

At a Town Board meeting of the Waterford Town Board held on Tuesday, February 3, 2015 at Town Hall 65 Broad Street, Waterford, NY the following transpired:

There were present:

Councilman Ball

Councilman Boudreau

Councilman Marble

Councilman McClement

Supervisor Lawler

COMMUNICATIONS AND PETITIONS

Town Clerk Dziarcak read letters of resignation from Val Carberg, Parks Director, Crystal Orton, Police Matron and Joseph Iachetta, Police Dispatcher.

ACTION ON MINUTES OF PREVIOUS MEETINGS

The Board received copies of Town Meeting minutes of January 6, 2015 and January 27, 2015. A motion was made by Councilman Boudreau and seconded by Councilman Marble to accept the minutes as read. All in favor.

COMMITTEE REPORTS

FINANCIAL REPORT AND SUBMISSION OF BILLS AND PETTY CASH

Supervisor Lawler read the monthly cash report. The audited bills totaled \$80,873.87 and the payments in advance of audit totaled \$104,675.94. The petty cash report totaled \$12.93. A Motion was made by Councilman Boudreau and seconded by Councilman McClement to pay the bills, accept the report and reimburse the petty cash funds. All in favor.

COMMITTEE ON HIGHWAY, WASTEWATER TREATMENT. WATER AUTHORITY AND CEMETERY

Councilman Boudreau read the Wastewater Treatment plant report for the month as submitted by Richard Thyrring. He then read the highway Department report for the month as submitted by Harry Martel. The water report for the month was read. Councilman Boudreau reminded everyone to please obey the snow emergency signs. He thanked the Highway department for a job well done. Supervisor Lawler reiterated the councilman's thanks to the Highway department.

COMMITTEE ON PUBLIC SAFETY, EMERGENCY SERVICES AND VETERAN'S AFFAIRS

Councilman Ball read the Uniform Traffic Ticket report for the month. He asked the residents to please follow the snow emergency signs. He also reminded residents not to leave valuables in your cars and lock your cars to deter crime. He reminded everyone that February is heart month, please learn CPR and recognize signs of a heart attack and stroke.

COMMITTEE ON CANAL DEVELOPMENT, GRANTS AND PROGRAM FUNDING,
COMMUNITY GROUPS AND VILLAGE GOVERNMENT LIAISON

Councilman McClement reminded everyone that the Museum's winter lecture series continues on February 12th with Dr. Max Kintner on Medical missions in Guatemala. Save the date for the annual Pancake breakfast of the Waterford Museum on Sunday April 12 from 8 AM until 12 PM.

The Waterford Public Library will hold an artist's reception on February 5, 2015 at 6 PM for local artist Patrick Sherwood. Patrick's artwork will be on display at the library until March 31, 2015. Supervisor Lawler commented that Patrick Sherwood designed the Town of Waterford's logo that you see on all Town Vehicles, signs etc. A very talented young man. The Library will also hold an open house on February 28th from 12 PM until 2 PM. for their 120th anniversary.

COMMITTEE ON YOUTH, SENIORS, PARKS AND PLAYGROUNDS, POOL AND
FESTIVALS

Councilman Marble reported that we are already planning for the summer pool season. We are looking for Red Cross certified lifeguards to teach swimming lessons and work for the summer season. The pool will open in June and run through the middle of August. Please apply at the town supervisor's office now through March 27th. Must be certified and have a valid CPR card. We are in the early planning stages for the park program. We will be doing some things different this summer. We will accept applications for the park counselors beginning in March. Check the town web site for our employment opportunities.

Senior Van for the month of January
Hours worked 132
Miles driven 2370
Daily avg 118.50
Persons transported 111
Daily avg 6

Waterford Senior Center

Monthly meeting was held on Tuesday Jan 20th. In addition to regular business the seniors discussed upcoming events including their pot luck luncheon to be held on Tues. Feb 17th. Any senior interested in attending call the center 235-8500 or call Sue Rock to sign up and bring a dish to share. Please let us know what you are bringing. Plans are also being made for the senior St Patrick's Day luncheon to be held at the center on Tues March 17th. The seniors would like to invite the Town and Village boards. Please let Laurie Marble or Mike Mahoney know if you plan on attending. Thurs Jan 29th trip to the racino Senior dues are due this month. Please see Sara Crain. We are always looking for card players anyone interested please contact the center.

The center is open for cards on Monday and Wednesday and for bingo on Tuesday and Thursdays.

Shopping trips and the racino are on Thursdays. New members are always welcome. Contact the center at 235-8500 for information.

Upcoming event -the Memorial Day parade the end of May.

GENERAL ORDERS

RESOLUTION # 10

The following resolution was offered by _Councilman Ball_____, who moved its adoption, seconded by Councilman __Marble_____, to-wit:

BOND RESOLUTION OF THE TOWN BOARD OF THE TOWN OF WATERFORD, SARATOGA COUNTY, NEW YORK (THE "TOWN"), AUTHORIZING THE ISSUANCE OF UP TO \$32,000 IN SERIAL BONDS OF THE TOWN TO FINANCE THE COST OF THE PURCHASE OF A REPLACEMENT POLICE CAR

WHEREAS, the Town Board of the Town of Waterford (the "Town Board") is considering the purchase of one replacement police vehicle (the "Project"); and

WHEREAS, the Project constitutes 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 therefore no further action under SEQRA with respect to the Project need be taken by the Town Board; and

WHEREAS, the Town Board now wishes to appropriate funds for the Project and to authorize the issuance of the Town's serial bonds or bond anticipation notes to finance said appropriation.

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), AS FOLLOWS:

Section 1. The Town is hereby authorized to issue \$32,000 principal amount of serial bonds (including, without limitation, statutory installment bonds) pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (the "Law") to finance the estimated cost of one replacement police vehicle.

Section 2. It is hereby determined that the maximum estimated cost of the aforementioned specific object or purpose is \$32,000, said amount is hereby appropriated

therefore and the plan for the financing thereof shall consist of (i) the issuance of the \$32,000 in serial bonds of the Town authorized to be issued pursuant to Section 1 of this resolution, or bond anticipation notes issued in anticipation of such serial bonds, and (ii) the levy and collection of taxes on all the taxable real property in the Town to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 3. It is hereby determined that the period of probable usefulness of the aforementioned specific objects or purposes is three (3) years, pursuant to subdivision 77 (first) of paragraph a. of Section 11.00 of the Law.

Section 4. 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 5. 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 6. 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 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 one or more of the objects or purposes 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 7. The 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 anticipating thereof, if applicable, as "qualified tax-exempt obligations" in accordance with Section 265(b)(3)(B)(i) of the Code.

Section 8. 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 effect the issuance of the aforesaid serial bonds or bond anticipation notes without resorting to further action of this Town Board.

Section 9. This resolution shall take effect immediately and the Town Clerk is hereby authorized and directed to cause a copy of this resolution, or a summary thereof, to be published in full, 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.

Section 10. 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.

The following vote was taken and recorded in the public or open session of said meeting:

AYES: 5 NAYS: 0

RESOLUTION # 11

WHEREAS, the Workplace Violence Prevention Task Force has duly convened; and

WHEREAS, following said meeting the Task Force has formulated its proposed annual report and the proposed new Workplace Violence Policy Statement;

NOW, THEREFORE BE IT RESOLVED, that the Town Board hereby adopts the proposed new Workplace Violence Policy Statement annual report and authorizes its filing with the Town Clerk; and

BE IT FURTHER RESOLVED, that the members of the Task Force are re-appointed and Craig Falcone is also reappointed as the Authorized Employee Representative.

Offered by Councilman Boudreau
Seconded by Councilman McClement
Ball yes
Boudreau yes
Marble yes
McClement yes
Lawler yes

RESOLUTION # 12

RESOLVED that the Town Board hereby sets the fee for Fire Inspections at \$30.00 per unit.

Offered by Councilman Marble
Seconded by Councilman Boudreau
Ball yes
Boudreau yes
Marble yes
McClement yes
Lawler yes

RESOLUTION # 13

RESOLVED, that the Town Board hereby authorizes the expenditure of \$4,472.49 to Tru Green Commercial for upkeep of the ball fields.

Offered by Councilman Marble
Seconded by Councilman Boudreau
Ball yes
Boudreau yes
Marble yes
McClement yes
Lawler yes

RESOLUTION# 14

RESOLVED, that the Town Board hereby accepts the resignations of Matthew LaBombard and Joseph Iachetta as Dispatchers of the Waterford Police Department and Crystal Orton as Police Department Matron and Valerie Carberg as Recreation Director.

Offered by Councilman Ball
Seconded by Councilman Marble
Ball yes
Boudreau yes
Marble yes
McClement yes
Lawler yes

RESOLUTION # 15

The following resolution was offered by Councilman Boudreau, who moved its adoption, seconded by Councilman McClement_, to-wit:

BOND RESOLUTION OF THE TOWN BOARD OF THE TOWN OF WATERFORD, SARATOGA COUNTY, NEW YORK (THE "TOWN"), AUTHORIZING THE ISSUANCE OF UP TO \$30,000 IN SERIAL BONDS OF THE TOWN TO FINANCE THE COST OF THE PURCHASE OF A PICK UP TRUCK WITH SNOW PLOW

WHEREAS, the Town Board of the Town of Waterford (the "Town Board") is considering the purchase of one pickup truck with snow plow for use by the Highway Department (the "Project"); and

WHEREAS, the Project constitutes 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 therefore no further action under SEQRA with respect to the Project need be taken by the Town Board; and

WHEREAS, the Town Board now wishes to appropriate funds for the Project and to authorize the issuance of the Town's serial bonds or bond anticipation notes to finance said appropriation.

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), AS FOLLOWS:

Section 1. The Town is hereby authorized to issue \$30,000 principal amount of serial bonds (including, without limitation, statutory installment bonds) pursuant to the provisions of

the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (the “Law”) to finance the estimated cost of one pickup truck with snow plow.

Section 2. It is hereby determined that the maximum estimated cost of the aforementioned specific object or purpose is \$30,000, said amount is hereby appropriated therefore and the plan for the financing thereof shall consist of (i) the issuance of the \$30,000 in serial bonds of the Town authorized to be issued pursuant to Section 1 of this resolution, or bond anticipation notes issued in anticipation of such serial bonds, and (ii) the levy and collection of taxes on all the taxable real property in the Town to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 3. It is hereby determined that the period of probable usefulness of the aforementioned specific objects or purposes is fifteen (15) years, pursuant to subdivision 28. of paragraph a. of Section 11.00 of the Law.

Section 4. The final maturity of the bonds herein authorized to be issued shall not 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 Section 1 of this resolution. The final maturity of the bonds herein authorized shall not be greater than five (5) years.

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 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 one or more of the objects or purposes 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 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 anticipating thereof, if applicable, as "qualified tax-exempt obligations" in accordance with Section 265(b)(3)(B)(i) of the Code.

Section 9. 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 effect the issuance of the aforesaid serial bonds or bond anticipation notes without resorting to further action of this Town Board.

Section 10. This resolution shall take effect immediately and the Town Clerk is hereby authorized and directed to cause a copy of this resolution, or a summary thereof, to be published in full, 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.

Section 11. 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.

The following vote was taken and recorded in the public or open session of said meeting:

AYES: 5

NAYS: 0

A Motion was made to adjourn to executive session by Supervisor Lawler and seconded by Councilman Boudreau. All in favor.

Respectfully submitted,

Darlene A. Dziarcak
Town Clerk