

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

**November 24, 2014**

The Agenda meeting of the Town Board of the Town of Charlton, Saratoga County, New York was held at the Charlton Town Hall and called to order by Supervisor Grattidge at 7:30 p.m. to set the agenda for the December 8th Town Board Meeting.

Present: Supervisor Grattidge, Councilman Grasso, Councilman Hodgkins, Councilman Lippiello, Councilman Verola, Town Clerk Brenda Mills, Attorney Van Vranken.

**RESOLUTION #178**

**Abstract of Claims**

Motion by Councilman Verola

Seconded by Councilman Grasso

BE IT RESOLVED that the Town Board has approved the payment of bills as presented in Abstract No. 122, vouchers number 700 - 733 in the amount of \$113,013.13.

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

**RESOLUTION #179**

**Approval of Minutes**

Motion by Councilman Grasso

Seconded by Councilman Verola

BE IT RESOLVED that the Town Board has approved the Town Board Meeting minutes from November 10, 2014.

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

**ANNOUNCEMENTS**

The Town Offices will be closed November 27<sup>th</sup> and 28<sup>th</sup> for the Thanksgiving holiday.

A Public Hearing has been scheduled for December 1, 2014 at 7 p.m. regarding the proposed Local Law for zoning amendments.

The Board discussed the format for the Public Hearing. The hearing will begin with the clerk reading the public notice and verifying the published date of the notice. The clerk will also acknowledge the adjoining Towns and Boards that notification was sent to, and who the Town received response back from. There will be a sign – in form for residents that wish to speak. The purpose of the public hearing is to get feedback from residents. Questions will not be taken, however, clarification of document wording will be provided. Attorney Van Vranken will explain the process of the zoning amendment and the Town Board's mission in changing the Zoning. Councilman Grasso will inform the residents about where the changes came from and how the Board is incorporating them. He will review the summary list of proposed changes, and he will list for the record all of the parties that have submitted written comments. The Board will accept written comments for one week after the hearing.

## **DISCUSSION**

The Sales Tax for the month was \$103,024.00. The monthly Mortgage Tax was \$8,567.50 and the 6 month distribution was \$73,567.95.

Supervisor Grattidge said that part of the approval agreement for Phase 3 of Deer Run was for there to be an Access Easement off of Swaggertown Road so that in the future, the Town would have the ability to develop some kind of access to the Alplaus Kill, if it desired. The Homeowners Association will eventually own an 85 acre parcel of open space behind the development. Attorney Van Vranken said that Bordeau is within a 1 to 2 month plan to move forward with Phase 3. Attorney Van Vranken said that originally the Town had asked for 30 acres and now the request has shrunk to 15 acres. He said that the Board has several choices at this point. One choice would be to say that the Town is not interested in anything. Another choice would be to ask Bordeau to provide an easement to the Town right now. This would give the Town an easement that they could develop at a later point. The other option would be to tell Bordeau that the Town wants title to the land and then the Town would own it. This would eliminate the confusion about who is responsible for it later on. Attorney Van Vranken said that he does not like permanent easements because they are really an ownership with a catch, you can't sell it but you get all the other rights. If the Town takes an easement, the Town would have to get it insured so that if anyone got hurt or fell in the creek, etc, the Town would need to be insured. He said that lawyers always like ownership, rather than easements. Attorney Van Vranken asked Attorney Keniry if he thought ownership was an option. Attorney Keniry said that he thought Bordeau would be willing to give them free title to the land. Attorney Keniry said that he would like the Board to make a decision by year end so that he can relay this to Bordeau. Councilman Verola said that she remembers at one point they offered 30 acres but the Town said no because they did not want to take it off of the tax rolls and assume liability on it. She asked if the 15 acres was part of the 30 acres. Attorney Van Vranken said that it is part of the 85 acres. Supervisor Grattidge said that there are actually 3 deeds for the open space, which include 37 acres which runs along the creek and another 45 acres behind the houses, and another deed for 1.38 acres. Councilman Verola said that she does not like government owned real estate. She is not in favor of moving forward with this, and pointed out that there is expenses associated with it, and putting in a parking lot like suggested is something that the Town does not have money for. Supervisor Grattidge said that he would like to see the Town at least keep their options open. He is not a fan of ownership of the land, but he would like the Town to have the option to do something with it in the future. Supervisor Grattidge said that he feels that the Town should execute the easement agreement and identify it as a future recreational easement for the Town. Attorney Van Vranken said if the Town takes the easement, the Town has liability. He said that an easement on top of ownership is always more complicated because who is liable for it? If a homeowner gets hurt snowmobiling or four wheeling on the land, who is liable? If the Town owned it, they could put up No Trespassing signs or fences. Attorney Van Vranken said that he feels that the best move is to buy it with no money, because they will give it to the Town. If the Town owns it, they can let it sit, or they could sell it back to the Association in the future if the Town decided they did not want it. Councilman Grasso said that he agrees that probably ownership is the cleanest approach, but he see the easement providing some benefit to the Town. The easement gives the Town the ability to do something in the future, but they could also chose to do nothing. He feels that access to fishing in the Alplaus could be important, and he likes that the Homeowner's Association would retain ownership and therefore assist with monitoring it. If there were any kind of illicit activities there, they would have a stake in it too. He said that there is no perfect solution but it is about serving the public's needs and also doing something that reduces the Town's exposure to the situation. Councilman Grasso said that if the Town takes the easement, he would like to see the option in it to transfer the easement to another agency such as Saratoga Plan that has stewardship capabilities. Attorney Van Vranken said that this would need to be stated in the deed. Councilman Hodgkins asked if there is financial affect on the Town. Supervisor Grattidge said that the entire 3 pieces is assessed at \$132,000 and the Homeowner's Association would be paying taxes on. The 15 acres in the easement would reduce the assessed value. The Board agreed that they would like to move forward with a recreational easement.

## **RESOLUTION #180**

### **Authorizing Attorney Van Vranken to continue with Recreational Easement in Deer Run**

Motion by Councilman Grasso

Seconded by Councilman Lippiello

BE IT RESOLVED that the Town Board authorizes Attorney Van Vranken to continue with a Recreational Easement for the approximate 15 acres in Deer Run, for future consideration by the Town.

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

Councilman Verola said that Mike Armer wants to resign from the Planning Board and Jay Wilkinson has asked to have Bruce Gardner appointed to the position. Supervisor Grattidge said that this would be done as part of the Organizational Resolution. The Board set December 8<sup>th</sup> at 6:00 p.m. to have a workshop to work on the 2015 Organizational Resolution.

**MOTIONS, RESOLUTIONS, AND AUTHORIZATIONS**

**RESOLUTION #181**

**Resolution authorizing the Town of Charlton Water District Superintendent to purchase and install radio telemetry for the proper operation of the Town public water system**

Motion by Councilman Lippiello  
Seconded by Councilman Verola

Discussion: Councilman Hodgkins asked how prevailing wage pertained to this. Supervisor Grattidge said that the Contractor is obligated to follow the State's rules. Councilman Grasso said that he believes that there are dollar amounts tied to each job and this amount is probably below it.

Roll Call: Councilman Grasso: Aye, Councilman Hodgkins: Aye, Councilman Lippiello: Aye, Councilman Verola: Aye, Supervisor Grattidge: Aye. CARRIED.

TOWN OF CHARLTON  
COUNTY OF SARATOGA  
STATE OF NEW YORK

RESOLUTION NO. 181

November 24, 2014

**A RESOLUTION AUTHORIZING THE TOWN OF CHARLTON WATER DISTRICT SUPERINTENDENT TO PURCHASE AND INSTALL RADIO TELEMTRY FOR THE PROPER OPERATION OF THE TOWN PUBLIC WATER SYSTEM**

WHEREAS, the Town of Charlton Water Superintendent, John Morgan, has advised the Town Board of the Town of Charlton that the Town water system needs to install a radio telemetry system to connect the pump house and water tower, including associated equipment for the proper functioning of the telemetry, and

WHEREAS, the Water Superintendent has obtained proposals from those companies providing pump house and water tower telemetry equipment, which proposals include the purchase price, scope of work and various clarifications, and

WHEREAS, Water Superintendent Morgan has recommended to the Town Board that it authorize the purchase of the referenced equipment as set forth on the proposal submitted by the Phoenix Group Contracting, LLC, a copy of which is attached to this resolution as made a part hereof as if more fully set forth herein, and

WHEREAS, the proposal presents a purchase price quote in the total sum of \$7,160.48 for the purchase and installation of a radio telemetry system between the Charlton water system pump house and water tower.

NOW THEREFORE, BE IT RESOLVED, that the Water Superintendent is hereby authorized to purchase and have installed the telemetry system based on the specifications of the Phoenix Group Contracting, LLC proposal.

Moved by	Councilman Lippiello	Voting:	Councilman Grasso	Aye
			Councilman Hodgkins	Aye
Seconded by	Councilman Verola		Councilman Lippiello	Aye
			Councilman Verola	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 24, 2014

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Brenda Mills, Town Clerk

Councilman Lippiello said that Water customer Mr. Maguffin suggested that the Town look into allowing customers to send in their water readings on line. The Councilman spoke with the Water Clerk and Town Clerk and they felt that this is something that could easily be done with e-mail. There could be an email address set up for the readings and an automatic confirmation response could be sent. Supervisor Grattidge said that the Williamson software has also said that credit card acceptance is available with the software. The Board will look into this more in the future.

The meeting adjourned at 8:23 p.m.

Respectfully submitted,

Brenda Mills  
Town Clerk