

At a Town Board meeting of the Waterford Town Board held on Tuesday, May 4, 2015 at 7 P.M. at Waterford Town Hall, 65 Broad Street, Waterford, NY 12188 the following transpired:

There were present:

Councilman Ball

Councilman Marble

Councilman McClement

Supervisor Lawler

There were absent:

Councilman Boudreau

COMMUNICATIONS AND PETITIONS

Town Clerk Dziarcak read a letter from Pastor Paul Barna of the Waterford Wesleyan Church inviting the residents and the Town Board to the National Day of Prayer on Thursday, May 7th at 6:30 P.M. at the Wesleyan Church or at 12:00 P.M. at the Silliman Park in Cohoes for service.

ACTION ON MINUTES OF PREVIOUS MEETINGS AS FOLLOWS:

Minutes of the Town Board meetings of April 7, April 14, April 22 and April 28th were presented to the Board. A MOTION was made by Councilman Ball to accept the minutes and seconded by Councilman Marble. All in favor.

COMMITTEE REPORTS

FINANCIAL REPORT AND SUBMISSION OF BILLS AND PETTY CASH

Supervisor Lawler read the financial reports for the month of April, 2015. The audited abstracts totaled \$97,927.08 and the payments in advance of audit totaled \$246,232.79. The petty cash report for the month totaled \$28.64. A motion was made by Councilman Ball and seconded by Councilman Marble to accept the cash report, pay the bills and reimburse the petty cash accounts. All in favor.

COMMITTEE ON HIGHWAY, WASTEWATER TREATMENT, WATER AUTHORITY AND CEMETERY

Councilman Marble read the reports for the month of April, 201. The Trash Drop Off program and the Electronics recycling program is ongoing. Call Harry Martel at the Highway Department for more details. Hydrant flushing will continue through May 15th and Street Sweeping will continue through May 8th. Please watch for signs.

COMMITTEE ON PUBLIC SAFETY, EMERGENCY SERVICES AND VETERANS AFFAIRS

Councilman Ball gave the uniform traffic ticket and case reports for the month of April. He read letters thanking our officers for their aid in a warrant case. The Councilman announced the Mock accident exercise at WHHS on May 8, at 8:45 A.M. The Supervisor and the Police Commissioner will also hold a Scam Seminar May 27th at 6 P.M.at the Waterford Rescue Squad.

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

Councilman McClement read a report from the Museum regarding their spring bus trip and reported on Canal Clean Sweep that was held on April 18th. He thanked Village Trustee Russ VanDerVoort who organized and worked the event. The kickoff luncheon for the Volunteers was held last week. The Canal opens on May 8th at 7A.M. June 7th is the opening date for the Waterford Farmer's Market.

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

Councilman Marble reported on the following:

Park and pool

The pool will be opening June 20 and 21. Full time will begin on June 27. Swim lesson signups will be held on June 20 and June 27th from 10-12 at the town pool.

The park will also open on June 29th at 9 am.

We are still in need of lifeguards for the season. We are looking forward to a lot of different activities this year.

The first session of swim lessons will begin on June 29.

The Memorial Day parade will be held on Wed May 20. Lineup will be on Grace Street at 6:00 pm. There will be a wreath laying ceremony at soldiers and sailors park to honor our vets past and present following the parade.

On Wednesday May 27th at the Rescue squad there will be a presentation put on by the police dept on Scams. All are welcome to attend. 6:00 pm seniors who need transportation may sign up at the senior center or contact the bus driver directly. Please contact 235-8500 to sign up.

Senior van

Month of April

Hours worked 132.75

Miles driven 2367

Daily avg 95

Persons transported 115

Daily avg 5

Senior center April 2015

On Thurs April 23rd the seniors went to the Racino. They had a full bus and a good time was had by all.

On Tuesday April 28th the seniors held their monthly mtg. discussions were held on upcoming events including the Saratoga cty dept of the aging spring luncheon to be held at the Saratoga Springs city center on Friday may 15th. The theme this year is the prom. Discussion was also held regarding the senior picnic to be held on July 21st. and the clam steam on August 18th.

On wed may 27th at 6:00 pm the Waterford police dept in conjunction with the town board will be conducting a seminar on scams. The seminar will be held at the Waterford rescue squad bldg. at 46 fourth st. The senior bus will be available to shuttle any senior citizen needing transportation. Please call 235-8500 or 925-8307 if you need a ride.

The senior bocce league is looking for players on Thursdays at 6 pm. Contact

GENERAL ORDERS

RESOLUTION # 45

*RESOLUTION OF THE TOWN BOARD OF THE TOWN OF WATERFORD, NEW YORK
HONORING THOMAS FRANCIS JOURDANAIS, JR.*

WHEREAS, the Town Board desires to recognize those of its residents who have served this country in the armed forces during times of war or armed conflict; and

WHEREAS, the most fitting honor this Town Board can bestow is to recognize and thank those who have answered the call of duty to our country; and

WHEREAS, the Town Board recognizes that we are all able to collectively live in a free society only because of the sacrifices of such veterans; and

WHEREAS, one such resident who served this country at its time of need is Thomas Francis Jourdanais, Jr.; and

WHEREAS, Mr. Jourdanais served as a Private First Class in the United States Marine Corps during the Vietnam War from June 28, 1968 to January 1, 1969; and

WHEREAS, Private First Class Jourdanais was assigned to Hotel Company, 2nd Battalion 26th Marines, 9th Marine Amphibious Brigade; and

WHEREAS, Private First Class Jourdanais was gravely wounded during Operation VALIANT HUNT in the Quang Nam Province; and

WHEREAS, Private First Class Jourdanais valiantly served in the Vietnam War where he made the supreme sacrifice of his life for his country;

NOW THEREFORE BE IT RESOLVED THAT the Town Board hereby recognizes and honors the memory of Thomas Francis Jourdanais, Jr. for his service to this country.

Offered by Supervisor Lawler

Seconded by Entire Board

Councilman Ball yes

Councilman Marble yes

Councilman McClement yes

Supervisor Lawler yes

RESOLUTION # 46

BOND RESOLUTION OF THE TOWN BOARD OF THE TOWN OF WATERFORD, SARATOGA COUNTY, NEW YORK (THE "TOWN"), AUTHORIZING THE ISSUANCE OF UP TO \$15,000 IN SERIAL BONDS OF THE TOWN TO FINANCE THE COST OF THE PURCHASE OF ONE RIDING MOWER

WHEREAS, the Town Board of the Town of Waterford (the "Town Board") is considering the purchase of one riding mower (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 \$15,000 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 purchase of one riding mower.

SECTION 2. It is hereby determined that the maximum estimated cost of the aforementioned specific object or purpose is \$15,000, said amount is hereby appropriated therefore and the plan for the financing thereof shall consist of (i) the issuance of the \$15,000 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 five (5) 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.

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:

Offered by Councilman Marble

Seconded by Councilman McClement

Councilman Ball yes

Councilman Marble yes

Councilman McClement yes

Supervisor Lawler yes

RESOLUTION # 47

RESOLVED, that the Supervisor be and he is hereby authorized to sign an agreement with Care Environmental Corp for household hazardous waste collection.

Offered by Councilman Marble

Seconded by Councilman McClement

Councilman Ball yes

Councilman Marble yes

Councilman McClement yes

Supervisor Lawler yes

RESOLUTION # 48

RESOLVED, that Kevin Terry be and he is hereby hired as part time seasonal Visitor's Center custodian at a salary of \$15.76 per hour to be paid in bi weekly installments by the Supervisor without the necessity of pre-audit by the Town

Offered by Councilman McClement

Seconded by Councilman Marble

Councilman Ball yes

Councilman Marble yes

Councilman McClement yes

Supervisor Lawler yes

RESOLUTION #49

RESOLVED, that Brooke Zeller and Morgan Bordeau be and they are hereby hired as co-directors of the Waterford Pool at a salary of \$12.24 per hour respectively 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 Ball

Councilman Ball yes

Councilman Marble yes

Councilman McClement yes

Supervisor Lawler yes

RESOLUTION # 50

RESOLVED, that the property known as 9 Pheasant Run, (tax id #285.15-2-13) be changed for sewer rent purposes from a two family to a one family per the Building Inspector. Be it further

RESOLVED, that the property known as 88 Fonda Road (tax id # 290.-1-9) be classified for sewer rent purposes as a two family residence per the Building Inspector.

Offered by Councilman Ball

Seconded by Councilman Marble

Councilman Ball yes

Councilman Marble yes

Councilman McClement yes

Supervisor Lawler yes

Other Business

RESOLUTION # 51

Whereas, the Town Board received one bid for a 2015 lawnmower and

Whereas, said bid did not meet bid specifications, and

Whereas the town Board chooses to rebid the 2015 lawnmower according to previous bid specifications on May 26, 2015 at 1 P.M. at Waterford Town Hall, 65 Broad Street, Waterford at which time all bids will be publically opened and read.

Offered by Councilman Marble

Seconded by Councilman McClement

Councilman Ball yes

Councilman Marble yes

Councilman McClement yes

Supervisor Lawler yes

(The Town Clerk explained that the one bid received did not meet the specifications for the suspension and therefore we had to rebid per the Highway Superintendent, Harold Martel.)

A Reminder of the Waterford parade on Wednesday, May 20, 2015. Line up on Grace Street at 5:45 P.M. Supervisor Lawler spoke and reminded everyone of the reason for the Parade and asked that people stay for the laying of the wreath ceremony to honor those who have given the ultimate sacrifice to our Country.

Motion to adjourn by Councilman Ball at 7:56 P.M., seconded by Councilman McClement. All in favor.

Respectfully submitted,

Darlene A. Dziarcak

Town Clerk