

**PUBLIC HEARING:           Real Property Tax Exemption for Veterans  
Local Law No. 4 of 2008, superseding Local Law  
No. 2 of 1996.**

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

**PLEASE TAKE NOTICE** that the Town Board of the Town of Wilton, New York, County of Saratoga, will hold a public hearing to adopt Local Law No. 4 of 2008, Real Property Tax Exemption for Veterans.

**SAID PROPOSED LOCAL LAW** would supersede Local Law No. 2 of 1996 and would increase the home value cap to 240,000, would reinstate the original equalization provisions of the law and would increase the maximum exemption allowable.

**SAID PUBLIC HEARING** will be held on Thursday, August 7, 2008 at 7:00 p.m., at the Wilton Town Hall located on 22 Traver Road in the town at which time all persons will be given an opportunity to be heard.

**BY RESOLUTION OF THE TOWN BOARD OF THE TOWN OF WILTON**

At 7:00 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 if anyone had any comments. There were none. Supervisor Johnson then closed the public hearing at 7:03 p.m..

**PUBLIC HEARING :           Real Property Tax Exemption for Cold War Veterans  
Local Law No. 5 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 of Board of the Town of Wilton, New York, County of Saratoga, will hold a public hearing to adopt Local Law No. 5 of 2008, known as Partial Real Property Tax Exemption for Cold War Veterans.

**SAID PROPOSED LOCAL LAW** would provide for a partial tax exemption for real property taxes for real property owned by persons who rendered military services to the United States during the Cold War (9/2/45-12/26/91), Qualified residential real property owned by qualified owners who are Cold War veterans shall be exempt from Town and County real property taxes to the extent of (15%) of the assessed value, provided, however, that such exemption shall not exceed twelve thousand dollars (\$12,000.00) or the product of twelve thousand dollars (\$12,000.00) multiplied by the latest state equalization rate of the assessing unit whichever is less; and in addition, where the cold war veteran received a compensation rating from the United

State Veterans Administration or from the United States Department of Defense because of a service connected disability, to the extent of the product of the assessed valuation of such qualified residential real property multiplied by fifty percent (50%) of the cold war veteran's disability rating, provided, however, that such exemption shall not exceed Forty Thousand dollars (\$40,000.00) or the product of forty thousand dollars (\$40,000.00) multiplied by the latest state equalization rate, whichever is less.

**SAID PUBLIC HEARING** will be held on Thursday, August 7<sup>th</sup>, 2008 at 7:05 p.m., at the Wilton Town Hall located on 22 Traver Road in the town at which 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 7:03 p.m., and asked the Town Clerk to read the public hearing notice aloud, she did so. Supervisor Johnson asked if anyone had any comments on this public hearing. Resident **Manuela Broderick** asked the board if there were two veterans living in the same household would they both get the tax exemption. Supervisor Johnson told her to leave her name and address and get the information for her. Supervisor Johnson asked if there were any other comments. There were none. He then closed the second public hearing at 7:05 p.m..

**PUBLIC HEARING:**                    **Hudson Springs PUD (Amendment) (sign variance)**  
   **Local Law No. 6 of 2008, amending Local Law No. 2 of 2008.**

**PLEASE TAKE NOTICE** that the Town of Wilton, New York, County of Saratoga, will hold a public hearing to adopt Local Law No. 6 of 2008, to amend Local Law No. 2 of 2008, known as Hudson Springs Planned Unit Development District (a/k/a The Paddocks of Saratoga).

**SAID PUBLIC HEARING** would consider an amendment to the Hudson Springs Planned Unit Development District legislation. The amendment would consider the request for a sign variance in connection with the Hudson Springs Planned Unit Development District (a/k/a The Paddocks of Saratoga). Pursuant to §129-249 of the Town Zoning Code that reads: "Any variances to an existing PUDD, such as, but not limited to, adding other uses, shall be made by application to the Town Board and shall follow the PUDD approval process as outlined in the PUDD regulations in Article XXI of this chapter." The variance is sought because the real estate sign exceeds the maximum permitted area of six square feet (6 sq. ft.) pursuant to Sections 129-181-C (3) and 129-185 of the Zoning Ordinance.

**SAID PUBLIC HEARING** will be held on August 7<sup>th</sup>, 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 second public hearing, **Supervisor Johnson** opened the third public hearing at 7:06 p.m., and asked the Town Clerk to read the public hearing notice aloud, she did so. Supervisor Johnson asked if anyone had any comments. There were none. Supervisor Johnson then closed the third public hearing at 7:08 p.m..

**REGULAR TOWN BOARD MEETING**

Immediately following the three public hearings, Supervisor Johnson called the Regular Town Board meeting to order at 7:08 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 except Councilman Gordon, who was out of Town.

Arthur Johnson-Supervisor  
Raymond O’Conor-Deputy Supervisor  
Ian McGaughey-Councilman  
Charles Gerber-Councilman

Also present were Town Attorney Richard DeVall, Town Engineer Keith Manz, Town Planner Kate Maynard 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 # 140**

**NOW, THEREFORE, BE IT RESOLVED,** to approve the minutes from the July 3, 2008 meeting as typed without amendment.

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

**Real Property Tax Exemption for Veterans**

**Local Law No. 4 of 2008, to supersede Local Law No. 2 of 1996**

**Public Hearing held earlier**

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

**RESOLUTION # 141**

**NOW, THEREFORE, BE IT RESOLVED,** to approve increasing maximum alternative tax exemption for veterans as authorized by section 458-a of the Real Property Tax law and Chapter 256 of the Laws of New York, the maximum exemptions allowable from Town real property taxation shall be (\$36,000) dollars, (\$24,000) dollars and (\$120,000) dollars, respectively.

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

**Real Property Tax Exemption for Cold War Veterans**

**Local Law No. 5 of 2008**

**Public Hearing held earlier**

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

**RESOLUTION # 142**

**NOW, THEREFORE, BE IT RESOLVED,** to approve the Cold War Veterans Exemption as follows:

**WHEREAS,** said local law would provide for a partial tax exemption for real property taxes for real property owned by persons who rendered military services to the United States during the Cold War (9/2/45-12/26/91), Qualified residential real property owned by qualified owners who are Cold War veterans shall be exempt from Town and County real property taxes to the extent of (15%) of the assessed value, provided, however, that such exemption shall not exceed twelve thousand dollars (\$12,000.00) or the product of twelve thousand dollars (\$12,000.00) multiplied by the latest state equalization rate of the assessing unit whichever is less; and in addition, where the cold war veteran received a compensation rating from the United State Veterans

Administration or from the United States Department of Defense because of a service connected disability, to the extent of the product of the assessed valuation of such qualified residential real property multiplied by fifty percent (50%) of the cold war veteran's disability rating, provided, however, that such exemption shall not exceed Forty Thousand dollars (\$40,000.00) or the product of forty thousand dollars (\$40,000.00) multiplied by the latest state equalization rate, whichever is less.

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

**Hudson Springs PUD (amendment)**

**Local Law No. 6 of 2008 amending Local Law No. 2 of 2008**

**Sign Variance**

**Public Hearing held earlier**

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

**RESOLUTION # 143**

**NOW, THEREFORE, BE IT RESOLVED,** to approve amending the application for Hudson Springs PUD that the sign be removed from the property no later than December 31<sup>st</sup>, 2009.

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

**Carriage Pines PUD**

**Known as McGregor Villas**

**Supervisor Johnson** recognized Kathy Simmonds, an architect, from Clough Harbour & Associates. **Ms. Simmonds** stated she was representing F & G Holdings and introduced Mr. Vincent Crisafulli a partner in F & G Holdings. Ms. Simmonds stated they were at the meeting to discuss Carriage Pines PUDD, currently known as McGregor Villas an apartment complex on Carr Rd. Ms. Simmonds discussed the proposed amendment to the existing PUDD, converting apartments to condominiums. She went over the site plan, which has 6.97 acres, explaining the renovation of eight existing structures and building three new two-story dwellings, expanding the site from 32 to 44 dwelling units. **Mr. Crisafulli** explained that they have an existing structure under renovation with new siding and a new roof, he said. "We're trying to do not only aesthetic

improvements, but functional improvements to each structure.” Ms. Simmonds explained that the plans call for adding garages to existing buildings, upgrading the driveway, installing a new stormwater system and doing new landscaping around the old and new buildings. Ms. Simmonds stated that she was told the project is a grandfathered PUDD, without legislation because it was built prior to town zoning. This would be an amendment to an existing PUDD. **Supervisor Johnson** asked Mr. Crisafulli what the selling price would be and what would happen to the existing residents. **Mr. Crisafulli** stated that currently residents pay about \$735-per-month for rent, but condominiums would cost at least \$250,000 to purchase. **Councilman Gerber** asked Mr. Crisafulli if there were any flexibility in the design to integrate a lower income unit to accommodate some of the existing tenants. Going from a \$700 a month to a \$250,000 mortgage is a lot. **Mr. Crisafulli** explained that \$250,000 is quite inexpensive for condominiums and there are no immediate plans to displace tenants, but at some future point they might have to make a choice about whether to purchase a condo or move elsewhere. He also stated that the market will determine the rate at which we proceed. **Deputy Supervisor O’Conor** explained that this project is grandfathered for its use, but it is not a PUD. **Supervisor Johnson** explained that the next step is to refer it the Town and County Planning Boards.

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

**RESOLUTION # 144**

**NOW, THEREFORE, BE IT RESOLVED**, to refer this project to the Saratoga County and Town Planning Board for their review and recommendation.

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

**Pat Tuz**

**Bike/Pedestrian interest group**

**Supervisor Johnson** recognized resident Pat Tuz and asked her to address the board. **Ms. Tuz** outlined plans to form a committee aimed at bringing new bicycle and pedestrian paths to Wilton. There were comments from several residents, who said local highways aren’t safe to bike or walk on because of heavy, speeding traffic. Some of the dangerous areas under discussion were Northern Pines Road and Jones Road in the vicinity of Dorothy Nolan School. **Resident Gary Olsen** stated that unsafe traffic conditions make Gavin Park inaccessible. He won’t let his children ride bikes there. **Resident Bianka Krueger** stated her daughter was hit by a car on Northern Pines Road and resident **John Daly** said, “I won’t even attempt to ride my bike on Jones Road. There is no room.” **Highway Superintendent, Kirklin Woodcock**, stated that Jones Road can’t be widened near the school, because National Grid telephone poles are in the way and that would cost about 2.5 million to move. After some discussion, **Supervisor Johnson** suggested that if anyone was interested in helping form a bike/pedestrian pathway group they could contact Pat Tuz who can coordinate with Kate Maynard. Pat Tuz phone number is 587-2720.

**Proposed Change to Hamlet Zoning**

**Kate Maynard**

**Supervisor Johnson** asked Town Planner Kate Maynard, to address the board on the changes. Ms. Maynard discussed the proposed changes to the Hamlet district as follows:

**1.) Modify required front, side and rear setbacks to better fulfill intent of the H-1 zoning district.**

The front setback is currently 45-65 feet from the property line. With a typical 15'ROW, this means buildings are being placed as far back as 80' from the edge of pavement-too far a distance to really support the hamlet concept.

**Initial Recommendation:** Front setback of 15-25 feet, side setback combined 20 feet, or side of 20 feet if a commercial use is adjacent to residential. A rear setback of 30 feet is recommended for consideration.

**2.) Requiring that the sidewalks, street trees and lighting all be located on private property is also pushing back development overall.**

**Consider placement of street lighting and street trees within the Town ROW, with sidewalk on property line edge with a legal arrangement that the private property owner maintain the street trees and lighting within the ROW.**

**3.) Minimum Lot Size-reduce to amount conducive to some of compact commercial, residential and mixed use development intended by the hamlet district. Our current minimum lot size ranges from 20,000 to 120,000 SF.**

**Recommend** we reduce the minimum lot size to 10,000-18,000 SF. Depending on the use.

**4.) Frontage-Frontage is also an area where we require 200 feet of frontage, where other comparable districts are around 50 feet.**

**Recommend** we reduce to 60-70 feet.

**There are other items that can enhance the overall creation of the hamlet and area and promote a place where people are drawn to shop, meet and just be.**

**1.) Encourage and provide guidance for public spaces such as: courtyards, outdoor seating areas, including public art, landscaped or otherwise passive green within the hamlet area.**

**2.) Encourage and set process for outdoor dining and sidewalk retail-one visible means to increase outdoor activity and sense of plan within the Hamlet area. Provide means with zoning to allow and provide review for within site plan review, and easy to manage means to allow outdoor dining to continue per site plan approval and/or annual permit (similar to temporary merchant permit).**

- 3.) Implement Architectural Guidelines as recommended within the comprehensive Plan** Strengthen current design standards for hamlet areas as a means to ensure consistent, long lasting quality development that fits in/improves neighborhood character. This will continue to implement a recommendation of the 21<sup>st</sup> Century Commission Plan as a component of commercial and residential design standards.

Adding to existing site layout design standards we have within the H-1 district will:

- a.) Guide architectural style and recommend materials
- b.) Guide building massing and proportions
- c.) Allow us to “set the bar” in terms of requiring quality development while still allowing for flexibility on the part of the developer. Seeing the standards upfront also gives the developer a chance to incorporate this early on in the process saving time and money.
- d.) Increase property values and improve safety through creating a well designed environment.
- e.) Increase the appeal of a building’s façade and neighborhood presence.
- f.) Enhance consistent community identity and sense of place

We could extend this consideration to Design Standards currently in place for commercial zones (RB-1, RB-2, CR-1, CR-2, C-2 and C-3).

Recommend a working group look at this and bring recommendations back to board.

The board asked Kate to draft the changes and come back to the board. No action taken.

**Not on agenda**

**Kathy Mosher (Mosher’s Hockey Shop)**

Deputy Supervisor recognized Kathy Mosher who had spoken to him before the meeting regarding the Hamlet changes. Ms. Mosher wanted the board to consider putting hockey educational facility as part of the hamlet zoning, as it is currently not allowed. She then went into a presentation regarding a proposed site in the hamlet area, presented a cardboard version of a site plan and went over the benefits of the hockey arena and asked the board to set a public hearing. Deputy Supervisor O’Conor, stated A couple of things come to mind. If we make this educational facility allowable in this zone, we have to make it allowable in all the hamlet zones. We would have to define what an educational facility is it could be a lot of things, even with a retail component to it. It is a lot to digest. No one has drafted legislation, no one has stated what the impact might be, or the lot dimensions might be. Due to your unique situation, there are other



avenues for you to go into such as a use variance. You would need to go to the Zoning Board of Appeals for that. **Supervisor Johnson** stated that this was an unexpected presentation it was not scheduled for the agenda. **Deputy Supervisor O’Conor** also stated that there is an extraordinary amount of work that needs to be done in order to amend the zoning ordinance. **Supervisor Johnson** stated that we have the presentation, the board will look into it and see if this is possible or not possible. No action taken.

**2008 Justice Court Assistance Program**

**Ian McGaughey**

**Councilman McGaughey** explained that every year the State has a grant program that provides about five million dollars state wide to different Town and Village Courts, to help improve the court process. The maximum each municipality can get is \$30,000. Our court is looking to put in for some filing cabinets, shelving and also metal detectors, hand held and walk-thru variety. Supervisor Johnson stated that the court would need a resolution in support of the grant.

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

**RESOLUTION # 145**

**NOW, THEREFORE, BE IT RESOLVED,** to support the submission of the 2008 Justice Court Assistance Grant Program for the Wilton Court and;

**FURTHER BE IT RESOLVED,** to authorize the supervisor to execute all documents.

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

**Speed Limit Reduction Request**

**Ballard Road & Dimmick Road**

**Vickie McGuff (105 Ballard Rd.)**

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

**RESOLUTION # 146**

**NOW, THEREFORE, BE IT RESOLVED,** to submit a request to have the speed limit reduced from 55 MPH to 40 MPH on Ballard Road and Dimmick Road.

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

**Craw Farm (Easement)**  
**Rich DeVall**

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

**RESOLUTION # 147**

**NOW, THEREFORE, BE IT RESOLVED**, to accept the easement for the Craw Farm on the advice of the Town Attorney.

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

**Road Acceptance (Ryan Road)**

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

**RESOLUTION # 148**

**NOW, THEREFORE, BE IT RESOLVED**, to accept Ryan Road Sta. 10+00 to 19+88.51 located in the Blanchard Rd. Subdivision as a Town Roadway. Conditioned upon the payment of past and present tax bills.

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. Supervisor Johnson mentioned that Julie Hotaling had asked to have a community coat drive hosted by Town Hall. He also mentioned drop off dates and pick up dates. Supervisor Johnson stated that the town also got a thank you note from the seniors for the new refrigerator.

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

**Budget (Transfers) (2008)**

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

**RESOLUTION # 149**

**NOW, THEREFORE, BE IT RESOLVED,** to approve the budget transfers requested for and listed in the Comptroller's 8/7/08 report to the Town Board.

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

**Assessors Request**

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

**RESOLUTION # 150**

**NOW, THEREFORE, BE IT RESOLVED,** to approve the request from Marge Little for an additional \$66,000 to cover legal and appraiser fees for the Article 7 court cases for 2008 and;

**FURTHER BE IT RESOLVED,** to approve a budget transfer in the amount of \$36,500 from A1990.4 Contingency and \$30,000 from A8540.4 Drainage Facility to A1355.4.

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

**Health Insurance Renewal Period Change**

**Comptroller Reale** explained that by changing the renewal date to December 1<sup>st</sup> instead of January 1<sup>st</sup> it will save the town money by getting the fourth quarter rates, possibly a 3% savings on the increased rates for 2009. This will also enable us to budget for our health insurance cost because we will know the new rate at budget time.

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

**RESOLUTION # 151**

**NOW, THEREFORE, BE IT RESOLVED,** to approve the request submitted by Comptroller Reale, authorizing him to change the renewal date for the Health Insurance Renewal Period to December 1<sup>st</sup> from January 1<sup>st</sup>.

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

**NYS Deferred Compensation Plan**

**Comptroller Reale** stated that he would like to recommend the board pass a resolution authorizing the Town to switch from the “Model Plan” to the “State Plan” that is offered by the New York Deferred Compensation Board through Nationwide Investment Services.

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

**RESOLUTION # 152**

**WHEREAS,** the Town of Wilton wishes to adopt the Deferred Compensation Plan for Employees of the State of New York and Other Participating Public jurisdictions (the “Plan”) for voluntary participation of all eligible employees; and

**WHEREAS,** the Town of Wilton is a local public employer eligible to adopt the Plan pursuant to Section 5 of the State Finance Law and;

**WHEREAS,** the Town of Wilton has received the Plan established in accordance with Section 457 of the Internal Revenue Code and Section 5 of the State Finance Law of the State of New York; and

**WHEREAS,** the purpose of the Plan is to encourage employees to make and continue careers with the Town of Wilton by providing eligible employees with a convenient and tax-favored method of saving on a

regular and long-term basis and thereby provide for their retirement;

**NOW, THEREFORE, BE IT RESOLVED**, that the Town of Wilton hereby adopts the Plan for the voluntary participation of all eligible employees and;

**BE IT FURTHER RESOLVED**, that the appropriate officials of the Town of Wilton are hereby authorized to take such actions and enter such agreements as are required or necessary for the adoption, implementation, and maintenance of the Plan and;

**BE IT FURTHER RESOLVED**, that the Administrative Services Agency is hereby authorized to file copies of these resolutions and other required documents with the President of the State of New York Civil Service Commission.

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

**Internet Use Policy**

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

**RESOLUTION # 153**

**NOW, THEREFORE, BE IT RESOLVED**, to approve the revised Internet Use Policy submitted by Comptroller Reale.

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

**Correspondence:** The Town received a letter from NYS DOT, to Joseph Ritchey, Commissioner of Publics Works at Saratoga County DOT re: request for speed limit review on Parkhurst Road. The letter states that a speed limit reduction is not warranted at this time.

**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 9:14 p.m..

Respectfully Submitted,

\_\_\_\_\_  
Carol Maynard, Town Clerk

\_\_\_\_\_  
Supervisor, Arthur Johnson

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

\_\_\_\_\_  
Councilman, Charles Gerber

\_\_\_\_\_  
Councilman, Larry Gordon

\_\_\_\_\_  
Councilman, Ian McGaughey