

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

**June 10, 2013**

The Regular 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.

Supervisor Grattidge lead the pledge of Allegiance.

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

**RESOLUTION #99**  
**Approval of Minutes**

Motion by Councilman Verola  
Seconded by Councilman Lippiello

BE IT RESOLVED that the Town Board has approved the Regular Meeting minutes from May 13, 2013.

Vote: 4 Ayes, 1 Abstained - Salisbury. **CARRIED**

**RESOLUTION #100**  
**Approval of Minutes**

Motion by Councilman Lippiello  
Seconded by Councilman Salisbury

BE IT RESOLVED that the Town Board has approved the Agenda Meeting minutes from May 28, 2013.

Vote: 3 Ayes, 2 Abstained – Verola, Gardner. **CARRIED**

**PRIVILEGE OF THE FLOOR FOR AGENDA ITEMS**

No one chose to speak.

**RESOLUTION #101**  
**Abstract of Claims**

Motion by Councilman Verola  
Seconded by Councilman Gardner

BE IT RESOLVED that the Town Board has approved the payment of bills as presented in Abstract No. 111, voucher numbers 295 – 317 in the amount of \$126,673.38.

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

## **TOWN CLERK'S REPORT**

The Town Clerk's office took in \$840.50 for the month of May. \$593.06 was paid to the Supervisor, and \$247.44 was paid to other Governmental agencies.

### **RESOLUTION #102**

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

Motion by Councilman Verola

Seconded by Councilman Gardner

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 May, I attended 4 Town meetings and 13 County meetings. Some of the highlights of the month:

- Attended normal Town and County meetings
- Attended a number of Saratoga County functions as Chairman of the Board
- Attended a Veterans Women's Shelter event in Ballston with Tedesco and Farley
- Attended the Historical Society's Memorial Day Service

Supervisor Grattidge asked the Board if they wanted to sign an agreement with Mega to reduce the Town's electric bill by about 5% or if they would like to meet with a representative from Mega first. The Board indicated that they would like to set up a workshop with Mega. The date is not set yet.

Attorney Van Vranken has drafted a revised Local Law regarding Solar Arrays. The Town Board would like to get feedback from the ZORC Committee and the ZBA. They asked the Town Clerk to post a draft copy on the website to make it available to residents. No date has been set for next Public Hearing.

Supervisor Grattidge said that the Key Bank Custodial Statement was received.

06/05/2013 11:10:33

**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 May, 2013:

DATED: June 5, 2013

\_\_\_\_\_  
SUPERVISOR

|                                  | Balance<br>04/30/2013 | Increases         | Decreases         | Balance<br>05/31/2013 |
|----------------------------------|-----------------------|-------------------|-------------------|-----------------------|
| <b>A GENERAL FUND - TOWNWIDE</b> |                       |                   |                   |                       |
| CASH - CHECKING                  | 29,178.24             | 48,696.79         | 50,751.94         | 27,123.09             |
| CASH - SAVING                    | 407,951.12            | 110,652.75        | 48,695.17         | 469,908.70            |
| PETTY CASH                       | 500.00                | 0.00              | 0.00              | 500.00                |
| Park Fees Reserve                | 68,886.47             | 8.93              | 0.00              | 68,895.40             |
| <b>TOTAL</b>                     | <b>506,515.83</b>     | <b>159,358.47</b> | <b>99,447.11</b>  | <b>566,427.19</b>     |
| <b>DA HIGHWAY FUND</b>           |                       |                   |                   |                       |
| CASH - CHECKING                  | 0.00                  | 28,179.09         | 28,179.09         | 0.00                  |
| CASH - SAVINGS                   | 139,643.42            | 96,997.02         | 28,179.09         | 208,461.35            |
| CASH, SPECIAL RESERVE            | 15,451.98             | 0.00              | 0.00              | 15,451.98             |
| <b>TOTAL</b>                     | <b>155,095.40</b>     | <b>125,176.11</b> | <b>56,358.18</b>  | <b>223,913.33</b>     |
| <b>F WATER #1 FUND</b>           |                       |                   |                   |                       |
| CASH - CHECKING                  | 0.00                  | 5,558.31          | 5,558.31          | 0.00                  |
| CASH - SAVINGS                   | 192,870.13            | 575.68            | 5,558.31          | 187,887.50            |
| WATER SERIAL BOND                | 53,802.81             | 2.91              | 0.00              | 53,805.72             |
| CASH, SPECIAL RESERVES           | 121,011.04            | 10.28             | 0.00              | 121,021.32            |
| <b>TOTAL</b>                     | <b>367,683.98</b>     | <b>6,147.18</b>   | <b>11,116.62</b>  | <b>362,714.54</b>     |
| <b>SW WATER #2 FUND</b>          |                       |                   |                   |                       |
| CASH - CHECKING                  | 0.00                  | 146.55            | 146.55            | 0.00                  |
| CASH - SAVINGS                   | 25,159.63             | 3.36              | 146.55            | 25,016.44             |
| <b>TOTAL</b>                     | <b>25,159.63</b>      | <b>149.91</b>     | <b>293.10</b>     | <b>25,016.44</b>      |
| <b>TA TRUST &amp; AGENCY</b>     |                       |                   |                   |                       |
| CASH - CHECKING                  | 50.00                 | 0.00              | 47,324.60         | -47,274.60            |
| DEER RUN SUBDIVISION             | 151,222.24            | 0.00              | 0.00              | 151,222.24            |
| <b>TOTAL</b>                     | <b>151,272.24</b>     | <b>0.00</b>       | <b>47,324.60</b>  | <b>103,947.64</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>1,205,727.08</b>   | <b>290,831.67</b> | <b>214,539.61</b> | <b>1,282,019.14</b>   |

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**ANNOUNCEMENTS**

All Town offices will be closed on the 4<sup>th</sup> of July.

**DEPARTMENT & COMMITTEE REPORTS**

Maintenance – Mr. Sturek worked on cleaning and polishing railings, painting doors, cleaning second floor window sills, and mounted the television in the Community Center.

Zoning – Councilman Gardner said that there were 7 permits issued for \$2,385.00 and 2 CO's were issued.

Dog Control – Councilman Verola said there were 5 dog complaints in May.

Planning Board - Councilman Verola reported that the Board met and held a Public Hearing on May 20th where they deliberated on 2 subdivision applications and there was discussion on a referral from the ZBA.

Police – Councilman Lippiello said that in May there were 31 patrols, 31 complaints, 12 911 calls, 2 EIDs and 38 tickets issued.

Water – Councilman Lippiello said that there were 37 water meter reading that were not returned. The Water Department has not heard back from Cummings regarding the generator.

Library – Councilman Lippiello said that the library is looking into solutions for a sound problem in their large room. They are also looking at the problems with the work space for the staff.

Part in the Park - Councilman Lippiello said that the event was very successful. He estimated that there were 2,000 to 2,500 people in attendance. He gave a special thank you to Laurie Kruppenbacher and the Town Clerk for the last minute craft that was put together for children, since other children's activities cancelled last minute.

Highway – Mr. Emerich said his department has been busy hauling material for Crooked Street, mowing, replacing fences, repairing motors and the grader. He said that the footbridge in Elmer Smith Park is in need of repair. He will propose his ideas for repair next month. Councilman Lippiello said that Union College has put together plans for a replacement bridge, years ago. He said Mr. Eggleston has the plans. Mr. Emerich will talk to the Town Engineer.

Historian – Mr. Livingston said that he would like to put together a volunteer program to better the Town cemeteries. Nancy Wilson has offered to scan many of the pictures that are in his office.

**MOTIONS, RESOLUTIONS, PROCLAMATIONS AND AUTHORIZATIONS**

**RESOLUTION #103**

**Resolution authorizing the defense and indemnification of officers and employees of the Town of Charlton**

Motion by Councilman Verola

Seconded by Councilman Lippiello

Discussion: Attorney Van Vranken said that this issue arose from a conversation that he had with Councilman Verola. There is not currently any case that this relates to, but this should have been in place a long time ago.

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

TOWN OF CHARLTON  
COUNTY OF SARATOGA  
STATE OF NEW YORK

RESOLUTION NO. 103

June 10, 2013

A RESOLUTION AUTHORIZING THE DEFENSE AND INDEMNIFICATION OF OFFICERS AND EMPLOYEES OF THE TOWN OF CHARLTON

WHEREAS, pursuant to Section 18 of the New York State Public Officers Law, it is authorized that the governing body of a town may, by resolution, confer the benefits of the defense and indemnification of officers and employees of said town in any civil action or proceeding arising out of any alleged act or omission, and

WHEREAS, Public Officers Law Section 18 further authorizes a town to indemnify and save harmless such officer or employee in the amount of any judgment or settlement of claim obtained against such officer or employee, and

WHEREAS, Public Officers Law Section 18 further states that such legal defense and indemnification shall only be provided where the officer or employee at the time of such alleged act or omission was acting in good faith and within the scope of said officer or employee's public employment, powers and duties.

NOW BE IT RESOLVED, that the Town Board of the Town of Charlton hereby authorizes and provides for the defense of any Town of Charlton officer or employee in any civil action or proceeding arising out of any alleged act or omission while acting in good faith and within the scope of such officer or employee's scope of public employment, powers and duties, as authorized by New York State Public Officers Law Section 18, and

IT IS FURTHER RESOLVED, that this resolution shall take effect immediately.

|             |                      |         |                      |     |
|-------------|----------------------|---------|----------------------|-----|
| 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: June 10, 2013

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

**RESOLUTION #104**

**Resolution authorizing the filling of a certificate with the New York State Secretary of State and regarding the processing of notice of claims against the Town of Charlton.**

Motion by Councilman Verola

Seconded by Councilman Lippiello

Discussion: Attorney Van Vranken said the purpose of this resolution is to allow the Town of receive half of the filing fee of \$250.00. If the Town Clerk did not notify the Secretary of State's Office by July 14, 2013, the Town would not be entitled.

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

TOWN OF CHARLTON  
COUNTY OF SARATOGA  
STATE OF NEW YORK

RESOLUTION NO. 104

June 10, 2013

A RESOLUTION AUTHORIZING THE FILING OF A CERTIFICATE WITH THE NEW YORK STATE SECRETARY OF STATE AND REGARDING THE PROCESSING OF NOTICE OF CLAIMS AGAINST THE TOWN OF CHARLTON

WHEREAS, New York State General Municipal Law Section 53 requires towns in New York to file a certificate with the Secretary of State designating the Secretary of State as an agent for service of a notice of claim, and

WHEREAS, General Municipal Law Section 53 requires the certificate to include the applicable time limit for filing the notice of claim and the name, post office address and electronic mail address, if available, of an officer or person for the transmittal of notice of claims served upon the secretary as the town's agent, and

WHEREAS, pursuant to General Municipal Law Section 50-3(1)(a), the applicable time limit for the filing of a notice of claim upon a town is 90 days after the claim arises, or in the case of a wrongful death action, 90 days from the appointment of a representative of the decedent's estate.

NOW BE IT RESOLVED, that the Town Board of the Town of Charlton, County of Saratoga and State of New York designates Brenda Mills in her capacity as Town Clerk for the Town of Charlton to receive notice of claims served upon the Secretary of State by mail at 758 Charlton Road, Charlton, NY 12019 and e-mail at [townclerk@townofcharlton.org](mailto:townclerk@townofcharlton.org), and

IT IS FURTHER RESOLVED, that the Town Board hereby directs the Town Clerk to file the required certificate with the Secretary of State informing the Secretary of State of her town's designation and the applicable time limitation for filing a notice of claim with the town, which filing shall be completed on or before July 14, 2013.

|             |                      |         |                      |     |
|-------------|----------------------|---------|----------------------|-----|
| 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: June 10, 2013

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Brenda Mills, Town Clerk

**COUNCILMAN REPORTS**

Councilman Verola said that she and Councilman Lippiello are working on putting a Communications Committee together.

Councilman Salisbury said that he has reviewed the May bank statements and everything appears to be in order.

**PRIVILEGE OF THE FLOOR**

No one chose to speak.

Respectfully submitted,

Brenda Mills  
Town Clerk