

PUBLIC HEARING:

**Proposed Local Law No.1 of 2007
Amending Local Law No. 5 of 1985
(Illegally Parked Vehicles)**

The following Notice of Public Hearing was legally advertised in the Daily Gazette, the Post Star and the Saratogian.

PLEASE TAKE NOTICE that the Town Board of Wilton, New York, County of Saratoga, will hold a public hearing to adopt Local Law No. 1 of 2007, amending Local Law No. 5 of 1985, known as “Illegally Parked Vehicles”.

SAID PROPOSED AMENDMENT would amend Section II of Local Law No. 5 of 1985, known as “Illegally Parked Vehicles” to read: The parking of vehicles is hereby prohibited on all highways and roads within the Town of Wilton, including ten (10) feet from the paved portion and shoulder, between November 15th and April 1st.

The prior Section II of Local Law No. 5 of 1985, did not include the (ten (10) feet from) the paved portion and shoulder.

SAID PUBLIC HEARING will be held on Monday, May 7th, 2007 at 7:00 p.m., at Wilton Town Hall located on Traver Road in the town at which time all persons will be given an opportunity to be heard.

At 7:02 p.m., Supervisor Johnson called the public hearing to order and asked the Town Clerk to read the public hearing notice aloud, she did so. Supervisor Johnson explained that this new law would amend the Local Law No. 5 of 1985 known as illegally parked vehicles. He asked if there were any comments. There were none. Supervisor Johnson then closed the public hearing at 7:05 p.m..

REGULAR TOWN BOARD MEETING

Immediately following the public hearing, Supervisor Johnson called the Regular Town Board meeting to order at 7:05 p.m..

Pledge of Allegiance

Supervisor Johnson 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:

Arthur Johnson-Supervisor

Raymond O'Connor-Deputy Supervisor
Lawrence Gordon-Councilman
Ian McGaughey-Councilman
Charles Gerber-Councilman

Also present were Town Attorney Richard DeVall, Town Engineer Keith Manz and Comptroller Jeffrey Reale.

Approve Pending Minutes

Supervisor Johnson asked for a motion and a second to approve the pending minutes from the last meeting.

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

RESOLUTION # 119

NOW, THEREFORE, BE IT RESOLVED, to approve the minutes from the April 5, 2007 meeting as typed, without amendment.

The adoption of the resolution was seconded by Councilman Gerber, duly put to a vote, all in favor.

Local Law No. 1 of 2007

Amending Local Law No. 5 of 1985

(Illegally Parked Vehicles)

Public Hearing held earlier

Supervisor Johnson asked if there was any discussion on this item. There was none. He then asked for a motion and a second to approve.

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

RESOLUTION # 120

NOW, THEREFORE, BE IT RESOLVED, to adopt Local Law No. 1 of 2007, to be known as "Illegally Parked Vehicles".

The adoption of the resolution was seconded by Councilman McGaughey, duly put to a vote, all in favor.

MS4 Stormwater (Presentation)
(Annual Report) Tracy Miller
LA Group

Supervisor Johnson asked Tracy Miller from the LA Group to present the annual report to the board. **Tracy Miller** explained that this was a report of the progress of what was completed for year 4 of the program from March of 2006 to March of 2007. There are six minimum control measures in the MS4 program. There are certain goals that have to be obtained by the end of the program which is January 8, 2008. These goals are as follows:

- Measure 1: Public Education and outreach comments**
- Measure 2: Public Participation and involvement Comments**
- Measure 3: Illicit Discharge Detection and Elimination Comments (IDDE)**
- Measure 4: Construction Site Runoff Control Comments**
- Measure 5: Post Construction Runoff Control Comments**
- Measure 6: Pollution Prevention and Good Housekeeping Comments**

The key major goals that were requirements which were accomplished this year were: adopting the Local Laws for zoning and subdivision to follow the State Model Law (adopted in Dec. 2006). We finished the inventory of the stormwater facility in the town. The L.A Group did a mapping of all of the catch basins, dry wells, stormwater ponds and many of the swales. Ms. Miller went on to say that some the accomplishments the town has already completed on its own are: The inter-municipal agreement with Saratoga County which includes a lot of public participation and out-reach issues, also on-going maintenance, which includes the stormwater system replacing catch basins and dry wells, road repairs, maintenance at the Highway Department like the new salt shed being built and adopting the zoning and subdivision regulations, those are major accomplishments. The Town is on track with everything that needs to be done. Ms. Miller then submitted the annual report to the board. The board thanked Ms. Miller for the presentation.

Presentation (Open Space)
Larry Gordon & Jim Martin

Supervisor Johnson asked Councilman Gordon to start the presentation. Councilman Gordon explained that the Open Space, Recreation and Pathways Plan are up-dates of prior work that was done in the 21st Century Committee. The members of the committee that did the up-date were: Larry S. Gordon, Peter Litchfield, Steve Porto, Chuck Gerber, Bob Rice, Ian McGaughey, Keith Manz. He discussed some of the projects that have already been completed and stated that there were some things that still needed to be done. Councilman Gordon then turned the presentation over to Jim Martin, from the L.A Group. **Mr. Martin** explained that one of the real successes of this process was the

adoption of the conservation subdivision regulations, hamlet rezoning was done and preservation of open space, allowing for concentrated areas of commercial and residential development. I applaud the efforts of the community for getting these things done. The highlights of plan, which was divided into three parts, are as follows: Open Space Planning and Preservation, Recreation Planning and Preservation and Pathways Planning. Mr. Martin went on to describe all the individual parts. Open Space Planning would be a guide for acquisition and management for the town to follow. In terms of the Recreation Planning, a lot of the things centered around Gavin Park such as: up-dating the Master Plan, that was done, implementation of facilities, some expansion of recreation land and identifying the possibilities of a second park at some point in the future as demand grows. The Pathways Planning was broken down into various types and mapped to create a connected circular loop allowing for non-motorized vehicle travel through the town. **Councilman Gordon** stated there would be a thirty day review period on the plan. There will be copies here and at the Saratoga Library for people to review. The board set June 7th at 6:00 p.m., for any public comment, before the board discusses this item at the next Town Board meeting. **Supervisor Johnson** thanked the committee for their effort in putting this plan together.

Ridgeview Commons (Open Space)
G& R Development

Supervisor Johnson asked Town Attorney Richard DeVall to comment on this item. **Attorney DeVall** stated that he would like to roll this item over to next months meeting. No action taken.

15 Peach Tree Lane (Topics)

Maurice Lynch

**Open areas, Title 19 Code Enforcement
& Assessment**

Supervisor Johnson asked Mr. Lynch to address the board. **Mr. Lynch** asked Engineer Manz if Westbrook Subdivision has a Home Owners Association. **Engineer Manz** stated that yes there is one, and the paperwork was filed with the Attorney General's Office, however, it goes into effect thirty days after the last lot is sold. So the BH Group still has possession of that until the last lot is sold, then it will be turned over to the person in charge of the Home Owners Association. **Mr. Lynch** had questions regarding the open space resolution the board adopted on April 1, 2004, for Westbrook Development. **Supervisor Johnson** asked Engineer Manz if he could get a copy of the proposed Home Owners Association bi-laws so Mr. Lynch can review them. **Engineer Manz** stated he would call the developer's attorney, David Carroll and request a copy of the bi-laws to be forward to Mr. Lynch. After some discussion regarding open space and existing problems with the construction of his home, which has been brought before the board several times at previous meetings, Supervisor Johnson asked Engineer Manz to meet with Mr. Lynch

and the building inspectors, go over all issues, and report back to the board. **Engineer Manz** agreed.

Local Law No. 2 of 2007**(Ethics & Disclosure Law)****(Superceding all other laws)**

Supervisor Johnson asked Deputy Supervisor O'Connor, to address the board on this issue. **Deputy Supervisor O'Connor** explained that back in 1992 the Town of Wilton became the first small municipality in the State of New York to have an Ethics and Disclosure Law. We have had one amendment to that law in 1994 and Supervisor Johnson had asked that the committee bring the Ethics and Disclosure Law up to date. We have a draft which has been distributed to the Town Board for their review. I would like to schedule a public hearing for June. The board set the public hearing for June 7th at 7:00 p.m.. There will be a copy available for the public to review.

NOT ON AGENDA

Supervisor Johnson stated that he was going to skip the administrative issues on the agenda for now, because there were a lot of people in the audience that would like to address the board. Supervisor Johnson recognized one of the residents and asked him to state his name and the issue being brought before the board. **Mr. Rock Migliori**, a resident of Gregs Court stated that the people were there because the whole neighborhood has been pumping water out of their basements for days and wondered if it was due to all the development around them. **Engineer Manz** explained that this problem goes from Moreau to Glenville. What happened was we have had 66% more precipitation in the last year then ever before, coupled with January and February not having any frost in the ground. Engineer Manz said all that precipitation goes into the aquifer, then in the spring you have spring melt, which also goes into the aquifer, so it's up about two and a half feet. We had a hydro-geologist Kirby Van Fleet, explain the whole phenomenon and it is on our web for your review. Engineer Manz explained that the residents should pump out into roadside drainage ditches or catch basins until the water slowly subsides. After further discussion with the residents from Greg's Court and Cobble Hill Drive, regarding water in their basements, Supervisor Johnson asked Engineer Manz and Councilman Gordon to check out the situation and get together with a representative from the group of residents to discuss the solution.

Committee Reports

Supervisor Johnson asked if there were any committee reports. **Councilman Gerber** stated that the Park & Recreation Commission set up a sub-committee to work on an agreement with Wilton Youth Baseball so they would have a long-term contract (a three year agreement) is what they were requesting. I would like to make a motion that

the Town Board authorize Supervisor Johnson to sign the final document once it has been approved in its' last go round and once town council has reviewed it.

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

RESOLUTION # 121

NOW, THEREFORE, BE IT RESOLVED, to authorize Supervisor Johnson to sign the final draft once it has been approved for the baseball contract.

The adoption of the resolution was seconded by Councilman McGaughey, duly put to a vote, all in favor.

Councilman Gerber stated that we have a coach who coaches a junior NBA team his name is Paul Hladik. He has been recognized by the International Association of Junior NBA. Councilman Gerber also stated that he and Park Director, Steve Porto, would like the board to recognize Mr. Hladik at the June Meeting. The board agreed.

Councilman Gordon stated that the mosquito program is up and running. We are using a lot of dunks. He also stated that Kirklin Woodcock, Highway Superintendent, is doing good work for who ever needs it. I do want to mention that the salt shed project is coming along and the Weibel Ave. will be paved tomorrow. Gavin Park wells are yielding 75 gallons a minute.

Engineer Manz explained that a public hearing is needed to be set for the three changes to the Zoning Code as follows: Septic Systems, Fill Systems, Storage Tanks and the Connections to the Catch Basins. The board set the public hearing for June 7, 2007 at 7:10 p.m..

Supervisor Johnson stated a reminder for Community Day at Gavin Park May 19, 2007. Also on Tuesday, May 15, at 2:30 p.m., is deceased Veterans Day at the County. I will be there honoring William Andrew Ernst. I will present a resolution giving his history and community involvement to the Town. I would like the board to approve that resolution tonight.

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

RESOLUTION # 122

NOW, THEREFORE, BE IT RESOLVED, to approve this resolution honoring William Andrew Ernst, for his involvement in the Town of Wilton.

The adoption of the resolution was seconded by Councilman Gerber, duly put to a vote, all in favor.

Comptroller's Report
(Including Bills & Transfers)

Budget (2007 Transfers)

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

RESOLUTION # 123

NOW, THEREFORE, BE IT RESOLVED, to approve the budget transfers for 2007, requested for and listed in the Comptroller's 5/7/07 report to the Town Board.

The adoption of the resolution was seconded by Councilman McGaughey, duly put to a vote, all in favor.

Personnel

a.) Robert Roeckle (Temp. appointment)

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

RESOLUTION # 124

NOW, THEREFORE, BE IT RESOLVED, to approve the extension of the appointment of Robert Roeckle in the temporary position of Building Inspector for an additional 90 days starting April 8, 2007 at a Grade 9 Step 5.

The adoption of the resolution was seconded by Councilman Gerber, duly put to a vote, all in favor.

b.) Carrie Fischer (Stipend)

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

RESOLUTION # 125

NOW, THEREFORE, BE IT RESOLVED, to approve the request submitted from Councilman Gordon for a stipend of \$537 to be paid 90 days from May 15, 2007, to Carrie Fischer, for her assistance in the Mosquito Dunk Program.

The adoption of the resolution was seconded by Councilman McGaughey, duly put to a vote, all in favor.

c.) Kirklin Woodcock (Education)

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

RESOLUTION # 126

NOW, THEREFORE, BE IT RESOLVED, to approve the request submitted by Kirklin Woodcock to attend Cornell local Road Program in Ithaca on June 3-6.

The adoption of the resolution was seconded by Councilman Gerber, duly put to a vote, all in favor.

Equipment Surplus

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

RESOLUTION # 127

NOW, THEREFORE, BE IT RESOLVED, to approve the list of items provided by Kirklin Woodcock, Highway Superintendent, going to auction to be disposed of.

The adoption of the resolution was seconded by Councilman Gerber, duly put to a vote, all in favor.

Drainage Facility/Repair

a.) Drainage Fund (Transfer)

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

RESOLUTION # 128

NOW, THEREFORE, BE IT RESOLVED, to ratify the decision to fund A8540.4 Drainage with \$30,000 from A1990.4 Contingency, needed to make drainage repairs in the Town of Wilton.

The adoption of the resolution was seconded by Councilman Gerber, duly put to a vote, all in favor.

**b.) Drainage Pipe (Installation)
Cobble Hill and other roads in Town**

Councilman Gordon asked the board if they were going to give permission to take the low bidder for Cobble Hill Dr., Highgate Rd. and Lacardo Lane. **Superintendent Woodcock** stated he wanted to be on record stating that this is a temporary fix for the three situations on Highgate Rd., there are no warranties. Engineer Manz stated you can do one resolution for the grout tech is one thing, that’s a \$1,000 a basin x 4 and the other thing is lowest bid from William Morris to do the work. The amount would probably be around \$14,000.

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

RESOLUTION # 129

NOW, THEREFORE, BE IT RESOLVED, to approve the installation of the grout tech and accept the lowest bid up to \$15,000 for repair work.

The adoption of the resolution was seconded by Councilman Gerber, duly put to a vote, all in favor.

Gavin Park-School Lands

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

RESOLUTION # 130

NOW, THEREFORE, BE IT RESOLVED, to ratify the decision for a budget amendment increasing A599 Appropriated Reserves and A7111.2 Park Reserve in the amount of \$45,281 to cover the change orders of the well and sprinkler installation along with additional professional fees from Tommell.

The adoption of the resolution was seconded by Councilman Gerber, duly put to a vote, all in favor.

CP #440 Camp Saratoga

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

RESOLUTION # 131

NOW, THEREFORE, BE IT RESOLVED, to approve the request for a transfer of \$5,000 into H440.1620.2 for the purchase of equipment and furnishings for 80 Scout Road and;

FURTHER BE IT RESOLVED, to authorize a budget amendment transferring \$5,000 from A1990.4 Contingency to A990.950 transfer to Capital Projects.

Community Day Labor

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

RESOLUTION # 132

NOW, THEREFORE, BE IT RESOLVED, to approve full time employees working Community Day will be paid for their time instead of accruing comp-time and;

FURTHER BE IT RESOLVED, to approve a budget transfer from A1990.4 Contingency into the respective Departments.

The adoption of the resolution was seconded by Councilman McGaughey, duly put to a vote, all in favor.

Resolution #29:Official Depositories

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

RESOLUTION # 133

NOW, THEREFORE, BE IT RESOLVED, to approve the amendment to Resolution # 29 of the Annual Resolutions to add HSBC to the Town of Wilton list of Official Depositories.

The adoption of the resolution was seconded by Councilman Gordon, duly put to a vote, all in favor.

Deputy Supervisor O'Connor abstained from voting.

Informational from Town Clerk's Agenda: Letter received from Nick & Amy Georgeadis commending the Town Clerk's Department for their efforts in regards to a lost marriage license.

Copy of letter from Building Department Re: Saratoga Auto Park.

Informational from Comptroller's Report

- a) **Wilton Emergency Squad PENFLEX-** Received the bill for the Volunteer Ambulance Worker Service Award Program for year ending December 31, 2006 Defined Benefit Plan. Total amount due is \$34,709.96
- b) **CP #441 Gavin Park Improvements-** NYS Parks and Recreation Grant- Steve Porto is now the lead on this grant, I have offered my services if Steve needs help.
- c) **Town of Wilton Independent Audit** by Cusak and Co. is in your package and will be posted on the website for all to see. In keeping with Carol Green's tradition there were no findings or adjustments. Overall we are in pretty good financial shape.

Supervisor Johnson: If there is no other business, I will entertain a motion to adjourn.

On a motion introduced by Deputy Supervisor O'Connor, and seconded by Councilman Gerber, the meeting was adjourned at 9:12 p.m., all in favor.

Respectfully Submitted,

Carol Maynard, Town Clerk

Supervisor, Arthur Johnson

Councilman, Raymond O'Connor

Councilman, Charles Gerber

Councilman, Larry Gordon

Councilman, Ian McGaughey