

Oaths of Office

Judge John Wood officially administrated the Oaths of Office to the following elected officials: Arthur J. Johnson-Supervisor, Raymond F. O'Connor-Deputy Supervisor and Councilman, Charles Gerber-Councilman and Kirklin Woodcock-Highway Superintendent.

OPEN BIDS: Spec. No. GE-1 (Electric Scissor Lift)

Required notice to bidders was legally advertised in the Daily Gazette, the Post Star and the Saratogain Newspapers.

At 7:02 p.m., Supervisor Johnson called the bid opening to order. There were three bids received, the Town Clerk opened and read the bids aloud as follows:

Admar Supply Co. 878 old Albany Shaker Rd. Latham, NY 12110	\$13,686.63
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Action Equipment & Supply 1445 Route 9 Fort Edward, NY 12828	\$13,395.00
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United Rentals 1401 Vischer Ferry Rd. Clifton Park, NY 12065 Attn: Tim Krohl	\$13,658.00
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Supervisor Johnson explained that Scott Harrington, Building Maintenance Supervisor could not be here tonight to review the bids, but the board can accept the bids and have Scott review them tomorrow. The board agreed. He then closed the bid opening at 7:05 p.m..

PUBLIC HEARING: **Local Law No. 1 of 2008**
 Amend Palmertown Ridge PUD

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

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 2008 to amend Local Law No. 4 of 2005, known as Palmertown Ridge Planned Unit Development.

REGULAR TOWN BOARD MEETING

JANUARY 3, 2008

SAID PUBLIC HEARING would consider an amendment to the Palmertown Ridge Planned Unit Development legislation, proposing a subdivision of lot number one (a portion of 101.-1-102.1) within the Palmertown Ridge PUD, and creating a new lot 1A, and combining a 4.45 acre parcel (114.-1-55) to the subdivided lot. The Palmertown Ridge PUD is located on Woodard Road, Town of Wilton. The amendment is also proposing to add a Principal Permitted Use to allow horse ownership to the Planned Unit Development under certain criteria, listed in the new amended legislation and be in compliance with the Town of Wilton's Zoning Law §129-176 (Agricultural with animals; private stables).

SAID PUBLIC HEARING will be held on Thursday, January 3, 2008, at 7:10 p.m. at Wilton Town Hall located on 22 Traver Road, Wilton, New York. At that time all persons will be given an opportunity to be heard.

BY RESOLUTION OF THE TOWN BOARD OF THE TOWN OF WILTON

Immediately following the bid opening Supervisor Johnson called the public hearing to order at 7:05 p.m.. The Supervisor asked the Town Clerk to read the public hearing notice aloud, she did so. The Supervisor stated Mr. Witt appeared at our last meeting to present the proposed amendment and the board gave him some direction as to how we wanted to see the use for horses as by special permit. The language that was submitted did not comply with what we had requested him to do. We can still have the public hearing but Mr. Witt will have to draft new legislation. He then asked if anyone had any comments, there were none. Supervisor Johnson stated he would keep the public hearing open for awhile because it was opened earlier then advertised.

REGULAR TOWN BOARD MEETING

Immediately following the public hearing, Supervisor Johnson opened the regular meeting at 7:10 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 Comptroller Jeffrey Reale and Director of Planning and Zoning Keith Manz.

Organizational Resolutions # 1-55

Supervisor Johnson Stated that this is the first meeting for 2008. It is our organizational meeting and typically every year we adopt a series of resolutions that run from 1-55. All board members have been provided a copy, are there any changes that should be made.

Some changes were made and are listed as follows: Deputy Supervisor O'Connor stated that under resolution # 13 (Liaisons) he would like to be listed as liaison to the Town Historian's Office. He also abstained from voting on resolutions # 29 (Official Depositories) and # 39 (Contracts). Councilman Gerber stated he wanted to abstain from voting on resolution # 51 (Town Attorney). Councilman Gordon stated that a new annual resolution needed to be added making him Town Emergency Services Coordinator under the Home Land Security Law. Supervisor Johnson stated if there were no other changes he would entertain a motion and a second to approve the following annual resolutions:

RESOLUTION #1: **REGULAR MEETINGS-RESOLVED**, pursuant to Town Law §62 that all regular meetings of the Wilton Town Board shall be held at the Wilton Town Hall, 22 Traver Road on the first (1st) Thursday of each month beginning at 7:00 p.m., except that additional meetings will be scheduled as deemed necessary by the board.

RESOLUTION #2: **CONDUCT OF MEETINGS-RESOLVED**, pursuant to Town Law §63, that "Robert's Rules of Order" shall prevail as the source of clarification for any questions as to Parliamentary Procedure.

RESOLUTION #3: **PLEDGE OF ALLEGIANCE-RESOLVED**, pursuant to Resolution #67 adopted January 3, 1991 that all official town meetings shall be opened by reciting the Pledge of Allegiance to the Flag.

RESOLUTION #4: **COMMITTEES-RESOLVED**, pursuant to Town Law §63, that the Supervisor shall appoint committees of Town Board members and others to aid the full Board.

RESOLUTION #5: **OFFICIAL NEWSPAPERS-RESOLVED**, pursuant to Town Law §64 (11), to designate The Saratogian as the Official Newspaper of the Town of Wilton. Legal advertising will also be placed in the Daily Gazette and the Post Star newspapers.

RESOLUTION #6: **EMPLOYEE BENEFITS-RESOLVED**, to provide employee benefits to all General Fund and Highway Fund employees as outlined in the town's Personnel Policies under separate cover.

RESOLUTION #7: **EMPLOYEE SALARIES-RESOLVED**, to pay Elected, Management and Hourly Appointed employees according to the Wage & Salary Schedule effective 1/1/08-12/31/08 under separate cover.

RESOLUTION #8: **STANDARD WORKDAY FOR TOWN EMPLOYEES-RESOLVED**, that the Town Board hereby establishes the following standard workday for elected and appointed officials for the purpose of determining days worked reportable to the New York State and Local Employees Retirement System:

Elected Officials

Supervisor	5 day work week, 6 hour day
Councilman	5 day work week, 6 hour day
Justice	5 day work week, 6 hour day
Receiver of Taxes	5 day work week, 6 hour day
Town Clerk	5 day work week, 7 hour day
Highway Superintendent	5 day work week, 8 hour day

Appointed Officials

Highway Department	5 day work week, 8 hour day
All Other Departments	5 day work week, 7 hour day

RESOLUTION #9: **REIMBURSEMENT FOR TRAVEL-RESOLVED**, to establish the rate of reimbursement for travel on town business at the prevailing annual rate established by the Internal Revenue Service.

RESOLUTION #10: **HOLIDAYS (PAID)-RESOLVED**, pursuant to Gen Mun Lw §90 and §92, that the following dates be designated as paid holidays for all full-time employees and all town offices shall be closed in observance of these holidays:

January 1, 2008 (Tuesday) New Year's Day

REGULAR TOWN BOARD MEETING**JANUARY 3, 2008**

January 21, 2008	(Monday)	Martin Luther King Day
February 12, 2008	(Tuesday)	Lincoln's Birthday
February 18, 2008	(Monday)	Washington's Birthday
May 26, 2008	(Monday)	Memorial Day
July 4, 2008	(Friday)	Independence Day
September 1, 2008	(Monday)	Labor Day
October 13, 2008	(Monday)	Columbus Day
November 11, 2008	(Tuesday)	Veterans Day
November 27, 2008	(Thursday)	Thanksgiving Day
November 28, 2008	(Friday)	Post Thanksgiving Day
December 25, 2008	(Thursday)	Christmas Day

RESOLUTION #11: PETTY CASH-RESOLVED, pursuant to Town Law §64(1a)

To allocate the following amounts of Petty Cash to the department heads indicated:

Town Clerk	200
Town Justices (2) (\$50 each)	100
Planning Board Chairman	50
Zoning Board Chairman	25
Tax Collector	150
Recreation Director	200
Dog Control Officer	50

TOTAL PETTY CASH ALLOCATED \$ 775

RESOLUTION #12: CELLULAR PHONES-RESOLVED, that the following employees are authorized to use cellular telephones:

Kirklin Woodcock, Highway Superintendent
Michael Monroe, Working Foreman
Frank Holden, Working Foreman
Ronald Stunzi, Dog Control Officer
Keith R. Manz, Town Engineer
Roger Blauvelt, Building Inspector
Steve Porto, Recreation Director
Arthur J. Johnson, Supervisor
Larry Gordon, Councilman/Highway Liaison
Park Maintenance Worker
Jeff Reale, Comptroller
Lori Olson, Highway Clerk (amended 6/7/07)

RESOLUTION #13: LIAISONS-RESOLVED, that the following will serve as liaisons to the departments indicated:

Keith Manz	Wilton Water & Sewer Authority
Larry Gordon	Vector Control
Nancy Riely	Insurance
Larry Gordon	Highway Department
Charles Gerber	Parks & Recreation
Charles Gerber	Americans w/Disabilities Committee
Arthur Johnson	Wilton Emergency Squad
Ian McGaughey	Justice Department
Ian McGaughey	Safety Review Committee
Raymond O'Connor	Historian's Office

RESOLUTION #14: HIGHWAY DEPARTMENT (4-TON ROAD LIMIT)-
RESOLVED, to post all town roadways at a 4-ton road limit until further notice.

RESOLUTION #15: HIGHWAY DEPARTMENT (EN CON MEMORANDUM OF UNDERSTANDING)-RESOLVED, to enter into a Memorandum of Understanding with the New York State Department of Environmental Conservation for the period January 1, 2006 through December 31, 2010 for the protection of the water resources of certain classified waters in New York State as set forth in Article 15, Title 5 of the Environmental Conservation Law.

RESOLUTION #16: HIGHWAY SUPERINTENDENT SPENDING (TOWN ROADWAYS)-RESOLVED, pursuant to Hwy Lw §284, that the Town Board and the Town Highway Superintendent shall enter into an Agreement for the Expenditure of Highway Funds for the repair and improvement of town highways **AND, BE IT RESOLVED**, that these funds shall be expended at such places and in such manner as may be agreed upon by the Town Board and the Town Highway Superintendent **AND, BE IT FURTHER RESOLVED**, that this Agreement is to be executed and signed by a majority of the Town Board members and the Highway Superintendent.

NOTE: Chapter 173 of the Laws of 1994 amended S284 of the Highway Law to delete the requirement that the County Highway Superintendent must approve all agreements for the expenditure of town highway funds.

RESOLUTION #17: HIGHWAY SUPERINTENDENT SPENDING (MACHINERY, TOOLS, MINOR EQUIPMENT & OTHER IMPLEMENTS)-RESOLVED, pursuant to Hwy Lw §142(a), to authorize spending by the Highway Superintendent for machinery, tools, minor equipment and implements up to \$3,000 without prior approval from the Town Board provided that sufficient appropriations exist, and the purchase has been made in compliance with the town's procurement policies and procedures and a Purchase Order has been issued for purchases of more than \$500.

RESOLUTION #18: DEPUTY HIGHWAY SUPERINTENDENT-RESOLVED, pursuant to Town Law §32(2) to establish the position of Deputy Highway Superintendent **AND, BE IT FURTHER RESOLVED** to appoint Sandra Woodcock to the position at no remuneration.

RESOLUTION #19: ELECTIONS (VOTER REGISTRATION DAY)-RESOLVED, to consolidate election districts for Voter Registration Day at the Town Hall Annex, 20 Traver Road. **NOTE:** Pursuant to Saratoga County Board of Elections resolution adopted January 7, 1993, there shall be no meetings for local registration except in presidential and vice-presidential election years.

RESOLUTION #20: ZONING BOARD OF APPEALS-RESOLVED, pursuant to Town Law §267(1) to establish a Zoning Board of Appeals consisting of seven (7) members with terms of office effective from January 1 through December 31 (7-year terms).

RESOLUTION #21: PLANNING BOARD-RESOLVED, pursuant to Town Law §271(1) and 272 to establish a Planning Board consisting of seven (7) members with terms of office effective from January 1 through December 31 (7-year terms).

RESOLUTION #22: INDEPENDENT BOARD OF ASSESSMENT & REVIEW RESOLVED, to establish a five-member Independent Board of Assessment & Review with terms of office effective from October 1 to September 30 (5-year terms).

RESOLUTION #23: CHAIRPERSONS FOR BOARDS –RESOLVED, pursuant to

Town Law §271 (1) the Town Board shall designate the chairpersons to the following Boards on a yearly basis and;

FURTHER BE IT RESOLVED, to appoint the following chairpersons to said boards for the terms listed below:

a.) Planning Board Michael Dobis Current term 1/1/08- 12/31/08.

b.) Zoning Board Joseph O'Brien Current term 1/1/08-12/31/08 and;

FURTHER BE IT RESOLVED, to approve the extended terms of chairmanship of the Planning and Zoning Boards when those terms would expire and their scheduled meeting would occur prior to the first available organizational Town Board meeting at such time resolutions will be passed for the current chairmanship terms.

RESOLUTION # 24 ELECTRICAL INSPECTIONS-RESOLVED, pursuant to a unanimous decision of the Town Board on February 17, 1994 and January, 2004, that the following agencies are approved to perform electrical inspections in the Town of Wilton:

N. Y. Board of Fire Underwriters, 18 Corporate Woods Blvd., (Albany, N. Y.)

Atlantic Inland, Inc. R.D. 2, Box 60, (Greenwich, N. Y.)

Commonwealth Electrical Inspection Service, Inc., (Glens Falls, N.Y)

Middle Department Inspection Agency, Inc., 143 Troy-Schenectady Rd., (Watervliet, N.Y.)

"The Inspector" LLC (Chateaugay, N. Y.) (7/1/99)

Z3 Consultants Inc., 19 Fowler Ave., (Poughkeepsie, NY.)

RESOLUTION #25: SARATOGA COUNTY YOUTH BUREAU-RESOLVED, to appoint the town's Recreation Director to serve as the Town of Wilton's representative on the Youth Advisory Board.

RESOLUTION #26: DIVISION FOR YOUTH SPENDING-RESOLVED, pursuant to Resolution #89 adopted on September 6, 1990, to authorize the Recreation Director, on behalf of the Parks & Recreation Commission, to apply for funding through the Division for Youth.

RESOLUTON #27: TAX BILLS/THIRD PARTY DESIGNATION-

RESOLVED, pursuant to a unanimous decision of the Wilton Town Board on November 6, 1986, and to comply with Chapter 758 of the Real Property Tax Laws of 1986, that the Receiver of Taxes & Assessments shall include with each tax bill a notice that elderly and disabled taxpayers may designate an adult third party to receive duplicate copies of tax bills and notices of unpaid taxes **AND, BE IT FURTHER RESOLVED**, that all eligible taxpayers must file said application on or before the first day of November of each year.

RESOLUTION #28: TAX COLLECTOR DEPOSITS-RESOLVED, pursuant to Gen Mun Lw §11, to authorize the Receiver of Taxes & Assessments to temporarily deposit or invest monies not required for immediate expenditure in special time deposit accounts, or certificates of deposit, in any bank approved by the Town of Wilton as an Official Depository.

RESOLUTION #29: OFFICIAL DEPOSITORIES-RESOLVED, pursuant to Tn Lw §64(1), Bk Lw §96-6 and Gen Mun Lw §93, to designate the institutions listed below as Official Depositories of the Town of Wilton:

Adirondack Trust Company
Saratoga Nat'l Bank & Trust Company
Trustco Bank
Key Bank of New York
NBT Bank
Ballston Spa National
HSBC (added 5/7/07) (resolution # 133)

All Official Depositories must enter into a Custodial Agreement with the Town of Wilton if deposits exceed \$100,000.

RESOLUTION #30: INVESTMENT POLICY-RESOLVED, pursuant to a unanimous decision of the Town Board on June 3, 1993 and updated 1/1/08, to establish an Investment Policy to minimize risk to principal and interest, define eligible investments, provide sufficient liquidity to insure the availability of cash when needed and to insure a competitive rate of return. (See Attached)

RESOLUTION #31: CAPITAL ASSETS PROGRAM-RESOLVED, pursuant to a unanimous decision of the Town Board on May 7, 1987 and updated 1/1/08, to establish a Fixed Assets Program for the Town of Wilton with physical inventories to be conducted by all department heads by December 31 of each year. (Capital Assests Policy Attached)

RESOLUTION #32: PURCHASE ORDER SYSTEM/PROCUREMENT POLICIES & PROCEDURES-RESOLVED, pursuant to a unanimous decision of the Town Board on November 12, 1987 to establish a Purchase Order System for use by all departments with the Account Clerk serving as Purchasing Coordinator.

AND, BE IT FURTHER RESOLVED, pursuant to Resolution #115 adopted on April 2, 1992, amended on December 4, 2003, and December 6, 2007, to follow the procurement policies and procedures contained in that resolution for the procurement of goods and services not subject to bidding requirements under Gen Mun Lw §103 or any other law, such procurement policies having been reviewed and reaffirmed by the Town Board on 11/8/01. Pursuant to Resolution #194 adopted on July 6, 1995, the Comptroller is authorized to approve budget transfers after conferring with at least three (3) Town Board members with such action to be ratified by resolution at the next Town Board meeting. All town vouchers shall be certified or verified. (See Attached)

RESOLUTION #33: RETURN CHECK CHARGE-RESOLVED, pursuant to Resolution #247 adopted on 9/8/98, to charge \$20.00 for checks returned as unpaid.

RESOLUTION #34: TOWN COMPTROLLER-RESOLVED, pursuant to Resolution #301 adopted on January 15, 1992, that the Comptroller assumes the duties of an Accounting Supervisor with approval to countersign checks and/or to use the Supervisor's signature stamp as deemed necessary.

RESOLUTION #35: FUND TRANSFERS-RESOLVED, pursuant to a unanimous decision of the Town Board on December 27, 1984, to approve fund transfers into appropriations at the same time expenditures not budgeted are approved. This shall be done at the Regular Town Board Meeting

whenever bills are approved for payment

RESOLUTION #36: WIRE/TELEPHONE TRANSFERS-RESOLVED, pursuant to a unanimous decision of the Town Board on August 13, 1987, that the Principal Account Clerk is authorized to make wire/telephone transfers at the Adirondack Trust Company and Saratoga National Bank from the Money Market Account to the various checking accounts. **WITHDRAWALS ARE NOT AUTHORIZED.**

RESOLUTION #37: CERTIFIED PUBLIC ACCOUNTANTS-RESOLVED, to retain Certified Public Accountants to provide professional services (under separate contract).

RESOLUTION #38: SECTION 125 PREMIUM ONLY PLAN-RESOLVED, pursuant to Resolution #165 adopted on August 5, 2004, which allows employees to have pre-tax monies withheld from their paycheck to cover the cost of the employee's premium portion of Health Insurance, Group-Term Life Insurance and Disability Plans. Effective July 1, 2004 renewed on a yearly basis at "no cost" to the town. **(NEW) Please review**

RESOLUTION #39: CONTRACTS-RESOLVED, that the Town Board authorizes the Supervisor to enter into the following contracts:

*on-going contracts:

Camp Saratoga (Resident Caretaker Lease) *
Christopher Dailey Foundation (Ground Lease)
Christopher Dailey Foundation (Facility Lease Agreement)
Corner Stone (Telephone Co.) Nov. 07-Oct. 08
County Waste (4 yd. T/H & 8 yd. G/P containers)
Delta Dental Service Contract (In Nancy's Off.)
DeVall, Richard F. (Town Attorney) (yearly)
Empire Blue Cross Blue Shield (In Nancy's Off.)
Fundbalance, Inc. (Maint. Agreement)
Grant, Ulysses S. (Friends/Cottage) (yearly)
Heritage Society (Wilton) (yearly)
Hud Housing * (Section 8 Housing Program)
Intermunicipal agreement (Highway)
Klepetar, Thomas, M.D. (Health Officer) (yearly)
M.M. Hayes Co., Inc. (Time-Clocks)*
Manz, Keith ., P.E. (Town Engineer) (10/1/92 as amended 5/5/94 &

12/2/04)
National Grid Agreement (Outdoor Lighting)
Nationwide Retirement Solution (Deferred Comp.)
Nextel (State Police Phones & Highway) (Nancy's Off.)
New York State (Gasoline & Diesel Fuel)
Northern Pines Housing Dev. (Agreement)(Pilot Program)
Penflex, Inc. (Service Award Program)
Pitney Bowes, Inc. (Rental Agreement)
Reale, Jeffrey, (Town Comptroller) 1/1/07-12/31/09
Saratoga Co. Animal Shelter (Impoundment of Dogs) *
Saratoga Co. (Co. maint. & operate shelter dogs)
Saratoga Co. Office of Aging (Nutrition Agmt.) (In Pat's Off.)
Saratoga Co. Office of Aging (Transportation Agmt.)*
Saratoga Co. Reforestation of Lands (Mngmnt Agreement)
Saratoga Co. Rural Preservation (Housing Asst.)
Saratoga Co. Youth Bureau (Youth Week program) (7/24/03) (In Pat's Off.)
Saratoga Co. Sheriff Off. (Contract for Services) yearly
Saratoga National Bank (Credit Card Contract)*
Saratoga National Bank (Ach Originator Agreement)
Saratoga Springs City School District (7 Summer camp buses)
Saratoga Springs City School District (Dorothy Nolan)(use voting machines) (9/23/04)
Saratoga Springs School District (Lease of Lands)
Saratoga Youth Soccer Club (thru 2011)
Saratoga Youth Court (The prevention Council)(Yearly)
Sleasman, Daniel (attorney) (Building Dept.)
South Glens Falls School Dist. (Use of Voting Machines) (9/23/04)
Southworth-Milton, Inc. (Mtce. Agmt.-Emergency Generator)
South Glens Falls School Dist. (voting machine agreement)
Tech II (telephone mgnt agreement)
Time Warner Cable (Franchise Agreement)
Upstate Elevator Company (Maint. Contract)
Vincelette, Daniel G. Esq. (Assess. Attorney) do not have)
Waste Management of Eastern NY (30-yd. open rolloff)
Wilton Emergency Squad (Ambulance Serv.)
Wilton Emergency Squad (Gasoline)
Wilton Fire Dept. (Gasoline)
Wilton Senior Center (**New** Contract) (Annual)
Wilton Water & Sewer (Lease Agreement)
Wilton Wildlife Preserve & Park (Annual Contract) &
(Lease Agreement)
Wilton Youth Baseball 1/1/08-12/31/08

RESOLUTION #40: RECORDS MANAGEMENT OFFICER-RESOLVED,
pursuant to a unanimous decision of the Town Board on

March 2, 1989 to dispose of town records according to Schedule MU-1 issued pursuant to Article 57-a of the Arts & Cultural Affairs Law **AND, BE IT FURTHER RESOLVED**, to appoint Carol Maynard to the position of Records Management Officer.

RESOLUTION #41: REGISTRAR OF VITAL STATISTICS-RESOLVED, Pursuant to Pb Hlth Lw §4130, to establish the position of Registrar of Vital Statistics **AND, BE IT FURTHER RESOLVED**, to appoint Carol Maynard to the position. Amount included in salary. (This appointment is the responsibility of the Supervisor).

RESOLUTION #42: DEPUTY REGISTRAR OF VITAL STATISTICS-RESOLVED, pursuant to Pb Hlth Lw §4130, to establish the position of Deputy Registrar of Vital Statistics **AND, BE IT FURTHER RESOLVED**, to appoint Julie Hotaling to the position. (This appointment is the responsibility of the Registrar of Vital Statistics).

RESOLUTION #43: SAFETY OFFICER, RESOLVED, to appoint Nancy Riely to the position. Established 2/1/96 (Hazard Communication Program).

RESOLUTION #44: FIRE MARSHALL, RESOLVED, to appoint Mark Mykins to the position of Fire Marshall, established in 1998.

RESOLUTION #45: DOG CONTROL OFFICER-RESOLVED, to establish the position of Dog Control Officer **AND, BE IT FURTHER RESOLVED**, to appoint Ronald Stunzi to the position at \$ 13,658 per annum.

RESOLUTION #46: DEPUTY DOG CONTROL OFFICER-RESOLVED, to Establish the position of Deputy Dog Control Officer **AND, BE IT FURTHER RESOLVED**, to appoint Joan Kelly to the position at \$ 10,739 per annum.

RESOLUTION #47: TOWN CONSTABLE- RESOLVED, to establish the position of Town Constable **AND, BE IT FURTHER RESOLVED**, to appoint Ronald Stunzi to the position at no remuneration.

RESOLUTION #48: TOWN HISTORIAN-RESOLVED, to establish the position of Town Historian **AND, BE IT FURTHER RESOLVED**, to appoint

Jeannine Woutersz to the position at \$ 1,817 per annum.

RESOLUTION # 49: INSECT CONTROL COORDINATOR-RESOLVED, to establish the position of Insect Control Coordinator **AND, FURTHER BE IT RESOLVED**, to appoint Larry Gordon to position at no remuneration.

RESOLUTION #50: TOWN HEALTH OFFICER- RESOLVED, to establish the Position of Town Health Officer **AND, FURTHER BE IT RESOLVED**, to appoint Dr. Thomas Klepetar to the position at \$ 3,000 per annum (under separate contract).

RESOLUTION #51: TOWN ATTORNEY-RESOLVED, to establish the position of Town Attorney, **AND, BE IT FURTHER RESOLVED**, to appoint Richard F. DeVall to the position at \$ 39,470 per annum and at \$ 145 per hour for services involving formal litigation and bond counsel (under separate contract).

RESOLUTION #52: DEPUTY SUPERVISOR-RESOLVED, to establish the position of Deputy Supervisor **AND, BE IT FURTHER RESOLVED**, to appoint Raymond F. O'Connor, to the position at \$ 4,383 per annum. (This appointment is the responsibility of the Supervisor).

RESOLUTION #53: NOTIFICATION POLICY FOR BREACH OF PRIVATE INFORMATION SECURITY-RESOLVED, to adopt this policy in accordance with New York State Technology Law Section 208 as added by Chapters 442 and 491 of the laws of 2005, and is consistent with the provisions of said Section. The purpose of this policy is to require the **Town of Wilton** to Notify a New York Resident when there has been or is reasonably believed to have been an unauthorized acquisition of the resident's private information from the computerized records maintained by the **Town of Wilton**. (NEW) Please review.

RESOLUTION # 54: GAVIN PARK RECREATION FEES-RESOLVED, to approve The Parks and Recreation annual fees as submitted by the Parks Director (See Attached).

RESOLUTION # 55: EMERGENCY SERVICES COORDINATOR- RESOLVED, To appoint Larry Gordon to the annual position of Emergency Services Coordinator, Effective 1/1/08-12/31/08, the position was established at the April 5, 2007, Town Board meeting under the Home Land Security Law (Resolution # 115).

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

RESOLUTION # 56

NOW, THEREFORE, BE IT RESOLVED, to approve the annual Organizational Resolutions #1-#55 as submitted with amendments and additions.

The adoption of the resolution was seconded by Deputy Supervisor O'Connor, duly put to a vote, all in favor.

Deputy Supervisor O'Connor abstained from voting on resolution #29 (Official Depositories) and #39 (Contracts). Councilman Gerber abstained from voting on resolution # 51 (Town Attorney).

Local Law No. 1 of 2008 (Palmertown Ridge PUD)
Amend Local Law No. 4 of 2005

Supervisor Johnson stated to Mr. Witt, the contractor for the project, that we had the public hearing earlier and the language that was submitted is not what we asked for, so it will have to be modified. Perhaps Attorney DeVall can get together with your attorneys and advise them as to what needs to be done. **Attorney DeVall** asked if the board could specify in general exactly what the board wants. **Supervisor Johnson** explained that the Town Planning Board direction was good, he then asked Keith Manz, Director of Planning and Engineering to explain the contents of that document. **Engineer Manz**, explained that the document is a recommendation the Town Board agreed with, states that keeping horses in the entire PUD will include language that landowners wishing to keep horses will go through a special permit process and meet all requirements in the town code. **Supervisor Johnson** asked if there were any other comments on this item. There were none. He then closed the public hearing at 7:20 p.m..

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

RESOLUTION # 57

NOW, THEREFORE, BE IT RESOLVED, to approve the amendment to the Palmertown Ridge PUD subject to the Town Attorney's final review, specifying that this use is by special permitted use only for the homeowner, private keeping of horses.

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

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 Councilman McGaughey, the board adopted the following resolution:

RESOLUTION # 58

NOW, THEREFORE, BE IT RESOLVED, to
approve the minutes from the December 6, 2007
meeting as typed, without amendment.

The adoption of the resolution was seconded by
Deputy Supervisor O'Connor, duly put to a vote, all
in favor.

Award Bids (Electric Scissor Lift)
Bids opened earlier

Supervisor Johnson explained that we had three bids on the electric scissor lift. Scott is the one who requested this purchase and he is not available tonight he will review them tomorrow, but we can recommend awarding to the low bidder subject to Scott's approval.

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

RESOLUTION # 59

NOW, THEREFORE, BE IT RESOLVED, to
award the bid for the Electric Scissor Lift to the
lowest bidder meeting the specifications, (Action
Equipment and Supply) in the amount of \$13,395,
subject to Scott Harrington's review.

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

Wilton Wildlife Preserve and Park
Quarterly Report (Sarah Clarkin)

Supervisor Johnson recognized Wilton Wildlife Preserve and Park Director Sarah Clarkin. **Ms. Clarkin**, highlighted some of the outreach programs and events that are coming up in the future. Ms. Clarkin explained the purchase of property by the Nature Conservancy that was added to the Preserve and Park and also the undertaking of some citizen-science study projects coming up in 2008 at a number of locations. She then commended the Town Board for their adoption of Open Space, Pathways and

Recreation Program. **Supervisor Johnson** thanked Ms. Clarkin for her report to the board.

Reappointment (Park & Recreation Commission)

Lynette Robinson

Term to expire 1/14/08

New term 1/15/08-1/14/11

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

RESOLUTION # 60

NOW, THEREFORE, BE IT RESOLVED, to reappoint Lynette Robinson to the position of Park and Recreation Commission member, current term to expire 1/14/08, new term 1/1/08-1/14/11.

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

Historic Preservation Board

Appoint Board Members

Ray O'Connor

Supervisor Johnson asked Deputy Supervisor O'Connor, to address the board regarding membership for the Historic Preservation Board. Deputy Supervisor O'Connor, stated that an e-mail had been sent to all the board members and the Town Historian and we have come up with a list of the inaugural employees to become members of the Historic Preservation Board. By statute the Town Historian is an automatic appointee, it also states that the Wilton Heritage Society can select one of its members, they chose Dagmar Helenek, Jack Fleming, Emily Brower and Elizabeth Harrington have also shown interest in becoming members.

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

RESOLUTION # 61

NOW, THEREFORE, BE IT RESOLVED, to appoint the following individuals as members of the Wilton Historic Preservation Board with staggered terms:

Jeannine Woutersz (Town Historian) 5 Years

Dagmar Helenek (Wilton Heritage Soc.) 4 Years

John Fleming 3 Years

Emily Brower 2 Years

Elizabeth Harrington 1 Year

After the initial appointment, each member will be eligible for reappointment for a full five year term.

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

59 Corinth Mountain Road (Alex Schmidt)**Waiver for requirement of well installation
& testing prior to obtaining a building permit**

Supervisor Johnson asked Mr. Schmidt if he would explain his request to the board. **Mr. Schmidt** explained that he is trying to build a house but the loan they need to build is being held up by the building permit. He stated that they had the permit application in but we need to get the money to build a road. **Supervisor Johnson** asked Engineer Manz what the requirements were regarding well testing. Engineer Manz explained that our requirement is to have the well installed with adequate potable water before the permit is issued. So they would have to put the well in and show the test results before the permit can be issued. **Mr. Schmidt** explained that the house site is not accessible without a road. **Supervisor Johnson** then asked Attorney DeVall for his professional opinion. **Attorney DeVall** stated that the Town Board cannot grant a waiver, he then asked Engineer Manz if the requirement of a well before a building permit is issued in connection only with a residence. **Engineer Manz** responded with a yes. **Attorney DeVall** then asked the question to the owner, if you built a garage there and then come in to get another building permit would the bank let the money come through. **Mr. Schmidt** stated he did not know about that, but what was the problem with the waiver. **Attorney DeVall** explained that the Town passed Subdivision Regulations which is a Town Law administered by the Building Department, so in order for the Town Board to change that law, we would have to pass a new law. After some discussion Supervisor Johnson asked Attorney DeVall to work with the owner and the Building Department to resolve this issue.

G&R Development (L.A. Group)**Amendments to PUD Legislation****LL# 2 of 2006 Ridgeview Commons PUDD**

Supervisor Johnson asked Mr. Gabryshak from G&R Development to address the board. **Mr. Gabryshak** explained that after approval a year ago a couple of issues came up with the Department of Environmental Conservation, there are some items that we need to clarify and some we need to adjust. **Mr. Carr** from the LA Group, was here with Mr. Gabryshak, Mr. Carr explained that because of the jurisdictional wetlands and to satisfy Department of Environmental Conservation and the Army Corp. they recommended we approach the town regarding amending the Planned Unit Development District to get relief for some setbacks on Ballard Road. In addition to that there was a side walk that was crossing the wetlands before DEC took jurisdiction over it, so DEC asked us to also amend the PUD for that section of sidewalk that was approved in the PUD. Outside of that we are requesting an amendment to the PUD for parking associated with zone 1A, so we have zone 1, zone 1A and zone 2. After explaining the summary, Mr. Carr went on to explain the five requested amendments individually that were listed in his letter to the Town Board. **Mr. Gabryshak** explained that the problem with the side walk is the slope off Wilton Gansevoort Road down to the wetland area, because from the wetland area to the road is greater than twelve feet of elevation. **Councilman Gordon** stated that the whole concept of the circulation goes down the drain when you have no side walk between the single family and the

apartments. Councilman Gordon also stated that he would like to sit down with the Department of Environmental Conservation and try to convince them to allow the placement of the side walk. The whole concept of the Hamlet changes without it. **Councilman Gerber** explained that maybe we could look at a proposal to maybe transition from a side walk to a trail that meanders through the area. The permit process would be much simpler because you are not building a concrete side walk. Councilman Gerber went on to say maybe you could build a ford or a bridge over the wet area. The whole idea is the circulation of pedestrian traffic within that entire PUD. **Councilman Gordon** asked who would maintain the trail and side walk. **Mr. Gabryshak** stated that he would own and maintain it. **Councilman McGaughey** stated he was not eager to start cutting corners in the Hamlet area to make this project come true on wet land. **Supervisor Johnson** stated he would like to see Mr. Gabryshak try and get the necessary permit from DEC and if you can't do that then Councilman Gerber's alternative is a good idea. After some discussion the board set a public hearing for February 12th, 2008, at 7:00 p.m..

Planning & Zoning Board Members**Minimum acceptable hrs of training each year (Town Law §276 & 271)**

Supervisor Johnson explained that last year the State had passed a law requiring Planning and Zoning Board Members to get a minimum of four hours of training each year. First the Town needs to adopt a resolution requiring Town conformance with the law which we did not do last year and also there are five recommended courses that fulfill the four hour requirement. There is a draft resolution before you to review.

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

RESOLUTION # 62

WHEREAS, Town Law § 267 and 271, provide that effective January 1, 2008, all planning board and zoning board of appeals members in New York State, as well as alternate members of those boards, must complete a minimum of four hours of training each year; and

WHEREAS, the above § of state law provide that a planning board or zoning board of appeals member shall not be eligible for reappointment to such board if they have not completed the training required by law; and

WHEREAS, the above § of state law provide that the legislative body of the town specifies which activities qualify as training to satisfy the state requirements; and

NOW, THEREFORE, BE IT RESOLVED, to approve the resolution requiring the four hour

training with the courses so listed; and

AND LET IT FURTHER BE RESOLVED, that other training activities may be approved on a case-by-case basis by the Town Board upon the request of a planning board or zoning board of appeals member; and be it further

RESOLVED, that any new member appointed to fill the last ____ months of a term shall not be required to have attended training to be reappointed to a first full term, but must thereafter comply with the municipal training policy as provided elsewhere herein; and be it further

RESOLVED, that the Town Clerk shall create and maintain a system of tracking the training that individual members of municipal planning boards or zoning boards of appeals in Saratoga County complete annually; and such information shall be presented to the appointing authority prior to considering a member for reappointment.

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

15 Peachtree (Maurice Lynch)
Discuss inspection report.

Supervisor Johnson asked Mr. Lynch to address the board. Mr. Lynch went over the on-going problem with his house mentioning the report from the Department of State. He then asked the board what they plan to do about his problem. **Attorney DeVall** stated he had talked to Mr. Lynch on the phone and explained that the Town is waiting for clarification from the Secretary of State. If the Secretary of State tells us that we are mistaken in our interpretation and some further action is necessary from us, the Town will do it. If the State says that the Town is correct, then the Town will take no further action. After some discussion, Attorney DeVall, stated he would meet with Mr. Lynch and go over his concerns.

Committee Reports (If Any)

Supervisor Johnson asked if anyone had any committee reports. Councilman McGaughey, explained that New York State Department of Environmental Conservation has approved the Town's reimbursement up to the amount of \$30,000 for the Household Hazardous Waste Day, so we need to authorize Supervisor Johnson to execute the contract to receive that money.

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

RESOLUTION # 63

NOW, THEREFORE, BE IT RESOLVED, to authorize Supervisor Johnson to execute the contract with the New York State Department of Environmental Conservation to receive a reimbursement in the amount of \$30,000 for the Household Hazardous Waste Day.

The adoption of the resolution was seconded by Deputy Supervisor O'Connor, duly put to a vote, all in favor.

Supervisor Johnson asked if there were any other committee reports, there were none.

Comptroller's Report
(Including bills & Transfers)

2007 Budget

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

RESOLUTION # 64

NOW, THEREFORE, BE IT RESOLVED, to approve the 2007 budget transfers and amendments requested for and listed in the Comptroller's 1/3/08 report to the Town Board.

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

Building and Grounds-Garage

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

RESOLUTION # 65

NOW, THEREFORE, BE IT RESOLVED, to approve the request submitted from Councilman Gordon to encumber the \$20,000 left in the Salt Shed Account and carry it over to the 2008 budget, for additional improvements around the senior building and salt shed area.

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

Personnel

a.) Personnel Policy update

Comptroller Reale explained that at the last meeting the Town Board approved all updates to the Personnel Policy subject to revising Part VII Section 2 “Retirement Benefits”. The Town Board now has the new language to adopt.

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

RESOLUTION # 66

NOW, THEREFORE, BE IT RESOLVED, to approve the new language submitted for Part VII Section 2 “Retirement Benefits” of the Personnel Policy Update.

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

b.) Highway Laborer Appointment

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

RESOLUTION # 67

NOW, THEREFORE, BE IT RESOLVED, to appoint Donald Myers to the position of Laborer in the Highway Department effective 1/2/08. This is a full-time position with benefits, starting at the base rate.

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

c.) Highway MEO Appointment

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

RESOLUTION # 68

NOW, THEREFORE, BE IT RESOLVED, to appoint Richard Coffinger to the position of MEO in the Highway Department effective 1/2/08. This is a full-time position with benefits, starting at the base rate.

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

Capital Project #411 Smith Bridge Road

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

RESOLUTION # 69

NOW, THEREFORE, BE IT RESOLVED, to approve the request submitted by Comptroller Reale, to close out Capital Project #411 and transfer any balance to the General Fund. Effective 12/31/07.

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

NYC Association of Towns Training School

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

RESOLUTION # 70

NOW, THEREFORE, BE IT RESOLVED, to approve the request from the following Town Board members/Employees/Committee members and Councilman to attend the 2008 Annual Association of Towns Meeting in NYC on 2/17/08-2/20/08 and;

- | | |
|--------------------|--------------------|
| a.) Arthur Johnson | e.) Gary Hasbrouck |
| b.) Sue Baldwin | f.) Charles Gerber |
| c.) Michael Worth | g.) Rich DeVall |
| d.) Robert Rice | h.) Don Needham |

FURTHER BE IT RESOLVED, to appoint Supervisor Johnson to serve as voting delegate on behalf of the Town of Wilton At the Annual

Conference of the Association of Towns in NYC on 2/17/08-2/20/08 and;

FURTHER BE IT RESOLVED, to appoint Planning Board member Gary Hasbrouck, to serve as substitute voting delegate on behalf of the Town of Wilton at the Annual Conference of the Association of Towns in NYC on 2/17/08-2/20/08.

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

Executive Session

Supervisor Johnson stated that the board needed to adjourn to execute session to discuss an individual personnel issue and also an assessment litigation issue.

On a motion introduced by Deputy Supervisor O'Connor, and seconded by Councilman McGaughey, the board adjourned to executive session at 8:35 p.m..

On a motion introduced by Deputy Supervisor O'Connor, and seconded by Councilman Gerber, the board reconvened the Regular Town Board meeting at 9:15 p.m..

Results of Executive Session

a.) Building Inspector Position

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

RESOLUTION # 71

NOW, THEREFORE, BE IT RESOLVED, to create a second Building Inspector position approved by Saratoga County.

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

b.) Wal-Mart (Assessment

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

RESOLUTION # 72

WHEREAS, Wal-Mart Stores, Inc. and the Town of Wilton are desirous of having certain assessment issues resolved as to property owned by TMF Saratoga Development, Inc., and Wal-Mart Stores, Inc. in the Town of Wilton, and

WHEREAS, a settlement proposal resolving pending tax certiorari litigation was recommended by Daniel G. Vincelette, trial counsel to the Town of Wilton, and Marjorie Little, Assessor and reviewed by the Wilton Town Board at its regular monthly meeting, and

WHEREAS, such a proposed settlement would present the parties with an expeditious and economic alternative to further litigation so as to resolve issues between the parties, and

WHEREAS, the Town Board has determined that the proposed settlement is in the best interests of the Town; now

THEREFORE BE IT RESOLVED, that the Town Board does hereby accept a proposed settlement for the 2006 and 2007 tax certiorari proceedings filed by Wal-Mart Stores, Inc. in which the 2006 and 2007 proceedings shall be discontinued with no refunds or costs, and the Town agrees that the assessment of the subject property shall not exceed \$21,000,000 for the 2008, 2009 and 2010 assessment rolls, consistent with the provisions of the Real Property Tax Law;

AND IT IS FURTHER RESOLVED, that the Town Board does hereby adopt this resolution to end the litigation between Wal-Mart Stores, Inc., and the Town of Wilton as to the above referenced assessment.

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

Change Meeting Date

Supervisor Johnson asked that the regular scheduled Town Board meeting for February 7, 2008, be changed to February 12, 2008, all in favor.

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 McGaughey, the meeting was adjourned at 9:20 p.m..

Respectfully Submitted,

Carol Maynard, Town Clerk

Supervisor, Arthur Johnson

Councilman, Raymond O'Connor

Councilman, Charles Gerber

Councilman, Larry Gordon

Councilman, Ian McGaughey