

At the Town Board meeting of the Waterford Town Board held at Waterford Town Hall 65 Broad Street Waterford NY and by teleconference on August 4, 2020 at 7:00 P.M. the following transpired:

There were present:

Councilman David Ball  
Councilman James Boudreau  
Councilman Laurie Marble  
Councilman Frank McClement  
Supervisor John Lawler

### **Communications and Petitions**

Town Clerk Carrigan read a letter of resignation from ZBA member Paul McInerney. The clerk then went on to read a letter from residents Wallace and Karen Haley and a letter from Larry and Debbie Radliff. Both letters thanked the Town for completing the Devitt Road drainage project and complimented the work that was done.

### **Action on Minutes of Previous Meetings as Follows**

Minutes of the Town Board meeting of July 7, 2020, Special Meeting of July 13, 2020 and Agenda and Special Meeting of July 28, 2020 were presented to the Board. A motion was made by Councilman Ball seconded by Councilman Boudreau to accept the minutes as presented. All in favor.

### **Committee Reports**

#### **Financial Report and Submission of Bills and Petty Cash**

Supervisor read the financial report for the month of July 2020. The audited abstracts totaled \$547,058.24 and the payments in advance of audit totaled \$585,902.74. The petty cash report totaled \$35.24. A motion was made by Councilman Ball and seconded by Councilman Marble to accept the reports, pay the bills and reimburse the petty cash account. All in favor.

### **Committee on Highway, Wastewater Treatment, Water Authority, Cemetery and Museum**

Councilman Boudreau read the Town Highway Department report for July 2020 as submitted by Highway Superintendent Harry Martel. The Highway Department paved 4 storm drains 2 at River Boat and 2 on Mallards landing south. The highway crew provided traffic control for the paving project on Hillview Terrace, Bechard Lane, Pineview Court, Ferguson Lane, Cappabianca Drive and Pheasant Run. New Castle Paving did a great job on the paving project. We also paved pot holes throughout the town. The highway crew swapped out 15 garbage and recycle cans. We put in a pickle ball court at the tennis court on Mallards Landing South. The Parks Department has been cutting and maintaining all of the town parks. Leaf and yard waste collection days are Monday and Friday. The next town Trash Drop Off date is on September 19 8:00am to 1:00 pm we will have our Electronic Recycling Day on the same day, September, 19 2020 8am to 1pm at the Town Highway garage. 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.

Councilman Boudreau read the Wastewater Report for July as submitted by Chief Operator Craig Falcone. The staff delivered 10,000 gallons of sludge to Albany County and 64,000 gallons of sludge to Saratoga County. They answered 21 Alarm calls. The staff performed normal maintenance; checked all pump stations and cleaned floats as needed, continued maintenance of outside grounds, equipment and vehicles. The pump stations were hosed and cleaned out due to the heavy loading of wipes, debris and grease. A rebuilt pump was installed at Timber Drive. The boat pump out system was installed at the Visitor's Center.

The Councilman then read the Water Commissioners report for the month. The water works delivered 40,540,000 gallons of water for the month. The staff addressed 24 service calls and 64 utility locales. The staff calibrated and maintained equipment, completed monthly water te4ating and completed meter readings. The Commissioners are proceeding with the construction of a new main along Hudson River Road between Bells' Lane and Schoolhouse Lane. The project is a capital improvement to replace older lines that have been subject of numerous water breaks. Construction is ongoing and expected to be completed in August.

Councilman Boudreau read an update from Historian Russ Vandervoort. He recently assisted a local researcher trying to connect with an ancestor who fought for the Confederacy during the Civil War. Mr. Vandervoort just delivered a completed Civil war ancestor search to a former Waterford resident who was very pleased with the findings. He has been asked by the Brookside Museum in Ballston Spa to become a member of their Board of Trustees to represent Waterford. Brookside Museum is the official County Museum and they want to have a Trustee from each Town.

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

Councilman Ball read the Police Department Call Report for the month of July. There were 24 Domestic Incidents, 30 EMS calls, 14 Motor vehicle accidents, 35 Animal Control reports, 12 alarm calls, 4 Traffic tickets issued and 4 Misdemeanor arrests, there were 179 other calls.

The Councilman went on to speak of a water rescue on the Hudson River in Schaghticoke that was initiated on August 1, 2020. Waterford Fire and Northside Fire along with other agencies were called on to assist the search that unfortunately became a recovery, and the individual was recovered. Thank you to the Saratoga County Sheriff and State Police that also assisted. Councilman Ball went on to say that the river can be an attractive place, but also a dangerous place. The public needs to be aware of your surroundings and use all safety precautions when swimming.

Councilman Ball stated that on July 28<sup>th</sup> the Police Department held their exit interview regarding their DCJS accreditation which is up for renewal. The accreditation is good for five years. The Department expects to hear the findings next month. The Councilman went on to speak of the Black Lives Matter rally that was held in Waterford on July 18<sup>th</sup>. There were approximately 60-70 people who participated, the rally began at Peebles Island and proceeded with a march through the Village escorted by the Police Department. The Town and Village were prepared for this event, the plan was respectfully developed. The Waterford Police Department

took the lead and were assisted by Saratoga County Sheriff and State Park Police. The Mechanicville Police, Troy Police and Cohoes Police were all ready to offer support if needed. The march was respectfully and safely conducted.

Supervisor Lawler expressed his gratitude for the many agencies who responded to our recent emergencies as well as the Black Lives Matter rally that was held. The Supervisor went on to compliment the responding agencies and the rally developer to develop a reasonable and respectful rally to exercise first amendment rights. Our rally was peaceful and respectful. Sgt. Michael Shudt collaborated and coordinated with rally organizers to exercise a plan safely that made sure participants rights were respected. All participants behaved respectably and he again expressed his gratitude for all involved.

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

Councilman McClement stated that the Senior Center continues to be closed. After attending a meeting with Saratoga County Office of the Aging, he can say that most senior centers are operating as we are, the Home Delivered Meals program is still ongoing, and we are still providing medical transports for appointments. Our Seniors are the most vulnerable population to this pandemic, there is no opening date for the center yet, still too many unknowns. The medical transport is still continuing. The time of the Grocery Bus on Wednesdays has changed.

The Councilman spoke of the Farmers Market Coupons Drive thru distribution. The next date will be August 19<sup>th</sup> at the Saratoga County Fairgrounds. These coupons are good at most local Farmer's Markets. To obtain a book you must be 60yrs of age or older and have an income at or below \$1,968/month for single. Please contact Office of the Aging for more information 518-884-4100. The Annual Senior picnic will be a drive thru event this year. It will be the All-American Salute to Seniors, held on September 10, 2020 from 11-3 at the fairgrounds. It will be a "car-hop" style. Attendees will stay in their vehicles, which will be parked at safe distances. There is no picnic table seating. Restrooms will be available. There is a \$4.00 meal ticket purchase requirement. For more information contact Office of the Aging at 518-884-4100.

Councilman McClement spoke about the Saratoga County Veterans Trust Fund and stated if there are any Veterans in the community that are having financial difficulty to please call 518-884-4115. They are here to assist in many situations.

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

Councilman Marble stated that the TOWN POOL WILL BE OPEN 7 DAYS A WEEK FROM NOW UNTIL AUGUST 16, WEATHER PERMITTING, from 12-6 EVERY DAY.

The Councilman went on to read an update from the Waterford Library. THE LIBRARY HAS PROVIDED A RACK AT THE POOL WITH SOME GRAB AND GO BOOKS FOR ADULTS AND CHILDREN THIS SUMMER. THEY HAVE ALSO PROVIDED SOME MAKE AND TAKE CRAFTS. THIS HAS BEEN A GREAT PROGRAM THIS SUMMER AND THE LIBRARY HAS HAD TO REPLENISH THE BOOKS IN THE RACK. THE CRAFTS WERE AN ADDED BONUS TO THE BOOK RACK AND THE KIDS ARE ENJOYING THEM AS WELL. SO MANY THANKS TO THE LIBRARY FOR THIS PROGRAM.

THE LIBRARY IS OPEN MONDAY THRU THURSDAY FROM 10-5 PM FOR EITHER CURBSIDE PICKUP OR IN BUILDING BROWSING EACH DAY. FRIDAY IS CURBSIDE PICK UP ONLY FROM 10-3. MATERIALS CAN BE REQUESTED THRU THE LIBRARY'S ONLINE CATALOG OR BY CALLING THE LIBRARY AT 518-237-0891 DURING THE WEEK. THE BOOK SALE IS ALSO BEING HELD OUTSIDE WEATHER PERMITTING. THERE IS A CART PACKED WITH LOTS OF BOOKS FOR BOTH KIDS AND ADULTS, AS WELL AS GENTLY USED DVD'S. COPIES AND FAXING ARE ALSO AVAILABLE BY APPOINTMENT, AS ARE THE PUBLIC COMPUTERS.

Councilman Marble read the Waterford Harbor Visitor Center report for July as submitted by Director Jeff Cleary: THE TUGBOAT ROUND UP SCHEDULED FOR SEPT 11,12, AND 13 HAS BEEN CANCELLED.

THE ERIE CANAL IS OPENED FROM END TO END. THE CHAMPLAIN IS EXPECTED TO FULLY OPEN IN EARLY AUGUST.

MANY THANKS TO CRAIG FALCONE AND HIS TEAM AT THE SEWER DEPARTMENT FOR THEIR WORK ON OUR PUMP OUT. THE RESULT WAS MANY HAPPY BOATERS.

THE DOCK REHABILITATION PROGRAM IS CONTINUING.

THE DOCK OFFICE/VISITOR CENTER IS OPEN AND OPERATING UNDER COVID-19 SAFETY PROCEDURES IN PLACE. VOLUNTEERS ARE STILL NEEDED WITH MANY 2 AND 3 HOUR SHIFTS AVAILABLE. PLEASE CONTACT JEFF CLEARY AT 518-233-9123.

FOR THE MONTH OF JULY, WE WELCOMED 56 BOATS FROM 13 STATES AND 3 CANADIAN PROVINCES.

The Councilman then gave an update from Waterford Halfmoon School. THE SCHOOL HAS RELEASED THEIR REOPENING PLAN. A SURVEY HAS BEEN SENT BY EMAIL TO THE PARENTS OF STUDENTS. THE PLAN IS POSTED ON THE SCHOOL'S WEBSITE

### **General Orders**

#### **RESOLUTION # 68**

Resolved that Resolution #56 dated July 7, 2020 be amended to read as follows:  
Resolved, that Cory Wagner be and he is hereby appointed as full-time Police Officer at an annual salary of \$64,801.32 according to the current union contract to be paid in weekly installments by the Town Supervisor without the necessity of pre-audit by the Town Board.

Offered by Councilman Ball  
Seconded by Councilman Marble

Councilman Ball yes  
Councilman Boudreau yes  
Councilman Marble yes  
Councilman McClement yes

Supervisor Lawler yes

RESOLUTION # 69

RESOLVED, that Resolution #58 which approved the sewer rent change of 8 Hillview Avenue from a two unit to a one unit be amended to show the correct SBL of 8 Hillview Avenue to be (SBL# 290.20-1-67)

Offered by Councilman Boudreau  
Seconded by Councilman McClement

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

**RESOLUTION NO. 70 OF THE YEAR 2020  
OF THE TOWN BOARD OF THE TOWN OF WATERFORD  
DECLARING UNSAFE BUILDING AND ORDERING CERTAIN REPAIRS**

**WHEREAS**, the Town Board has received and considered the report of the Town Building Inspector finding that a certain building owned by the Margaret M. Pieper Family Trust, Timothy Murphy, Trustee, located at 1A Weaver Avenue in the Town of Waterford, County of Saratoga, State of New York (the "Premises"), is an Unsafe Building within the meaning of Chapter 63-4 of the Waterford Town Code by reason of a landslide which occurred on or about May 3, 2020; and

**WHEREAS**, upon consideration of said report, the Town Board finds that the report warrants a finding that the aforesaid Premises is an Unsafe Building within the meaning of Waterford Town Code Chapter 63-4 inasmuch as it is or may become dangerous or unsafe to the general public and is unfit for the purposes for which it may be lawfully used;

**NOW, THEREFORE, BE IT RESOLVED**, that the Margaret M. Pieper Family Trust, Timothy Murphy, Trustee, is ordered to erect a fence or barrier upon the Premises which, in the opinion of the Town Building Inspector, is sufficient to safely secure the Premises against unauthorized entry by the public; and it is further

**RESOLVED** that the Town Building Inspector shall cause to be served a notice as provided in Chapter 63-7 of the Town of Waterford Code (the "Notice") upon Timothy Murphy, as Trustee of the Margaret M. Pieper Family Trust either by personal service or (i) by registered mail to his last known address as shown by the town tax records or the records of the Saratoga County Clerk's Office and (ii) by securely affixing said notice to the Premises; and it is

**RESOLVED that** the Margaret M. Pieper Family Trust, Timothy Murphy, Trustee, is ordered to commence the construction of the aforementioned fence or barrier within thirty (30) days of the service of the Notice and shall complete such construction within sixty (60) days thereafter; and it is

**RESOLVED that** a copy of the Notice shall be filed in the office of the County Clerk of the County of Saratoga.

**RESOLVED** that a hearing shall be held on August 25, 2020 at 6:55 p.m., or at any duly adjourned date, in relation to such dangerous and unsafe Premises, at the conclusion of which hearing, the Town Board shall determine by resolution to either revoke the order to secure the Premises, modify said order or continue and affirm said order and direct the owner or other persons to complete the work within the time specified in the order or such other time as shall be determined by the Town Board.

Offered by Councilman Boudreau  
Seconded by Councilman McClement

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

RESOLUTION # 71

**RESOLUTION OF THE TOWN BOARD OF THE TOWN OF WATERFORD, SARATOGA COUNTY, NEW YORK (I) CALLING FOR A PUBLIC HEARING IN ACCORDANCE TO SECTION 202-b OF THE TOWN LAW TO CONSIDER AUTHORIZING IMPROVEMENTS TO THE WATERFORD SEWER DISTRICT CONSISTING OF THE REPLACEMENT OF PUMP STATIONS AT JAMES DRIVE AND MURRAY AVENUE, AND (II) DETERMINING THAT SUCH IMPROVEMENTS CONSTITUTE A TYPE II ACTION UNDER THE STATE ENVIRONMENTAL QUALITY REVIEW ACT**

WHEREAS, the Town Board (the “Town Board”) of the Town of Waterford (the “Town”) is considering authorizing certain improvements to the Waterford Sewer District, consisting of the replacement of two wastewater pumping stations located at James Drive and Murray Avenue in the Town, bypass pumping to facilitate new pipe connections, new electric services and control panels, and the abandonment of each existing wastewater pumping station, including any site improvements and ancillary and related work required in connection therewith (collectively, the “Project”);

WHEREAS, CHA Consulting, Inc., a firm of engineers, duly licensed in New York State, has prepared a letter to the Town dated August 3, 2020, which estimates that the maximum cost of undertaking the Project is \$225,000; and

WHEREAS, the Town Board now intends to conduct a public hearing in accordance with Section 202-b of the Town Law with respect to undertaking the Project at such estimated maximum cost.

NOW, THEREFORE, BE IT RESOLVED, by the Town Board as follows:

Section 1. A public hearing shall be held at a public meeting of the Town Board to be held on August 17, 2020 at 3:00 p.m. at the Town of Waterford Town Hall, 65 Broad Street, Waterford, New York 12188, and by teleconference, to consider if it is in the public interest to undertake the Project at an estimated maximum cost of \$225,000 and to hear all persons interested in the subject matter thereof. The public is invited to monitor the meeting by calling 1 (518) 694-5646 and entering code 310506.

Section 2. The Town Clerk is hereby directed to cause notice of such public hearing to be published and posted in the manner prescribed by law.

Section 3. It is hereby determined that the Project constitutes a “Type II” Action under of the State Environmental Quality Review Act and the regulations of the New York State Department of Environmental Conservation promulgated thereunder (collectively “SEQRA”) and no further action need be taken under SEQRA by this Board in connection with the Project or the Town Board’s consideration thereof.

This resolution shall take affect immediately.

Offered by Councilman Boudreau  
Seconded by Councilman Marble

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

## **RESOLUTION # 72**

### **RESOLUTION OF THE TOWN BOARD OF THE TOWN OF WATERFORD FOR THE YEAR 2020 APPROVING BID TOWN HALL RENOVATIONS**

WHEREAS, the Town Board of the Town of Waterford, by public notice duly published according to law, invited sealed proposals for renovations and reconfigurations of selected spaces at Waterford Town Hall in the Town of Waterford;

WHEREAS, all such proposals received were considered publicly at Town Hall, on the March 18, 2020, the time and place specified in said public notice, and

WHEREAS, said Town Board has determined that Wainschaf Associates, Inc. is the lowest responsible formal bidder for the work as detailed in the specifications, with a bid of \$519,400.00 and

WHEREAS, that as a result of negotiations with the low bidder for the deduction of certain work as set forth in correspondence dated August 3, 2020 from Adirondack Mountain Engineering PC (a copy of which is attached hereto) a total project cost of \$220,091.00 is proposed,

NOW THEREFORE, NOW BE IT RESOLVED, that the said BID of Wainschaf Associates, Inc., LLC, including proposed deductions resulting in a total project cost of \$220,091.00 be and the same is hereby accepted,

FURTHER RESOLVED, that the Town Supervisor is authorized to enter into a contract with said successful bidder for renovations and reconfigurations of selected spaces, in accordance with the specifications for said bid project, to be approved by the attorney for the Town and further subject to the receipt and approval by the attorney for the Town as to form and required bonding documents for performance, labor and materials.

A motion was made to table the resolution by Supervisor Lawler and seconded by Councilman McClement and agreed upon by the entire Board.

Supervisor Lawler stated that there are questions regarding the work time line submitted by the contractor today that need to be discussed. This resolution awards the bid and approves the contract which locks the Town into the contract, the Board agreed to wait on contract approval at this time.

All phones were unmuted at this time, 7:50PM.

There were no questions or comments.

Councilman Boudreau made a motion to close the meeting at 7:51PM, seconded by Councilman McClement. All voted in favor of the motion.

Respectfully submitted,

Mary Shannon Carrigan

Town Clerk