

At the Town Board meeting of the Waterford Town Board held on Tuesday September 3, 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 Marble

Councilman McClement

Supervisor Lawler

There were absent:

Councilman Boudreau

### **Communications and Petitions**

The Town Clerk read the letter of resignation from Assistant Director of the Waterford Senior Center Elizabeth Derrick.

### **Action on Minutes of Previous Meetings as Follows**

Minutes of the Town Board meeting of August 6, 2019 and Agenda Meeting of August 27, 2019 were presented to the Board. A motion was made by Councilman McClement seconded by Councilman Marble to accept the minutes as presented. All in favor.

### **Committee Reports**

#### **Financial Report and Submission of Bills and Petty Cash**

Supervisor read the financial report for the month of August 2019. The audited abstracts totaled \$316,767.47 and the payments in advance of audit totaled \$67,586.52 The petty cash report totaled \$38.50. A motion was made by Councilman Ball and seconded by Councilman Marble 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 McClement read the Town Highway Department report for August as submitted by Highway Superintendent Harry Martel. The Department replaced culverts on Mallards Landing No. and Canvasback Ridge. They put down 12 tons of blacktop on potholes and curb repair. The Department also repainted R/R crossings at Bells Lane and Schoolhouse Lane. Overhanging branches on the walking trail were trimmed and Norlite was put down on the Fonda Rd walking trail. Pea Stone was removed from the Riverbend Playground and replaced with wood carpet. The Town Trash Drop will be on September 14<sup>th</sup> from 8am to 1pm. A reminder to all residents about putting acceptable and unacceptable items in the trash container. If you put unacceptable items in the trash container it will not be picked up until it is removed. If you need a new garbage can or recycling can please contact the Town Clerk's Office at 518-235-8282. If you any other questions please contact the Town Highway Garage at 518-235-3413. The Councilman then went on to read the Wastewater Department Summary for the month of August as submitted by Chief Operator Craig Falcone. The plant removed 22,000 gallons of sludge to Albany County and 52,000 gallons to Saratoga County. There were 5 alarm calls for storm/ high

flow issues. The Department performed normal maintenance; checked all pump stations and cleaned floats as needed, maintenance of outside grounds, equipment and vehicles. They cleaned out the Towpath Lane and Fonda Rd pump stations with the Vac truck and repaired the boat pump out at the Visitors Center. The A-team replaced damaged equipment at the Towpath Lane pump station and Troy Belting replaced equipment at the 3<sup>rd</sup> St pump station. The sewer camera was used to inspect 29 Belanger and 30 Fourth Street. A new lateral inspection at 7 Front Street rear was completed. The plant completed and passed the yearly EPA mandated DMR-QA proficiency testing. The Councilman then read the Monthly report of the Waterford Water Commissioners. The water works delivered 36,160,280 gallons of water. Waterworks staff completed dig-safe utility locations and service calls. A total of 99 service calls were addressed. Staff installed AMR water meters, calibrated and maintained equipment, completed weekly safety meetings, monthly water testing and completed meter reading. The construction project on Saratoga Avenue has begun between Clifton Street and Fulton Street to expand the capacity of the existing water piping and install a new utility metering building to allow for the purchase of water from the City of Cohoes. All work should be completed within the next several months.

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

Councilman Ball read the Police Department Call Report for the month. There were 18 EMS calls, 17 Motor Vehicle accidents, 21 Traffic stops, and 13 Domestic Incidents. The Calls for Officers was also included; there were 8 arrests and 22 traffic tickets issued. There will be an awards presentation later in the program.

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

Councilman Frank McClement reported on the Waterford Senior Grocery Bus. The Grocery Bus had a total of 39 passengers for the month of August traveled 70 miles as submitted by driver Andy Walters. The Medical Van transported 33 persons for a total of 974.50 miles for the month. Councilman McClement added that there was no Senior Center report for the month as the Director had a family emergency. The Councilman went on to report that there will be a resolution this evening regarding the Town Hall renovations. There were multiple workshops held with Department Heads and Court staff. The plans and specs are being finalized and we intend to be able to go out to bid in the next 2-3 weeks.

### **Committee on Youth, Playground, Pool, Festivals, Library, WHUFSD, and Visitor Center**

Councilman Laurie Marble reported on the activities of the Waterford-Halfmoon School: The first day of school is Sept 5<sup>th</sup>. Fordian Fever weekend begins on Sept 26<sup>th</sup> with a Ziti dinner sponsored by the sports booster club. 5:00 pm. On Friday beginning at 4:15 the games will begin. JV Volleyball: 4:15 Boys and modified soccer Vs Tamarac ; Girls V volleyball 5:30 V Cambridge; Girls V soccer at 7 pm against Northville; Saturday 28<sup>th</sup> at 10 am Hall of Fame induction Brunch; 2:00 pm Girls JV soccer V Emma Willard and Girls modified Volleyball; 4:00 pm Boys JV v Doane Stuart; 7:00 pm Boys V Doane Stuart. Councilman Marble then read the monthly report for the Waterford Public Library. The Library has begun their strategic planning process and will be out in the community getting feedback. The Friends of the Library are selling tickets for the gift card raffle that will be drawn at TBR. All proceeds go to support the Friends of the Library. The Library will be hosting a voter registration drive on Tues. Sept 24<sup>th</sup> from 12-4:30 pm. Genealogy look up day will be Sept 29<sup>th</sup> with volunteers from the Troy Irish Society. People interested in learning how to research their family history using ancestry

DNA can sign up for 30-minute slots from 12:30-3:30 pm by calling the Library. The fall/winter hours resume on Sunday Sept 15<sup>th</sup>, they will be open 12-4 on Sundays. The Councilman stated that Pool and Park Program are closed for the season. We had a great summer and had an awesome staff.

Tugboat Roundup is this weekend. The events begin Friday afternoon with a tug boat parade. The fireworks will be on Saturday evening and will be the best ever! Come celebrate the 20<sup>th</sup> anniversary with us. Councilman Marble went on to read the Hurst Harbor Center report as submitted by Director Jeff Cleary. The 2nd annual Dragon Boat Races were held on Saturday, August 3rd. A great day was had by all. Bucks County, PA was victorious with the Canal Corp. and our very own Waterford Fire Department in the place and show category. Supervisor Lawler announced that the event had raised \$10,000 for breast cancer research. Thank you and congratulations to the organizers and participants.

On August 22nd, we hosted a mid-season volunteer appreciation dinner at the visitor center. 28 volunteers were thanked for their hard work and dedication. To date our volunteers have given over 1,800 hours of service to our community this season.

We are very busy planning for the 20th Tugboat Roundup, that begins with the Tugboat Parade on Friday, September 6th and the fun will continue throughout the week end. This promises to be the biggest and best Roundup yet. An amazing fireworks display is set for Saturday night. More information and a full schedule can be found at [www.tugboatroundup.com](http://www.tugboatroundup.com).

## **General Orders**

### RESOLUTION # 114

RESOLVED, that the annual estimate of funds needed to be raised and levied for calendar year 2020 to pay principal and interest on obligations issued for capital expenses for sewer District No. 1 is determined to be \$124,704.00, and be it further

RESOLVED, that the amount of the estimate of funds needed for calendar year 2020 as above determined shall be assessed on the properties in the district benefitted by the sewer improvement in accord with the laws governing such assessments, and it is further

RESOLVED, that the assessment roll for Sewer District No. 1 for 2020 benefit assessments shall be comprised of an assessment for the year for each property based on

(a) a so-called benefit charge to consist of an ad-valorem assessment upon which each \$1000.00 of assessed value of each property at a rate of \$.0 per thousand, and

(b) a so-called basic benefit charge of \$25.00 which shall be levied against all property in the district having access to an operating sewer line and which basic benefit charge shall be computed as follows:

1. For residential property there shall be one charge for each family unit, and

2. For non-residential property there shall be one charge for each estimated flow equivalent to a single-family dwelling unit. The ordinary measure of an estimated sewage flow equivalent of a single family dwelling unit shall be water consumption in the 12 months computation of 80,000 gallons or any portion thereof, provided however, that in its discretion the Town Board in computing assessments may use an alternate estimated flow equivalent of a single family dwelling, if, in its judgment,

(a) the users ration of a sewage contribution in water consumption is substantially different from that of a domestic household, or

(b) the user has not been a consumer of public water for the entire 12 month period preceding its assessment, it being understood any such alternative measure shall be calculated to equitably reflect the user's benefit in relation to the benefit to a single family unit.

Offered by Councilman Marble  
Seconded by Councilman Ball

Councilman Ball yes  
Councilman Marble yes  
Councilman McClement yes  
Supervisor Lawler yes

#### RESOLUTION# 115

RESOLVED, that the proposed assessment roll for Sewer District No. 1 for the calendar year 2020 to pay principal and interest on obligations issued and capital improvements to cover financing of the district improvements in the amount of the estimate for funds needed for such year, which has been reviewed at this meeting, is considered complete and the same having been prepared by the Board shall be filed with the Town Clerk, and be it

RESOLVED, that the Board shall meet to consider objections to the assessment roll for Sewer District No. 1 filed with the Town Clerk this date at 6:50 P.M. on the 1st day of October 2019 at the Town Hall, and be it further

RESOLVED, that the Town Clerk is directed to cause notice of completion of said assessment roll and of the date of hearing, etc. to hear objections, etc., to be published in the Gazette Newspaper and in the Saratogian Newspaper, the latter being published in Saratoga County, in accord with the requirements of section 239 of the Town law and other applicable statutes, such notice shall be published at least 10 days and not more than twenty days before the date of hearing, and it is further

RESOLVED, that Notice to the Comptroller of the State of New York before with provided the comptroller and be provided at least three weeks prior to October 1, 2019, the date of hearing.

Offered by Councilman Ball  
Seconded by Councilman McClement

Councilman Ball yes  
Councilman Marble yes  
Councilman McClement yes  
Supervisor Lawler yes

#### RESOLUTION # 116

RESOLVED, that the Town Board hereby accepts the following adjusted bid for equipment sold at Auctions International:

Trackless MT10 10' Rotary Mower Attachment for \$ 1,475.00

Offered by Councilman Ball  
Seconded by Councilman Marble

Councilman Ball yes  
Councilman Marble yes  
Councilman McClement yes  
Supervisor Lawler yes

#### RESOLUTION # 117

RESOLVED, that Rachael Holbrook be and she is hereby reappointed as Sole Assessor for the Town of Waterford for a term of 6 years beginning October 1, 2019 and ending September 30, 2025.

Offered by Councilman Marble  
Seconded by Councilman McClement

Councilman Ball yes  
Councilman Marble yes  
Councilman McClement yes  
Supervisor Lawler yes

#### RESOLUTION # 118

WHEREAS, the owner of 10 Craig Avenue, Waterford NY; SBL: 291.5-2-23 has been given ten (10) days notice to comply with the requirements of removal of rubbish as well as the cutting of weeds and grass from the subject property whereas said ten (10) days has come and gone without remedy;

WHEREAS, an invoice in the amount of \$304.17 has been sent to said property owner and has not been paid and thirty (30) days has passed;

NOW, THEREFORE BE IT RESOLVED that the Town Board hereby authorizes and directed to effectuate the relevy of said unpaid fees onto the taxes for said property.

Offered by Councilman McClement  
Seconded by Councilman Marble

Councilman Ball yes  
Councilman Marble yes  
Councilman McClement yes  
Supervisor Lawler yes

RESOLUTION # 119

WHEREAS, the owner of 16 Barley Court, Waterford NY SBL: 285.20-1-32 has been given ten (10) days notice to comply with the requirements of removal of rubbish as well as the cutting of weeds and grass from the subject property whereas said ten (10) days has come and gone without remedy;

WHEREAS, an invoice in the amount of \$1,262.43 has been sent to said property owner and has not been paid and thirty (30) days has passed;

NOW, THEREFORE BE IT RESOLVED that the Town Board hereby authorizes and directed to effectuate the relevy of said unpaid fees onto the taxes for said property.

Offered by Councilman McClement  
Secoded by Councilman Marble

Councilman Ball yes  
Councilman Marble yes  
Councilman McClement yes  
Supervisor Lawler yes

RESOLUTION # 120

**WHEREAS**, on June 4, 2019 the Town Board authorized the Town Supervisor of the Town of Waterford to enter into an agreement with National Grid to facilitate the conversion of approximately 300 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; and

**WHEREAS**, the conversion cost of the streetlights was approximated at \$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, for all the streetlights converted.

**NOW, THEREFORE, BE IT RESOLVED**, the Town Board authorizes the Town of Waterford to pay the \$8259.08 conversion cost prior to the actual 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 Marble  
Secoded by Councilman McClement

Councilman Ball yes  
Councilman Marble yes  
Councilman McClement yes  
Supervisor Lawler yes

RESOLUTION # 121

**WHEREAS**, on March 6, 2018 the Town Board authorized the Town Supervisor of the Town of Waterford to execute an agreement with Adirondack Mountain Engineering, PC in an amount not to exceed \$7500.00 for a Land Use Regulation Audit; and

**WHEREAS**, the audit has been completed with input from the Town Planning Board, Town Zoning Board, Town Building Inspector, and the Town Attorney; and

**WHEREAS**, the next phase in the process is to draft language to update the subdivision and zoning regulations in order to implement priorities and recommendations; and

**WHEREAS**, the draft will result in final documents that will be adopted by the Town Board;

**NOW, THEREFORE, BE IT RESOLVED** that the Town Supervisor is authorized to execute an agreement with Adirondack Mountain Engineering, PC in an amount not to exceed \$11,560 to provide planning services to assist the Town with the completion of subdivision and zoning updates.

Offered by Councilman Ball  
Seconded by Councilman Marble

Councilman Ball yes  
Councilman Marble yes  
Councilman McClement yes  
Supervisor Lawler yes

RESOLUTION # 122

**RESOLVED**, that the Town Supervisor be and he is hereby authorized to sign a contract with Evolution Construction Services in the amount of \$6,500.00 for Mallards Landing South road repair.

Offered by Councilman Marble  
Seconded by Councilman McClement

Councilman Ball yes  
Councilman Marble yes  
Councilman McClement yes  
Supervisor Lawler yes

## OTHER BUSINESS

### RESOLUTION # 123

RESOLVED, that the Supervisor be and he is hereby authorized to enter into a contract with Riberdy Contracting for emergency repairs as reviewed by the Town Engineer with a recommendation that the repairs take place right away, at 68 Timber Drive, Waterford at a cost of \$30,550.00 contingent upon paying prevailing wage rates.

Offered by Councilman McClement  
Seconded by Councilman Marble

Councilman Ball yes  
Councilman Marble yes  
Councilman McClement yes  
Supervisor Lawler yes

### RESOLUTION #124

**WHEREAS**, the Town is desirous of completing renovations to the second floor of the Waterford Town Hall as recommended by Olsen Associates, Architects P.C. including, but not limited to, HVAC improvements, various cosmetic improvements, electrical improvements as needed as well as reconfiguration of office layouts; and

**WHEREAS**, Olsen Associates, as architects for the Town, are in the process of formulating bid specifications for the proposed project;

**NOW THEREFORE BE IT RESOLVED THAT** the Town Board authorizes the calling for bids for the items as detailed in the finalized bid specifications, subject to the review of the attorney for the Town as to form, to be opened at the time and place detailed therein.

Offered by Councilman McClement  
Seconded by Councilman Marble

Councilman Ball yes  
Councilman Marble yes  
Councilman McClement yes  
Supervisor Lawler yes

### RESOLUTION # 125

WHEREAS, the Housing and Community Development Act of 1974, as amended (24 U.S.C. 93-383 et seq.) created the Community Development Block Grant ("CDBG") program by combining into a single grant program a number of previous federal grant programs administered by the United States Department of Housing and Urban Development ("HUD"), which programs included the Urban Renewal, Model Cities, Open Space, and Water and Sewer programs; and

WHEREAS, the CDBG entitlement program provides annual grants on a formula basis to cities and counties

to develop viable urban communities through: the construction of affordable housing; the promotion of economic opportunity through the creation of jobs and the expansion and retention of businesses; the expansion of community services; and neighborhood revitalization projects, principally for low- and moderate- income persons; and

WHEREAS, HUD annually allocates CDBG program funding to "entitlement communities" comprised of central cities of Metropolitan Statistical Areas; metropolitan cities with populations of at least 50,000; and qualified urban counties with a population of 200,000 or more (excluding the population of entitlement cities); and

WHEREAS, as Saratoga County's population is now estimated to exceed 230,000, the County could qualify as an urban county eligible for entitlement status and CDBG funding; and

WHEREAS, in order for the County to obtain entitlement community status, the County would need to enter into HUD approved cooperation agreements with local municipalities with a combined population of 200,000 in which each local municipality must agree to the County serving as an entitlement community on the municipality's behalf; and

WHEREAS, the Town of Waterford acknowledges that an entitled urban county's included units of general local government are ineligible to apply for grants from appropriations under the State CDBG Program for fiscal years during the period in which they are participating in the Entitlement CDBG program with the urban county; now, therefore, be it

RESOLVED, that the Town of Waterford Town Board hereby wishes to be included in Saratoga County's designation as an entitled urban county as cooperating unit of general local government; and, be it further

RESOLVED, that the such election to be excluded will be effective for the entire three-year period for which the urban county qualifies; and, be it further

RESOLVED, that the Supervisor is hereby authorized to execute any and all cooperative agreements with Saratoga County and/or the US Department of Housing and Urban Development needed in order for the County to qualify as an urban county under HUD regulations governing eligibility to receive and administer CDBG program funding; and, be it further

RESOLVED, that the Clerk of the Town of Waterford shall forward a certified copy of this Resolution to the Saratoga County Board of Supervisors as part of the County's application to the US Department of Housing and Urban Development for entitlement community status.

Offered by Councilman Marble  
Seconded by Councilman Ball

Councilman Ball yes  
Councilman Marble yes  
Councilman McClement yes  
Supervisor Lawler yes

At this time Councilman Ball wanted to thank all the first responders who responded to an incident on August 31st here in the Town of Waterford; the State Troopers, Saratoga County Sheriffs Department, Waterford Fire Department, Waterford Police Department, all who responded were as professional as always.

Councilman Ball reiterated that we have the best of Emergency Services here in Waterford; the Police Department, Rescue Squad and Fire Departments. Tonight, we will recognize members of these organizations for their actions on July 17<sup>th</sup>. The Councilman went on to state that on July 17, 2019 at approximately 7pm the Waterford Rescue Squad was dispatched to a call regarding a male who was in cardiac arrest. Upon arrival Sgt. Shudt and Officer Dilbone were already there and had begun CPR on the individual. The Waterford Fire Department arrived with the Rescue Squad to take over CPR and advanced cardiac methods were performed. On route to the hospital the patients pulse evened out and they were admitted. Thank you to members of the Police Department, Fire Department and Rescue Squad for assisting in this favorable outcome. Director of Operations for the Rescue Squad Tracy Weir was introduced to present "Save Certificates". These certificates are presented by REMO, which oversees all EMS in Saratoga County, they pay special attention to cardiac arrests and reversals when the patient makes it out of the emergency room. The certificates were presented to Waterford Fire Chief Don Baldwin, Firefighter DJ Lee, Firefighter Zach Baldwin, Officer Michael Dilbone, Sgt. Micheal Shudt, EMT Kelsey DiCarlo and Paramedic Keven Healy.

Supervisor Lawler went on to thank all our emergency services. The Town honored individuals tonight for saving someone's life, this is an incredibly noble thing. When talking about these organizations, he can see where Waterford's Police Department, Rescue Squad, and Fire Departments are the envy of other communities. Thank you again and we all appreciate the job you do.

Councilman McClement made a motion to close the meeting at 7:50 PM, seconded by Councilman Marble. All voted in favor.

Respectfully submitted,

Mary Shannon Carrigan  
Town Clerk