

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

**March 10, 2014**

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 7:32 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.

Excused: Councilman Verola

**RESOLUTION #74**

**Approval of Minutes**

Motion by Councilman Grasso

Seconded by Councilman Hodgkins

BE IT RESOLVED that the Town Board has approved the Agenda Meeting minutes from February 24, 2014.

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

**PRIVILEGE OF THE FLOOR FOR AGENDA ITEMS**

No one chose to speak.

**RESOLUTION #75**

**Abstract of Claims**

Motion by Councilman Lippiello

Seconded by Councilman Grasso

BE IT RESOLVED that the Town Board has approved the payment of bills as presented in Abstract No. 105, voucher numbers 122-159 in the amount of \$54,761.01.

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

**TOWN CLERK'S REPORT**

The Town Clerk reported that her office took in \$634.50 for the month of February. \$442.44 was paid to the Supervisor, and \$192.06 was paid to other Governmental agencies.

**RESOLUTION #76**

**Acceptance of the Town Clerk's Reports**

Motion by Councilman Hodgkins

Seconded by Councilman Grasso

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

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

## **SUPERVISORS REPORT**

For the month of February, 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 litigation for the Town Hall project.
- Attended the NYSAC annual conference in Albany

Supervisor Grattidge said that the Town Board has received all of the financial reports for the month, and the Town has received the Key Bank Custodial Statements.

03/10/2014 09:35:40

**MONTHLY REPORT OF SUPERVISOR****TO THE TOWN BOARD OF THE TOWN OF CHARLTON:**

Pursuant to Section 125 of the Town Law, I hereby render the following detailed statement of all moneys received and disbursed by me during the month of February, 2014:

DATED: March 10, 2014

\_\_\_\_\_  
SUPERVISOR

	Balance 01/31/2014	Increases	Decreases	Balance 02/28/2014
<b>A GENERAL FUND - TOWNWIDE</b>				
CASH - CHECKING	12,914.58	63,443.82	67,203.23	9,155.17
CASH - SAVING	672,253.16	20,611.54	63,442.51	629,422.19
PETTY CASH	600.00	0.00	0.00	600.00
Park Fees Reserve	76,567.40	10.55	0.00	76,577.95
<b>TOTAL</b>	<b>762,335.14</b>	<b>84,065.91</b>	<b>130,645.74</b>	<b>715,755.31</b>
<b>DA HIGHWAY FUND</b>				
CASH - CHECKING	0.00	91,711.98	91,711.98	0.00
CASH - SAVINGS	37,357.94	95,094.19	91,711.98	40,740.15
CASH, SPECIAL RESERVE	15,457.81	0.00	0.00	15,457.81
<b>TOTAL</b>	<b>52,815.75</b>	<b>186,806.17</b>	<b>183,423.96</b>	<b>56,197.96</b>
<b>F WATER #1 FUND</b>				
CASH - CHECKING	0.00	6,337.79	6,337.79	0.00
CASH - SAVINGS	234,943.66	1,131.66	25,227.79	210,847.53
WATER SERIAL BOND	34,253.55	18,893.20	0.00	53,146.75
CASH, SPECIAL RESERVES	121,102.57	9.29	0.00	121,111.86
<b>TOTAL</b>	<b>390,299.78</b>	<b>26,371.94</b>	<b>31,565.58</b>	<b>385,106.14</b>
<b>SW WATER #2 FUND</b>				
CASH - CHECKING	0.00	100.60	100.60	0.00
CASH - SAVINGS	26,029.82	4.52	100.60	25,933.74
<b>TOTAL</b>	<b>26,029.82</b>	<b>105.12</b>	<b>201.20</b>	<b>25,933.74</b>
<b>TA TRUST &amp; AGENCY</b>				
CASH - CHECKING	298,740.98	35,517.66	330,552.66	3,705.98
DEER RUN SUBDIVISION	151,279.21	0.00	0.00	151,279.21
<b>TOTAL</b>	<b>450,020.19</b>	<b>35,517.66</b>	<b>330,552.66</b>	<b>154,985.19</b>
<b>H CAPITAL PROJECTS</b>				
	0.00	0.00	0.00	0.00
<b>TOTAL</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>
<b>TOTAL ALL FUNDS</b>	<b>1,681,500.68</b>	<b>332,866.80</b>	<b>676,389.14</b>	<b>1,337,978.34</b>

## **ANNOUNCEMENTS**

The Spring Newsletter articles are due from departments by March 18<sup>th</sup>.

## **DEPARTMENT & COMMITTEE REPORTS**

Highway – Mike Emerich reported that his men have been busy servicing trucks and equipment, plowing snow and sanding roads. He is getting quotes for a new truck. If he were to order the truck now, it would not arrive until October. Supervisor Grattidge thanked the Highway Department for taking care of a problem area on the ground in the front of Town Hall. There had been a problem with ice falling off the roof and blocking a drain so that water could melt into the basement. The Highway crew built a shelter to keep the snow out.

Zoning - Councilman Hodgkins reported that in February, there were 5 building permits issued for \$872.74, one building permit was cancelled and 5 permits were closed for a total value of \$52,000.00.

ZORC – Councilman Hodgkins said that he and Councilman Grasso met with the ZORC Committee to see if they could move some of the changes forward. He felt that 2/3s of the changes were easy and could be done now. The other 1/3 would be harder to address. Attorney Van Vranken said that the process is complicated. Any changes that would amend the Zoning Ordinance would need to have a public hearing in order to amend it. There is a process to adopt new regulations. He feels that the first step was to have the Committee make recommendations. The next step would be to have the Town Board review the recommendations and decide which proposals that they would like to have a public hearing on. Then you have a new Zoning ordinance printed with all of the amendments made. The Town Board needs to decide what they want the process to be to go forward. He said he is disappointed that the Exceptional Use Permit language is still in there. He recommended that the Board do it all at once instead of piecemeal. He suggested that the Town Board have a workshop with the ZORC to review the changes. Councilman Grasso said that he feels that the Board should review the changes that they feel comfortable moving forward with, and then go to Attorney Van Vranken to guide the Board through the process. Councilman Hodgkins said that the way that changes to the ordinance should happen is to handle them every year when they come in, so that there is not a huge amount like there is now. Attorney Van Vranken suggested that the Board put something in the new Ordinance regarding cell towers and solar panels. Councilman Hodgkins said that he feels that if those things are not addressed in the new changes, he feels that the Board should only deal with what is in there, so that they can get moving with changes. The Board scheduled a workshop to discuss the changes on Thursday March 27<sup>th</sup> at 7 p.m.

Constables – Councilman Lippiello reported that in February there were 28 patrols, 19 complaints, 6 911 calls, 1463 miles traveled, 12 tickets issued and 2 accidents and 3 EMT calls were responded to.

Water – Councilman Lippiello said that John Morgan does not feel that there are any issues of reasons for a quarterly meeting this month.

Newsletter – Councilman Lippiello reminded everyone that the newsletter articles are due by March 18<sup>th</sup>.

Party in the Park – Councilman Lippiello said that the Committee had another meeting and things are progressing.

Assessors – Councilman Grasso said that he and Councilman Verola were going to meet with the Assessors on March 11 to discuss their increase in pay request.

Historian – Marv Livingston said that Aubrey and Liz Dunn have done a very nice job of mapping the Jeremiah Smith Cemetery. He has an Eagle Scout that would like to restore the cemetery as his Scout project. Marv said that he will need some money to buy supplies. He does not have money in his budget for supplies, but does have money budgeted for personnel that will not be used, so he asked if a budget transfer could be done from personnel to supplies. Supervisor Grattidge said that the Board could do a budget transfer resolution, and asked Marv to come to the Agenda Meeting.

## **MOTIONS, AUTHORIZATIONS, RESOLUTIONS**

### **RESOLUTION #77**

#### **Budget Amendment for Principal Reduction on new Town Hall Bond**

Motion by Councilman Lippiello  
Seconded by Councilman Grasso

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

**3/10/14**

**Resolution for Budget Adjustments/Transfer of Funds**

**Resolution # 77**

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

For Budget Year 2014

Transfer \$10,000.00 from Contingent A1990.4 to Debt Service Principal A9710.603  
for principal due to Ballston Spa National Bank on New Town Hall Bond acct #67328062

Moved by	Councilman Lippiello	Voting:	Councilman Grasso	Aye
			Councilman Hodgkins	Aye
Seconded by	Councilman Grasso		Councilman Lippiello	Aye
			Councilman Verola	Absent
			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: March 10, 2014

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

**RESOLUTION #78**

**A resolution authorizing all park reserve fund monies to be transferred to the Parks Reserve Fund of the Town of Charlton**

Motion by Councilman Grasso  
Seconded by Councilman Hodgkins

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

TOWN OF CHARLTON  
COUNTY OF SARATOGA  
STATE OF NEW YORK

RESOLUTION NO. 78

March 10, 2014

A RESOLUTION AUTHORIZING ALL PARK RESERVE FUND MONIES TO BE  
TRANSFERRED TO THE PARKS REPAIR RESERVE FUND OF THE  
TOWN OF CHARLTON

WHEREAS, attached to this resolution as Exhibit "A" is a summary of the Town of Charlton park fees revenue for years 2011, 2012 and 2013, and

WHEREAS, identified on Exhibit "A" attached is a listing of all park reserve funds collected for 2013, which funds total \$9,600.00, and

WHEREAS, based on the establishment of the Parks Repair Reserve Fund by Town Board Resolution No. 146 and dated September 9, 2013, the funds collected in 2013 need to be transferred into the said Park Reserve Fund.

NOW BE IT RESOLVED, that the Town Board of the Town of Charlton hereby authorizes Supervisor Grattidge, as Chief Fiscal Officer of the Town of Charlton, to transfer all park reserve funds collected in 2013 in the sum of \$9,600.00 to the Town of Charlton Parks Repair Reserve Fund.

Moved by	Councilman Grasso	Voting:	Councilman Grasso	Aye
			Councilman Hodgkins	Aye
Seconded by	Councilman Hodgkins		Councilman Lippiello	Aye
			Councilman Verola	Absent
			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: March 10, 2014

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

**RESOLUTION #79**

**A resolution to order posted roads in the Town of Charlton with a four ton gross weight limit on a temporary basis**

Motion by Councilman Lippiello  
Seconded by Councilman Grasso

Discussion: Councilman Grasso asked if the posting was for all local roads. Mike Emerich stated that all Town roads are posted. He removes the postings from each road once he feels that they are safe to travel.

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

TOWN OF CHARLTON  
COUNTY OF SARATOGA  
STATE OF NEW YORK

RESOLUTION NO. 79

March 10, 2014

A RESOLUTION TO ORDER POSTED ROADS IN THE  
TOWN OF CHARLTON WITH A FOUR TON GROSS WEIGHT LIMIT  
ON A TEMPORARY BASIS

WHEREAS, the Town Board has been advised by the Charlton Superintendent of Highways that he intends to post certain roads with a four ton limitation, effective immediately, and

WHEREAS, the Town Board desires to assist the Highway Superintendent in the enforcement of this posting limitation and as authorized by New York State Vehicle and Traffic Law §1660, subd. 11.

NOW BE IT RESOLVED, that the Town Board hereby affirms and authorizes, pursuant to §1660(11) of the New York State Vehicle and Traffic Law the direction and order of the Superintendent of Highways of the Town of Charlton that all Town roads as posted will be temporarily limited to any and all vehicles having no more than a gross weight of four tons, and

BE IT FURTHER RESOLVED, that this restriction and limitation shall take effect as of the date of this resolution and such restriction shall become effective upon posting of such highways by the Superintendent of Highways or his designee, and

BE IT FURTHER RESOLVED, that such limitation shall continue in effect until such time as conditions permit the withdrawing of the order, and

BE IT FURTHER RESOLVED, that notice is hereby given that any person or persons violating this order shall be subject to enforcement as provided in §1800 of the New York State Vehicle and Traffic Law.

Moved by	Councilman Lippiello	Voting:	Councilman Grasso	Aye
			Councilman Hodgkins	Aye
Seconded by	Councilman Grasso		Councilman Lippiello	Aye
			Councilman Verola	Absent
			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: March 10, 2014

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

**RESOLUTION #80**

**A resolution authorizing the Town of Charlton Supervisor to sign any required documentation necessary to settle the claim between the Town of Charlton, Selective Insurance Company of America and Schmidt & Schmidt, Inc., Et Al**

Motion by Councilman Grasso

Seconded by Councilman Lippiello

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

TOWN OF CHARLTON  
COUNTY OF SARATOGA  
STATE OF NEW YORK

Resolution No. 80

March 10, 2014

A RESOLUTION AUTHORIZING THE TOWN OF CHARLTON SUPERVISOR TO SIGN ANY REQUIRED DOCUMENTATION NECESSARY TO SETTLE THE CLAIM BETWEEN THE TOWN OF CHARLTON, SELECTIVE INSURANCE COMPANY OF AMERICA AND SCHMIDT & SCHMIDT, INC., ET AL

WHEREAS, there is currently pending in the United States District Court, Northern District of New York, Albany Division, Case No. 1:09-CV-000333-LEK-DRH, which case involves the Town of Charlton against Selective Insurance Company of America and a third party claim of Selective Insurance Company of America against Schmidt & Schmidt, Inc., Walter R. Schmidt, Jr. and Mary Ann Schmidt, as third party plaintiffs and defendants, and

WHEREAS, this action is related to the issue of bonding obligations owed to the Town of Charlton by Selective Insurance Company of America, and

WHEREAS, attached to this resolution is a Stipulation and Judgment Dismissing Action By Reason of Settlement, in which all parties are stipulating that all claims, counterclaims and third party claims are dismissed, due to the fact that the parties have settled the primary claim between the Town of Charlton and Schmidt & Schmidt, Inc., and

WHEREAS, also attached to this resolution is a proposed Release by the Town of Charlton to Selective Insurance Company of America, releasing Selective Insurance Company of America from any obligations to the Town of Charlton related to the payment and performance bonds issued by Selective Insurance Company of America as part of the original contract agreement between the Town of Charlton and Schmidt & Schmidt, Inc.

NOW THEREFORE BE IT RESOLVED, that the Town Board hereby authorizes the Town Supervisor, Alan Grattidge, to execute the aforementioned Stipulation and Judgment and the Release on behalf of the Town of Charlton and that such execution shall bind the Town of Charlton under the terms and conditions of the Stipulation and of the Release.

Moved by	Councilman Grasso	Voting:	Councilman Grasso	Aye
			Councilman Hodgkins	Aye
Seconded by	Councilman Lippiello		Councilman Lippiello	Aye
			Councilman Verola	Absent
			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: March 10, 2014

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

Marv Schorr turned in an order for tree seedlings to be given away at the annual tree distribution on April 26<sup>th</sup>, and requested that the voucher be processed.

**RESOLUTION #81**

**A resolution authorizing the expense of \$445.00 to purchase tree seedlings.**

Motion by Councilman Lippiello

Seconded by Councilman Grasso

BE IT RESOLVED that the Town Board hereby authorizes the purchase of tree seedlings for \$445.00 for the annual tree distribution on April 26<sup>th</sup> 2014.

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

**COUNCILMAN REPORTS**

Councilman Lippiello said that the water clerk can order 2500 water cards or by ordering 5000 cards, could save 9 cents per card. The Board suggested that she order 2,500 cards in case there are changes needed in a few years.

**Privilege of the Floor**

No one chose to speak.

The meeting adjourned at 8:09 p.m.

Respectfully submitted,

Brenda Mills  
Town Clerk