

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

September 26, 2011

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 October 11th Town Board Meeting.

Present: Councilman Gardner, Councilman Lippiello, Councilman Salisbury, Councilman Verola, Supervisor Grattidge, Deputy Clerk Laurie Kruppenbacher, Attorney Van Vranken

APPROVAL OF ABSTRACT

A motion was made by Councilman Verola and seconded by Councilman Gardner to accept General Fund claim numbers 583 - 632 as set forth in Abstract #118 in the amount of \$53,142.01 and General Fund Claim numbers 974 – 986 as set forth in Abstract #9909 in the amount of \$2,798.03.

Vote: All Ayes, No Nays. CARRIED

APPROVAL OF MINUTES

A motion was made by Councilman Verola and seconded by Councilman Gardner to accept the meeting minutes from the Town Board Meeting on September 12, 2011.

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

ANNOUNCEMENTS

The Town offices will be closed for Columbus Day on October 10th. The next Town Board meeting is Tuesday October 11th.

There will be a Rural Broadband Symposium on September 29, 2011.

DISCUSSION

The monthly Sales Tax amount was \$93,284 and the Mortgage Tax was \$6,963.50.

On September 22nd, an email was sent to the Town Board from Nancy Mc Kenney of Cornelius Avenue regarding a water table issue that she is having at her residence. Last year Mike Emerich observed the drainage issue and said that if the adjoining neighbor would allow the Highway Department to work on the drainage swale, the drainage could possibly be improved. The neighbor did not wish to have this done. Supervisor Grattidge said that he was not sure how this should be handled, and whether or not the Town Engineer should be brought in. He said that a sump pump is suggested and a french drain. Councilman Gardner said that he would contact Blue Neils of the County Storm Water Management program to see if they had any suggestions.

Saratoga County Office of the Aging will be conducting a Public Hearing on October 26th at 1pm at the Saratoga Springs Public Library regarding programs for the aging for the year 2012, under Title III of the Older American Act of 1965.

Supervisor Grattidge said that he attended a meeting with FEMA last week, and received the beginning applications for the reimbursement of costs from the recent storms.

A proposal was received from the landscaper Dave Kenyon. He has some plants that he would like to plant at Town Hall and around the flag pole. The types of plants are unknown. Councilman Verola would like to take a look at the plants before making a decision, and said that she and Councilmen Lippiello and Gardner will be at Town Hall this week to work on the Newsletter and will look at them then. Councilman Lippiello said that there are more weeds than grass at the Town Hall. He suggested a professional application and over seeding. Councilman Verola will retrieve the lawn service contractor's information that she researched last fall.

The Board discussed the roof over the Community Center kitchen area that leaked after Hurricane Irene. It could possibly be included in the FEMA application. A proposal was received for \$2,100 to repair the roof from Relyea Construction. This would include removing the old shingles, ice barrier on entire area, new shingles and flashing. If there is a problem with the sub-roof, there would be additional cost for the plywood. Supervisor Grattidge asked Mike Emerich to get a price from another roofer. This is an emergency situation, so action will need to be taken soon. Councilman Gardner asked why we don't consider a metal roof, since the rest of the building is metal. Councilman Verola said that she believes that metal roofs are pricey.

The Supervisor provided copies of the tentative Town budget for 2012 and said that a copy will be filed in the Clerk's office. The overall budget has less than a one percent increase over last year. The challenge for this year's budget will be to keep a tight on reign on spending. He has proposed that there be no raises for any employees. He has budgeted a limited amount of money for a bulk pick-up, where residents could bring items to the Highway Department. Budget workshops will be held at 7pm on September 28 and October 3, 4 and 5 with Department heads. A resolution will be done at the next meeting for the Public Hearing for the budget.

The Supervisor gave the Town Board worksheets from the Comptroller's Office for the annual audit to be used for the 2010 audits that were done by the Board.

MOTIONS, RESOLUTIONS, PROCLAMATIONS AND AUTHORIZATIONS

A motion was made by Councilman Verola and seconded by Councilman Gardner that Resolution No. 129 – A BUDGET TRANSFER FOR BUDGET YEAR 2011 FROM DA-5110.414 – HIGHWAY – ROAD CONSTRUCTION TO DA-5110.406 – HIGHWAY – DIESEL/GAS IN THE AMOUNT OF \$10,000 FOR ADDITIONAL COST OF DIESEL/GAS be approved.

Discussion: Councilman Gardner asked if this money does not all get used, could it be rolled back into the Snow Removal Account. Supervisor Grattidge confirmed that it could.

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 Gardner that Resolution No. 130 – A BUDGET TRANSFER FOR BUDGET YEAR 2011 FROM F-8340.408 – TRANSMISSION & DISTRIBUTION – WATER-TELEPHONE TO F-8340.406 – TRANSMISSION & DISTRIBUTION – WATER-GAS IN THE AMOUNT OF \$100.00 FOR THE ADDITIONAL COST OF GAS be approved.

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

COUNCILMAN DISCUSSION ITEMS:

Councilman Verola said that there seems to be a lot of confusion based on the phone calls she is receiving from residents regarding the **Town Board's role in the Fire District**. For the record, she wanted to make it very clear that the Town Board has no jurisdiction over the Fire District. The Fire District is run by a Board of five elected Commissioners.

Councilman Verola said that she has received **complaint calls from residents in the hamlet about tandem trailer trucks going through Town**, which shake their houses. She felt something needed to get done about it. Supervisor Grattidge said that it was a big problem last year when the detour brought all the traffic through the village. As far as the day to day traffic, we could get the constables to monitor the speed limit. The road is a County road, and their policy is that they do not post weight limits on their roads because their road system is the transportation system for the County. Councilman Verola asked if that means that nothing can be done? The Supervisor said as far as approaching the County for a weight limit posting, that is not something that they do because these roads are needed for transportation. We can start with enforcing the speed limit.

Councilman Verola has received phone calls asking for a **status report of the lawsuit with Schmidt and Schmidt**. She asked Attorney Van Vranken to give a status. Attorney Van Vranken stated that in terms of the litigation, we have two pieces of litigation. One is in Federal Court in Albany with Selective Insurance as the principal party, waiting for the result of the Saratoga County Supreme Court litigation which is Schmidt vs. Town of Charlton and counterclaim. The last 18 months were a series of examination before trial, and that is moving ahead and close to being done. Paul Vosburgh, Architect, has made a motion to get himself released as a personal defendant. Tony Ward was released. Attorney Van Vranken has the Schmidt and Schmidt rebuttal for having Vosburgh released. To understand the Schmidt & Schmidt case, the cover letter will tell you a lot and the rest is contained in the documents. The Supervisor, Paul Carr and Tony Ward have copies of the document. Supreme Court Judge Steve Ferradino is retiring at the end of the year, and hopefully he will make a decision by the end of the year as to Vosburgh's inclusion. If he makes the decision, the expectation is that we will go to trial in Saratoga County late winter or early spring. Otherwise, it may not go to trial until summer or fall of 2012. In the meantime, the Selective case just sits until there is an outcome of the Schmidt case. If the Town prevails in Saratoga County, Selective may just want to settle both without a trial. If Schmidt wins in Saratoga County, the Town will be very interested in litigating against Selective as they are still a source of indemnification for the Town losses.

Attorney Van Vranken asked if there was a way to make certain important discussion items more highlighted in the minutes.

The Board discussed revising the Records Management policies and revising the original resolution that set up the current procedures.

Councilman Gardner asked the Supervisor to address the Saratoga County budget issues. The Supervisor stated it is going to be a tough budget year for the County. He stated that there will not be a decrease to the amount that the Town's receive. Raising the Sales Tax is an area that could be looked at. This would not just affect property owners, but all the people that use the services in the County. They are currently looking at reductions in spending. Saratoga County is supporting a Nursing Home that is losing 11 million dollars each year, and the Supervisor feels that they need to look at that.

Councilman Salisbury asked questions about the website and what was being written about the Board members. He did not feel that accomplishments should be put on the website.

The meeting adjourned at 8:48 p.m.

Respectfully submitted,

Laurie Kruppenbacher
Deputy Clerk

