

At the Town Board meeting of the Waterford Town Board held virtually via ZOOM and by teleconference on February 2, 2021 at 7:00 P.M. the following transpired:

There were present:

Councilman David Ball
Councilman James Boudreau
Councilman Laurie Marble
Councilman Frank McClement
Supervisor John Lawler

Communications and Petitions

Action on Minutes of Previous Meetings as Follows

Minutes of the Town Board meeting of January 5, 2021 and Agenda Meeting of January 26, 2021 were presented to the Board. A motion was made by Councilman Ball, 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 January 2021. The audited abstracts totaled \$ 672,520.57 and the payments in advance of audit totaled \$58,262.74. The petty cash report totaled \$40.30. A motion was made by Councilman Ball and seconded by Councilman McClement 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 monthly report from the Waterford Highway Department as submitted by Highway Superintendent Tony Lubas. The Holiday Christmas lights and decorations removed and stored. Utility pole replacement request was issued to National Grid for pole #61 on the corner of Belanger and Columbus Ave. Skate at your own risk signs installed at pond. 2 manhole covers replaced on Columbus Ave. 30 cubic yards of Christmas tree waste removed and 30 cubic yards of yard waste removed. Brush clearing was completed along the Community Centers riverfront. 2 trees at the upper cemetery and 1 tree at Soldiers & Sailors Park were taken down due to safety concerns. Stump grinding was done on 12 tree stumps throughout the town. 120 tons of road salt was used. The Department responded to 33 requests for service and processed 29 Dig Safe requests.

The Councilman then went on to read the monthly report on the WasteWater Department. 10,000 gallons of sludge was removed to Albany County and 60,000 gallons of sludge to Saratoga County. Alarms answered:0 Normal Maintenance: Checked all pump stations and cleaned floats as needed. Continued maintenance of outside grounds, equipment, and vehicles. Removed influent primary grease from primary tanks and weirs on weekly basis. Used the sewer camera for #40 second street. The sewer mains are flowing fine and they seem to have a break in their lateral someplace but its exact location is still under investigation. The A Team rebuilt the shear pin assembly for wasting pump #2 and pulled and cleaned out pump #1 at the Sage Road pump station. They conducted test alarms with the alarm system upgrade unit and are

experiencing some issues so we will be relocating the receiving antenna to begin re-testing and then moving the unit to other locations.

Councilman Boudreau then gave an update from Town Historian Russ VanDervoort. Currently researching an 1871 Murder for Hire Case that involved Waterford, Halfmoon, Clifton Park, and Vischer's Ferry. It received nationwide news coverage and is quite a tale, even though the actual murder never took place. I would like to remind the Board that part of the responsibilities of the Municipal Historian is to record current events for the availability to future historians. In this vein, the local historians have been charged by the County and State Historian to record on a local level the Covid 19 experience. This has been an ongoing and almost daily task since March of 2020. Most news and information that is native to Waterford is relatively easy to gather and record. As we move forward with vaccinations and hopefully a recovery period, I hope that I can receive some information on the mechanics behind Waterford people receiving their shots. I am working monthly with a group from the Brookside Museum in Ballston Spa that is now recognized as the Saratoga County Museum.

Councilman Boudreau read the monthly report from the Waterford Water Commissioners. Water Consumption – The water works delivered approximately 28,970,000 gallons or 934,500 gpd of water during the month. Water Distribution System Work – Due to Covid restrictions, no service calls were completed in December. Hydrant Leaves and Snow Removal – Please be advised that during the Winter season any support that can be provided by the community to help clear hydrants for emergency use would be greatly appreciated. New Website – The Water Commissioners are excited to announce that the Waterworks has a new website. You can see it at www.waterfordwater.org.

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

Councilman Ball gave an update from Emergency Services. Various Fire and Rescue Units in Waterford are asking residents to please check and see that the fire hydrants in your neighborhood are cleared of snow. The Councilman read the monthly activity report for the Police Department. There were 17 arrests, 73 traffic tickets, 9 motor vehicle accidents and 513 call for service. In other activity: All officers received training in updated officer safety tactics for traffic stops as well as training highlighting recent changes to our use of force policy and some other minor policy changes. Department bicycles were sent for service and upgrading to prepare them for use this spring. A replacement computer for the Department Live Scan fingerprinting system was purchased. The computer was partially paid for by a generous donation from Evonik. Joint investigations with Troy PD and Saratoga County Sheriff's Office regarding drug activity continued throughout the month. Open cases include 1 child pornography investigation, 1 Burglary, and 1 VICE case. The police reform process is continuing on schedule. A draft plan will be completed and presented to the Town Board in the coming days. A summary of the calls for the month involved 4 Fire calls, 35 EMS, 27 animal control calls, 14 Domestic incidents, 7 warrant arrests, 14 school details, 120 traffic stops and 2 death investigations. Councilman Ball read comments from a local resident praising Officer Gary Roy and his conduct and professionalism during a recent death investigation. The Councilman then read a letter from the Sergeants of the Department reviewing the Department Goals of 2020 and stating the Departments goals and objectives for 2021 which aim to increase foot and bicycle patrols, increase utilization of outside resources to assist with minor disputes

before conflicts escalate to the point of an arrest being made, instituting a “21st” century neighborhood watch utilizing a database of known privately owned cameras, and establishing a database of vulnerable adults and children living within the jurisdiction.

Councilman Ball stated that the Waterford Police Department is an agency that serves the public interest, our community and the Town Board. The Councilman made reference to potential conflicts with landlords and tenants; if you think it may arise to a larger issue please reach out and call for Officers to help mediate, please don’t hesitate to ask for help.

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

Councilman McClement gave an update on Senior Services for the month of January. The Senior programs continue to be closed down, on pause, due to the pandemic. The Medical transportation is still ongoing as well as the Grocery Bus for Seniors. If you or someone you know is in need of medical transportation or could use the Grocery Bus service please call our Driver Andy Walters at 518-527-4589. Medical Transportation had a total of 242 miles with 9 patients.

The Grocery Bus transported 28 Seniors for a total of 83 miles.

Councilman McClement, who is also the Director of the Saratoga County Veterans Service Agency spoke about recent changes in benefits for Vietnam Veterans relative to Agent Orange. Three new conditions have been added to the list of disabilities for Vietnam Veterans: bladder cancer, Parkinsonism, and hypothyroidism. Eligibility for benefits may have changed from past claims for some Veterans and their surviving spouses due to this change. Please contact the Saratoga County Veterans Service Agency in Ballston Spa at 518-884-4115 for more information. The Agency is able to handle claims over the phone.

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

Councilman Marble gave an update from the Waterford-Halfmoon School:

The school remains open for in person learning.

The school winter sports programs are hoping to combine with other districts within Saratoga County to compete against each other. They are still waiting on final guidance.

Feb 11th Finance committee meeting at 6:00PM with the Regular meeting at 7:00PM.

Councilman Marble then read an update on the Waterford Library from Director Tim McDonough.

THE LIBRARY NOW HAS 3 MORE WI FI HOTSPOTS MAKING 6 AVAILABLE FOR CHECKOUT. THEY CAN BE CHECKED OUT WITH A WATERFORD LIBRARY CARD FOR 2 WEEKS WITH A RENEWAL FOR AN ADDITIONAL 2 WEEKS. THEY OFFER UNLIMITED DATA AND THE ABILITY TO CONNECT UP TO 15 DEVICES.

THE LIBRARY IS MOURNING THE PASSING OF FORMER LIBRARY TRUSTEE AND FRIEND OF THE LIBRARY NORMA PICARD. DONATIONS IN HER MEMORY CAN BE MADE TO GRACE CHURCH. A MEMORIAL SERVICE IS BEING PLANNED FOR A LATER DATE.

LIZ WILL BE OFFERING A VALENTINE’S DAY MAKE AND TAKE CRAFT. CONTACT LIZ AT THE LIBRARY IF YOU ARE INTERESTED IN PARTICIPATING. 518-237-0891.

THE BOARD OF TRUSTEES IS LOOKING FOR PEOPLE WHO ARE INTERESTED IN SERVING ON THE LIBRARY BOARD. CONTACT TIM MCDONOUGH AT THE LIBRARY FOR MORE INFORMATION. MUST RESIDE WITHIN THE SCHOOL DISTRICT BOUNDARIES.

The Councilman then went on to read the Canal Visitor Center report as submitted by Director Jeff Cleary: ON JANUARY 15 HARBORMASTER JEFF CLEARLY ATTENDED THE CANAL NY BOARD MTG VIA ZOOM.

ON JAN 20 THE WATERFORD HARBOR FESTIVAL COMMITTEE ANNOUNCED THAT CANAL FEST 2021 SCHEDULED FOR MAY 15 AND 16 WOULD BE CANCELED DUE TO COVID-19. ELEMENTS OF CANAL FEST WHICH IS DONE IN COOPERATION WITH THE CAPITAL REGION CHAMBER OF COMMERCE WILL BE WORKED INTO THE WEEKLY WATERFORD HARBOR FARMERS MARKET.

THE FARMERS MARKET WILL BEGIN OPERATING EARLIER THIS YEAR WITH THE FIRST DAY BEING SUNDAY MAY 16. IT WILL BE HELD EVERY SUNDAY 9-1 THRU OCTOBER.

ON JAN 21 JEFF ATTENDED HIS FIRST MEETING OF THE MOHAWK TOWPATH SOCIETY AS THE TOWN'S NEWLY APPOINTED REPRESENTATIVE.

OUR INDEPENDENCE DAY CELEBRATION JULY 3RD, DRAGON BOAT FESTIVAL AUGUST 7TH AND TUGBOAT ROUNDUP ON SEPT 10, 11, 12 ARE ALL BEING PLANNED.

THE FEDERAL LOCK IS CURRENTLY SCHEDULED TO OPEN ON APRIL 1ST.

SOME REMODELING IS BEING DONE IN THE "GREAT ROOM" AT THE VISITOR CENTER TO ACCOMMODATE SOME OF THE TOWN OFFICES THAT ARE LOCATED THERE.

Supervisor's Report

The Supervisor asked Jeff Cleary and Councilman Ball to get together to develop a public service announcement encouraging people to register their cell phones for reverse 911. We would like to get this message up in Facebook and the website. There was a reverse 911 call sent out in regards to the recent natural gas emergency in Northside. There were some people who did not receive this notification, they did not have their cell phone numbers registered. The Town also needs to update the list of those who cannot leave their homes- homebound residents. Our Police and Fire need this information as well. The two important pieces of information to get out to the public are: registering cell phones for reverse 911 and updating/expanding our list of housebound residents- meaning you have a physical disability that makes it unable for you to leave the house.

When there is an emergency in the Town- please check the Town's Facebook page and the Town website. In regards to the recent gas outage in Northside- we posted information and updates for residents on Facebook and the website for those not on Facebook. These are the best sources of fast and accurate information on Town matters.

Supervisor Lawler stated that this past weekend Saratoga County received a small allocation of Covid vaccines to be given to Towns. Waterford was allocated 15 doses for distribution Saturday. He would like to thank the Waterford Police Department on this, we met on Wednesday to put a plan together to give this vaccine to 15 residents who met special criteria;

elderly residents, especially those with physical disabilities. We put out a notice asking residents to call the Waterford Police Department beginning Thursday at 9am, within a half an hour, all 15 slots were taken. The fifteen residents who qualified were exactly who were looking for- they were elderly with limited transportation and have health situations that make them most at risk. Thank you to Paul McInerny who manned the phone. Our Police Officers then delivered three pages of paperwork that needed to be at the Saratoga Department of Health by noon Friday. The Officers personally delivered these packets to all 15 individuals and then personally collected the sealed envelopes from all 15 individuals. The Supervisor hand delivered the information Friday morning. He was there Saturday and had a chance to meet all 15 residents at the Saratoga County Department of Health at 1:00. All 15 who signed up for the vaccine showed up with a family member. The Supervisor stated that this was very heartwarming to be involved in, there were no bad reactions for those vaccinated. This clinic was incredibly well run, he would like to acknowledge Public Health. It was heartbreaking to tell people that we didn't have more vaccines to give out. It is a terrible injustice that the elderly and vulnerable are left to their own devices to get this vaccine. He is deeply disgusted with the State's vaccination plan. Saratoga County is prohibited by law from administering the vaccine to anyone not in category 1A or 1B. There are still those in mid to late 70's or 80's and beyond who have not been given a chance to receive the vaccine. While he was there on Saturday, of the gentleman who were there, he saw several WWII Veterans hats, they are the greatest generation. Among those there, and there were others from other towns, there was not a single complaint. It was cold and uncomfortable, but these gentlemen were understating, kind and patient. They still are the "greatest generation". He doesn't mean this to be a political rant, it's not one person/party, it starts with the Federal Government and works its way down, but when you look at the priority list, how do they forget about the most vulnerable population.

Supervisor Lawler went on to talk about the natural gas outage that happened in Northside this past weekend. It affected various streets: Clifton, Grace, Grove, and 1st Streets. The outage happened sometime Friday night and the Town was made aware Saturday morning at 10:30am. By 11:15 am he was meeting with representatives of the Waterford Police Department, Peck Hose/Northside Fire Department and Waterford Rescue Squad to come up with a plan and the priority was the welfare of our residents. Some residents had been without heat for some hours. By 11:45am, members of the Waterford Police Department, and Peck Hose were going door to door to visit homes in all the affected areas and do welfare checks. We wanted to make sure residents had what they needed to stay warm, make sure our elderly residents and children were safe. The Waterford Rescue Squad went on standby and opened the Rescue Squad Building as a shelter and warming station. The gas problem continued into Sunday morning; some homes again lost gas pressure. It was found that water was leaking into to the approx. 100 yr. old gas main on lower Clifton Street. In 2019 this main had been scheduled to be replaced and it was not. He is still waiting on an answer from National Grid as to why it wasn't replaced. Water in the line makes the gas pressure drop; drop in pressure means gas is not going to the residence. It did happen numerous times through the day, finally, repairs were made to stabilize the line. He could criticize National Grid for not replacing this main, to be fair, he was extremely happy and most people were generally impressed with the response they delivered to the affected areas. They had over 40 people and numerous trucks in the neighborhood and they did work hard under

difficult circumstances. To update residents on the progress and status of the outage, the Town did a reverse 911 call and some residents didn't receive this. We ask you to please register your cell phone with the Town and encourage your family members as well. Especially elderly relatives and those who may require extra assistance. The link is on the Town website and we will get it out on Facebook as well.

General Orders

RESOLUTION #12

RESOLVED, that a Disabled Parking Sign be installed in front of 5 King Street as all necessary paperwork has been filed with the Town Clerk.

Offered by Councilman Marble
Seconded by Councilman Ball

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

RESOLUTION #13

WHEREAS, there are presently pending before the New York Supreme Court, Saratoga County, certain tax certiorari proceedings commenced under the caption of Mohawk Paper Mills Inc. v. The Town of Waterford, et al. and bearing Index No. EF2020-1710 and 20192404; and

WHEREAS, these proceedings contest the 2019-2020 and 2020-2021 real property tax assessments of certain real property within the Town of Waterford, as more particularly identified in the Petitions on file with the Court ("at issue parcels"); and

WHEREAS, proposed terms of settlement have been formulated providing for the disposition of these proceedings.

NOW, THEREFORE, BE IT RESOLVED that the Town of Waterford authorizes the settlement of these proceedings in accordance with the following terms: (1) the aggregate assessments of the taxable and exempt parcels at issue for assessment years 2020-2021 shall be reduced to reflect a total assessment based on an aggregate fair market value of \$4,500,000 and shall remain in place for the 2021-2022, 2022-2023, 2023-2024, 2024-2025 and 2025-2026 assessment roll years; and (2) Petitioner Mohawk Paper Mills agrees to waive all refunds for school, town and related district tax except for the 2021 Town and County tax, and it is further

RESOLVED, that counsel for the Town of Waterford, together with Town of Waterford personnel, are hereby authorized to undertake such action as are necessary to effectuate this settlement, including the execution of any Stipulation of Settlement consistent with the terms above stated and the payment of any and all refunds required under the above authorized terms of

settlement.

Offered by Councilman Boudreau
Seconded by Councilman Ball

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

RESOLUTION #14

RESOLVED, that the Town Supervisor be and he is hereby authorized to apply for a Household Hazardous Waste State Assistance Grant through NYS Department of Environmental Conservation.

Offered by Councilman Boudreau
Seconded by Councilman Marble

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

RESOLUTION #15

RESOLVED, that the Town Board of the Town of Waterford hereby authorizes the Town Supervisor to sign Change Order #3 with New Castle Paving LLC in association with the Mohawk Gateway Streetscape Project. Said Change Order #3 is a credit to the Town in the amount of \$56,478.32 which decreases the total contract with New Castle Paving LLC to \$587,442.57.

Offered by Councilman Boudreau
Seconded by Councilman McClement

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

RESOLUTION #16

Be it resolved that the Town Board of the Town of Waterford hereby authorizes the Town Supervisor to execute an agreement with UHY LLP in an amount not to exceed \$21,012.50 for audit services to be performed relative to the Town's 2020 financial records.

Offered by Councilman Marble
Seconded by Councilman Ball

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

RESOLUTION #17

RESOLVED, that the Town Board of the Town of Waterford hereby authorizes the Town Supervisor to execute an agreement with FirstLight Fiber to provide telephone and internet services to the Town of Waterford offices and facilities.

Offered by Councilman McClement
Seconded by Councilman Marble

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

RESOLUTION #18

RESOLVED, that Zbigniew Lubas be and he is hereby appointed as Highway Superintendent, with a six-month probationary period, at an annual salary of \$64,500 to be paid in weekly installments by the Supervisor without the necessity of pre-audit by the Town Board.

Offered by Councilman Ball
Seconded by Councilman Boudreau

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

Other Business

RESOLUTION #19

RESOLVED, that the Town Board of the Town of Waterford hereby authorizes the Town Supervisor to sign Change Order #1 with Koval Electric LLC in the amount of \$3,414.20 in association with additional Category 6 wiring installed relative to phone, data and copier lines.

Offered by Councilman McClement
Seconded by Councilman Marble

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

The Town Clerk, who is also the Town Tax Collector, read a notice regarding an extension to the 2021 Town and County Tax payments. This information was posted on the Town Facebook page and the Town website. The Governor signed an Executive Order on January 27, 2021, which extends the collection period for Saratoga County for the 2021 Town & County Taxes for an ADDITIONAL 21 DAYS WITHOUT PENALTY OR INTEREST. The due date has been extended to FEBRUARY 22, 2021, AFTER WHICH TIME A 1% PENALTY WILL BE ADDED. Please call the Tax Collector with any questions at 518-235-8282.

Supervisor Lawler said the chat portion of this Zoom meeting is up and there was a question about the vaccination sign up website.

The Supervisor added that the state website where people can sign up to receive vaccinations does not work very well, it crashes and the phone lines are always busy. To someone who is seventy years old with a disability, an appointment in April may be too late. He is disappointed in the States plan as it completely ignores our states vulnerable and needy population. As more vaccine becomes available to the people of Waterford, we will do everything in our power to get that information out to our residents.

The Supervisor asked that everyone participating in the meeting be unmuted at this time and if anyone had a question.

Barb Turpin thanked the Supervisor for using Zoom and asked how residents will be notified if more vaccine becomes available.

Supervisor Lawler stated that he was made aware Tuesday evening of the allocation of 15 vaccines to Waterford and he met Wednesday morning with the Police Department. We wanted to get the notice out that we had 15 vaccines, which was very insufficient for our community. The plan came together quickly. We used a phone number that rings to the Police Department and had Officers available to deliver and pick up the paperwork for each recipient. The goal was to get a notice up Wednesday on the Town Facebook page and the Town website with the hope that it would be shared. People would be able to sign up beginning Thursday morning at 9am. He knew most of the people who had signed up and felt this process worked the way they had

hoped, these vaccines would go to people who would have had difficulty getting to a location to be vaccinated.

Barb Turpin asked to verify that the notice was put out on the Town Facebook page and Town website.

Supervisor Lawler confirmed that the post was put on Facebook and the Town website. The Supervisor added that each Town was left to their own devices on how to get the information out to their residents and who to make the vaccine available to. The only requirement from the County was that the resident be age 65 or older. He thought the requirement should have been more stringent, he felt the vaccine should go to the most vulnerable. One Supervisor set up a lottery draw on Google. If you see that we have more vaccines available to Waterford, please share that information with your friends and neighbors. We had a short time frame to turn this around, and he was happy with the outcome and the people who were able to receive the vaccine. The County started this process with a lot of confusion, but once the Public Health professionals were involved things ran smoothly. Thank you to all who joined this evening if there are any questions or comments please email. We will be sticking with this platform for the foreseeable future. Be sure to spread the word about these meetings.

Councilman Boudreau made a motion to close the meeting at 8:06PM, seconded by Councilman Marble. All voted in favor.

Respectfully submitted,

Mary Shannon Carrigan
Town Clerk