

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

May 8, 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 7:33 p.m.

Roll call: Supervisor Grasso, Councilman Glavin, Councilman Robbins, Councilman St. John, Councilman Tasse.

Also present: Town Clerk Brenda Mills, Attorney Craig.

APPROVAL OF MINUTES

MOTION #119

Approval of Minutes

Motion by Councilman Robbins

Seconded by Councilman Tasse

BY MOTION the Town Board approved the minutes of the Town Board Meeting on April 24, 2023.

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

PRIVILEGE OF THE FLOOR FOR AGENDA ITEMS

No one chose to speak.

TOWN CLERK'S REPORT

Town Clerk – Clerk Mills said for the month of April, the Town Clerk's office took in \$928.50. \$747.30 was paid to the Supervisor's office as revenue, and \$181.20 was paid to other Governmental agencies.

SUPERVISORS REPORT

Announcements:

Founder's Day weekend will be held the weekend of June 2nd through June 4th.

Donations are being accepted for the fireworks show at Party in the Park, which is held on June 3rd beginning at 5pm.

DEPARTMENT, COMMITTEE & COUNCILMAN REPORTS

Councilman Tasse, Liaison:

Town of Ballston Library: The Town of Ballston and the Ballston Community Public Library have agreed on draft legislation for the Charter Update. The Town voted to move forward with legislation on April 25 and the Library did the same on April 26. Currently, the legislation has been submitted to bill drafting by Senator

Tedisco's office. The next step will be introduction of the bill by its sponsors Senator Tedisco and Assemblywoman Walsh. • For the month of May student art from The Charlton School will be on display. There will be an Artist Reception held at the Library on May 31 at 4:00 PM. • Construction of the Local History Room and the LED light upgrade is finishing up. The library is already seeing a 40% reduction in electricity usage. A ribbon cutting ceremony will be held on Wednesday, May 31 at 6:00 PM at the library.

Councilman Tasse reminded residents that there is a NYS burn ban until May 14th.

Councilman Robbins, Liaison:

Highway – Superintendent Marshall Heritage submitted the following report for the month of April:

1. Picking up sod from snow plowing
2. Rocky Ridge cut down several dead trees
3. Checking several locations for beaver activity
4. Truck 11 replaced the flywheel and inspected
5. Sweeping roads
6. Replaced a cross culvert on Packer Road
7. I attended the April highway luncheon
8. We all had our dig safe certification training
9. Elmer Smith Park sprayed for bees
10. Serviced the mowers
11. Spring servicing on the trucks
12. Grader bladed Rocky Ridge and Featherbed Lane
13. Changed a driveway culvert on 6 Martin Drive
14. Picked up garbage bags from road side clean up
15. Brush pick up week
16. Installed three driveway culverts on Division Street
17. Mowing of the Town lawns
18. Changed out faded stop signs and yield signs in the Komar area
19. Removed the four-ton signs from roads
20. Changed a driveway culvert at 121 Saddlebrook
21. We had our MS4 training

Councilman Robbins reminded residents that the Highway Department will provide a truck for residents to fill if they have a large amount of brush. Spring Brush pick-up is supposed to be for downed limbs from winter and spring weather, not for cleanup of landscaping projects.

Party in the Park – Councilman Robbins said that there is no rain date for the events other than the fireworks. He said that they Committee is trying to secure a taco truck or other food vendor for the event. A booster club has asked for a booth at the event to sell 50/50 raffle tickets. Discussion was held and Attorney Craig confirmed that the Town is not supposed to engage in games of chance. However, since it is being run by a booster club and the Town is not profiting from the raffle, it would be allowable.

Historian: Marv Livingston said that today is the anniversary of the end of World War II. On May 20th, flags will be placed on the veteran's graves in the Town cemeteries. He thanked Gadsden and Culpepper for their very generous donation of the 27 dozen flags needed. He is working on scanning Charlton death records into an excel file.

The Councilman said that Jason Nemec was awarded 2 grants and he will be putting on workshops for the public.

Parks – Dave Pohl said that work is being done on the baseball field in Elmer Smith Park by the Junior baseball league.

Councilman Glavin, Liaison:

Water – the Water Commissioners Meeting was held earlier this evening. The focus of the meeting was to go over the EDP Water Study report and identify items to be addressed. As stated at a previous meeting, the Town has signed a 10-year water agreement with the Town of Glenville. Glenville requested that the

agreement include a \$1,200 hook-up fee to be paid to them for any new water customers. Water meter reading cards are due back to the Town by May 25th to avoid a late fee of \$85.00.

Electric – the Board will be voting on a new resolution this evening to receive solar credits on the Town's electric bills.

The installation of the new boiler for Town Hall have been completed by Eckert Mechanical. They also did some additional work on the hallway heaters and got them running.

Councilman St. John, Liaison:

Constables – In April, there were 3,056 miles traveled, 31 patrols, 12 complaints, 6 911 calls and 5 EMT Fire calls were responded to, and 54 tickets were issued (17 on Route 67).

Dog Control – In April, there were 5 calls received, 34 delinquent dog licenses were followed up on. Ag and Markets did their annual inspection on March 31st and the Town passed.

ZBA - Carrie Shea submitted a special exemption use permit for an Antiques and Home Goods store in her home on 2022 Maple Ave. Her application was accepted and a public hearing is scheduled for May 9th at 7 pm. Secretary Kim Caron will submit the ZBA agenda by Thursday before the meetings for email publication.

Planning Board – the following items were addressed at the April 17th meeting:

Ward application Major Subdivision 2049 Route 67 and Maple Ave 31 acres 3 lots. Public hearing closed by unanimous vote. Application with restrictions accepted by unanimous vote.

Holbrook application 2107 Route 67 and Jockey St., 87 acres 3 lots, public hearing closed by unanimous vote. Application accepted by unanimous vote.

Anderson application 454 Finley Rd 5 acres, 2 lots. Public hearing closed by unanimous vote. Application accepted by unanimous vote.

Land Use Committee: they will hold a meeting on May 11th.

MOTIONS, RESOLUTIONS AND PROCLAMATIONS

Supervisor Grasso said that the Board had previously voted on a resolution to receive solar credits from another company (Oya Solar NY,LP), but the Town and the Company were not able to agree on the terms in the agreement, and no agreement with them was executed.

RESOLUTION #120

RESOLUTION TO RESCIND TOWN OF CHARLTON RESOLUTION NO. 74 OF 2023, AND ALLOW THE TOWN OF CHARLTON TO ENTER INTO A COMMUNITY SOLAR SUBSCRIBER AGREEMENT WITH GREEN STREET POWER PARTNERS/SARATOGA SOLAR III, LLC

Motion by Councilman Glavin

Seconded by Councilman Robbins

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. 120
May 8, 2023**

**RESOLUTION TO RESCIND TOWN OF CHARLTON RESOLUTION NO. 74, OF 2023, AND
ALLOW THE TOWN OF CHARLTON TO ENTER INTO A COMMUNITY**

SOLAR SUBSCRIBER AGREEMENT WITH GREEN STREET POWER PARTNERS/SARATOGA SOLAR III, LLC

WHEREAS, the Town Board of the Town of Charlton had previously by resolution, resolved to enter into a solar subscriber agreement with OYA SOLAR NY, LP, and

WHEREAS, after consideration of the terms of their contract and attempts to negotiate changes, the parties were unable to come to an agreement on certain essential terms of the contract, and the Town Board believed it to be in the Town's best interests to seek out other potential community solar providers, and

WHEREAS, as a result, the Town is desirous of now rescinding previous Town of Charlton Resolution No. 74 of 2023, which allowed the Town to enter into a solar subscriber agreement with OYA SOLAR NY, LP, and to pursue a similar more acceptable contract elsewhere; and

WHEREAS, as part of the Town Board's due diligence in keeping expenses down and cutting costs, the Town Board has researched, investigated and determined it to be in the best interest of the Town to enter into a new solar subscriber agreement with Green Street Power Partners/Saratoga Solar III, LLC, which has the potential to and will save the Town on the costs of electrical service provided to Town owned properties on an annual basis; and

WHEREAS, the Town Board believes this to be in the best interest of the Town and Town taxpayers, with initial estimates on savings on electrical costs to be around 10%, or approximately \$1,500.00 annually.

NOW, THEREFORE, BE IT RESOLVED, the Town Board hereby rescinds Resolution No. 74 of 2023, and does hereby authorize, agree, and consent to allowing the Town Supervisor to enter into a new Agreement with Green Street Power Partners/Saratoga Solar III, LLC, to provide electrical energy to the Town Hall and Town buildings, under the terms and conditions set forth in the Community Solar Distribution Generation Subscription Agreement, a copy of which along with Exhibits, is attached hereto and made a part hereof, conditioned upon approval of such by the Town Supervisor and the Town Attorney, and further hereby authorizes the Town Supervisor to execute all other needed and necessary documentation, and pay all amounts required thereunder in furtherance thereof.

Moved by Councilman Glavin

Seconded by Councilman Robbins

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

The resolution was duly adopted on May 8, 2023.

Brenda Mills, Town Clerk

RESOLUTION #121

RESOLUTION ACKNOWLEDGING RECEIPT OF A SPECIAL EXCEPTION PERMIT APPLICATION FROM TAMMY L. JOHNSON REQUESTING APPROVAL TO OPERATE A FACILITY FOR BOARDING AND TRAINING DOGS OUT OF HER HOME LOCATED AT 912 CHARLTON ROAD IN THE TOWN OF CHARLTON, AND REFERRING SAME TO THE ZONING BOARD OF APPEALS TO EXERCISE PRIMARY JURISDICTION ON SUCH APPLICATION PURSUANT TO THE ZONING ORDINANCE FOR THE TOWN OF CHARLTON

Motion by Councilman St. John

Seconded by Councilman Robbins

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. 121
May 8, 2023**

**RESOLUTION ACKNOWLEDGING RECEIPT OF A SPECIAL EXCEPTION
PERMIT APPLICATION FROM TAMMY L. JOHNSON REQUESTING APPROVAL
TO OPERATE A FACILITY FOR BOARDING AND TRAINING DOGS OUT OF HER
HOME LOCATED AT 912 CHARLTON ROAD IN THE TOWN OF CHARLTON, AND
REFERRING SAME TO THE ZONING BOARD OF APPEALS TO EXERCISE PRIMARY
JURISDICTION ON SUCH APPLICATION PURSUANT TO THE ZONING ORDINANCE
FOR THE TOWN OF CHARLTON**

WHEREAS, the Town Board has received an application dated April 11, 2023, from Tammy L. Johnson, owner of 912 Charlton Road, in the Town of Charlton, applying for a special exception permit to operate a boarding and training facility for dogs out of her home, at 912 Charlton Road, with no new or additional buildings or modifications requested or anticipated, under provisions contained in Article VII, Section 3.B of the Zoning Ordinance for the Town of Charlton; and

WHEREAS, the Town Board has reviewed such application, consulted with the Town of Charlton Zoning Enforcement Officer and the Attorney for the Town regarding issues which need to be considered in processing this application and as set forth in the aforementioned Article VII; and

WHEREAS, pursuant to Article VII, Section 3.B of the Zoning Ordinance, the Town Board may refer said application to the Zoning Board of Appeals, subject to the conditions set forth in Section 6 of Article VII of said Ordinance, to review, process, and provide a determination on the application after due public notice, hearing and a final vote of the Zoning Board of Appeals, and subject to all relevant provisions of said Ordinance as to whether such permit should be granted.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Charlton hereby refers to and directs the Town of Charlton Zoning Board of Appeals to review, process and provide a determination with respect to the application of Tammy L. Johnson for a special exception permit to open and operate a dog boarding and training facility in her home at 912 Charlton Road, in the Town of Charlton, subject to the provisions set forth in Article VII of the Town of Charlton Zoning Ordinance.

Moved by Councilman St. John

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 8, 2023.

Brenda Mills, Town Clerk

ABSTRACT OF CLAIMS

MOTION #122

Approval of Abstract of Claims

Motion by Councilman Tasse

Seconded by Councilman Glavin

BY MOTION, the Town Board approved the processing of Abstract 109, voucher numbers 250-280 in the amount of \$67,526.77 which was audited by Town Board members.

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

PRIVILEGE OF THE FLOOR

Residents of Featherbed Lane attended the meeting and spoke against the planned paving of Featherbed Lane. All the residents feel that the dirt road adds to the rural character, and they want to keep the road unpaved. All of the residents said that they bought their homes there knowing that they were on a dirt road. In addition:

Juliana Potts said that it used to be a stagecoach stop and was used by the underground railroad. In the past there was an agreement amongst the farmers not to pave the road. They purchased their home knowing it was a dirt road and they have no problem with the condition of the road. She said that occasionally there is a slick spot on the road, but she has never gotten stuck. The postal carrier may complain about potholes on the road, but they go at excessive speeds.

Nuresh Iyer said he has lived on the road for 10 years. He feels that a dirt road limits the amount of traffic on the road. He asked that if the road is paved, the speed limit be low.

Dr. Joshua Carlson said that what brought him to the area was the historic nature, historic house and quaint nature of Featherbed Lane. He urged the Town to reconsider paving the road.

Danielle Hunt is worried about increased speed on the road once paved and increase thru traffic. She also worries about increased development. She has environmental concerns about the salt run off of paved roads and the effect on wetlands.

Supervisor Grasso said that he appreciates the residents coming out and articulating their thoughts. The Town Board is in the process of getting up to speed on the issue. The Board is trying to preserve the rural character of Charlton. There are two dirt roads in Charlton; Rocky Ridge and Featherbed. Paving roads does change character. He does not feel that it will increase traffic on Featherbed Lane. He understands the traffic speed concerns because paved roads do see increased speeds. The Town has received complaints from the Postal Service and the School District about the dirt road. The Town takes pride in our roads, which allow emergency vehicles quick access. We have 47 miles to maintain and that is a lot of work for our Highway Department. Dirt roads require more work and different work to keep them up. The current work being done on the road way would still be done regardless of the paving. Ultimately, it is the decision of the Highway Superintendent. Whatever he decides, the Supervisor will support.

Councilman St. John said that what the Supervisor said was well said and he agrees with him.

Councilman Robbins said that he apologizes that the residents of Featherbed Lane were not informed. Typically, this is done before a major project. The Highway Department takes pride and responsibility for our roads and liability for the Town. We have to make sure that there are good condition roads for the school buses, post office and emergency vehicles.

Councilman Tasse said that he greatly appreciates hearing from the residents. The Board is working on getting information. He is all for keeping the rural character of Charlton.

Highway Superintendent Heritage said that this Wednesday that road will be closed on the Route 67 end for replacement of a road culvert. He confirmed that he calls the County and makes sure that emergency services are notified of road closures.

MOTION #123

Motion to adjourn the meeting

Motion by Councilman Glavin

Seconded by Councilman Tasse

BY MOTION the Town Board adjourned the meeting at 8:40 p.m.

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

Respectfully submitted,

Brenda Mills
Town Clerk