

At the Town Board meeting of the Waterford Town Board held by Teleconference on April 7, 2020 at 7:00 P.M. the following transpired:

There were present:

Councilman Ball

Councilman Boudreau

Councilman Marble

Councilman McClement

Supervisor Lawler

Supervisor Lawler stated this is the Board's second attempt at a Town Board meeting via teleconference, there was good success with the Agenda meeting held last Tuesday. There are a few ground rules to help this be an efficient meeting. All callers except the Town Board, Town Attorney and Town Clerk will be muted during the meeting. The meeting is being recorded in its entirety and the recording will be on the Town website tomorrow morning. The meeting is being recorded in blocks of 30 minutes, when we here the prompt the meeting will pause in order to resume the next 30 minutes. At the end of the meeting all phones will be unmuted to allow those who wish to comment to do so, as we do at the end of every Town Board meeting. At that time, please say your name for the minutes and we ask that you do not speak over one another.

Supervisor Lawler stated that the Town Board meetings usually start with the Pledge of Allegiance and a prayer, which has been a long standing tradition at Town Board meetings. Since the Board is not together and there is no flag to salute, he felt we should proceed directly with the meeting. If anyone feels strongly about this, it can be discussed at the next meeting.

Communications and Petitions

There were none.

Action on Minutes of Previous Meetings as Follows

Minutes of the Town Board meeting of March 3, 2020, Special Meeting of March 16, 2020 and Agenda Meeting of March 31, 2020 were presented to the Board. A motion was made by Councilman Boudreau seconded by Councilman Marble to accept the minutes as presented. All in favor.

Committee Reports

Financial Report and Submission of Bills and Petty Cash

Supervisor Lawler read the financial report for the month of March 2020. The petty cash report totaled \$14.20. The audited abstracts totaled \$355,863.26 and the payments in advance of audit totaled \$29,708.03. A motion was made by Councilman Ball and seconded by Councilman Boudreau to accept the reports, pay the bills and reimburse the petty cash account. All in favor.

Committee on Highways, Wastewater Treatment, Water Authority, Cemetery and Museum.

Councilman Boudreau read the Town of Highway Department monthly report for March 2020. The Town Highway Department has been out cold patching pot holes throughout the town. The Highway and Parks Department have been trimming trees and brush throughout the town. We replaced all the wood on the bleachers at Middletown Road ball fields. We replaced two manhole risers on Canvasback Ridge. We also have been doing general repairs to our trucks and equipment. Effective March, 24 2020 In compliance with NY State directives for the containment of Covid – 19 , leaf and yard waste collections will be suspended until further notice, Trash drop off at the town garage is suspended until further notice, electronic recycling day on April 18th is canceled, there is another collection day scheduled for September 19th. The town parks are closed to groups of 10 or more. The town highway department personal is working on an emergency call only until further notice. I would also like to remind all town residents about putting acceptable and unacceptable items in their trash containers, if you put any unacceptable items in your cans it will not be picked up until it is removed. If you are in need of a new garbage can or recycling can please call the Town Clerk's Office at 518-235-8282. If you have any question please call the Town Highway Garage at 518-235-3413. The Councilman then went on to read the WPCF Operation Summary for the month of March, 2020. We removed: 16,000 gallons of sludge to Albany County and 50,000 gallons of sludge to Saratoga County. Alarms answered:0

Normal Maintenance: Checked all pump stations and cleaned floats as needed.

Continued maintenance of outside grounds, equipment, and vehicles. Removed influent primary grease from primary tanks and weirs on weekly basis. Used the Vac truck to hose and clean out the Mallards North, Mallards South, Drake Court and Fonda Road pump stations.

Troy belting conducted the generator servicing at the plant and pump stations and made repairs as needed. Troy belting serviced the power drives and replaced the timers on both of the wasting pump controls.

Albany Fire Extinguisher conducted the yearly service on the extinguishers at the plant, pump stations, and from the tanker. Riberdy Diesel replaced the PRO drive shaft on the tanker truck. The Wastewater Department also posted a notice on the Town website and Facebook regarding "flushable wipes." As a result of the stay at home mandate required in New York State, utility services such as Waste Water Treatment Plants are over taxed with materials being flushed thru the system. Residents of the Town are reminded that items such as 'Flushable Wipes' should not be flushed into the waste water system thru your home toilet. Even though these items are labeled as flushable they actually can damage a homeowner's lateral line and cause havoc on the Town Waste Water Treatment Plant because they do not disintegrate like toilet paper. Residents are also reminded to place paper towels, personal hygiene products and other paper items in the trash as well to protect the system. The report was submitted by Chief Operator Craig Falcone.

Councilman Boudreau read the monthly report from the Waterford Water Commissioners. Water Consumption – The water works delivered 29,270,254 gallons of water during the month or approximately 1,009,310 gpd. Water Distribution System Work – Waterworks staff completed dig-safe utility locations and service calls during the month. A total of 29 service calls and 24 utility locates were addressed. In addition to calls, staff installed new AMR water meters, calibrated & maintained equipment, completed weekly safety meetings, monthly water testing, and completed meter reading.

Annual Flushing – Please be advised that the Waterworks plans to complete the annual flushing of fire hydrants in April and May. The attached ad will be advertised in the local weekly paper.

The Councilman then read an update from the Town Historian Russ Vandervoort. He will be documenting the Town's involvement during the current pandemic. He has recently helped a Waterford resident research the Button family. He had article published in the Gristmill, the Saratoga County History Newsletter and will have one on Waterford in the Saratoga County History Round Table Newsletter in April. Russ has been asked to speak at three events at the Public Historians meeting in Oswego, the Hudson River Maritime Museum, and the Saratoga Public Library.

Committee on Public Safety, Emergency Services, and Liaison to Village

Councilman Ball stated that the Waterford Recue Squad continues to provide full service to the community. When calling 911, the call will be screened to make sure proper precautions are taken by the responding unit. Please continue to follow recommendations for handwashing and social distancing. All this goes for police calls as well. Please make the dispatcher aware of any sickness you or anyone in your home may have, this is for your safety as well as the safety of the officers. Councilman Ball referred the Board to the Police Department calls for the month of March; there were 5 Criminal Mischief, 18 Domestic, 19 EMS, 7 Fire, 9 MVA, 23 Animal Control, 10 Traffic Stops. There were no DWI or DWAI arrests for the month and no warrants issued. There were 7 arrests for the month. The Calls by Officer report, UTT, Accident and Arrest reports were all provided to the Board.

Committee on Veterans, Grants and Funding, Special Projects, Town Hall and Seniors

Councilman McClement stated that the Senior Center remains closed until further notice. Medical transportation for Seniors is still being provided for critical care appointments. The Councilman thanked drive Andy Walters and Senior Director Mike Mahoney for their help in keeping this service running. The Home Delivered Meals Program is continuing to run by Saratoga County Office of the Aging Staff. Residents receive one delivery per week with all the meals needed. If anyone would like to sign up for this service please contact Office of the Aging at 518-884-4100.

Councilman McClement then went on to state that the Town Hall Renovation Project is on hold due to the State of Emergency. There is one resolution on tonight's agenda for a Hazardous Materials Study which needs to happen before the project begins.

The Councilman stated that Quick Response from Malta came and sanitized Town Hall, police vehicles, and the senior medical van at no cost to the Town. We want to Quick Response for their help.

Committee on Youth, Playground, Pool, Festivals, Library, WHUFSD, and Visitor Center

Councilman Marble gave an update on the Town Parks and Recreation. In hopes of being able to open the pool we need to hire lifeguards. Anyone interested please go to the

town website to locate the employment application. It can be found by going into the resources section and then documents. We are looking for swim instructors as well as lifeguards. The application can be emailed to me at marblel@town.waterford.ny.us or mailed to the town hall. Festivals and events: Please check the town website for any updates on our festivals and events. As of right now we have cancelled the Memorial Day parade. We are playing it safe by not holding it this year. Next year it will be much happier time. Again, any changes or updated will be posted on the website and Facebook.

The Councilman then gave an update on the Library: The Library asked me to let people know that Overdrive and Kanopy platforms for e-books, audiobooks, and streaming movies are up and running. For e-books and audiobooks, there is an option to sign up for a library card using your cell phone number. They are also able to get people signed up for temporary cards via email. You can email the library with your name and address , etc. to watpubliclibrary@gmail.com with a Subject line of Temporary Library card request. Tim will also be monitoring the phones for parts of most days during the week as well.

Councilman Marble then read the Visitor Center report from Harbormaster Jeff Cleary. The Hurst Harbor Center is closed until further notice. Canal fest scheduled for Saturday May 16 and Sunday May 17 has been cancelled. Steamboat meet scheduled for Saturday July 4 has been cancelled. The NYS Canal system is closed and will remain closed until further notice. As of this date the Federal Lock in Troy is still scheduled to open on May 1st. The visitor center/dock office volunteers have all been notified that the visitor center/dock office is closed and Jeff has kept them informed of the situation. Many have expressed great interest to assist when the navigation season begins.

Supervisor's Report

Supervisor Lawler spoke of the limitations on town services, reduced services for the Highway Department and the canceled events that were all mentioned this evening. The changes to service are all noted on the town website, the town Facebook page and residents were also notified of these changes via a Reverse 911 call that was done; anyone whose phone is registered received this call. Lawn bags are not going to be collected until further notice. This is not considered an essential service and has been confirmed by our Town Counsel. When residents are asking if “the Town is going to pick up the leaf bags”, the “Town” they are referring to are our friends and neighbors who work for the Highway Department. We are not going to put them at risk. As soon as we can resume this service we will, when the health condititons allow us. The Town continues to avoid contact, limit traveling and practice social distaning etiquette. The town cannot have two or three guys in a truck handling yard waste bags that have been handled by others. Please check the town website and Facebook page regarding updates to town services.

General Orders

RESOLUTION # 33

RESOLVED, that the Town Board of the Town of Waterford hereby authorizes the Town Supervisor to pay Town Employees without the submittal of employee time sheets

and/or time cards during the COVID 19 pandemic. This resolution is effective March 17, 2020 until further notice.

Offered by Councilman Marble
Seconded by Councilman Ball

Councilman Ball yes
Councilman Boudreau yes
Councilman Marble yes
Councilman McClement yes
Supervisor Lawler yes

RESOLUTION # 34

WHEREAS, the Town Board desires to have the Highway Department Office sanitized for the safety of employees due to the concerns of COVID-19; and

WHEREAS, numerous businesses who offer sanitizing services were contacted and an effort was made to identify Minority Woman Owned Businesses without success;

NOW THEREFORE BE IT RESOLVED, that the Town Supervisor be and he is hereby authorized to sign an agreement with Quick Response Restoration, Inc to sanitize the Highway Department Office.

Councilman McClement stated that he would like to table this resolution to pursue alternative options, he would like to have a further discussion. Councilman Boudreau stated that he is hoping this will be done fairly soon. Supervisor Lawler stated that due to the State of Emergency in the Town, such agreements and proposals for this type of service do not require a meeting.

Motion to table Resolution # 34

Offered by Councilman McClement
Seconded by Councilman Ball

Councilman Ball yes
Councilman Boudreau yes
Councilman Marble yes
Councilman McClement yes
Supervisor Lawler yes

RESOLUTION # 35

AMENDED AND RESTATED BOND RESOLUTION OF THE TOWN BOARD OF THE TOWN OF WATERFORD, SARATOGA COUNTY, NEW YORK (THE "TOWN"), AMENDING AND RESTATING IN ITS ENTIRETY A BOND RESOLUTION OF THE

TOWN DATED MAY 7, 2019, AUTHORIZING THE RECONSTRUCTION AND REPAVING OF VARIOUS ROADS THROUGHOUT THE TOWN; ESTIMATING THAT THE TOTAL COST THEREOF IS \$600,000; APPROPRIATING SAID AMOUNT THEREFOR; AND AUTHORIZING THE ISSUANCE OF \$600,000 IN SERIAL BONDS OF THE TOWN TO FINANCE SAID APPROPRIATION

WHEREAS, the Town Board (the “Board”) of the Town of Waterford, Saratoga County, New York (the “Town”), by a bond resolution adopted on May 7, 2019 (the “Original Bond Resolution”) authorized the issuance of serial bonds and bond anticipation notes of the Town in the principal amount of \$600,000 to finance the reconstruction and repaving of roads throughout the Town, including, as necessary or appropriate, the construction or reconstruction of sidewalks, curbs, gutters, drainage, landscaping, and grading or improving right of way improvements in connection therewith (collectively, the “Project”);

WHEREAS, the Board now intends to amend and restate the Original Bond Resolution in its entirety pursuant to the terms of this resolution for the purpose of extending the period of probable usefulness of the aforementioned class of objects or purposes to fifteen (15) years, pursuant to subdivision 91. of paragraph a. of Section 11.00 of the Law and thereby making this resolution subject to a permissive referendum in the manner prescribed by Article Seven of the Town Law of the State of New York.

THE TOWN BOARD OF THE TOWN OF WATERFORD, SARATOGA COUNTY, NEW YORK (the “Town”) HEREBY RESOLVES (by the affirmative vote of not less than two-thirds of all the members of such body) TO AMEND AND RESTATE ORIGINAL RESOLUTION IN ITS ENTIRETY, AS FOLLOWS:

SECTION 1. The Town is hereby authorized to undertake the reconstruction and repaving of roads throughout the Town, including, as necessary or appropriate, the construction or reconstruction of sidewalks, curbs, gutters, drainage, landscaping, and grading or improving right of way improvements in connection therewith. It is hereby determined that the maximum estimated cost of the aforementioned specific object or purpose is \$600,000, said amount is hereby appropriated therefor and the plan for the financing thereof shall consist of (i) the issuance of the \$600,000 in serial bonds of the Town authorized to be issued pursuant to this resolution or bond anticipation notes issued in anticipation of such bonds, and (ii) unless paid from other sources, the levy and collection of taxes on all taxable real property of the Town to pay the principal of such bonds or notes and the interest thereon as the same become due and payable.

SECTION 2. Serial bonds of the Town in the principal amount of \$600,000 are hereby authorized to be issued pursuant to provisions of Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (the “Law”) to finance the aforementioned class of objects or purposes.

SECTION 3. It is hereby determined that the period of probable usefulness of the aforementioned class of objects or purposes is fifteen (15) years, pursuant to subdivision 20(c). of paragraph a. of Section 11.00 of the Law.

SECTION 4. The final maturity of the bonds herein authorized to be issued shall be in excess of five (5) years measured from the date of issuance of the first serial bond or bond anticipation note issued pursuant to this resolution.

SECTION 5. The temporary use of available funds of the Town, not immediately required for the purpose or purposes for which the same were borrowed, raised or otherwise created, is hereby authorized pursuant to Section 165.10 of the Law, for the capital purposes described in Section 1 of this resolution. The Town shall reimburse such expenditures with the proceeds of the bonds or bond anticipation notes authorized by Section 1 of this resolution. This resolution shall constitute a declaration of "official intent" to reimburse the expenditures authorized by Section 1 hereof with the proceeds of the bonds and bond anticipation notes authorized herein, as required by United States Treasury Regulations Section 1.150-2.

SECTION 6. Each of the serial bonds authorized by this resolution and any bond anticipation notes issued in anticipation of said bonds shall contain the recital of validity prescribed by Section 52.00 of the Law and said serial bonds and any bond anticipation notes issued in anticipation of said bonds shall be general obligations of the Town, payable as to both principal and interest by a general tax upon all the real property within the Town without legal or constitutional limitation as to rate or amount. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal and interest on said serial bonds and bond anticipation notes and provisions shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds and bond anticipation notes to mature in such year and (b) the payment of interest to be due and payable in such year.

SECTION 7. Subject to the provisions of this resolution and of the Law, pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of bond anticipation notes or the renewals of said obligations and of Section 21.00, Section 50.00, Section 54.90, Sections 56.00 through 60.00 and Sections 62.10 and 63.00 of the Law, the powers and duties of the Town Board relative to authorizing serial bonds and bond anticipation notes and prescribing terms, form and contents as to the sale and issuance of bonds herein authorized, including without limitation the determination of whether to issue bonds having substantially level or declining debt service and all matters relating thereto, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, are hereby delegated to the Town Supervisor of the Town, the chief fiscal officer of the Town (the "Town Supervisor"). Further, pursuant to subdivision b. of Section 11.00 of the Law, in the event that bonds to be issued for the object or purpose authorized by this resolution are combined for sale, pursuant to subdivision c. of Section 57.00 of the Law, with bonds to be issued for one or more objects or purposes authorized by other resolutions of the Town, then the power of the Town Board to determine the "weighted average period of probable usefulness" (within the meaning of subdivision a. of Section 11.00 of the Law) for such combined

objects or purposes is hereby delegated to the Town Supervisor, as the chief fiscal officer of the Town.

SECTION 8. The Town Supervisor of the Town is hereby further authorized to take such actions and execute such documents as may be necessary to ensure the continued status of the interest on the bonds authorized by this resolution and any notes issued in anticipation thereof, as excludable from gross income for federal income tax purposes pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the "Code") and to designate the bonds authorized by this resolution and any notes issued in anticipation thereof, if applicable, as "qualified tax-exempt obligations" in accordance with Section 265(b)(3)(B)(i) of the Code.

SECTION 9. The Town Supervisor is further authorized to enter into a continuing disclosure undertaking with or for the benefit of the initial purchasers of the bonds or notes authorized by this resolution in compliance with the provisions of Rule 15c2-12, promulgated by the Securities and Exchange Commission pursuant to the Securities Exchange Act of 1934.

SECTION 10. The Town Board hereby determines that the actions authorized by this resolution and the adoption hereof collectively constitute a "Type II" action within the meaning of the State Environmental Quality Review Act and the regulations of the New York State Department of Environmental Conservation thereunder (collectively, "SEQRA") and that no further action under SEQRA need be taken by the Town Board as a condition precedent to the adoption of this resolution.

SECTION 11. The intent of this resolution is to give the Town Supervisor sufficient authority to execute those applications, agreements and instruments, or to do any similar acts necessary to affect the issuance of the aforesaid serial bonds or bond anticipation notes without resorting to further action of this Town Board.

SECTION 12. Pursuant to subdivision b. of Section 35.00 of the Law, this resolution is subject to a permissive referendum in the manner prescribed by Article Seven of the Town Law of the State of New York (the "Town Law"). The Town Clerk is hereby authorized and directed, within ten (10) days after the date of adoption of this resolution, to publish and post a notice satisfying the requirements of Section 90 of the Town Law, which shall set forth the date of adoption of this resolution, shall contain an abstract hereof, and shall specify that this resolution was adopted subject to a permissive referendum. Such notice shall be published in the official newspaper of the Town for such purpose.

SECTION 13. This resolution shall take effect thirty (30) days after the date of its adoption or, if within such thirty (30) day period there is filed with the Town Clerk a petition subscribed and acknowledged by the number of qualified electors of the Town required by Section 91 of the Town Law and in the manner specified in such Section, until approved by the affirmative vote of a majority of such qualified electors voting on a proposition for its approval.

SECTION 14. The validity of the bonds authorized by this resolution and of any bond anticipation notes issued in anticipation of said bonds may be contested only if:

(a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money; or

(b) the provisions of law which should be complied with at the date of the publication of such resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication; or

(c) such obligations are authorized in violation of the provisions of the Constitution.

SECTION 15. Upon this resolution becoming effective, the Town Clerk is hereby authorized and directed to cause a copy of this resolution, or a summary thereof, to be published, together with a notice attached in substantially the form as prescribed in Section 81.00 of the Law, in the official newspaper(s) of the Town for such purpose, together with a notice of the Town Clerk substantially the form provided in Section 81.00 of the Law.

Offered by Councilman Boudreau
Seconded by Councilman Marble

Councilman Ball yes
Councilman Boudreau yes
Councilman Marble yes
Councilman McClement yes
Supervisor Lawler yes

RESOLUTION # 36

RESOLVED, that the Town Supervisor be and he is hereby authorized to sign an agreement with Watts Architecture and Engineering for Hazardous Materials Surveys to be done at Town Hall prior to the Town Hall Renovation Project.

Offered by Councilman Marble
Seconded by Councilman McClement

Councilman Ball yes
Councilman Boudreau yes
Councilman Marble yes
Councilman McClement yes
Supervisor Lawler yes

Other Business

RESOLUTION # 37

WHEREAS, the Town Board has conducted a public hearing on a proposed amendment to section 158-40 of the Town Code which seeks to further regulate and add a stop intersection on a certain street in the Town of Waterford;

WHEREAS, the Town Board desires to amend said law to add an additional stop intersection;

NOW THEREFORE, BE IT RESOLVED that the Town Board hereby adopts said local law.

Offered by Councilman Boudreau
Seconded by Councilman McClement

Councilman Ball yes
Councilman Boudreau yes
Councilman Marble yes
Councilman McClement yes
Supervisor Lawler yes

Councilman Boudreau thanked Town IT Officer Russ McAllister for handling all the behind the scene details of these teleconferences.

Town Attorney Donald Boyajan stated that as a result of Covid-19, all courts have been canceled. The trial for the MPM Certiorai has been moved from May 4th to August 3rd.

Paul M stated that DNA swabs have been suspended until the pandemic is over. No local courts operating at this time.

The Supervisor asked if this is court ordered.

Paul answered yes, and has reached out to Judge Fusco who did not have an answer. Sgt. Van Bramer stated this will be on hold until further notice.

The Supervisor asked the town attorney to reach out to the Court Administration for guidance.

At this time all phones were unmuted.

The Building Department is all set at this time.

The Supervisor asked the Building Inspector to contact him.

Supervisor Lawler stated that he appreciated all those who take the time to join us, whether in person or by phone. He hopes everyone stays safe.

Councilman Ball made a motion to close the meeting at 7:46 PM, seconded by Councilman Marble. All voted in favor.

Respectfully submitted,

Mary Shannon Carrigan
Town Clerk