch PVC conduits and a smaller conduit for fiber optic fiber optics that control system for the line so we can tell if there's anything going on. We will trench it, open it, trench it back, fill it with something called Flowfill, which helps dissipate the heat a little bit. It's like a fluidized concrete, cover it up. In 2025, we will come back through and pull the cable through. The in service data is projected for 2026. If you start going from north to south, it's Pettis, Scout and Edie Roads for open trenching. The first time we crossed Jones Road, we're going to tunnel underneath. It's a horizontal directional drill. So instead of a three to five foot cut,

we're going to go down 15 to 20 feet with some drills, pop it back up on the other side. Scout road is also an open trench. That would be the plan. We're still working on model approvals.

If there is wetlands or a stream, they will go under. It's very heavily regulated by the New York State DEC every time we have to make any change at all. We've had to go back through. We've got to get the EM&CP, which is the Environmental Management and Construction Plan approved, and we're working on that now. It is under construction. In Putnam, we are doing some work down in Stony Point.

The whole point was to just be on the rail right away the whole way. But there are some spots where we would come off due to topography or there's some other co located infrastructures in there that we can't get into right away. Sometimes the railroad simply won't let us be in the right of way.

Mr. Riper said the overpass on Jones Road, where the walls are, are some catch basins so they have to come out a little farther than expected. Same thing with Scout Road crossing because it's an overpass.

Wilton Road has a little old railroad bridge. It's a very narrow abutment and they have to build to excavate outside of that area. So, they're asking for a permanent easement from the Town of Wilton. Mr. Rush said there's a house behind going back in between the neighbors so a temporary easement is needed. That's exactly why we're having the public here, the open house. So that can all be cleaned up, right there with neighbors so that everybody's on the same page, because it's very easy to confuse temporary and permanent. It and there's a lot of moving parts. We've been working on this since the spring of 2020. It started with the federal government and the state and trickled down. So now that it's impacting people's property, we want to just make sure that the entirety, it's coming through seven miles through town, there's five crossings on roads, some of it in Gavin Park, here (indicating), there needs to be some clearing. We're negotiating when that actually takes place, or where that staging is going to be. So again, it's just a big informational question. As far as people's individual properties are concerned, they won't be negotiating the terms of their easements that night. But everybody could just be assured that they're hearing the same information so there's consistency.

We'll have experts there. Mr. Rush said he started in this role in July of 2023 and lives in Clifton Park. He said he's worked off and on the project as a consultant since 2010, when it was just an idea.

Deputy Supervisor McEachron said his property value has been diminished because of high tension wires. It's down because of the railroad. And is it going to go down because of this project that's going underground,

once it's once it's buried, it's never going to be seen, that's just like any other piece of infrastructure in the ground. You know, like there's a little there's a little bit of heat that's mitigated through the flow field, but it won't be an issue. Grass grows right on top of it.

The open house is going to be on Thursday, October 19. They were going to clear a lot of the trees in that backlot this November, with no construction happening for a year 12 to 18 months. We asked them to hold off on that because we don't want kids getting onto the train tracks.

Deputy Supervisor McEachron said National Grid took a poll 150 feet from my house. Two weeks later, just about every window in my house was broken out from the dropping of telephone poles. Mr. Rush said we certainly take every caution we've got.

Councilwoman Kolligian said that's exactly why they're offering a home inspection to anybody within 100 feet, so that they know should anything happened during it. We also have a claims team that's going to handle any issues they are already engaged. If there's any issues we will work with you to take care of them.

### **Carr Road Traffic Safety and Pedestrian Connectivity Improvement**

#### **RESOLUTION #218**

**WHEREAS**, a Project TAP – Town of Wilton

Traffic Safety and Pedestrian Connectivity P.I.N. 1762.53-D041007 (the Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs such program to be borne at the ratio of 80% Federal funds and 20 % non-federal funds.

**WHEREAS**, the Town of Wilton desires to advance the Project by making a commitment of 100% of the non-federal share of the costs of Design

**NOW, THEREFORE**, the Town Board of the Town of Wilton duly convened does hereby

**RESOLVE**, that the Town Board hereby approves the above-subject project; and it is hereby further

**RESOLVED**, that the Town Board hereby authorizes the to pay in the first instance 100% of the federal and non-federal share of the cost of Design work for the Project or portions thereof; and it is further

**RESOLVED**, that the sum of \$394,401.00 (three hundred ninety-four thousand four hundred and one) is hereby appropriated from the General Fund (A9150) and made available to cover the cost of participation in the above phase of the Project; and it is further

**RESOLVED**, that in the event the full federal and non-federal share costs of the project exceeds the amount appropriated above, Town Board shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the New York State Department of Transportation thereof, and it is further

**RESOLVED**, that the Town Supervisor be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or Marchiselli Aid on behalf of the Town

of Wilton with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible, and it is further

**RESOLVED**, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project and it is further

**RESOLVED**, this Resolution shall take effect immediately.

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

#### **RESOLUTION #219**

**WHEREAS**, a Project TAP – Town of Wilton Traffic Safety and Pedestrian Connectivity P.I.N. 1762.53-D041009 (the Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs such program to be borne at the ratio of 80% Federal funds and 20 % non-federal funds.

**WHEREAS**, the Town of Wilton desires to advance the Project by making a commitment of 100% of the non-federal share of the costs of Design

**NOW, THEREFORE**, the Town Board of the Town of Wilton duly convened does hereby

**RESOLVE**, that the Town Board hereby approves the above-subject project; and it is

hereby further

**RESOLVED**, that the Town Board hereby authorizes the to pay in the first instance 100% of the federal and non-federal share of the cost of Design work for the Project or portions thereof; and it is further

**RESOLVED**, that the sum of \$37,742.00 (thirty-seven thousand seven hundred forty-two) is hereby appropriated from the General Fund (A9150) and made available to cover the cost of participation in the above phase of the Project; and it is further

**RESOLVED**, that in the event the full federal and non-federal share costs of the project exceeds the amount appropriated above, Town Board shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the New York State Department of Transportation thereof, and it is further

**RESOLVED**, that the Town Supervisor be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or Marchiselli Aid on behalf of the Town of Wilton with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible, and it is further

**RESOLVED**, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project and it is further

**RESOLVED**, 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.

**Route 50 Road Intersection Improvements**

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

**RESOLUTION #220**

**WHEREAS**, A Project TAP-NYS 50/Old Gick/Ingersoll/Jones Road Intersection Improvement P.I.N. 1762.52-D041011 (the “Project”) is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs such program to be borne at the ration of 80% Federal funds and 20% non-federal funds.

**WHEREAS**, the Town of Wilton\_desires to advance the Project by making a commitment of 100% of the non-federal share of the costs of Design.

NOW, THEREFORE, the Town Board of the Town of Wilton duly convened does hereby

**RESOLVE**, that the Town Board hereby approves the above-subject project; and it is hereby further

**RESOLVED**, that the sum of \$489,029.00 (four hundred eighty-nine thousand twenty nine) is hereby appropriated from the General Fund (A9150) and made available to cover the cost of participation in the above phase of the Project; and it is further

**RESOLVED**, that in the event the full federal and non-federal share costs of the project exceeds the amount appropriated above, Town Board shall convene as soon as possible to appropriate said excess amount

immediately upon the notification by the New York State Department of Transportation thereof, and it is further

**RESOLVED**, that the Town Supervisor be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or Marchiselli Aid on behalf of the Town of Wilton with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs withing appropriations therefore that are not so eligible, and it is further

**RESOLVED**, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project and it is further

**RESOLVED**, this Resolution shall take effect immediately.

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

**Amendment to Resolution #45 of 2023**

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

**RESOLUTION #221**

**NOW, THEREFORE, BE IT RESOLVED**, to amend Resolution #45 of 2023 and appoint Sandra Holcomb as Deputy Registrar of Vital Statistics.

The adoption of the resolution was seconded by Councilman O'Connor, duly put

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

### **Committee Reports**

Councilman O'Connor stated the Graphite Mountain Community Forest should be open by the end of October.

Supervisor Lant said the cell tower behind the Maple Avenue Fire Department should be functioning this week. The Apple Pie Social will be held on Sunday, October 8, 2023 at the Heritage Society.

Supervisor Lant said the Bulk Waste Day had a very good turnout. A Narcan Training was held at Gavin Park. The Pickleball Court has been resurfaced and the large parking lot will be resurfaced in the upcoming week. Fall leaf pickup will be held on the week of October 30-November 3, 2023. Saratoga County DPW put brighter road markings on Northern Pines Road and the project should be completed by next week.

Councilman Bogardus thanked Wilton Fire Department for hosting the command post for a local child who was kidnapped from Moreau State Park. As a reminder, Councilman Bogardus said October is Breast Cancer Awareness month and to make sure everyone gets their annual health screenings done.

Councilman Bogardus said the Code Update Committee has been working on amendments and the board received a draft copy. He requested a public hearing be set.

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

#### **RESOLUTION #222**

**NOW, THEREFORE, BE IT RESOLVED**, to set a public hearing for the amendments to the Town of Wilton code for November 2, 2023 at 7:01 p.m.

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

### **Comptroller's Report**

#### **1.) 2023 Budget Transfers**

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

#### **RESOLUTION #223**

**NOW, THEREFORE, BE IT RESOLVED**, to approve the 2023 budget transfer requested

for and listed in the Comptroller's 10/5/2023 Report (attached) to the Town Board.

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

**2.) 2023 Budget Amendments**

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

**RESOLUTION #224**

**NOW, THEREFORE, BE IT RESOLVED**, to approve the 2023 budget transfers requested for and listed in the Comptroller's 3/2/2023 Report (attached) to the Town Board.

The adoption of the resolution was seconded by Councilman O'Connor, duly put to a vote, all in favor. The motion passed 4-0.

**3.) Town of Wilton Fiscal Score**

Ms. Moran stated the Town of Wilton received a Fiscal Score of 0.0. It is the best score a town can attain.

**4.) Personnel**

**a.**

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

**RESOLUTION #225**

**NOW, THEREFORE, BE IT RESOLVED**, to the resignation of Mark Marino, Recreation Administrator, effective October 6, 2023.

The adoption of the resolution was seconded by Councilman O'Connor 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 #226**

**NOW, THEREFORE, BE IT RESOLVED,** to approve the hiring of Ross McNeil to the vacant Recreation Administrator, effective October 23, 2023 at an annual salary of \$82,000 pending the passing of all pre-employment screening.

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

**c.**

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

**RESOLUTION #227**

**NOW, THEREFORE, BE IT RESOLVED,** to ratify the date of retirement of Julie Hotaling to September 20, 2023.

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

**d.**

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

**RESOLUTION #228**

**NOW, THEREFORE, BE IT RESOLVED,** to ratify the start date of full time employment for Sandra Holcomb to September 20, 2023.

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 Deputy Supervisor McEachron and seconded by Councilman Bogardus, with all board members in favor, the meeting was adjourned at 8:52p.m.

Respectfully Submitted,

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Susan Baldwin, Town Clerk

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

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

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

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