

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

March 9, 2020

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 Councilman Grasso at 7:35 p.m.

Councilman Grasso led the pledge of Allegiance.

Present: Councilman Grasso, Councilwoman Heritage, Councilman Robbins, Town Clerk Brenda Mills, Attorney Craig.

Excused: Supervisor Grattidge, Councilman Ranaletto

Councilman Grasso said that Supervisor Grattidge is on vacation, and in his absence if residents need Town assistance they can contact any of the Councilmen or the Town Clerk's office.

APPROVAL OF MINUTES

RESOLUTION #73

Approval of Minutes

Motion by Councilwoman Heritage
Seconded by Councilman Robbins

BE IT RESOLVED that the Town Board has approved the minutes of the Town Board Agenda Meeting on February 24, 2020.

Vote: All Ayes, No Nays. CARRIED

PRIVILEGE OF THE FLOOR FOR AGENDA ITEMS

Jason Signor, resident, said that he is working with the BHBL Youth baseball and needs to coordinate use of the field with the Town.

TOWN CLERK'S REPORT

The Town Clerk's office took in \$928.00 for the month of February. \$816.28 was paid to the Supervisor's Office as revenue, and \$111.72 to other Governmental agencies.

RESOLUTION #74

Acceptance of the Town Clerk's Report

Motion by Councilman Robbins
Seconded by Councilwoman Heritage

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

Vote: All Ayes, No Nays. CARRIED

SUPERVISORS REPORT

Councilman Grasso said that the Mortgage Tax for the month was \$10,146.00.

Some of the Town Board members will be attending the Charlton Seniors meeting on Wednesday, March 11th. There will be an opportunity for residents to ask questions of the Town Board.

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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 February, 2020:

DATED: March 4, 2020

SUPERVISOR

	Balance 01/31/2020	Increases	Decreases	Balance 02/29/2020
A GENERAL FUND - TOWNWIDE				
CASH - CHECKING	28,643.39	52,529.37	52,527.98	28,644.78
CASH - SAVINGS	212,934.85	62,982.58	52,527.98	223,389.45
PETTY CASH	600.00	0.00	0.00	600.00
Park Fees Reserve	43,082.15	14.91	0.00	43,097.06
TOTAL	285,260.39	115,526.86	105,055.96	295,731.29
DA HIGHWAY FUND				
CASH - CHECKING	301.40	57,955.69	57,955.69	301.40
CASH - SAVINGS	88,658.23	80,709.16	57,955.69	111,411.70
CASH, SPECIAL RESERVE	15,504.25	0.00	0.00	15,504.25
TOTAL	104,463.88	138,664.85	115,911.38	127,217.35
F WATER #1 FUND				
CASH - CHECKING	33.54	5,609.97	5,609.97	33.54
CASH - SAVINGS	393,062.56	124.29	5,609.97	387,576.88
CASH, SPECIAL RESERVES	202,317.81	2.00	0.00	202,319.81
TOTAL	595,413.91	5,736.26	11,219.94	589,930.23
SW WATER #2 FUND				
CASH - CHECKING	0.00	122.82	122.82	0.00
CASH - SAVINGS	29,086.61	9.94	122.82	28,973.73
TOTAL	29,086.61	132.76	245.64	28,973.73
TA TRUST & AGENCY				
CASH - CHECKING	9,457.49	42,260.66	42,135.66	9,582.49
TOTAL	9,457.49	42,260.66	42,135.66	9,582.49
H CAPITAL PROJECTS				
CASH - CHECKING	106,923.00	0.00	0.00	106,923.00
SAVINGS	-82,259.00	0.00	0.00	-82,259.00
TOTAL	24,664.00	0.00	0.00	24,664.00
TOTAL ALL FUNDS	1,048,346.28	302,321.39	274,568.58	1,076,099.09

ANNOUNCEMENTS

The Town Clerk's Office is collecting items for deployed troops as part of Yellow Ribbon Day on April 9th. Donations of hard candies, snack foods, toiletries, socks, etc are welcome

The Spring newsletter is under way, and expected to be mailed to residents by March 30th.

The ECC has scheduled Roadside Clean-Up for April 25th from 8 am until noon. People interested in participating must call Marv Schorr to sign up. The Highway Department will supply bags, gloves and vests for participants. The free tree seedling give away will also be April 25th from noon until 1pm.

The Town is planning a Bulk-Item drop-off again this fall where residents can bring items to be disposed of to the Highway Garage. It is currently anticipated to be in October.

Saratoga County is providing regular communication to the Town regarding the Corona virus. The County has an Emergency Preparedness Plan to deal with things like this. There are no specific directives for the Towns at this point. Councilman Robbins said that the County is holding an information meeting and he plans to attend. He will let the Board know if anything new information is shared. The Town Clerk said that she spoke with the Town's Health Officer today, Dr. Kristen Martin. At this point, Doctor Martin said follow the advice of regular hand washing, stay home if you are sick, and contact the Public Health Department if you think you may have the virus.

DEPARTMENT, COMMITTEE & COUNCILMAN REPORTS

Planning Board – Councilman Grasso said that the Planning Board met in February and approved the Ball and Richardson subdivision on Charlton Road. They continued their review of a lot line adjustment on the same property. They have also received an application for an 8 lot subdivision on Cook Road owned by Heflin which would create 7 building lots near the corner of Cook Road and Route 67.

Highway – Superintendent Heritage gave the following report for the month of February:

1. Plowing and sand, salting roads
2. Mixing sand salt
3. Cutting brush and tree limbs
4. Equipment maintenance
5. Patching pot holes
6. Clearing fire hydrants and catch basin grates
7. Changed a smoke detector at the community center
8. Five trucks inspected
9. Received the new loader
10. 811 locations were 3
11. Meet with FEMA

Historian – Mr. Livingston said that he purchased the Roots Magic Software when he became Historian, and he currently has over 24,000 names in the database, for genealogy purposes. He used information from Frank Lafforthun's card file which has over 10,000 cards in it. Mr. Livingston recently attended the Eagle Scout ceremony for Daniel Woloszyn whose Eagle Scout project was to restore the Tunis Swart Cemetery on DeGraff Rd. Mr. Livingston said that this year is the 100th anniversary of the Women's Suffrage Movement. He gave some history of Jeanette Rankin, a politician in 1916 and 1940.

Constables – In February, there were 33 patrols, 19 complaints, 11 911 calls, 8 accidents & 2 EMT calls responded to. 3,068 miles were traveled, and 25 tickets were issued (15 issued on Route 67).

Dog Control – In February, there were 8 calls received, one pertaining to other animals, 3 expired licenses followed up on, and 1 dog returned to owner, and 1 dog bite case reported.

Party in the Park – Councilwoman Heritage said that the Committee will meet on Wednesday, March 11 at 7pm, and anyone interested in helping with Party in the Park is welcome. The Town is currently accepting donations for the event.

Zoning – For the month of February, there were 2 Building Permits and 22 Certificates of Compliance issued. The permit value was \$446,561.00.

Town of Ballston Library – Tom Saginaw gave the following report:

1. The Library's Annual Mini-Golf Fundraiser was a great success. The Friends took in \$3439.59 during Library Mini Golf with 430 people attending, including golfers, spectators, sponsors, and volunteers. Last year 350 attended and the Friends netted \$2765.11. Thank you to Elizabeth Newsom for serving as Mini Golf Chairwomen. And thank you once again to Councilman Dave Robbins for building the golf course for the library!

2. Charlton residents with Town of Ballston Community Library cards are invited to take advantage of our great new digital service called Hoopla. During our pilot program each patron can make 5 downloads per month. Borrow digital movies, music, eBooks, and audiobooks, 24/7 with your library card! If you have any questions about using or getting registered with Hoopla, please contact the Library during regular hours at 518-399-8174, or email web.toblibrary@gmail.com.

3. The library's Head of Youth Services, Rebecca Darling, will be on maternity leave until September 2020. Susan Flint has been hired as Temporary Head of Youth Services during Ms. Darling's leave.

Court – Judge Ketchum gave the Town Board a memo about quarantined environment. No Town of Village Courts are currently in a quarantined environment but it could happen with the spread of the virus. Judge Ketchum said that Kevin Hart is supposed to attend the Take the Bench training course the week of March 30th, but that may be impacted by the virus. Councilman Grasso thanked Judge Ketchum for covering the Court cases following Judge Rodriguez's resignation.

MOTIONS, RESOLUTIONS, AND AUTHORIZATIONS

RESOLUTION #75

A RESOLUTION AUTHORIZING BH-BL JUNIOR BASEBALL USE OF THE ELMER SMITH PARK BASEBALL FIELDS

Motion by Councilman Robbins

Seconded by Councilwoman Heritage

BE IT RESOLVED that the Town Board does hereby approve the use of the Elmer Smith baseball field by the BH-BL Junior Baseball League from April 6th until June 30th 2020 from 6pm to 8pm, Monday through Fridays, subject to field conditions determined by the Town of Charlton Highway Department.

Vote: All Ayes, No Nays. CARRIED

RESOLUTION #76

A RESOLUTION ACKNOWLEDGING RECEIPT OF A SPECIAL EXCEPTION PERMIT APPLICATION FROM JESSICA DEBACH REQUESTING APPROVAL TO OPEN AND OPERATE A SMALL ANTIQUE AND HOME GOODS STORE AT 128 CRANE STREET IN THE TOWN OF CHARLTON, AND DIRECTION BY THE TOWN BOARD TO THE ZONING BOARD OF APPEALS TO EXERCISE PRIMARY JURISDICTION OF SUCH APPLICATION PURSUANT TO THE ZONING ORDINANCE FOR THE TOWN OF CHARLTON

Motion by Councilwoman Heritage

Seconded by Councilman Robbins

Discussion: Councilman Grasso said that as part of the ZBA process, the ZBA will get comments from other Boards and Committees. There will be no further action on the application by the Town Board.

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

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

**RESOLUTION NO. 76
March 9, 2020**

RESOLUTION ACKNOWLEDGING RECEIPT OF A SPECIAL EXCEPTION PERMIT APPLICATION FROM JESSICA DEBACH REQUESTING APPROVAL TO OPEN AND OPERATE A SMALL ANTIQUE AND HOME GOODS STORE AT 128 CRANE STREET IN THE TOWN OF CHARLTON, AND DIRECTION BY THE TOWN BOARD TO THE ZONING BOARD OF APPEALS TO EXERCISE PRIMARY JURISDICTION OF SUCH APPLICATION PURSUANT TO THE ZONING ORDINANCE FOR THE TOWN OF CHARLTON

WHEREAS, the Town Board has received an application dated January 20, 2020, from Jessica Debach, owner of 128 Crane Street, in the Town of Charlton, applying for a special exception permit to open and operate a small antique and home goods store in an accessory building located on the property which is her primary residence, at 128 Crane Street, 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 direct the Zoning Board of Appeals, subject to conditions set forth in Section 6 of Article VII of said Ordinance to provide a determination after due public notice, hearing and a vote of a majority plus one of the Zoning Board of Appeals and subject to all relevant provisions of this Ordinance 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 provide a determination with respect to the application of Jessica Debach for a special exception permit to open and operate a small antique and home goods store on the above property, subject to the provisions of Article VII of the Town of Charlton Zoning Ordinance.

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

The resolution was duly adopted on March 9, 2020.

Brenda Mills, Town Clerk

RESOLUTION #77

A RESOLUTION TO APPOINT A NEW TOWN JUSTICE TO FILL SEAT RECENTLY VACATED BY JUSTICE PHILIP A. RODRIGUEZ

Motion by Councilman Robbins
Seconded by Councilwoman Heritage

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

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

RESOLUTION NO. 77

March 9, 2020

RESOLUTION TO APPOINT A NEW TOWN JUSTICE TO FILL SEAT RECENTLY VACATED BY JUSTICE PHILIP A. RODRIGUEZ

WHEREAS, Town Justice Philip A. Rodriguez, resigned and vacated his seat, effective February 4, 2020, creating a vacancy in one of the Town’s two Justice positions; and

WHEREAS, the Town Board desires and needs to temporarily fill the position through the end of the year with the seat to be permanently filled by the voters of the Town of Charlton in the November elections; and

WHEREAS, the Town posted the position, and accepted and reviewed applications to fill said vacancy; and

WHEREAS, the Town received an application from Kevin J. Hart, of 32 Sweetman Road, Burnt Hills, NY, 12027, and after interviewing him and reviewing information provided, found him to meet the requirements of the position, amply qualified, capable and willing to fill the position and to serve the community.

NOW, THEREFORE, BE IT RESOLVED, the Town Board hereby appoints Kevin J. Hart to the position of Town Justice, for a partial term commencing March 10, 2020, and ending on December 31, 2020, at a salary as set forth in the 2020 Town Budget, prorated accordingly, with the same benefits, if any, as are provided to current Town of Charlton Justices; and it is further,

RESOLVED, said position is an elected position that must be placed on the ballot for appointment and approval by the voters in the 2020 fall elections set for this November, for a full-term commencing January 1, 2021.

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

The resolution was duly adopted on March 9, 2020.

Brenda Mills, Town Clerk

RESOLUTION #78

A RESOLUTION REQUESTING THAT FIRST RESPONDERS IN THE TOWN OF CHARLTON BE GRANTED THE SAME PRIVACY RIGHTS AS LAW ENFORCEMENT OFFICIALS RELATING TO DISCOVERY IN THE NEW YORK STATE CRIMINAL PROCEDURE LAW

Motion by Councilwoman Heritage

Seconded by Councilman Robbins

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

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

RESOLUTION NO. 78

March 9th, 2020

RESOLUTION REQUESTING THAT FIRST RESPONDERS IN THE TOWN OF CHARLTON BE GRANTED THE SAME PRIVACY RIGHTS AS LAW ENFORCEMENT OFFICIALS RELATING TO DISCOVERY IN THE NEW YORK STATE CRIMINAL PROCEDURE LAW

WHEREAS, as both municipal employees and volunteers, first responders here in the Town of Charlton and elsewhere are in many instances called upon to provide emergency services at crime scenes making them subject to providing witness testimony; and

WHEREAS, beginning January 1, 2020, paragraph (c) of subdivision 1 of section 245.20 of the New York State Criminal Procedure Law exempts and protects law enforcement personnel from being mandated to disclose the name, addresses and contact information in the newly initiated discovery process through the recently passed criminal justice reform law for defendant and their attorneys, to safeguard them and their families from threats and intimidation; and

WHEREAS, the changes that took place in New York State Law failed to extend this privacy protection to our ambulance services or advanced life support first response services, certified first responders, firefighters, emergency medical technicians or advanced emergency medical technicians, who are employed by or enrolled members of any such service; and

WHEREAS, the discovery process under current law requires an expedited timeline to provide witness names and contact information related to the prosecution of a crime to defendants within 15 days of arraignment; and

WHEREAS, it is in the best interest of the Town Board, and the Town of Charlton as a whole, to advocate for its first responders and ensure the protection of their personnel and families, and not be subject to potential witness tampering or intimidation.

NOW, THEREFORE, BE IT RESOLVED, that this Town Board/ Legislative Body hereby implores the New York State Legislature to pass Senate Bill – S.7280/Assembly Bill A.9107, which ensures privacy protections for all emergency personnel present at a crime scene by not releasing their contact information in the discovery process.

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

The resolution was duly adopted on March 9, 2020.

Brenda Mills, Town Clerk

ABSTRACT OF CLAIMS

RESOLUTION #79

Approval of Abstract of Claims

Motion by Councilman Robbins

Seconded by Councilwoman Heritage

The Town Board members audited Abstract #105, voucher numbers 141 – 175 in the amount of \$25,165.66, and Abstract #7, voucher numbers 7001-7002 in the amount of \$1,315.92 and Abstract #8, voucher number 8001 in the amount of \$8,162.97.

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

PRIVILEGE OF THE FLOOR

Teddi Smith, resident, said that the Charlton Republican Committee will be hosting an Open House on March 14th from 11 a.m. until 3 p.m. The public is invited to stop by and meet the candidates for State and Local elections and sign petitions.

RESOLUTION #80

Motion to adjourn the meeting

Motion by Councilwoman Heritage

Seconded by Councilman Robbins

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

The meeting adjourned at 8:26 p.m.

Respectfully submitted,

Brenda Mills

Town Clerk