

At a Town Board Meeting of the Waterford Town Board held on Tuesday, March 3, 2015 at 7:10 P.M. at Waterford Town Hall, 65 Broad Street, Waterford NY the following transpired:

Those were present:

Councilman Ball  
Councilman Boudreau  
Councilman Marble  
Councilman McClement  
Supervisor Lawler

#### COMMUNICATIONS AND PETITIONS

Deputy Clerk Carrigan read a letter of resignation from Police Officer Ryan Saunders.

#### ACTION ON MINUTES OF PREVIOUS MEETING AS FOLLOWS

A motion was made by Councilman Boudreau and seconded by Councilman Marble to accept the minutes of February 3, 2015 and February 24, 2015 as distributed. All in favor.

#### COMMITTEE REPORTS

#### FINANCIAL REPORTS AND SUBMISSION OF BILLS AND PETTY CASH

The Supervisor read the Supervisor's cash report for the month of February 2015. The payments in advance of audit totaled \$117,120.49 and the audited vouchers totaled \$268,364.15. The petty cash for the month totaled \$42.21. A motion was made by Councilman Boudreau to accept the cash report, reimburse the petty cash funds and pay the bills, seconded by Councilman McClement. All voted in favor

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

Councilman Boudreau read the Wastewater Report for February, as submitted by Richard Thyrring. He then read the Highway Department report for the month as submitted by Harry Martel. He went on to thank the Highway Department staff for a great job of snow removal during the many snow storms. Our annual Trash Drop Off program will begin on April 4th from 8am-1pm at the Highway Garage. Free electronics recycling will also be available, please contact the Highway Garage at 235-3413 for more details and check the town website. Councilman Boudreau then went on to read the Water Department report for February.

Supervisor Lawler expressed his deep appreciation for the Highway Department crew for keeping the roads clear and safe during the storms. He received many compliments from residents regarding this. He also wanted to thank the wastewater department for keeping our infrastructure maintained and up to date. He feels this vigilance helped keep our equipment safe and functioning during the extreme cold.

#### COMMITTEE ON PUBLIC SAFETY, EMERGENCY SERVICES, VETERANS AFFAIRS

Councilman Ball read the uniform traffic ticket details, case report and arrest audit from the month of February as submitted by Police Commissioner Tanchak. He also read a letter of commendation for Police Officer Gary Roy related to a incident on February 8, 2015 which led to the apprehension of a robbery suspect. Councilman Ball added a Town PSA: We have active patrols here in Waterford at night. If you have a few drinks he suggests you get a cab or arrange for a ride home. If you are drinking and driving in Waterford, there is a good chance you will get caught.

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

Councilman McClement reminded everyone that the Museum will hold the last of its winter lecture series on March 10th at 7PM at Chrome, the speaker is Michael Barrett of the Hudson Mohawk Industrial Gateway. The Museums pancake breakfast will be held April 26th from 8am to 12pm at the Civic Center. The Museum is planning a day trip to Coxsackie on May 6th and they will be participating in the Canalsweep on April 18th. Contact the museum at 238-0809 for more details. They are also in need of historic photos for a Historic Waterford Book, specifically old trolley photos . They will be accepting these on March 27 from 6-9PM at the museum. Contact them for information. Museum Director Paul Archambeault is leaving for other employment and they are seeking a new director. The position is part time, hours are Monday thru Friday 10-3, about 25 hours per week. Send resumes to Patricia Burke c/o the Museum at 1 Museum Lane. Councilman McClement, on behalf of the Town Board, congratulated the Waterford Public Library on their 120th Anniversary. There was an open house to celebrate and it was well attended.

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

Councilman Marble announced the Town is now accepting applications for Lifeguards and Park Counselors. Applications will be accepted until April 17th. Plans for the Memorial Day Parade are under way, the Parade will be held on Wednesday May 20th. Councilman Marble went on to read the Senior Van report as submitted by Neil Quantock and she then read the Senior Activity report as submitted by Mike Mahoney, Director.

#### GENERAL ORDERS

##### RESOLUTION #16

RESOLVED, that the Supervisor be and he is hereby authorized to sign a contract with Wild Goose Chase for the year 2015 with a charge of \$70.00 per visit with an additional charge of \$15.00 for extended visits for goose control.

Offered by Councilman Boudreau  
Seconded by Councilman McClement

Ball yes  
Boudreau yes

Marble yes  
McClement yes  
Lawler yes

#### RESOLUTION #17

RESOLVED, that the Supervisor be and he is hereby authorized to sign a Nutrition agreement with Saratoga County Office of the Aging for the year 2015 in the amount of \$1,168.00 for the Meals on Wheels program.

Offered by Councilman Marble  
Seconded by Councilman Boudreau

Ball yes  
Boudreau yes  
Marble yes  
McClement yes  
Lawler yes

#### RESOLUTION #18

RESOLVED, that the Supervisor be and he is hereby authorized to sign a contract with JGS Recycling and Hauling for computer and electronics recycling with a fee of \$.10/pound for CRT TV's and monitors.

Offered by Councilman Boudreau  
Seconded by Councilman McClement

Ball yes  
Boudreau yes  
Marble yes  
McClement yes  
Lawler yes

#### RESOLUTION #19

RESOLVED, that Jeremy Hines is hereby appointed as a part time dispatcher at the starting rate of pay as per the current collective bargaining agreement to be paid in bi-weekly installments by the Supervisor without the necessity of pre-audit by the Town Board.

Offered by Councilman Ball  
Seconded by Councilman Boudreau

Ball yes  
Boudreau yes  
Marble yes  
McClement yes  
Lawler yes

#### RESOLUTION #20

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 \$85,000 IN SERIAL BONDS OF THE TOWN TO FINANCE THE ACQUISITION OF ONE BACK HOE FRONT END LOADER FOR USE BY THE TOWN’S HIGHWAY DEPARTMENT**

**WHEREAS**, the Town Board (the “Board”) the Town of Waterford, Saratoga County, New York (the “Town”) proposes to authorize the issuance of \$85,000 in serial bonds of the Town to finance the estimated cost of the acquisition of original equipment for use by the Town’s Highway Department consisting of one back hoe front end loader and related equipment (the “Project”); and

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

**NOW THEREFORE**, 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 \$85,000 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 the Project.

SECTION 2. It is hereby determined that the maximum estimated cost of the aforementioned specific object or purpose is \$85,000, said amount is hereby appropriated therefor and the plan for the financing thereof shall consist of (a) the issuance of \$85,000 in serial bonds of the Town, or bond anticipation notes issued in anticipation of such serial bonds, authorized to be issued pursuant to Section 1 of this resolution and (b) the levy and collection of taxes on all the taxable real property in the Town to pay the principal of said bonds or notes and the interest thereon as the same shall become due and payable.

SECTION 3. It is hereby determined that the period of probable usefulness for 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 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 this resolution. The Town shall reimburse such expenditures with the proceeds of the bonds or bond anticipation notes authorized by this resolution. This resolution shall constitute a declaration of “official intent” to reimburse the expenditures authorized herein 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 subject to applicable statutory limits, if any. 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 serial bonds and bond anticipation notes or the renewals of said obligations and of Sections 21.00, 50.00, 54.90, 56.00 through 60.00, 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 related 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, as the chief fiscal officer of the Town (the “Town Supervisor”). Further, pursuant to paragraph b. of Section 11.00 of the Law, in the event that bonds authorized by this resolution are combined for sale, pursuant to paragraph c. of Section 57.00 of the Law, with bonds to be issued for any of the other objects or purposes authorized by other resolutions of the Board, then the power of the Board to determine the “weighted average period of probable usefulness” (within the meaning of paragraph 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 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 bonds” 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 purchaser of the bonds or notes 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 effect the issuance of the aforesaid serial bonds or bond anticipation notes without resorting to further action of the Board.

SECTION 11. The Town Board hereby determines that 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 is required with respect to the Project or the financing thereof.

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 post and publish 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:

AYES: 5

NAYS: 0

Ball	yes
Boudreau	yes
Marble	yes
McClement	yes
Lawler	yes

#### RESOLUTION #21

RESOLVED that the Supervisor be and he is hereby authorized to sign an agreement with Nortrax, Inc. for the purchase of a 2015 310SK backhoe loader at a cost of \$79,540.00.

Offered by Councilman Boudreau  
Seconded by Councilman Marble

Ball yes  
Boudreau yes  
Marble yes  
McClement yes  
Lawler yes

#### RESOLUTION #22

RESOLVED, that the Town Board hereby accepts the resignation of Ryan Saunders as Police Officer of the Waterford Police Department.

Offered by Councilman Ball  
Seconded by Councilman McClement

Ball yes  
Boudreau yes  
Marble yes  
McClement yes  
Lawler yes

Councilman Boudreau stated that the purchase of this new backhoe front end loader is to replace one which is 23 years old. The motor has deteriorated and its needs to be replaced. We will be given a trade in value towards the new backhoe.

Supervisor Lawler added that we are purchasing this backhoe off state contract, which eliminates the need to go to competitive bidding.

Supervisor Lawler stated that the bids were opened for the new senior center and they are very pleased, the bids were good and consistent. Before they awards the contracts, they have some things they want to talk with the successful bidders about in terms of a few ways to save some

extra money. The Board is ready to move forward with this project in the spring as planned, the building is beautiful and this is a great project. He will have an update at next month's meeting.

A motion to adjourn was made at 7:35PM by Councilman Boudreau, Seconded by Councilman McClement. All voted in favor.

Respectfully Submitted,

Mary Shannon Carrigan  
Deputy Clerk