

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

**February 26, 2024**

The Board 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 Grasso at 7:30 p.m.

Present: Supervisor Grasso, Councilman Glavin, Councilman Robbins, Councilman St. John, Councilman Tasse.

Also present: Town Clerk Mills, Attorney Craig.

**APPROVAL OF MINUTES**

**MOTION #74**

**Approval of Minutes**

Motion by Councilman Tasse

Seconded by Councilman Robbins

**BY MOTION** the Town Board approved the minutes of the Town Board Meeting on February 12, 2024.

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

**PRIVILEGE OF THE FLOOR FOR AGENDA ITEMS**

No one chose to speak.

**SUPERVISORS REPORT**

**Announcements:**

The Town is planning the Biennial Town Bulk Drop-off for the week of October 21-26 from 8am-4pm weekdays and 8am to 12pm on Saturday. More information will be made available as the date approaches.

The Town will be sending a Spring newsletter to residents around the first week of April.

**Financial Updates:**

The Town's Annual Financial Report (AFR) has been completed by an external auditor.

Supervisor Grasso gave a summary of the year-end fund balances for the past 3 years:

General Fund: 2021 was \$692,643. 2022 was \$916,270. 2023 was \$1,004,357.

Highway Fund: 2021 was \$289,968. 2022 was \$395,971. 2023 was \$406,843.

Water Fund: 2021 was \$561,472. 2022 was \$528,201. 2023 was \$491,354.

Supervisor Grasso said that he is happy to report that all Fund Balances are within the range as recommended in our Organizational Resolution. He thanked Department heads and the Board for staying within our financial controls and sticking to our fiscally responsible spending practices.

## **COUNTY UPDATES:**

Supervisor Grasso said that the Saratoga County Trails Grant application period is open and will be for a couple of months. There is a \$10,000.00 maximum grant available to each Town that applies. He said that if residents have suggestions for the parks or trails, they can submit them to the Board.

## **COUNCILMAN REPORTS**

Councilman Robbins said that there will be a Party in the Park planning meeting on Thursday, March 7<sup>th</sup> at 6:30pm at Town Hall.

Councilman Glavin read the following reports:

### **Town Water System:**

He completed review of the water survey results provided back from residents with their payments last Fall. Of the ~ 670 water customers, 448 responded to the 5 questions asked. Questions asked were regarding preference on meter reading, bill receipt, and payment methods as well as whether water customers signed up for and received general Town of Charlton informational emails. Surprisingly, ~56% prefer to receive the yellow meter reading cards VS e-mail and texts (about 18% each) to provided meter readings to the Town, and only about 7% for web-based reporting. Additionally, only about 1/3 of respondents receive the Town emails. Councilman Glavin will provide more detailed survey results to the Town Board within the next 2 weeks.

### **Town Electrical Cost:**

The Community Solar Array in Milton, NY off of Murray Rd, was tied into the Electrical Grid in mid-December 2023 and the Town of Charlton should start to see credits amounting to 10% savings going forward starting within the month.

### **Councilman St. John**

Planning Board met on February 19<sup>th</sup>. The Heflin Public Hearing was closed. The Planning Board has requested additional information and soil sample reports. The Public Hearing on the Case 3-lot subdivision was held over until the March meeting. The Planning Board has requested not to meet on Federal holidays in 2025.

## **MOTIONS, RESOLUTIONS AND PROCLAMATIONS**

### **RESOLUTION #75**

### **RESOLUTION PURSUANT TO THE UNIFORM JUSTICE COURT ACT, ARTICLE 20, ACKNOWLEDGING THE ANNUAL RECEIPT, AUDIT AND REVIEW BY THE TOWN BOARD OF THE RECORDS AND DOCKETS OF THE TOWN JUSTICES FOR THE YEAR 2023**

Motion by Councilman Robbins

Seconded by Councilman Tasse

Roll Call: Councilman Glavin: Aye, Councilman Robbins: Aye, Councilman St. John: Aye, Councilman Tasse: Aye, Supervisor Grasso: Aye. **CARRIED**

## **TOWN OF CHARLTON COUNTY OF SARATOGA STATE OF NEW YORK**

### **RESOLUTION NO. 75 FEBRUARY 26, 2024**

### **RESOLUTION PURSUANT TO THE UNIFORM JUSTICE COURT ACT, ARTICLE 20, ACKNOWLEDGING THE ANNUAL RECEIPT, AUDIT AND REVIEW BY THE TOWN BOARD OF THE RECORDS AND DOCKETS OF THE TOWN JUSTICES FOR THE YEAR 2023**

**WHEREAS**, the Uniform Justice Court Act, Article 20, and the New York State Office of Court Administration, require each Town Justice at least once a year, in order to ensure that the annual audits are being performed, and that no major issues are found, to present their records and dockets to the auditing board of said Town, for review, which the Town Board shall consider and enter in the minutes of its proceedings the fact that they have been duly examined, and that the fines therein collected have been turned over to the proper officials of the Town as required by law, with a copy to be sent to the New York State Office of Court Administration; and

**WHEREAS**, in Towns that have no Comptroller, the annual review and audit is and shall be the Town Board's responsibility; and

**WHEREAS**, the Town Justices have duly prepared and turned over their annual records and dockets in form acceptable to the Town Board, and the Town Board has received, reviewed, accepted, and approved same.

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Charlton hereby accepts and approves the annual audit of the Town Justices for the year 2023, a copy of which is attached to this Resolution; and

**BE IT FURTHER RESOLVED**, the Town Board officially enters in the minutes of its proceedings the fact that the Town Justice's records and dockets have been duly examined as required by law, and that the fines therein collected have been turned over to the proper officials of the Town as also required by law; and be it further

**RESOLVED**, that a copy of said records and dockets along with a copy of this Resolution be forwarded to the New York State Office of Court Administration.

Moved by	Councilman Robbins	Voting:	Councilman Glavin	Aye
			Councilman Robbins	Aye
Seconded by	Councilman Tasse		Councilman St. John	Aye
			Councilman Tasse	Aye
			Supervisor Grasso	Aye

The resolution was duly adopted on February 26, 2024.

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Brenda Mills, Town Clerk

Councilman Glavin read Resolution #77 in entirety. Supervisor Grasso noticed a typographical error in the resolution and called for a motion to correct the error.

**MOTION #76**

**MOTION TO AMEND THE WORDING IN RESOLUTION #77**

Motion by Councilman Tasse

Seconded by Councilman Glavin

BY MOTION, the Town Board agreed to amend Resolution #77 and correct the typographical error by removing the word "not" from the last Whereas paragraph to correctly read "will have a building" etc.

Roll Call: Councilman Glavin: Aye, Councilman Robbins: Aye, Councilman St. John: Aye, Councilman Tasse: Aye, Supervisor Grasso: Aye. **CARRIED**

**RESOLUTION #77**

**RESOLUTION ACKNOWLEDGING RECEIPT OF THE EXCEPTIONAL USE PERMIT APPLICATION OF NATHANIEL AND AMBER SMITH TO USE THEIR PROPERTY AT 2119 ROUTE 67 IN THE TOWN OF CHARLTON FOR A SNOW REMOVAL EQUIPMENT REPAIR AND SERVICE SHOP, AND REFERRING SAME TO THE ZONING BOARD OF APPEALS TO EXERCISE PRIMARY JURISDICTION OF SUCH APPLICATION AND TO THE PLANNING BOARD FOR PROPER SITE PLAN REVIEW PURSUANT TO THE ZONING ORDINANCE FOR THE TOWN OF CHARLTON**

Motion by Councilman Robbins

Seconded by Councilman Glavin

Discussion: Supervisor Grasso said that when an Exceptional Use Permit application come in to the Town Board, the Town Board can retain jurisdiction over the application, or, the Board can refer the application to the Zoning Board of Appeals. In the case of this application, where this had been a previously undeveloped site, he feels that it would be best to refer this application to the land use boards that deal with this type of application more often.

Roll Call: Councilman Glavin: Aye, Councilman Robbins: Aye, Councilman St. John: Aye, Councilman Tasse: Aye, Supervisor Grasso: Aye. **CARRIED**

**TOWN OF CHARLTON  
COUNTY OF SARATOGA  
STATE OF NEW YORK**

**RESOLUTION NO. 77,  
February 26, 2024**

**RESOLUTION ACKNOWLEDGING RECEIPT OF THE EXCEPTIONAL USE PERMIT APPLICATION OF NATHANIEL AND AMBER SMITH TO USE THEIR PROPERTY AT 2119 ROUTE 67 IN THE TOWN OF CHARLTON FOR A SNOW REMOVAL EQUIPMENT REPAIR AND SERVICE SHOP, AND REFERRING SAME TO THE ZONING BOARD OF APPEALS TO EXERCISE PRIMARY JURISDICTION ON SUCH APPLICATION AND TO THE PLANNING BOARD FOR PROPER SITE PLAN REVIEW PURSUANT TO THE ZONING ORDINANCE FOR THE TOWN OF CHARLTON**

**WHEREAS**, the Town Board has received an application dated January 25, 2024, from Nathaniel and Amber Smith, owners of 2119 Route 67, in the Town of Charlton, applying for an exceptional use permit to use the property located at 2119 Route 67, in the Town of Charlton, to open and operate a snow removal equipment repair and service shop, under provisions contained in Article VII of the Zoning Ordinance for the Town of Charlton; and

**WHEREAS**, the Town Board has reviewed such application, consulted with the Town of Charlton Zoning Enforcement Officer and the Attorney for the Town regarding issues which need to be considered in processing this application and as set forth in the aforementioned Article VII; and

**WHEREAS**, pursuant to Article VII, Section 3.B of the Zoning Ordinance, the Town Board may refer said application to the Zoning Board of Appeals, subject to the conditions set forth in Section 6 of Article VII of said Ordinance, to review, process, and provide a determination on the application after due public notice, hearing and a final vote of the Zoning Board of Appeals, and subject to all relevant provisions of said Ordinance as to whether such permit should be granted; and

**WHEREAS**, because the site had previously been undeveloped and will have a building and site improvements necessary to support the proposed use and is expected to have public customers, a detailed site plan review has been determined to be required, with said review to be conducted by the Town of Charlton Planning Board.

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Charlton hereby refers to and directs the Town of Charlton Zoning Board of Appeals to review, process and provide a determination with respect to the application of Nathaniel and Amber Smith for an exceptional use permit to

open and operate a snow removal equipment repair and service shop located at 2119 Route 67, in the Town of Charlton, subject to the provisions set forth in Article VII of the Town of Charlton Zoning Ordinance; and it is further

**RESOLVED**, the Town Board further refers the application to the Town Planning Board for site plan review and approval in furtherance thereof.

Moved by Councilman Robbins

Seconded by Councilman Glavin

Voting: Councilman Glavin	Aye
Councilman Robbins	Aye
Councilman St. John	Aye
Councilman Tasse	Aye
Supervisor Grasso	Aye

The resolution was duly adopted on February 26, 2024.

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Brenda Mills, Town Clerk

Re: Jeremy Jordan Exceptional Use Permit Application

A resolution entitled "Resolution declaring a negative declaration under SEQRA and granting and Exceptional Use Permit to Jeremy Jordan to rent and/or use his property at 1922 Route 67 for storage associated with a lawn and landscape maintenance business" was read in entirety, however Supervisor Grasso said that the Board would not be acting on the resolution tonight, and it will be presented at the next meeting when the applicant can be present. Supervisor Grasso asked the Board for feedback, and the audience if they had any comments.

Councilman Glavin asked if the applicant wanted any changes after acceptance, would he need to reapply. Attorney Craig confirmed that any changes would require the applicant to submit a new application.

Rick Potts, Planning Board Chairman, said that it is interesting to him that a site plan was not submitted as there are wetlands behind the building and the employee's parking spaces will be close to the DEC wetlands.

Bob Delaney, Cook Road, asked if it is typical to get a permit after a building is built. Supervisor Grasso said that no, it is not. Sometimes a building is built for a particular use and then the use changes. Sometimes, a Town Official drives by and notices a business which is unpermitted and then we bring the owner in to start the permit process.

Teddi Smith, resident, asked if it is okay in Charlton to build a storage facility without a house on the property? Supervisor Grasso said that he believes it is, but that is a question for code enforcement. It depends on the type of use of the building, for example agricultural use or not.

Robin Sevinsky, resident, asked why the Town is requiring an 8-foot plastic fence? Supervisor Grasso said that he is a fan of a low maintenance, attractive, durable commercial fence. It is something that the Board can discuss with the applicant.

Bob Killeen, resident, does not want Charlton to look like Route 50 with businesses and signs lining the roads. He would like to see Charlton retain its rural character.

Supervisor Grasso said that he is also very concerned about the commercialization of Charlton, especially Route 67 because that is the heaviest traveled road and he wants it to reflect the rural character of Charlton. However, our zoning does allow for certain uses. The Town will be working with a consultant this year to make some changes to our zoning laws.

**RESOLUTION #78**

**RESOLUTION TO CHANGE TOWN CONSTABLE GREG PARKS' POSITION FROM PART-TIME  
EMPLOYMENT TO FULL-TIME EMPLOYMENT**

Motion by Councilman Robbins

Seconded by Councilman St. John

Discussion: Councilman St. John thanked Councilman Robbins for spearheading this. He thinks it is great for the Town and will provide long term positives for the Town. He is glad that we could hire a local person that is dedicated to the safety of the Town. Councilman Robbins said he agrees with Councilman St. John. It is great to have 2 full-time Constables as compared to surrounding Towns. It is a luxury and he is glad that we can afford it. Supervisor Grasso said that we currently have 1 full-time Constable that works 5 shifts during the week and 3 part-time Constables. The part-time Constable that was working Court night is stepping back from that but will be available for special occasions. This Town Board has had a desire for increased patrols and had increased the budget to accommodate that. Adding the second full-time Constable will result in exceedance of the current year's budgeted amount but not by much, about \$10,000 to \$20,000. He feels it is a positive step forward for the Town.

Roll Call: Councilman Glavin: Aye, Councilman Robbins: Aye, Councilman St. John: Aye, Councilman Tasse: Aye, Supervisor Grasso: Aye. **CARRIED**

**TOWN OF CHARLTON  
COUNTY OF SARATOGA  
STATE OF NEW YORK**

**RESOLUTION NO. 78**

**February 26, 2024**

**RESOLUTION TO CHANGE TOWN CONSTABLE GREG PARKS' POSITION FROM  
PART-TIME EMPLOYMENT TO FULL-TIME EMPLOYMENT**

**WHEREAS**, in consideration of the safety of the public and Town residents, the Town Board is desirous of changing the current employment status of one of the Town's part-time Constables; and

**WHEREAS**, the Town Board of the Town of Charlton has considered and proposed to change the employment status of Town Constable Greg Parks, from a part-time Constable to a full-time position; and

**WHEREAS**, the full-time schedule of Greg Parks shall be staggered with another full-time Constable to assure appropriate and adequate coverage, which schedule shall be forwarded to the Town Board for review and consideration, with final approval at the discretion of the Town Supervisor; and

**WHEREAS**, the intent is to limit the hours worked per week to no more than 35 hours per week, thereby decreasing and restricting the need for overtime hours.

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Charlton hereby approves the change in employment status of Town Constable Greg Parks, from part-time to full time Constable, to work 35 hours per week on a 7-hour per day workday, at an annual salary of \$50,000.00 per year, prorated for 2024, effective as of March 9, 2024, with the obligation to also provide coverage on the Town's night Court schedule as part of the regular work week, as applicable, and with his actual hours and schedule staggered as set and approved by the Town Supervisor, and with employee benefits provided to him as are set forth in the Town Employee Handbook; and be it further

**RESOLVED**, that any overtime hours worked for the said position shall require pre-approval by the Chief Constable and Town Supervisor.

Moved by Councilman Robbins

Voting: Councilman Glavin Aye

Councilman Robbins Aye

Seconded by Councilman St. John

Councilman St. John Aye

Councilman Tasse Aye

Supervisor Grasso Aye

The resolution was duly adopted on February 26, 2024.

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Brenda Mills, Town Clerk

### **ABSTRACT OF CLAIMS**

#### **MOTION #179**

##### **Approval of Abstract of Claims**

Motion by Councilman Glavin

Seconded by Councilman Tasse

**BY MOTION**, the Town Board approved the processing of Abstract 4, voucher numbers 86-106 in the amount of \$23,893.68 which was audited by Town Board members.

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

### **PRIVILEGE OF THE FLOOR:**

Suzanne Voigt, resident asked to confirm that the Town is going from one full-time and 3 part-time Constables to 2 full-time and 2 part-time Constables? A: yes. She said she saw somewhere that our Dog Control Officer Salary was \$78,000 and asked if that was correct. A: No.

Courtney Pettis, resident, noted that junk vehicles, trailers and tents on the property formerly the Route 67 Café make the property look awful. She said it looks like possibly there is a vehicle repair business going on there. She asked if the Town is doing anything about it. Supervisor Grasso said that there are currently no valid approvals for any type of business to be occurring there, and the Town is currently taking legal action against the owner.

Bob Killeen, Chairman of ECC said that the ECC will be sponsoring a Roadside Clean-Up Day on April 20<sup>th</sup> from 9am to noon, and then a free tree seedling give-away from noon to 1pm at the Highway garage.

#### **MOTION #80**

##### **Motion to adjourn the meeting**

Motion by Councilman Tasse

Seconded by Councilman Glavin

**BY MOTION** the Town Board adjourned the meeting at 8:37pm.

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

Respectfully submitted,

Brenda L. Mills  
Town Clerk