

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

**November 13, 2018**

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 Grattidge at 7:30 p.m.

Supervisor Grattidge led the pledge of Allegiance.

Present: Councilwoman Heritage, Councilman Ranaletto, Councilman Robbins, Supervisor Grattidge, Town Clerk Brenda Mills, Attorney Van Vranken.

Excused: Councilman Grasso

Supervisor Grattidge said that we salute our Veterans, past and present, for their service. He also offered condolences to the families of Al Smith and Sandy Gardner, residents who passed away last week. A moment of silence was observed in their memory

**APPROVAL OF MINUTES**

**RESOLUTION #172**

**Approval of Minutes**

Motion by Councilman Ranaletto

Seconded by Councilman Robbins

BE IT RESOLVED that the Town Board has approved the minutes of the Budget Public Hearing on October 22, 2018.

Vote: All Ayes, No Nays. CARRIED

**RESOLUTION #173**

**Approval of Minutes**

Motion by Councilwoman Heritage

Seconded by Councilman Ranaletto

BE IT RESOLVED that the Town Board has approved the minutes of the Town Board Agenda Meeting Minutes on October 22, 2018.

Vote: All Ayes, No Nays. CARRIED

**PRIVILEGE OF THE FLOOR FOR AGENDA ITEMS**

No one chose to speak.

**ABSTRACT OF CLAIMS**

**RESOLUTION #174**

**Approval of Abstract of Claims**

Motion by Councilwoman Heritage

Seconded by Councilman Robbins

BE IT RESOLVED that the Town Board has approved the payment of bills as presented in Abstract No. 121, voucher numbers 649 – 691 in the amount of \$38,658.59

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

### **TOWN CLERK'S REPORT**

The Town Clerk's office took in \$777.50 for the month of October. \$483.44 was paid to the Supervisor's office as revenue, and \$294.06 was paid to other Governmental agencies.

### **RESOLUTION #175**

#### **Acceptance of the Town Clerk's Report**

Motion by Councilman Ranaletto

Seconded by Councilman Robbins

BE IT RESOLVED that the Town Board has accepted the Town Clerk's reports as read.

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

### **SUPERVISORS REPORT**

For the month of October, I attended 4 Town meetings and 7 County meetings. Some of the highlights of the month:

- Attended normal Town and County meetings
- Worked on Pump House Repair with our Insurance Company and Contractors
- Worked on the 2019 Town Budget with a Workshop and Public Hearing
- Attended the Meet the Candidates event with the Charlton Seniors

Supervisor Grattidge said that the Town has received the results of the speed studies on southern section of Stage Road. The average speed during the first study was 33.83 mph and 33.80 mph in the second study. The speed limit is 40 mph in this section so it appears for the most part, people are obeying the speed limit. The Supervisor did note that the highest speed in the first study was 62 mph and 71 mph in the second study. The Charlton Police have increased patrols in that area.

Supervisor Grattidge said that the Board has intentions to change the Y intersection to a T intersection on Crane Street in 2019. They will discuss it at the agenda meeting when Councilman Grasso is present.

Supervisor Grattidge confirmed that the Board received the bank reconciliation and financial reports.

(see financial report on next page)

11/12/2018 13:12:14

### 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 October, 2018:

DATED: November 12, 2018

\_\_\_\_\_  
SUPERVISOR

	Balance 09/30/2018	Increases	Decreases	Balance 10/31/2018
<b>A GENERAL FUND - TOWNWIDE</b>				
CASH - CHECKING	14,829.51	50,401.62	50,398.77	14,832.36
CASH - SAVING	251,903.17	83,793.84	50,398.77	285,298.24
PETTY CASH	500.00	0.00	0.00	500.00
Park Fees Reserve	41,504.31	3.43	0.00	41,507.74
<b>TOTAL</b>	308,736.99	134,198.89	100,797.54	342,138.34
<b>DA HIGHWAY FUND</b>				
CASH - CHECKING	197.25	152,080.09	152,080.09	197.25
CASH - SAVINGS	113,352.72	69,529.47	152,080.09	30,802.10
CASH, SPECIAL RESERVE	15,494.56	0.00	0.00	15,494.56
<b>TOTAL</b>	129,044.53	221,609.56	304,160.18	46,493.91
<b>F WATER #1 FUND</b>				
CASH - CHECKING	33.54	27,791.76	27,791.76	33.54
CASH - SAVINGS	416,574.21	2,262.21	27,791.76	391,044.66
WATER SERIAL BOND	34,365.46	2.92	0.00	34,368.38
CASH, SPECIAL RESERVES	121,413.56	5.16	0.00	121,418.72
<b>TOTAL</b>	572,386.77	30,062.05	55,583.52	546,865.30
<b>SW WATER #2 FUND</b>				
CASH - CHECKING	0.00	117.42	117.42	0.00
CASH - SAVINGS	27,101.30	2.07	117.42	26,985.95
<b>TOTAL</b>	27,101.30	119.49	234.84	26,985.95
<b>TA TRUST &amp; AGENCY</b>				
CASH - CHECKING	9,747.46	36,317.42	35,237.42	10,827.46
<b>TOTAL</b>	9,747.46	36,317.42	35,237.42	10,827.46
<b>H CAPITAL PROJECTS</b>				
	0.00	0.00	0.00	0.00
<b>TOTAL</b>	0.00	0.00	0.00	0.00
<b>TOTAL ALL FUNDS</b>	1,047,017.05	422,307.41	496,013.50	973,310.96

## **ANNOUNCEMENTS**

On Election Day, the residents voted to create a Charlton Ambulance District. Of the 1,957 votes cast, there were 1,084 for (55%), and 873 against (45%). The Ambulance tax will begin on the 2019 County tax bills. The budget will be amended to incorporate the line item for ambulances into the general fund.

The Public Hearing regarding the establishment of a St. Marys Urgent Care facility will be held November 26<sup>th</sup> at 6:30 p.m.

The Town offices will be closed November 22 – November 24<sup>th</sup> for the Thanksgiving holiday.

## **COMMUNICATIONS**

The Supervisor said that the Town received good news today. The Town has been awarded a \$998,060.00 grant from the NYS Bridge NY program for the Peaceable Street over Tributary of the Mourning Kill replacement. The actual work is planned for the summer of 2020. MJ Engineering is the firm that was the consultant for the grant application, and the Board plans to name them as the design consultants for the project.

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

Highway – report read by Marshall Heritage, Superintendent:

1. Installed two catch basins and piping on Cherry circle
2. Mowing of lawns
3. Top soiled lawns on Acorn, Jenkins, and Sweetman Roads
4. Cut shoulders on Cherry Circle and top soiled
5. We did the week long bulk item drop off
6. Cut shoulders and ditching on Crawford Dr
7. Dave Robbins and myself attended the County risk assessment and capability meeting (9-11-18)
8. Thanks to the County for the dumpsters and hauling the dumpsters
9. Continue ditching and changing culverts
10. Installed three new batteries in the speed wagon
11. Installed sign at the Pine Grove Cemetery
12. Greenfield dropped off their bull dozer
13. Hauled sand for winter thanks to (Greenfield, Galway, Ballston and the County
14. Thanks to Galway for fixing truck # 11 head gasket
15. Fall brush pickup
16. Leaf pickup
17. Truck maintenance
18. Put two sanders in trucks
19. Continue to clear beaver blockages
20. Bulk item weights 56,740 lbs
21. Scrap Metal weight 21,395 lbs

Emergency Preparedness – Councilman Robbins said that he and Marshall Heritage attended the Hazard Mitigation training in September and will attend the 2<sup>nd</sup> part this week. He also attended the Tier 3 Emergency management training.

Zoning – For the month of October, there were 12 Building Permits issued, 1 search completed, \$1,820 in fees collected and the permit value was \$96,500.00.

Town of Ballston Library – Updates and repairs to the library's roof were completed in October. The project was funded by a grant the library received through New York's State and Municipal Facilities Program (SAM). Registration is open for winter programs running from December through February. Register online or by calling or visiting the library. The annual Christmas Tree Lighting ceremony will be held on Tuesday, December 4th. The Friends of the Library are currently holding a quilt raffle at the library, and the quilt winner will be drawn that evening.

Constables – In October, there were 33 patrols, 23 complaints, 12 911 calls, 4 accidents & 8 EMT calls responded to. 3,109 miles were traveled, and 43 tickets were issued (15 issued on Route 67). The Galway Schools thanked Constable Gary Parks for assisting them with safely getting kids off a stopped school bus, because apparently there was a driver disregarding the stoplights and signs on the bus.

Dog Control – In October, there were 8 calls (3 relating to other animals), 4 expired licenses followed up on, and 1 dog returned to its owner.

Technology Committee – They are continuing to work on assessing the pc/servers set-up at the Town Hall.

Historian - Marv Livingston reported that Daniel Walczyn has completed his Eagle Scout project on the Swartz Cemetery on Degraff Road. Mr. Livingston attended the ceremony at Pine Grove Cemetery for the dedication of the historical marker.

Parks – Dave Pohl reported that the Committee will meet to discuss the 3 bids for the gazebo pathway. Wintering of the parks has begun, which includes taking down nets and removing the water fountain. A gate will be closed at the Elmer Smith Park entrance.

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

### **RESOLUTION #176**

#### **A RESOLUTION AUTHORIZING ADOPTION BY THE TOWN BOARD OF THE TOWN OF CHARLTON OF THE TOWN BUDGET FOR 2019**

Motion by Councilman Ranaletto

Seconded by Councilman Robbins

Discussion: Attorney Van Vranken confirmed that Councilwoman Heritage can vote for the budget which includes a salary for her husband, as all of the Board members vote for the budget which includes their salaries.

Roll Call: Councilman Grasso: Absent, Councilwoman Heritage: Aye, Councilman Ranaletto: Aye, Councilman Robbins: Aye, Supervisor Grattidge: Aye. **CARRIED.**

TOWN OF CHARLTON  
COUNTY OF SARATOGA  
STATE OF NEW YORK

RESOLUTION NO. 176

November 13, 2018

#### **A RESOLUTION AUTHORIZING ADOPTION BY THE TOWN BOARD OF THE TOWN OF CHARLTON OF THE TOWN BUDGET FOR 2019**

WHEREAS, the Supervisor of the Town of Charlton, as Chief Fiscal Officer, in conjunction with the four other members of the Town Board are obligated to prepare and present to the residents of the Town of Charlton an annual budget, and

WHEREAS, the Supervisor and Town Board have reviewed all necessary data with respect to the preparation of a 2019 Town budget, including holding workshops, reviewing current staffing levels of Town employees, and holding a public hearing on October 22, 2018 for the review of the Board's proposed budget for 2019, and

WHEREAS, attached to this resolution is a summary of the Town of Charlton budget for 2019, based on the final analysis and determination by the Town Board of all financial matters affecting the proposed budget, and

WHEREAS, also attached is a listing of all properties affected by the Local Government Exemption Impact Report for fiscal year beginning January 1, 2019 and as required by Real Property Tax Law Section 495 regarding the identification of tax exemptions for properties located within the Town of Charlton.

NOW THEREFORE, BE IT RESOLVED that the Town Board of the Town of Charlton does hereby adopt a 2019 budget, a summary of which is attached to this resolution.

Moved by	Councilman Ranaletto	Voting:	Councilman Grasso	Absent
			Councilwoman Heritage	Aye
			Councilman Ranaletto	Aye
Seconded by	Councilman Robbins		Councilman Robbins	Aye
			Supervisor Grattidge	Aye

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

Dated: November 13, 2018

\_\_\_\_\_  
Brenda Mills, Town Clerk

**RESOLUTION #177**

**RESOLUTION**

Motion by Councilwoman Heritage  
Seconded by Councilman Ranaletto

Roll Call: Councilman Grasso: Absent, Councilwoman Heritage: Aye, Councilman Ranaletto: Aye, Councilman Robbins: Aye, Supervisor Grattidge: Aye. **CARRIED.**

TOWN OF CHARLTON  
COUNTY OF SARATOGA  
STATE OF NEW YORK

RESOLUTION NO. 177

November 13, 2018

**RESOLUTION**

WHEREAS, on or about January 18, 2017, Michael and Caitlin Iannotti ("the Iannottis" or "Plaintiffs") filed a Complaint ("January 2017 Complaint") in the Saratoga County Supreme Court against the Town of Charlton, the Town of Charlton Board of Assessment Review, and the Town of Charlton Assessor (as a group, "the Town Defendants"), and

WHEREAS, the January 2017 Complaint was filed pursuant to Article 78 to challenge a 2016 decision rendered on an assessment challenge in a Small Claims Assessment Review ("SCAR") proceeding and the January 2017 Complaint also raised constitutional issues of unequal treatment related to the assessment of Plaintiffs' home at 1020 Gideon Trace ("the Property") in the Town of Charlton for tax years beginning in 2015, and

WHEREAS, Plaintiffs filed a second Complaint against the Town Defendants in July 2017 ("July 2017 Complaint") pursuant to Article 78 and alleging constitutional claims related to the property tax

assessment for the Property, and

WHEREAS, the Town Defendants filed a Motion to Dismiss the January 2017 Complaint, which motion was denied by the Hon. Judge Nolan, who also vacated the 2016 SCAR decision and ordered a de novo re-hearing by a SCAR hearing officer, and

WHEREAS, a SCAR re-hearing was held before Hearing Officer Robert Kelly on May 15, 2018 and a decision was issued by the SCAR hearing officer on May 28, 2018, and

WHEREAS, the parties have agreed to resolve their disputes relating to the assessment of the Property, on the terms set forth in the parties' settlement agreement ("Agreement").

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Charlton consents to and authorizes the settlement of the proceedings presently in Supreme Court, County of Saratoga bearing index number 2017-148 and any related proceedings and disputes relating to the Property's assessment, on the terms set forth in the Agreement, and it is further

RESOLVED, that the Town Assessor and/or Tabner, Ryan & Keniry, LLP are authorized to execute the Agreement and any other related settlement paperwork.

Moved by	Councilwoman Heritage	Voting:	Councilman Grasso	Absent
			Councilwoman Heritage	Aye
			Councilman Ranaletto	Aye
Seconded by	Councilwoman Ranaletto		Councilman Robbins	Aye
			Supervisor Grattidge	Aye

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

Dated: November 13, 2018

\_\_\_\_\_  
Brenda Mills, Town Clerk

**RESOLUTION #178**  
**A RESOLUTION SCHEDULING A PUBLIC HEARING WITH RESPECT TO A SPECIAL EXCEPTION PERMIT APPLICATION FROM THE FOUNDATION OF ST. MARY'S HEALTHCARE INC. ALSO KNOWN AS ST. MARY'S HOSPITAL ACKNOWLEDGED BY THE TOWN BOARD ON OCTOBER 9, 2018, REQUESTING APPROVAL FOR AN URGENT CARE FACILITY**

Motion by Councilman Ranaletto  
Seconded by Councilwoman Heritage

Roll Call: Councilman Grasso: Absent, Councilwoman Heritage: Aye, Councilman Ranaletto: Aye, Councilman Robbins: Aye, Supervisor Grattidge: Aye. **CARRIED.**

TOWN OF CHARLTON  
COUNTY OF SARATOGA  
STATE OF NEW YORK

RESOLUTION NO. 178  
November 13, 2018

**A RESOLUTION SCHEDULING A PUBLIC HEARING WITH RESPECT TO A SPECIAL EXCEPTION PERMIT APPLICATION FROM THE FOUNDATION OF ST. MARY'S HEALTHCARE INC. ALSO**

KNOWN AS ST. MARY'S HOSPITAL, ACKNOWLEDGED BY THE TOWN BOARD ON OCTOBER 9, 2018, REQUESTING APPROVAL FOR AN URGENT CARE FACILITY

WHEREAS, the Town Board approved Resolution Number 166, dated October 9, 2018, acknowledging receipt of a special exception permit application from St. Mary's Hospital, also known as the Foundation of St. Mary's Healthcare, Inc. requesting approval for an urgent care facility, and

WHEREAS, the Town Board accepted primary jurisdiction of the exceptional use permit application as authorized by the zoning ordinance of the Town of Charlton, and

WHEREAS, the Town Board, Town Zoning Board of Appeals, Town Planning Board, Town Environmental Conservation Committee and the Saratoga County Planning Board have been provided documentation presented by the applicant and regarding this matter, and

WHEREAS, the town engineer has submitted a detailed opinion to the Town, Planning and Zoning Boards regarding an analysis of the issues to be considered in the processing of the application of the Foundation of St. Mary's Healthcare Inc., and

WHEREAS, the Town Zoning Board of Appeals has met on October 30, 2018 to consider zoning issues related to this project and have, through correspondence from the Town Attorney also acting as Zoning Board chairman, provided minutes of the ZBA meeting to the Town Board, Planning Board, Zoning Board and the applicant, and

WHEREAS, the Town Planning Board has met once with the applicant on October 15, 2018 and will meet again with the applicant on November 19, 2018 after which the Planning Board will submit a letter of opinion to the Town Board regarding this matter, and

WHEREAS, the Town Board has scheduled a public hearing with respect to this application, to be held on Monday, November 26, 2018 at 6:30 p.m. at the Charlton Town Hall.

NOW THEREFORE BE IT RESOLVED, that the Town Board hereby schedules a public hearing on November 26, 2018 with respect to the application of the Foundation of St. Mary's Healthcare Inc. as referenced in this resolution.

Moved by	Councilman Ranaletto	Voting: Councilman Grasso	Absent
		Councilwoman Heritage	Aye
		Councilman Ranaletto	Aye
Seconded by	Councilwoman Heritage	Councilman Robbins	Aye
		Supervisor Grattidge	Aye

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

Dated: November 13, 2018

\_\_\_\_\_  
Brenda Mills, Town Clerk

**A RESOLUTION NAMING MJ ENGINEERING AS DESIGN & OVERSIGHT CONSULTANT**

Motion by Councilman Ranaletto  
Seconded by Councilwoman Heritage

Roll Call: Councilman Grasso: Absent, Councilwoman Heritage: Aye, Councilman Ranaletto: Aye,  
Councilman Robbins: Aye, Supervisor Grattidge: Aye. **CARRIED.**

TOWN OF CHARLTON  
COUNTY OF SARATOGA  
STATE OF NEW YORK

RESOLUTION NO. 179

November 13, 2018

**A RESOLUTION NAMING MJ ENGINEERING AS DESIGN  
AND OVERSIGHT CONSULTANT**

WHEREAS, the Supervisor of the Town of Charlton, received written notice from the New York State Department of Transportation on November 13, 2018, that the grant application to the NYS Bridges Program has been chosen for funding, and

WHEREAS, New York State has awarded \$998,060.00 from the 2018 Bridges NY program for the Peaceable Street over Tributary of the Mourning Kill grant application prepared for the Town of Charlton by MJ Engineering,

NOW THEREFORE, BE IT RESOLVED that the Town Board of the Town of Charlton does hereby name MJ Engineering as Design and Oversight Consultant, as per the original grant application.

Moved by	Councilman Ranaletto	Voting:	Councilman Grasso	Absent
			Councilwoman Heritage	Aye
			Councilman Ranaletto	Aye
Seconded by	Councilwoman Heritage		Councilman Robbins	Aye
			Supervisor Grattidge	Aye

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

Dated: November 13, 2018

\_\_\_\_\_  
Brenda Mills, Town Clerk

No one chose to speak.

**RESOLUTION #180**

**MOTION TO ADJOURN MEETING**

Motion by Councilman Ranaletto  
Seconded by Councilman Robbins

Vote: All Ayes, No Nays. CARRIED

The meeting adjourned at 8:12 p.m.

Respectfully submitted,

Brenda Mills  
Town Clerk