

**PUBLIC HEARING:            2009 Preliminary Budget**

**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 the Town of Wilton, New York, County of Saratoga, will hold a public hearing on the Preliminary Budget for the Town of Wilton for the fiscal year beginning January 1, 2009.

**SAID PUBLIC HEARING** will be held on Thursday, November 6, 2008 at 7:00 p.m. at the Wilton Town Hall located on 22 Traver Road in said town at which time all persons will be given an opportunity to be heard.

**SAID PRELIMINARY BUDGET** will be completed and filed in the office of the Town Clerk of the Town of Wilton at 22 Traver Road where it may be examined by an interested person during regular business hours.

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

Supervisor	\$22,387
Councilman (4) (each)	\$13,104
Highway Superintendent	\$65,309
Tax Collector	\$15,525
Town Clerk	\$40,522
Town Justice (2) (each)	\$29,149

**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 explained that the tentative budget totaled seven million two hundred and sixty one thousand dollars. During the month of October the town board held a series of budget workshops and the budget being proposed tonight, the final budget, is a little less than that; seven million two hundred twenty thousand and change. Supervisor Johnson stated that the budget represents a 1% increase over last year's 2008 amended budget. He then asked if anyone wanted to discuss the 2009 budget. There were no comments, Supervisor Johnson then closed the first public hearing at 7:06 p.m..

**PUBLIC HEARING:            Hamlet District Amendment**

**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 amend the Code of the Town of Wilton, Section 129-49.4 Zoning.

**SAID PROPOSED AMENDMENT** would amend Article VIIC H-1 (Hamlet District) as follows:

- 1.) Modify required front, side and rear setbacks to better fulfill intent of the H-1 zoning district.**
- 2.) Allow typical 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 from 20,000 to 120,000 sq. ft. now 10,000 to 20,000 sq ft.**
- 4.) Frontage-would be reduced from 200 feet, now 80 to 100 feet.**
- 5.) Encourage and provide guidance for public spaces such as: courtyards and outdoor seating areas.**
- 6.) Encourage outdoor dining and sidewalk retail-one visible means to increase outdoor activity and sense of place within the Hamlet area.**
- 7.) Implement Architectural standards as recommended within the Town of Wilton Comprehensive Plan.**

**SAID PUBLIC HEARING** will be held on Thursday November 6, 2008 at 7:15 p.m. at Wilton Town Hall located on Traver Road in the Town at which time all persons will be given an opportunity to be heard. Copies of the changes are available for review in the Town Clerk's Office during regular business hours.

#### **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 7:15 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. There were no comments. He then closed the second public hearing at 7:17 p.m..

#### **PUBLIC HEARING: Carriage Pines 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 a Local Law amending the Code of the Town of Wilton, providing the creation of a Planned Unit Development District (PUDD) to be known as Local Law No. 6 of 2008, Carriage Pines Planned Unit Development District.

**SAID PROPOSED LOCAL LAW** would amend the Code of the Town of Wilton and the Zoning Map of the Town of Wilton by changing from the existing R-1 Residential District as it is now zoned, to the newly described area, a "Planned Unit Development District to be known as Local Law No. 6 of 2008, Carriage Pines PUDD". The Carriage Pines PUDD (formerly known

as McGregor Villas, apartments) includes the existing eight buildings plus the addition of three more buildings containing four units each for a total project density of 44 dwelling units. The area consists of approximately 6.97 acres located on the east side of Carr Road and is known as Tax Map Parcel No. 140.-2-56.

**SAID PROPOSED LOCAL LAW**, Known as Local Law No. 6 of 2008, may be examined by any interested person in the office of the Town Clerk of the Town of Wilton at Town Hall on 22 Traver Road during regular business hours.

**SAID PUBLIC HEARING** will be held on Thursday November 6, 2008 at 7:20 p.m. at Wilton Town Hall 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 second public hearing, **Supervisor Johnson** opened the third public hearing at 7:20 p.m., and asked the Town Clerk to read the public hearing notice aloud, she did so. Supervisor Johnson explained that this project was first presented a few months ago and was referred to both the Saratoga County Planning Board and the Town Planning Board for recommendations. At last month's meeting we received positive recommendations from both boards. The next step is the public hearing which we are having tonight. Supervisor Johnson then asked Kathy Simmonds from Clough Harbour, to give a brief overview of the project. **Kathy Simmonds** also introduced Vince Crisafulli, a partner in F&G Holdings, and the developer for the project. Ms. Simmonds gave a summary of the proposed PUD and explained that at the suggestion of the Town Engineer, Clough Harbour looked at the traffic at the intersection of Northern Pines Rd. and Carr Rd. to see if it met the warrant for a traffic signal and the findings as a result of that study is that it does not at this time warrant a traffic signal. We were also asked by the Planning staff and the community to consider putting in a multi-use pathway along the east side of Carr Rd. with the possibility of extending that up to Northern Pines Rd. and that is represented in the plans. Ms. Simmonds also explained that one of the things, in the PUD legislation, that had come up at the Town Planning Board meeting was the possibility of having storage sheds on the site at some point in time. We do not want storage sheds to be built, so the PUD legislation was amended to state "no additional structures will be permitted on the site". **Supervisor Johnson** then asked if there were any comments. An unidentified resident stated he had a concern regarding traffic in the area. Ms. Simmonds explained that the project generates 20 trips during the peak hour and it is proposed after the expansion it would be 25 trips per peak hour. Another resident asked if the units would be rentals. Ms. Simmonds stated that they would be condominiums. After some discussion, Supervisor Johnson closed the third public hearing at 7:39 p.m..

**REGULAR TOWN BOARD MEETING**

Immediately following the three public hearings, Supervisor Johnson called the Regular Town Board meeting to order at 7:40 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 Deputy Supervisor, Raymond O'Connor, who was out of town.

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

Also present were Town Attorney Richard DeVall, Director of Planning and Engineering Keith Manz, Comptroller Jeffrey Reale and Town Planner Kate Maynard.

**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 Gerber, the board adopted the following resolution:

**RESOLUTION # 174**

**NOW, THEREFORE, BE IT RESOLVED,** to approve the minutes from the October 2, 2008 meeting as typed without amendment.

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

**2009 Preliminary Budget**

**Public hearing held at 7:00 p.m.**

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

**RESOLUTION # 175**

**NOW, THEREFORE, BE IT RESOLVED,** to adopt the 2009 Preliminary Budget as presented.

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

**Councilman Gerber** stated that there has been some discussion in the budget workshop meetings regarding cost of living adjustments for town employees and for elected officials. I would like to go on record saying I am opposed to raising our salaries. Supervisor Johnson thanked all department heads for the submission of their spending plans in a prudent matter. He also thanked the Town Board members and the Town Comptroller.

**Hamlet District Amendment**  
**Public hearing held at 7:15 p.m.**

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

**RESOLUTION # 176**

**NOW, THEREFORE, BE IT RESOLVED,** to approve a Negative Declaration under SEQR type 1 action and;

**FURTHER, BE IT RESOLVED,** to approve the Hamlet District Amendment.

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

**Carriage pines PUD**  
**Public Hearing held at 7:20 p.m.**

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

**RESOLUTION # 177**

**NOW, THEREFORE, BE IT RESOLVED,** to approve a Negative Declaration under SEQR Unlisted action and;

**FURTHER BE IT RESOLVED,** to approve the Carriage Pines PUD (Local Law No. 6 of 2008) subject to the resubmission by the applicant's representative reviewed by the Town Attorney and the planning department.

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

**Road Acceptance (Waverly Place)**  
**Olson Farm Subdivision**

**Supervisor Johnson** asked Town Attorney Richard DeVall, if all the criteria for the road had been met. **Attorney DeVall** explained that the board could accept the road conditioned upon receiving a clean title from the insurance company. Discussion was held with Highway Superintendent Kirklin Woodcock, and the Town Board, regarding Letters of Credit for the paving town roads. **Engineer Manz** stated that he had received Letters of Credit for some of the roads that have yet to be top coated. **Attorney DeVall** stated that the board should also accept the open space and retention basins. **Councilman Gordon** explained that he has not looked at the open space and was not prepared to do anything with the open space. That is a separate issue. Open space and retention basins tabled until next month.

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

**RESOLUTION # 178**

**NOW, THEREFORE, BE IT RESOLVED**, to accept Waverly Place as a Town Roadway.

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

**Olson Farm Drainage District**

**Supervisor Johnson** explained that Engineer Manz had sent out copies of draft legislation for the drainage district. He explained that Donald Zee, the attorney for the applicant. **Donald Zee**, explained that the drainage district creates a situation where other residents outside this subdivision is not burdened by the expenses to maintain this storm water system in the project. Only the properties directly benefitted and impacted by this drainage system contribute toward the cost of maintaining it. The homes built in the subdivision will pay a fee toward the maintenance of it. In regards to the cost of putting in the ground water district and the improvement for it, there is no cost to be born by the municipality, all the cost is born by the developer. He then read an attachment from the NYS Comptroller's Office stating that because there is no debt to be incurred by the municipality there is no obligation by the Comptroller's Office to review it. Mr. Zee stated that part of Town Law §194, sub paragraph 6, deals with the specific exemption when there is no debt incurred by the municipality, there is no obligation for the NYS Comptroller's office to review that. The board set a public hearing for December 4<sup>th</sup>, 2008 at 7:00 p.m..

**Smith Subdivision (Open Space)**

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

**RESOLUTION # 179**

**NOW, THEREFORE, BE IT RESOLVED**, to accept the Smith Subdivision open space conditioned upon the Town Attorney receiving proof of filing and clean title insurance.

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

**Update on Bike/Pedestrian Path  
Feasibility Study (Peter Faith)**

**Supervisor Johnson** asked Peter Faith to address the board. **Peter Faith** P.E. Consultant, explained that a feasibility study is a way to formalize the presentation of a concept of what the path would be, identify some of the key issues that would meet the effects during design and give the town board more information before proceeding. Mr. Faith then gave a brief overview of the proposed project description, design criteria, guidelines, project costs, maintenance and operation and implementation schedule. Mr. Faith stated that the overall costs would be approximately \$580,000. After some discussion, Supervisor Johnson stated that he would like to schedule a public workshop within this next month, look at the funding mechanisms, see what grants we can apply for, and in the meantime, Mr. Faith could get the board some design proposals to look at. He then thanked everyone for their in-put.

**Gavin Park Pathway Project  
Townwide Traffic Study update**

**Supervisor Johnson** asked Mr. Faith to also address the board on this issue. **Mr. Faith** explained that the town does this every few years to make sure that all the developments are in, the status of the construction projects are updated and if necessary update the fees. Mr. Faith stated that they would start by updating the development activity in the town compared to what was forecasted the last time. Update the traffic counts and traffic data, forecast to a reasonable planning period using a ten year planning period to the year 2020 to find out what the traffic forecast would be like. Then we would do an analysis for roadway improvements and where traffic signals are warranted. We would address those issues and then we will assess the cost included in the overall mitigation to the town and the developers in the town over the next ten years contribute toward mitigation which would include anything the town identifies as necessary.

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

**RESOLUTION # 180**

**NOW, THEREFORE, BE IT RESOLVED**, to approve the proposal submitted by Peter Faith, to complete a townwide traffic study in the amount of \$18,500 which can be paid for through current mitigation fees.

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

**Wilton Woods (Open Space)**

**Attorney DeVall** asked that this item be tabled until next month.

**Louden Ridge Subdivision**  
**Retention Basin**

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

**RESOLUTION # 181**

**NOW, THEREFORE, BE IT RESOLVED**, to accept the retention basin in the Loudon Ridge Subdivision.

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

**Route 9 CVS (easements)**

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

**RESOLUTION # 182**

**NOW, THEREFORE, BE IT RESOLVED**, to accept the easement for CVS on Route 9.

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

**Ridgeview Commons**  
**Series of easements**

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

**RESOLUTION # 183**

**NOW, THEREFORE, BE IT RESOLVED**, to accept the series of easements and the maintenance agreement for Ridgeview Commons.

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

**Committee Reports (If Any)**

**Supervisor Johnson** asked if there were any committee reports.

**Councilman Gerber** explained that in the Comptroller's report tonight we are going to be acting on Gavin Park's 2009 fee schedule and it was an omission when that schedule went around to the town board. We still have to get a hard copy of the new fee schedule with the change included in it. The Park & Recreation Commission is asking to incorporate in the schedule a new category called "A Paid Admission Event" and the fee for this event (to use a field) would be \$150.00. It is a charge per person.

**Supervisor Johnson** stated that he wanted to thank Julie Hotaling, Tammy Morgan, Nancy Riely and Carrie Fisher for their success in the coat drive.

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

**Budget (2008 Transfers)**

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

**RESOLUTION # 184**

**NOW, THEREFORE, BE IT RESOLVED**, to approve the budget transfers for 2008 requested for and listed in the Comptroller's 11/3/08 report to the Town Board.

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

**Budget (2008 Amendments)**

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

**RESOLUTION # 185**

**NOW, THEREFORE, BE IT RESOLVED,** to approve the budget amendments for 2008 requested for and listed in the Comptroller's 11/3/08 report to the Town Board.

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

**Personnel**

**1. Cathy Hall (part-time work)**

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

**RESOLUTION # 186**

**NOW, THEREFORE, BE IT RESOLVED,** to approve the request submitted by Kate Maynard to allow Cathy Hall to work up to 10 hours per week to fill the gap between her retirement date and the new hire date. Pay rate will remain the same. No additional budget monies are required. Awaiting the County's approval of this temporary position of Executive Secretary, Planning Department.

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

**2. Lucy Harlow (Planning Secretary)**

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

**RESOLUTION # 187**

**NOW, THEREFORE, BE IT RESOLVED,** to approve the request submitted by Kate Maynard, to hire Lucy Harlow into the exempt position of Executive Secretary, Planning Department; starting rate requested is Grade 6 Step 4. Start date is November 17, 2008,

subject to the Town's probation requirements, requires 35 hour work week and qualifies for full time benefits.

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

**3. NYS Association of Towns Meeting**

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

**RESOLUTION # 188**

**NOW, THEREFORE, BE IT RESOLVED,** to authorize the following board member/employees to attend the 2009 annual Association of Towns Meeting in NYC on 2/16/09-2/18/09 and;

- |                    |                    |
|--------------------|--------------------|
| a.) Arthur Johnson | d.) Rocco Angerami |
| b.) Mike Worth     | e.) Joe O'Brien    |
| c.) Jeff Reale     | f.) Bob Rice       |

**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 and;

**FURTHER BE IT RESOLVED,** to appoint Comptroller Jeffrey Reale, to serve as substitute voting delegate on behalf of the Town of Wilton at the Annual Conference of the Association of Towns in NYC.

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

**4. Roger Blauvelt (Carry over vacation)**

The board decided to discuss this item in executive session.

**5. Marge Little (Sole Assessor) (resignation)**

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

**RESOLUTION # 189**

**NOW, THEREFORE, BE IT RESOLVED**, to accept Sole Assessor Marge Little's resignation/retirement effective January 6, 2009 and;

**FURTHER BE IT RESOLVED**, to approve Walter Smead to work part-time on a contractual basis starting November 15<sup>th</sup>.

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

**Traffic Mitigation Perry Road Amendment**

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

**RESOLUTION # 190**

**NOW, THEREFORE, BE IT RESOLVED**, to amend the Highway Fund Budget increasing DA511.101 Traffic Mitigation Reserves and DA5112.2 Perry Road in the amount of \$115,000.

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

**Parks Department 2009 Fee Schedule**

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

**RESOLUTION # 191**

**NOW, THEREFORE, BE IT RESOLVED**, to approve the 2009 Fee Schedule submitted by Parks Director, Steve Porto upon receiving a hard copy.

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

**Gavin Park Neighborhood Path**

On Town Clerk Agenda

**Supervisor Johnson** stated that the board needed to adjourn to executive session to discuss litigation and a personnel issue.

On a motion introduced by Councilman McGaughey, and seconded by Councilman Gerber, the board adjourned to executive session at 9:29 p.m..

On a motion introduced by Councilman McGaughey, and seconded by Councilman Gordon, the board reconvened the Regular Town Board meeting at 9:55 p.m..

**Results of Executive Session**

**Highland Hills (Litigation)**

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

**RESOLUTION # 192**

**NOW, THEREFORE, BE IT RESOLVED,** to authorize Town Attorney, Richard DeVall to execute the settlement agreement concerning Highland Hills.

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

**Roger Blauvelt (carry over vacation)**

**Supervisor Johnson** stated no resolution was needed, but the request submitted by Mark Mykins for Roger Blauvelt, was denied.

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

On a motion introduced by Councilman McGaughey, and seconded by Councilman Gerber, the meeting was adjourned at 9:59 p.m..

Respectfully Submitted,

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

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

\_\_\_\_\_  
Councilman, Lawrence Gordon

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

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

