

TOWN OF WILTON

22 TRAVER ROAD

WILTON, NEW YORK

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Susan Baldwin, Town Clerk

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PUBLIC HEARING-7:00 P.M.

LOCAL LAW #3 OF 2021 The Town of Wilton Tobacco, Marijuana, Cannabis and Vaping Device Use Health Protection Law

PLEASE TAKE NOTICE that the Town Board of the Town of Wilton, New York, County of Saratoga, will hold a public hearing for Local Law #3 of 2021 **The Town of Wilton Tobacco, Marijuana, Cannabis and Vaping Device Use Health Protection Law**. Copies of the Local Law are available for review by the public at the following locations during regular business hours: Town Clerk's Office, Town of Wilton, 22 Traver Road, Wilton, New York 12831 and www.townofwilton.com.

SAID PUBLIC HEARING will be held on Thursday November 4, 2021, at 7:00 p.m., at Wilton Town Hall, 22 Traver Road, Wilton, NY 12831, at which time all persons will have the opportunity to be heard.

Supervisor Lant opened the public hearing at 7:03 p.m. and asked if there were any questions or comments. Councilman Bogardus said when this was originally discussed, we were going to have a designated area on town property for those who do smoke tobacco. Councilman O'Conor said we did discuss this and recommended the amendment to give the town board the flexibility to designate a smoking area for employees.

On a motion introduced by Councilman O'Conor, seconded by Councilwoman Kolligian with all board members in favor, the public hearing was closed at 7:04 p.m.

PUBLIC HEARING-7:01 P.M

2022 PRELIMINARY BUDGET

PLEASE TAKE NOTICE that the Town Board of the Town of Wilton, New York, County of Saratoga, will hold a public hearing on the Preliminary Budget for the Town of Wilton for the fiscal year beginning January 1, 2022.

SAID PUBLIC HEARING will be held on Thursday, November 4, 2021, at 7:01 p.m. at the Wilton Town Hall located on 22 Traver Road in said town at which time all persons will be given an opportunity to be heard.

SAID PRELIMINARY BUDGET will be completed and filed in the office of the Town Clerk of the Town of Wilton at 22 Traver Road where it may be examined by any interested person during regular business hours. The Preliminary Budget is also available online at townofwilton.com.

IN ACCORDANCE WITH TOWN LAW, SECTION 108, PROPOSED SALARIES OF TOWN OFFICERS ARE LISTED BELOW:

Supervisor	\$38,203
Councilman (4) (each)	\$15,052
Highway Superintendent	\$74,000
Town Clerk	\$67,119
Town Justice (2) (each)	\$37,432

BY RESOLUTION OF THE TOWN BOARD OF THE TOWN OF WILTON

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

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

REGULAR TOWN BOARD MEETING-November 4, 2021

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

Pledge of Allegiance

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

Roll Call

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

John Lant-Supervisor
John McEachron-Excused
Duane Bogardus-Councilman
Erinn Kolligian-Councilwoman
Ray O’Conor-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 Session

There was none.

Approve Pending Minutes

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

RESOLUTION #196

NOW, THEREFORE, BE IT RESOLVED, to approve the minutes from the October 5, 2021, meeting, as typed.

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

Local Law #3 of 2021-The Town of Wilton Tobacco, Marijuana, Cannabis and Vaping Device Use Health Protection Law

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

RESOLUTION #197

NOW, THEREFORE, BE IT RESOLVED, to approve the adoption of Local Law #3 of 2021, The Town of Wilton Tobacco, Marijuana, Cannabis and Vaping Device Use Health Protection Law with an amendment to prohibited uses to include, “except in any area officially designated by the Wilton Town Board for such uses”.

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

2022 Preliminary Budget

Ms. Moran said the 2022 budget was presented to the town board at the October 5, 2021, meeting. There was a budget workshop and there were no changes.

Councilman O’Conor said he spoke to members of the highway department and the folks at Wilton Wildlife Preserve and Park. He asked if it would be appropriate to suggest a couple of changes to the preliminary budget. One of the items is restoring the funding to the Wilton Wildlife Preserve and Park from the \$50,000 in the preliminary budget and in last year’s budget to the \$90,000 amount that was funded in prior years budgets. However, doing so would be contingent upon drafting and adopting an agreement, between the Wilton Town Board and the Wilton Wildlife Preserve and Park Board, for specific use of those funds. Primarily the funds would be for community education programs. He asked if the board would like to take action on it or wait until we have an agreement. Ms. Moran said it would be appropriate to first have a contract and then amend the budget a time after that.

Councilman O’Conor said the current highway superintendent has a truck. The superintendent-elect would put that vehicle to a different use than his predecessor. He suggested a new pickup truck added for the highway superintendent-elect’s use in 2022 and the existing truck be trade. The net effect on the budget is about \$45,000. Supervisor Lant said the building department is going to need a truck. We have discussed giving the highway superintendent’s truck to the building department instead of trading it in.

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

RESOLUTION #198

NOW, THEREFORE, BE IT RESOLVED, to approve the adoption of the 2022 preliminary budget, with the amendment to include \$65,000 for a new pickup truck for the highway superintendent-elect, as the final budget.

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

WWSA Resignation

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

RESOLUTION #199

NOW, THEREFORE, BE IT RESOLVED, to accept the resignation of Mark Moshier from the Wilton Water and Sewer Authority Board, effective November 4, 2021.

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

WWSA Appointment

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

RESOLUTION #200

NOW, THEREFORE, BE IT RESOLVED, to approve the appointment of David Huestis to the Wilton Water and Sewer Authority Board, 11/4/2021-12/31/2024.

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

Lincoln Mountain Snow Mobile Club

Morgan Hamilton appeared on behalf of the Lincoln Mountain Snow Mobile Club. Councilwoman Kolligian asked for any updates. Mr. Hamilton said the club is trying to connect their trails which go throughout Wilton, Gansevoort, Schuylerville and Washington County to the western part of the state via Wilton and through the Saratoga Snow Mobile Association trails, which are the old Mulleyville trails. Unfortunately, the trails we used have been closed due to development. We are trying to find alternate ways to connect into the trail. What we proposed 10 months ago was to go up Corinth Mountain Road and across Woodard. Looking at the logistics and the safety, going up Corinth Mountain Road in the winter would be difficult. We walked it this fall and found the best way to go would be from Ernst Road and up the power lines to Mr. Quinn's driveway, onto Ernst Road and across Mr. Bollman's land. We would go across the bridge at the Little Snook Kill and get back onto the powerlines, go across Parkhurst Road to Woodard Road and travel on the edge of the road until we access the property across from Mr. Lant's property and get back into the old trail system. Councilwoman Kolligian asked how many miles the new part of the route would be. Mr. Hamilton said it is approximately 3 miles, the actual road crossings would be under 1 mile. Councilman Bogardus asked if the snowmobiles would only be crossing the roads. Mr. Hamilton said the trail will cross Ernst Road and ride the edge of the road and on Woodard Road we would ride the edge of the road. Councilwoman Kolligian said there was a map with property owners who may or may not be impacted by the trail. Have you reached out to those homeowners? Mr. Hamilton said the trail would not go across their land, the trail is adjacent, being a couple hundred yards away most of the time. We have not contacted them. Per New York State Snowmobile Association, we contact landowner's whose properties we will cross. Councilwoman Kolligian said her concern is people who have lived in the quieter areas with the winter season and all of the sound barriers, like foliage, are down, snowmobile sound travels. The residents may be a little disturbed by it. She asked how many snowmobilers and how frequent will the trails be accessed. Mr. Hamilton said it would be very infrequently. This is a connector trail. Last year, we were open for one week. The frequency of people using the trail, had there been snow, maybe 20 people per day, weekends more and usually during the day. Councilman Bogardus asked if the trail closes at a certain hour. Mr. Hamilton said no but per New York State Snowmobile Association there is a sound and speed consideration. After midnight the snowmobiles are to operate at a minimum speed in residential areas. Councilman O'Connor asked if permission to ride along town roads is the only action the club is looking for and everything else is out of our hands? Mr. Hamilton said he was not really sure and it would be up to counsel. He said he did believe it is often up to the highway department. Supervisor Lant asked Highway Superintendent Woodcock and Highway Superintendent-Elect Monroe if they were in favor of the trail. Both said they are. Highway Superintendent -Elect Monroe said if they are an accredited club, they receive state funding and are trying to go from point A to point B with their trail, they have the right to ride on our roads if the highway superintendent agrees to it and the town board passes a resolution. We will then post it for snowmobile traffic. Snow mobiles are insured and pay state registration fees. Other towns work with the clubs and they are allowed to ride on the roads. We are discussing a short distance on Ernst Road, crossing Parkhurst Road and a short distance on Woodard Road. Councilman Bogardus asked if the town would need to plow differently. Highway Superintendent-Elect Monroe said it would not be any different than what is currently done. Superintendent Woodcock said if we get enough snow, there is somewhat of a requirement to position the wing, so the snowbank gets flattened. This way the snowmobiles can ride on top of the snowbank and are not ruined on a blacktop road. Councilman Bogardus asked Mark Schachner, Town Counsel, if he has reviewed the document. Mr. Schachner said he has seen the policy many times in other places. It is usually sufficient. Councilman O'Connor said the policy read that it is designed to defend claims made against members, clubs, county associations and NYSSA. If the town designates the sections of road for snowmobile use, if a non-member rides on the town roads and has an accident, is there insurance coverage for that. Mr. Schachner said the

description of the coverage says the policy will also defend landowners or tenants, municipal governments and club members will also be covered under additional insured basis. We could get a clarification from the insurer but said he believes if we are listed as an additionally insured, we are covered. Mr. Hamilton said you do not have to be a member to be covered under this policy. This is not a membership of a club; it is a blanket across New York State. To ride on the trail, legally, you have to be registered in New York State and insured. Councilwoman Kolligian said she is not against the club or the use of the town roads. She said her concern is with the homeowners who have not had snowmobile crossings and the sound that comes with it, close to their properties before. Do we want to make them aware this will be happening? Mr. Hamilton said when they were mapping out the trail it was one of the things we considered. The power lines are bi-level. There is a lower level where the trail will go and up above, near the residential area, there is a berm that is 15'-20' high. We do go past a couple of houses but for the most part 100 yards away from each house until we cross Parkhurst. There are obviously all of the houses on Woodard. Councilman O'Connor asked how many homes are on Woodard Road. Supervisor Lant said 3 or 4. Mr. Hamilton said when the snowmobiles are on the road, they can't go more than 3-4 mph or the sled will be ruined. When using the power line trails, generally the sleds go slower because it is a connector, not a wide trail. Councilman Bogardus asked if the club will be riding with traffic. Mr. Hamilton said they would be. Councilman O'Connor said if it becomes a problem, we could withdraw the permission. Mr. Hamilton said there may be a precedence due to a town law from the 1970's. Mr. Schachner said the principle purpose of the insurance is to protect against claims made by alleged deficiencies in trail maintenance. The two relevant sentences in the description are the policy is designed to defend claims made against, with a list including local government, that involve trail maintenance. The second sentence, physical damage and or personal injuries sustained in a snowmobile accident on/near a snowmobile trail that were not the direct result of the club's trail maintenance activities may not be covered under this policy. The town should talk to their own insurer about this. Councilman Bogardus asked who maintains the trail if it is on a roadway, is it the snowplow cutting the snowbank or the club. Mr. Hamilton said the road is the road. Highway Superintendent-Elect Monroe said there is a Highway Law section regarding the use of roads by snowmobiles. The law states a snowmobile club cannot sue the town for a culvert or a ditch. Councilman Bogardus said the club cannot sue the town but can a non-club member. Mr. Schachner said he did not think there was a prohibition against John Q. Public making a claim, only the club. Mr. Hamilton said he said he's spoken to other clubs and a snowmobile on a road is treated the same as a vehicle. If a person can sue the town for an accident while driving their car, the same is for the snowmobile. Councilman Bogardus asked Mr. Schachner if he feels the liability would not be on the town. Mr. Schachner said he has not had a chance to read through the documents. He said he has seen something very similar and was deemed appropriate by other municipalities. There is nothing in the document that will prevent the possibility of claims against the town. What the document can prohibit is a claim from the club against the town. It can also insure against claims that are made against the club that are secondarily made against the town. To know for sure, it would have to be looked at more closely and speak to the town's insurer. Councilman O'Connor said we can check with our insurer. There probably won't be snow for the next 30 days. Mr. Hamilton said the policy is what every other town in New York State uses. It is not specific to our snowmobile club. Councilman O'Connor said he has no problems or concerns, if in fact, snowmobiles on a town road are treated exactly like any other vehicle on a town road and we are covered. We can approve next month or pass it contingent upon verification. Councilman O'Connor said we can give this 30 days. Supervisor Lant asked Mr. Hamilton to contact the other homeowners along the route. Mr. Hamilton asked if the club could sign the trails. They can't put in any safety signs after the ground freezes. Councilman Bogardus said he would support that. He said he doesn't seem to have any issues with approving this once the insurance has been reviewed.

Road Dedication-Colleen Court

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

RESOLUTION #201

NOW, THEREFORE, BE IT RESOLVED, to accept the road dedication for Colleen Court.

Station 0+00 to Station 12+36

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

Health Insurance Benefits

Supervisor Lant stated the next two items used to be part of the organizational resolution but because the health benefit year begins on December 1, the items need to be approved prior to January 1.

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

RESOLUTION #202

NOW, THEREFORE, BE IT RESOLVED, that the form of the Plan (MVP and CDPHP) effective 12/1/2021, presented at this meeting, is hereby approved and adopted and that the duly authorized agent of the Employer is hereby authorized and directed to execute and deliver to the Administrative Agent of the Plan and one or more counterparts of the Plan.

RESOLVED, that the employer shall be the Sponsor of the Plan and shall be the Administrator of the Plan for purposes of ERISA.

RESOLVED, that the employer hereby appoints the Administrative Agent to assist it with the administration of the Plan and to perform all such non-discriminatory duties related hereto.

RESOLVED, that the Administrative Agent shall be instructed to take such actions that are deemed necessary and proper in order

to implement the Plan and to set up adequate account and administrative procedures to provide benefits under the Plan.

RESOLVED, that the duly authorized agents of the Employer shall act as soon as possible to notify the Employee of the Employer of the adoption of the Plan by delivering to each Employee a copy of the summary description of the Plan in the form of the Summary Plan Description presented to this meeting, which form is hereby approved.

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

Health Reimbursement Arrangement

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

RESOLUTION #203

NOW, THEREFORE, BE IT RESOLVED, that the form of the HRA (MVP and CDPHP) effective 12/1/2021, presented at this meeting, is hereby approved and adopted and that the duly authorized agent of the Employer is hereby authorized and directed to execute and deliver to the Administrative Agent of the HRA and one or more counterparts of the HRA.

RESOLVED, that the employer shall be the Sponsor of the HRA and shall be the Administrator of the Plan for purposes of ERISA.

RESOLVED, that the employer hereby appoints the Administrative Agent to assist it with the administration of the HRA and to perform all such non-discriminatory duties related hereto.

RESOLVED, that the Administrative Agent shall be instructed to take such actions that are deemed necessary and proper in order

to implement the HRA and to set up adequate account and administrative procedures to provide benefits under the HRA.

RESOLVED, that the duly authorized agents of the Employer shall act as soon as possible to notify the Employee of the Employer of the adoption of the HRA by delivering to each Employee a copy of the summary description of the HRA in the form of the Summary HRA Description presented to this meeting, which form is hereby approved.

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

Ballard Road PUDD

Jason Dell of Lansing Engineering addressed on behalf of the applicant, Mr. Scott Earl, for the proposed Ballard Road PUDD. He said the project is located at 230 Ballard Rd. which encompasses a little more than 46 acres near the intersection of North Road and Ballard Road. The project site is zoned as part of the C-3 district, and part of the reason for being here is to request a Planned Use Development District for this development. The C-3 district does not allow for the transfer station use. He said they are requesting a PUDD from the board not only for the currently allowed use but also those allowed in the CRT (composting recycling, transfer and C&D processing facility district). We are proposing the transfer station in the middle of the property, about a 28,000 square foot building. 20,000 square feet would be for the transfer station with the remaining 8,000 square feet of that building being used for truck maintenance. North on the property, we have several flex-based buildings proposed, as well as an office and storage building. Those three buildings are all in accordance with the C-3 zone, however the transfer station use would require the Planned Unit Development District. We're proposing to connect to the water and sewer service, and storm water will be managed, in accordance with all requirements. The need for a transfer station is prevalent in the area.

Mr. Earl said the transfer station is an integral part of our solid waste component in the area. We collect recyclables in the area door to door. Due to the increase in fuel prices, to supply cost effective service, we need to offload the trucks into a tractor trailer and remove the tractor trailer. This site lends itself to being easy access on and off I-87. That would allow us to either move north to the waste energy facility when they can accept material or western part of New York where the disposal. New York State is under a huge crunch right now for disposal capacity, therefore it's causing the trucks to go even farther away. The local landfills like the city of Albany are closing, which dumps another 400 tons a day into the southern market pushing us out even farther. Tipping fees may reach \$200 per ton in the future.

The recyclables component we completed recently at \$23,000,000, is a 21st century recycle plant in the Town of Halfmoon, consolidating the recyclables collected in the part of the county. It alleviates the traffic at Route 9 and Route 146 at Exit 9 by limiting the volume of trucks traveling long distances to off load. The other premium is labor as well as finding a CDL driver. Eliminating the hour and forty five minute trip

allows us to collect more in a day with that single truck, thereby holding our cost down as well. Better utilization of equipment by not driving up and down the Northway moving material. The composting segment would allow us to continue to collect and facilitate the collection of leaves in the Town of Wilton and transfer those leaves to our composting site in Halfmoon. We run a clean and neat 21st century operation. Anyone and everyone's welcome to tour our facilities. We built a similar transfer station at Exit 10 about an \$8,000,000 site. You wouldn't even know it was a transfer station, no smell, no problems, no traffic. We build berms, fencing, and trees. A lot of landscaping, we mow our lawns two or three times a week. We have irrigation systems, and we are actually very good neighbors. We know it must be handled and no one wants to deal with garbage, but it needs to move. If it doesn't move it creates a problem. You can see that in New York City right now, it's not moving, and we don't want to get to that point here.

Supervisor Lant asked if there were any questions from the board. Councilwoman Kolligian said she has some questions. She said she understands the need for the facility like this, but not enthused about this spot. Councilwoman asked where the east and west side of this project is. Mr. Dell indicated on the map. Councilwoman Kolligian mentioned the Snook Kill is flowing down behind that. Mr. Dell responded yes. Councilwoman Kolligian said if the EAF is correct, the storm water management and the ground water flow from east to west in the direction of the Snook Kill. Mr. Dell said that is correct. Councilwoman Kolligian said from the EAF form,

Page 2. Do any municipality adopted comprehensive land use plan include a site where the proposed action will be located. The answer is checked yes. It is part of the New York State Heritage Area and the Mohawk Valley Heritage Corridor.

Mark Schachner, Town Counsel said he has a question also. Page 2 appropriately lists what other approvals are needed and thought a transfer station also needs a DEC permit as a solid waste management facility. Mr. Dell and Mr. Earl both said that's correct, and that's not listed and has to be listed here.

Page 4. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage. Again, talking about storm water runoff management and the volume is to be determined per million gallons. How did you find that determination? Mr. Dell said as we go through the site design process, we generate stormwater models. We have to meet all of the New York State Department of Environment Conservation requirements for management and any other requirements going through the DEC 360 permit. That would all be detailed in the very projects specific storm water prevention plan, which would be reviewed both here and part of the application to the state.

Page 5. Will the proposed action generate liquid wastes? The answer is yes, approximately 5,900 gallons per day of sanitary waste. Is that what gets pushed out through the buildings? Mr. Dell said yes. We would propose to connect to the sanitary sewer force main that's currently out there. Wilton Water and Sewer Authority said they indicated they have capacity in the area to serve the project.

Page 6. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources, or non-point source during construction or post construction? Where will the stormwater runoff be directed? The stormwater runoff is proposed to be directed to onsite stormwater management areas. If to surface waters, identify receiving water bodies or wetlands. Snook Kill, NYS DEC wetland. Just for the record, the Snook Kill is one of the cleanest streams in all of Saratoga County. Again, that's a concern for me. Mr. Dell said the applicant would meet all of DEC requirements with any runoff or leaching areas. Hot spots would be directed to the sewer system. Councilwoman Kolligian said will stormwater runoff flow to the adjacent properties? The answer is checked yes. Councilwoman Kolligian said she will assume adjacent properties are all within the properties on North Rd. Mr. Dell said that is

correct. Runoff would have to go with the existing topography. It would have to meet all of NYS DEC requirements for where all of the drainage goes, not just from the transfer station but the individual portions of the project.

Page 7. Hours of operation Monday-Friday 6am-10pm, Saturday 6am-10pm, and Sunday 7am-6pm.

Page 8. Does the proposed action have the potential to produce odors for more than one hour per day? It is checked yes. Councilwoman Kolligian said her concern is also seagulls and any other kind of rodents or wildlife. Considering it is Exit 16, we have Stewart's, Target, Glens Falls Hospital, Ballard Elementary, the Wilton Fire Department, residences and town hall within a short distance of the site. Would the proposed action use pesticides during construction or operation? She said her concern is about that ground water and heading toward the Snook Kill.

Page 8. Describe any solid waste to be generated during construction or operation of the facility. Construction is two tons per week. Operation indicates to see page 9. Page 9 said to be determined. Do we have any idea of how many tons of material we'll go through? Mr. Earl said the question is does the facility generate, not handle and manage. Generated during construction is two tons per day or whatever it takes to build the facility. Generate is a wastepaper basket in each bathroom and lunchroom. This would be a solid waste management facility permitted by the State of New York. It receives material in and takes material out. There is no storage or smell.

Mr. Schachner said the topic is addressed at the top of the next page. Councilwoman Kolligian asked how much material will move out of that facility per day? Mr. Earl said 300 tons of MSW and 100-tons of recyclables per day.

Page 11. We've already established that the Snook Kill is there. She said her biggest concern is letter L. Is the project site over or immediately adjoining a primary, principle or sole source aquifer? That was a yes. Mr. Dell said this whole area is part of that principal aquifer and said he can provide the board with a map that shows just about this entire area down to Albany is part of that principle aquifer. Councilwoman Kolligian said she wants the aquifer to be clean and safe. She said her other concern is exit 16 as it is obviously the gateway into our community. Page 13 indicates the site is three miles from the state forest. A lot of people pass through the area to go to school and work. What is the benefit of this project to the Town of Wilton? Mr. Earl said cost effective solid waste management disposal for many years, for at least 20 years to come. We have several large projects in the area that manage and handle solid waste. Landfills are out. There is nowhere for this stuff to go. We have two major projects now, one in the Catskills and one to come in Halfmoon to process this garbage on a regular basis. Councilwoman Kolligian asked what's the radius this processing center is collecting? Mr. Earl said 20 miles. It's a transfer point, not a processing facility. Councilwoman Kolligian asked how many trucks a day? Mr. Earl said probably 20 trucks. Councilman Bogardus asked if it was 20 trucks or 20 trips. Mr. Earl said 20 trucks but we will ramp up to that over time. Right now the current volume in this area is about 90 tons per day. Councilwoman Kolligian said she thinks it's important to acknowledge the future impacts of a project like this on traffic, Exit 16 and the whole area at 4:30 p.m. is congested. We already know the incident rate at Ballard Road and Northern Pines Road is not great. She said her concerns are future road conditions, the Exit 16 bridge and future development. If this goes in and Exit 16 has not been developed yet, what does that do for future projects and there is a transfer station right off the exit. It's a C-3 in a light industrial zone and understand the need for it, it's just this location. Mr. Dell said he would encourage people to look at that facility in Halfmoon. There is a large berm that tucks the facility away and the same setup is proposed here. Mr. Earl said the Halfmoon facility is larger than the proposed facility. It handles up to 900 tons, we have 24 hour

camera access to everything. We take care of our own fire protection. Councilman Bogardus said we have had two fires in our local transfer station. Mr. Earl said there is a difference because we are a local, caring company focused on our investment. We utilize a fire rover which detects fires, puts out fires and notifies the authorities. Councilman O'Connor asked what the company name is. Mr. Earl said Twin Bridges is the name of the company and he is the former owner of County Waste. Councilman O'Connor asked if County Waste is now owned by a larger national company. Mr. Earl said it is. Councilman O'Connor asked what would preclude Twin Bridges from selling. Mr. Earl said it would take a complete vote from the employees. Mr. Earl said County Waste was owned by him and an investor. Councilman O'Connor said one of the items in the application indicates you want to reserve 19 acres for future use which would include both transfer station and all of the uses in the CRT. It could be a lot of different uses including transferring, composting and a list of other things not within the confines of the buildings. Mr. Earl said it could also be for something very beautiful. Councilman O'Connor said there are 19 acres which could be used for some other purpose. He said he shares Councilwoman Kolligian's concerns. We have two major gateways to the town, Exit 15 and Exit 16. For decades we worked on our economic development plan, comprehensive plan, a master plan, corridor study, all of which would be a contradiction to this type of use. He said he happened to have chaired most of those committees and am fairly committed to the long term plans we have for the community. He said, his project, in his opinion, doesn't fit. The EAF is incomplete. Councilman O'Connor said he didn't want to mislead the applicant into thinking he is going to approve this, because he isn't. He said he was being honest. Attorney Schachner said he wanted make sure the board is aware of this, we have it on the agenda to possibly schedule a public hearing and to refer the application. He said the reason he focused on the DEC Part 360; it is required for any solid waste facility including transfer stations. It wasn't listed on the EAF. Obviously they will list it but there needs to be a SEQRA Lead agency established here. That's going to involve a discussion and many times DEC will act as the SEQRA lead agency which would be the agency who will conduct the review of potential environmental impacts when a Part 360 DEC Permit is required for a solid waste management facility. He said he has no idea what DEC thinks about this proposal, but wanted to make sure the board knows we can't go very far until some agency is selected as lead agency. You cannot make a decision until it's SEQR compliant. This is a little more complicated than most of the things we deal with. There are other involved agencies including NYS DEC, which is a very significant permit. One of the biggest hurdles for a solid waste facility is the DEC Part 360 Permit. Councilwoman Kolligian asked who makes the decision for lead agency. Mr. Schachner said whoever wants to be the SEQRA lead agency generally asks to be designated by agreement of all involved agencies. Mr. Dell said the action the applicant is looking for the ability to even have the use on the property prior to contacting DEC for that Part 360 permit. Mr. Schachner said legally, move forward at this time until some agency conducts SEQRA review for the entire project. Councilman Bogardus asked if the applicant explored other areas of Wilton. Mr. Earl said any areas we explore would involve the Exit 16 bridge. He said he agrees the bridge needs to be updated. Councilman Bogardus said there are other areas in the Town of Wilton where the project would fit in easier rather than in the prime Exit 16 area. He said he would like to see the project relocated. The proposed site is near the distribution center but we also have professional offices, a school and residences. The aquafer and the Snook Kill are major concerns. The topography slopes towards the stream. Everything can be contained but it only takes one leak or non-containment to get into the stream. Mr. Earl asked how it was handled at the Target site. DEC is not a light agency. They are an extremely heavy agency burdened with many months, if not years of an approval process. They are experienced and know everything there is to know about this process. We err on the side of caution on everything. He encourages all board members to visit his facility. People speak of garbage as though it is bad. We all produce garbage and unless something is being put into it, it's not poison, it's not something that will disrupt the town and make it ugly. We all put our garbage out every week and the waste goes away. It is done by clean, neat, white trash trucks. An exhausted effort goes into all of it. Our hydraulic oil is water based, we sleeve every hose on the truck as

to not offend the streets we are on. We understand the environmental responsibility and are good stewards and willing to be better stewards. It says it a transfer station, it looks like a bank. Please look, the waste needs to be managed. Colonie Landfill and the number 3 company in the world, most of the garbage in the Colonie Landfill is coming from Connecticut and Massachusetts and it is choking us and everyone around us, from going there. They are way over permit and have been fined countless times over the last three years for accepting soils contaminated by petroleum, five times the limit they are allowed. Is that a good steward of a site? No. It should be a capital region asset and should be responsible for the capital region not stuff from Connecticut every day. 60% of their inbound is from out of state. Who is going to stop that? Councilman Bogardus said it sounds like we don't have all of the information and he said he would do some research. He said he would like to table this item until we have all of the information and have the opportunity to walk the proposed site and visit the facility in Halfmoon. Mr. Earl said he didn't come for a decision, he came for discussion. Councilman Bogardus asked about the referral to the county. Mr. Schachner said it should not be referred to the county planning board until the town board considers the application complete. The board does not have to be in support of the project to refer. The EAF can be properly completed without a lot of work. He said he is more interested in who is going to serve as lead agency. Supervisor Lant asked who makes that decision. Mr. Schachner said it is up to whoever wants to be. Typically, one agency will want to be lead agency. In a solid waste management facility permit application it would be most important to know if DEC wants to serve as SEQRA lead agency. If DEC wants to serve as lead agency, unless the board feels otherwise, the board probably would want to let them serve. It would be unusual for DEC not to want to be lead agency but he said he can't speak for DEC. Mr. Earl said we have the uniqueness of a very well run DEC region. Mr. Earl said in his experience, the town takes lead agency as it relates to stormwater management, runoff, creeks and all of the designations. The state overlays it with any environmental contributions or concerns. The state monitors the entire SEQRA review. They will take lead agency if the board would like. They will lean on the town for stormwater management. It is going to rain. It is going to rain on Target, it will rain on the proposed site. Where is the rain going and what does the rain come in contact with from the time it leaves the sky until it goes where it ends. If it ended up in the stream, what is it going to connect with before it gets there. It's going there now, but what is the impact? Mr. Dell said all of the garbage is contained inside. There is no garbage outside. The scales outside drain to the sanitary sewer. The potential to leach outside of the facility is very low. Mr. Earl said seagulls were mentioned. We constructed a canopy at the Halfmoon facility. All of the trailers are under the canopy. There are two reasons, one, not to add rainwater to it and the other is seagulls. If they find a single food source, they will come in but single thing they will not do is go under cover. We back the full trailers, fully tarped under cover while waiting to leave the site. Councilwoman Kolligian said that will have to be added since it is not on the site plan. Mr. Earl said in this proposed facility, with the low volume, we plan on storing the trailers inside the buildings. It would be easy to add the canopy but esthetically, the berm would be raised. There is something else coming for this site, in the meantime it would be completely bermed so it is screened. It wouldn't be seen from Ballard Road and it wouldn't be seen entering North Road. You would only see it when you got to the front of the building. In Halfmoon, the building is green. It was a special paint so it blended in with the trees. Most buildings are beige, brown or blue and they stick out. Ours are all earth tones so they match and are not an attraction to vector or birds. We sweep the parking lots with our vacuum truck. We sweep everyone of our facilities multiple times per day. If someone came in with roofing shingles and dumped them and the nails fell out of the truck. When they leave, we sweep the nails up, we don't want flat tires either. Supervisor Lant asked if the project should be tabled for 30 days. Mr. Schachner said he would suggest getting more information from the applicant, get a fully completed EAF and get some indication as to who will serve as lead agency. Supervisor Lant said we will table this until next month.

Committee Reports

Ryan Riper, Director of Planning and Engineering said he and Joshua Carlsson, Land Use Administrator are working on grants through the Capitol District Transportation Committee. It is through the Transportation Improvement Program. They are looking for projects for their proposal 2022-2027 program. One of the projects is a grant we previously applied for which is the roundabouts on Route 50/Jones Road/Old Gick Road and Ingersol Road. It is an estimated \$5,000,000 project. We are also applying for the improvements at Carr Road and Jones Road and Carr Road and Northern Pines Road. Councilwoman Kolligian asked what the intersection rating was at Route 50/Jones Road/Old Gick and Ingersoll. Mr. Riper asked if it was the level of service for a left hand turn from Jones Road to Route 50? Councilwoman Kolligian said it was a .4 out of a possible 10 points. Mr. Riper said there aren't a lot of accidents there and there is a lot of competition for the funds.

Supervisor Lant said the Veterans Memorial Sign is complete. We will be dedicating it on November 11, 2021 at 11:00 a.m. at the corner of Ballard Road and Traver Road, next to the cemetery.

Supervisor Lant said we have had a lot of issues with Verizon. He said he was concerned about emergency calls. He said he contacted them, and they are updating the system. They have 26 towers and have had some equipment failures. Supervisor Lant said he was advised services will improve by January 1, 2022. If there are any known issues, have residents call Verizon directly.

Comptroller's Report**1.) 2021 Budget Transfers**

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

RESOLUTION #204

NOW, THEREFORE, BE IT RESOLVED, to approve the 2021 budget transfers requested and listed in the Comptroller's 11/04/2021 Report to the Town Board.

The adoption of the resolution was seconded by Councilwoman Kolligian, duly put to a vote, all in favor. The motion passed 4-0.

1.) 2021 Budget Amendment

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

RESOLUTION #205

NOW, THEREFORE, BE IT RESOLVED, to approve the 2021 budget amendment

requested and listed in the Comptroller's 11/04/2021 Report to the Town Board.

The adoption of the resolution was seconded by Councilwoman Kolligian, duly put to a vote, all in favor. The motion passed 4-0.

3.) Personnel

1.

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

RESOLUTION #206

NOW, THEREFORE, BE IT RESOLVED, to accept the resignation of Michael Orton, full time laborer in the Highway Department, effective September 9, 2021.

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

2.

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

RESOLUTION #207

NOW, THEREFORE, BE IT RESOLVED, to ratify the hiring of Brendan Tucker to the vacant full-time laborer position in the Highway Department at a base rate of \$15.53 per hour with full benefits, contingent upon the passing of all screening requirements, effective October 26, 2021.

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.

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

RESOLUTION #208

NOW, THEREFORE, BE IT RESOLVED, to accept the resignation of Zackry Infield, full time MEO in the Highway Department, effective October 29, 2021.

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

4.

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

RESOLUTION #209

NOW, THEREFORE, BE IT RESOLVED, to ratify the hiring of Michael Barber as a seasonal employee in the Highway Department at a rate of \$16.00 per hour with no benefits, contingent upon the passing of all screening requirements, effective October 26, 2021.

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

Adjournment

On a motion introduced by Councilwoman Kolligian and seconded by Councilman O’Conor, all board members in favor, the meeting was adjourned at 8:25 p.m.

Respectfully Submitted,

Susan Baldwin, Town Clerk

_____ Supervisor, John Lant

_____ Councilman, Duane Bogardus

_____ Councilwoman, Erinn Kolligian

_____ Councilman Ray O’Conor