

At the Town Board Meeting of the Waterford Town Board held on October 3, 2023 at the Waterford Town Hall 65 Broad Street, Waterford, NY and via Zoom at 7:00 P.M the following transpired:

Those present:

Councilman David Ball

Councilman James Boudreau

Councilwoman Laurie Marble

Councilman Frank McClement

Supervisor John Lawler

Communications and Petitions

- Received the proposed 2024 Budgets from the Northside Fire District and Halfmoon-Waterford Fire District
- Received Notice of Budget Hearings from the Northside Fire District and Halfmoon Waterford Fire District

Action on Minutes of Previous Meetings as Follows

Minutes of the Town Board Meeting of September 7, 2023 and Agenda Meeting of September 26, 2023 were presented to the Board. A motion was made by Councilman Boudreau, seconded by Councilwoman Marble to accept the minutes as presented. All voted in favor of the motion.

Committee Reports

Financial Report and Submission of Bills and Petty Cash

Supervisor Lawler read the financial reports for the month of September 2023. The audited vouchers totaled \$563,852.54 and the payments in advance of audit totaled \$35,731.74. The petty cash report totaled \$71.23. A motion to accept the financial report, pay the abstracts and reimburse petty cash was made by Councilman Ball and seconded by Councilman Boudreau. All voted in favor of the motion.

Committee on Highway, Wastewater Treatment, Water Authority, Cemetery, Museum and Town Historian

Councilman Boudreau read the monthly report from the Highway Department.

All town ball fields and parks were mowed and maintained. All vehicles and equipment continue to be serviced and repaired. The Jet/Vac truck was used to assist in water mitigation during a culvert pipe replacement. A sinkhole was found in the road on Canvasback Ridge requiring the storm water culvert pipe to be replaced. Storm water drainage improvements were made on Timber Drive in front of Catallo Park. Street signs were replaced on Mallards Landing North, Clemente Lane, Morgan Lane, Lea Ave, Hill Street and 3 speed limit signs were replaced on Devitt Road. An exploratory dig was done on Mohawk Ave after a sinkhole was discovered in the road. Voids were found from a previous fire hydrant install. The area was properly compacted and road surface was repaired. 22 Tons of #2 Stone was used for culvert pipe installation. 24 Tons of crusher stone was used for road repair and parking lot improvements at the Middletown Rd ball fields. 5.5 tons of Type 3 Binder and 7 tons of Type 7 Blacktop was used for road repair. 120 Yards of trash was collected. 300 Yards of green waste was collected.

The Highway department responded to 21 service requests and processed 33 Dig Safe requests with 3 emergencies. We would like to remind everyone the next trash drop off day is October 14th 8AM to 1PM. Household Hazardous Waste Day will be held October 21, 2023 from 8am to 1pm registration is required. If you have any questions please call the Highway Department at 518-235-3413.

Councilman Boudreau then read the September 2023 report from the Wastewater Department as submitted by Craig F. Falcone, Chief Operator.

Average Influent Flow: 876,000 gallons/day, Monthly rainfall: 3.56" at the treatment plant
We removed: 6,000 gallons of sludge to Albany County, 50,000 gallons of sludge to Saratoga County

Alarms answered:3, High Flow-1, Power-2, Mechanical-0, Testing-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.

Tom Koval from Koval Electric inspected the power control panel and replaced damaged wire at the Towpath Lane pump station.

We used the Vac truck to clean out the Front St, Suncrest Drive, Timber Drive, Murray Ave, Mallards North and South, Towpath Lane, and Fonda Road pump stations.

We drained, cleaned, and inspected the river side final clarifier, adjusted the cross collector chain, and put the tank back into service.

The A-Team installed a repair coupling on the discharge piping in the Canvasback Ridge pump station.

We took part in and passed our annual EPA DMR-QA lab testing.

BPI Piping performed the annual water backflow testing, backflows at the sewer plant and Third St. pump station were tested and passed.

We coated a portion of the plant pump station power and control building roof which had sprung a leak adjacent to the drain.

Constructed a crusher run walkway over the generator control cables after the conduit had been replaced at the James Drive pump station.

Troy belting inspected the generator controls, adjusted the backup power supply feed and replaced the generator battery at the Mechanicville Road pump station.

The Councilman then went on to read the monthly report from the Waterford Water Commissioners.

Water Consumption - The Water Works delivered approximately 29,524,672 gallons or 952,409 gpd of water during the month.

Water Distribution System Work - The staff completed approximately 30 dig-safe utility locations as well as 73 service calls during the month. In addition to calls, staff calibrated & maintained equipment, completed monthly water testing and completed meter reading.

Meter Installation -Staff continues to reach out to residents and schedule replacement of old meters with drive by read meters. Staff have logged 2733 meters installed to date.

Hydrant Maintenance - Maintenance and painting is completed; we have completed maintenance and painted all hydrants this season. If there are any questions or concerns, we can be reached through our website www.waterfordwater.org or by phone 518-237-0422.

Get the lead out - We have completed our Service Inventory Report for the NYS DOH. We are combining that with our action plan and will be filing it with the DOH in October, a year ahead of our deadline. We currently have 3308 services. There are 57 customers' services that contain lead, and 161 services that have been identified as unknown. We will be launching a project to identify those services in the new year and will formulate our plan for replacement.

Councilman Boudreau went on to read an update from Town Historian Russ Vandervoort. On September 9th, in conjunction with the Waterford Tugboat Roundup, presented a program on the first opening of the Champlain Canal's 200th Anniversary in Waterford, on the very day it happened 200 years ago.

September 17 - 20, was in attendance at the annual conference of Public Historians of New York in Ithaca. I was one of the presenters on the Tuesday schedule. The theme this year was various methods of "At home in New York." My 45-minute segment was "Life on the Water," detailing the living conditions of those who lived aboard the boats they worked on. Waterford, of course, was used as a study and reference point.

September 26th conducted a walking tour for the Saratoga County History Center. Starting at the Waterford Harbor Visitor Center, we met at the site of the Button Engine Co., then proceeded up Third to Broad, and then down to Soldiers & Sailors Park. Mention was made through out of the many historical buildings and sites along the way. There were 40 in attendance. The President of the SCHC thanked us for a perfect tour.

I received a memorial booklet from the family of Art Chouinire. He was a WWII airman from Waterford whose plane was lost in the war with all aboard. The families of all the airmen met this year in Europe on the 80th anniversary of the event. The booklet is a nice piece of history. Continued collaboration with former Waterford Museum Director, now a Senior Historian with the NYS Museum, Brad Utter, is turning up interesting facts about Waterford's past.

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

Councilman Ball read the summary of police activity for the month of September 2023:

38 Arrests, 132 traffic tickets, 15 motor vehicle accidents, 553 calls for service

Other activity: Officer Muzzi successfully completed the Department's Field Training program and was released to solo patrol.

The Department was awarded \$6,864 in grant money from the Governor's Traffic Safety Committee for 2024.

Councilman Ball referred to the status of investigations report. It will be slimmed down next month.

Councilman Ball stated that the Halfmoon Waterford Fire District and Northside Fire have posted their public hearings on their proposed budgets. The Waterford Fire Department is part of the Village budget and also a part of the Town Budget as well.

The Councilman then stated that the Town lost a vehicle this month. We did receive a quote for a new vehicle, \$39,571.00, a Dodge Durango that is ready now. We are not sure what will be available next year due to availability and the strike. We received close to \$17,000 from insurance proceeds for the Ford Explorer. He would like to consider moving on this tonight.

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

Councilman McClement read the Community/Senior Center report for September.

Grocery bus: Shoppers – 31, Miles – 102, Hours - 16

Medical Appts: Clients – 35, CNX – 13, Miles – 1094.5, Hours - 52

O/D Readings

2009 Ford Van – 90276.5

2015 Ford Bus - Medical Bus- 98065.4

2018 Chevrolet Bus / 24 Passenger – 9360

Attendance- 352 New members- 3

In this month of September, the Seniors have been busy with the scheduled daily Center activities. Some highlights for the month were our End of Summer Luncheon, the Saratoga County Annual Picnic, a Seniors trip to the Lake George Dinner Theatre, and a discussion on “Healthy Living for the Mind and Body” presented by The Alzheimer’s Association of NENY. We created a new weekly group which is Embroidery Fun. This is held on Friday afternoons. The first week of October brings Pinochle to the Center which will be held on Tuesday mornings.

We had a successful garden season once again and in latter October we will do our fall planting of garlic. And, speaking of produce we continue to have our friends at the Regional Food Bank present “Say Yes to Fruits and Veggies” program on the third Friday of the month.

Our trip committee continues with their planning, as this October the Seniors will be going to Turning Stone Casino and then in November, we will head over to Yankee Candle Flagship Store in Massachusetts. We have secured our transportation for both trips with Yankee Trails. As always, please call the Center at 518-235-8500 if you require further information on any of our programs.

Councilman McClement stated there will be a Covid 19 and Flu Vaccination Clinic on October 23rd at the Center. Please call 518-235-8500 for an appointment.

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

Councilwoman Marble read the Waterford Visitor Center report for the month of September as submitted by Harbormaster Jeff Cleary.

The legendary Tugboat Round-up took place on September 8th, 9th and 10th. The Tugboat Parade, Fireworks and Tug Chug, 5K road race as well as the line toss competition and the ever-popular nose to nose competition were all well received by the very large crowds that enjoyed the festivities. The John J. Harvey Fire Boat was, as always, a crowd pleaser. Many thanks to all the volunteers that helped make the weekend a huge success.

For the month of September, we welcomed 147 boats from 27 states, 4 Canadian provinces as well as Germany and New Zealand. To date we have welcomed 783 boats from 41 States and 9 countries, including 4 Canadian Provinces. Also, in September, our volunteers recorded 592 hours of service, and 2132 hours of service year to date. Thank you.

The Councilwoman then read the September report for the Building Department from Ben Akin. There were 19 building permits issued and 2 demolition permits: 1 being an unsafe accessory structure on Clifton St. and 1 being the planned removal of 46 Bells Lane in line with the development of the storage unit project. There were 3 stop work orders issued, 1 fire call, 26 on sight construction inspections, 46 stops for roadside trash and 5 stops for overgrowth. Over the last 2 months I have been working with 3 different property owners in the town to get the living conditions back to a safe environment. Everyone in contact for the properties have been moving in a positive direction. A total of 220 yards of items and debris has been removed from the interior and exterior of the combined properties. There are 2 landlord tenant disputes, both ongoing.

Councilwoman Marble gave an update for the Waterford Halfmoon School.

September was Fordian Fever month and the start of Fall sports.

October has upcoming events: 10/6 Emergency Evacuation Drill/ Early dismissal

10/9 Columbus Day No school

10/14 Color-A-Thon

10/17 Senior High Band and Chorus Fall Concert

10/19 PTO Meeting

10/20 Make-up picture Day

TBD Monster Mash

10/31 Elementary Halloween Parade

Councilwoman Marble then read an update from the Waterford Library.

There will be an adult and teen craft on Oct 14 between 10:30 and 1:30pm to make a Fabric Pumpkin. The Children's Halloween Party is on Saturday Oct 28 from 1-3, there will be snacks, crafts, and games.

Councilwoman Marble then stated that the Waterford Wesleyan Church will be having a Fall Festival with Trunk or Treating on October 29th in the church parking lot in the afternoon. It has always been lots of fun.

The Councilwoman added that she is looking into November to the Christmas Parade. Please mark your calendars for Saturday November 25th at 6pm. Anyone interested in participating or getting involved please feel to contact me thru the Supervisors Office. We will be having the fire truck light competition along with a float competition for residents and local businesses.

General Orders

RESOLUTION # 136

WHEREAS, an assessment roll has been prepared by this Board for and in connection with the improvements of Sewer District Number 1 for the Town of Waterford, consisting of the general sewers and the establishment and equipment of the sewage disposal plant, the roll was completed on September 1, 2023 and filed with the Town Clerk on this date, and

WHEREAS, the Town Clerk has given due notice to the Comptroller of the assessment roll and of where and when this board would meet to hear objections to the roll and to review, correct and amend the roll if necessary, and

WHEREAS, the Notice was published in the Schenectady Gazette newspaper and the Saratogian, both newspapers having circulation in the Town of Waterford and the latter being published in Saratoga County and the Town Board met at the time and place specified and the hearing was held upon the assessment roll,

NOW, THEREFORE BE IT RESOLVED, that the Town Clerk be and she is hereby instructed to annex to the assessment roll a warrant which is to be signed by the Supervisor and countersigned by the Town Clerk, commanding the Tax Collector and the Saratoga County Treasurer, to collect from the persons named in the assessment roll, the sum opposite their names to pay the same to the Supervisor of the Town.

Offered by Councilman Boudreau
Seconded by Councilwoman Marble

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

RESOLUTION # 137

RESOLVED, that the Town Board of the Town of Waterford hereby chooses to receive the Town of Waterford's share of the 2024 Saratoga County Sales Tax revenues in cash.

Offered by Councilwoman Marble
Seconded by Councilman Boudreau

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

RESOLUTION # 138

RESOLVED, that the Town Board of the Town of Waterford hereby acknowledges the receipt of the audit report issued by C. L. Hadjioannou, CPA, relative to the Town Court of the Town of Waterford for the calendar year 2022 and that the fines therein collected have been turned over to the proper officials of the Town as required by law.

Offered by Councilman Boudreau
Seconded by Councilman McClement

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

Supervisor Lawler congratulated the Town Justices and Court Clerks. It was a clean audit, there were no deficiencies, no adjustments and no recommendations.

RESOLUTION # 139

RESOLVED, that the following locations be designated as polling places for the Town of Waterford:

District 1- Waterford Visitor's Center, 1 Tugboat Alley
District 2- Waterford Community/Senior Center, 125 2nd Street
District 3 and District 6- Waterford Fire Department, 11 8th Street
District 4 and District 5- F.B. Peck Hose Firehouse, 85 Saratoga Avenue
District 7 and District 8- Waterford-Halfmoon School, 125 Middletown Road

Offered by Councilman McClement
Seconded by Councilwoman Marble

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

RESOLUTION # 140

RESOLVED, that Abigail Huls Ayotte be and she is hereby reappointed as Board of Assessment Review member for a five year term beginning October 1, 2023 thru September 30, 2028.

Offered by Councilwoman Marble
Seconded by Councilman McClement

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

RESOLUTION #141

RESOLUTION NO. 141 OF THE TOWN BOARD OF THE TOWN OF WATERFORD FOR THE YEAR 2023 AUTHORIZING THE CLERK TO RE-LEVY CERTAIN PARCELS PURSUANT TO LOCAL LAW ESTABLISHING A VACANT BUILDING REGISTRY

WHEREAS, The purpose of said local law is to establish a registry identifying vacant and abandoned buildings, which have an outstanding balance for registry fee associated with said property;

WHEREAS, It is the finding of the Town Board that the six (6) vacant buildings listed on Schedule A attached hereto currently have an outstanding registry fee balance which remains unpaid as of October 1, 2023;

WHEREAS, despite adequate notice and demand, the owners of said vacant buildings have failed to pay the outstanding fees as required.

NOW THEREFORE, BE IT RESOLVED that the Town Board hereby authorizes the re-levy as to each such vacant building parcel in the amount set forth on Schedule A attached hereto and for the Town Clerk to take such other and further action to accomplish same.

Offered by Councilman McClement
Seconded by Councilwoman Marble

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

Candidates

Town of Waterford Vacant Building Registry

#	Property Address	Tax Map #	Property Owner	Previous Liens	2023 Fee
1	144 3rd Street	291.48-1-16	Rory Zeto 41 Beechwood Court Clifton Park, NY 12065	\$1750 Tax Lien - Oct 2022	\$ (2,000)
2	10 Fulton Street	295.8-4-33	Aaron Suprenant 669 Boght Road Cohoes, NY 12047	\$1750 Tax Lien - Oct 2022	\$ (2,000)
3	2 Schoolhouse Lane	286.-1-50.11	Margaret Bulger-Mumblo 698 Yonkers Ave Apt 5H Yonkers, NY 10704	\$1750 Tax Lien - Oct 2022	\$ (2,000)
4	Schoolhouse Lane Rear	286.-1-50.2	Vincent Williamson PO Box 4406 Bennington, VT 05201	\$1750 Tax Lien - Oct 2022	\$ (2,000)
5	Schoolhouse Lane Rear	286.-1-50.12	Vincent & Kathryn Williamson PO Box 4406 Bennington, VT 05201	\$1750 Tax Lien - Oct 2022	\$ (2,000)
6	89 Vanderwerken Avenue	295.8-2-7	Richard Best 1349 Broadway Albany, NY 12204	\$2000 Tax Lien - Oct 2022	\$ (4,000)
Total					\$ (14,000)

Supervisor Lawler thanked Dave Woodin and Ben Akin for their work on getting this all set up. This is a tool to help these empty buildings to be re-occupied. It is not ideal for any municipality to have unoccupied buildings. This makes landlords have consequences for an empty building,

we assess a fee. We advise the owners when they will go on the registry and they have a certain time to pay the fee. It was a very complicated process to get this registry set up, this was established by a local law.

RESOLUTION # 142

RESOLVED, that Carl Benoit be and he is hereby authorized to attend the 2023 Association of Towns Planning and Zoning School on October 13, 2023 in Oneonta, New York at a cost of \$80.00.

Offered by Councilman Boudreau
Seconded by Councilman McClement

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

RESOLUTION # 143

WHEREAS, the owner of 37 Mohawk Avenue, Waterford NY; SBL: 291.17-3-15 has been given due notice to comply with the requirement of the cutting of weeds and grass from the subject property;

WHEREAS, said time frame has come and gone without remedy;

WHEREAS, an invoice in the amount of \$426.98 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 Boudreau
Seconded by Councilwoman Marble

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

Supervisor Lawler stated that this is a way to keep properties in good repair. If we notice a property out of compliance with code, we give them a notice to comply and time to correct the violation. Occasionally someone disregards this notice, they are then advised of the number of days they have to remedy the violation or the Town will remedy it and the Town will charge for that remedy. The cost of the Town to step in will not be cheap, you will pay for the labor and

equipment used. The Town will then send a bill to the homeowner and they have thirty days to pay, if payment is not received, that amount is then relieved onto the tax bill. It's unfortunate that it goes this way. When properties are not taken care of it affects the neighborhood.

Other Business:

RESOLUTION # 144

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

2008 Ford	F350 Dump Body	\$10,100.00
2009 Chevy	3500 Dump Body	\$11,100.00
2006 GMC Sierra	2500HD Pickup	\$7,300.00
2003 Ford	E450 Ambulance	\$2,350.00
	8' Minute Mount Plow	\$1,200.00

Offered by Councilman Boudreau
Seconded by Councilwoman Marble

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

RESOLUTION # 145

RESOLVED, that the regular monthly Town Board meeting scheduled for Tuesday November 7, 2023 be rescheduled to November 8, 2023 at 7:00 PM at Waterford Town Hall due to Election Day.

Offered by Councilman Boudreau
Seconded by Councilman McClement

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

RESOLUTION #146

RESOLUTION FOR THE YEAR 2023 OF THE TOWN BOARD OF THE TOWN OF WATERFORD DECLARING A PUBLIC EMERGENCY, PURSUANT TO SECTION 103(4) OF THE GENERAL MUNICIPAL LAW, FOR THE EMERGENCY

REMOVAL AND REPLACEMENT OF THE TOWN OF WATERFORD HIGHWAY GARAGE'S OVERHEAD DOORS

WHEREAS, on September 12, 2023, a fire safety inspection was conducted on the Town of Waterford's Highway Garage by the Town of Waterford's Building and Zoning Officer and it was determined that all of the Town of Waterford's Highway Garage's overhead doors posed an imminent safety risk to the public as well as to the Town of Waterford employees as all of said overhead doors had a heavy amount of rot and all of the safety functions on said overhead doors were currently inoperable;

WHEREAS, the Town of Waterford's Building and Zoning Officer, as a result of his aforementioned September 12, 2023 fire safety inspection of the Town of Waterford's Highway Garage, issued a report, dated September 29, 2023, detailing the findings of said fire safety inspection and recommending the immediate removal and replacement of the Town of Waterford's Highway Garage's overhead doors due to the imminent danger that said overhead doors posed to the public and the Town of Waterford employees;

WHEREAS, the Town of Waterford's Tony Lubas engaged Overhead Door Company of Albany to furnish the Town of Waterford with a proposal to immediately remove and replace the Town of Waterford's Highway Garage's overhead doors;

WHEREAS, Overhead Door Company of Albany has furnished the Town of Waterford with a proposal to immediately remove and replace the Town of Waterford's Highway Garage's overhead doors for the sum of \$54,339.00;

WHEREAS, Section 103(4) of the New York State General Municipal Law provides that, in cases of an emergency situation arising from unforeseen circumstances affecting public property or the health and safety of the public, the Town Board may authorize the purchase of services, material and equipment without competitive bidding;

NOW THEREFORE BE IT RESOLVED THAT the Town Board determines that the current condition of the Town of Waterford's Highway Garage's overhead doors, as observed during a September 12, 2023 inspection by the Town of Waterford's Building and Zoning Officer and detailed in his September 29, 2023 report, constitutes an emergency for procurement purposes under Section 103(4) of New York State General Municipal Law;

NOW THEREFORE BE IT FURTHER RESOLVED THAT the Town Board's Supervisor is hereby directed to authorize Overhead Door Company of Albany to proceed with the immediate removal and replacement of the Town of Waterford's Highway Garage's overhead doors pursuant to its proposal dated September 27, 2023;

NOW THEREFORE BE IT FURTHER RESOLVED THAT the Town Board's Supervisor is hereby authorized to compensate Overhead Door Company of Albany the amount of \$54,339.00 for the immediate removal and replacement of the Town of Waterford's Highway Garage's overhead doors.

Offered by Councilman Boudreau
Seconded by Councilman McClement

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

RESOLUTION # 147

**RESOLUTION FOR THE YEAR 2023 OF THE TOWN BOARD
OF THE TOWN OF WATERFORD DECLARING A PUBLIC EMERGENCY,
PURSUANT TO SECTION 103(4) OF THE GENERAL MUNICIPAL LAW, FOR THE
EMERGENCY REMOVAL AND REPLACEMENT OF THE FRAMEWORK OF THE
TOWN OF WATERFORD HIGHWAY GARAGE'S OVERHEAD DOORS**

WHEREAS, on September 12, 2023, a fire safety inspection was conducted on the Town of Waterford's Highway Garage by the Town of Waterford's Building and Zoning Officer and it was determined that the framework holding all of the Town of Waterford's Highway Garage's overhead doors posed an imminent safety risk to the public as well as to the Town of Waterford employees;

WHEREAS, the Town of Waterford's Building and Zoning Officer, as a result of his aforementioned September 12, 2023 fire safety inspection of the Town of Waterford's Highway Garage, issued a report, dated September 29, 2023, detailing the findings of said fire safety inspection and recommending the immediate removal and replacement of the framework of the Town of Waterford's Highway Garage's overhead doors due to the imminent danger that said framework posed to public and the Town of Waterford employees;

WHEREAS, the Town of Waterford's Tony Lubas engaged Rozell Industries to furnish the Town of Waterford with a proposal to immediately remove and replace the framework of the Town of Waterford's Highway Garage's overhead doors;

WHEREAS, Rozell Industries has furnished the Town of Waterford with a proposal to immediately remove and replace the framework of the Town of Waterford's Highway Garage's overhead doors for the sum of \$14,096.00;

WHEREAS, Section 103(4) of the New York State General Municipal Law provides that, in cases of an emergency situation arising from unforeseen circumstances affecting public property or the health and safety of the public, the Town Board may authorize the purchase of services, material and equipment without competitive bidding;

NOW THEREFORE BE IT RESOLVED THAT the Town Board determines that the current condition of the framework of the Town of Waterford's Highway Garage's overhead doors, as

observed during a September 12, 2023 inspection by the Town of Waterford's Building and Zoning Officer and detailed in his September 29, 2023 report, constitutes an emergency for procurement purposes under Section 103(4) of New York State General Municipal Law;

NOW THEREFORE BE IT FURTHER RESOLVED THAT the Town Board's Supervisor is hereby directed to authorize Rozell Industries to proceed with the immediate removal and replacement of the framework of the Town of Waterford's Highway Garage's overhead doors pursuant to its proposal dated September 27, 2023;

NOW THEREFORE BE IT FURTHER RESOLVED THAT the Town Board's Supervisor is hereby authorized to compensate Rozell Industries the amount of \$14,096 for the immediate removal and replacement of the framework of the Town of Waterford's Highway Garage's overhead doors.

Offered by Councilman Boudreau
Seconded by Councilman McClement

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

Supervisor Lawler thanked Ben Akin for his work on this when we realized we had a problem. Ben did a walk thru and wrote a report for John Dowd. Tony, Ben and Jim all worked on this, thank you.

RESOLUTION #148

RESOLVED, that the Town Board of the Town of Waterford hereby awards OGS Solicitation 23166 to Sawyer Motors for the purchase of (1) 2023 Dodge Durango Pursuit All Wheel Drive Vehicle. Bid Price- \$39,571.00.

Offered by Councilman Ball
Seconded by Councilwoman Marble

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

Supervisor Lawler stated that this purchase replaces a vehicle that was recently totaled in an accident. The vehicle that is out of service was in fact scheduled to be replaced this year.

Supervisor Lawler asked the Board if they had any other business to discuss.

Councilman Ball stated that they will need an Executive Session to discuss an appeal of a FOIL request.

Councilman McClement stated that this year is the 250th Anniversary of the Battles of Saratoga. There are many activities throughout the County. Visit saratoga250.com to get more information.

Supervisor Lawler opened the meeting for public comment.

Darlene M.- spoke about PROWAG (Public Right-of-Way Accessibility Guidelines) and a committee she is on, to make sure ADA rules are being followed, such as sidewalks, street and crosswalks and pedestrian rights of way are accessible. She stated that the Town is doing an awesome job with this.

Darlene spoke of an issue she had at the Visitor Center during an event where she felt the bike rack wasn't easily accessible. She had a discussion with the people working there and felt they did not want to move the bike rack to a more accessible area due to the possibility of vandalism. She feels this needs to be addressed.

Supervisor Lawler asked Councilwoman Marble to look into this please.

Supervisor Lawler added that Darlene is a great advocate for disability rights and she has been to many Board of Supervisors Meetings over the years.

Councilman Boudreau made a motion at 8:00PM to adjourn to Executive Session to discuss a FOIL appeal and a personnel matter, seconded by Councilman McClement. All voted in favor of the motion.

Supervisor Lawler stated no action will be taken after the Executive Session. All are welcome to stay, he is not sure how low it will take. The Supervisor went on to say that we have a great week coming up, the weather is supposed to be close to 85 degrees tomorrow, definitely not fall weather. He will see everyone next month.

Respectfully submitted,

Mary Shannon Carrigan
Town Clerk