

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

May 31, 2011

The Agenda meeting of the Town Board 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 June 13th Town Board Meeting.

Present: Councilman Gardner, Councilman Lippiello, Councilman Salisbury, Supervisor Grattidge, Town Clerk Brenda Mills, Attorney Van Vranken.

Excused: Councilman Verola

APPROVAL OF ABSTRACT

A motion was made by Councilman Lippiello and seconded by Councilman Gardner to accept General Fund claim numbers 334-357 as set forth in Abstract #110 in the amount of \$21,712.50.

Discussion: (verbatim at the request of Councilman Gardner):

Salisbury: I noticed the postage on voucher 339, there was metered mail that went out for 578 items for \$254.32 then there were stamps that were put on the postcards that were mailed back that were put on at \$.44 a piece, and they should have been at \$.28 a piece. So, it appears that we spent about \$90 some dollars more than we should have.

Lippiello: Well, maybe it appears that way, but those weren't postcards, they were tri-folds. So the first mailing out had to be at a rate weight that is more than a postcard, because it is not a postcard. The return rate is for a 2-fold sheet that is folded in half and secured. That is why it can't go as a postcard rate.

Salisbury: That's weird because I sent mine back and it was one piece that was sent back.

Lippiello: It was one piece that was folded in half. It was not just a postcard.

Salisbury: It was piece that was torn off, just one piece torn off, a postcard.

Grattidge: Was there some clarification from the Post Office last year?

Lippiello: I believe so, this is not the first year that we mailed them this way.

Grattidge: So the instructions that we got back from the Postal Service was that they were not going to receive these cards back unless they had the \$.44 stamps on them.

Lippiello: Yes.

Grattidge: Then I think that they went out cheaper because we were able to use the service that had the bulk rate stamps on it.

Salisbury: No, they didn't go out cheaper. They went out at \$.44.

Grattidge: So they went out from the service company. This was I believe discussed last year or the year before because there were a number of cards that had to have additional postage on them.

Lippiello: We got notices for that. I don't get the mailing because I am not in the water district, but I understand that the piece that was supposed to come back was a 2-piece folded together.

Salisbury: I would like to see all these, see what we are getting back before I sign this.

Gardner: Can I ask a question since I am down here? I am not familiar with this, this is for the water billing to get the meter readings? What do we do, do we send out?

Grattidge: We send out a tri-fold piece of mail to the customers, they take their readings off their meter and send back a 2-fold piece.

Gardner: So is Doug saying that it went out as a tri-fold, more mail, more weight for one amount?

Grattidge: The Post Office doesn't consider them a postcard when they come back. Apparently some come back as a one part and some as a two-fold. But the instructions were given last year that they have to have full postage on them. That's why we ended up having to go to a \$.44 stamp instead of a postcard. This has been an issue that had come up because we were charged additional postage when they came back. That is my understanding of what happened.

Gardner: Is it from what, we get our mail from a number of Post Offices. I wonder if there is one that is making a decision one way or the other on that. It seems like if you mailed something out and it all went out and it was of one weight, a heavier weight, and it came back something lighter, you would think that you would be able to send it back for the same rate that you sent it out at.

Grattidge: It wasn't a matter of the weight. It was a matter of how they were classifying the piece of mail. It wasn't classified as a postcard, it was classified as a piece of mail and that is why it needed to have a \$.44 stamp on it.

Gardner: But it's not in an envelope, it just a fold over. Seems weird.

Grattidge: Right, it just a fold-over. And again, I believe what had happened was we had used the post card rate and we had a number of them that came back with postage due. They instructed us to use the \$.44 stamp, as per instruction from the Post Office.

Gardner: You have some documentation on that?

Grattidge: Pardon Me?

Gardner: You have some documentation on that? So that we can move forward we this? You have some documentation on this from the Post Office? If we have the documentation, it is what it is. If the Post Office is telling us that that is what we have got to do, that is what we have got to do. But make sure that we have documentation on this.

Lippiello: The company that we used, I am sure would send out by weight not just by a random choice.

Gardner: Didn't we change vendors this year?

Lippiello: I believe so.

Gardner: I believe that there was a change in vendors. I mean, I have heard this only because of people in the water district, not by me because I don't get one. It seems, it seems you know queer you know that it happened this way. So I didn't sign the voucher either because they brought it to my attention.

Grattidge: Well, we have a bill due.

Gardner: I would hope that we have documentation from the Post Office saying that we have to use that \$.44. And then maybe next year we ought to, you know look at if there are ways to send the card out with instructions what the people do and they just tear off just a piece of it. It is just a post card and you send it back in if we can do that. I mean if that is adequate, we could do that.

Grattidge: That could possibly be what the problem is. If you send them out and there are a couple of different ways that people could send them out. If they send them back as a 2-fold, that qualifies for a full piece of mail, they are not considered a postcard.

Gardner: I thought the question was that the send off stamp was less than the return mail. Doug is that correct?

Grattidge: No. He is saying that the send off was the same price, both first class, both \$.44. If there was a difference it would be because the company was able to use their bulk permit to send them out, but they had to come back first class as per our instructions.

Salisbury: Well I would still like to see a copy of what has been sent back.

Grattidge: Well, I will supply you with a copy but we still have a bill from a vendor that has supplied us with work. Bruce, are you signing that?

Gardner: Sure, you know so many, if I can get the documentation from the Post Office that we didn't have adequate postage on that last year. A statement to that affect.

Grattidge: I'll see what we have.

Vote: Ayes: Gardner, Lippiello, Grattidge. Nays: Salisbury. CARRIED

APPROVAL OF MINUTES

A motion was made by Councilman Gardner and seconded by Councilman Salisbury to accept the minutes of the Town Board meeting held on May 9, 2011.

Vote: Ayes: Gardner, Salisbury, Grattidge. Abstained: Lippiello. CARRIED

A motion was made by Councilman Gardner and seconded by Councilman Salisbury to accept the minutes of the Town Board workshop held on May 12, 2011.

Discussion: Supervisor Grattidge said that in paragraph 1, the term full-time should be seasonal, and where seasonal is mentioned, it should be full-time.

Vote: Ayes: Gardner, Salisbury, Grattidge. Abstained: Lippiello. CARRIED

DISCUSSION

The mortgage tax for April was \$8,485, and the semi-annual distribution amount was \$\$89,313.46.

The Sales Tax for May is \$89,110 which is slightly higher than May 2010. Councilman Gardner asked why year to date, Charlton is down 1.60% and some Towns are up. Supervisor Grattidge said that the amount received is based on several factors, including our equalization rate and our population growth rate. The formula is based on your assessed values. The Town of Moreau just went through a revaluation of their property and their YTD percentage is up almost 20%, and they also revaluated South Glens Falls. Towns that went through a reval are receiving a higher percentage of Sales Tax. Towns with a higher growth rate receive an increased amount.

A petition was received from resident Bruce Doman of Callaghan Boulevard, who also had sent correspondence earlier in the year. The neighbors on Callaghan are asking the Highway Superintendent to do something about the steepness and depth of the ditches on Callaghan Boulevard. Councilman Gardner said that he spoke with Superintendent Emerich. Mr. Emerich said that when the road was resurfaced, the Highway Department cleaned out the ditches and returned them to their original depth. Councilman Gardner will follow-up with Mr. Emerich again to see if anything further is planned.

The Town received a letter from Saratoga County Board of Elections regarding the old lever voting machines. The machines have become obsolete for statutory elections and their use will be discontinued from school and village elections at the end of 2012. The Board of Elections will dispose of the machines stored at the Town Hall or give the option of letting the Towns keep them. The Town Board discussed keeping the machines for historic value or in case the use of the new scanning machines is discontinued. Supervisor Grattidge said that the machines take special paper rolls and have to be specially configured for each election, so they probably could not be used by the Town for any other elections. The Board wondered if any of the schools would be interested in having them. Historian Laura Linder said that they really have not historic value, and suggested disposing of them.

The Town received a letter from the Attorney handling the lawsuit against the Town in Phillips vs. Town of Charlton. The letter included Judge Ferradino's decision and summary judgment dismissing the suit in its entirety against the Town. Supervisor Grattidge said that the plaintiff has 60 days to appeal. Attorney Van Vranken said that a summary judgment means that there were no issues of fact that were subject to litigation.

A notice was received from the State of New York Office of Real Property Tax Services notifying the Town that the Town's Equalization Rate is 70% again this year. Supervisor Grattidge suggested that the Board think about having a revaluation done sometime in the near future.

The Town Clerk gave the board quotes from Grainger for a shop-vac for cleaning the basement of the Town Hall. The Board decided that a Dayton 12 gallon vacuum would be sufficient at a price of \$133.55.

A motion was made by Councilman Lippiello and seconded by Councilman Gardner to authorize the Town Clerk to purchase a 12 gallon shop-vac from Grainger for \$133.55.

Vote: All Ayes, No Nays. CARRIED

Supervisor Grattidge said that a resume was received from Jody Ankabrandt for the vacant Assessor position. She is going to run for election this year. He asked the Board if they would like to interview her.

Saratoga County Planning Department sent information for residents interested in applying for the 2011 Farmland Protection and Open Space Preservation Grant. The information is on file in the Clerk's office.

Supervisor Grattidge reminded everyone that bids for the Water Department are due at noon on Friday June 10th, at which time the Board will open the bids. If the Town Engineer and the Water Superintendent have had a chance to review the bids and accept one, a resolution will need to be done for the 6/13 meeting.

Councilman Gardner stated he received an e-mail from Kim Caron, Head Assessor, regarding summer hours. She said that Rachel Holbrook is not able to work 2 Saturdays in June and in the past their office was closed for Saturdays in June. Kim has requested that the Assessors office be closed Saturdays during the months of June, July and August.

A motion was made by Councilman Gardner and seconded by Councilman Lippiello to authorize the Assessors office to extend their summer hours and to exclude working Saturday for the month of June.

Vote: All Ayes, No Nays. CARRIED

Attorney Van Vranken said that he received a call from the Planning Board Attorney, who has been in discussion with the Attorney for Bordeau Builders. Phase II is approved, but Bordeau Builders is asking that the lot fees not be paid for until the building permits are paid for. The Board discussed the process and Councilman Gardner said that he felt that it should be treated like other applicants, but he feels that the Town keeps backing up. Supervisor Grattidge said that he agreed with Councilman Gardner. The Board signed the agreement with the Builder last year in good faith, and the agreement says that the lot fees must be paid before the Town signs the mylars. Councilman Lippiello strongly agreed. He feels that the Town has made concessions already, and they need to stick to the agreement that was made. (see resolution #97).

Motions, Resolutions, Proclamations and Authorizations

A motion was made by Councilman Lippiello and seconded by Councilman Gardner that Resolution No. 90 – A RESOLUTION AMENDING THE TOWN OF CHARLTON 2011 BUDGET TO RECOGNIZE RECEIPT OF THE FARLEY MEMBER ITEM GRANT AND ITS USE be approved.

Discussion: Councilman Salisbury said that he didn't understand why the money being transferred was being put back into A-1620.2-Buildings-Equipment since the money was already transferred out of Contingency. Councilman Gardner said that the money should go back into the account that it came out of. The Board decided to change the Resolution to transfer the money back into A-1990.4-Contingency.

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

A motion was made by Councilman Gardner and seconded by Councilman Salisbury that Resolution No. 91 – A RESOLUTION AUTHORIZING THE CONSTABLES OF THE TOWN OF CHARLTON TO PURCHASE FIVE SETS OF PROTECTIVE BODY ARMOR be approved.

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

A motion was made by Councilman Lippiello and seconded by Councilman Salisbury that Resolution No. 92 – A RESOLUTION AUTHORIZING THE EXPENDITURES FOR REPAIR AND IMPROVEMENT OF TOWN HIGHWAYS AUTHORIZED BY SECTION 284 OF THE NEW YORK STATE HIGHWAY LAW be approved.

Discussion: Councilman Gardner said there were no prices for Hillandale or Meadow Lane but there were prices for Maple. Attorney Van Vranken said that they were not in last year's agreement or the year before. Supervisor Grattidge said that this was what was discussed with the Highway Superintendent at the workshop and they asked him for back-up paperwork. Councilman Gardner said that he was not comfortable with signing the agreement without the prices. Over half of the money was going to Maple Avenue. The work on Hillandale, Meadow, Anthony and Hillview are already done, and then there would be work done on Maple Avenue, and some sealing on some other roads. The Supervisor said that the other roads would be done with the money that the Town matches, another \$85,000. The Superintendent was asked to supply the Board with what he was going to use the money for. The Superintendent was unable to attend the meeting, and the information was not supplied. Supervisor Grattidge said that the Highway Superintendent assured the Board that the CHIPS money was going to be used to do the Hillandale Drive and loop and Maple Avenue. If the CHIPS funds go over, he would have to use his money from the other part of the program. Councilman Salisbury said that he still has money left over and there is about \$50,000 to use.

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

A motion was made by Councilman Salisbury and seconded by Councilman Lippiello that Resolution No. 93 – A RESOLUTION AUTHORIZING THE HIGHWAY SUPERINTENDENT TO PURCHASE A CUT OFF SAW FOR USE BY THE HIGHWAY DEPARTMENT be approved.

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

A motion was made by Councilman Lippiello and seconded by Councilman Gardner that Resolution No. 94 – A RESOLUTION AUTHORIZING THE APPOINTMENT OF 2 TEMPORARY SEASONAL LABORER EMPLOYEES WITH THE TOWN OF CHARLTON HIGHWAY DEPARTMENT be approved.

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

A motion was made by Councilman Lippiello and seconded by Councilman Gardner that Resolution No. 95 – A FOUNDER’S DAY RESOLUTION TO HONOR LILA SERAPILIO AND FOUNDER’S DAYS MUSICIANS be approved.

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

A motion was made by Councilman Lippiello and seconded by Councilman Salisbury that Resolution No. 96 – A RESOLUTION TRANSFERRING FUNDS FROM F-8340.419 TRANSMISSION & DISTRIBUTION-REPAIRS TO F-8320.419-SOURCE OF SUPPLY, POWER, PUMPING – PUMPHOUSE REPAIRS be approved.

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

A motion was made by Councilman Gardner and seconded by Councilman Lippiello that Resolution No. 97 – A RESOLUTION WITH RESPECT TO THE REQUEST OF BORDEAU BUILDERS TO DELAY LOT PAYMENTS FOR 9 LOTS IN PHASE II be approved.

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

COUNCILMAN ITEMS

Councilman Lippiello reminded the Board of the bid opening for the plumbing and valve work is 6/10. The paint bids will be going out on June 15th. The tank will be shut down for 2 weeks for inspections by companies interested in doing the painting job. A complete set of bid specs will need to be done by the June 13th meeting, and resolutions will need to be done.

Councilman Lippiello said that anyone that would like to contribute to the fireworks can do so at the Town Clerk’s office.

Councilman Gardner said that the Board received a copy of a letter dated May 31st from George Davidson which was addressed to Bill Keniry from the Planning Board. He asked if he could get a status or update on the matter.

Councilman Gardner asked if the Town could get 2 additional panic buttons for the Assessor and Zoning office. The Town Clerk said that she had 2 extra buttons that she could give them.

Councilman Gardner asked the Supervisor if he could get a report of how the spending is compared to the budget for the first 6 months of this year.

PRIVILEGE OF THE FLOOR

Marv Schorr said that some items such as craft items and kitchen items have been disappearing from the Community Center. The Town Clerk informed Mr. Schorr that no one has reserved the Community Center other than the Seniors and the Charvale Pool. Councilman Lippiello said that maybe the door should be rekeyed. Supervisor Grattidge said that the Town should get a quote from Wolf locks.

The meeting adjourned at 8:55 p.m.

Respectfully submitted,

Brenda Mills
Town Clerk