

At A Town Board Meeting held on Tuesday, June 2, 2015 at 7:00 P.M.at Waterford 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 thanks from George Fontaine and Ronald Gillespie.

#### ACTION ON MINUTES OF PREVIOUS MEETINGS AS FOLLOWS;

A motion was made by Councilman Boudreau and seconded by Councilman McClement to accept the minutes from the Town Board meetings of May 5, May 12 and May 26, 2015. 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 May as submitted. The petty cash report totaled \$62.15. The payments in advance of audit totaled \$125,262.00 and the audited abstracts totaled \$125,262.11. 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 Boudreau read the Highway Department report for the month of May, 2015. He further read the Wastewater Treatment Plant report for the month as submitted by Rich Thyrring. He then read the cemetery report for the month of May, 2015. The water Commissioners report detailed water consumption and the ongoing water system work.

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

Councilman Ball read the uniform traffic ticket report and the monthly report by Commissioner Tanchak.

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

Councilman McClement read the Harbor Visitor's center report for the month of May, 2015. He spoke about the great Canal Fest and announced the reopening of the Farmer's Market on June 5<sup>th</sup>. There are boater safety courses and the Steamboat Meet will be held on July 4<sup>th</sup> with fireworks. The Veterans Service Outreach Program will be held at the library on June 8<sup>th</sup> at 4 PM.

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

## FESTIVALS

Thanks to everyone who helped and participated in our annual memorial parade. It was very nice to have the whole community participate.

### Pool

The pool will be open on Sat and Sun June 20 and 21

It will open full time for the summer on June 27<sup>th</sup>.

The sign-ups for swim lessons will be on Saturday June 20 and 27 from 10-12.

The park opens for the summer on June 29<sup>th</sup>. The calendar is just being finalized and will be posted on the town website by the end of this week. Look for new activities and projects. Basketball program at Clement Park will be the last 3 weeks in July and the first week in August. If anyone has any questions please contact the park director at 527-1740.

### Senior Van month of May

Hours worked 132.25

Miles driven 2363

Daily avg 118                      Persons transported 119

Daily avg 6

### Senior citizen

On Friday May 8<sup>th</sup> over 30 seniors attended a mother's day luncheon at the grace church hosted by Saratoga cty meals on wheels. Friday 15<sup>th</sup> seniors went to the Saratoga County dept of the aging luncheon in Saratoga at the city center. There were 45 Waterford seniors in attendance.

Tues May 19<sup>th</sup> the seniors held their monthly mtg. discussed upcoming events for the summer.

Prior to the mtg Saratoga County held a health screening clinic 40 seniors were screened.

Upcoming summer events include the annual picnic at Krause's in halfmoon on Tues July 21<sup>st</sup>.

The price for the picnic will be \$20 for members and \$29 for guests. Sign up at the senior center or call 235-8500.

The annual clamsteam will be held on Tues Aug 18<sup>th</sup> at Krause's the prices will be \$20 and \$29.

A sold out trip to turning stone casino on Aug 12<sup>th</sup>. Nominations for officers was also held at the mtg. Nominee's are President Sue Rock, VP Sara Crain, Secretary Mary Lou Nash, and treasurer Mary Vadney.

The bocci league is in full swing on Thursday nights at 6 pm. A full bus of seniors went to the racino on May 28<sup>th</sup>.

Center is open Mon and wed for cards and Tues, Thurs for bingo. New members are always welcome, contact 235-8500 any questions.

## RESOLUTION # 55

WHEREAS, the Waterford Halfmoon Boys Varsity Basketball Team were the Central Hudson Valley League Champions for the 2014 season; and

WHEREAS, these athletes amassed an overall record of 18-3; and

WHEREAS, this Basketball team were also Class C, Section 2 finalists; and

WHEREAS, these athletes hard work and dedication bring honor to their families, their school and their entire community;

NOW, THEREFORE BE IT RESOLVED, that this Town Board is proud to honor these fine young men, their coaches and their families for their outstanding accomplishments.

Offered by Supervisor Lawler

Seconded by Entire Board  
Councilman Ball yes  
Councilman Boudreau yes  
Councilman Marble yes  
Councilman McClement yes  
Supervisor Lawler yes

#### RESOLUTION # 56

Whereas, shortly after midnight on May 15<sup>th</sup>, 2015 Officer Matthew Gibbins received a call for a possible heroin overdose. Upon responding you found a 22 year old victim unresponsive and not breathing. And

WHEREAS, you immediately administered 2 doses of naloxone causing the victim to take intermittent breaths and a pulse rate to become more rapid, and

WHEREAS, the victim was transported to the hospital where he made a full recovery.

NOW, THEREFORE BE IT RESOLVED, that Officer Mathew Gibbins is hereby awarded the

Life Saving Award from the Town of Waterford and be it further

RESOLVED, that the Town Board commends Officer Gibbins of his lifesaving effort.

Offered by Supervisor Lawler  
Seconded by Entire Board  
Councilman Ball yes  
Councilman Boudreau yes  
Councilman Marble yes  
Councilman McClement yes  
Supervisor Lawler yes

#### RESOLUTION # 57

Be it resolved that the Town Board of the Town of Waterford hereby approves the payment in the amount of \$84.95 to MorphoTrust USA for finger printing services associated with a candidate for Town police officer.

Offered By: Councilman Ball  
Seconded By: Councilman Marble  
Councilman Ball: yes  
Councilman Boudreau: yes  
Councilman Marble: yes  
Councilman McClement: yes  
Supervisor Lawler: yes

## **RESOLUTION # 58**

Be it resolved that the Town Board of the Town of Waterford hereby approves the attached list of Budget Amendments for 2015.

Offered By: Supervisor Lawler  
Seconded By: Councilman Boudreau  
Councilman Ball: yes  
Councilman Boudreau: yes  
Councilman Marble: yes  
Councilman McClement: yes  
Supervisor Lawler yes

## **RESOLUTION # 59**

RESOLVED, that the following persons be and are hereby hired as Pool and Parks hires for the 2015 summer season to be paid in weekly installments by the Supervisor their respective amounts without the necessity of pre-audit by the Town Board:

Adam Barna, Giana Anderson, Casey Carlton part time at a salary of \$8.75 per hour as Park counselors;

Michael Hernandez at a salary of \$8.75 per hour as Pool concession;

Robert Bouchey as lifeguard at a salary of \$11.00 per hour.

Maxwell Bourdeau as Lifeguard Number One at a salary of \$10.00 per hour;

Kristine Richards, Thomas Swimm, Nick Rancucci as lifeguards at a salary of \$9.44 per hour.

Offered by Councilman Marble

Seconded by Councilman Boudreau

Councilman Ball yes

Councilman Boudreau yes

Councilman Marble yes

Councilman McClement yes

Supervisor Lawler yes

## **RESOLUTION NUMBER 60 OF THE YEAR 2015 OF THE TOWN BOARD OF THE TOWN OF WATERFORD ADDING CERTAIN ROADS TO TOWN INVENTORY OF ROADS**

WHEREAS, an inventory review has been conducted of the roads for which the Town receives certain state funding;

WHEREAS, this review has led to the request by the State that resolutions be adopted by the Town affirming and re-affirming that the Town owns the roads set forth herein and accept responsibility for their maintenance and repair;

WHEREAS, said roads that are set forth herein have been utilized by the Town and have been maintained and repaired by the Town for several years;

NOW THEREFORE BE IT RESOLVED THAT the Town Board, at the request and with the consent of the Town Highway Superintendent, affirms that the following roads are owned by the Town and the Town accepts declares that it has previously, and once again, declares that it accepts responsibility for their repair and maintenance:

1. Ridge View Avenue – entire length;
2. Catallo Drive – from Bellanger Avenue to cul-de-sac;
3. Riverboat Lane—length to Mallards Landing.

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

**RESOLUTION NUMBER \_61\_ OF THE YEAR 2015 AUTHORIZING EXECUTION OF PUNCH LIST AGREEMENTS WITH PROPERTY OWNERS – – SAGE ROAD**

WHEREAS, the Town has completed the emergency slope stabilization and drainage remediation project at Sage Road;

WHEREAS, the Town Highway Superintendent with the assistance of the engineers for the Town has formulated a punch list as to work remaining to be completed

NOW THEREFORE BE IT RESOLVED that the town highway superintendent, should he deems it necessary, is hereby authorized to execute a punch list with any of the property owners

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

RESOLUTION # 62

RESOLVED, that the Supervisor be and he is hereby authorized to sign a contract with Santore's

World Famous Fireworks in the amount of \$30,000 for the 2015 year.

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

RESOLUTION # 63

RESOLVED, that Georgia Wohnsen be and she is hereby appointed as a member of the Saratoga County Advisory Youth Board for the year 2015.

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

RESOLUTION # 64

Resolution Authorizing the Filing of an Application for a State Assistance from the Household Hazardous Waste (HHW) State Assistance Program and Signing of the Associated State Master Grant Contract, Under the Appropriate Laws of New York State.

WHEREAS, the State of New York provides financial aid for household hazardous waste programs; and

WHEREAS the Town of Waterford herein called the MUNICIPALITY, has examined and duly considered the applicable laws of the State of New York and the MUNICIPALITY deems it to be in the public interest and benefit to file an application under these laws; and

WHEREAS, it is necessary that a Contract by and between THE PEOPLE OF THE STATE OF NEW YORK, herein called the STATE, and the MUNICIPALITY be executed for such STATE Aid;

NOW, THEREFORE, BE IT RESOLVED BY the Town Board of the Town of Waterford

1. That the filing of an application in the form required by the State of New York in conformity with the applicable laws of the State of New York including all understanding and assurances contained in said application is hereby authorized.
2. That the Supervisor is directed and authorized as the official representative of the MUNICIPALITY to act in connection with the application, to sign the resulting contract if said application is approved by the STATE; and to provide such additional information as may be required.
3. That the MUNICIPALITY agrees that it will fund the entire cost of said household hazardous waste program and will be reimbursed by the State for share of such costs as indicated in the contract.
4. That two (2) Certified Copies of this Resolution be prepared and sent to the New York State Department of Environmental Conservation together with a complete application.
5. That this resolution shall take effect immediately.

Offered by Councilman Boudreau

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

**At a regular meeting of the Town Board of the Town of Waterford held on Tuesday, June 2, 2015 at 7:00 p.m. at the Town Hall, 65 Broad Street, Waterford, New York, the following resolution was offered and carried:**

**RESOLUTION NUMBER 65 OF THE YEAR 2015 AUTHORIZING APPOINTMENT OF TOWN OF WATERFORD COMPREHENSIVE PLAN COMMITTEE**

WHEREAS, the New York State Legislature has proclaimed that “[a]mong the most important powers and duties granted by the legislature to a town government is the authority and responsibility to undertake town comprehensive planning and to regulate land use for the purpose of protecting the public health, safety and general welfare of its citizens”;

WHEREAS, the Town Board is of the position that existing laws and ordinances should be reviewed from time to time in order to provide for the most fair and effective means of government;

WHEREAS, a comprehensive plan is a means to promote the health, safety and general welfare of the people of the town as well as the region in which the town is located;

WHEREAS, the Code of the Town of Waterford (“Town Code”), by its very terms, requires periodic review;

WHEREAS, for instance, section 161-45 of the Town Code envisions that “at intervals of not more than three years” that the Planning Board shall examine the provisions of Chapter 161 of the Town Code, which pertains to zoning;

WHEREAS, there has not been a comprehensive review of the Town Code for, at a minimum, two decades nor has there been any updating of any previously adopted comprehensive plan in such time period;

WHEREAS, the Town Board recognizes the need to keep the Town Code current as to both the zoning and non-zoning provisions contained therein;

WHEREAS, the needs and the demands of the town have changed significantly since the first adoption of zoning in this town in the 1960s;

WHEREAS, the Town has been hampered in its ability to enforce certain terms of the Town Code because of ambiguities, inconsistencies and outdated provisions;

WHEREAS, there are provisions in the Town Code which need to be updated\revised because they do not comport with long-standing interpretations and\or have not been updated to reflect changes in other laws;

WHEREAS, the Town Board is the belief that it is best to address the aforementioned needs in a comprehensive, rather than piecemeal, approach;



RESOLUTION # 66

RESOLVED, that Jeffrey St. Denis of 1120 New Loudon Road, Cohoes, NY is hereby appointed as Animal Control Officer for the Town of Waterford from per Saratoga County list of certified Eligible's provided by Marcy McNamara, Deputy Personnel Director of Saratoga County.

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

RESOLUTION # 67

RESOLVED, that the property known as 1 South Street, SBL #291.79-2-52 be changed from a 2 family to a one family for sewer rent purposes as all necessary paperwork has been filed with the Town Clerk.

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

**RESOLUTION NO. 68\_\_ OF THE YEAR 2015  
OF THE WATERFORD TOWN BOARD**

**A Resolution Authorizing the Award of Various Contracts Concerning the Proposed Senior Center**

The Waterford Town Board ("Town Board") hereby resolves as follows:

**WHEREAS**, the Town Board by resolution adopted March 31, 2015 authorized the re-bidding of certain contracts for the proposed Senior Center project;

**WHEREAS**, the contractors set forth below for contracts 1-4 have been determined to be the lowest responsible bidders for the new Senior Center project by the engineers for the Town;

**WHEREAS**, there is also the need to retain CME Associates, a professional service, to perform special inspections on the project as it is built;

**NOW, THEREFORE, BE IT RESOLVED** that the Town Board authorizes the award of the bids to the following contractors per their submitted bids, and all previous extensions of said bids are therefore ratified, which award shall be evidenced and effectuated upon the execution of contracts by the Town Supervisor to the following low bidders in the amount set forth in their respective bids:

- Contract 1- General Construction- Turner Construction (\$1,062,140.00)
- Contact 2- Mechanical Construction- Mazzone Plumbing and Heating (\$88,283)
- Contract 3- Plumbing Construction- Mazzone Plumbing and Heating (\$69,851)
- Contract 4- Electrical Construction- CKM Electrical Services, Inc. (\$147,966.00)

And to authorize a contract with CME Associates in the maximum amount of \$10,000.00 to perform special inspections on the project, all of the foregoing contracts of which are hereby authorized for execution by the Town Supervisor upon the contingency that such execution shall not take place until and unless:

- (i) execution of a purchase contract with the Water Commissioners of the Town of Waterford;
- (ii) obtaining all necessary permits and approvals for the subject property;
- (iii) obtaining all necessary bonding to cover all costs of said project;
- (iv) expiration and completion of all necessary time periods and requirements relating to any project-related referendums; and
- (v) such other conditions as recommended by counsel to the Town.

**NOW, THEREFORE, BE IT FUTHER RESOLVED** that the Town Board hereby authorizes, confirms and ratifies the execution and submission of all applications, etc. as submitted for the project, by any Town officials or by any of the attorneys for the Town.

Motion by \_\_Councilman Marble\_\_, seconded by \_\_Councilman Ball . The votes were as follows

\_\_\_\_\_ Aye \_\_\_\_\_ No \_\_\_\_\_ Abstain

Supervisor Lawler  
Councilperson Marble  
Councilperson Ball  
Councilperson Boudreau  
Councilperson McClement

**RESOLUTION NO. 69\_\_ OF THE YEAR 2015  
OF THE WATERFORD TOWN BOARD**

**A Resolution Authorizing the Execution of Purchase Contract With Waterford Water Commissioners**

The Waterford Town Board (“Town Board”) hereby resolves as follows:

**WHEREAS**, Special Counsel for the Town has negotiated the terms of a proposed purchase contract with the Waterford Water Commissioners for the purchase of a portion of land located at Second Street and Columbia Street in the Village of Waterford;

**WHEREAS**, the Town Board wants to make known as approval thereof;

**WHEREAS**, the Town Board hereby determines that the land is needed for a public purpose;

**NOW, THEREFORE, BE IT RESOLVED** that the Town supervisor is authorized to execute a contract with the Waterford Water Commissioners in a form to be approved by Special Counsel for the Town for the purchase of the after mentioned real property for the amount of \$130,000.00.

Motion by Supervisor Lawler, seconded by Councilman McClement. The votes was as follows

	<u>Aye</u>	<u>No</u>	<u>Abstain</u>
Supervisor Lawler	1		
Councilperson Marble	1		
Councilperson Ball	1		
Councilperson Boudreau	1		
Councilperson McClement	1		

The Supervisor announced the repainting of the 4<sup>th</sup> Street Bridge from June 29 through August 24<sup>th</sup>.

There was a MOTION to adjourn at 8:17 P.M. by Councilman Boudreau and seconded by Councilman McClement. All in favor.

Respectfully submitted,

Darlene A Dziarcak

Town Clerk