

At an Agenda Meeting and Special Meeting of the Waterford Town Board held on Tuesday August 29, 2023 at 7:00PM at Waterford Town Hall 65 Broad Street Waterford, NY 12188 and via Zoom the following transpired:

Those present:

Councilman James Boudreau
Councilwoman Laurie Marble
Councilman Frank McClement
Supervisor John Lawler

There was absent:

Councilman David Ball

Supervisor Lawler called the Special Meeting to order.

RESOLUTION # 127

RESOLVED, that the Town Board of the Town of Waterford hereby reschedules the Tuesday September 5, 2023 Town Board Meeting to Thursday September 7, 2023 at 7:00PM.

Offered by Councilman McClement
Seconded by Councilwoman Marble

Councilman Boudreau yes
Councilwoman Marble yes
Councilman McClement yes
Supervisor Lawler yes

RESOLUTION #128

RESOLVED, that Connor Dayton be and he is hereby hired as a full time Highway Laborer at a salary of \$20.00 per hour to be paid in weekly installments without the necessity of pre-audit by the Supervisor.

Offered by Councilman Boudreau
Seconded by Councilwoman Marble

Councilman Boudreau yes
Councilwoman Marble yes
Councilman McClement yes
Supervisor Lawler yes

Councilman Boudreau made a motion to close the Special Meeting at 7:08PM, seconded by Councilwoman Marble. All voted in favor of the motion.

The regular Agenda Meeting began.

Items discussed:

Councilwoman Marble- The Pool is now closed for the season and repairs were completed over the summer.

Tugboat Roundup is coming up in a few weeks.

Thank you to Paul Terry for his help with the movie nights we held at Sugarloaf Pond.

We held a Family night/movie night at the pond and the Rescue Squad held a CPR challenge.

Councilman Boudreau stated that he would not be in attendance next week.

Councilman McClement – The pest control problem at the Community/Senior Center has been taken care of, there was an issue with woodchucks.

Supervisor Lawler stated that Dave Ball is not here this evening but wanted to share that the Saratoga County Sheriffs Dive team will be conducting planned training exercises on Thursday near Lock 2.

Eileen H.- Senior/Community Center Director- She acknowledged those Seniors who stepped up for the Kids at Heart Program this year. It was great to see kids from the community participate and it turned out to be a success. There will be a Blood Pressure Clinic every month at the center, it was started by the Rescue Squad, open to everyone.

Councilwoman Marble expanded- the program was held every Thursday- they would pick up a box from the County Office of the Aging/Youth Services that had projects and supplies- geared towards a higher level of learning. The program would alternate between Clement Park and the pool.

Supervisor Lawler stated that this program was to bring together Seniors and kids for a hands on educational experience. He asked that the information on the Blood Pressure Clinic gets distributed and it is made clear that this is a community event, open to all residents.

Jeff Cleary- Visitor Center Director- Tugboat Roundup is coming up and the John J Harvey fireboat is coming to the event as well as a new tug from the Canal Corporation. A portion of the battery will be closed on Wednesday due to the Saratoga County Sheriff's Office Dive Team training exercise. He will need a resolution to approve the quote to rehab the electricity on the docks at the Visitor Center. He received one quote, he did reach out to other companies and has the documentation.

Supervisor Lawler asked that we get that information on the website and Facebook so we are transparent about the Sheriff's training and not have residents wondering what is happening.

David Woodin- Planning Director- The Planning Board gave conditional approval for the Bells Lane storage units project. The road will need to be widened and paved. There are two people who will split the cost of the paving: \$112,000.

A resolution is needed to accept the conveyance of this new Bells Lane. There will be an easement, this gives the Town control of the road.

John Dowd and Dave W. will work on getting this ready.

Supervisor Lawler confirmed that Tony Lubas had given his input on this as well.

Craig F.- Wastewater Operator- wipes are still an issue at the plant, it seems to have gotten worse.

Supervisor Lawler stated that these wipes are not flushable, and can back up your own lateral, and cause damage at the plant. The cost to repair a homeowner's lateral can be thousands of dollars, no homeowner wants to deal with that. He wants to thank the Waterford Women's Club for helping to educate people on this issue.

Supervisor Lawler went on to say that he has received a lot of very nice compliments on the recent paving project, he thanked Highway Superintendent Tony Lubas for overseeing this project. He went on to speak of a recent motor vehicle accident Dave Bullet, our Wastewater Asst operator was recently in, we are thankful he is ok. He saw the video and is amazed that Dave survived. He has a broken arm, it could have been worse.

Town Clerk Carrigan:

Resolution to set benefit charge and ad valorem -sewer district No. 1

Resolution to set public hearing on sewer assessment roll

Resolution to relevy property maintenance fees

Resolution to authorize contract with Yankee Trails

Resolution to authorize the posting of surplus equipment on Auctions International

Saratoga County Clerk's Office is holding a Passport Night on September 20th from 4-7. Appointments are required, call 518-885-2213. See their website for more information.

Supervisor Lawler spoke of the process to relevy maintenance fees onto the tax bill, this is the last step. We do not want to do this, we make every effort to get a homeowner to clean up their property before the Town takes action, and this becomes an expensive final step.

The meeting was opened up to the public.

Kim- Hudson River Road- He is investigating the homeless issue, undocumented immigrants.

Supervisor Lawler- stated that he did do some research since the last meeting and John Dowd, the Town Attorney did as well.

John Dowd- There is nothing in the Town Code that deals with this issue. The Governor is suing Saratoga County for their response to the migrant issue: the emergency declaration that was passed.

Supervisor Lawler stated that Albany County refused to adopt a County wide policy on this issue. Saratoga County Board of Supervisor's issued an Emergency Declaration which forbids hotels/motels from contracting to house undocumented individuals in Saratoga County. This declaration already prohibits the housing of undocumented immigrants in Saratoga County, this covers Waterford and the Waterford Hotel as well. We will follow that declaration rather than craft our own that would ultimately be challenged in court.

Kim- He understands the County's declaration. But if the person is unaware or ignores the order what happens then? It is Class B misdemeanor, but what other consequences are there? What happens if the individuals are evicted, where do they go? Who takes care of them? IS it the Towns responsibility? There doesn't seem to be a follow up from the misdemeanor.

Supervisor Lawler stated that if the order is violated, Saratoga County Sheriffs will show up and enforce the eviction. A second part of this is that the Town can be more proactive on this part, he will ask the Police Department to visit the hotel tomorrow with a copy of the order so we can make sure that the owner is aware of it. NYC is responsible for these immigrants.

Kim- stated NYC is only responsible for up to one year, then they assume that these individuals will assimilate into the community. He is concerned it could happen here.

Supervisor Lawler added that Saratoga County will enforce the decree, if the motel owner violates the law- we have no way to stop that. The Town of Waterford is not equipped to handle that circumstance. The state and NYC and County agencies would get involved here as well at that point. We will expect the appropriate agencies to move those individuals to new shelter. That is our expectation.

Kim- added that where these individuals go after they are evicted is his concern.

Supervisor Lawler stated that NYC will be responsible. The Town does not have the authority to ship people out of Town, not sure how we would frame a law to go against this. The State does not follow Town laws.

Kim- stated he would think this would be the responsibility of the person who housed these individuals to make sure they were transported out.

Supervisor Lawler stated that, okay, they broke the county law by housing these individuals in the first place, how confident would we be that he would follow the Town law to transport them somewhere. This problem goes way beyond the Town of Waterford to solve and it's only going to get worse. At this point, this is the best we can do.

Kim- added that whatever you do is better than doing nothing. They already have issues with cars being broken into on Hudson River Road, it may be residents of the hotel, not sure. It's been an ongoing issue with foot traffic from the hotel to Stewarts.

Councilman Boudreau stated that he has lived on Hudson River Road for 43 years and this has happened to him where he was approached on his property. He called the police and they were

very helpful and took care of this. There are break-ins in Waterford in general, we need to make sure we lock our cars. This area has changed as has the clientele of the hotel. The police do a great job.

Kim- Agreed the Police do a good job.

Supervisor Lawler stated that he is not downplaying the concern of undocumented immigrants. People in NYC have been bussed to other locations and he does not feel an effort has been made to vet the background of these individuals. They are not all women and children. That's why Saratoga County said "No" we don't know who these individuals are, not sure what kind of people these are, are they dangerous, what is their background.

Councilman Boudreau added that there are 90 new students, undocumented immigrants, for this school year in the Mohanessen district. The school district is on the hook for these students.

Supervisor Lawler stated the police department will visit the hotel tomorrow with a copy of the County emergency order and talk about the problems you have had with the residents. He then proceeded to give out his cell phone number and office number for anyone who may want to contact him or bring anything to his attention.

Dylan DeFrino- Seaboard Solar- spoke of the 10mg solar facility proposed at Riberdy Grove off Flight Lock Road. The project is proceeding forward, they have all the green lights they need.

There was a discussion on how the remainder of the land not used for infrastructure will be deeded.

Supervisor Lawler asked Mr. DeFrino to talk with David Woodin on viable plans and to present these to the Board. The Supervisor went on to say that this land is located in the Northside of Town, past the Cohoes Falls. It is not developable for a useful project. This project will generate tax dollars, no one will see this, it will not be visible to residents. Hopefully all things can be set by the end of October.

Dylan- Plans are to begin construction in the spring. There is a bird mating season they need to avoid.

David Woodin stated there is a public hearing on the project on September 11th at 7:30PM.

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

Respectfully submitted,

Mary Shannon Carrigan
Town Clerk