

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

August 27, 2012

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 7:31 p.m. to set the agenda for the September 10th Town Board Meeting.

Present: Councilman Gardner, Councilman Lippiello, Councilman Salisbury, Councilman Verola, Supervisor Grattidge, Town Clerk Brenda Mills.

APPROVAL OF ABSTRACT

A motion was made by Councilman Verola and seconded by Councilman Lippiello to accept the General Fund claim numbers 614 - 630 as set forth in Abstract 116 in the amount of \$10,445.78, and General Fund Claim numbers 35 - 44 as set forth in Abstract 1208 in the amount of \$2,501.63.

Discussion: Councilman Gardner wanted to note that he did not approve any Water Department vouchers since the receipt of goods was not properly initialed. Councilman Salisbury said that the rubber stamp that the Water Superintendent purchased should not be allowed as anyone could stamp the vouchers. Councilman Verola agreed with Councilman Salisbury that the stamp should be destroyed.

Vote: 4 Ayes, 1 Abstained (Lippiello), No Nays. CARRIED

APPROVAL OF MINUTES

A motion was made by Councilman Verola and seconded by Councilman Lippiello to accept the meeting minutes from the Town Board Meeting on August 13th, 2012.

Vote: All Ayes, No Nays. CARRIED

ANNOUNCEMENTS

The Town offices will be closed Monday, September 3rd in observance of Labor Day.

DISCUSSION

The monthly Sales Tax was \$100,064 and the Mortgage Tax was \$11,780.55.

Supervisor Grattidge said that he gave Councilman Gardner copies of the reports that he had requested. The Supervisor will put a copy of the reports in the Clerk's office for any of the other Board members would like to review them.

Constable Tom Parks said that when Gary Parks went to get an unrestricted pistol permit, the Judge complimented the entire Charlton Police Department on the good job that they do.

Constable Tom Parks asked the Board to strongly consider authorizing the purchase of a new 2013 Dodge Charger police car. There is no State contract, but he can get the car under the Ontario County contract for a price of \$24,997. It will take 3 to 4 months for delivery. The current 2005 car has persistent brake problems, needs a new catalytic converter and the air conditioning is broke. Constable Parks said that the car needs about \$2,000 worth of repairs and he does not want to put any more money into the car. The newer 2010 car has 45,000 miles on it, and the 2005 car has 95,000 miles on it. Constable Parks said that the Town could auction off the old car and possibly get enough for the car to cover the additional cost of the light bar and set up

of the new car. Councilman Gardner asked if Gil's Garage was not capable of fixing the brake problems. Mr. Parks said that the Fords have a history of brake problems. He believes that it is more than a brake problem and also involves the master cylinder. Currently they are not driving the 2005 car. If they wait till next year and try to order under State Contract, the car would not be available until May or June. If the Town waits, the Constable's could be without a car if something happens to the 2010 car. Supervisor Grattidge said that if they ordered the car now and it came in this year, the money could be transferred out of contingency and the budget amended. They could hold off on the authorization until the September Agenda Meeting and then the delivery should be in 2013 and they could take that into consideration when they do the 2013 budget, or they could hold off on the new car and have the old car repaired. Constable Parks said that the brakes car have been repaired numerous times and it seems to be an ongoing problem. Councilman Salisbury asked Constable Parks if he had a record of all of the repairs. Constable Parks said that at the last meeting he gave the Board a copy of the last couple of years of repairs, but he has a complete history of repairs. Councilman Gardner said that he had a copy of them and he will give them to him. Councilman Gardner asked if the people that are working on the brakes are saying that the brakes can not be fixed. Constable Parks said that last time the pedal was too low, and Gil's fixed it, but the problem is not fixed, he can feel it, the brakes are not strong enough. Councilman Gardner said that he wondered if we could get a guarantee from Gil's that they could fix the problem, and then hold off on getting the new car until next year. Constable Parks said that we would be looking at \$2,000 in repairs because the catalytic converter needs fixing too. Councilman Lippiello said that he personally can't see putting \$2,000 into the car. Councilman Salisbury said that he can't believe that the Board would ignore looking at all of the repair history before making a decision. He would like to have the information before he makes a decision. Councilman Gardner said that he is not sure that he has a copy of all of the repairs and said that he only has a copy of repairs in 2011 and 2012. Councilman Lippiello said that they have a copy of recent repairs but Constable Parks has them for the history of the car.

A ***motion*** was made by Councilman Verola and seconded by Councilman Lippiello to authorize Constable Tom Parks to order a 2013 Dodge Charger Police Car with a price not to exceed \$25,000.00.

Roll Call: Councilman Gardner: Nay, Councilman Lippiello: Aye, Councilman Salisbury: Abstained, Councilman Verola: Aye, Supervisor Grattidge: Aye. CARRIED

Councilman Verola said that she has arranged to have 3N Document Destruction Company come to the Town Hall on October 27th from 9 a.m. to 11 a.m. to shred the Town's documents. (This is a change from the original date of October 20th.) The residents are welcome to bring up to 4 boxes or bags of paper for shredding.

A Water Commission Meeting has been scheduled for September 10th at 6:30 p.m.

Newsletter articles are due by September 7th.

The Agricultural Task Force would like to put together a directory of products produced in Charlton and would possibly get it into the newsletter. Councilmen Verola and Lippiello said they would be willing to consider the article.

The Board discussed hiring a part time maintenance person. Councilman Verola said she felt that it might be nice to advertise it in the newsletter. Councilman Lippiello said we could probably hold off till October and see if there is any interest. Councilman Salisbury asked if anyone had a list of things that needed to be done. Supervisor Grattidge said that the Town Clerk had a list. One item is the toilet in the ladies room. The Board asked Mr. Emerich to contact a plumber to get an estimate to fix the toilet.

Documents for the Deer Run road and easement dedication have been received, and the Town Clerk has received the Asbuilt maps and mylar. Attorney Van Vranken has been reviewing the titling of the land and setting up the homeowners association. He will give the Board an update of his review. The Highway Superintendent has a list of items that need to be fixed. Councilman Gardner asked why the Town would take over the roads before the topcoat is installed. Mr. Emerich said that he thinks that the Town must take possession of the roads before the Town can take over the water. Supervisor Grattidge said that it is pretty standard for developments that you take the roads over and the topcoat is installed after the last lot is developed so that you don't ruin the topcoat with the construction equipment. The money left in escrow includes money for the total cost of the topcoat. Once the review is done by the Attorney, the Board a dedication resolution is expected. The Supervisor said that he has spoken to the Water Superintendent and he has confirmed that the water is in and the work was done satisfactorily. He does not have any issues at this point.

Supervisor Grattidge said a letter has been received from Kathy Hanley notifying the Town Board that she was applying to the Retirement Agency to retire effective September 13th.

MOTIONS, RESOLUTIONS, PROCLAMATIONS AND AUTHORIZATIONS

A motion was made by Councilman Verola and seconded by Councilman Lippiello that Resolution No. 92 – A RESOLUTION AUTHORIZING THE RELEASE OF AN ADDITIONAL PORTION OF FUNDS HELD BY THE TOWN OF CHARLTON AND WITH RESPECT TO THE DEER RUN SUBDIVISION REQUIREMENTS be approved.

Discussion: Councilman Salisbury asked if all that has to be done is the topcoat. Mr. Emerich said that topcoat and risers need to be done and the money held is enough. Councilman Gardner said Councilman Salisbury questioned if the \$151k figure included the 20% for future work. He said that Attorney Van Vranken was going to contact Bordeau Builders but he has not spoken with the Attorney. Supervisor Grattidge said he was told that the cost of the top coat and 20% were included.

Roll Call: Councilman Gardner: Aye, Councilman Lippiello: Aye, Councilman Salisbury: Aye, Councilman Verola: Aye, Supervisor Grattidge: Aye. CARRIED

ADDITIONAL DISCUSSION:

Supervisor Grattidge said that there have been some requests regarding the drainage swale in the development and the 10 foot drainage easement that runs between Komar, Beechwood and the Redwood area. Mr. Emerich said the he has been down to look at the easement and over the years it has filled in some. Residents have also dumped yard waste in the ditch. He has talked to the County and they said that they recommended not disturbing it. Mr. Emerich said that he can go down with a lawnmower and drag stuff out of it. The Highway Department will clean it up by hand as much as they can.

Mike Emerich said that he would like to purchase the materials to recoat the roof of the Highway Barn and red paint to repaint it. The cost of the seal coat is about \$1,500 and the paint costs \$85 for a 5-gallon pail. He estimate the cost at about \$1,800.00

A *motion* was made by Councilman Lippiello and seconded by Councilman Salisbury to authorize the Highway Superintendent to purchase the seal coat and paint for the Highway Barn.

Roll Call: Councilman Gardner: Aye, Councilman Lippiello: Aye, Councilman Salisbury: Aye, Councilman Verola: Aye, Supervisor Grattidge: Aye. CARRIED

A motion was made by Councilman Verola and seconded by Councilman Lippiello to have the Board go into Executive Session to discuss the personnel issue of the retirement notice of Kathy Hanley.

Vote: All Ayes, No Nays. CARRIED

The Board went into Executive Session at 8: 31 p.m. and came out of Executive Session at 9:30 p.m. No action was taken.

Meeting adjourned.

Respectfully submitted,

Brenda Mills
Town Clerk

TOWN OF CHARLTON
COUNTY OF SARATOGA
STATE OF NEW YORK

RESOLUTION NO. 92

August 27, 2012

A RESOLUTION AUTHORIZING THE RELEASE OF
AN ADDITIONAL PORTION OF FUNDS HELD BY THE TOWN OF CHARLTON
AND WITH RESPECT TO THE DEER RUN SUBDIVISION REQUIREMENTS

WHEREAS, as a condition of approval of the Deer Run Subdivision, Bordeau Builders, Inc., Contractor, Bordeau Builders, Inc. and the Town of Charlton entered into an Escrow Agreement dated November 14, 2011 and which Bordeau Builders was required to make a deposit with the Town of Charlton in order to assure compliance with certain infrastructure obligations of Bordeau Builders, Inc. to be completed during the construction of the aforementioned Deer Run Subdivision, and

WHEREAS, pursuant to the terms of the Escrow Agreement, Bordeau Builders did deposit with the Town of Charlton the sum of \$621,754.65, said sum as approved by the Town Engineer for the Town of Charlton and which sum has been placed in an appropriate account as established with the Ballston Spa National Bank, and

WHEREAS, by resolution dated February 13, 2012, the Town Board did authorize a reduction from the then current escrow balance of \$621,815.12 to \$590,812.72, a copy of which resolution is attached hereto and made a part hereof as if more fully set forth herein, and

WHEREAS, by resolution dated May 29, 2012, the Town Board did authorize an additional reduction from the then current escrow balance of \$590,888.46 to \$318,687.00, a copy of which resolution is attached hereto and made a part hereof as if more fully set forth herein, and

WHEREAS, the engineer representing Bordeau Builders, Inc. has submitted an additional request to Town Engineer Michael McNamara, requesting an additional reduction in the amount of escrow currently held by the Town of Charlton and based on the engineer's representation that Bordeau Builders, Inc. has completed certain additional infrastructure items for which escrow funds are no longer needed, and

WHEREAS, the Town Engineer has reviewed the request and submitted a letter to the Town Supervisor dated August 3 2012, a copy of which is attached here to and made a part hereof, outlining the engineer's review of the request and issuing an opinion as to the amount that the existing letter of credit for Phase 1 and Phase 2 of the Deer Run Subdivision can be additionally reduced at this time, a copy of which letter is attached to this resolution and made a part hereof as if more fully set forth herein.

NOW BE IT RESOLVED, that based on the Town Engineer's recommendation and analysis of the request by Bordeau Builders, Inc., through its engineer, to reduce the escrow sum held by the Town of Charlton, the Town Board hereby approves the recommended reduction from the current amount of \$318,751.53 (including interest earned) to \$151,150.72, representing a refund to Bordeau Builders, Inc. in the sum of \$167,600.81.

Moved by	Councilman Verola	Voting:	Councilman Gardner	Aye
			Councilman Lippiello	Aye
Seconded by	Councilman Lippiello		Councilman Salisbury	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: August 27, 2012

Brenda Mills, Town Clerk