

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

**February 8, 2021**

The Regular Meeting of the Town Board of the Town of Charlton, Saratoga County, New York was held on Zoom and called to order by Supervisor Grasso at 7:32 p.m.

Roll Call: Councilman Glavin, Councilman Robbins, Supervisor Grasso.

Excused: Councilman Ranaletto

Also in attendance: Town Clerk Brenda Mills, Attorney Craig.

**APPROVAL OF MINUTES**

**RESOLUTION #63**

**Approval of Minutes**

Motion by Councilman Robbins

Seconded by Councilman Glavin

BE IT RESOLVED that the Town Board has approved the minutes of the Town Board Meeting which included the Town Board and ZBA Public Hearing on January 25, 2021.

Roll Call: Councilman Glavin: Aye, Councilman Ranaletto: Absent, Councilman Robbins: Aye, Supervisor Grasso: Aye. **CARRIED**

**PRIVILEGE OF THE FLOOR FOR AGENDA ITEMS**

No one chose to speak.

**SUPERVISORS REPORT**

Supervisor Grasso said that January was a very busy month which included numerous meetings. Some of the meetings included: County Organizational meeting, Board of Supervisors Talk of the Towns, Water Commissioners meeting, Health and Human Services, Board of Supervisors meeting, Soil and Water Conservation, Human Resources and Insurance meeting, the Technology and Resiliency Committee meeting and the regular Town meetings.

The Board did not receive the financial reports for the month yet, as the bookkeeper is still working to close out the month. Reports should be available by the February 22<sup>nd</sup> meeting.

Earlier this evening the Board had their annual insurance review with Dave Meager from Amsure. Supervisor Grasso thanked Mr. Meager for his commitment to helping the Town with our insurance needs.

The Supervisor has had phone screenings with multiple residents interested in the vacant Town Board seat.

The New York State Comptroller's office has rescheduled the Town audit for sometime later this week.

The Town Hall parking lot has been being used by multiple snowmobilers to park their trucks and unload their sleds as part of the Town's agreement with the Charlton Snowmobile Club. Last week, the New York State Park Police used the parking lot and to enter the trail for patrol.

Supervisor Grasso gave a shout out to the Highway Department employees for all of their efforts and good work to keep the roads maintained during this winter.

Cell Tower – Supervisor Grasso said that the tower is operational. Last weekend he traveled numerous miles of Town roads to map coverage areas. He did note that some southern and western areas of Town did not receive more than 2 bars on his phone. Currently there is only a Verizon antenna up, but the tower was designed for co-location so he is hopeful that other carriers will put antennas on the tower. Councilman Glavin said that maybe Verizon could take the original propagation map and go around Town and check the signal.

COVID Vaccine – There have been numerous inquiries about the vaccine, and much frustration in getting access to the shots. Last month Saratoga County had 400 vaccines available and was able to vaccinate 400 homebound seniors. The Town Clerk is compiling a list and is currently collecting names and contact information of homebound seniors.

Supervisor Grasso said sadly that Ray Black has passed away. The Supervisor said that Ray served as the Chairman of the Planning Board for many years. He was a devoted family man, engineer, talented Mr. Fixit, musician, joke teller and a big part of the Charlton community.

## **ANNOUNCEMENTS**

The Town Offices will be closed Monday February 15<sup>th</sup> in observance of Presidents Day.

The Town Board will soon begin annual audits of the Town Departments that handle money.

Good news! The new cell tower at 764 Charlton Road is now operational.

## **COMMUNICATIONS**

The U.S. Census Bureau has notified Charlton that our Town had the greatest response rate to the census in Saratoga County. Supervisor Grasso thanked the residents for doing their part and responding.

## **DEPARTMENT, COMMITTEE & COUNCILMAN REPORTS**

The Town Clerk's office took in \$753.00 for the month of January. \$619.09 was paid to the Supervisors office as revenue, and \$133.91 was paid to other Governmental agencies.

Highway – Superintendent Marshall Heritage gave the following report:

1. Plowing and sanding roads
2. Mixing salt and sand
3. Picking up Christmas trees
4. Patching pot holes
5. Truck # 14 changed the air compressor
6. Plowing back snow drifts
7. Truck 12 replaced the main hydraulic line to the plows
8. Dig safe locations were (10)
9. Cleaning trucks
10. Clearing walks and parking lots
11. Clearing fire hydrants and drainage grates
12. Repairing signs and mailboxes
13. Plowing out the water tower

The Board discussed the 4 ton weight limit signs that the Superintendent will be posting. Mr. Heritage said that there is an exception for garbage trucks and delivery vehicles. He tries to control the log trucks and construction vehicles that use Town Roads and has asked them to use the roads in the early morning when it is cooler, if they must use a Town Road. Mr. Heritage confirmed that he has notified local business in the past to let them know of the posting. He typically posts the roads around March, depending on the weather.

Constables – In January, there were 28 patrols, 16 complaints, 10 911 calls, and 2,484 miles were traveled, 19 tickets were issued and 5 accidents were responded to.

Dog Control – In January, there were 12 calls received, 7 expired licenses followed up on and 3 dogs seized and returned to owners.

Courts – The New York State Court Administration has ruled that there will be no in-person court for the month of February has because of the Covid virus.

Infrastructure – Councilman Glavin said that on February 1<sup>st</sup>, the Water Commissioners held a Public Information meeting. He thanked residents for their questions. In November, two water samples that were drawn from two sites in the water district had levels of lead above the acceptable threshold. The water was retested from the 2 homes and the lead level was undetectable. The Town will need to increase the sampling from 10 homes to 20, and also submit a plan to New York State for approval. The Board will vote on approving the minutes of the February 1<sup>st</sup> meeting and then would like the Town Clerk to put them on the Town website.

#### **RESOLUTION #64**

##### **Approval of Minutes of Water Commissioners Meeting**

Motion by Councilman Glavin

Seconded by Councilman Robbins

BE IT RESOLVED that the Town Board has approved the minutes of the Water Commissioners Public Information Meeting on February 1, 2021.

Roll Call: Councilman Glavin: Aye, Councilman Ranaletto: Absent, Councilman Robbins: Aye, Supervisor Grasso: Aye. **CARRIED**

Councilman Glavin said that the Water Department will be working on the Water Quality Report.

Councilman Glavin said that there is limited broadband available in the outskirts of the Town. He and Supervisor Grasso are setting up a meeting with Spectrum to see what options are available.

Community Center – An updated lighting project has just been completed. The septic system project to separate the system from the firehouse system has been successfully completed.

Town of Ballston Library – Rebecca Darling said that they are still offering curbside service, They are serving about 35-50 appointments per day. The winter reading program is done.

Planning Board – Jay Wilkinson said that the Board will hold a Public Hearing on February 15<sup>th</sup> for the Heflin subdivision of 76 acres into 8 building lots on Cook Road. They will be considering a lot line adjustment on the Landis property on Peaceable Street. They will also consider a subdivision of one parcel on the Warner property on Rocky Ridge.

#### **MOTIONS, RESOLUTIONS, AND AUTHORIZATIONS**

##### **RESOLUTION #65**

**A RESOLUTION DETERMINING THE ENVIRONMENTAL NONSIGNIFICANCE UNDER THE NEW YORK STATE ENVIRONMENTAL QUALITY REVIEW ACT REGARDING THE SPECIAL EXCEPTION PERMIT APPLICATION OF JASON NEMEC DESIGN, LLC, TO OPERATE AN ARTISAN**

**WOODWORKING/FURNITURE WORKSHIP AND SHOWROOM/ART GALLERY/RETAIL STORE  
LOCATED IN THE OLD FIREHOUSE AT 786 CHARLTON ROAD**

Motion by Councilman Glavin

Seconded by Councilman Robbins

Discussion: Supervisor Grasso said that the SEQR process needs to be completed before the project can move forward.

Roll Call: Councilman Glavin: Aye, Councilman Ranaletto: Absent, Councilman Robbins: Aye, Supervisor Grasso: Aye. **CARRIED**

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

**RESOLUTION NO. 65**

**February 8, 2021**

**RESOLUTION DETERMINING THE ENVIRONMENTAL  
NONSIGNIFICANCE UNDER THE NEW YORK STATE ENVIRONMENTAL QUALITY  
REVIEW ACT REGARDING THE SPECIAL EXCEPTION PERMIT APPLICATION OF  
JASON NEMEC DESIGN, LLC, TO OPERATE AN ARTISAN WOODWORKING/  
FURNITURE WORKSHOP AND SHOWROOM/ART GALLERY/RETAIL STORE  
LOCATED IN THE OLD FIREHOUSE AT 786 CHARLTON ROAD**

**WHEREAS**, the Town Board previously acknowledged receipt of an Exceptional Use Permit (EUP) Application from Jason Nemec Design, LLC, to open and operate an Artisan Woodworking/Furniture Workshop and Showroom/Art Gallery/Retail Store in the old Firehouse at 786 Charlton Road in the Town of Charlton, and retained primary jurisdiction of such application pursuant to the Zoning Ordinance of the Town of Charlton; and

**WHEREAS**, the Town Board called for, properly advertised, and held a Joint Public Hearing with the Zoning Board of Appeals on the subject application on January 25, 2021, with all parties in attendance permitted to speak on behalf of or in opposition to the proposed Exceptional Use Permit, and

**WHEREAS**, the Town Engineer having reviewed the project and application, and the Town Board after review having not identified any significant impacts associated with the proposed application, and the Town Planning Board having provided its' written recommendations, a copy of which are attached hereto, and having found and determined the project as proposed fits the general character of the Town, and the County Planning Board having provided written comments indicating the project would have no significant county-wide or intercommunity impact; and

**WHEREAS**, pursuant to Part 617 of the Implementing Regulations pertaining to Article 8 of the State Environmental Quality Review Act (hereafter "SEQR"), it has been determined by the Town Board of the Town of Charlton that the proposed project constitutes an Unlisted Action as defined under said regulations and the adoption of a resolution and approval of the project would not have a significant effect upon the environment and could be processed by the Board without further regard to SEQR, and

**WHEREAS**, the applicant prepared Part 1, and the Board has prepared Parts 2 and 3 of the Short Environmental Assessment Form (SEAF), which was presented at the Board meeting held on

February 8, 2021, a copy of which SEAF is attached to this Resolution and made a part hereof as if more fully set forth herein, and

**WHEREAS**, on December 28, 2020, the Town Board did decide and declare it will act as Lead Agency regarding SEQR review of this matter.

**NOW, THEREFORE BE IT RESOLVED**, the Town of Charlton Town Board, based on the information set forth in this Resolution, and in consideration of the Environmental Short Form provided and reviewed herein and the application documents presented and considered, it is hereby resolved as follows:

Pursuant to and in accordance with the provisions of Section 617.6 of SEQR, the Town Board of the Town of Charlton hereby makes the following determinations with respect to the environmental impacts and considerations of the Exceptional Use Permit application of Jason Nemec Design, LLC:

1. The Town Board of the Town of Charlton hereby determines that the action is subject to SEQR.
2. The Town Board hereby determines that the action does not involve a Federal agency and does not involve other agencies.
3. The Town Board hereby determines that the action is an unlisted action under SEQR.
4. The Town Board hereby finds and determines that it is, has been and will be the lead agency with respect to the adoption of and approval of the above described action.
5. The Town Board hereby finds and determines that: (a) it has considered the action, reviewed the Environmental Assessment Form, and reviewed the criteria set forth in 6 NYCRR Section 617.7(c) and considered each and every item and criteria as set for in Part II of the EAF; (b) the Exceptional Use Permit Application and project will not result in any significant large or important environmental impacts and therefore is one which will not have a significant impact on the environment.
6. The Town Board, in its' deliberations, considered the following regarding the proposed project and found same to have no impacts or small inconsequential impacts under SEQR regulations:
  - will the project create a material conflict with Town adopted land use plans or zoning; will the project result in a change to the use or intensity of the land; whether it will impair the character or quality of the community; will the project impact environmental characteristics, resources or human health; its' impact on vehicle and pedestrian traffic, energy use, water supplies and sewer treatment; the project's impact on the character or quality of important historic, archaeological, architectural or aesthetic resources; the project's impacts on natural resources; as well as any erosion, flooding or drainage concerns.
7. The Town Board, as lead agency with respect to the Exceptional Use Permit Application of Jason Nemec Design, LLC, hereby: (a) adopts a negative declaration pursuant to 6 NYCRR Section 617.7 with respect to this application; (b) authorizes the Town Supervisor to sign a negative declaration determination of non-significance with respect to this EUP Application and (c) authorizes the Town Clerk of the Town of Charlton to forward a copy of said negative declaration determination of non-significance to the appropriate Boards and agencies.

**BE IT FURTHER RESOLVED**, that this Determination of No Significance shall be considered a Negative Declaration made pursuant to Article 8 of the Environmental Conservation Law; and

**LASTLY, BE IT FURTHER RESOLVED**, the Town Clerk is authorized to file this resolution as is required by law and do all that is necessary in order to fully effectuate the determinations contained herein.

This resolution shall take effect immediately.

**Now, Therefore Be It Resolved** by the Town Board of the Town of Charlton:

MOTION BY: Councilman Glavin	Voting: Councilman Glavin	Aye
	Councilman Ranaletto	Absent
SECONDED BY: Councilman Robbins	Councilman Robbins	Aye
	Supervisor Grasso	Aye

The resolution was duly adopted on February 8, 2021.

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Brenda Mills, Town Clerk

#### **RESOLUTION #66**

#### **A RESOLUTION TO AUTHORIZE THE HIGHWAY SUPERINTENDENT TO PURCHASE A 2011 FORD F-350XL PICKUP TRUCK**

Motion by Councilman Robbins  
Seconded by Councilman Glavin

Discussion: The Highway Superintendent confirmed that this truck with replace truck #26 which needs a lot of repairs. They will salvage truck#26 at an upcoming auction. The Superintendent said that he researched many used trucks and he found this one to be the best value.

Roll Call: Councilman Glavin: Aye, Councilman Ranaletto: Absent, Councilman Robbins: Aye, Supervisor Grasso: Aye. **CARRIED**

**02/08/2021**

#### **Resolution # 66**

#### **A Resolution to authorize the Highway Superintendent to Purchase a 2011 Ford F-350XL pickup truck**

BE IT RESOLVED that the Town Board hereby authorizes the Highway Superintendent to purchase a 2011 Ford F-350XL Super Duty flatbed pickup truck, VIN 1FDRF3E69BEC78630, with 29,000 miles from Upstate Auto Sales, Hoosick Falls, NY, at a price of **\$15,971.00**. Cost of truck and New York state inspection will be paid out of the 2021 machinery-equipment budget line.

MOTION BY: Councilman Robbins	Voting: Councilman Glavin	Aye
	Councilman Ranaletto	Absent
SECONDED BY: Councilman Glavin	Councilman Robbins	Aye
	Supervisor Grasso	Aye

I certify that this is a true and exact copy of this original as passed by the Town Board of the Town of Charlton on

Dated: February 8 2021

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Brenda Mills, Town Clerk

**RESOLUTION #67**

**A 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 Glavin

Roll Call: Councilman Glavin: Aye, Councilman Ranaletto: Absent, Councilman Robbins: Aye, Supervisor Grasso: Aye. **CARRIED**

TOWN OF CHARLTON  
COUNTY OF SARATOGA  
STATE OF NEW YORK

RESOLUTION NO. 67

February 8, 2021

**A 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 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, subd. 11.

NOW BE IT RESOLVED, that the Town Board hereby affirms and authorizes, pursuant to §1660(11) of the New York State Vehicle and Traffic Law, and at the direction and order of the Town of Charlton Highway Superintendent 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

BE IT 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

BE IT FURTHER RESOLVED, that such limitation shall continue in effect until such time as conditions permit the withdrawing of the order, and

BE IT 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: Councilman Glavin	Aye
Councilman Ranaletto	Absent
Councilman Robbins	Aye
Supervisor Grasso	Aye

SECONDED BY: Councilman Glavin

I certify that this is a true and exact copy of this original as passed by the Town Board of the Town of Charlton on

Dated: February 8, 2021

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Brenda Mills, Town Clerk

### **ABSTRACT OF CLAIMS**

#### **RESOLUTION #68**

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

Motion by Councilman Ranaletto

Seconded by Councilman Glavin

The Town Board members audited Abstract #103, voucher numbers 69-104 in the amount of \$131,479.44.

Roll Call: Councilman Glavin: Aye, Councilman Ranaletto: Absent, Councilman Robbins: Aye, Supervisor Grasso: Aye. **CARRIED**

### **PRIVILEGE OF THE FLOOR**

Suzanne Voigt asked if the Town Board was still accepting applications for the vacant Town Board seat. Supervisor Grasso said that the deadline was January 29<sup>th</sup> and the Board is close to making a decision, but they would still accept applications. Mrs. Voigt also said that the County has vaccinated many of the Fire Department volunteers.

#### **RESOLUTION #69**

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

Motion by Councilman Robbins

Seconded by Councilman Glavin

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

The meeting adjourned at 8:39 p.m.

Respectfully submitted,

Brenda Mills  
Town Clerk