

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

August 14, 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 7:32 p.m.

Flag Salute:

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

Also present: Town Clerk Laurie Kruppenbacher, Attorney Jim Craig.

APPROVAL OF MINUTES

MOTION #147

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 July 24, 2023.

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

PRIVILEGE OF THE FLOOR FOR AGENDA ITEMS

William Fyvie from 794 Swaggertown Rd questioned the effect of the new water extension and how residents will be assessed, timing and what if the resident does not want the water line. Supervisor Grasso responded that he will address Mr. Fyvie concerns later in the meeting and answer any questions he may have.

TOWN CLERK'S REPORT

Town Clerk – Clerk Kruppenbacher said for the month of July, the Town Clerk's office took in \$810.00. \$642.70 was paid to the Supervisor's office as revenue, and \$167.30 was paid to other Governmental agencies

SUPERVISORS REPORT

Announcements: Historian Marv Livingston is looking for assistance with restoration project for the Brotherson Cemetery on Old Route 67. You can contact Marv at historian@townofcharlton.org.

The Town Board has accepted the resignation of Bev Pashley effective August 31, 2023. Letter was dated August 11, 2023. This allows her to close out her retirement and be reinstated in September.

Supervisor Grasso gave a shout out to Gary Parks for orchestrating the use of the speed monitors from Greenfield. We have them on loan for a trial month and then we have option to purchase. We budgeted \$6000.00 for purchase and if these work out the cost will be lower than budgeted. Constables will be responsible to swap out batteries.

Land Use Recommendations have been distributed to the Town Board Members on 8/14/23 for review. A shout out to all members and advisory committee for their hard work this past year looking at our Land Use. A special shout out to Jim Sevinsky for chairing committee setting agendas and working towards goals. A shout out to Laurie Kruppenbacher who took dubious minutes and brought the knowledge of the Zoning Department to the meeting and a shout out to Councilman St. John who provided valuable guidance to the process. Not all recommendations had unanimous support from committee members but hours of discussion and research went into this document. Joe will see that it is put up on the Website for public review and if there are any specific thoughts to be added please contact him. Supervisor Grasso also stated that if any councilmen see additions or changes that are needed for them to let him know. Jim Sevinsky, Paul St. John and Supervisor Grasso interviewed Nan Stolsburg, who has extensive rural community planning experience, she assisted with our comprehensive plan in 2005. We will utilize her to help with the implementation stage for us to put new zoning regulations in place. Joe stated this is a slow process to get things in order and will take at least a year before we have an adoption of changes.

Communications:

NYS Ag & Markets Animal Shelter Review was completed on 8/1/2023 and Shelter was rated Satisfactory.

We had one ZBA Application for Primitive Dog LLC Kennel & Training Facility on Charlton Road. ZBA received several letters and some complaints and tabled until September meeting.

Town Updates:

Councilman Grasso updated us on the extension of the water district on Swaggertown Road. He stated we had a resident petition the Board that they were being assessed for water taxes for years with out service. Upon looking into this issue, it appeared there were 4 properties that have been assessed water tax and it is appropriate that the water line be extended to them thereby aligning the water district boundary to the taxing map. Those who are hooking up would need to pay the fees for such service. No proposed extensions to the main are included. The only physical improvements would be lateral hookups and this would have no impact on existing water use in the district. We have enough water to ad these additional residents. Supervisor Grasso stated he is not a fan of extending the water line but this was a unique situation. Any resident has the right to request a water extension and have your situation reviewed by the Town Board.

Councilman Robbins asked for clarity of this extension for water to these 4 homes.

Financial Updates:

The Supervisors financial report was issued to Town Board, covers the month of June and July; our cash account increased \$29,774.46 and stands at \$2,167,228.36; a comparison of where we are at against budget puts us at 58%. On General Fund side revenues were at 59% of budget and expenses at 63%. Important to note that. The land fill share agreement with Saratoga County posted in July and there is no State revenue sharing yet which may post later in the year. We have allocated some monies from Arpa funding and Community Project Funding Grant are paid upfront and the reimbursements lag behind. We are good shape on the General Fund Side. On the Highway Fund side revenues were at 48% of budget and expenses at 37% of budget. There has been no CHIP funding yet as it is distributed 2nd half of the year. We expect the Highway expenses to accelerate as paving season progresses. There were 3 construction bonds for the construction of the Town Hall. One was paid off in January and the remaining two will be paid off by end of year. The Town Hall will be fully paid off with no debt.

The Sales Tax distribution amount received in July was \$162,853.00. County Sales Tax revenue continues to be the largest source of revenue for the town Total receipts for the year are \$944,561.00 which is line with the budgeted amount of \$904,961.00. We are 104% of budget year to date and July of 2023 up 16% from July of 2022. Sales tax continues to be solid.

Mortgage tax receipts not as positive. July receipts were \$4,857.50 thru July we were at \$60,096.00 year to date or 69% of the \$87, 500.00 budgeted year to date. We are at \$27,404.00 short of budgeted amount. There seems to be wide fluctuations in mortgage activity and a much softer than we had anticipated last budget season.

August is the month we start our budget process. All departments have received their budget worksheets and they are due back to the supervisor by the end of this month. More updates will be provided in the next few months.

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 July, 2023:

DATED: August 3, 2023

SUPERVISOR

	Balance 06/30/2023	Increases	Decreases	Balance 07/31/2023
A GENERAL FUND - TOWNWIDE				
CASH - CHECKING	754,052.11	131,234.20	91,155.98	794,130.33
NY CLASS	300,443.14	1,274.44	0.00	301,717.58
PETTY CASH	900.00	0.00	0.00	900.00
Park Fees Reserve	49,275.44	8.37	0.00	49,283.81
TOTAL	1,104,670.69	132,517.01	91,155.98	1,146,031.72
CM AMBULANCE FUND				
	0.00	0.00	0.00	0.00
TOTAL	0.00	0.00	0.00	0.00
DA HIGHWAY FUND				
CASH - CHECKING	389,284.50	78,358.02	139,670.75	327,971.77
NY CLASS	100,147.72	100,672.87	0.00	200,820.59
TOTAL	489,432.22	179,030.89	139,670.75	528,792.36
F WATER #1 FUND				
CASH - CHECKING	84,787.03	82,335.56	12,107.85	155,014.74
NY CLASS	100,147.72	424.81	0.00	100,572.53
CASH, SPECIAL RESERVES	207,450.42	35.24	0.00	207,485.66
TOTAL	392,385.17	82,795.61	12,107.85	463,072.93
H CAPITAL PROJECTS				
	0.00	0.00	0.00	0.00
TOTAL	0.00	0.00	0.00	0.00
SD AMBULANCE DISTRICT				
	0.00	0.00	0.00	0.00
TOTAL	0.00	0.00	0.00	0.00
SW WATER #2 FUND				
CASH - CHECKING	26,120.39	0.00	215.30	25,905.09
TOTAL	26,120.39	0.00	215.30	25,905.09
TA TRUST & AGENCY				
CASH - CHECKING	6,750.91	63,078.26	66,402.91	3,426.26

MONTHLY REPORT OF SUPERVISOR

	Balance 06/30/2023	Increases	Decreases	Balance 07/31/2023
TOTAL	6,750.91	63,078.26	66,402.91	3,426.26
TOTAL ALL FUNDS	2,019,359.38	457,421.77	309,552.79	2,167,228.36

County Updates: County Trail Grant Application Program was due the end of July. We did not submit for Trails grant this year. I expect County will fully fund each of the Trail's projects they received. The Farmland Protection & Open Space Program was allocating \$400,000. By the deadline date they only had \$250,000 worth of applications. We need to make this program more enticing to landowners and farmers.

DEPARTMENT, COMMITTEE & COUNCILMAN REPORTS

Councilman Tasse, Liaison:

Town of Ballston Library - Director Rebecca Verhayden came to speak about bill which will update their charter. This is still pending review by Governor Hochul. The library is optimistic that the legislation will be signed this summer to allow for a Trustee Election and Budget Vote this November. We will be a true Special District Library. The Summer Reading Program wrapped up this week. Kids in the BH-BL School district can continue to log until September. Registration for Fall events is now open. We have many offerings available.

Dawn Szurek asked if there was a tax increase regarding these changes. Supervisor Grasso explained there was no new tax. The funding for the library is discretionary funding amount year to year by the Town Board.

Information Technology – Process of working on best solutions regarding vendors for cyber security and Councilman Tasse is having continual conversations regarding process and costs involved. Lisa Grasso also reached out with an additional vendor I will be speaking with soon.

Councilman Robbins, Liaison:

Highway – Superintendent Marshall Heritage gave an update regarding work being completed. The 2nd round of mowing and roadwork is underway. Cleaning up from storm damage. All “Welcome to Charlton” signs have been straightened. Pine Hollow got paved. Jolly Rd to Route 67 completed to be paved along with Vines hopefully prior to school starting. We are finishing up on Crawford, Oak and Meadows Roads.

Parks Department - Dave Pohl has a contract for someone to build a picnic table to place under the large oak tree at the park. Councilman Robbins will help Dave Pohl with the table.

Historian - Marv Livingston shared a Marriage License that he received from someone in Portland Oregon. It is a framed marriage license from October 25, 1865 for Myron Holbrook & Sarah Ann Murray. Marv displayed the framed marriage license for everyone to see. Cemeteries in Charlton are being refurbished. Volunteers for the Blue Corners, Brotherson Cemetery really needs help to put up post & rail fence and clean up. A neighbor Charly has done lots of work in cemetery already. We are continuing to work on the Charlton Family Tree and We have 3,700 names so far.

Marv added that the Adirondak Classic Car Show will be held at Lakeside farms on. I have some brochures available. Supervisor Grasso asked again about the marriage license to be able to display it in Town Hall.

Councilman Robbins stated that the air conditioner system was caught up on our large maintenance issues and repairs since Covid. A complaint by a resident regarding no Speed signs on Swaggertown. They requested additional signs around town.

Councilman Glavin, Liaison:

A quick follow up on Swaggertown Water: This only includes these properties from a subdivision from several years ago, the water district extension and the 4 properties who were already paying water taxes and not receiving the service. I looked at all the parcels and of those 17 parcels we have 4 parcels that qualify. I will be meeting with the Water Supervisor & Water Clerk to clarify and get this corrected.

We have entered into an agreement with Community Solar to receive a 10% savings credit. They were to be in line by this month but National Grid is over 3 weeks late on progress. We can anticipate a tie in sometime in September a subsequent savings at this time.

William Fyvie asked again that the Town is not creating any new piping or connections to extend the water lines. He wants to be sure there are no new tax.

Councilman Grasso stated again that no new proposals to extend water district except these properties that have already been paying water taxes. All property owners involved will be notified.

Councilman St. John, Liaison:

ZBA met on 8/8/2023 for continuation regarding Special Use Permit was discussed for the Primitive Dog Training and Boarding and the Board will make a decision at the September meeting. We appreciated all those who came out to voice comments regarding this application.

Planning Board – The applications before planning; 1- David Sargent on Rt 67 with a variance for road frontage extension . Public Hearing is set for September 12, 2023. The Stevens located at 727 Charlton Rd are seeking to build a Glamping site, bath house, geodome. Their application is incomplete at this time but being discussed.

Constables – In July, there were 2,812 miles traveled, 25 patrols, 21 complaints, 1 911 calls and 1 EMT Fire calls were responded to, and 46 tickets were issued (11 on Route 67). Attended 3 accidents & 3 Assists

Dog Control – In July, there were 5 calls 1 dogs returned to owner. Several follow up on expired dog license.

The speed wagon was place on Rt 147 and there were 36,536.00 vehicles and the average speed was 54.77 mph.

Land Use Committee met on 8/3/2023. We appreciate Jim Sevinsky's leadership & Laurie Kruppenbacher for clerking for the committee and all those who worked so extensively on this committee. We encourage everyone to go to the website to review. If you have any additional items or want to talk regarding Land Uses in the Town of Charlton, kindly contact me.

Marna Posluszny- Asking where the glamping application address is located?
Councilman St John clarified it is 727 Charlton Road.

Jim Sevinsky spoke regarding the past year of Meeting for Land Uses for the Town of Charlton. He thanked Supervisor Grasso and Councilman St John. In addition, he thanked Dawn Szurek and Bob Killeen and Marna Posluszny- for their participation. He stated we have a Right to Farm Law and we have a Farmland Protection Committee who also met years ago and this information was very helpful to us. The explosive growth we see in Saratoga County is moving to Charlton. The historic character is important to the Town Board to consider and how to retain this. We are essentially a farming and rural community. Some statistics that are important I want to mention that Ag district #2 is over 80% of our town, 40% of our soils are of prime farmland and 49% of our soils are of statewide importance. In closure I want to thank the Planning Chairman Jay Wilkinson for his expertise and guidance throughout our process.

Motions & Resolutions:

NONE

ABSTRACT OF CLAIMS

MOTION #148

Approval of Abstract of Claims

Motion by Councilman Glavin

Seconded by Councilman Robbins

BY MOTION, the Town Board approved the processing of Abstract 115, voucher numbers 425 - 453 in the amount of \$ 42,411.30 which was audited by Town Board members.

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

PRIVILEGE OF THE FLOOR

Suzanne Carreker Voigt 122 Dawson Rd - We are in a State Ag District, but then we pass a law that only requires 200 foot of road frontage that does not comply with the Ag District. She asked if we are banning the use of cul-de-sacs. Jim Sevinsky responded that it is proposed to the Town Board to increase the road frontage in Ag district. Suzanne stated that in other parts of the US areas that are going through the pressures we are going through have successfully utilized cul -de- sacs. Question for Marv Livingston regarding the kind of man power he needs to assist with the cemetery cleanup. She asked if machines or equipment was needed. Marv responded that he needs people to rake, move brush, etc so nothing special is needed. Suzanne asked for location, timeframe so she can let others who are interested in helping know.

Marco Reymer- 17 Maplewood Dr – stated he has lived here since 2005, in the last 5-10 years we have people coming in who don't seem to care about the quality of life here in Charlton. He requested that you the Town Board look at the ordinance that have not been revised since 2015 need to be revised to bring peace back to Charlton. He claimed Supervisor Grasso had visited his home and spoke to his wife but gave incorrect information regarding chickens. The ordinance of 150 some pages only include 5 pages of regulations for residential area. He has called the Town to share that people are fighting and screaming at each other.

Debbie Waldron- 18 Maplewood Dr -stated she has lived in Charlton my whole life since she was 4 and Debbie shared the many changes to Charlton since she was a little girl. She has called the dog warden many times to complain and wrote a letter to the Town and received no reply. The dog situation is terrible. There are too many dogs at single address; dogs barking at all hours of day and night; people are driving too fast; parking on sides of the roads and the street is too narrow so this is blocking access overnight and the wrong way on the street. There are noisy chickens and roosters in the residential area and nothing is being done. We have junk cars everywhere. People don't care and there's no enforcement. There are go carts, snowmobiles, running around all hours. We are asking for help. Do carports need permits, they are going up all over. People are parking on their lawns, can they do this? This is ugly, nuts, old machinery, crap in their yards, sheds being built with no permits. People are painting them bright colors. How is this controlled?

Jenna Reymer- 17 Maplewood -stated she printed out ordinances of Glenville, Ballston, Galway & Charlton and then saw the Town of Charlton has 5 pages for Residential. There is a severe discrepancy with the lack of ordinances for residential areas in our town.

Mandy Reymer- 17 Maplewood -stated she was nervous and anxiety filled regarding the things going on in the neighborhood. There is a flood light that shines right in our home. I found several cases of Light Trespassing for you to review. We have a right to a dark sky and that is not happening on Maplewood Drive. We have talked to these people to try to get change. Dogs are going hoarse because they are barking all night. We have people mowing lawns at 9:00 pm; loud cars & trucks, music blaring, chickens and roosters crowing all hours. Boats, trucks, trailers all parked on small tiny lots. I had no hope when Supervisor Grasso stated there was no chickens' laws, but now she has found out there is regulations regarding chickens in residential district.

Ed Snyder-1602 Division Street -Stated that he had a dog issue and utilized the Charlton Dog Complaint Form and his troubles went away. He shared his desire to buy land for a town park but it didn't work, He does want to request a 40 mph sign up on Division north of Rt 67 so people slow down and they can be ticketed for speeding.

Dawn Szurek- 35 DeGraff - Cell Service is a real safety issue in the western part of the Town of Charlton. I am lucky if I have 1 bar and need to drive up to Stewarts to make a phone call. Can we request Verizon boost our service so that this isn't such a problem. We need to increase service in other areas too but in this day cell service should be available for everyone. I believe the governor has some grants available. I would like to request more yellow farm signs that they have in Amsterdam and Ballston. This is also a safety issue as in the past there have been car and farm equipment accident. I believe the signs might make people more aware of the agriculture work going on in our town.

Marna Posluszny- 1145 Peaceable Street - I have questions about Rt 67 Café as it appears that it is getting worse and not in compliance with our ordinances, I encourage you to continue to take care of this eyesore. I agree with Dawn safety issue regarding the cell service, we definitely need a boost. We also do not have any lighting regulations and houses north of me have lights on all the time. Its very distracting to humans and migrating birds and livestock. While we look at ordinances, lighting should also be looked at. Suzanne brought up cul -de- sacs again, I just want to ask you to look at this carefully as houses behind houses is a problem for the future.

Supervisor Grasso went though the list of items of concern. He explained that the Land Use Committee did not focus on noise, light trespassing, etc. The Committee was focused on actual land uses, like lots sizes, etc. although these issues can be regulated. We currently have no noise ordinance. These complaints regarding noise are heard fairly often but we have no current way to measure decibels of noise. This can be brought before the Town Board for future discussion. We should consider a noise ordinance. Regarding dog barking at all hours, this would be the Dog Control Officer and these complaints need to be forwarded to him.

Restricting chickens in the Residential Zone is in our Ordinance. Supervisor Grasso apologized for giving incorrect information to homeowner regarding the keeping of chickens in the residential district. Land Use Committee is supportive of all zoning districts to allow chickens if penned, no free range and no roosters. Most

of our issues mentioned tonight fall under disrespect of others. We need to encourage respectful land use by our neighbors.

Regarding speeding in neighborhoods, it is hard to catch them as the frequency is not high. Our constables regularly patrol and are trying to maintain safer speeds. Most times this is the neighbors speeding, not outside people. Parking on roads is not regulated in our ordinance. The Town Board needs to see what is palatable to the majority of our residents?

All sheds over a certain size needs a permit. The building and zoning department is following up on proper permits. The keeping of junk cars in our ordinance is geared towards commercial vehicles. I plan to speak to the Code Enforcement Officer regarding the keeping of multiple unregistered cars. This is an area we need to investigate more. There was also a comment on licensing of dogs. This is in place with the Town Clerks office and the Dog Control Officer can address unlicensed dogs.

The mowing of lawn late at night would be tied to the noise ordinance, 9:00 What time is reasonable?

As far as a tower by Charlton Heights, it is still possible. Verizon is looking in that direction according to my recent discussions with them. It does not appear that they are looking to serve the western or northern areas of town any further.

Joe stated that tractor signs seem appropriate to add to heavily travelled roads.

The Route 67 Café was brought up and the Building Department is following up on this issue.

Ed Snyder requested that a speed limit reduction be made for the northern side of Rt 67. Supervisor Grasso explained that we submit to the county and they forward to DOT for approval. The town doesn't have the authority to restrict speed limit, Sweetman Rd is another one in need of a speed reduction. We can gather a list of the roads needing speed reduction and have a public meeting and forward our request to the County.

Supervisor Grasso addressed comments regarding light trespassing; that we don't have regulations at this time and can we enforce regulations if we put them in place. Everyone has security lights, outside lights, building lights. We need to be smart about the ordinance we put in place.

Supervisor Grasso asked for comments from the Town Board

Councilman St. John stated that we do have a process under way regarding the Rt 67 Café issue. We need to discuss chickens in the 2 districts and that quiet hours and light trespassing is a tough one. Encouraged residents to utilized the means we have in place now.

Councilman Glavin stated that the breadth and scope of our rules need to be looked at and he would like to see the original charter to see if we are being expansive enough in town.

Councilman Robbins stated we need to think about what is enforceable and we could get this on the books and if it's a minority we can help them with tools to address the issue.

Councilman Tasse agreed with what's been said; these are complex issues with a lot of forces at play. We have multiple Res/Ag Districts and as we add ordinances, we need to see what needs to be changed or added. Maplewood is not a one size fits all. They have a unique situation that needs addressing with different values, needs and wants and priorities. I don't want them to feel like they lost hope, not in Charlton. We need to be better educated on dealing with these items in the future.

Jim Sevinsky 838 Charlton Rd- stated that we are not other cities, we are different in Charlton. A simple mediating can be a way to solve or address the problem. An informal attempt can work. Land Use did ask about enforcement assistance; like injunctive relief powers, increase in fees and criminal violations. These could all be helpful.

Suzanne Carreker Voigt 122 Dawson Rd- The group on Maplewood feels neglected and they may need some mediating. Lighting issues are real. Very bright. Many towns have restrictions on noise, lighting, rooster noises.

Marna Posluszny 1145 Peaceable Street encouraged the Town Board that if we are silent, it is harder to restrict. We should try to regulate or make an ordinance. She thinks we should make rules to address these issues.

Councilman St John reminded us that we have a great police department, please call them when the music is too loud. They are neighborly and working for us already.

Councilman Robbins agreed with Councilman St John and stated for residents to contact the Police; they will respond.

Supervisor Grasso agreed we need to make it easier to reach our constables by email or phone calls, to keep our lines of communication open.

MOTION #149

Motion to adjourn the meeting

Motion by Councilman Robbins

Seconded by Councilman Tasse

BY MOTION the Town Board adjourned the meeting at 9:52 p.m.

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

Respectfully submitted,

Laurie Kruppenbacher
DeputyTown Clerk