

At a Town Board meeting held on Tuesday, May 3, 2016 at 7 P.M. at Waterford Town Hall, 65 Broad Street, Waterford, NY the following transpired:

There were present:

Councilman Boudreau

Councilman Marble

Supervisor Lawler

There were absent:

Councilman Ball

Councilman McClement

COMMUNICATIONS AND PETITIONS

Town Clerk Dziarcak read a letter of appreciation to the Town from Councilman Ball.

ACTION ON MINUTES OF PREVIOUS MEETINGS

Minutes of the Town Board meetings of April 5 and April 26, 2016 were presented to the Board for review. There were no corrections. Motion to accept minutes by Councilman Boudreau and seconded by Councilman Marble. All in favor.

COMMITTEE REPORTS

FINANCIAL REPORT AND SUBMISSION OF BILLS AND PETTY CASH

Supervisor Lawler read the Supervisor's cash report for the month of April, 2016. The audited abstracts totaled \$191,469.85 and the payments in advance of audit totaled \$44,641.80. The petty cash report totaled \$28.55. A motion was made by Councilman Marble and seconded by Councilman Boudreau to pay the bills, accept the cash report and reimburse the petty cash accounts. All in favor.

COMMITTEE ON HIGHWAY, WASTEWATER TREATMENT PLANT, CEMETERY AND WATER AUTHORITY

Councilman Boudreau read the Highway Department report as submitted by Harry Martel, Highway Superintendent. He further announced that the department installed 80 tons of rip rap off Timber Drive and replaced playground equipment at Clement Park. They also held a very successful bike auction with 24 of 28 bikes being sold.

Councilman Boudreau read the Operations summary from the Wastewater Treatment Plant as submitted by Richard Thyrring, Chief Operator. The cemetery report was also read and the Councilman detailed a grant application by the Water Commissioners for additional water supply through two other sources for the Town to purchase.

COMMITTEE ON PUBLIC SAFETY, EMERGENCY SERVICES, AND VETERANS AFFAIRS

Councilman Boudreau read the uniform traffic ticket report of the Waterford Police Department. He also read a letter from MADD to Officer Matt Gibbons as a selected recipient of the Recognition Award from MADD. There was also read a letter of thanks from a resident to Officer Daniel McGrievy.

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

Memorial Day parade will be held on May 25th at 7 P.M.

We are still looking for bands to participate. If anyone is interested please contact the supervisor's office at 235-8184.

The parade is Wed May 25th at 7 pm. Ceremony to follow at soldiers and Sailors Park.

Senior citizen report for April

On Tues. April 12th the seniors held the monthly meeting. Discussions were held on upcoming events and election of officers.

April 14th shopping at Wilton mall with lunch at the ripe tomato.

April 28th Saratoga racino. Had a full bus and a good time.

The senior bocce league will start this Thursday and is looking for players on Thursdays at 6 pm at the eighth st. Bocce court. Contact Gail Oliverie at 237-8293 or senior center 235-8500.

On May 5th the grace church will host a mother's day lunch sponsored by office of the aging. Sign up at the senior center or call 235-8500.

May 17th Saratoga County will host a health screening clinic at the center from 10:30-11:30 am. Please sign up at the center.

Election of officers will be held at the May mtg Tuesday May 17th. Any senior interested in running for office please attend the meeting.

Saratoga County Office of the aging spring luncheon to be held at the Saratoga Springs City center on Friday May 20. Call the center for reservations. The theme this year is birthday.

Dues are now due. Please see Sara Crain. New members always welcome.

Center is open Monday for cards, Tuesday bingo Wednesday for cards and the grocery bus, Thurs for bingo.

We are getting closer to the senior/community center being completed. I would like to thank my committee Fran and Mary Shannon for all their hard work. Thanks to the highway dept for all their hard work on the outside perimeter of the property.

Senior Van

Hours worked 113.25

Miles driven 1787

Daily avg 89

Persons transported 87

Daily avg 4

Summer park program will start on June 27th at clement park. 10-2 Look for new activities this year.

GENERAL ORDERS

**RESOLUTION NO. 50 OF THE YEAR 2016 AUTHORIZING ENTRY INTO
AGREEMENT FOR USE OF TOWN SOCCER FIELDS**

WHEREAS, the Halfmoon Soccer Club, which counts many residents of the Town as its members, desires to use the Town's soccer fields at various times through the end of June 2016 per the schedule previously forwarded to the Town;

WHEREAS, it is the policy of the Town to require such entities to provide all requisite insurances and execute an agreement to defend and indemnify the Town concerning said use;

NOW THEREFORE BE IT RESOLVED that the Town Supervisor is authorized to execute an agreement with the Halfmoon Soccer Club and all necessary parties for the usage of the aforementioned Town Soccer fields on Middletown Road.

Offered by Councilman Boudreau

Seconded by Councilman Marble

Councilman Boudreau yes

Councilman Marble yes

Supervisor Lawler yes

RESOLUTION # 51

RESOLUTION NUMBER OF THE YEAR 2015 OF THE TOWN

**BOARD OF THE TOWN OF WATERFORD AUTHORIZING EXECUTION OF SETTLEMENT
AGREEMENT WITH ERIE BOULEVARD HYDROPOWER L.P.**

WHEREAS, the Town is currently involved in various tax certiorari litigation proceedings entitled *Erie Boulevard Hydropower L.P. v. Town of Waterford, et al*;

WHEREAS, the parties have engaged in settlement negotiations;

THEREFORE, NOW BE IT RESOLVED that the Town Board hereby authorizes the execution of the settlement agreement by the attorneys for the Town which provides for, among other things, the settlement of all pending tax certioraris commenced by Erie Boulevard via a settlement agreement the form of which shall be approved by the attorneys for the Town and which shall include at a minimum the following terms encompassing all years in suit: no refunds, the assessment shall be set for the main parcel at \$1,392,000 being fixed going forward for the same number of years going forward as are currently in suit as well as the inclusion of 290.-1-28 for the duration of the settlement agreement.

Offered by Councilman Marble

Seconded by Councilman Boudreau

Councilman Boudreau yes

Councilman Marble yes

Supervisor Lawler yes

RESOLUTION # 52

WHEREAS, the Town Board has previously authorized the execution of a contract with Thomas Beardsley for Consulting Services;

WHEREAS, the parties have engaged in additional conversations concerning a renewal agreement for consulting services to cover 2016 and perhaps be the basis for future renewals;

NOW, THEREFORE BE IT RESOLVED that the Town Supervisor is authorized to sign a Renewal Agreement for Consulting Services with Thomas Beardsley to be prepared by the attorneys for the Town.

Offered by Councilman Marble

Seconded by Councilman Boudreau

Councilman Boudreau yes

Councilman Marble yes

Supervisor Lawler yes

RESOLUTION #53

RESOLVED, that the Town Board hereby allows the use of the North/South gravel road across the Town of Waterford landfill for the Champlain Canal Way Trail.

Offered by Councilman Boudreau

Seconded by Councilman Marble

Councilman Boudreau yes

Councilman Marble yes

Supervisor Lawler yes

RESOLUTION # 54

WHEREAS, the Town Board has conducted a public hearing on the proposed amendment to section 158-43 of the Town Code which seeks to further regulate and limit the parking of vehicles on a portion of Mohawk Avenue in the Town of Waterford; and

WHEREAS, the Town Board desires to amend said law to add said portion of Mohawk Avenue;

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

Offered by Councilman Boudreau

Seconded by Councilman Marble

Councilman Boudreau yes

Councilman Marble yes

Supervisor Lawler yes

RESOLUTION # 55

RESOLVED, that the following named individuals be and they are hereby hired at the salaries listed after their respective names to be lifeguards at the Waterford Town Swimming Pool to be paid in weekly installments by the Supervisor without the necessity of pre audit by the Town Board.

Brooke Zeller, Pool Director at a salary of \$15.00 per hour

Nicholas Ranucci full time lifeguard at a salary of \$12.00 per hour

Roger Martin full time lifeguard at a salary of \$12.00 per hour

Maxwell Bourdeau full time lifeguard at a salary of \$12.00 per hour

Kristine Richard full time lifeguard at a salary of \$12.00 per hour

Offered by Councilman Marble

Seconded by Councilman Boudreau

Councilman Boudreau yes

Councilman Marble yes

Supervisor Lawler yes

RESOLUTION # 56

WHEREAS, the Town of Waterford is applying to the Local Government Citizens Re-Organization Empowerment Grant (CREG) for assistance to study the Water Board Consolidation Project located in the Town of Waterford, Saratoga County, New York; and

WHEREAS, the grant application requires the applicant municipality to obtain the approval/endorsement of the governing body of the municipality or municipalities in which the project will be located; and

WHEREAS, the Town Board of the Town of Waterford does hereby designate the Town Supervisor as the lead contact person and does authorize the Supervisor John Lawler to submit this application;

WHEREAS, the Town Board is interested in seeking CREG funding for the purpose of conducting the Water Board Consolidation Project, that will study the benefits and potential impacts of consolidating the Town of Waterford and the Water Commission; and

WHEREAS, The Town of Waterford is seeking \$50,000 in funding assistance to complete this consolidation study; and

WHEREAS, The Town of Waterford shall commit to the required 10% local match; and

NOW, THEREFORE, be it resolved that the Town Board of the Town of Waterford hereby does approve and endorse the application for a grant under the CREG Program, for a project known as Town of Waterford Water Board Consolidation and located within this community.

Offered by Councilman Boudreau

Seconded by Councilman Marble

Councilman Boudreau yes

Councilman Marble yes

Supervisor Lawler yes

RESOLUTION #57

RESOLVED, that Town Justice David Fusco's pay period be changed from monthly to weekly to be paid by the Supervisor without pre audit by the Town Board.

Offered by Councilman Marble

Seconded by Councilman Boudreau

Councilman Boudreau yes

Councilman Marble yes

Supervisor Lawler yes

RESOLUTION # 58

RESOLVED, that Alec Barna be and he is hereby hired as a part time temporary worker for the Waterford Cemetery at a salary of \$9.65 per hour to be paid in weekly installments by the Supervisor without the necessity of pre audit by the Town Board.

Offered by Councilman Boudreau

Seconded by Councilman Marble

Councilman Boudreau yes

Councilman Marble yes

Supervisor Lawler yes

OTHER BUSINESS

Kathy Normandin of 6 Catallo Drive spoke regarding a day care possibly to be opened at 8 Catallo Drive. She had specific questions regarding signage, parking, fencing, and safety. The Supervisor stated that though he was just informed of this today, there appears to be little authority the Town would have in this situation due to the State requirements. What he did know was that the person interested in buying the home would need to reapply for another license with the State and meet all their requirements. He further stated that if the Town does not have the authority then we are powerless to stop it. New York State says they and only they have the authority to grant the license and we are handcuffed in this situation. Attorney Craig Crist explained that the State regulates the application and the Town cannot regulate this nor can we even enforce our existing zoning. The Supervisor stated that he will look into all of it and that he believes the owner would have to comply with residential zoning laws. On his initial

investigation, it does not look promising. He was frustrated that the State could circumvent local authority. He further stated that he did not think it fair and if the Town can get involved, we will. Mrs. Normandin asked if we could have further regulations to stop it. The Supervisor stated that even if it was possible, which he believes it is not, the applicant would be grandfathered under current laws.

Nate of 90C Broad Street stated he thought it was a good thing that a house on South Street got lifted up. The Supervisor thanked him and reminded persons interested that there are sometimes grants available for lifting the houses.

There was a MOTION to adjourn at 7:42 P.M. by Councilman Boudreau and seconded by Councilman Marble. All in favor.

Respectfully submitted,

Darlene A. Dziarcak

Town Clerk