

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

**July 13, 2015**

The Regular Meeting of the Town Board of the Town of Charlton, Saratoga County, New York was held at the Charlton Town Hall, 758 Charlton Rd, Charlton, NY and called to order by Supervisor Grattidge at 7:30 p.m.

Supervisor Grattidge led the pledge of Allegiance.

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

**APPROVAL OF MINUTES**

**RESOLUTION # 128**

**Approval of Minutes**

Motion by Councilman Lippiello

Seconded by Councilman Hodgkins

BE IT RESOLVED that the Town Board has approved the Public Hearing minutes from June 29, 2015.

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

**RESOLUTION # 129**

**Approval of Minutes**

Motion by Councilman Grasso

Seconded by Councilman Hodgkins

BE IT RESOLVED that the Town Board has approved the Town Board Agenda minutes from June 29, 2015.

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

**PRIVILEGE OF THE FLOOR FOR AGENDA ITEMS**

No one chose to speak.

**ABSTRACT OF CLAIMS**

**RESOLUTION #130**

**Approval of Abstract of Claims**

Motion by Councilman Hodgkins

Seconded by Councilman Grasso

BE IT RESOLVED that the Town Board has approved the payment of bills as presented in Abstract No. 112, voucher numbers 389 – 408 in the amount of \$45,682.78

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

## **TOWN CLERK'S REPORT**

The Town Clerk's office took in \$773.25 for the month of June. \$504.59 was paid to the Supervisor's Office, and \$268.66 was paid to other Governmental agencies.

### **RESOLUTION #131**

#### **Acceptance of the Town Clerk's Report**

Motion by Councilman Hodgkins

Seconded by Councilman Grasso

BE IT RESOLVED that the Town Board has accepted the Town Clerk's report as read.

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

## **SUPERVISORS REPORT**

For the month of June, I attended 3 Town meetings and 5 County meetings. Some of the highlights of the month:

- Attended normal Town and County meetings
- Worked on the insurance claim for the Town Hall
- Set up a Town Booth at Sundae on the Farm

Supervisor Grattidge confirmed that the Board has received the Key Bank Custodial statement.

## **ANNOUNCEMENTS**

The dates for the August Town Board Meeting and Agenda Meeting are being changed to the 1<sup>st</sup> Monday and the 4<sup>th</sup> Monday due to a lack of a quorum and an Accounting software issue. The regular Board meeting will be held on August 3<sup>rd</sup>, and the Agenda Meeting will be held August 24<sup>th</sup>.

## **COMMUNICATIONS**

Supervisor Grattidge said that the Town Board received letters from Terry Vallely, Robert & Gail Hanchar, John Hershey, Carol & John Sakrison, Anna Hershey, and Christopher Lyons, Esquire regarding the purchase of the home on 9 Vines Road by AIM Services, Inc. The letters will be put on record and are on file in the Town Clerk's Office.

## **DEPARTMENT & COMMITTEE REPORTS**

Maintenance – Don Smith fixed the leak in the conduit causing water leakage in the basement, patched the hole in the siding at the Community Center, and trimmed the landscaping at the Town Hall.

Dog Control – In June there were 12 complaints received, 2 complaints about other animals, 6 calls made to follow up on delinquent licenses, 2 dogs were seized and/or returned to their owners, and 1 court action filed.

Constables – In June, there were 29 patrols, 28 complaints, 14 911 calls, 1,695 miles traveled, 31 tickets issued, 5 accidents responded to, and 3 EMT calls. They were also busy in June providing services during the bike tour, parade, Founders Weekend, and the Sundae on the Farm event.

Library – Kathy Hayden reported that in July the summer reading program started, and so far there are 527 participants, of which 125 are from the Charlton Heights Elementary School. They were instrumental with the performance of the puppet people that performed at the YMCA. The leak in the Library roof was patched. They are awaiting word regarding a grant that they have applied for from New York State. The grant money will be used to make improvements at the library.

Parks - Dave Pohl is picking up the backboard supports for the basketball backboards. The new gazebo has been installed at the Gideon Hawley Park.

Water – Mr. Morgan and the Water Clerk met with the Town Board to discuss his retirement plans and the letter from the Department of Health.

Highway – Councilman Hodgkins said that he asked Mr. Emerich to watch for used bleachers on the surplus website. Mr. Emerich reported that his Department assisted with the gazebo project and is busy working on Eastern Avenue. They have a tentative plan to start the repaving on July 15<sup>th</sup> and 16<sup>th</sup>.

ZORC – Marv Schorr said that he has heard several positive comments about the latest document regarding the reasons for the proposed zoning changes. One negative comment that he received was from a resident that does not use the internet and did not know that the document was available.

**MOTIONS, RESOLUTIONS, AND AUTHORIZATIONS**

**RESOLUTION #132**

**Resolution authorizing the expenditure of the sum of \$10,000 from the Town of Charlton Parks Repair Reserve Fund**

Motion by Councilman Grasso  
Seconded by Councilman Hodgkins

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

**7/13/2015**

**Resolution # 132**

**Resolution transferring funds**

Be it resolved that the Supervisor is authorized to make the following transfer

For Budget Year 2015:

A690 –Overpayments

to

A2610-Fines & Forfeited Bail

In the amount of \$48,768.00 to recognize Revenue from the Town Court, through June 2015.

Moved by	Councilman Grasso	Voting:	Councilman Grasso	Aye
			Councilman Hodgkins	Aye
Seconded by	Councilman Hodgkins		Councilman Lippiello	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: July 13, 2015

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

**RESOLUTION #133**

**Resolution summarizing the consideration by the Town Board of the Town of Charlton to an application letter sent by AIM Services, Inc. to Supervisor Grattidge dated May 28, 2015**

Motion by Councilman Lippiello

Seconded by Councilman Hodgkins

Discussion: Supervisor Grattidge said that he was asked to ask AIM if they would consider a different location in Charlton, which he did, and AIM declined.

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

TOWN OF CHARLTON  
COUNTY OF SARATOGA  
STATE OF NEW YORK

RESOLUTION NO. 133

July 13, 2015

A RESOLUTION SUMMARIZING THE CONSIDERATION BY THE  
TOWN BOARD OF THE TOWN OF CHARLTON TO AN APPLICATION LETTER  
SENT BY AIM SERVICES, INC. TO SUPERVISOR GRATTIDGE  
DATED MAY 28, 2015

WHEREAS, Supervisor Grattidge received a letter from Christopher Lyons, Senior Director and Counsel of AIM Services, Inc. dated May 28, 2015, officially notifying the Supervisor and members of the Town Board of the interest and intent of AIM Services, Inc. to transform 9 Vines Road to a four bedroom residence known as a Supervised Individualized Residential Alternative home (IRA home) as authorized under the statutory authority of the Office for People with Developmental Disabilities (OPWDD), and

WHEREAS, the referenced letter included fact sheets outlining information regarding the subject matter and information set forth in New York State Social Services Law Section 463(1) and in New York State Mental Hygiene Law, Section 41.34(c)(1), also known as the Padavan Law, and

WHEREAS, on June 8, 2015, the Town Board approved a resolution to set a public meeting in order to consider the application sent to the Town Board from AIM Services, Inc., which public meeting was held on June 29, 2015 at 7:00 p.m. at the Town Hall, and

WHEREAS, during the June 29 public meeting, Senior Director Lyons and Executive Director June MacClelland presented information to the residents in attendance regarding AIM Services, Inc., its history, goals, objectives, not-for-profit status under Section 501(c)(3) of the Internal Revenue Code and information concerning the applicable sections of the New York State Mental Hygiene Law, particularly Section 41.34(c)(1), and

WHEREAS, during the aforementioned public meeting, residents had the opportunity to ask questions and present information, including items of concern related to the AIM Services, Inc. proposal, and

WHEREAS, subsequent to the June 29 public meeting, additional residents of the Town of Charlton sent Supervisor Grattidge and the Town Board letters of concern with respect to the goals of

AIM Services, Inc. to create an IRA at 9 Vines Road, and

WHEREAS, subsequent to the June 29 public meeting, Supervisor Grattidge and Town Attorney Van Vranken engaged in telephone conversations with Senior Director Lyons regarding issues submitted and presented by the residents of the Town of Charlton in both the public meeting and in written communication, which issues include the adequacy and condition of the septic system at 9 Vines Road and the capacity to be in contact with the supervisors of the AIM Services staff (on call system), and

WHEREAS, Supervisor Grattidge received a letter from Senior Director Lyons dated July 1, 2015 confirming that AIM Services intends to inspect the septic system, including the distribution box, in order to insure that the septic system is adequate for the intended use and that any required repairs or replacements would be made in order to achieve that status, and

WHEREAS, Senior Director Lyons also confirmed that AIM Services would implement its standard 24/7 oversight by both a primary and administrative on call system in order to provide immediate access by staff and residents to administration personnel who can supervise any situation requiring immediate attention, which would also include a personal visit to the residence, if necessary, and further, that such contact information will also be made available to the appropriate representatives of the Town of Charlton prior to the occupation of the home by its residents and staff, and

WHEREAS, the Town Attorney has advised the Town Board that the 40 day notice requirement to respond to the aforementioned May 28, 2015 application to Supervisor Grattidge has now expired, that the Town Board does not need to take any action regarding the AIM Services request and that AIM Services, Inc. has advised it will proceed with the establishment of the proposed IRA as described in its May 28, 2015 notification letter.

NOW BE IT RESOLVED, that the contents of this resolution be approved as an accurate summary of the actions which have occurred with respect to the AIM Services, Inc. application.

Moved by	Councilman Lippiello	Voting:	Councilman Grasso	Aye
			Councilman Hodgkins	Aye
Seconded by	Councilman Hodgkins		Councilman Lippiello	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: July 13, 2015

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

**COUNCILMAN REPORTS**

Councilman Grasso discussed setting up a workshop for the Town Board to discuss the proposed zoning changes. The Board set August 20<sup>th</sup> at 7:00 p.m. as the date and time for the workshop.

**PRIVILEGE OF THE FLOOR**

John Hershey, 4 Vines Road, said he is very disappointed that AIM is going forward with the purchase of 9 Vines Road. He questioned if anyone asked about the number of beds in Town, as far as overconcentration. He questioned why AIM is inspecting the septic system, and feels that the Town should be responsible for the inspection.

Terry Vallely, 7 Vines Road, thanked the Supervisor Grattidge for asking AIM to consider a different location in Charlton, and asked what their response was. Attorney Van Vranken said that Mr. Lyons said that they liked the property that they found, and did not want to consider another property. Mr. Vallely asked who complaints would be made to. Supervisor Grattidge said that complaints would be made directly to AIM or the Office of Mental Hygiene. Mr. Vallely thinks that the Padavan Law takes away the rights of residents, and feels that if a community had the financial resources, they could challenge the Law in court and win. He is concerned that residents with criminal records would be allowed to reside there and he would like to see a guarantee that that would not be the case.

Councilman Grasso told Mr. Hershey and Mr. Vallely that they are free to call him or e-mail him if there are problems. Councilman Lippiello said that he feels that the emergency contact information should be given to the neighbors of 9 Vines Road.

Marv Schorr, Imperial Lane, said that recently a neighbor had an accident at home. He was very pleased with the response time from the Ballston Lake Emergency Squad, Fire Personnel and police.

The meeting adjourned at 8:19 p.m.

Respectfully submitted,

Brenda Mills  
Town Clerk