

**PUBLIC HEARING:           Amend Hudson Springs PUDD  
Local Law # 2 of 2008**

**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. 2 of 2008, to amend Local Law No. 5 of 2005, known as Hudson Springs Planned Unit Development District.

**SAID PUBLIC HEARING** would consider an amendment to the Hudson Springs Planned Unit Development District legislation, proposing to subdivide the single fifty-three acre parcel in half creating two parcels of virtually the same size. The proposed subdivision necessitates two amendments as follows: An amendment is required because the new property line results in a rear setback less than the allowable one hundred and fifty feet (150') and a side setback less than the allowable fifty feet (50') and; the existing Local Law requires the Planned Unit Development to be constructed in one phase, Capital District Properties is proposing the Planned Unit Development be permitted to be built in two phases. The proposed amendment of the local law does not in any way impact the design, layout or uses associated with the Hudson Springs Planned Unit Development District. Property Located on Old Gick Road. Tax Map # 153.00-3-101.1.

**SAID PUBLIC HEARING** will be held on Thursday, March 6, 2008, at 7:00 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**

At 7:04 p.m., **Supervisor Johnson** called the first public hearing to order and asked the Town Clerk to read the public hearing notice aloud, she did so, **Supervisor Johnson** asked Town Attorney Richard DeVall, if Mr. Hoblock, from Capital District Properties, had made the changes to the legislation that the board requested from the February 12, 2008 meeting. **Attorney DeVall**, stated there were a few things he would like to discuss. In Article 10, (miscellaneous) there is a paragraph G, which says "that the easements will be amended, modified or terminated at any time by acknowledgement of the owners." Attorney DeVall stated he was not sure how that fits in with permitted uses. **Mr. Hoblock** explained that that was put in specifically in the event the parcels are merged together in the future. **Attorney DeVall:** It does not say that. **Mr. Hoblock** stated we can put that in there. **Attorney DeVall:** Another thing I noticed was in Article 6, (Injunctive and other remedies) it talks about the rights of the two owners to enforce the terms of the easements. Attorney DeVall asked if the Town should have the right to enforce the pair of easements if the two owners should have a problem of how the easements are being used. Attorney DeVall stated he was wondering if it would be appropriate and it's really not necessarily legal issue per say, more like a policy decision of the Town Board. It would seem to me that the Town should be included as a party to enforce the terms of the

easement. That might be a good thing. I would like something in there which indicates that the easement is being given in connection with the approval given by the Town Board. Supervisor Johnson asked if there were any comments from the audience or the board. There were none. **Supervisor Johnson** then closed the first public hearing at 7:10 p.m..

**PUBLIC HEARING:            Amend Ridgeview Commons PUDD  
Local Law # 3 of 2008**

**The following Notice of Public Hearing was legally advertised in the Daily Gazette, the Post Star and the Saratogain 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. 3 of 2008, to amend Local Law No. 2 of 2006, known as Ridgeview Commons Planned Unit Development District.

**SAID PUBLIC HEARING** would consider an amendment to the Ridgeview Commons Planned Unit Development legislation, proposing the following amendments; 1.) The applicant proposes to locate the commercial building closer to the property line, parallel with Ballard Road. This requires reducing the 45-foot PUDD front setback to 15' and allows for the project to minimize DEC and ACOE wetland and wetland adjacent area impacts the greatest extent possible. 2.) The applicant proposes Zone 1A Parking, to include one garage stall per unit in the parking count to meet the 2.25 spaces per dwelling unit PUDD requirement. Zone 1A includes 46 dwelling units. 3.) The applicant proposes to relocate the sewer forcemain. 4.) The applicant proposes to construct a walkway and foot bridge that will extend over jurisdictional wetland. 5.) The applicant proposes to add a category of accessory uses to include a maintenance building. The project abuts Ballard Road, Wilton/Gansevoort Road and is west of Ballard Road School. Tax Map Number 114-2-15.

**SAID PUBLIC HEARING** will be held on Thursday, March 6, 2008, at 7:05 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 first public hearing, **Supervisor Johnson** opened the second public hearing at 7:11 p.m., and asked the Town Clerk to read the public hearing notice aloud, she did so. **Supervisor Johnson** stated that Mr. Gabryshak, from G&R Development was asked at the January meeting to make some changes to the amendment he proposed for the Ridgeview Commons PUDD. He is here to discuss those changes. **Mr. Gabryshak** explained in detail the items listed above in the public hearing notice as follows: Originally we talked about having the set back at 10 feet and then we talked to Keith about how we could get a sidewalk in that space. We decided it would be easier at 15 feet minimum. It will end up at more than 15 feet, which will give us more room between the property lines and the building. In the second item, In the PUDD it referred to the wrong section of the Town Ordinance as far as parking goes so basically

we made it refer to the right ordinance. The third item is an engineering thing: Instead of having the water go down the front, we are going to have it come from Wilton/Gansevoort Road along the driveway and across the parking lot to the back of the building. Number Four: We went through this regarding the sidewalk being along the roadway with the wetlands. We found an easier spot to cross about 100 feet back from the road. So the sidewalk will go across the front to a gravel path (illustrating on site plan) with a wood foot bridge across the wetlands. Then come back up a little bit of a slope to the sidewalk and continue down Wilton/Gansevoort Road. Number Five: Allow a maintenance building in the apartment parcel. **Supervisor Johnson** asked if anyone had any comments on this public hearing. No comments. Supervisor Johnson closed the second public hearing at 7:19 p.m..

**REGULAR TOWN BOARD MEETING**

Immediately following the public hearing, Supervisor Johnson called the Regular Town Board meeting to order at 7:20 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’Conor-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’Conor, the board adopted the following resolution:

**RESOLUTION # 88**

**NOW, THEREFORE, BE IT RESOLVED,** to approve the minutes, from the February 12, 2008 meeting as typed, without amendment.

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

**Amend Hudson Springs PUDD**

**Local Law No. 2 of 2008**

**Supervisor Johnson** stated that earlier we had the public hearing for Hudson Springs PUD, other than a couple of language changes suggested by Town Attorney DeVall, is there any other changes we want to make before approval. Deputy Supervisor O’Conor, asked Attorney DeVall to go over the first one that was mentioned. Attorney DeVall, explained that the one provision says that the easement can be altered or terminated by agreement between the two land owners. My recommendation is that this needs to be revised. Deputy Supervisor O’Conor, stated that maybe if they were to change the easement agreement or some other conditions that was subject to amendment to the Planned Unit Development District by the Town Board would that be ok. Attorney DeVall: Sure. The second concern I had was that the enforcement of the easement was left hands of the two land owners. I recommended that the Town have the ability to enforce the easement. After some discussion Supervisor Johnson asked for a motion and a second to approve.

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

**RESOLUTION # 89**

**NOW, THEREFORE, BE IT RESOLVED,** to approve the amendments for Local Law No. 2 of 2008 known as Hudson Springs Planned Unit Development subject to the changes discussed by the board.

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

**Ridgeview Commons PUDD**

**Local Law No. 3 of 2008**

**Supervisor Johnson** stated that the public hearing was held earlier on this PUDD and asked if anyone had any comments or discussion.

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

**RESOLUTION # 90**

**NOW, THEREFORE, BE IT RESOLVED**, to approve the amendments for Local Law No. 3 of 2008, known as Ridgeview Commons Planned Unit Development.

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.

**Camp Saratoga Delegan Pond, Scout Pond Fishing Program**

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

**RESOLUTION # 91**

**NOW, THEREFORE, BE IT RESOLVED**, to approve the following resolution as presented:

**Camp Saratoga Delegan Pond, Scout Pond, Fishing Program**

The Town of Wilton Town Board, owners of property known as Camp Saratoga has stocked Scout Pond for resident fishing.

1. The stocking program is for the **Town of Wilton residents only**.
2. April 1<sup>st</sup> to May 15<sup>th</sup>, will be reserved for fishing by Town of Wilton resident **youths age 16 or under**, and may be assisted by an immediate adult family member.
3. The remainder of the trout fishing season will be open to Town residents to October 15<sup>th</sup>, the last day of trout season, for all persons over the age of 16 with a required, valid, New York State Fishing License.
4. Fishing limit is 2 per day.
5. Adults after May 15<sup>th</sup> (catch and release) is recommended.
6. **No** live bait is permitted (worms and lures permitted).

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

**Ernst Road & Route 9 PUDD**  
**Richard Woodcock property**

**Supervisor Johnson** stated that there was a new PUD request from Mr. Woodcock and asked him to address the board. **Mr. Greg Beswick** from Tommell and Associates addressed the board for Mr. Woodcock, stated that he is here to discuss a PUD. The parcel is located on the northeast corner of Ernst Road and Route 9. Our proposal is for sixteen rental units in the RB-1 zone with associated vehicular parking. We propose to extend the roadway from the Burnham Hollow Subdivision instead of down to Ernst Road. Water and Sewer would be provided to the development. There was some discussion regarding whether or not the road connecting Burnham Hollow from the new PUD, would be a private road or a public road. The board did not like the idea of going from a public road in Burnham Hollow to a private road in the PUD back to a public Road (Ernst Road). **Engineer Manz** stated that the newly hired Planner Kate Maynard, had looked at the plans and she likes inner-connectivity, she liked the ability not only for public safety, having another excess but also allowing another way out for the apartments. **Deputy Supervisor O’Conor** stated he would like to see what the actual elevations were and what the buildings would look like. **Supervisor Johnson** explained that the only action this board will take is to refer this project to the Town and County Planning Boards for their recommendations. Supervisor Johnson also stated that he would like to hear their comments regarding the connecting road.

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

**RESOLUTION # 92**

**NOW, THEREFORE, BE IT RESOLVED**, to refer the Ernst Road and Route 9 PUD request Application the Town Planning Board and also Saratoga County planning Board for review and recommendations.

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

**NYS Property Taxpayers Protection Act**  
**Assembly Bill 8775-A**

**Supervisor Johnson** stated that he had gotten a request from Senate Minority Leader Ted Tedisco, to adopt a resolution in support of the NYS Property Taxpayers Protection Act. I provided you all with copies. The resolution has various provisions for tax relief such as: including State funding for mandates costing more \$10,000 annually or a million dollars state wide. Financial assistance to localities to consolidate services and combat Medicaid fraud, local option insurance pooling. The state take over all optional Medicaid services and a cap on school district tax levies. The proposed cap was 4% or the rate of inflation. The draft resolution is attached if the board wants to support this. After some discussion, the board tabled this item until next month.

**Indian Springs/Open Space (Dedication to the Town)**

**Supervisor Johnson** stated that this is one of the first cluster subdivisions that were built prior to our Conservation Subdivision that is five or six years old. Supervisor Johnson asked Attorney DeVall if he had reviewed the deed. Attorney DeVall stated he had reviewed the deed and the title insurance is all clear on that. One thing I would like to bring to the board's attention is that over the years from time to time we have acquired property after March first and I believe there is a resolution on the books from 1988 which provides that tax bills are generated on property that we acquire after March first that will be the responsibility of the transferor, which would be Tom Farone.

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

**RESOLUTION # 93**

**NOW, THEREFORE, BE IT RESOLVED**, to accept the Indian Springs open space conditioned upon the applicant agreeing to comply with this resolution to pay future taxes.

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

Deputy Supervisor O'Connor, abstained from voting on this item.

**Traver Road Subdivision**  
**Approval of sight distance easement**  
**Kain Development**

**Attorney DeVall** explained that there is a Traver Road Subdivision and as part of the approval by the Town Planning Board there was a sight distance easement that was required. I worked out the details with the applicant so the Town Board has to adopt a resolution.

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

**RESOLUTION # 94**

**NOW, THEREFORE, BE IT RESOLVED**, to approve the Traver Road sight distance easement and;

**FURTHER BE IT RESOLVED**, to authorize the Supervisor to execute all documents related to the easement.

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

**Committee Reports (If Any)**

**Supervisor Johnson** asked if there were any committee reports. **Councilman Gordon** stated that the mosquito program is ready to go. There will be a notice in the Wilton Report paper letting people know when they can pick up their dunks. Councilman Gordon explained that at the last meeting which I was absent for, the board adopted the Emergency Management Plan which was the management section of administering an emergency event in the town. The next phase is a resource data which is an appendix to it and getting together with the fire companies, schools and the ambulance corps and getting their plans to attach as addendums. There is something called N.I.M.S. One hundred, two hundred, seven hundred, we are all responsible to do that on the inter-net from the Federal Government.

**Councilman Gerber** stated that he wanted to keep everyone abreast to the work that was done last year related to clearing at Gavin Park for the new babe ruth field. The contractor who did the clearing at the school property last year, part of that contract that we paid for we cut him short in his work, he never finished it because of safety concerns. They have agreed to come back this year and clear behind the maintenance building at no cost. Since they were coming back with all their equipment, we have an area roughly about an acre in size that is part of the left field out-field of the new babe ruth field that needs to be cleared. They have submitted a price to do that for \$1,900 while there here. The next thing we will have to do is stump and grub. No action has to be taken.

**Supervisor Johnson** stated that he would like to recognize the Census Committee, especially Nancy Riley and Carrie Fisher for their efforts in getting the data in ahead of schedule. Two dates for your information: Community Day will be July 12<sup>th</sup>, 2008. The Town of Wilton has been challenged by the City of Saratoga Springs. The challenge is known as Johnson vs Johnson to have a charity softball game under the lights at east field on June 13<sup>th</sup> to benefit the cancer association.

**Deputy Supervisor O'Connor** stated that the Historic Preservation Board got all the notices out to the historic property owners. A lot of these owners did not opt out of the program. The committee got together and decided to have a special open house at the Heritage Society and invite the folks that are in the program and the folks that opted out and maybe convince them to participate.

**Comptroller's Report (Including Bills & Transfers)**

**Budget(Transfers & Amendments) (2007)**

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



**RESOLUTION # 95**

**NOW, THEREFORE, BE IT RESOLVED,** to approve the budget transfers and amendments requested for and listed in the Comptroller's 3/6/08 report to the Town Board.

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

**Budget (Transfers & Amendments) (2008)**

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

**RESOLUTION # 96**

**NOW, THEREFORE, BE IT RESOLVED,** to approve the budget transfers and amendments requested for and listed in the Comptroller's 3/6/08 report to the Town Board.

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

**2008 Salary Schedule**

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

**RESOLUTION # 97**

**NOW, THEREFORE, BE IT RESOLVED,** to approve the amendment to resolution #7 Employee Salaries to add a grade 10.

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

**Investment Policy Update**

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

**RESOLUTION # 98**

**NOW, THEREFORE, BE IT RESOLVED**, to approve the amendment to the Town's Investment Policy Appendix A Schedule of Eligible Securities to include "Irrevocable Letters of Credit issued by the Federal home Loan Bank of New York" as defined in GML 10(3)ii.

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

Deputy Supervisor O'Connor, abstained from voting on this issue.

**Personnel**

**a.) Director of Planning**

**Supervisor Johnson** stated that Saratoga County has approved the position and the title. The Town has requested the position and the title be put on exempt status, but the State has to determine that which will not be until later in the year. If not, it will be subject to civil service rules.

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

**RESOLUTION # 99**

**NOW, THEREFORE, BE IT RESOLVED**, to create the position of Director of Planning within the Executive Class at 35 hours a week at grade 10, step 3.

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

**b.) Appointment (Director of Planning)**

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

**RESOLUTION # 100**

**NOW, THEREFORE, BE IT RESOLVED,** to  
appoint Kate Maynard to the position of Director of  
Planning with full benefits effective April 7, 2008

The adoption of the resolution was seconded by  
Councilman Gerber, duly put to a vote, 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’Conor, and seconded by Councilman Gerber,  
the meeting was adjourned at 8:24 p.m..

Respectfully Submitted,

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Carol Maynard, Town Clerk

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Supervisor, Arthur Johnson

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Councilman, Raymond O’Conor

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Councilman, Charles Gerber

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Councilman, Larry Gordon

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Councilman, Ian McGaughey