

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

**June 30, 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 July 14th Town Board Meeting.

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

**RESOLUTION #119**

**Abstract of Claims**

Motion by Councilman Verola

Seconded by Councilman Hodgkins

Discussion: Councilman Grasso asked regarding the voucher from Bruce Fence Company, if the Parks Committee had signed off on the repairs to the backstop at Elmer Smith Park. Councilman Lippiello said yes, the work was completed and they did a nice job.

BE IT RESOLVED that the Town Board has approved the payment of bills as presented in Abstract No. 112, vouchers number 356 - 411 in the amount of \$140,882.94 and Abstract No.6, voucher numbers 9 & 10, in the amount of \$2,166.75.

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

Note: Correction to Abstract #111. Voucher number 334 in Abstract 111 was entered for the wrong amount. The voucher has been corrected and the correct total for Abstract 111 is \$28,672.59.

**RESOLUTION #120**

**Approval of Minutes**

Motion by Councilman Verola

Seconded by Councilman Grasso

BE IT RESOLVED that the Town Board has approved the Town Board minutes from June 9, 2014.

Vote: 4 Ayes, Lippiello Abstained, No Nays. **CARRIED**

**RESOLUTION #121**

**Approval of Minutes**

Motion by Councilman Verola

Seconded by Councilman Lippiello

BE IT RESOLVED that the Town Board has approved the Town Board Workshop minutes from June16, 2014.

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

**ANNOUNCEMENTS**

The Town offices will be closed on the 4h of July. The Town Clerk's office is closed on Saturdays during July and August.

## **DISCUSSION**

The Sales Tax revenue for the month was \$99,984, which is up 2.3% from last year. The Mortgage Tax for May was \$10,322.50.

This year the Town Board is getting more involved in water billing. The Water Clerk has given the Board three memos in June with information about residents that did not return water meter reading cards, and a report of these residents that will be assessed an \$85 late charge. Supervisor Grattidge said that the Water Clerk had attempted to call everyone at least once prior to the due date.

### **RESOLUTION #122**

#### **Acceptance of Water Reports and authorization to mail water billing**

Motion by Councilman Lippiello

Seconded by Councilman Verola

BE IT RESOLVED that the Town Board has accepted the memos from the Water Clerk dated 6/16, 6/19 and 6/26, and has authorized the mailing of the 2014 water bills.

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

Supervisor Grattidge said that the Highway Superintendent had sent an email asking the Board to amend the policy that requires bids for purchases over \$10,000 and change the amount to \$20,000. The Board discussed the request, and found that the 2014 Organizational Resolution already states \$20,000. Supervisor Grattidge will check into the request further.

Supervisor Grattidge said that he has received notice from CDPHP that they are applying for a rate increase of 14.8%.

Councilman Hodgkins said that he will not be at the July 14<sup>th</sup> meeting. He provided a copy of the Highway Department Inventory list with estimated replacement information.

Councilman Grasso provided the Board members with new copies of the Zoning Ordinance with the proposed changes. It has been edited based on the comments from the ZORC and Code Enforcement Officer. There are 2 new appendices, one is the solar array and the other is the cell tower law. He suggested that once the Board is comfortable with it, that it be placed on the website and available at the Clerk's office for the public to review. After all the Boards have had a chance to review the changes, the Town Board can move forward with Public Hearing and getting the changes passed. The Board set up a workshop on July 28<sup>th</sup> at 6:30 p.m. to discuss the changes.

David Pohl, the Parks Committee Chairman, said that the posts and back stop have been replaced on the fence at Elmer Smith Park. He also stated that Schrader and Company inspected the Gideon Hawley gazebo and found that the repairs needed are extensive. Their recommendation would be to replace the gazebo. Mr. Pohl said that the Committee needs to decide where the new gazebo will be placed. He said that they are looking at new vinyl gazebos. The disadvantage to vinyl is the cost is higher and if vandalized, it would be harder to repair. Mr. Pohl gave the Board his recommendation & quote for 2 new backboards for the basketball court at Elmer Smith. The price from Goldstocks is \$525.00 each.

### **RESOLUTION #123**

#### **Authorization for Parks Committee to purchase 2 backboards for Elmer Smith Park**

Motion by Councilman Grasso

Seconded by Councilman Verola

BE IT RESOLVED that the Town Board has approved the Parks Committee to purchase two BA495E Economy Front Mount Steel Backboards from Goldstocks at a price of \$525.00 each plus hardware for installation, at a total price not to exceed \$1,300.00.

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

Councilman Lippiello said that the Water Superintendent is having problems with the telemetry at the pump house. He has had three men from the Phoenix Group work on the problem, but the problem is still occurring. He has hired a company from Syracuse to come on July 2 to work on it. He is also working with Verizon, and may need to need to upgrade some equipment.

Councilman Lippiello thanked all of the people that worked on getting things ready for Party in the Park. He thanked the Town Clerk's office, the Highway Department, Councilman Hodgkins and the Party in the Park Committee.

**MOTIONS, RESOLUTIONS, PROCLAMATIONS AND AUTHORIZATIONS**

**RESOLUTION #124**

**A resolution in which the Town Board of the Town of Charlton endorses the Arnold Family submission of an application from Saratoga P. L. A. N. for the creation of a Conservation Easement**

Motion by Councilman Verola

Seconded by Councilman Grasso

Discussion: Councilman Grasso asked that in the 3<sup>rd</sup> paragraph, where it states that the land would be used exclusively for agricultural purposes, that the word exclusively be deleted so that in the future a few acres could be used for a farmstead if desired. The Board had no objection.

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. 124

June 30, 2014

**A RESOLUTION IN WHICH THE TOWN BOARD OF THE  
TOWN OF CHARLTON ENDORSES THE ARNOLD FAMILY  
SUBMISSION OF AN APPLICATION FROM SARATOGA  
P.L.A.N. FOR THE CREATION OF A CONSERVATION EASEMENT**

WHEREAS, R. Philip Arnold, Eulalia A. Arnold and David H. Arnold are the owners of certain real property located in the Town of Charlton, Saratoga County, New York consisting of approximately 87 acres, designated as Tax Map Parcel 234.-1-14, located along Western Avenue and as described or shown on the attached two deeds and aerial photograph of the Arnold Farm, and

WHEREAS, the applicants and Maria Trabka, Executive Director of Saratoga P.L.A.N. (Preserving Land and Nature) were in attendance at the Town Board's regular meeting held on June 9, 2014 and provided documentation to the Board members related to the proposed request and describing aspects of the process required to complete a conservation easement for the benefit of the referenced Arnold Farm, and

WHEREAS, members of the Arnold Family and the Saratoga P.L.A.N. Executive Director described the purpose of Saratoga P.L.A.N., referenced certain sections of the New York State Constitution regarding the conservation of natural resources, referenced sections of the New York State Environmental Conservation Law also related to the preservation, development and improvement

of agricultural lands and otherwise described for the Town Board aspects of the process, a description of the real property owned by the Arnold family and the goal of preserving the Arnold Farm as a continuing parcel located within the Town of Charlton to be used for agricultural purposes, and

WHEREAS, the Town Board was further advised that it would enhance the application of the Arnold family if the Town Board would publicly support the application by the passage of a formal resolution affirming in all respects the goal of the Arnold family with the assistance of Saratoga P.L.A.N.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Charlton hereby supports and endorses the submission of an application regarding the Arnold Farm from Saratoga P.L.A.N., in cooperation with the Saratoga County Planning Department, which application will be submitted to the New York State Department of Agriculture and Markets for funding necessary to purchase development rights on the referenced Arnold real estate.

Moved by	Councilman Verola	Voting:	Councilman Grasso	Aye
			Councilman Hodgkins	Aye
Seconded by	Councilman Grasso		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: June 30, 2014

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

**RESOLUTION #125**

**A Resolution approving the termination of the Exceptional Use Permit, as amended, for Froland Transportation, Inc.**

Motion by Councilman Hodgkins  
Seconded by Councilman Verola

Discussion: Supervisor Grattidge stated for the record, that this is the old Dr. Phelps office building, and Mr. Ogle has requested that the property be changed back to residential.

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. 125

June 30, 2014

A RESOLUTION APPROVING THE TERMINATION OF THE EXCEPTIONAL USE PERMIT, AS AMENDED, FOR FROLAND TRANSPORTATION, INC.

WHEREAS, on June 17, 2014, the Town Attorney received a request from Frederick R. Ogle, Jr., President of Froland Transportation, Inc. (copy attached), requesting that the exceptional use permit granted to Froland Transportation, Inc. on April 13, 2010, and as amended April 20, 2011, be terminated in all respects, and

WHEREAS, the original EUP resolution of April 13, 2010 is attached to this resolution, and the resolution of April 20, 2011 amending the EUP resolution is also attached for informational purposes, and

WHEREAS, in order to expedite the request of Mr. Ogle, the Town Attorney has recommended to the Town Board that it is the lead agency for all EUP applications and should act as the board of jurisdiction with respect to this request, and

WHEREAS, based on the letter of request from Mr. Ogle, it is the recommendation of the Town Attorney that the Town Board grant the request, which will have the consequence of terminating in all respects any authority under the EUP to operate any business on the lands owned by Froland Transportation, Inc. as described in the attached resolutions.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Charlton hereby approves the request of Frederick R. Ogle, Jr. as President of Froland Transportation, Inc. that the EUP granted to the corporation on April 13, 2010 and as amended on April 20, 2011 is hereby terminated in all respects, effective July 1, 2014, and

IT IS FURTHER RESOLVED, the corporation and its President are hereby requested to take whatever action is necessary to remove all items and cease and desist from operating any form of business as approved by the prior EUP.

Moved by	Councilman Hodgkins	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: June 30, 2014

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

**RESOLUTION #126**

**A Resolution to establish standard work days for elected and appointed Town Officials**

Motion by Councilman Verola

Seconded by Councilman Grasso

Discussion: Councilman Grasso asked if the 6/5 under standard work day meant 6 hours a day, 5 days a week. Supervisor Grattidge confirmed that that is correct for elected officials.

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

COUNTY OF SARATOGA  
STATE OF NEW YORK

RESOLUTION NO. 126

June 30, 2014

A RESOLUTION TO ESTABLISH STANDARD WORK DAYS  
FOR ELECTED AND APPOINTED TOWN OFFICIALS

WHEREAS, through NYCRR 315.4, the Office of the New York State Comptroller requires municipalities to establish a standard work day for each elected or appointed official who participates in the New York State and Local Employees Retirement System, and

WHEREAS, the Town Board of the Town of Charlton is dedicated to open government and fiscal responsibility in order to ensure that Town Funds are utilized in an efficient and effective manner, and

WHEREAS, elected and appointed officials work for the residents of the Town of Charlton and are accountable to those same residents, and

WHEREAS, the aforementioned regulation of the New York State Comptroller’s Office requires that the Town Board of the Town of Charlton reestablish standard work days for elected and appointed officials, and

WHEREAS, attached to this resolution is a document entitled “Standard Work Day and Reporting Resolution” which is in the form requested from and required by the New York State Employees Retirement System Examiner V, Pension Integrity Bureau and which document now sets forth six Town of Charlton employee titles, names, standard work days, terms and other required data which needs to be approved by the Town Board and resubmitted to the Employees Retirement System Examiner V, Pension Integrity Bureau.

NOW BE IT RESOLVED, that Town Board of the Town of Charlton hereby establishes the attached standard work day for the required officials and in the format requested by the New York State Employees Retirement System Examiner V, Pension Integrity Bureau, and

IT IS FURTHER RESOLVED, that a copy of the attached document entitled “Standard Work Day and Reporting Resolution” dated June 30, 2014 shall be posted on the Town of Charlton website for a minimum of 30 calendar days, and

IT IS FURTHER RESOLVED, that a copy of the attached resolution be submitted online by way of the New York State Comptroller’s Office Elected & Appointed Officials Reporting (EAOR) Program, which eliminates the need for submitting a hard copy of the resolution and affidavit.

Moved by	Councilman Verola	Voting:	Councilman Grasso	Aye
			Councilman Hodgkins	Aye
Seconded by	Councilman Grasso		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: June 30, 2014

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

**A resolution authorizing the appointment of a temporary Highway employee with the Town of Charlton Highway Department**

Motion by Councilman Hodgkins  
Seconded by Councilman Grasso

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. 127

June 30, 2014

A RESOLUTION AUTHORIZING THE APPOINTMENT OF  
A TEMPORARY HIGHWAY EMPLOYEE WITH THE  
TOWN OF CHARLTON HIGHWAY DEPARTMENT

WHEREAS, Highway Superintendent Michael Emerich has requested that he be authorized to appoint a temporary employee for a period commencing July 9, 2014 and terminating September 2, 2014, in order to effectively provide the services required to the residents of the Town of Charlton by the Town's Highway Department.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby authorizes the Highway Superintendent, Michael Emerich, to make the appointment of Logan Ryder as a temporary highway employee in order to provide necessary Town services, commencing on July 9, 2014 and terminating September 2, 2014 and which temporary appointment shall be paid at the rate of \$10.00 per hour and which temporary appointment shall provide no other benefits to the temporary employee.

BE IT FURTHER RESOLVED, that this temporary appointment shall include no vested rights to this position.

Moved by	Councilman Hodgkins	Voting:	Councilman Grasso	Aye
			Councilman Hodgkins	Aye
Seconded by	Councilman Grasso		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: June 30, 2014

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

**COUNCILMAN DISCUSSION**

Councilman Grasso said that Eastern Avenue will be closed this week from Cook Road to Jockey Street while the Highway Department replaces culverts. The road will repaved in July.

Councilman Hodgkins asked if anyone heard from the company about the cell tower. John Morgan said that their concern was that the lot was not big enough for their needs. Supervisor Grattidge said that he will follow up with the company

The meeting adjourned at 8:18 p.m.

Respectfully submitted,

Brenda Mills  
Town Clerk