

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

August 23, 2021

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 7:30 p.m.

Town Clerk Mills led the pledge of allegiance.

Roll Call: Councilman Glavin, Councilman Ranaletto, Councilwoman Smith, Supervisor Grasso.

Excused: Councilman Robbins

Also present: Town Clerk Brenda Mills, Attorney Craig.

Supervisor Grasso apologized for cancelling the Town Board meeting on August 9th but said we had some members out of town for work and some that were avoiding contact due to Covid protocols.

APPROVAL OF MINUTES

MOTION #130

Approval of Minutes

Motion by Councilwoman Smith

Seconded by Councilman Glavin

By motion the Town Board approved the minutes of the Town Board Meeting on July 26, 2021.

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

PRIVILEGE OF THE FLOOR FOR AGENDA ITEMS

No one chose to speak.

SUPERVISORS REPORT

Supervisor Grasso read the following report:

Since last TB meeting issued June monthly financials to the TB including bank statements. Our account balances decreased from \$1,558,508.24 to \$1,154,477.91, a decrease of \$404,030.33. Temporary drop due to payouts associated with Peaceable Street Culvert project which are pending reimbursement by DOT and typical highway paving work costs.

We received August Sales Tax Distribution from Saratoga County in the amount of \$136,185 which was \$18,841 more than August 2020, up 22%. YTD we've received \$805,382 which is \$148,268 more than last YTD through August, up 16%.

We received Mortgage Tax Distribution Reports for June, which was \$11,725.50 and \$13,956.50 for July, both above our budgeted average collections which is \$10,417/month. Mortgage tax distributions can vary significantly month to month.

Last month we filed our 2020 AUD with the State Comptroller's office. The Town Clerk has posted the report on our website.

We recently received the first half of our ARP federal funding distribution. We were allocated up to \$426k, half of which or \$213k has already been received by the Town. We are currently working on the lost revenue

calculation which is currently projected to be only \$90k which is generally unrestricted and can be used for non-operational capital costs that were deferred in 2020 because of the COVID pandemic. The remainder of distributed funds can be used for water and broadband improvements.

I attended various County meetings including BOS, various County Committees, CDRPC, and SCSWCD. I also want to note that I was recently appointed to County Law and Finance Committee.

Over the past couple weeks, I distributed Departmental Budget requests to all Town Departments. They were due back today. I'll begin working on Tentative Budget and have that done in the next couple of weeks.

08/16/2021 14:40:45

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 June, 2021:

DATED: August 16, 2021

SUPERVISOR

	Balance 05/31/2021	Increases	Decreases	Balance 06/30/2021
A GENERAL FUND - TOWNWIDE				
CASH - CHECKING	154,804.56	81,075.10	9,735.35	226,144.31
CASH - SAVING	256,977.82	9,735.35	71,252.13	195,461.04
PETTY CASH	700.00	0.00	0.00	700.00
Park Fees Reserve	49,151.33	0.00	0.00	49,151.33
TOTAL	461,633.71	90,810.45	80,987.48	471,456.68
DA HIGHWAY FUND				
CASH - CHECKING	15,419.16	186,373.34	164,737.01	37,055.49
CASH - SAVINGS	-146,663.79	0.00	164,737.01	-311,400.80
CASH, SPECIAL RESERVE	15,515.98	0.98	0.00	15,516.96
TOTAL	-115,728.65	186,374.32	329,474.02	-258,828.35
F WATER #1 FUND				
CASH - CHECKING	-1,871.82	123,430.22	123,430.22	-1,871.82
CASH - SAVINGS	379,334.97	0.00	123,430.22	255,904.75
CASH, SPECIAL RESERVES	202,326.08	4.94	0.00	202,331.02
TOTAL	579,789.23	123,435.16	246,860.44	456,363.95
H CAPITAL PROJECTS				
CASH - CHECKING	278,302.00	148,575.37	148,575.37	278,302.00
SAVINGS	-262,112.30	0.00	148,575.37	-410,687.67
TOTAL	16,189.70	148,575.37	297,150.74	-132,385.67
SW WATER #2 FUND				
CASH - CHECKING	-60.32	120.64	120.64	-60.32
CASH - SAVINGS	29,317.00	0.00	120.64	29,196.36
TOTAL	29,256.68	120.64	241.28	29,136.04
TA TRUST & AGENCY				
CASH - CHECKING	587,367.57	53,871.62	52,503.93	588,735.26
TOTAL	587,367.57	53,871.62	52,503.93	588,735.26
TOTAL ALL FUNDS	1,558,508.24	603,187.56	1,007,217.89	1,154,477.91

ANNOUNCEMENTS

The Town offices will be closed Monday, September 6th in observance of Labor Day.

COMMUNICATIONS

Supervisor Grasso said that we have had a number of inquiries from residents on speed limits of various unposted roads in Town. If roads are unposted, they generally revert to State maximum speed limit of 55 mph. We also hear from a number of residents requesting speed limit reductions which is controlled by NYSDOT. We are working with the Highway Superintendent and Constables to create list of roads that may have merit in posting to a lower speed limit. We'll work on a resolution for an upcoming meeting including a request that would go to the County and DOT for consideration.

Supervisor Grasso said that we received another inquiry from a community solar developer looking for the town to consider adopting revised zoning regulations that would permit the development of community solar arrays in the town. The Supervisor asked the Town Board if anyone wished to express support for the Town to consider going in this direction, and if so, let him know.

Supervisor Grasso said that we received data on the results of the 2020 Census. The Town of Charlton population grew from 4,133 in 2010 to 4,328 in 2020, a growth of 195 residents or 4.7% over ten years or approx. 0.5%/year, which speaks to the Town's desire for limited growth. Saratoga County grew from 219,607 in 2010 to 235,529 in 2020, a growth of 15,922 residents or 7.3%. Saratoga County is one of the fastest growing counties in NYS.

**Saratoga County
2020 Census vs 2010 Census
Town/City Breakdown**

TOWN /CITY	2010	2020
Ballston	9,776	11,831
Charlton	4,133	4,328
Clifton Park	36,705	38,029
Corinth	6,531	6,500
Day	856	819
Edinburg	1,214	1,333
Galway	3,545	3,525
Greenfield	7,775	8,004
Hadley	2,048	1,976
Halfmoon	21,535	25,662
Malta	14,765	17,130
Mechanicville	5,196	5,163
Milton	18,575	18,800
Moreau	14,728	16,202
Northumberland	5,087	5,242
Providence	1,995	2,075
Saratoga	5,674	5,828
Saratoga Springs	26,586	28,491
Stillwater	8,287	9,022
Waterford	8,423	8,208
Wilton	16,173	17,361
Saratoga County	219,607	235,529

DEPARTMENT, COMMITTEE & COUNCILMAN REPORTS

Town Clerk – Clerk Mills said her office took in \$726.50 for the month of July. \$532.76 was paid to the Supervisor's office as revenue, and \$193.74 was paid to other Governmental agencies.

Highway – Superintendent Marshall Heritage gave the following report for July:

1. Mowing the road sides
2. Mowing the parks and cemeteries town hall
3. Cleaning up down tree limbs around town from wind/rain storms
4. Ditching on Featherbed lane
5. I attended the highway golf outing benefiting Double H hole in the Woods
6. Helped Greenfield pave
7. Getting upper cook road ready for paving
8. Helped town of Ballston pave
9. Changed two driveway culverts.
10. Dig safe locations 38
11. Helped town of Greenfield hauling material
12. Changed two cross culverts on lower Cook road
13. Helped the Town of Ballston pave

A resident asked why only the upper portion of Cook Road was paved. Highway Superintendent Heritage said that the upper portion of the road was in much worse condition.

BHBL Summer Rec – Councilman Ranaletto said that a successful program was run this year. They have asked the Town of Ballston for the year-end financial statements. They are in the process of trying to change back from an LLC to a Non-profit status. Councilman Ranaletto suggested that they check with the Town of Ballston and their Attorney for assistance.

Dog Control – In July, 6 calls were received (4 regarding dogs) 1 dog bit case was reported and 4 expired licenses were followed up on.

Constables – In July, there were 2,932 miles traveled, 31 patrols, 24 complaints, 17 911 calls and 1 accident/6 EMT calls were responded to, and 27 tickets were issued (8 on Route 67). The speed wagon was placed on Jockey Street in a 55mph zone for a week starting August 8th. During that time, it recorded 9,300 vehicles with an average speed of 51mph, with 85% of vehicles below 57mph. The speed wagon was also placed on Route 67 in a 55mph zone near Division Street and recorded 41,000 vehicles with an average speed of 57mph, with 85% of vehicles at 62mph or less. 15% were travelling over 62mph, which is a concern to the Town.

Zoning – For the month of July, there were 13 permits issued, 10 CC's issued and \$1,204.00 collected in fees.

Planning Board - Three public hearings were held in July. One hearing was for the Ward property, of which there is an issue of a family living on the property. One hearing was for the Finkle subdivision which was approved with the condition of obtaining updated maps. The Heflin public hearing was kept open from previous months. There are many outstanding items required from the applicant.

Water – They have completed the back-up disinfection system and the horizontal boring is complete. The bidding contractor is subbing out the mechanical tie- ins and are meeting to work out the details.

Technology Committee – Chris Tasse said that Enable will be at Town Hall this week to work on the new server installation. They expect full completion by the end of September. They will begin working on the email change in the next week or two. He needs to set up a time to demo the proposed time clock solution with the Town Clerk. They also will be having the initial meeting of the broadband committee. Councilman Glavin thanked Mr. Tasse for all of his efforts.

MOTIONS, RESOLUTIONS AND PROCLAMATIONS

RESOLUTION #131

A BOND RESOLUTION OF THE TOWN OF CHARLTON, SARATOGA COUNTY, NEW YORK, ADOPTED AUGUST 23, 2021, APPROPRIATING THE AMOUNT OF \$225,000.00 TO PURCHASE A 2021 SNOWPLOW WITH ATTACHMENTS, AND AUTHORIZING THE ISSUANCE OF \$225,000.00 SERIAL (BOND)S OF SAID TOWN TO FINANCE THIS APPROPRIATION

Motion by Councilman Ranaletto

Seconded by Councilwoman Smith

Discussion: The Supervisor said that the truck purchase was authorized in December 2020 when the order was placed. The bond interest rate is 1.35% and the first payment will be due in the summer of 2022. The principal is \$225,000 and the total with interest is \$234,112.50. Councilman Glavin asked if it is simple interest. The bond is amortized over 5 years. Superintendent Heritage confirmed that the new truck will replace the 2007 truck, which will probably be sold on auction. Delivery of the new truck is expected by mid October and has been delayed because of a parts delay.

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

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

RESOLUTION NO. 131

August 23, 2021

BOND RESOLUTION OF THE TOWN OF CHARLTON, SARATOGA COUNTY, NEW YORK, ADOPTED AUGUST 23, 2021, APPROPRIATING THE AMOUNT OF \$225,000.00 TO PURCHASE A 2021 SNOWPLOW WITH ATTACHMENTS, AND AUTHORIZING THE ISSUANCE OF \$ 225,000.00 SERIAL BOND(S) OF SAID TOWN TO FINANCE THIS APPROPRIATION

WHEREAS, on December 14, 2020, the Town Board of the Town of Charlton approved a resolution authorizing the Town Highway Superintendent to purchase a 2021 International HV613 SBA Snowplow with front plow and wing with spreader for use in the Town Highway Department for roadway clearing, maintenance, repair and safety, and which purchase required the Town Board to obtain serial bonds or bond anticipation notes in the sum of \$225,000.00 to pay for said purchase.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN BOARD OF THE TOWN OF CHARLTON, IN THE COUNTY OF SARATOGA, STATE OF NEW YORK, AS FOLLOWS:

Section 1. The Town Board hereby appropriates the amount of \$225,000.00 for the purchase of a 2021 International HV613 SBA snowplow fully fitted up with all necessary parts and equipment needed for road clearing, repair and maintenance, including a front plow and wing with spreader.

Section 2. Serial bonds of the Town, or bond anticipation notes, in the principal amount of \$ 225,000.00 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called "Law"), to finance said appropriation.

Section 3. The following additional matters are hereby determined and stated:

(a) The period of probable usefulness of the plow truck or purpose for which the bonds authorized by this resolution are to be issued, within the limitations of Section 11.00(a)(28) of the Local Finance Law of the State of New York, is 15 years based upon the purchase price being greater than \$30,000.00; and the period of probable usefulness of the plow, wing and spreader as set forth in Local Financial Law Section 11.00(a)(28) is 15 years as well based upon the purchase price for them being greater than \$30,000.00.

(b) The proceeds of the bonds herein authorized and any bond anticipation notes issued in anticipation of said bonds may be applied to reimburse the Town for expenditures made after the effective date of this resolution for the purpose or purposes for which said bonds are authorized. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

(c) The proposed maturity of the bonds authorized by this resolution will not exceed five (5) years.

Section 4. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal and interest on said bonds and any notes issued in anticipation of said bonds or the renewals of said notes, and provision shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law, and pursuant to the provisions of Section 21.00 relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes or the renewals of said notes, Section 35.00 relative to bond resolution subject to permissive referendum and of Sections 50.00 and 56.00 to 60.00 of the Law, the powers and duties of the Town Board relative to authorizing the issuance of any notes in anticipation of the sale of serial bonds herein authorized or the renewals of said notes and relative to prescribing the terms, forms and contents and as to the sale and issuance of the serial bonds herein authorized and of any notes in anticipation of the sale of said bonds or the renewals of said notes, are hereby delegated to the Supervisor, the chief fiscal officer of the Town.

Section 6. The validity of the bonds authorized by this resolution and of any notes issued in anticipation of said bonds, may be contested only if:

(a) Such obligations are authorized for an object or purpose for which the Town is not authorized to expend money; or

(b) The provisions of the law which should be complied with at the date of the publication of such resolution, or summary thereof, are not substantially complied with, and an action, suit or proceeding contesting the validity is commenced within twenty (20) days after the date of such publication; or

(c) Such obligations are authorized in violation of the provisions of the constitution.

Section 7. This resolution shall take effect immediately.

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

The resolution was duly adopted on August 23, 2021.

Brenda Mills, Town Clerk

RESOLUTION #132

A RESOLUTION AUTHORIZING THE HIGHWAY SUPERINTENDENT TO PURCHASE A USED TRACTOR AND MOWER

Motion by Councilman Glavin

Seconded by Councilman Ranaletto

Discussion: Superintendent Heritage confirmed that the new tractor will replace their current tractor. The new tractor has 110 horsepower which should make mowing easier than the old tractor with 90 horsepower. He is trading in the old tractor.

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

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

**RESOLUTION NO. 132
August 23, 2021**

**RESOLUTION AUTHORIZING THE HIGHWAY SUPERINTENDENT
TO PURCHASE A USED TRACTOR AND MOWER**

WHEREAS, the Town Highway Department has a Case IH CX90 tractor that is used for the purpose of roadside mowing in the Town of Charlton. Due to the aging condition of the tractor, the Highway Superintendent has advised the Town Board it is necessary to replace that tractor, and purchase a used tractor and mower; and

WHEREAS, pursuant to the Town procurement policy, the Highway Superintendent solicited proposals and has obtained a proposal from Capital Tractor, Inc., for the used tractor and mower purchase, a copy of which proposal is shown on the attached document presented to the Town Board by the Highway Superintendent; and

WHEREAS, the Highway Superintendent has recommended to the Town Board that he be authorized to purchase the used tractor and mower as set forth on the attached document.

NOW, THEREFORE, BE IT RESOLVED, that the Town of Charlton Highway Superintendent is hereby authorized to take out of service and use for a trade in credit the old Case IH CX90 tractor, and to order for purchase a used New Holland TS110 2wd cab tractor with rear and side flail, from Capital Tractor, Inc., of 1135 State Route 29, Greenwich, New York, for the approximate amount of \$16,500.00, as set forth and described on the attached document, and be it further

RESOLVED, that the Town of Charlton Highway Superintendent is hereby authorized to expend the sum of \$16,500.00, plus miscellaneous additional costs, if any, in order to pay for the used tractor and mower referenced in this resolution.

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

The resolution was duly adopted on August 23, 2021.

Brenda Mills, Town Clerk

ABSTRACT OF CLAIMS

MOTION #133

Approval of Abstract of Claims

Motion by Councilman Ranaletto
Seconded by Councilwoman Smith

By motion the Town Board approved the processing of Abstract #115, voucher numbers 454-486 in the amount of \$43,977.95 which was audited by Town Board members.

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

PRIVILEGE OF THE FLOOR

Torben Aabo and Don Schermerhorn gave the Board a request letter with photos for maintenance on the Community Center. Mr. Aabo said that he met with Supervisor Grasso at the Community Center recently to look at the condition of the exterior and the need for painting it. They have received quotes up to \$17,000 to paint the exterior, however, Mr. Aabo stated that the painters are reluctant to paint the building because of the condition of the siding. They feel it would be a waste of money due to the condition and possibility of lead paint. The sill of the building is rotting. The project goal that he is proposing is to replace windows, siding and doors, upgrade the lighting and re-glaze the stained glass window.

Don Schermerhorn said he has spoken with three local contractors who said that the siding is in very poor shape and they are reluctant to power wash and sand the building. There is a rotten butt joint. He used an ice pick and it went in 8-10 inches of rotted sill. He recommended removing lower levels of siding to investigate the level of sill rot and have a professional investigate the rot. There are some resident volunteers that would remove the lower siding and seal the rot. He has received quotes for materials. The quotes for new windows and vinyl siding was \$70,000.00 and quotes for cedar siding and hardy board were considerably higher.

Discussion with the Board ensued: It was concluded that because of the possibility of asbestos lead paint, the Board did not want the volunteers to remove any siding at this point. The Board said that the next step should be to get a quote for a professional inspection that would include the scope of the work that needs to be done. The Board would also like the Historic District Commission (HDC) to give input on the project. Councilwoman Smith said that she has spoken to Jim Poirier, HDC Chairman and he is supportive of the restoration. Councilman Glavin recommended that they look at the entire building and prioritize what needs to be prioritized. He said that because the building is pre-1978, he is certain that there will be lead paint. He has a small concern with having volunteers do work for safety reasons. Councilman Ranaletto suggested getting a structural report to make sure that there are no other problems with the building. Supervisor Grasso said to get the asbestos and lead investigation before removing boards. Supervisor Grasso said that this project was not included in the 2021 budget.

John Karm, resident of Cook Road, said he has lived in Charlton since 1994 and he is concerned with the proposed subdivision on Cook Road. It increases the density of the area. He asked what is being done to preserve the rural character of Charlton, as the current Zoning Ordinance says that our zoning is to preserve the rural character. Supervisor Grasso said that he appreciated Mr. Karm speaking to the Town Board. The Town Board adopts changes to the Zoning Ordinance. Supervisor Grasso said that rural character can be defined differently by different people. Our zoning regulates development in Town. The 2 acre minimum and required 200 feet of road frontage helps limit new building. It is the Town Board's responsibility to look and see if the Town is developing in accordance with our zoning. The Cook Road subdivision is zoning compliant. There are 1,800 landowners in Charlton and they have rights as long as they do it in accordance with our zoning. We often hear first from those that do not want building taking place, but when changes are proposed, the landowners come out and speak about their rights. Councilwoman Smith thanked Mr. Karm for his comments. Councilman Glavin said he is for property rights and controlled growth. We have to think about the future of the Town and the fact that there is no Town tax currently.

Don Schermerhorn said that after the Town Comprehensive Plan was done in the early 2000's, he served on the Zoning Ordinance Review Committee that took input from the Comprehensive Plan and came up with the current Zoning Ordinance.

Bob Delaney, Cook Road, said he thinks it could be an issue to say that there can be 2 acre lots in the Ag District and suggested that maybe there could be a requirement for larger lots in the Ag District.

Josie Jackson said that the street sign is gone on the corner of Cook Road and Eastern Avenue.

MOTION #134

Motion to adjourn the meeting

Motion by Councilman Glavin

Seconded by Councilman Ranaletto

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

The meeting adjourned at 9:05 p.m.

Respectfully submitted,

Brenda Mills
Town Clerk