

Public Hearing: Local Law No. 4 of 2011 Mountain Ledge Limited Partnership (Zoning Amendment to CR-2 Zone to add Banks, Restaurants, Educational/Training Facilities and Health related Facilities)

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

PLEASE TAKE NOTICE that the Town of Wilton, New York, County of Saratoga, will hold a public hearing to amend the Code of the Town of Wilton, Section 129-Zoning.

SAID PROPOSED AMENDMENT would consider an amendment to the CR-2 zone (Commercial/Residential Two District) to add Training and Instructional Classrooms and Facilities, Banks, Health related Facilities and Restaurants, as a permitted use in the CR-2 zone.

SAID PUBLIC HEARING will be held on Thursday September 1, 2011, at 7:00 p.m., at Wilton Town Hall located on 22 Traver Road in said 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 7:02 p.m., Supervisor Johnson called the public hearing to order and asked the Deputy Town Clerk to read the public hearing notice aloud, she did so. Supervisor Johnson then asked if anyone had any comments regarding the public hearing. Highway Superintendent Kirklin Woodcock asked if the mitigation fees from these projects would go toward highway infrastructure improvements. Supervisor Johnson stated that all mitigation fees are geared toward road improvements. Supervisor Johnson asked if there was anyone else that would like to speak regarding this public hearing. No comments. He then closed the public hearing at 7:04 p.m..

REGULAR TOWN BOARD MEETING

Immediately following the public hearing, Supervisor Johnson called the Regular Town Board meeting to order at 7:06 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 Deputy Town Clerk showed all members present except Councilman Rice who was absent.

Arthur Johnson-Supervisor
Raymond O'Connor-Deputy Supervisor
Robert Rice-Councilman (Absent)
Robert Pulsifer-Councilman
Charles Gerber-Councilman

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

Public Comment

Supervisor Johnson asked if anyone had signed up to speak under the public comment session. No comments.

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'Connor, the board adopted the following resolution:

RESOLUTION # 127

NOW, THEREFORE, BE IT RESOLVED, to approve the minutes from the August 4, 2011 meeting as typed without amendment.

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

Mountain Ledge Limited Partnership (Local Law No 4 of 2011)
(Zoning Amendment to add multiple uses to the CR-2 Zone)
Positive recommendation received from Town Planning Board w/Comments
Approval from Saratoga County Planning Board
Public Hearing held earlier

Supervisor Johnson stated that the board received a positive recommendation from both the Town Planning Board and the County Planning Board. He asked if anyone had any questions. No comment. The supervisor asked for a motion regarding the amendment.

Town Engineer Keith Manz stated that the only recommendation the Town Planning Board had was all positive except that the restaurants be sit down only.

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

RESOLUTION # 128

NOW, THEREFORE, BE IT RESOLVED, to approve a Negative Declaration under SEQR for the proposed zoning amendment to the CR-2 zone.

The adoption of the resolution was seconded by Councilman Pulsifer, duly put to a vote, all in favor, except Deputy Supervisor O'Connor, who abstained from voting.

RESOLUTION # 129

NOW, THEREFORE, BE IT RESOLVED, to approve the amendment to the Zoning Code, with the recommendation that the Town Planning Board had that the restaurants be confined to sit down only.

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

favor, except Deputy Supervisor O'Connor, who abstained from voting.

Reappointment (Independent Board of Assessment Review)

Melvin Abbondandolo (Chair)

Term to expire 9/30/11

New term 10/1/11-9/30/16

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

RESOLUTION # 130

NOW, THEREFORE, BE IT RESOLVED, to reappoint Melvin Abbondandolo to chairman of the Independent Board of Assessment Review new term 10/1/11-9/30/16.

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

Casella Waste (Hiram Hollow) (Tonnage Increase)

Harold Van Earden

Supervisor Johnson recognized Mr. Van Earden, the Facility Manager at Hiram Hollow Regeneration and Transfer Station and asked him to address the board.

Mr. Van Earden explained that he came before the board to ask for an amendment to the CRT zone for an increase in the tonnage which was done before in 2004. He explained that currently with the Town, Hiram Hollow is at 75,000 tons they want to increase an additional 28,000 tons to match their DEC permit, which is 103,000 tons. The DEC permit was renewed in 2009 and is good through 2014.

The board set a public hearing for October 6th, 2011 at 7:00p.m..

Committee Reports (If Any)

Supervisor Johnson asked if anyone had any committee reports.

Councilman Gerber explained that the alternative fund has finally received all its blessings from the Department of State and the board of directors over-seeing that will be starting to implement that in the near future.

Deputy Supervisor O'Connor stated that at the next Town Board meeting on October 6, we will have a draft plan on the Corridor Linkage Study.

Easton Gravel Pit

Engineer Manz stated that the committee reviewed the easement for the Easton Gravel Pit. Attorney DeVall and Engineer Manz had reviewed it and there is some work that needs to be done on a dam. **Attorney DeVall** stated that the attorney handling this had given him a draft which contains: 1.) Duration through December of this year 2.) Includes indemnification and insurance, non assignability, and 3.) Return of the property in the condition it was prior to their entry.

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

RESOLUTION # 131

NOW, THEREFORE, BE IT RESOLVED, to accept the document for the Easton Gravel Pit easement upon the board's review and;

FURTHER BE IT RESOLVED, to authorize the Supervisor to execute the document.

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

Park and Recreation

Councilman Gerber stated that last month the board talked about a process for filling vacancies on the Park and Recreation Commission. The Supervisor and the board had requested that the Park and Recreation Commission interview potential candidates and make recommendations to the Town Board. The commission has done that and recommended Mike Myers.

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

RESOLUTION # 132

NOW, THEREFORE, BE IT RESOLVED, to appoint Mike Myers as a new Park and Recreation Commission member new term 9/1/11-8/31/14.

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

Hazardous Waste Day

Supervisor Johnson mentioned that September 17, 2011 is the Town's Hazardous Waste Day at the Town Hall Complex. Registration is required and the deadline for the registration is September 6th.

**Comptroller's Report
(Including Bills & Transfers)****2011 July Cash Disbursements**

General Fund	\$ 444,372
<u>Highway Fund</u>	<u>\$ 202,411</u>
Total	\$ 646,783

2011 Budget Transfers & Amendments

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

RESOLUTION # 133

NOW, THEREFORE, BE IT RESOLVED, to approve the budget transfers and amendments requested for and listed in the Comptroller's 9/1/11 report to the Town Board.

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

Supervisor Johnson stated that the Highway Department did a great job with the clean up after the storm. He also stated that under FEMA the Town may get reimbursed for the over-time hours because of the storm.

Supervisor Johnson stated that the board needed to adjourn to executive session to discuss two issues; a litigation issue and the second involves personnel.

Adjournment to Executive Session

On a motion introduced by Councilman Pulsifer, and seconded by Deputy Supervisor O'Connor, the board adjourned to executive session at 7:28 p.m..

On a motion introduced by Deputy Supervisor O'Connor, and seconded by Councilman Gerber, the board reconvened the Regular Town Board meeting at 8:10 p.m..

Action Taken

No action taken in executive session.

On a motion introduced by Deputy Supervisor O'Connor, and seconded by Councilman Gerber, the meeting was adjourned at 8:10 p.m..

Respectfully Submitted,

Carol Maynard, Town Clerk

Supervisor, Arthur Johnson

Councilman, Raymond O'Connor

Councilman, Charles Gerber

Councilman, Robert Pulsifer

Councilman, Robert Rice