

**Regular Meeting
of the Town of Wilmington Town Board,
February 11, 2025 Community Center 6:00 PM**

To join virtual meeting please go to <https://meet.goto.com/townofwilmington> OR join on your phone by dialing, 1-408-650-3123 Access code:377-399-733

Attending Officers

Favor Smith - Supervisor

Tina Terry-Preston – Deputy Supervisor

Darin Forbes - Board Member

Tim Follos - Board Member

Laura Hooker – Board Member

Dawn Stevens – Town Clerk

Also attending twenty-three signed in residents, several who did not sign in and seven remote viewers.

Supervisor Smith called the meeting to order, and the Pledge of Allegiance was recited.

Resolution 28-2025 Resolved to accept the January 14, 2025 organizational minutes, the January 14, 2025 regular meeting minutes and the January 29, 2025 minutes as written.

Moved by *Laura Hooker*

Seconded by *Tina Preston*

Carried All in favor

Karen Peters gave a presentation to the Town Board and the attendees of the meeting. She spoke of the WHS Facebook page which has a great following. Karen also informed everyone that all proceeds from the Annual Whiskey Run goes toward the building fund of the Wilmington Historical Society. Karen spoke of the grants the society has received, and she hopes work on the building will be started this fall or in the spring of 2026. Karen thanked the Board and the Town for their support.

Visitors Bureau: *Colin gave an update on the Newcomers Dinner. It will be held on March 23rd. Tickets are available at the Visitor Bureau office and on their site info@whitefaceregion.com. Nominations for the citizen of the year can be made the same way. The Dinner will be held at the Hungry Trout.*

The Two Fly Event will be held May 15, 2025 through May 17, 2025. The Visitor's Bureau is looking for vendors and a band for this event.

Highway Superintendent Louis Adragna *announced that the town highway dept. received a grant and will be installing another weather camera to better take care of our roads.*

He also reported that there is a salt shortage, but right now our town has a good supply on hand. The dept is also having a problem getting bolts, and springs that are needed for the plows, but they are managing for now.

Parks Superintendent John Langford *spoke about the skating rink and suggested that a pavilion would help the rink to survive the warm spells, he said something with a roof would help protect the ice from the sun and rain, which would extend the skating season. He also suggested that we should also keep the uncovered rink to help with large groups during the busy season.*

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Board reports

Councilperson Tim Follos asked John to look into a quote for a play center for the parks. Tim also presented Karen Peters with a tie for the future museum of the WHS that belonged to the late Don DeMacy, who was a past Supervisor for the town.

Tim also reminded everyone that petitions for several offices would be circulating soon. Councilperson Tim Follos announced he is undecided whether he will run for councilmen again. There is also an appointed position open for an alternate on the zoning board, and there are two seats up for election as assessors. This year's election also has voting for Town supervisor, Town Clerk, and Two Board members.

Councilperson Darin Forbes reminded the board that a plan is needed to start repairing the roads at the Cemeteries.

Darin also mentioned that Doug suggested the dump fees should be increased. Doug also suggests that we change the dump tickets to \$10-\$20-\$40, this would help with the need to have as much change on hand.

Darin also suggested that the board starts thinking about replacing some of the boats before the rental season starts.

Darin thanked Karen Peters for her discussion on the WHS, and said he thinks the board should give the society a three-year contract for the annual Whiskey Run, and the town should give the WHS the money needed for the insurance on the event. The history of our town should be preserved.

Councilperson Laura Hooker expressed her Congratulations to both Karrisa Gray and Stephanie Gates on completing and passing the EMT course.

She also thanked Karen and Colin for coming to the meeting to speak. She suggested that an agreement be worked out for the fees that they have been discussing.

Councilperson Tina Preston thanked everyone for coming to the meeting and reminded the board that we should start securing lifeguards now for the summer season. The towns around us have already started.

Supervisor Favor Smith gave updates on the following issues.

1. *Pro-housing Certification, the letter of intent is being worked on, and everything is moving forward.*
2. *FEMA Hazard Mitigation Plan, the County has hired a consultant to help the towns with this.*
3. *Comprehensive Plan, for now we have the plan in the LWRP, but we are looking into a Smart Growth grant to help with the development of a new comprehensive plan. Volunteers will be needed to start this process.*
4. *STR law update, this is postponed until the State presents the new STR law.*
5. *Generator replacement for the Community Center, two quotes will be presented.*

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Resolutions

A motion was moved by Laura Hooker and seconded by Tina Preston to discuss the adoption of the facilities use form and the 2025 fees for this. After much discussion and no agreement this was moved to be TABLED by Favor Smith and Seconded by Laura Hooker

Resolution 29-2025 Resolved to accept the Indemnification and Contribution Agreement;

To the fullest extent permitted by law, User, NAME: _____ shall indemnify, hold harmless, and defend the Town of Wilmington against all losses, claims, action, demands, damages, liabilities, or expenses, including, but not limited to attorney's fees, and all other costs of defense, by reason of the liability imposed by law or otherwise upon the Town of Wilmington for damages because of bodily injuries, including death, at the time resulting therefrom, sustained by any persons or persons, including User employees, volunteers or on account of damages to property, including loss of use thereof, arising directly or indirectly from the performance of User, it's employees, agents, representatives, material men, suppliers, and/or subcontractors. If such indemnity is made void or otherwise impaired by any law controlling the construction thereof, such indemnity shall be deemed to conform to the indemnity permitted by law, so as to require indemnification, in whole or part, to the fullest extent permitted by law. User shall observe and comply with all safety laws, rules and regulations (including but not limited to the Federal Occupational Safety and Health Act, the New York State Liquor Authority and all regulations promulgated pursuant to such laws) and to provide such protection as necessary to protect its workers and the workers of other contractors. It must provide the Town with a certificate of liability insurance (Accord Form), showing the Town as additional insured, covering the area on which the event is scheduled, and in the amount of One Million Dollars (1,000,000) for each occurrence and Two Million Dollars (2,000,000) aggregate. In the event that additional safety measures are required, User agrees that it will install or procure such additional safety measures at its sole expense. To the fullest extent permitted by law, User shall hold harmless, indemnify and defend the Town of Wilmington against all losses, claims, fines, or expenses, including but not limited to attorney's fees, resulting from the enforcement of these laws and for related acts of its officers, employees, subcontractors, suppliers, and material men. The indemnity provided by requirements contained herein shall be in addition to and not in limitation upon any rights if common law indemnity.

User Signature

Date

Moved by Darin Forbes

Seconded by Laura Hooker

Carried All in favor

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Resolution 30 -2025 Resolved to approve the application of the Wilmington Historical Society to use town roads and Preston Festival Field for its Annual Whiskey Run for three years, subject to the conditions laid out by the Town Board, with notice. (Insurance, and all other permits needed)

Moved By *Darin Forbes* **Seconded by** *Tina Preston*

Tim Follos **Aye**

Darin Forbes **Aye**

Laura Hooker **AYE**

Tina Preston **Aye**

Favor Smith **Aye** **Carried**

Resolution 31-2025 Resolved to adopt the guideline form for the Wilmington Planning Board and Zoning Board of appeals.

Moved by *Tina Preston*

Seconded by *Laura Hooker* **Carried All in favor**

Resolution 32-2025 Resolved to authorize Supervisor Smith to initiate comprehensive plan process- request volunteers for committee, prepare RFPs for consultants to retain for the comprehensive plan, etc.

Moved by *Darin Forbes*

Seconded by *Tina Preston* **Carried All in favor**

Resolution 33-2025 Resolved to accept the following;

Whereas, the New York State Department of State has made grant funds available in 2025 through Environmental Protection fund smart growth program for communities planning and zoning which provides grant funds on a comprehensive basis to eligible villages, towns, cities, counties, regional planning entities, and nonprofit organizations, to advance the preparation of municipal comprehensive plans to establish land use policies which support smart growth policies for the community and new paragraph Whereas the town of Wilmington is proposing to undertake a comprehensive plan process that will create a town comprehensive plan, in order to assess current land use policies and establish new policies that more accurately reflect communities current conditions, opportunities and goals for smart growth development principles; and

Whereas, the Town of Wilmington intends to submit a grant application to request funding through the 2025 EP F smart growth community planning and zoning grant program, with a minimum of 10%

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local match requirement, to the NYS Department of State EPF smart growth community planning and zoning grant program.

Therefore, be it resolved, the Wilmington town board hereby authorizes the submission of a grant application on behalf of the town of Wilmington, including provision of the minimum 10% local match requirement, to request state funding for the purpose of hiring a consultant to coordinate a community-based planning process and prepare an update to the Wilmington comprehensive plan; and

Be it further resolved, that if awarded, the town supervisor of the town of Wilmington is hereby authorized to execute all necessary documents relating to the New York State Department of State 2025 EP F smart growth community planning and zoning grant program application

Moved by *Darin Forbes*

Seconded by *Tina Preston*

Carried All in favor

Resolution 34-2025 Resolved to pay the audited claims and make the budget transfers.

Budget Amendments -transfer \$ from account 6497.4(Community enhancement Funds) to Buildings Account 1620.4

Moved by *Darin Forbes*

Seconded by *Tina Preston*

COUNCILPERSON FOLLOS AYE

COUNCILPERSON FORBES AYE

COUNCILPERSON HOOKER AYE

COUNCILPERSON PRESTON AYE

SUPERVISOR SMITH AYE

Carried

Resolution 35-2025 Resolved to approve the replacement of the Community Center generator.

Further resolved to accept the bid from Woodhill Electric, Inc \$7083.44. this being the lower of the two bids, both meeting the same specs.

Moved by *Darin Forbes*

Seconded by *Tina Preston*

COUNCILPERSON FOLLOS AYE

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COUNCILPERSON FORBES AYE

COUNCILPERSON HOOKER AYE

COUNCILPERSON PRESTON AYE

SUPERVISOR SMITH AYE Carried

Meeting adjourned at 8:12pm.

Respectfully Submitted,

Dawn Stevens