

PUBLIC HEARING: Ernst Rd. PUDD LL # 1 of 2009

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

SAID PROPOSED LOCAL LAW would amend the Code of the Town of Wilton by changing the area from the RB-1 Residential Business District and R-1 Residential District as such is now zoned and creating within the boundaries of said newly described area a Planned Unit Development District to be known and described as “Ernst Road Planned Unit Development District, Town of Wilton, Local Law No. 1 of 2009.” The Ernst Road PUD shall provide for the construction of a public through road from Ernst Road to Burnham Road, within the Burnham Hollow Subdivision, and the proposed construction of a maximum of 16 apartment units with associated vehicular parking, vehicular access to parking lots, storage sheds for tenants, common areas and pathways, which would cover 1.16 acres, and the remaining 20.51 acres will be used for open space, landscaped areas and on-site stormwater management areas. The area of the PUD consists of 21.67, plus or minus acres. The proposed site is located at the intersection of Ernst Road and Route 9 and is known as Tax Map No. 114.-2-30.

SAID PROPOSED LOCAL LAW, known as Local Law No. 1 of 2009, 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, March 5, 2009, 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 the opportunity to be heard.

BY RESOLUTION OF THE TOWN BOARD OF THE TOWN OF WILTON

At 7:01 p.m., Supervisor Johnson called the first public hearing to order. He then recognized Mr. Beswick from Tommell and Associates. Mr. Beswick asked the board to table this item until next month because the contiguous owner letters had not been sent out. The board agreed and Supervisor Johnson closed the first public hearing at 7:02 p.m..

PUBLIC HEARING: Real Property Exemptions for Seniors LL # 2 of 2009

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 the Town of Wilton, New York, County of Saratoga, will hold a public hearing to adopt Local Law No. 2 of 2009, superseding Local Law No. 3 of 1999.

SAID PROPOSED LOCAL LAW to be known as Real Property Tax Exemption for Senior Citizens would increase the maximum levels of income for real property exemptions for senior citizens.

SAID PUBLIC HEARING will be held on Thursday, March 5, 2009 at 7:10 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 7:02 p.m., Supervisor Johnson called the second public hearing to order and asked the Town Clerk to read the public hearing aloud, she did so. Supervisor Johnson asked if there were any comments on the Senior Exemptions. No comment, he then closed the second public hearing at 7:04 p.m..

REGULAR TOWN BOARD MEETING

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

Pledge of Allegiance

Supervisor Johnson led the board and the audience in reciting the pledge of Allegiance to the Flag.

Roll Call

Roll Call by the Town Clerk showed all board members present:

Arthur Johnson-Supervisor
Raymond O'Conor-Deputy Supervisor
Lawrence Gordon-Councilman
Shirley Needham-Councilwoman
Charles Gerber-Councilman

Also present were Town Attorney Richard DeVall, Town 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 Deputy Supervisor O'Conor, the board adopted the following resolution:

RESOLUTION # 86

NOW, THEREFORE, BE IT RESOLVED, to approve the minutes from the February 5, 2009 meeting As typed, without amendment.

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

Ernst Road PUDD (LL#1 of 2009)

Supervisor Johnson tabled this item and rescheduled a new public hearing for April 2, 2009, at 7:00 p.m..

Wilton Global Job Development Corp.
Blue Print for Economic Development

Supervisor Johnson asked Deputy Supervisor O'Connor to explain this item. **Deputy Supervisor O'Connor** stated that fifteen years ago a not-for-profit job development corporation was formed in town called the Wilton Job Development Corporation and its propose was to create new jobs opportunities, tax base and economic growth for the Town. Among the projects that the organization in conjunction with SEDC and other economic development partners were to achieve were the Ace Distribution Center, Target Distribution Center and other companies that show interest in our area, even in the retail areas of exit 15, that we were able and successful in attracting to the Town. I think we became complacent about our success, and there is nothing like a recession to remind you that you always need to be mindful of your economic future as well as your past successes. Deputy Supervisor O'Connor stated that he had spoken with the supervisor and discussed revitalizing the organization and adding some additional directors to the board and putting together a new blueprint for economic development for the exit 16 area principally for non-retail uses. Also looking at the future of our retail center might look like at exit 15. We have had some discussions with the L.A Group and would like to put forward a proposal to put together this blueprint for our future economic success and use it as a tool to attract new employers, new business and a broader tax base for the town. I asked Jim Martin from the L.A. Group to give an overview of the work that would be done and what we hope to accomplish. **Mr. Martin** went over aerial photos of the delineated study areas illustrating the existing conditions and relationships between current land uses. He then discussed the details of the submitted proposal. After some discussion, Deputy Supervisor O'Connor asked Comptroller Reale to explain where the money comes from for this. Comptroller Reale explained that the Town has a CDGB loan we have in place with local businesses and they make monthly payments to the town and as the program income is under \$25,000 a year we can use those funds and even if it is over \$25, 000 I think it would qualify because it is for economic development. We have about \$20,000 in there now.

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

RESOLUTION # 87

NOW, THEREFORE, BE IT RESOLVED, to approve the proposal of Services submitted by the L.A. Group for the exit 15 and 16 study area recommended by the Wilton Global Job Development Corporation. Not to exceed \$7,000 and;

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

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

Resolution for Fishing Program
Camp Saratoga Delegan Pond

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

RESOLUTION # 88

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 1st to June 1st, 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 15th, 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 June 1st (catch and release) is recommended.
6. No live bait is permitted (worms and lures permitted).

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

Emergency Plan
Larry Gordon

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

RESOLUTION # 89

NOW, THEREFORE, BE IT RESOLVED, to adopt the Town of Wilton’s Emergency Plan submitted and Compiled by Councilman Gordon.

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

The board commended Councilman Gordon for all the hard work it took to put this together. It is very well done.

Route 9 Proposed Apartment PUDD
Thomas Farone

Supervisor Johnson asked Mike McNamara from Environmental Design Partnership, LLP, to make the presentation for the 709 Route 9 PUDD. Mr. McNamara explained that the project is located on the east side of Route 9 south of Worth Road. The parcel of land is bisected by National Grid power corridor. The 4.0 acre parcel on the east side is in the R-1 District and the 8.59 acre parcel on the west side is in the RB-1 District. A total of 54 units are proposed calculated on the density determined in the two separate zones. Mr. McNamara then described the conceptual site plan submitted and asked the board if they had any questions. After some discussion with neighbors Michael Worth and William Johnson, regarding traffic going out on Route 9, work near the gas line, buffers and lighting issues, Supervisor Johnson stated that all the issues brought up would be addressed by the Planning Board. The Town Board referred the application to the Town and County Planning Boards for review and recommendation.

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

RESOLUTION # 90

NOW, THEREFORE, BE IT RESOLVED, to refer the submitted 708 Route 9 PUDD application to the Saratoga and Town Planning Boards for their review and recommendation.

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

Deputy Supervisor O’Conor, abstained from voting.

The Hudson Springs PUDD (proposed amendment)
Area Variance

Supervisor Johnson asked Mr. McNamara to also discuss this proposed amendment. **Mr. McNamara** explained that the request for the variance was to reposition the recycling and maintenance center. Originally, the recycling and maintenance was combined into one structure and located on the Perry Road secondary access to the community on the north side of the internal road known as Kempton Place. They would like to move it to the south side of Kempton Place across the road and separate into two buildings, for better management of stormwater associated with the facility and better traffic flow. The reason for the requested variance is the minimum front setback from Perry Road established in the PUDD legislation is one hundred feet (100’). The rear of the closest structure, the maintenance building, is fifteen feet (15’) off the property line and approximately twenty-three feet (23’) off Perry Road. After some discussion the board had some concerns regarding traffic issues and the aesthetics of the building which the board would like to see addressed. The board set a public hearing for April 2, 2009 at 7:15 p.m..

Real Property Exemption for Seniors
LL # 2 of 2009
Public hearing held earlier
Last discussed 2/5/09

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

RESOLUTION # 91

NOW, THEREFORE, BE IT RESOLVED, to adopt Local Law No. 2 of 2009 (superceding Local law No. 3 of 1999) a local law authorizing an increase in the maximum levels of income for real property exemptions for senior citizens.

Section I: This Local Law shall be known as Local Law No. 2 of 2009, Real Property Tax Exemption for Senior Citizens.

Section II: Pursuant to section 467 (b) of the Real Property Tax Law, real property owned by one or more persons, each of whom is 65 years of age or over, or real property owned by a husband and wife, one of whom is 65 years of age or over, shall be exempt from taxation by the Town of Wilton to the extent indicated below provided that the income of the owner, or combined income of the owners, does not exceed the amounts indicated below:

<u>Annual Income</u>	<u>% of Assessed Value Exempt from Taxation</u>
Up to and including \$29,000	50%
More than \$29,000 but less than \$30,000	45%
\$30,000 or more but less than \$31,000	40%
\$31,000 or more but less than \$32,000	35%
\$32,000 or more but less than \$32,900	30%
\$32,900 or more but less than \$33,800	25%
\$33,800 or more but less than \$34,700	20%
\$34,700 or more but less than \$35,600	15%
\$35,600 or more but less than \$36,500	10%
\$36,500 or more but less than \$37,400	5%

Section III: This local law shall apply to assessment rolls prepared after its effective date.

Section IV: This local law shall take effect immediately upon filing in the office of the Secretary of State.

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

Snow Removal Complaint

Kara Mackey Dopman

Supervisor Johnson asked Mrs. Dopman to address the board. **Mrs. Dopman** explained to the board that the workmanship and the plowing that is happening in my neighborhood especially in front of my home and the corner of my property at 11 Briar Lane is substandard and is creating a hazard. Mrs. Dopman then gave the board some pictures of the area in question. She went on to say when you come around the corner from Brookside to Briar there is 6 to 8 feet of snow in my driveway because the plow swings wide around the corner. She explained the photos to the

board. Mrs. Dopman stated she did not think it was her responsibility to clear snow away from my driveway. It is a hazard for me and the school bus. Mr. Woodcock, the Highway Superintendent defended his employees and the job they do in the winter. He explained that where she lives is a difficult corner to plow and there is a basketball hoop on that corner that sets out beyond the mailbox and that the driver has to plow around that. He also stated that Mr. Dopman has been snow-blowing the snow in the road, which is illegal. Superintendent Woodcock also gave the board photos to review. After some discussion the board asked Mrs. Dopman to move the basketball hoop out of the roadway and try to resolve this issue.

Committee Reports (If Any)

Vacancies for alternate ZBA Board

Vacancies for IBR

Proclamations: Julia H. Biss, Michael R. Biss, Stephen J. Biss and John D. Biss

Supervisor Johnson asked if anyone had any committee reports. **Councilman Gordon** explained that mosquito season is starting we will put an ad in soon. It starts April 1st. **Councilwoman Needham** explained that the Town will do the hazardous waste collection this year in the fall. We will participate with the Towns of Saratoga, Northumberland, Moreau and the Village of South Glens Falls. We do not have a date yet. **Supervisor Johnson** stated that there is a vacancy alternate on the Zoning Board of Appeals and Scott Kingsley is an applicant. We also have two vacancies on the Independent Board of Review and time is getting critical for training. The board asked the Town Clerk to call the papers to see if they could put an ad in to recruit members. Supervisor Johnson explained that each month at the County each Town honors deceased veterans who lived in their town. We honored a family of veterans: Julia Biss, Michael Biss, Stephen Biss and John Biss. They all served in WWII at the same time. It was really well attended and well done. Also the County had its Planning Conference at the City Center and each year they present an award called the Distinguished Service Award to someone who has outstanding service and long time community service. This year Larry Gordon got the award.

Comptroller's Report

(Including Bills & Transfers)

2008 Budget (Budget Transfers & Amendments)

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

RESOLUTION # 92

NOW, THEREFORE, BE IT RESOLVED, to approve the 2008 budget transfers and amendments requested for and listed in the Comptroller's 3/5/09 report to the Town Board.

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

2009 Budget (Transfers)

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

RESOLUTION # 93

NOW, THEREFORE, BE IT RESOLVED, to approve the 2009 budget transfers requested for and listed in the Comptroller's 3/5/09 report to the Town Board.

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

Personnel

Senior Account Clerk (position)

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

RESOLUTION # 94

NOW, THEREFORE, BE IT RESOLVED, to create a new Senior Account Clerk position which has been approved by County Civil Service. This position should be placed in a grade 5.

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

Senior Account Clerk (Kimberly Brock)

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

RESOLUTION # 95

NOW, THEREFORE, BE IT RESOLVED, to approve the request submitted by Steve Porto to hire Kimberly Brock from the County Civil Service list of Senior Account Clerks. Hire date is March 9, 2009, starting pay is Grade 5 step 3, with full benefits and a probation period.

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

Resignation (Sole Assessor)
Larry Quinn

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

RESOLUTION # 96

NOW, THEREFORE, BE IT RESOLVED, to accept the resignation submitted by Larry Quinn, for the position of Sole Assessor effective February 12, 2009.

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

Assistant Assessor (position)
Tina Westover

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

RESOLUTION # 97

NOW, THEREFORE, BE IT RESOLVED, to approve the temporary move of the Assistant Assessor position up to a Grade 9 effective February 11, 2009. Tina Westover is currently in this position and will be assigned to the base rate; on a temporary basis.

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

Executive Session (Pending Litigation & Interview)

Supervisor Johnson Stated that the board needed to adjourn to executive session for the discussion of some assessment cases.

On a motion introduced by Deputy Supervisor O'Connor, and seconded by Councilman Gerber, the board adjourned to executive session at 8:52 p.m..

On a motion introduced by Deputy Supervisor O’Conor, and seconded by Councilwoman Needham, the board reconvened the Regular Town Board meeting at 9:20 p.m..

Action Taken in Executive Session

Assessment Cases
Minoque & Doyle

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

RESOLUTION # 98

NOW, THEREFORE, BE IT RESOLVED, to settle two assessment cases, one with Minoque and the other with James Doyle, according to the details stipulated in the documentation: The Minoque Case will be settled for an assessment of \$830,000 and the James Doyle case will be settled for \$70,000.

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

Create Assistant Recreation Director (position)

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

RESOLUTION # 99

NOW, THEREFORE, BE IT RESOLVED, to create an Assistant Recreation Director position at Grade 6, Step 1 and;

FURTHER BE IT RESOLVED, to appoint Tracey Kubis, to the position of Assistant Recreation Director at \$16.97 and hr.

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

Zoning Board Member (Alternate)
Scott Kingsley

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

RESOLUTION # 100

NOW, THEREFORE BE IT RESOLVED, to appoint Scott Kingsley, as alternate member of the Zoning Board of Appeals effective immediately.

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

On a motion introduced by Deputy Supervisor O’Conor and seconded by Councilman Gerber the meeting was adjourned at 9:25 p.m..

Respectfully Submitted,

Carol Maynard, Town Clerk

Supervisor, Arthur Johnson

Councilman, Raymond O’Conor

Councilman, Charles Gerber

Councilman, Larry Gordon

Councilwoman, Shirley Needham