

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

**May 22, 2023**

The Regular Meeting of the Town Board of the Town of Charlton, Saratoga County, New York was held at the Charlton Town Hall, 758 Charlton Rd, Charlton NY and called to order by Supervisor Grasso at 7:34 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 #124**

**Approval of Minutes**

Motion by Councilman Robbins

Seconded by Councilman Tasse'

Discussion: Councilman Robbins asked for corrected his report about a request for a 50/50 raffle at Party in the Park. The minutes stated that the Attorney said that the Town should not promote games of chance. The Councilman asked that the wording be changed to read that the Town should not engage in games of chance.

**BY MOTION** the Town Board approved the minutes of the Town Board Meeting on May 8, 2023.

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

**PRIVILEGE OF THE FLOOR FOR AGENDA ITEMS**

David Pohl asked for a salute to the flag. The Board and audience recited the pledge of allegiance.

**SUPERVISORS REPORT**

**Announcements:**

Grievance Day is Tuesday May 23<sup>rd</sup> from 2-4pm and 6-8pm.

The Town offices will be closed for the Memorial Day holiday weekend May 27 through May 29<sup>th</sup>.

There will be a free concert at 7pm on Friday June 2<sup>nd</sup> at the Gideon Hawley Park gazebo. The band performing is the Dead Spartans.

Party in the Park and Founders Weekend is June 3<sup>rd</sup> and 4<sup>th</sup>.

The Supervisor acknowledged and congratulated the former BHBL Community Library Trustees Tom Shaginaw and Steve Zarelli on being named as the 2022 Trustee of the Year Award Recipients.

The Town has received notice that the Town of Ballston Planning Board will hold a Public Hearing on May 31<sup>st</sup> at 6:40pm regarding an application by Stem and Stone Farm, LLC for the approval, modification or disapproval of a modified site plan review application for property situated at or about 259 Scotchbush Road, for the construction of an agritourism business focused on a you-pick flower operation.

**Communications:**

The following communication was received from Norman McFarlane, resident as a follow-up from the Public Hearing regarding the change in term limits for Supervisor and Highway Superintendent:

April 21, 2023

Charlton Town Board  
758 Charlton Rd  
Charlton, NY 12019

Re: Town Board Meeting 04-24-23  
Public Hearing: Increase term limits

Dear Members of the Town of Charlton Town Board:

Unfortunately, I am out of town and will not return in time to attend the public hearing and be heard on the issue scheduled for public hearing on the 24<sup>th</sup>.

I request that this letter be read into the minutes and be considered by the Board.

I oppose increasing the term limits from 2 years to 4 years.

Short term limits for politicians are in place to ensure that there is a rotation of new ideas and energy in government, to help prevent corruption, and to promote the idea of public service rather than personal gain or ambition. It also helps to ensure that the political system is more representative of the people and that the people's views are taken into account.

Here are 10 reasons for short term limits for politicians that are particularly important for local, political officeholders:

1. Promotes an open and competitive electoral system.
2. Encourages the participation of a wider range of people in the political process.
3. Prevents stagnation and encourages new ideas and perspectives.
4. Prevents the corruption of power by preventing any one person from gaining too much influence.
5. Helps to ensure that all citizens are represented by elected officials who truly reflect their views and values.
6. Helps to ensure that the political process is not dominated by powerful special interests.
7. Prevents political deadlock and allows for more timely decisions.
8. Helps to ensure that elected officials are held accountable for their actions.
9. Promotes fiscal responsibility by preventing elected officials from being able to use public funds for personal gain.
10. Encourages the idea of public service, rather than personal ambition or gain

Thank you for your courtesy and cooperation.

Respectfully,

Norman E. McFarlane, Esq.

The following email was received from resident Lora Colucci:

Hi, This is my second comment regarding the need in Charlton for a Dog Park and a coffee shop. There are numerous venues for a dog park including, 1) Elmer Smith Park, 2) space behind the Town Hall 3) Space around and near the Water tower. Since my last comment went unrecognized I would very much appreciate the courtesy of a response. Dog parks and coffee shops are social avenues for our aging community and dog parks are good for dogs. We are the only community in the area that has virtually no community services other than a center now in desperate need of repair. We also need a community gym and pool. The unused space to the town hall is a wonder place to consider these much needed town amenities. All the best,  
Lora

Supervisor Grasso read his reply to Ms. Colucci:

Ms. Lora Colucci, thank you for your recent feedback to the Town of Charlton. I wanted to reply to your questions and concerns. I'm sorry that you did not receive a call or e-mail reply from your previous correspondence with the Town. If a call is preferable over e-mail, please let me know. Dog Parks: Leashed dogs are currently welcome at the Elmer Smith Park, Mill Pond Park, Gideon Hawley Park, as well as at our town hall complex. Unfortunately, we do not have a separate park just for dogs or a park with a fenced enclosure. The pros and cons of such a park will continue to be considered by the Town Board and Parks Committee. Coffee Shops: Coffee shop choices within Charlton are very limited, although popular coffee spots can be found at the Charlton Tavern and Stewart's. The Route 67 Café had planned to open a coffee shop but they haven't advanced their former application. I assume the lack of interest from the business community on more coffee shops may be due to lack of anticipated sales volume. I am aware of a few good coffee offerings in Burnt Hills including the Burnt Hills Café, Dunkin Donuts and Cupola Coffee. Thanks again for reaching out to the Town. Your comments will be shared with the Town Board. Sincerely,  
Joe Grasso  
Town of Charlton Supervisor

### **Town Updates:**

Supervisor Grasso said that he had shared with the Board some possible proposed rate changes for the Water District rates. He said that the last update of rates was done in 2007, so it is probably time to review and update them. Based on the new contract with the Town of Glenville, Glenville will get \$1,200 for any new hookups. Charlton already had hookup fees which added up to about \$1,720 over 4 years, so all total with Glenville's new fee, it would add up to just under \$3,000.00. Supervisor Grasso recommended making the new connection fee be one lump sum payment of \$3,000.00, of which \$1,200.00 of that would be paid to the Town of Glenville. Councilman Glavin said he made some minor suggestions to the rate schedule. The Board will review the proposed changes and have a resolution for the updated changes at the next meeting.

### **Financial Updates:**

Supervisor's Financial Report for April.

There were some journal entry adjustments made this month that revised last month's ending balances. Over the past month, the total cash account balance has increased \$50,844.58 and stands at \$2,094,645.17.

Par through April is 33%.

**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 April, 2023:

DATED: May 3, 2023

\_\_\_\_\_  
SUPERVISOR

	Balance 03/31/2023	Increases	Decreases	Balance 04/30/2023
<b>A GENERAL FUND - TOWNWIDE</b>				
CASH - CHECKING	1,031,575.49	81,659.52	109,447.88	1,003,787.13
PETTY CASH	900.00	0.00	0.00	900.00
Park Fees Reserve	49,250.87	8.10	0.00	49,258.97
<b>TOTAL</b>	<b>1,081,726.36</b>	<b>81,667.62</b>	<b>109,447.88</b>	<b>1,053,946.10</b>
<b>CM AMBULANCE FUND</b>				
	0.00	0.00	0.00	0.00
<b>TOTAL</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>
<b>DA HIGHWAY FUND</b>				
CASH - CHECKING	337,205.96	331,556.85	240,921.09	427,841.72
<b>TOTAL</b>	<b>337,205.96</b>	<b>331,556.85</b>	<b>240,921.09</b>	<b>427,841.72</b>
<b>F WATER #1 FUND</b>				
CASH - CHECKING	352,660.93	0.00	11,929.82	340,731.11
CASH, SPECIAL RESERVES	207,347.01	34.08	0.00	207,381.09
<b>TOTAL</b>	<b>560,007.94</b>	<b>34.08</b>	<b>11,929.82</b>	<b>548,112.20</b>
<b>H CAPITAL PROJECTS</b>				
	0.00	0.00	0.00	0.00
<b>TOTAL</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>
<b>SW WATER #2 FUND</b>				
CASH - CHECKING	26,766.29	0.00	215.30	26,550.99
<b>TOTAL</b>	<b>26,766.29</b>	<b>0.00</b>	<b>215.30</b>	<b>26,550.99</b>
<b>TA TRUST &amp; AGENCY</b>				
CASH - CHECKING	38,094.04	70,372.11	70,271.99	38,194.16
<b>TOTAL</b>	<b>38,094.04</b>	<b>70,372.11</b>	<b>70,271.99</b>	<b>38,194.16</b>
<b>TOTAL ALL FUNDS</b>	<b>2,043,800.59</b>	<b>483,630.66</b>	<b>432,786.08</b>	<b>2,094,645.17</b>

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**General Fund**

Revenues are at 25.3% of budget.

Expenses are at 39.3% of budget.

No mortgage receipts yet, distributed twice a year. There will be a shortfall in mortgage tax receipts for 2023. No landfill revenue sharing yet, distributed once a year. We'll be using ARPA funds to cover the cost of the boiler purchase and the water study. ARPA and Community Project Funding (CPF) reimbursements will lag the costs attributed to these funding sources, so we expect expenses will show over budget and revenues will show under budget until these reimbursements come in.

### **Highway Fund**

Revenues are at 27.4% of budget.

Expenses are at 24.8% of budget.

No CHIPS funding yet, distributed in second half of the year. We got some news out of the state budget indicative of future state contributions which affects our Highway revenues. 2023 CHIPS funding looks like a slight increase over 2022, and same levels from 2022 for Pave NY, Pave our Potholes (POP) and Extreme Winter Recovery (EWR). This is good news and we should see official notice from NYS in the next month.

There are three bonds for the construction of the town hall. One of those was paid off in January. The other two mature later this year. By the end of the year the Town Hall construction bonds will be fully paid off.

### **County Updates:**

Supervisor Grasso said that he received an email of updated information from the County EMS Coordinator about the Emergency Services call volumes and number of calls turned over to mutual aid. One item to note is that there was a decline in the number of calls in the month of March and April which may result in decreased income for the agencies. The percentage of calls that rolled over to mutual aid were: Ballston Lake EMS at 4%, Community Corp is at 4.2 % and Galway Ambulance is at 11.9%. Supervisor Grasso said that he attended an Open House at the Ballston Lake EMS today which was well attended. The County spoke about an EMT internship program that the County rolled out last year which was very successful and received national recognition. The County plans to continue the program. Councilman St. John asked why Galway Ambulance's mutual aid calls were so high. Supervisor Grasso said that the County looks at long term trends and Galway has less overall calls which can cause the percentage to be higher. It is something that the County keeps an eye on.

## **COUNCILMAN REPORTS**

### **Councilman Tasse':**

Town of Ballston Library - Rebecca Darling said that out of 34 libraries in the Southern Adirondack system, they were honored to have 2 of their trustees chosen to be the 2022 Trustee of the Year. Congratulations to Tom Saginaw and Steve Zarelli.

### **Councilman Robbins:**

Parks - Councilman Robbins said they there was a large white pine tree near the ball fence at Elmer Smith Park that had been leaning and a possible hazard. When the tree was taken down it was found to have rot and damage in its center.

### **Councilman Glavin:**

#### **Water:**

1. The Water Clerk is working on the Draft Minutes for the recent Water commissioners meeting held on 5/8/23. We expect these to be posted to the Town Website in the Water Department Area.
2. Water meter recording (yellow) cards are due back to the Water Clerk by 5/25/23 to avoid the \$85 penalty.

#### **Electricity:**

1. Councilman Glavin stated that the Town has signed the agreement with Green Street Power Partners Saratoga Solar III, LLC via the Project Manager, Power Market, to provide Solar Credits to the town at estimated savings of ~ 10% once the solar array is fully online and providing power to the National

Grid electrical grid. Councilman Glavin is arranging a tour for mid to late June. TB Members are invited to attend. The Array is located on Murray Road in the Town of Milton.

**Councilman St. John:**

ZBA – May 9<sup>th</sup> Public Hearing for Carrie Shea Antique Home Store Exceptional Use permit– public hearing. No speakers. Application accepted by unanimous vote.

Planning Board: Kondrat lot line change application, Public Hearing set for June 13.

May 15<sup>th</sup> - Planning Board Meeting for Ellms lot line change application which was sent to the County for review.

Update regarding complaints pertaining to Abandoned Homes:

Out of the 12 addresses provided to the Zoning Ordinance:

6 letters were sent advising owners of the maintenance issues and requesting contact and compliance  
2 residences were under violation and one was sold by the bank and is being cleaned up to live in (141 Dawson) and (7 Crestwood) is making progress.

3 are already in compliance

We received contact from 2 of the letters and owners who are out of state will be coming to address issues

1 property does not have taxes paid and we are trying to locate a next of kin for deceased owner

Per county the 2 properties that have not had taxes paid would most likely go to the auction 2025.

Speed Wagon results – Jockey Street in 40 mph zone– starting May 12<sup>th</sup> , 17,538 vehicles were recorded, average speed was just under 42 mph, minimum recorded was 20 mph, maximum was 83 mph, with 50% of vehicles traveling an average of 42 mph.

Land Use Committee - met May 11<sup>th</sup>. Next meeting will produce a recommendation document for committee consideration.

**MOTIONS, RESOLUTIONS AND PROCLAMATIONS**

**RESOLUTION #125**

**RESOLUTION AUTHORIZING THE TOWN TO PARTICIPATE IN THE NYCLASS PROGRAM**

Motion by Councilman Robbins

Seconded by Councilman St. John

Discussion: Supervisor Grasso said that since the Town has money to invest and interest rates are up to about 5%, he feels that the Town could make additional revenue by investing with NYClass. They offer daily access to the savings accounts and the money is not tied up like time deposits. Councilman Glavin asked if there is any downside to this? Supervisor Grasso said that there are no penalties or minimums. The only downsides that he could see would be that they are backed by the US Government, and also it is additional record keeping on our end. Councilman Robbins asked if we are authorizing Joe Grasso as Supervisor or as Budget Officer. Joe said as Supervisor.

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. 125**

**May 22, 2023**

**RESOLUTION AUTHORIZING THE TOWN TO PARTICIPATE  
IN THE NYCLASS PROGRAM**

**WHEREAS**, New York General Municipal Law, Article 5-G, Section 11-o (“Section 119-o”) empowers municipal corporations (defined in Article 5-G, Section 119-n to include school districts, boards of cooperative educational services, counties, cities, town and villages, and districts) to enter into, amend, cancel and terminate agreements for the performance among themselves (or one for the other) of their respective functions, powers and duties on a cooperative or contract basis; and

**WHEREAS**, the Town of Charlton wishes to have the option to invest various portions of its available investment funds in a local government investment pool in cooperation with other municipalities, corporations and/or districts pursuant to the New York Corporation Liquid Assets Securities System (NYCLASS) Municipal Cooperation Agreement Amended and Restated as of March 28, 2019; and

**WHEREAS**, the Town of Charlton wishes to assure the safety and liquidity needs of its funds, while at the same time providing options from which to get better returns on its funds while they are invested.

**NOW, THEREFORE, BE IT RESOLVED**, upon review and consideration the Town Board hereby authorizes the Town Supervisor to enter into an agreement with and do all that is necessary to participate in the NYCLASS program under the terms of the NYCLASS Municipal Agreement Amended and Restated as of March 28, 2019, as a source to help increase and maximize the interest income the Town can earn on its funds.

Moved by Councilman Robbins

Seconded by Councilman St. John

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

The resolution was duly adopted on May 22, 2023.

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Brenda Mills, Town Clerk

**RESOLUTION #126**

**RESOLUTION CONSENTING TO ROAD CLOSURES FOR THE 53<sup>RD</sup> ANNUAL CHARLTON FOUNDERS DAY PARADE 2023**

Motion by Councilman Robbins

Seconded by Councilman Tasse

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. 126**

**May 22, 2023**

**RESOLUTION CONSENTING TO ROAD CLOSURES  
FOR THE 53<sup>RD</sup> ANNUAL CHARLTON FOUNDERS DAY PARADE 2023**

**WHEREAS**, the 53<sup>rd</sup> Annual Charlton Founders Day Parade is scheduled to be held on June 4, 2023; and

**WHEREAS**, a request for permission to close certain roads for the parade was made and granted by the Saratoga County Commissioner of Public Works and the Town received a Letter of Acknowledgement of such which letter indicated the need for Town Board approval of said road closures pursuant to Section 1660-6 of the Vehicle and Traffic Law.

**NOW THEREFORE, BE IT RESOLVED**, the Town Board of the Town of Charlton hereby consents to the June 4<sup>th</sup>, 2023 road closures for the 53<sup>rd</sup> Annual Charlton Founders Day Parade 2023, on sections of Swaggertown Road from Cherry Lane to County Road 51, Charlton Road, and on Charlton Road from Swaggertown Road to Stage Road, County Road 53, pursuant to the Letter of Acknowledgement received by the Saratoga County Commissioner of Public Works, a copy of which is attached hereto.

Moved by Councilman Robbins

Seconded by Councilman Tasse

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

The resolution was duly adopted on May 22, 2023.

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Brenda Mills, Town Clerk

**RESOLUTION #127**

**RESOLUTION TO HIRE AN ENGINEERING COMPANY FOR STRUCTURAL REPAIR DESIGN WORK AT THE TOWN COMMUNITY CENTER**

Motion by Councilman Tasse'

Seconded by Councilman Robbins

Discussion: Supervisor Grasso said that DeGennaro Engineering, LLC did the original structural assessment at the Community Center last year, and at that time, they did mention that this needed to be done. This is a soft cost that is reimbursable under the Community grant. Councilman Glavin asked if this is the only cost for structural design. Supervisor Grasso said that this is just for the first floor framing. There were some other things identified in the original report that may need some structural design, but not right now. We are also underway with the Architectural Evaluation that may flag something that needs design, such as a new front entrance ramp.

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. 127  
May 22, 2023**



**RESOLUTION TO HIRE AN ENGINEERING COMPANY FOR STRUCTURAL  
REPAIR DESIGN WORK AT THE TOWN COMMUNITY CENTER**

**WHEREAS**, as part of the overall assessment and repairs needed at the Community Center, it was discovered that some of the first floor framing of the Town Community Center is or may be in need of repair work and/or replacement; and

**WHEREAS**, the Town, pursuant to its' Procurement Policy, solicited bids and proposals for the structural repair design work for the project; and

**WHEREAS**, the Town has received a quote and estimate from DeGennaro Engineering, LLC, located at 40 Oregon Trail, Waterford, New York, 12188, in the amount of \$5,040.00, to perform said design work, which meets all of the Town's criteria and specifications for said project; and

**WHEREAS**, the Town Board believes DeGennaro Engineering, LLC, to be of known quality, and the best choice to perform the work, at a reasonable cost and best value and expense to the Town.

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Charlton awards to, and hires, DeGennaro Engineering, LLC, of 40 Oregon Trail, Waterford, New York, 12188, to perform the design work and oversee portions of the construction phase for the repair and construct to the first floor framing of the Town Community Center, all as set forth in the attached quote, at a cost of \$5,040.00, plus other minor incidental costs, if any, to be commenced and completed within a reasonable time frame as agreed to with the Town Supervisor; and it is further

**RESOLVED**, the Town Supervisor is authorized to enter into and sign all necessary documents and pay all amounts needed in order to effectuate same.

Moved by Councilman Tasse

Seconded by Councilman Robbins

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

The resolution was duly adopted on May 22, 2023.

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Brenda Mills, Town Clerk

**ABSTRACT OF CLAIMS**

**MOTION #128**

**Approval of Abstract of Claims**

Motion by Councilman Tasse

Seconded by Councilman Glavin

**BY MOTION**, the Town Board approved the processing of Abstract 110, voucher numbers 281-311 in the amount of \$40,055.69, which was audited by Town Board members.

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

**PRIVILEGE OF THE FLOOR:**

Courtney Pettis, resident, said that she is moderating the Charlton Citizens Facebook page and she has had many residents ask about the condition of the former Route 67 Café. Many comments have been made which include, eyesore, embarrassment, there are bed sheets hanging over windows, squatter living in store, etc. She asked if anything was being done to get the property cleaned up.

Supervisor Grasso said that the Board gets a lot of inquiries about land use issues in the Town. The inquiries need to be sent to the Zoning office to be handled by the Code Enforcement officer. The Board has noticed the deterioration of the property and will contact the Zoning office to see if anything can be done. Many times when the Zoning Office researches it, they do not find any local laws that they can enforce. There are forms in the Building Department that residents can fill out if they have concerns about a property.

**MOTION #129**

**Motion to close the public portion of the meeting and go into Executive Session to discuss pending litigation**

Motion by Councilman Robbins  
Seconded by Councilman Tasse'

**BY MOTION** the Town Board closed the meeting at 8:24 p.m. and went into Executive Session to discuss pending litigation with Attorney Craig, Town Clerk Mills and ZBA Chairman Jim Leupold.

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

**MOTION #130**

**Motion to come out of Executive Session**

Motion by Councilman Robbins  
Seconded by Councilman Tasse'

**BY MOTION** the Town Board came out Executive Session at 8:57pm. No action was taken.

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

**MOTION #131**

**Motion to adjourn the meeting**

Motion by Councilman Robbins  
Seconded by Councilman Tasse'

**BY MOTION** the Town Board adjourned the meeting at 8:58 p.m.

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

Respectfully submitted,

Brenda L. Mills  
Town Clerk