

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

December 28, 2020

The Agenda Meeting of the Town Board of the Town of Charlton, Saratoga County, New York was held virtually on Zoom and called to order by Councilman Grasso at 7:33 p.m. to set the agenda for the January 11<sup>th</sup> meeting.

Present: Councilman Glavin, Councilman Grasso, Councilman Ranaletto, Councilman Robbins, Town Clerk Brenda Mills, Attorney Jim Craig.

Excused: Supervisor Grattidge

Councilman Grasso opened the meeting by acknowledging that 2020 has been a tough year for everyone and wishing everyone well in 2021.

**RESOLUTION # 170**

**Approval of Minutes**

Motion by Councilman Ranaletto

Seconded by Councilman Robbins

BE IT RESOLVED that the Town Board hereby approves the minutes from the regular Town Board Meeting on December 14, 2020.

Roll Call: Councilman Glavin: Aye, Councilman Grasso: Aye, Councilman Ranaletto: Aye, Councilman Robbins: Aye,. **CARRIED.**

**RESOLUTION #171**

**Abstract of Claims**

Motion by Councilman Robbins

Seconded by Councilman Ranaletto

BE IT RESOLVED that the Town Board has approved the payment of bills as presented in Abstract #122, voucher numbers 821 – 844 in the amount of \$14,765.64 and Abstract #26, voucher #2601 in the amount of \$1,720.00 and Abstract #27. voucher #2701 in the amount of \$368.50

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

**ANNOUNCEMENTS**

The Town Offices will be closed January 1<sup>st</sup> for the New Years Day holiday.

The Organizational Meeting will be held on January 2<sup>nd</sup> at 10am on Zoom.

Because of the COVID virus, residents are encouraged to conduct necessary Town business by phone or mail when possible, including payment of taxes.

**COMMUNICATIONS**

There will be 27 pay periods in 2021 for salaried employees of the Town, so the net pay will be less per check in 2021 than 2020.

The Water Department has sent out Lead Exceedance Reports to customers in the water district, as well as a letter from the Town and educational information from the Department of Health. The letters will be put on the Town website and there will be additional protocols to follow. In the past few weeks, water samples were tested from 10 homes and 2 of the homes showed lead as a contaminant. All 10 resident's water was resampled and all were below the exceedance levels. It is suspected that the lead came from the internal plumbing in the homes.

County COVID update based on 12/24 data: Total cases in the County: 4,620. New cases since 12/21 is 313. There have been 31 COVID deaths and 2,795 people have recovered. There are currently 1,794 active cases and 50 hospitalizations. 223,153 people have been tested in the County.

Cell Tower: Verizon had planned to get the new cell tower operational by the end of 2020, but they have been delayed by the unavailability of equipment for underground electric. The Town made calls to National Grid to ask that they expedite the work and it does appear that things are moving again. Councilman Grasso will try to get an update from Verizon.

## **DISCUSSION**

Councilman Grasso said that the Town has received the Exceptional Use Permit (EUP) application from Jason Nemec for the old firehouse at 786 Charlton Road. The Zoning Code allows for the application to be handled by the ZBA or the Town Board. Councilman Grasso recommended that the Town Board maintain jurisdiction over the EUP application. The ZBA would handle the Use Variance Application. He also suggested that the processes run concurrently. The EUP application requires review and comment by the ECC, Town and County Planning Boards and the Historic District Commission. Both applications require a Public Hearing which could be done jointly.

The County mileage reimbursement rate for 2021 is \$.56 and also be the same for the Town.

Councilman Grasso noted that because of Supervisor Grattidge's anticipated retirement on December 31<sup>st</sup>, the Town email account for the Supervisor has been turned over to Councilman Grasso. Any emails going to the Supervisor will go to the Councilman.

Judge Ketchum and Judge Hart informed the Board that the Courts have been closed again because of COVID and this has an effect on criminal and civil cases. Judge Hart said that the Town has inadequate broadband to be able to effectively handle arraignments virtually and asked that the Town do something to increase the bandwidth.

The first session of the zoom meeting ended at 8:00 p.m. The second session of the zoom meeting resumed at 8:10 p.m.

## **MOTIONS, AUTHORIZATIONS AND RESOLUTIONS**

Councilman Grasso said that the Governor has put out an Executive Order for senior citizens and those filing low income exemptions, that they do not need to re-file for exemptions in 2021. Their exemptions will be based on their 2020 filings.

### **RESOLUTION #172**

#### **Resolution continuing tax exemptions pursuant to the Governor's executive order for the year 2021**

Motion by Councilman Robbins

Seconded by Councilman Ranaletto

Discussion: Councilman Glavin asked if the Town would have record of transfers of ownership that were done in late 2020. Attorney Craig said that the Towns are notified but it sometimes takes up to 3 months for the notifications.

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

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

**RESOLUTION No. 172  
DECEMBER 28, 2020**

**RESOLUTION CONTINUING TAX EXEMPTIONS PURSUANT TO THE GOVERNOR'S  
EXECUTIVE ORDER FOR THE YEAR 2021**

**WHEREAS**, the Governor issued Executive Order 202, declaring a State of Emergency due to the Covid-19 Pandemic, and various other Orders, which in part temporarily suspended the re-application requirements of RPTL Section 459-c and RPTL Section 467 until January 17, 2021; and

**WHEREAS**, RPTL Section 459-c of the Real Property Tax Law gives local governments and public school districts the option of granting a reduction in the amount of property taxes paid by qualifying persons with disabilities and RPTL Section 467 is for persons 65 years of age or older. To qualify for the base exemption (50% of the assessed value), the combined income of the owners for the income tax year immediately preceding the application for exemption must not be greater than the maximum income eligibility level specified by local law; and

**WHEREAS**, the Executive Order directs the Town Assessor to grant exemptions pursuant to such sections above-mentioned on the 2021 assessment roll to all property owners who received that exemption on the 2020 assessment roll to the extent that the Town Assessor will not for this tax year need to mail out renewal applications to the property owners and the property owners will not for the 2021 tax year need to renew the application in order to receive the tax exemption, so long as the Town Board passes a resolution authorizing such.

**NOW THEREFORE, BE IT RESOLVED**, by the Town Board of the Town of Charlton as follows:

1. All property owners who received an exemption on the 2020 assessment roll under RPTL 459-c and 467, shall continue to receive the same exemption on the 2021 assessment roll, without the necessity of filling out and submitting a new application in order to qualify.

2. The Town Assessor may in his or her discretion require a new renewal application only if he/she believes the owner may have changed his or her residence, added another owner to the deed, transferred the property to a new owner, or is deceased.

3. This Resolution intends to follow and adopt those sections of Executive Order No. 202-83 that relate to the aforementioned RPTL sections, a copy of which is attached, and shall be effective immediately.

Moved by Councilman Robbins

Seconded by Councilman Ranaletto

Voting: Councilman Glavin	Aye
Councilman Grasso	Aye
Councilman Ranaletto	Aye
Councilman Robbins	Aye
Supervisor Grattidge	Absent

The resolution was duly adopted on December 28, 2020.

---

Brenda Mills, Town Clerk

**RESOLUTION #173**

**A Resolution acknowledging receipt of the Exceptional Use Permit Application from Jason Nemec Design, LLC and acceptance by the Town Board of primary jurisdiction of such application pursuant to the Zoning Ordinance of the Town of Charlton**

Motion by Councilman Robbins

Seconded by Councilman Glavin

Discussion: The Board asked Mr. Nemec if he had any questions. He asked if it is normal for the Town Board to keep jurisdiction of the application. He also asked if he needed a narrative and if the shop and showroom would be considered one use. Councilman Grasso said it is typical for the Town Board to keep jurisdiction of applications that are pretty simple as this one appears to be. Attorney Craig said that the application appears to be complete at this time, however there may be additional things needed during the process.

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

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

**RESOLUTION NO. 173  
December 28, 2020**

**RESOLUTION ACKNOWLEDGING RECEIPT OF THE EXCEPTIONAL USE PERMIT  
APPLICATION FROM JASON NEMEC DESIGN LLC AND ACCEPTANCE BY THE TOWN  
BOARD OF PRIMARY JURISDICTION OF SUCH APPLICATION PURSUANT  
TO THE ZONING ORDINANCE OF THE TOWN OF CHARLTON**

**WHEREAS**, the Town Board has received an application from Jason Nemec Design LLC, applying for an exceptional use permit for a furniture workshop and showroom, art gallery, artisan woodworking and retail store to be located at 786 Charlton Road, formerly a fire house, as required by Article VII, Special Exceptions to Designated Land Uses of the Zoning Ordinances for the Town of Charlton, and as adopted September 14, 2015; 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 Town of Charlton Zoning Ordinance; and

**WHEREAS**, the applicant had previously made a presentation to the Town Board, providing an overview and plans for such project, and has requested it to move forward as soon as practicable according to the required terms and procedures of the aforementioned legislation.

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Charlton hereby formally accepts the Exceptional Use Permit application of Jason Nemec Design LLC, subject to the Applicant providing the fully filled in and complete Exceptional Use Permit Application form, and completed Environmental Assessment Form, a copy of which application is attached to this resolution and made a part hereof; and it is further

**RESOLVED**, that the Town Board desires to and will retain primary jurisdiction of this application as authorized and set forth in Article VII, Section 3(A) of the Zoning Ordinance of the Town of Charlton; and it is further

**RESOLVED**, that the Town Board will review the application and make a determination as to whether the application constitutes an Unlisted or Type I Action under the State Environmental Quality Review Act (SEQRA); and it is further

**RESOLVED**, that the Town Board declares itself to be and shall be Lead Agency for the purposes of the State Environmental Quality Review Act (SEQRA), subject to the rights of any other involved or interested agencies, if any; and it is further

**RESOLVED**, that the Town Board will refer said application to the Charlton Planning Board, the Charlton Zoning Board of Appeals, the Charlton Environmental Conservation Committee, the Charlton Historical Review Commission, and the Town Engineer, and request an advisory opinion from each due by January 29<sup>th</sup>, 2021, for the Town Board's consideration as set forth in Section 3(g)(iii) of the aforementioned Local Law No. 1 of 2015; and it is further

**RESOLVED**, that said application will also be referred to the Saratoga County Planning Board and the Charlton Code Enforcement Officer for comment, as well as to any other Board, Committee or Agency as the Town Board in its sole discretion so chooses or deems necessary, and shall further be filed in the Town Clerk's office.

Moved by Councilman Robbins

Seconded by Councilman Glavin

Voting: Councilman Glavin	Aye
Councilman Grasso	Aye
Councilman Ranaletto	Aye
Councilman Robbins	Aye
Supervisor Grattidge	Absent

This resolution was duly adopted on December 28, 2020.

---

Brenda Mills, Town Clerk

#### **PRIVILEGE OF THE FLOOR**

No one chose to speak.

#### **RESOLUTION #174**

##### **Adjournment of Meeting**

Motion by Councilman Robbins

Seconded by Councilman Ranaletto

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

The meeting adjourned at 8:37 p.m.

Respectfully submitted,

Brenda Mills  
Town Clerk