

At the Town Board meeting of the Waterford Town Board held on Tuesday June 4, 2019 at the Waterford Town Hall, 65 Broad Street, Waterford, NY at 7:00 P.M. the following transpired:

There were present:
Councilman Ball
Councilman Boudreau
Councilman Marble
Supervisor Lawler

There was absent:
Councilman McClement

Communications and Petitions

There were none

The Town Clerk read the **Notice of Public Hearing** on “A local law regulating stop interactions in the Town of Waterford” as required by Municipal Law.
Planning Director David Woodin summarized the Local Law which will re-install a stop sign.
There were no comments.

Supervisor Lawler closed the Public Hearing at 7:03 P.M.

Action on Minutes of Previous Meetings as Follows

Minutes of the Town Board meeting of May 7, 2019, Special Meeting of May 10, 2019 and Special and Agenda Meeting May 28, 2019 of were presented to the Board. A motion was made by Councilman Ball seconded by Councilman Marble to accept the minutes as presented. Councilman Boudreau left the room briefly and was not present for this vote. All in favor.

Committee Reports

Financial Report and Submission of Bills and Petty Cash

Supervisor read the financial report for the month of May 2019. The audited abstracts totaled \$289,109.14 and the payments in advance of audit totaled \$15,518.87. The petty cash report totaled \$14.75. A motion was made by Councilman Marble and seconded by Councilman Boudreau 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 Highway Department Monthly Report as submitted by Highway Superintendent Harry Martel. The Town Highway Department is pleased to announce the Spring paving project has been completed. They would like to thank all the town residents for their patience and cooperation thru out this project. The slip lining job at Suncrest Drive was also completed. The Highway Department replaced 60 feet of culvert pipe on Orchard Lane and the Town Parks Department has been busy keeping the parks looking good. Trash Drop Off Program for the summer months are July 13 and August 10th from 8am to 1pm and the fees have

been lowered this year. If you are in need of a new garbage or recycle can please contact the Town Clerks Office at 518-235-8282.

Councilman Boudreau then read the Waste Water Facility Operation Monthly Summary as submitted by Operator Craig Falcone. The plant removed 24,000 gallons of sludge to Albany County and 56,000 gallons of sludge to Saratoga County. They answered 5 alarm calls and performed normal maintenance on all pump stations. They continued outside maintenance of all grounds, equipment and vehicles. They started fecal testing on the plant effluent and the three river samples. The Department worked with Riberdy Contracting to install a bypass line from the manhole to the force main at James Drive airlift station. They also installed the boat pump station at the Visitors' Center.

Councilman Boudreau then went on to read the monthly report of the Waterford Water Commissioners. The water works delivered 24,720,000 gallons of water during the month. Waterworks staff completed 70 service calls and 50 dig-safely utility locations. The staff installed new AMR water meters, calibrated and maintained equipment, completed weekly safety meetings, monthly water testing and meter reading.

Councilman Boudreau read an update from Town Historian Russ Vandervoort. Russ submitted a story of Waterfordian Mary Rynders through the Erie Canalway National Heritage Corridor in regards to the Woman's Suffrage Movement. In November, Russ will be presenting at a meeting of the Saratoga County Historical Roundtable. He will discuss Sylvester Rowland, a WW I Veteran from Waterford.

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

Councilman Ball read the Police Call Report for the month of May. There was a total of 423 calls, with 31 traffic tickets issued and 12 arrests. The calls included 12 larcenies, 5 domestic incidents, 5 harassments, 4 fire calls and 25 school details at St. Mary's. The Officer Detail Report is attached as well. Councilman Ball would like to remind everyone that summertime is upon us. Residents are reminded to lock your cars in every neighborhood and remove attractive valuables that could allow an opportunity for a window to be broken. The recent incidents of car break ins are being investigated and leads are being followed. If you own cameras on your property, now is the time to do a check and see what it is recording. It could prove to be helpful to you in the future.

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

Councilman Boudreau read the Waterford Senior Citizens Report as submitted by Director Mike Mahoney. On Thursday May 9th the Seniors has a bus trip to Lake George shopping, on Tuesday May 11th the Seniors held their monthly meeting. The guest speaker was Town Councilman Frank McClement. Frank, who is also the Saratoga County Veterans Service Agency Director spoke about services for Veterans and their spouses, such as burials, hearing aids, and handicap ramps. The seniors thanked him for his service. The Seniors are working on their senior picnic and clam steam, dates to be announced. Call the center at 518-235-8500 for more information. On Thursday May 16 the Seniors went to the Saratoga Racino and on May 17th 30 seniors attended Saratoga County Department of the Aging Senior Appreciation luncheon at the Saratoga Springs City Center. This year's theme was the sock hop. There was lunch, music and

prizes. On June 26th there will be the Year of the Senior Celebration at Congress Park in Saratoga Springs for all Saratoga County residents over the age of 60. Please contact the center at 518-235-8500 for more information. The Senior Meal program delivered 460 meals during May and served 25 meals at the center. The Senior Bus transported 60 Seniors during the month of May for a total of 54 miles.

Committee on Youth, Playground, Pool, Festivals, Library, WHUFSD, and Visitor Center
Councilman Marble stated that the Town Pool will be open on June 15 and 16 for swim lesson sign ups from 10-12. Weather permitting the pool will be open from 1-6 pm. The official opening for the season is June 22, seven days a week. Swim lessons will begin on July 1st.

The Summer park season at Clement park will begin on July 1. The hours are 10 am -2 pm. We will have crafts, games, and sprinklers.

The Memorial Day parade was once again very nice. The night was perfect. Many thanks to Tom Doin and Torri VanNostrand for their help in organizing the parade this year, Thanks so much to Councilman Frank McClement for his ceremony at the end of the parade. It was a very nice tribute to the Veterans. Thanks to all who participated. The Highway Dept. did a beautiful job with the park and the PD for their help with traffic as well.

Councilman Marble read the upcoming events for the Waterford Halfmoon School:

Saturday June 8th is Prom at the Fairways of Halfmoon.

June 12th is Kindergarten Celebration

June 13th HS Awards night

June 14th Moving Up day

Regents week is June 18th-26th

Graduation is Thursday June 27th at 5 pm.

June 25th at 6 pm is the 6th grade banquet. Fairways of Halfmoon

Councilman Marble gave an update on the Waterford Library. I have been asked to remind everyone to vote tomorrow on the budget. Polls open at 9 at the library until 6 pm. Copies of the budget are available at the library or on the webpage.

Summer hours are now in effect. Mon-Tues 9-6 Wed-Thurs 9-7 Friday 9-3 Saturday 9-12. Sunday is closed. These will be in effect until Labor Day. Summer reading program registration begins on July 1.

Councilman Marble then went on to read the Harbor Center Report as submitted by Director Jeff Cleary.

On Friday, May 3rd Jeffrey Cleary of Waterford was appointed Canal Visitor Center Director/Harbormaster.

The first assignment is to undertake a renovation of the dockside portion of the Visitor Center.

Supervisor Lawler recognizing that this is the 20th anniversary of the visitor center, now the Hurst Harbor Center, has set a goal of July 6th as the completion date for this project to coincide with the annual Steamboat Meet. I am happy to report that we are moving forward and with the cooperation of vendors and the weather, I am confident we can meet this deadline.

We received delivery of two much needed navigation radios that will improve our efficiency in providing service to our boating visitors as well as provide an added layer of safety.

We were blessed with good weather for CanalFest which was held on Saturday and Sunday, May 18th and 19th. We experienced record crowds for this event. Many thanks to the organizers, volunteers and all who participated.

The Erie Canal season got off to a late start but the canal is now open to Tonawanda. The Champlain Canal remains closed. Most of the boaters in port now are our neighbors to the north, some of them have been here for 3 weeks. On Monday, May 20th the Town hosted a cookout for the stranded boaters that was very well received and was touted on many social media sites. Chris Callaghan spent Friday evening May 24th serenading the boaters on the piano.

To date we have had 6 Campers. 48 Boats have arrived, 27 remain. 28 campers/boaters were from the US and 26 from Canada.

Many thanks to Councilwoman Marble for her many hours of attention to the visitor's center. Thanks to Paul Terry of the Highway Department for all of his hard work in keeping our campus clean and functioning and a big thank you to Chris Callaghan for his guidance and assistance during this transition.

General Orders

RESOLUTION # 75

RESOLVED, that Rachael Holbrook be and she is hereby authorized to attend a Seminar on Appraising at Cornell University in Ithaca, NY from July 15-19, 2019 at a cost of \$449.99.

Offered By Councilman Marble

Seconded By Councilman Ball

Councilman Ball Yes

Councilman Boudreau Yes

Councilman Marble Yes

Supervisor Lawler Yes

RESOLUTION NO. 76 OF THE TOWN BOARD OF THE TOWN OF WATERFORD FOR THE YEAR 2019 ENACTING AMENDMENT TO SECTION 158-40

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 Ball

Councilman Ball Yes

Councilman Boudreau Yes

Councilman Marble Yes

Supervisor Lawler Yes

RESOLUTION #77

BOND RESOLUTION OF THE TOWN BOARD OF THE TOWN OF WATERFORD, SARATOGA COUNTY, NEW YORK (THE “TOWN”), AUTHORIZING CERTAIN IMPROVEMENTS ON SARATOGA AVENUE WITHIN THE TOWN; STATING THE MAXIMUM ESTIMATED COST THEREOF IS \$350,000; APPROPRIATING SAID AMOUNT THEREFOR; AND AUTHORIZING THE ISSUANCE OF UP TO \$350,000 IN SERIAL BONDS OF THE TOWN TO FINANCE SAID APPROPRIATION

WHEREAS, the Town Board (the “Town Board”) of the Town of Waterford, Saratoga County, New York (the “Town”) proposes to authorize the issuance of \$350,000 in serial bonds of the Town to undertake the reconstruction and repaving of Saratoga Avenue within 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, including any equipment, furnishings, machinery, or apparatus, and any ancillary or related work required in connection therewith (collectively, the “Project”), at an estimated maximum cost of \$350,000; 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 undertake the Project consisting of the reconstruction and repaving of Saratoga Avenue within 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, including any equipment, furnishings, machinery, or apparatus, and any ancillary or related work required in connection therewith. It is hereby determined that the maximum estimated cost of

the aforementioned specific object or purpose is \$350,000, said amount is hereby appropriated therefore and the plan for the financing thereof shall consist of (i) the issuance of up to \$350,000 in serial bonds of the Town authorized to be issued pursuant to Section 2 of this resolution or bond anticipation notes issued in anticipation of such bonds, (ii) the repayment of such bonds or bond anticipation notes a \$350,000 grant expected to be received by the Town from the New York State Department of Transportation with respect to the Project, and (iii) 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 \$350,000 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 object or purpose.

SECTION 3. It is hereby determined that the period of probable usefulness of the aforementioned specific object or purpose 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 anticipating 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 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 11. The Town Board hereby determines that the actions authorized by the resolution and the adoption thereof 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 therefore no further action need be taken by the Town Board as a condition precedent to the adoption of this resolution.

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.

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

Offered By Councilman Boudreau

Seconded By Councilman Ball

Councilman Ball Yes

Councilman Boudreau Yes

Councilman Marble Yes

Supervisor Lawler Yes

RESOLUTION #78

BOND RESOLUTION OF THE TOWN BOARD OF THE TOWN OF WATERFORD, SARATOGA COUNTY, NEW YORK (THE "TOWN"), AUTHORIZING THE MOHAWK GATEWAY STREETScape PROJECT ALONG SARATOGA AVENUE WITHIN THE TOWN; STATING THE

MAXIMUM ESTIMATED COST THEREOF IS \$840,000; APPROPRIATING SAID AMOUNT THEREFOR; AND AUTHORIZING THE ISSUANCE OF UP TO \$840,000 IN SERIAL BONDS OF THE TOWN TO FINANCE SAID APPROPRIATION

WHEREAS, the Town Board (the “Town Board”) of the Town of Waterford, Saratoga County, New York (the “Town”) proposes to authorize the issuance of \$840,000 in serial bonds of the Town to undertake the Mohawk Gateway Streetscape Project consisting of the construction and installation of ornamental street lighting along Saratoga Avenue between Clinton Street and Fulton Street within the Town including the acquisition and installation of lighting, signage, street furnishings, landscaping, benches, bike racks, trash receptacles and crosswalks (collectively, the “Project”), at an estimated maximum cost of \$840,000; and

WHEREAS, by resolution dated March 5, 2019, the Town Board (i) determined that the actions to be undertaken that include the Project (collectively, the “Action”) constitute a “Type I” action pursuant to the provisions of the New York State Environmental Quality Review Act and the regulations promulgated thereunder (6 NYCRR Part 617) (collectively, “SEQRA”), (ii) the Town Board assumed lead agency status for purposes of conducting a review of the Action for purposes of SEQRA, (iii) the Town Board determined that the Action will not result in any significant adverse environmental impacts, adopted a “Negative Declaration” pursuant to SEQRA with respect thereto, and directed that a notice of Negative Declaration be filed and published, to the extent required under SEQRA; and (iv) that the requirements of SEQRA with respect to the Action have been satisfied; 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 undertake the Project consisting of the construction and installation of ornamental street lighting along Saratoga Avenue between Clinton Street and Fulton Street within the Town including the acquisition and installation of lighting, signage, street furnishings, landscaping, benches, bike racks, trash receptacles and crosswalks. It is hereby determined that the maximum estimated cost of the aforementioned specific object or purpose is \$840,000, said amount is hereby appropriated therefore and the plan for the financing thereof shall consist of (i) the issuance of up to \$840,000 in serial bonds of the Town authorized to be issued pursuant to Section 2 of this resolution or bond anticipation notes issued in anticipation of such bonds, (ii) the partial repayment of such bonds or bond anticipation notes with, and/or the direct expenditure on Project costs of the proceeds of the following grants expected to be received by the Town with respect to the Project: a \$370,000 matching grant from the New York State Department of State, and a \$100,000 multi-modal grant from the New York State Department of Transportation, and (iii) 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 \$840,000 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 object or purpose.

SECTION 3. It is hereby determined that the period of probable usefulness of the aforementioned specific object or purpose is ten (10) years, pursuant to subdivisions 5., 20., 24., 35. and 90. 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 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 11. 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 12. 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 13. 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 14. 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.

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

Offered By Councilman Boudreau
Seconded By Councilman Marble

Councilman Ball Yes
Councilman Boudreau Yes
Councilman Marble Yes
Supervisor Lawler Yes

**RESOLUTION NO. 79 OF 2019 AUTHORIZING
SETTLEMENT OF ARTICLE 7 LITIGATION**

WHEREAS, John D. McLaughlin and Elizabeth McLaughlin (the “Property Owners”) have commenced litigation against the Town to contest the 2017 and 2018 real property assessments of two parcels of property located at Fonda Road Rear (Tax ID Nos. 290.-1-29.111 and 290.-1-29.112) and the 2018 assessment of a parcel located at Catallo Drive (Tax ID No. 290.-1-49);

WHEREAS, the parties have discussed settlement and reached terms that are mutually agreeable;

NOW THEREFORE BE IT RESOLVED that the Town Board hereby authorizes the attorneys for the Town to execute the necessary settlement documents to affix the following assessed values to the following parcels:

PARCEL	ASSESSED (FULL VALUE)
Fonda Road Rear - 290.-1-29.111	2017 - \$182,500; 2018 - \$182,500
Fonda Road Rear – 290.-1-29.112	2017 - \$33,000; 2018 - \$33,000
Catallo Drive - 290.-1-49	2018 - \$4,250

BE IT FURTHER RESOLVED that the Town Assessor is directed to calculate and issue any refund due to the Property Owners based upon said adjusted tax assessment.

Offered By Councilman Marble
Seconded By Councilman Ball

Councilman Ball Yes
Councilman Boudreau Yes
Councilman Marble Yes
Supervisor Lawler Yes

RESOLUTION NO. __80_ OF 2019 AUTHORIZING SETTLEMENT OF ARTICLE 7 LITIGATION

WHEREAS, Thomas Japour (the “Property Owner”) has commenced litigation against the Town to contest the 2018 real property assessment of a parcel located at 29-31 Third Street (Tax ID No. 291.79-1-32);

WHEREAS, the parties have discussed settlement and reached terms that are mutually agreeable;

NOW THEREFORE BE IT RESOLVED that the Town Board hereby authorizes the attorneys for the Town to execute the necessary settlement documents to affix an assessed value of \$137,500.00 for the 2018 Town tax assessment roll;

BE IT FURTHER RESOLVED that the Town Assessor is directed to calculate and issue any refund due to the Property Owner based upon said adjusted tax assessment.

Offered By Councilman Boudreau
Seconded By Councilman Marble

Councilman Ball Yes
Councilman Boudreau Yes
Councilman Marble Yes
Supervisor Lawler Yes

RESOLUTION #81

RESOLVED, that the Town Board of the Town of Waterford hereby approves the Corrective Action Plan to be filed with the Office of the State Comptroller in association with Report No. 2018M-265 – Report of Examination – Town Clerk Collections for the period January 1, 2016 – May 31, 2018.

Offered By Councilman Boudreau
Seconded By Councilman Ball

Councilman Ball Yes
Councilman Boudreau Yes
Councilman Marble Yes
Supervisor Lawler Yes

RESOLUTION #82

RESOLVED, that the Town Supervisor be and he is hereby authorized to enter into an agreement with Olsen Associates for Architectural Services related to the Town Hall remodel in an amount not to exceed \$25,000.00.

Offered By Councilman Ball
Seconded By Councilman Marble

Councilman Ball Yes
Councilman Boudreau Yes
Councilman Marble Yes
Supervisor Lawler Yes

RESOLUTION #83

RESOLVED, that the Town Board of the Town of Waterford hereby changes Jeffrey Cleary's title from "Canal Visitor Center Manager" to "Canal Visitor Center Director."

Offered By Councilman Marble
Seconded By Councilman Ball

Councilman Ball Yes
Councilman Boudreau Yes
Councilman Marble Yes
Supervisor Lawler Yes

RESOLUTION #84

RESOLVED, that the following individuals be and they are hereby appointed as seasonal hires for the Parks and Recreation Department:

Lifeguards:
Miranda Corely at \$12.73 per hour
Benjamin Todt at \$12.73 per hour
Madeline Tyrrell at \$12.73 per hour
Taylor Pazderski at \$12.73 per hour

Concession:

Salvatore Anziano at \$11.10 per hour
Christopher Stalker at \$11.10 per hour

Park Counselors:

Christopher Dehler at \$11.10 per hour
Erin Lefebvre at \$11.10 per hour

All hires as to be paid in weekly installments by the Supervisor without the necessity of pre-audit by the Town Board.

Offered By Councilman Marble
Seconded By Councilman Boudreau

Councilman Ball Yes
Councilman Boudreau Yes
Councilman Marble Yes
Supervisor Lawler Yes

RESOLUTION #85

RESOLVED, that Craig Falcone be and he is hereby appointed as Chief Waste Water Treatment Plant Operator Type A at the Town of Waterford Sewage Treatment Plant at a salary of \$60,000 per year 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 Ball Yes
Councilman Boudreau Yes
Councilman Marble Yes
Supervisor Lawler Yes

RESOLUTION NO. 86 OF 2019

**TOWN OF WATERFORD
DEVITT ROAD DRAINAGE PROJECT**

**CALLING FOR BIDDING OF CONTRACTS FOR THE DEVITT ROAD
DRAINAGE PROJECT**

WHEREAS, the Town Board of the Town of Waterford has previously authorized resolutions regarding a potential drainage project for Devitt Road; and

WHEREAS, the Town Board has obtained all necessary permits and approvals for said project; and

WHEREAS, the Town Board remains of the belief that the proposed project will provide a significant public benefit to all residents to; and

NOW, THEREFORE, BE IT RESOLVED in consideration of the foregoing as follows:

The Town Board authorizes the calling for bids on such project, subject to:

1. the review of the proposed bid documents by the attorneys for the Town;
2. approval by the Town Supervisor; and
3. the Town obtaining the necessary funding via bonding concerning same.

Offered By Councilman Boudreau
Seconded By Councilman Marble

Councilman Ball Yes
Councilman Boudreau Yes
Councilman Marble Yes
Supervisor Lawler Yes

RESOLUTION #87

RESOLVED, that Ronald Bennett Jr. be and he is hereby appointed as Part Time Bus Driver at a rate of \$15.00 per hour to be paid in bi-weekly installments by the Supervisor without the necessity of pre-audit by the Town Board.

Offered By Councilman Boudreau
Seconded By Councilman Ball

Councilman Ball Yes
Councilman Boudreau Yes
Councilman Marble Yes
Supervisor Lawler Yes

RESOLUTION # 88

**FOR THE CONVERSION OF STREETLIGHTS IN THE TOWN OF WATERFORD TO
LIGHT EMITTING DIODE (LED) TECHNOLOGY**

WHEREAS, the Town Board of the Town of Waterford has previously researched the potential efficiencies of converting the approximately 300 streetlights to light emitting diode (LED) technology; and

WHEREAS, National Grid, since 2016, has overseen a streetlight conversion program for transition of company owned roadway (cobra head) style street lights to more energy efficient light emitting diode (LED) technology, that is available to all Upstate New York municipal and other governmental street lighting customers with National Grid-owned roadway luminaires taking service under the Company's Service Classification No. 2 street light offering; and

WHEREAS, Town of Waterford will choose an option that would have National Grid retain ownership of the fixtures and would also provide the maintenance associated with those fixtures; and

WHEREAS, the per-unit conversion cost of each streetlight would be approximately \$8250; and

WHEREAS, National Grid will offer an incentive based on the quantity of lights converted and the wattage of the existing lights, resulting in a rebate of approximately \$15,400 for a net savings of \$7150, per streetlight converted; and

WHEREAS, other benefits for the Town of Waterford may include a reduction in energy consumption, an increase in energy efficiency, a decrease in maintenance over time.

NOW, THEREFORE, BE IT RESOLVED

The Town Board authorizes the Town of Waterford to enter into an agreement with National Grid to facilitate the conversion of streetlights to LED technology as part of National Grid's streetlight conversion program in order to pursue better energy efficiency and net savings on behalf of the Town.

Offered By Councilman Boudreau
Seconded By Councilman Marble

Councilman Ball Yes
Councilman Boudreau Yes
Councilman Marble Yes
Supervisor Lawler Yes

Other Business

RESOLUTION # 89

RESOLVED, that the Supervisor be and he is hereby authorized to sign an agreement with 4th Generation Awning Co., LLC in an amount of \$3,400 for awning replacement at the Waterford Harbor Visitor Center.

Offered By Councilman Boudreau
Seconded By Councilman Ball

Councilman Ball Yes
Councilman Boudreau Yes

Councilman Marble Yes
Supervisor Lawler Yes

The Supervisor opened the meeting up for public comment.

Barbara Turpin- 2 Steenbugh Avenue- Flag Day is coming up, would it be possible to use the Town lift truck to put flags up along Broad Street.

The Supervisor stated that the Town does not have a lift truck anymore and Broad Street is a State Road. There are certain permissions that are required from National Grid, etc., to hang items on the poles. There is not enough time to between now and Flag Day for the request to be processed but the Town will look into the possibility getting permission for the fourth of July.

Councilman Boudreau made a motion to close the meeting at 7:40PM, seconded by Councilman Marble. All voted in favor.

Respectfully submitted,

Mary Shannon Carrigan
Town Clerk