

**Town of Charlton  
Saratoga County  
Town Board Meeting**

**February 28, 2022**

The Regular Meeting of the Town Board of the Town of Charlton, Saratoga County, New York was held at the Charlton Town Hall and called to order by Supervisor Grasso at 7:30 p.m.

Present: Supervisor Grasso, Councilman Glavin, Councilman Robbins, Councilman St. John, Councilman Tasse.

Also present: Town Clerk Brenda Mills, Attorney Craig.

**APPROVAL OF MINUTES**

**MOTION #70**

**Approval of Minutes**

Motion by Councilman Glavin

Seconded by Councilman Tasse

**BY MOTION** the Town Board approved the minutes of the Town Board Meeting on February 14, 2022.

Vote: 4 Ayes, 0 Nays, St. John Abstained. **CARRIED**

**PRIVILEGE OF THE FLOOR FOR AGENDA ITEMS**

No one chose to speak.

**ANNOUNCEMENTS**

The Town received a large supply of Covid test kits which are available to residents at the Town Clerk's office.

Supervisor Grasso said that Town has received public notification of a proposed solar power generation project in the Town Florida.

The Saratoga County Planning Department has notified the Town a required 8-year review of the Saratoga County Consolidated Agricultural District #2 was begun In January 2022 and will be completed by November 17, 2022. The Town received notice because the Town contains certified parcels within this District. A map was provided and is available for public inspection. More information is available on the County website at: [www.saratogacountyny.gov](http://www.saratogacountyny.gov).

The Charlton Seniors have invited the members of the Town Board to speak at their April 13<sup>th</sup> meeting which begins at 9:30 a.m. The Senior's Meeting will be held at the Town Hall.

Councilman Robbins said that a committee for the Community Center met 2 weeks ago and had a good meeting. Jenna Smith was chosen as Chairperson for the committee.

Supervisor Grasso said that the December 2021 Financial Report has been given to Town Board members. The report shows that the account balances grew substantially from 2020, due in part from DOT bridge project reimbursements, Covid cost controls, rebounds in sales tax revenue and partial receipt of ARPA funding. It was a good fiscal year for the Town. (See Financial report on next page.)

**MONTHLY REPORT OF SUPERVISOR****TO THE TOWN BOARD OF THE TOWN OF CHARLTON:**

Pursuant to Section 125 of the Town Law, I hereby render the following detailed statement of all moneys received and disbursed by me during the month of December, 2021:

DATED: February 28, 2022

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SUPERVISOR

	Balance 11/30/2021	Increases	Decreases	Balance 12/31/2021
<b>A GENERAL FUND - TOWNWIDE</b>				
CASH - CHECKING	244,624.57	175,521.97	122,598.47	297,548.07
CASH - SAVING	212,426.04	32,714.15	41,905.54	203,234.65
PETTY CASH	700.00	100.00	0.00	800.00
Park Fees Reserve	49,151.33	0.00	0.00	49,151.33
TOTAL	506,901.94	208,336.12	164,504.01	550,734.05
<b>DA HIGHWAY FUND</b>				
CASH - CHECKING	469,841.12	40,121.92	109,865.82	400,097.22
CASH - SAVINGS	-357,838.84	315,140.96	40,449.55	-83,147.43
CASH, SPECIAL RESERVE	15,516.96	0.00	15,516.96	0.00
TOTAL	127,519.24	355,262.88	165,832.33	316,949.79
<b>F WATER #1 FUND</b>				
CASH - CHECKING	133,977.50	6,139.01	9,671.53	130,444.98
CASH - SAVINGS	196,204.05	0.00	10,424.71	185,779.34
CASH, SPECIAL RESERVES	202,351.97	4,713.91	0.00	207,065.88
TOTAL	532,533.52	10,852.92	20,096.24	523,290.20
<b>H CAPITAL PROJECTS</b>				
	0.00	0.00	0.00	0.00
SAVINGS	62,187.27	409,180.07	260,604.70	210,762.64
TOTAL	62,187.27	409,180.07	260,604.70	210,762.64
<b>SW WATER #2 FUND</b>				
CASH - CHECKING	-60.32	180.96	308.72	-188.08
CASH - SAVINGS	28,509.28	0.00	180.96	28,328.32
TOTAL	28,448.96	180.96	489.68	28,140.24
<b>TA TRUST &amp; AGENCY</b>				
CASH - CHECKING	622,769.62	84,378.55	81,727.92	625,420.25
TOTAL	622,769.62	84,378.55	81,727.92	625,420.25
TOTAL ALL FUNDS	1,880,360.55	1,068,191.50	693,254.88	2,255,297.17

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**MOTIONS, RESOLUTIONS AND PROCLAMATIONS****RESOLUTION #71****RESOLUTION TO ORDER POSTED ROADS IN THE TOWN OF CHARLTON WITH A FOUR TON GROSS WEIGHT LIMIT ON A TEMPORARY BASIS**

Motion by Councilman Robbins

Seconded by Councilman St. John

Discussion: Councilman St. John asked if the Highway Superintendent could order the road posting each year without Town Board approval. Attorney Craig said that by law, the Highway Superintendent has no legal right to do that, only the Town Board.

Roll Call: Councilman Glavin: Aye, Councilman Robbins: Aye, Councilman St. John: Aye, Councilman Tasse: Aye, Supervisor Grasso: Aye. **CARRIED**

**TOWN OF CHARLTON  
COUNTY OF SARATOGA  
STATE OF NEW YORK**

**RESOLUTION NO. 71**

**February 28, 2022**

**RESOLUTION TO ORDER POSTED ROADS IN THE TOWN OF CHARLTON  
WITH A FOUR TON GROSS WEIGHT LIMIT ON A TEMPORARY BASIS**

**WHEREAS**, the Town Board has been advised by the Town of Charlton Superintendent of Highways that he intends to post certain roads with a four ton limitation, effective immediately; and

**WHEREAS**, the Town Board desires to assist the Highway Superintendent in the enforcement of this posting limitation and as authorized by New York State Vehicle and Traffic Law §1660, subsection 11; and

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board hereby affirms and authorizes, pursuant to §1660(11) of the New York State Vehicle and Traffic Law the direction and order of the Superintendent of Highways of the Town of Charlton that all Town roads as posted will be temporarily limited to any and all vehicles having no more than a gross weight of four tons; and it is further

**RESOLVED**, that this restriction and limitation shall take effect as of the date of this resolution and such restriction shall become effective upon posting of such highways by the Superintendent of Highways or his designee; and it is further

**RESOLVED**, that such limitation shall continue in effect until such time as conditions permit the withdrawing of the order; and it is further

**RESOLVED**, that notice is hereby given that any person or persons violating this order shall be subject to enforcement as provided in §1800 of the New York State Vehicle and Traffic Law.

MOTION BY: Councilman Robbins

Voting:	Supervisor Grasso	Aye
	Councilman Glavin	Aye
	Councilman Robbins	Aye
	Councilman St. John	Aye
	Councilman Tassè	Aye

SECONDED BY: Councilman St. John

The resolution was duly adopted on February 28, 2022.

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Brenda Mills, Town

**RESOLUTION #72**

**RESOLUTION APPROVING THE ANNUAL ACCOUNTING OF TOWN OFFICERS AND EMPLOYEES**

Motion by Councilman Glavin

Seconded by Councilman Robbins

Discussion: Supervisor Grasso thanked the Board for getting the audits done and he thanked the employees for their good recordkeeping.

Roll Call: Councilman Glavin: Aye, Councilman Robbins: Aye, Councilman St. John: Aye, Councilman Tasse: Aye, Supervisor Grasso: Aye. **CARRIED**

**TOWN OF CHARLTON  
COUNTY OF SARATOGA  
STATE OF NEW YORK**

**RESOLUTION NO. 72**

**February 28, 2022**

**RESOLUTION APPROVING THE ANNUAL ACCOUNTING  
OF TOWN OFFICERS AND EMPLOYEES**

**WHEREAS**, pursuant to Section 123 of the New York State Town Law, each person who as a Town officer or employee received or disbursed any monies in the previous fiscal year, shall account to the Town Board for such monies and shall produce all supporting books, records, receipts, warrants, vouchers and cancelled checks or check images as authorized by Section 99-b of the General Municipal Law, and

**WHEREAS**, following a review by the members of the Town Board, it was determined that the information provided regarding the financial records of the Town Clerk, Town Supervisor's Office, Building and Zoning Departments, Town Court, Town Tax Collector, and Town Water Department for the Town of Charlton for the year 2021 are in proper order, and that all funds have been properly accounted for and disbursed.

**NOW BE IT RESOLVED**, that the Town Board of the Town of Charlton hereby does accept and approve the audit information for fiscal year 2021.

MOTION BY: Councilman Glavin

Voting: Supervisor Grasso      Aye  
Councilman Glavin      Aye  
Councilman Robbins      Aye  
Councilman St. John      Aye  
Councilman Tassè      Aye

SECONDED BY: Councilman Robbins

The resolution was duly adopted on February 28, 2022.

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Brenda Mills, Town Clerk

**RESOLUTION #73**

**RESOLUTION ACKNOWLEDGING RECEIPT OF THE EXCEPTIONAL USE PERMIT APPLICATION OF CONRAD P. BERNARD, III, TO RE-OPEN THE RT. 67 CAFÉ, AND THE ACCEPTANCE BY THE TOWN BOARD OF PRIMARY JURISDICTION OF SUCH APPLICATION PURSUANT TO THE ZONING ORDINANCE OF THE TOWN OF CHARLTON**

Motion by Councilman Tasse

Seconded by Councilman Robbins

Discussion: Supervisor Grasso told the Board to familiarize themselves with the application and the property. The Town Board took jurisdiction of the application and is asking for review by various Boards and Committees. A SEQR will be needed before the Board can take action.

Roll Call: Councilman Glavin: Aye, Councilman Robbins: Aye, Councilman St. John: Aye, Councilman Tasse: Aye, Supervisor Grasso: Aye. **CARRIED**

**TOWN OF CHARLTON  
COUNTY OF SARATOGA  
STATE OF NEW YORK**

**RESOLUTION NO. 73  
February 28, 2022**

**RESOLUTION ACKNOWLEDGING RECEIPT OF THE EXCEPTIONAL USE PERMIT APPLICATION OF CONRAD P. BERNARD, III, TO RE-OPEN THE RT. 67 CAFÉ, AND THE ACCEPTANCE BY THE TOWN BOARD OF PRIMARY JURISDICTION OF SUCH APPLICATION PURSUANT TO THE ZONING ORDINANCE OF THE TOWN OF CHARLTON**

**WHEREAS**, the Town Board has received notification from Conrad P. Bernard, III, of 1402 Peaceable Street, that he would like to re-open a dormant application originally filed June 14, 2021 for an exceptional use permit to reopen the Rt. 67 Cafe located at 1958 Amsterdam Road, Town of Charlton, as required by Article VII, Special Exceptions to Designated Land Uses of the Zoning Ordinances for the Town of Charlton, and as adopted September 14, 2015; and

**WHEREAS**, the Town Board members have each been provided a copy of such application, and will have the opportunity to consult with the Town of Charlton Zoning Enforcement Officer and the Attorney for the Town regarding issues which need to be considered in processing such application and as set forth in the aforementioned Town of Charlton Zoning Ordinance; and

**WHEREAS**, the applicant made a presentation to the Town Board on June 14, 2021, providing an overview and plans for such project, and has requested it to move forward as soon as practicable according to the required terms and procedures of the aforementioned legislation.

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Charlton hereby formally accepts the Exceptional Use Permit application of Conrad P. Bernard, III, to re-establish a Café in the building of the former Rt. 67 Café, at 1958 Amsterdam Road, subject to the Applicant providing all documents and further information requested by the Board, a copy of which application is attached to this resolution and made a part hereof; and it is further

**RESOLVED**, that the Town Board desires to and will retain primary jurisdiction of this application as authorized and set forth in Article VII, Section 3(A) of the Zoning Ordinance of the Town of Charlton; and it is further

**RESOLVED**, that the Town Board will review the application and make a determination as to whether the application constitutes an Unlisted or Type I Action under the State Environmental Quality Review Act (SEQRA); and it is further

**RESOLVED**, that the Town Board declares itself to be and shall act as Lead Agency for the purposes of the State Environmental Quality Review Act (SEQRA), subject to the rights of any other involved or interested agencies, if any; and it is further

**RESOLVED**, that the Town Board will refer said application to the Charlton Planning Board, the Charlton Zoning Board of Appeals, the Charlton Environmental Conservation Committee, the Charlton Historical Review Commission, and the Town Engineer, and request an advisory opinion from each due by April 8, 2022, for the Town Board's consideration as set forth in Section 3(g)(iii) of the aforementioned Local Law No. 1 of 2015; and it is further

**RESOLVED**, that said application will also be referred to the Saratoga County Planning Board and the Charlton Code Enforcement Officer for comment, as well as to any other Board, Committee or Agency as the Town Board in its' sole discretion so chooses or deems necessary, and shall further be filed in the Office of the Town Clerk.

MOTION BY: Councilman Tasse

Voting: Supervisor Grasso Aye  
Councilman Glavin Aye  
Councilman Robbins Aye  
Councilman St. John Aye  
Councilman Tassè Aye

SECONDED BY: Councilman Robbins

The resolution was duly adopted on February 28, 2022.

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Brenda Mills, Town Clerk

Judge Ketchum gave the Town Board paperwork for the purchase of tables for the courtroom and a shredder for Court use. The judge had applied for a JCAP grant to purchase the items and the award is \$2,000.00. for the tables and \$500 for a shredder. The total cost of the 4 tables is \$3792. He asked the Town Board to have the Town pay the difference. The Town Board discussed the costs and agreed to pay the difference for 4 tables. Supervisor Grasso asked Judge Ketchum to contact two other companies and get competitive quotes, and to purchase a shredder within the \$500 grant amount.

#### **RESOLUTION #74**

#### **RESOLUTION TO AUTHORIZE JUDGE KETCHUM TO PURCHASE COURTROOM TABLES AND SHREDDER**

Motion by Councilman Robbins

Seconded by Councilman Tasse

**WHEREAS**, the Town Board acknowledges that the Town of Charlton Court had applied for a JCAP Grant for the purchase of 4 courtroom tables and a shredder has been awarded \$500 per table and \$500 for a shredder, and

**BE IT RESOLVED**, that the Town Board authorizes Judge Ketchum to purchase the tables and shredder, and the Town agrees to pay the difference between the total cost and the grant money awarded for a total cost not to exceed \$4,500.00.

Roll Call: Councilman Glavin: Aye, Councilman Robbins: Aye, Councilman St. John: Aye, Councilman Tasse: Aye, Supervisor Grasso: Aye. **CARRIED**

## **ABSTRACT OF CLAIMS**

### **MOTION #75**

#### **Approval of Abstract of Claims**

Motion by Councilman Robbins

Seconded by Councilman Glavin

Discussion: Supervisor Grasso asked to have a correction to voucher #111 for EDP. The voucher was coded to the Water fund and should be Trust and Agency.

**BY MOTION**, the Town Board approved the processing of Abstract 104, voucher numbers 4 and 93 through 122 the amount of \$41,710.64 which was audited by Town Board members.

Roll Call: Councilman Glavin: Aye, Councilman Robbins: Aye, Councilman St. John: Aye, Councilman Tasse: Aye, Supervisor Grasso: Aye. **CARRIED**

## **PRIVILEGE OF THE FLOOR**

Bob Killeen, resident said that he is concerned about large scale solar farms as they are becoming more commonplace. He does not want to see them in Charlton and does not want them to take over farmland. As far as Ag Farm land, he is in support of larger lot sized and more road frontage.

Suzanne Voigt, resident said that the Town does not have legal lot sizes. She said that she does not see evidence that the ECC has met. Bob Killeen who is on the ECC said that the Committee only meets if they have something to discuss or work on.

### **MOTION #76**

#### **Motion to adjourn the meeting**

Motion by Councilman Glavin

Seconded by Councilman Tasse

**BY MOTION** the Town Board adjourned the meeting at 8:33 p.m.

Vote: All Ayes, No Nays. **CARRIED**

Respectfully submitted,

Brenda Mills  
Town Clerk