

**Minutes from the Ticonderoga Regular Town Board Meeting held on September 12, 2024,
commencing at 6:00 p.m. with a Public Hearing regarding a Joint Increase and
improvement of the facilities of Sewer Districts 2-9, 11&12**

Present: Mark A. Wright, Supervisor
Dave Woods, Councilman
Joyce Cooper, Councilwoman
Tom Thatcher, Councilman
Heath Towne, Councilman
Matthew Fuller, Town Attorney
Tonya M. Thompson, Town Clerk

Others: Sandy Morhouse, Shaundra Yaw, Scott Hearburg, Nicole Justice Green, Chuck Gijanto, Laura Wright, Loretta Euber, Drew Metzler & son, Patty Cook, Renee Kennedy, Zack Staag, Samantha Montville, Aren Caza

Supervisor Wright opened the meeting with the Reciting of the Pledge of Allegiance.

Opening Remarks

Supervisor Wright noted that the Town has completed four (4) budget workshops and number five (5) is scheduled for tomorrow. All dates and times are listed on the website.

Eagle Lake Boat launch issue; we understand that it has now been posted listing October 24th as the date NYS will restrict boat access there. The Town of Ticonderoga will continue to oppose the action taken by the APA and the DEC.

108 Montcalm Rationale

- As everyone is aware, 108 Montcalm Street, the former Hacker Boat and JJ Newberry building has been a decaying structure and a blight on the downtown for many years.
- The NYS Downtown Revitalization Initiative (DRI) awarded to Ticonderoga in 2023 provided Ticonderoga a precious and unique opportunity to revitalize and advance our economic situation.
- One of the potential DRI projects which could benefit under the DRI award, and which was reviewed by the DRI Local Planning Committee (LPC) included 108 Montcalm Street.
- However, this project did not initially move forward much to the astonishment of many including NYS officials.
- NYS, recognizing the importance of this project recommended the LPC reexamine this project for reconsideration.
- The State, in my opinion, firmly understood and was attempting to convey the importance of this project, how closely this project was associated with the DRI Streetscape project, how its location within the DRI boundary and in the heart of the downtown, was critically strategic, and how important its success was to the success of Ticonderoga's entire DRI program.
- I cannot emphasize enough the importance and significance of that statement by NYS.
- The State, through their comments, clearly emphasized the importance of the 108 Montcalm project.

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- I agreed with that recommendation. Our Streetscape DRI project could be a total failure with 108 continuing to deteriorate and eventually collapse.
- 108 Montcalm is CRITICAL to a successful DRI effort. It must not and cannot fail.
- The Ticonderoga DRI effort, in total, cannot fail or falter, in any capacity.
- This would not only reflect poorly on Ticonderoga and negatively impact our recovery but could risk future awards to other small NY communities like us who need this State assistance.
- There is truly much at stake here.
- The Ticonderoga Revitalization Alliance (TRA) is the owner of 108 Montcalm.
- TRA is identified as a local development corporation (LDC), a private, not-for-profit corporation.
- It was created for the benefit of local government for economic development or other public purposes.
- TRA was created to help Ticonderoga's economic advancement.
- The Town of Ticonderoga is the Sole Member in this organization which operates with a Board of Directors and an Executive Director.
- The TRA Board of Directors are appointed by the Town.
- TRA sponsored 108 Montcalm Street as a New York State DRI project and was accepted as such.
- For the past several months, the Town of Ticonderoga, as ex-officio on the TRA Board of Directors, has been involved in discussions, along with TRA and the NorthCountry Rural Development Coalition (NRDC, formerly PRIDE), regarding a coalition or partnership among these 2 organizations.
- A primary cooperative project under this proposed coalition was 108 Montcalm Street.
- Each organization brings very unique tools, ability, experience, and authority to the table in which to conduct preservation, revitalization, and economic assistance support to our community and the surrounding area.
- TRA, as an LDC, is capable of accomplishing tasks which the NRDC cannot do and likewise.
- Under a Coalition, each affiliate organization would maintain its corporate identity & mission under the law.
- The Coalition could be led by an executive director with a Board of Directors composed of individuals from each affiliate organization.
- This governing body would determine the tasking of each organization's tools and expertise for a specific activity to capitalize on those individual strengths and authorities of the affiliate organizations.
- There are several benefits to Ticonderoga and to the affiliates under this Coalition and specifically on the 108 Montcalm project.
 - Improved efficiency with a Coalition deciding which organization has the best tool and experience to execute a specific project.
 - Realize considerable cost savings by streamlining operations, reducing administrative overhead, and cutting expenses related to insurance and other operational costs.
 - Reduced inter-organizational rivalry which continues to negatively impact Ticonderoga.
 - Eliminate the crossing of swim lanes which consistently leads to duplication of effort, wasted spending, and strained relations.

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- Specifically for the 108 Montcalm Street project, implementation of a Coalition or an administration agreement or partnership document would quickly and efficiently address existing environmental and procurement issues, ensuring compliance while meeting the DRI project goals.
- A Coalition could greatly improve the ability of both organizations to accomplish great objectives using their unique tools and skills but under a more efficient direction of a Coalition.
- More importantly in the short term, a coalition or partnership could save 108 Montcalm Street.

- TRA and NRDC have been working towards the 108 Montcalm project goal with the understanding of a Coalition and with NRDC spearheading much of the foundational work.
- In this effort, NRDC used their specific skills, tools and contacts, working with environmental services and planning remediation, directing their building specialist to work specific tasks, arranging contracting services for roof replacement, communicating w/state officials, and other related tasks to satisfy DRI goals.
- The process towards coalition and efforts to prepare 108 Montcalm for DRI was proceeding well until recently.
- The TRA board reversed its decision on a coalition deciding it would pause for at least one year. This decision came at the worst time for the 108 Montcalm project.
- Following this pause announcement, NRDC announced it could no longer legally pursue work on 108 Montcalm without the assurances that would have been in place and, I should add, would have been unnecessary under a coalition, or if not under a coalition, without some sort of agreement and compensation to NRDC for work completed and work necessary for completion of the project as this work would be at risk if not under a coalition or agreement.
- TRA did not accept this agreement stating it did not have the funding to reimburse NRDC and would work the project under their organization alone.
- Again, this funding would not have been required under a coalition where resources were shared.
- This change of events was disturbing for the Town with no coalition or agreement in place, contractors waiting, winter fast approaching, and the clock ticking.
- NYS has now informed TRA, the project sponsor, that it must acknowledge and accept the NYS DRI award for 108 Montcalm by October 14.
- If a project sponsor lacks the capacity to complete a project, the State can recapture the funds, redirect them, or pull them so timing on this project is critical – for DRI and for saving this critical structure in our downtown area.
- This pause, now exacerbated by the impact of a cessation of NRDC work on 108 Montcalm project endangers the ability of Ticonderoga to continue its economic development and revitalization of its downtown.
- TRA does not have the equivalent skills to NRDC in extensive grant work, working with environmental testing services, or available bridge funding to do this alone but has nonetheless decided to finish the project, basically starting from scratch and searching for donor funding.

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- Critical funding, needed until State reimbursement occurs, is not required under a coalition as both organizations would pool their resources for the good of the coalition and the project.
- I informed the TRA Board on 8/9/2024, during a meeting of their Board that I had no confidence in TRA's ability to successfully complete this project without a coalition or agreement w/NRDC.
- The Chairman of the TRA Board of Directors, has now resigned as Chair following reversal of the TRA Board's original decision to combine with NRDC has also stated that TRA cannot do this project alone.
- So, there is no startup funding, and the project will now experience a loss of critical time and data without a coalition or agreement. This cannot occur.
- I re-emphasized the importance of 108 Montcalm as a coalition project to the TRA Board on 8/12/2024 and stated the town was not pleased with the direction that 108 was taking as a DRI project.
- I appealed to the TRA Board on 8/16/2024 to reconsider their position on a pause and the importance of a coalition for the sake of the project and the future benefits to Ticonderoga with the two organizations working together.
- Additionally, the then current TRA Chairman of the Board reached out to me on 8/16/2024 expressing his concerns via an email. His concerns echoed my own.

MEMORANDUM FOR THE SUPERVISOR OF THE TOWN OF TICONDEROGA:

Mark, I am writing to you in my capacity as Chair of the Board of the Ticonderoga Revitalization Alliance (the "Alliance"). As you know, the Alliance is a local development corporation organized under the laws of the State of New York. The Town of Ticonderoga, acting through you, ex officio, is the Alliance's sole Member with full power to appoint the Alliance's Board and, conversely, to remove the Board with or without cause. Such appointments and removals require the approval of the Town Board. As you know, the Alliance owns 108 Montcalm Street, the old JJ Newberry building hereinafter called the "Project."

The Project is in a terrible state with its roof near collapse. Although the Project is a beneficiary of a DRI Grant and is applying for a Restore New York Grant, the Alliance does not have the resources or the expertise to administer either Grant or to oversee construction. To address this problem, the Alliance's Board previously assigned responsibility for the Restore New York Grant to the North Country Regional Development Council ("NRDC") and approved a resolution to combine with NRDC under a common board and common management. Anticipating the imminent combination of the two entities and with time being of the essence, NRDC thereupon assumed responsibility for the DRI Grant and undertook extensive environmental investigation and other preparatory work. The Project has now received the green light from DRI, and the clock is ticking.

In the middle of all of this activity, the Alliance's Board, against my strong

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recommendation, reversed itself on its decision to combine with NRDC and is taking steps to reassert itself into the DRI process. The consequences of this will be cataclysmic. First, NRDC is (understandably) unwilling to continue to pour its manpower and resources into the Project without compensation which the Alliance cannot afford. Second, NRDC has been advised by its counsel that it is constrained by law from sharing its work already completed without there being a contract in place and compensation. Third, with the combination, the two entities would have been able to pool resources in such a manner as to proceed immediately with replacing the roof, a critical step in getting the Project through the winter. Without the combination, the Alliance must desperately seek upwards of \$500,000 for the roof from private citizens as the Project is not considered financeable by financial institutions. Although one would think that banks would finance in anticipation of the DRI Grant, that is not the case. Banks consider grants as potential sources of liquidity but not as collateral. So, without the combination of the Alliance and NRDC, the Project is in serious jeopardy, leaving the distinct possibility that 108 Montcalm will become a larger blight on downtown Ticonderoga, a situation which is simply unacceptable.

Therefore, I request that you and the Town Board exercise your power to remove the current Alliance Board and replace it with members amenable to the combination. I will appoint Scott Hearburg and myself as the Steering Committee to recommend those potential new members to you. Were the Town to do this, NRDC would be in a position to proceed with the administration of the Grants and the supervision of the Project, and the desperate need for capital will have been substantially addressed.

Respectfully submitted,

Sanford W. Morhouse,

Chair, Ticonderoga Revitalization Alliance

- Although the TRA Board Chairman has resigned as Chair, he remains on the TRA Board of Directors.
- It is my opinion that the 108 Montcalm project is at serious risk and unfortunately this requires serious action on the part of the Town of Ticonderoga.

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- TRA is an incredible organization and has accomplished much under the leadership of Donna Wotton who retired at the end of August.
- It will continue to do so within or outside of a coalition, but in my opinion could be much more impactful under a coalition, but more importantly and which is my major concern, this partnership is needed to save 108 Montcalm.
- Outside of a coalition or an agreement with NRDC leading the 108 Project, I believe 108 Montcalm is in serious peril. A majority of the TRA Board disagrees with me.
- I made 3 unsuccessful attempts to the TRA Board for reconsideration and/or expressed the Town's concerns and lack of confidence in TRA completing the 108 Montcalm project.
- I have briefed the Town Board regarding this project and my concerns and discussed this situation with the Town Attorney.
- I have informed the Ticonderoga Town Board of the path which I believe is now necessary to take to save the 108 Montcalm Street project but will state it here for the record.
- I would like to introduce and move the following resolution for Town Board consideration which reflects my recommendation and that of the former TRA Chairman of the Board.

READ RESOLUTION

Resolution #395-2024 brought by Mark A. Wright, seconded Unanimously by the Board Members, Dave Woods, Joyce Cooper, Tom Thatcher, Heath Towne to authorize the Supervisor to remove members of the Board of Directors and Appoint a New Board of Directors of Ticonderoga Revitalization Alliance, Inc. **All in Favor. Carried**

TOWN BOARD OF THE TOWN OF TICONDEORGA

COUNTY OF ESSEX, STATE OF NEW YORK

Resolution Number 395 of 2024

Adopted September 12, 2024

Introduced by Mark A. Wright

who moved its adoption.

Seconded Unanimously by all present:

Dave Woods, Joyce Cooper, Tom Thatcher, Heath Towne

**RESOLUTION AUTHORIZING SUPERVISOR TO REMOVE MEMBERS OF THE BOARD OF
DIRECTORS AND APPOINT A NEW MEMBER TO THE BOARD OF DIRECTORS OF TICONDEORGA
REVITALIZATION ALLIANCE, INC.**

WHEREAS, in or about the year 2010, the Town Board (the "Town Board") of the Town of Ticonderoga (the "Town") authorized the formation of the Ticonderoga Revitalization Alliance, Inc. (the "TRA"), a not-for-profit corporation formed under Article 14 of the Not-For-Profit Corporation Law of the State of New York; and

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WHEREAS, the Town, by the Town Supervisor, is the sole member of the TRA; and

WHEREAS, the Town Supervisor has reported to the Town Board that he finds it to be in the best interests of the TRA and the Town if certain members of the Board of Directors of TRA are removed by the Town to facilitate growth and proper functions of the TRA in support of projects in the Town, in furtherance of the corporate purposes of the TRA; and

WHEREAS, the Town, by the Town Supervisor, as the sole member of the TRA, has the authority pursuant to Article III, Section 3(a) of the Bylaws of the TRA, to remove any member of the Board of Directors of the TRA with or without cause, and members of the Board of Directors are appointed by the Town Supervisor with confirmation by the Town Board; and

WHEREAS, the Town Board wishes to confirm the proposed actions of the Town Supervisor as set forth below, in accordance with the Bylaws of the TRA.

NOW, THEREFORE BE IT:

RESOLVED, that the Town Supervisor is authorized to remove Peter Reale, Robert Porter, Chris Mallon, Patrick Ida, Pam Nolan, Lance Clark, and Nancy Archer as members of the Board of Directors of the TRA effective immediately, in accordance with the Bylaws of the TRA; and be it further

RESOLVED, that the Town Supervisor is authorized to appoint Chuck Gijanto as member(s) of the Board of Directors of the TRA effective immediately to fulfil unexpired term(s) as the Town Supervisor shall determine, in accordance with the Bylaws of the TRA; and be it further

RESOLVED, that this resolution shall take effect immediately.

- It was certainly not my desire to pursue this path and this option was not taken lightly. Many of the TRA Board members are my friends and associates and I certainly mean no disrespect to anyone.
- This action is not a negative reflection on them, rather it is an attempt to save the 108 Montcalm Street DRI project and not leave a blemish on TRA's successful revitalization record.
- The Town of Ticonderoga certainly appreciates the many years of service and dedication which these individuals have given to TRA, but I and the Town Board must consider the economic development of Ticonderoga and the critical importance of the 108 Montcalm project and its success as a DRI project.
- The Town Board must also take into consideration the request of the then current TRA Chairman of the Board.
- Finally, and once again, I want to be very clear that this action was not taken lightly and not the path I wanted to pursue.
- I had hoped for another viable solution, but this appeared as the only option for the town, the 108 Montcalm Street project, the DRI project in general, and for the success of TRA.
- In the end, the Town Board and I have a responsibility to the Town of Ticonderoga and will do what is necessary to protect the interests of Ticonderoga and its future as well as the interests of TRA as a local development corporation, the State of New York, State taxpayer funding, and

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the trust and confidence bestowed on Ticonderoga by the State of New York as a DRI award recipient.

Supervisor Wright explained that our Codes office found an error in the Zoning law where it pertains to the schedule. We can schedule a public hearing to amend the law.

Resolution #396-2024 brought by Tom Thatcher, seconded by Joyce Cooper to schedule a Public Hearing on October 10, 2024, at 6:00 p.m. for an amendment to the Town’s Zoning Law to correct a typographical omission in Schedule 2, titled Area, Bulk and Coverage Controls. **All in Favor** Mark Wright – Aye, Dave Woods – Aye, Joyce Cooper – Aye, Tom Thatcher – Aye, Heath Towne – Aye. **Opposed** – none. **Carried.**

Public Hearing

Joint Increase/Improvement of Sewer Districts 2-9, 11 & 12, WWTP

This is a continuation of the Public Hearing that has been open for several months now. This is on the Joint Increase and Improvement of Sewer Districts 2-9, 11 & 12 for the Wastewater Treatment Plant. We have had a lot of information on this to date, the goal here tonight is to declare this is in the public interest and to authorize some additional bonds in the amount just under \$4 million and change to cover an increase in this project cost.

No Public Comment

Public Hearing closed at 6:24 p.m.

Resolution #397-2024 brought by Tom Thatcher, seconded by Heath Towne authorizing the joint increase and improvement of the facilities of Sewer Districts Nos. 2-9, 11, and 12 in the Town of Ticonderoga is hereby found and determined necessary and in the public interest at a new maximum estimated cost of \$35,221,537.40 to Sewer Districts Nos. 2-9, 11 and 12 being an increase of \$4,248,364.51 and said increase and improvement is hereby authorized and approved, allocated to each of said sewer districts as provided in the Order Calling a Public Hearing dated and duly adopted on July 25, 2024. Further resolved that this order shall take effect immediately. **All in Favor** Mark Wright – Aye, Dave Woods – Aye, Joyce Cooper – Aye, Tom Thatcher – Aye, Heath Towne – Aye. **Opposed** – none. **Carried.**

Resolution #397-2024

In the Matter of The Increase and Improvement of the Facilities of Sewer Districts Nos. 2-9, 11 and	PUBLIC INTEREST ORDER
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12 in the Town of Ticonderoga, Essex County, New York (Additional Costs)	
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WHEREAS, the Town Board of the Town of Ticonderoga, Essex County, New York, has had under consideration the joint increase and improvement of the facilities of all of the sewer districts in said Town, being Sewer Districts Nos. 2-9, 11 and 12 in said Town (together, the “Districts”), consisting of reconstruction of phosphorus removal and other elements of the wastewater treatment plant, and reconstruction of sewer mains along various streets, including additional collection system improvements, and original furnishings, equipment, machinery, apparatus, appurtenances and incidental improvements and expenses in connection therewith

WHEREAS, by Order dated July 25, 2024, said Town Board called a joint public hearing on the question of the increase in the aggregate maximum estimated cost of said project of \$4,248,364.51, allocated to said Districts as hereinafter provided, at a new aggregate maximum estimated cost of \$35,221,537.40; and

WHEREAS, notice of said public hearing was duly published and posted in the manner and within the time provided by law and such public hearing was duly held at the time and place specified in said notice at which all persons interested in the subject matter thereof were duly heard; and

WHEREAS, said Town Board has duly considered the evidence given at said public hearing; NOW, THEREFORE, BE IT

ORDERED, by the Town Board of the Town of Ticonderoga, Essex County, New York, as follows:

Section 1. Upon the evidence given at the aforesaid public hearing, it is hereby found and determined that it is necessary and in the public interest to joint increase and improvement of the facilities of all of the sewer districts in said Town, being Sewer Districts Nos. 2-9, 11 and 12, in the manner described in the preambles hereof, at a new maximum estimated cost of \$35,221,537.40 to Sewer Districts Nos. 2-9, 11 and 12, being an increase of \$4,248,364.51, and said increase and improvement is hereby authorized and approved, allocated to each of said sewer districts as provided in the Order Calling a Public Hearing dated and duly adopted on July 25, 2024.

Section 2. This Order shall take effect immediately.

Resolution #398-2024 brought by Dave Woods, seconded by Joyce Cooper authorizing the issuance of an additional \$4,248,364.51 bonds of the Town of Ticonderoga, Essex County, New York, to pay part of the cost of the increase and improvements of the facilities of Sewer Districts Nos. 2 through 9, 11 and 12 in the Town of Ticonderoga, Essex County, New York. **All in Favor** Mark Wright – Aye, Dave Woods – Aye, Joyce Cooper – Aye, Tom Thatcher – Aye, Heath Towne – Aye. **Opposed** – none. **Carried.**

BOND RESOLUTION #398-2024 DATED SEPTEMBER 12, 2024.

A RESOLUTION AUTHORIZING THE ISSUANCE OF AN ADDITIONAL \$4,248,364.51 BONDS OF THE TOWN OF TICONDEROGA, ESSEX COUNTY, NEW YORK, TO PAY PART OF THE COST OF THE INCREASE AND IMPROVEMENT OF THE FACILITIES OF SEWER DISTRICTS NOS. 2 THROUGH 9, 11 AND 12, IN THE TOWN OF TICONDEROGA, ESSEX COUNTY, NEW YORK.

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WHEREAS, the Town Board of the Town of Ticonderoga, Essex County, New York, on November 3, 2021 and June 8, 2023, duly adopted bond resolutions authorizing the issuance of an aggregate \$30,973,172.89 serial bonds of said Town to pay the cost of the joint increase and improvement of the facilities of all of the sewer districts in said Town (together, the “Districts”), consisting of reconstruction of phosphorus removal elements of the wastewater treatment plant, and reconstruction of sewer mains along various streets including original furnishings, equipment, machinery, apparatus, appurtenances and incidental improvements and expenses in connection therewith, and

WHEREAS, said capital project has been determined to be an Unlisted Action, with a Negative Declaration pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act (“SEQRA”), the implementation of which as proposed, it has been determined will not result in any significant environmental adverse impact; and

WHEREAS, it has now been determined that the maximum estimated cost of said specific object or purpose, due to increased costs and is \$35,221,537.40, an increase of \$4,248,364.51 over that previously authorized; and

WHEREAS, it is now desired to authorize the issuance of an additional \$4,248,364.51 bonds of said Town for such specific object or purpose to pay a portion of the cost thereof; NOW, THEREFORE,

BE IT RESOLVED, by the affirmative vote of not less than two-thirds of the total voting strength of the Town Board of the Town of Ticonderoga, Essex County, New York, as follows:

Section 1. For the specific object or purpose of paying additional costs of the joint increase and improvement of Sewer Districts Nos. 2 through 9, 11 and 12, in the Town of Ticonderoga, Essex County, New York, being reconstruction of phosphorus removal and other elements of the wastewater treatment plant, and reconstruction of sewer mains along various streets, including additional collection system improvements, and original furnishings, equipment, machinery, apparatus, appurtenances and incidental improvements and expenses in connection therewith, there are hereby authorized to be issued an additional \$4,248,364.51 bonds of the Town of Ticonderoga, Essex County, New York, pursuant to the provisions of the Local Finance Law.

Section 2. It is hereby determined that the maximum estimated cost of such specific object or purpose is now determined to be \$35,221,537.40, which specific object or purpose is hereby authorized at said maximum estimated cost, and that the plan for the financing thereof is as follows:

- a) by the issuance of the \$10,120,000 bonds of said Town authorized to be issued pursuant to bond resolution dated and duly adopted November 3, 2021;
- b) by the issuance of the additional \$20,853,172.89 bonds of said Town authorized to be issued pursuant to bond resolution dated and duly adopted June 8, 2023; and
- c) by the issuance of the additional \$4,248,364.51 authorized to be issued pursuant to this bond resolution.

The amount of said bonds ultimately to be issued shall not be reduced dollar for dollar by any grants in aid received therefore and bond resolutions dated and duly adopted November 3, 2021 and June 8, 2023 are hereby amended accordingly.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is forty years, pursuant to subdivision 4 of paragraph a of Section 11.00 of the Local Finance Law, calculated from the date of issuance of the first obligations for

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said specific object or purpose. It is hereby determined that the maximum maturity of the bonds authorized by the above referenced bond resolutions shall exceed five years.

Section 4. The faith and credit of said Town of Ticonderoga, Essex County, New York, are hereby irrevocably pledged to the payment of the principal of and interest on such obligations as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year. To the extent not paid from monies raised in said Sewer Districts by assessments upon the properties therein benefitted thereby and as otherwise provided by law, there shall annually be levied on all the taxable real property in said Town a tax sufficient to pay the principal of and interest on such obligations as the same become due and payable.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the serial bonds herein authorized, including renewals of such notes, is hereby delegated to the Supervisor. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Supervisor, consistent with the provisions of the Local Finance Law.

Section 6. The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the Supervisor, who shall advertise such bonds for sale, conduct the sale, and award the bonds in such manner as said officer shall deem best for the interests of said Town; including, but not limited to, the power to sell said bonds to the New York State Environmental Facilities Corporation; provided, however, that in the exercise of these delegated powers, said officer shall comply fully with the provisions of the Local Finance Law and any order or rule of the State Comptroller applicable to the sale of municipal bonds. The receipt of the Supervisor shall be a full acquittance to the purchaser of such bonds, who shall not be obliged to see to the application of the purchase money.

Section 7. All other matters except as provided herein relating to the serial bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue serial bonds with substantially level or declining annual debt service, shall be determined by the Supervisor, the chief fiscal officer of such Town. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Supervisor shall determine consistent with the provisions of the Local Finance Law.

Section 8. The Supervisor is hereby further authorized, in such officer's discretion, to execute a project finance and/or loan agreement, and any other agreements with the New York State Department of Environmental Conservation and/or the New York State Environmental Facilities Corporation, including amendments thereto, and including any instruments (or amendments thereto) in the effectuation thereof, in order to effect the financing or refinancing of the object or purpose described in Section 1 hereof, or a portion thereof, by a bond, and/or note issue of said Town in the event of the sale of same to the New York State Environmental Facilities Corporation.

Section 9. The power to issue and sell notes to the New York State Environmental Facilities Corporation pursuant to Section 169.00 of the Local Finance Law is hereby delegated to the

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Supervisor. Such notes shall be of such terms, form and contents as may be prescribed by said Supervisor consistent with the provisions of the Local Finance Law.

Section 10. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 11. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150 - 2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 12. This resolution, which takes effect immediately, shall be published in summary form in the official newspaper, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

Report of Committees

Airport – Tom Thatcher, Councilman

TICONDEROGA AIRPORT 4B6

September 3, 2024

The meeting was called to order at 0830 in the Town Hall followed by the pledge of allegiance.

Present, Chris Kneppers, Alan Densmore, Dave Woods, Tom Thatcher, Bryan Duros, Ashe Alexander, Gary Vosburg and Brian Duros

Absent, Jon Hanna.

Reported fuel sales of 4398 gallons for last August. Ashe will put an order in for 6500 gallons.

Airport expansion: Passero update on the vault change out. Ralph Gotto, from FAA, has been in contact with them to get the engineering completed so a bid package can go out. They were on site last week with the Army Corp of Engineers reviewing the current vault and fence area to try to get the “wet land” designation removed so work can begin.

New Hanger: No one on the board has heard from Tim Woods as to his progress. National Grid has marked out where the power line is but we haven’t seen a detail survey, hope to get one soon. We will have some grading to do before he can start.

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Passero has completed the Drone survey of the North end of the runway and Ashe has sent a copy to Chris Dostie, Savalmo Manger, so it can be sent to DEC to request a permit to clear cut the area. Tom to check with Chris to see what progress has been made.

Next meeting October 1St. at 0830
Minutes submitted by Chair Tom Thatcher

Town Attorney, Matthew Fuller explained that the hanger lease needs to be negotiated because it is on Town Lands and at the end of whatever lease, the hanger then would revert to the Town.

Meeting adjourned at 0913.

Next monthly meeting will be 0830, Tuesday, 3 September, at the town hall.

Submitted by Tom Thatcher

Resolution #399-2024 brought by Mark Wright, seconded by Dave Woods authorizing the Supervisor to issue a request for proposals (RFP) for engineering services - airport consulting services for the Ticonderoga Municipal Airport (4B6) and to authorize advertising the notice. **All in Favor** Mark Wright – Aye, Dave Woods – Aye, Joyce Cooper – Aye, Tom Thatcher – Aye, Heath Towne – Aye. **Opposed** – none. **Carried.**

Building and Grounds – Dave Woods, Councilman

Vandalism at the Armory has been repaired and we are getting cameras.

Hot Water Tank has been replaced at the Library.

Parks, Recreation, Historical Lands, Beach, Cemeteries and Monuments

Joyce Cooper, Councilwoman

Parks and Recreation Committee Meeting Minutes
August 15, 2024

Committee members present were James Chauncy, Jerry Cooper, Bill Dolback, Nancy Kelley, Katie Long, and Tonya Thompson. Also present were Linda Cunningham, Terry Smith, Town Councilman Tom Thatcher, and Supervisor Mark Wright.

Vandalism

It was reported that a window with small panels at ground level at the Armory was vandalized and the glass of the small panels broken. Its area at the Armory has been the location of suspicious activity recently. Presently there are no security cameras at the Armory and installation of some should be considered.

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Dog Park

Linda Cunningham addressed the committee, speaking as a dog owner and frequent user of the town Dog Park. She praised this park as a “wonderful facility which is well-maintained.” She was present to ask the committee if a sign could be placed at the park to honor Linda Mackey whom she called “the force behind the park’s development.” She also noted that the signage at the park needed updating. The committee acknowledged Linda’s role in the development of the park and Councilwoman Cooper agreed to meet Linda at the park to review the signage and consider improvements.

Liberty Pole

Terry Smith addressed the committee regarding two matters. With the new sculpture in place, he is concerned about vandalism and wondered if a security camera to cover the front of the 1888 Building could be installed. He was informed there is already a camera which covers the front of this building. Terry also informed the committee about plans to repair the Liberty Pole which is in Recreation Park below the Champlain Legacy Gardens. The pole, which is about thirty feet high, needs repainting. The plan is to have it removed and repainted in a location large enough to hold it. It is hoped that it was not placed in concrete. The work will be done by Boy Scouts and their parents under the supervision of Scout leader Corinna Woods.

Recreation Park

Work on Field 4 has continued. The actual field needs to be staked out and exact locations for the fence and dugouts determined. A discussion about naming the fields resulted in the decision that no naming of any of the four fields should take place.

Heavy use of Fields 1,2,and3 continues. Baseball travel teams, flag and traditional youth football teams and the town’s soccer teams are currently using them. Bicentennial Park and the Farmers’ Market space behind Glens Falls National Bank, and school fields are also being used by the town’s soccer program.

Each of these fields has at least three flagpoles which need painting. Except for Field 1 where flags are raised at the beginning of games, the poles appear to be unused. Leagues using the fields will be contacted and unless they can verify the poles are being used, plans should be made to remove them or repaint them.

Tennis Courts and Pickleball

A hole on the west side of the tennis court needs to be fixed. There is also some residue from the 4th of July fireworks on the courts. There is some use of the courts but mostly

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people from out of town. Most local players still play at the Armory. These players should be members of the Ticonderoga Senior Citizens and covered by their insurance.

Picnic Tables

Two non-wooden (1 handicapped, 1 easy access) picnic tables will be purchased for Bicentennial Park. They will replace the 2 wooden tables in the roadside shady area at the east end of the park.

Black Point Beach

Plans are underway to repair/improve the lifeguard chairs which are higher than needed and difficult for the guards to access. Work will be done by town employees or contractors. Handicapped access to the beach, beach building, and pavilion is still an issue. There is also a safety issue with the entrance hallway to the building which must be resolved. Work on these problems must take place before the next swim season.

Town Christmas Tree

The new spruce tree at the Community Building appears to have a fungus. Brown branches and brown branch tips have appeared on the south (back) side of the tree. DeFranco Landscaping has been contacted, and discussion is taking place on how this problem will be resolved.

Car Show Problem

Although this year's Car Show was successful and well attended, there was an issue with the sale of alcohol. Although this type of sale is permitted by the town, the license is only for beer and wine, not other types of alcoholic beverages. The vendor has been contacted and informed regarding town policy and law.

A discussion was held with that vendor and she was very apologetic and it will not happen again.

The next Parks and Recreation Committee Meeting will be Tuesday, September 17th.

Economic Development – Mark A. Wright, Supervisor

**Town of Ticonderoga
Economic Development Committee (EDC) Minutes (08/21/2024)**

Minutes from the Ticonderoga Regular Town Board Meeting held on September 12, 2024, commencing at 6:00 p.m. with a Public Hearing regarding a Joint Increase and improvement of the facilities of Sewer Districts 2-9, 11&12

Attendees: Mark A. Wright (Chair); Heath Towne (Vice-Chair), John Bartlett (TMSP); Nicole Justice Green (NRDC); Donna Wotton (TRA); Matt Courtright (TACC), Beth Hill (Fort Ticonderoga Association).

Excused: N/A

Guests: Carol Calabrese.

Mark Wright opened the meeting (1500).

Town Updates

- **DRI.** Mark Wright provided a short update on DRI status. No updates regarding municipal projects. NYS has contacted sponsors on Small Projects, APAC (KofC), Co-Op, Branding, and 108 Montcalm.
- **Comprehensive Plan.** The Town has filed paperwork with the assistance of Essex County. Waiting on the next steps to hire a consultant. Wright stated there is some concern that given the time between award and the present, costs may have increased more than the award as has been witnessed on the La Chute Trail extension project.
- **La Chute Trail Extension.** This project began more than 3 years ago. Wright informed the committee that three bids were received. These are now in review by Essex County and the project engineer. Although bids are fair, they all exceed the grant award. The Town allocated approximately \$93K for its portion of the match in accordance with the original match requirements. If the guide rail portion of the project is removed and the \$93K applied, the Town would have to add another \$60K to make up the difference. The County is looking for other options and funding sources.
- **Town Branding.** Wright informed the group regarding his conversations with Dan Kelleher of ROOST which led to a discussion between MJ Lawrence at ROOST and Wright. Wright to the EDC that the required project must include more than only the DRI boundary but a branding approach for the entire Town, what it stands for, its attributes, what makes it Ticonderoga. This would include, but not be limited to the downtown. Matt Courtright stated he had a conversation with ROOST regarding the DRI project in this area. Matt confirmed that the DRI project does focus on the downtown, but some aspects address the town, in general. Wright, Lawrence, and Courtright will discuss the upcoming project.
- **Regan Project.** Wright stated the Town Board had no issues recommending the combined sewer overflow (CSO) plan move to the Planning & Zoning Board (PZB) for the next steps. The Public Works Committee should make a recommendation to the Town Board on this issue at their next meeting on August 27, 2024. Matt Courtright mentioned his office had provided contact information for Wal-Mart but did not know what transpired after this. Wright stated he linked Jamie Easton from the Regan project and

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Wal-Mart and that they had a productive conversation. Wright has heard nothing additional on this.

Fort Ticonderoga

- Beth Hill reported the 2024 season has been fantastic. Tuesdays has experienced totals of 800 visitors. Wright asked if this was because the Fort was closed on Monday to which Beth confirmed was a reason. She informed all that Canadian Pacific has announced grade crossing work for October. This will occur after hours and she will provide updates as they are known. Matt Courtright mentioned this could impact bass fishing tournaments.

TACC

- Matt Courtright mentioned that Gil Engler approached TACC about the Champlain Corral performing during a Festival Guild concert in the May timeframe. Erin Mullen is working this issue. Wright stated Gil had approached the town for an appropriate point of contact and was sent to TACC.
- **Holiday Train.** Erin Mullen of TACC is working the issue with the Ticonderoga Central School District and is waiting to hear back from the Superintendent. Wright added that it is too late for this season to approach the railroad. We have time to put together a package for next year.

NRDC

- Nicole Justice Green provided updates on their programs including vacant property clearance and associated CDBG funding. NRDC has been aiding other projects which did not go forward. Wright inquired on the timeline for the demolition of 8 Johns Street. Nicole stated this property and the one on Lake George Avenue should see demolition in October.

TMSP

- John Bartlett inquired about grant funding for Ticonderoga Fire. Wright and Green provided information on some funding efforts that did not occur. Wright has put the Fire Commission in touch with Congresswoman Stefanik's office for 2025 earmark funding and that process for application.

Miscellaneous

- **TRA Childcare.** St. Mary's Child Care. Opens September 3, 2024, according to Donna Wotton. The program is still seeking one administrative individual. Donna mentioned she will be retiring at the end of the month. Mark Wright stated he appreciated her participation in the EDC.

Minutes from the Ticonderoga Regular Town Board Meeting held on September 12, 2024, commencing at 6:00 p.m. with a Public Hearing regarding a Joint Increase and improvement of the facilities of Sewer Districts 2-9, 11&12

- **Lodging.** Heath Towne reported occupancy is up. Beth Hill requested clarification and Heath stated this was for the immediate town area alone. Best Western is looking for staff.
- **Livery.** Wright mentioned again the issue of no livery service in Ticonderoga. An individual wanted to fly into Ticonderoga airport to visit the Trek Tours but would need ground transportation. Heath Towne stated that Donna Wotton provided him with some contact information to look into the associated workings of such a service.

ACTION ITEMS: none.

Meeting adjourned: 1600.

Resolution #400-2024 brought by Mark Wright, seconded by Tom Thatcher declaration the Agway Building (74 Montcalm Street) as a slum/blight spot (SBS) and authorization for Essex County Land Bank to apply for funding through the 2024 CDBG Vacant Property Clearance Program for \$500,000 to support the demolition. **All in Favor** Mark Wright – Aye, Dave Woods – Aye, Joyce Cooper – Aye, Tom Thatcher – Aye, Heath Towne – Aye. **Opposed** – none. **Carried.**

TOWN BOARD OF THE TOWN OF TICONDEROGA

COUNTY OF ESSEX, STATE OF NEW YORK

Resolution No.400 of 2024

Adopted September 12, 2024

Introduced by Mark A. Wright

who moved its adoption

Seconded by Tom Thatcher

RESOLUTION DECLARATION THE AGWAY BUILDING (74 MONTCALM ST) AS A SLUM/BLIGHT SPOT (SBS) AND AUTHORIZATION FOR ESSEX COUNTY LAND BANK TO APPLY FOR FUNDING THROUGH THE 2024 CDBG VACANT PROPERTY CLEARANCE PROGRAM

WHEREAS, the Town of Ticonderoga recognizes the importance of maintaining the aesthetic, structural, and safety standards within our community; and

WHEREAS, the elimination of specific conditions of blight, deterioration, or safety hazards on a spot basis is crucial for the prevention of blight and the protection of adjacent properties or areas; and

Minutes from the Ticonderoga Regular Town Board Meeting held on September 12, 2024, commencing at 6:00 p.m. with a Public Hearing regarding a Joint Increase and improvement of the facilities of Sewer Districts 2-9, 11&12

WHEREAS, the Agway Building (74 Montcalm St, SWIS ID 154800, Tax ID 150.43-7-2.000) is a significant fire hazard to neighboring structures in the downtown area and poses a serious risk to public safety; and

WHEREAS, to comply with the national objective of Elimination or Prevention of Slums or Blight on a Spot Basis (SBS), an activity must meet both of the following criteria:

1. The activity must be designed to eliminate specific conditions of blight, physical decay, environmental contamination, or safety hazards not located in a designated slum or blighted area; and
2. The activity must be limited to clearance; and

WHEREAS, national objective compliance for the acquisition of real property must generally be based on the use of the property after the acquisition takes place, with the initial determination based on the planned use of the property and the final determination based on the actual end use; and

WHEREAS, when property is acquired for the purpose of clearance to remove specific conditions of blight, physical decay, or safety hazards, the clearance is considered to be the actual use of the property, and any subsequent use made of the property following clearance must be considered to be a “change of use” under 24 CFR 570.505 and 24 CFR 570.489(j); and

WHEREAS, the Agway Building (74 Montcalm St) has been identified as having specific conditions of blight, physical decay, environmental contamination, and significant safety hazards that meet the criteria for designation as a Slum/Blight Spot (SBS); and

WHEREAS, the Essex County Land Bank has expressed interest in applying for funding to support the demolition of this property,

NOW THEREFORE BE IT:

RESOLVED, that the Town of Ticonderoga hereby declares the Agway Building (74 Montcalm St) as a Slum/Blight Spot (SBS) for the purpose of eliminating specific conditions of blight, physical decay, environmental contamination, and significant safety hazards to prevent the spread to adjacent properties or areas; and be it further

RESOLVED, that the Town of Ticonderoga grants permission to the Essex County Land Bank to apply for funding through the 2024 CDBG Vacant Property Clearance Program for \$500,000 to support the demolition of this identified blighted and hazardous property; and be it further

RESOLVED, that Nicole Justice Green is hereby named the Fair Housing Officer for this project and will ensure compliance with all applicable Federal, state, and local regulations and statutes, including but not limited to:

- Efforts to Affirmatively Further Fair Housing
- Davis-Bacon Fair Labor Standards Act (40 USC 276a)
- Contract Work Hours and Safety Standards Act, as amended (40 USC 327-333)

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- Copeland Anti-Kickback (18 USC 874)
- Title VI of the Civil Rights Act of 1964 (42 USC 200(d))
- Title VIII of the Civil Rights Act of 1968 (42 USC 3601)
- Section 504 of the Rehabilitation Act of 1973, as amended (29 USC 792 and 3601)
- Section 3 of the Housing and Urban Development Act of 1968, as amended (12 USC 1701(u))
- Section 109 of the Housing and Urban Development Act of 1974, as amended (42 USC 5309)
- Age Discrimination Act of 1975, as amended (42 USC 6101)
- Architectural Barriers Act of 1968, as amended (42 USC 4151)
- Americans with Disabilities Act of 1991
- Equal Employment Opportunity (Executive Order 11246, September 24, 1965)
- Equal Opportunity in Housing (Executive Order 11063, as amended by Executive Order 12259)
- The Hatch Act (5 USC 1501 et seq.)
- The National Environmental Policy Act of 1969
- Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 and amendments of 1987
- Title IV of the Lead-Based Poisoning Prevention Act (42 USC 4831)
- HUD Reform Act of 1989
- 24 CFR Parts 35, 58, 85, and 570
- Housing & Community Development Act of 1974, as amended
- 2 CFR 200, Administrative Requirements for Grants and Cooperative Agreements to State, Local and Federally Recognized Indian Tribal Governments
- Section 104(d) of the Housing and Urban Development Act of 1974, as amended (Anti-Displacement)

The vote on the foregoing resolution was as follows:

Mark A. Wright, Supervisor ___Aye___

Dave Woods, Council Member ___Aye___

Joyce Cooper, Council Member ___Aye___

C.T. Thatcher, Council Member ___Aye___

Heath Towne, Council Member ___Aye___

Adopted this 12th day of September, 2024, by the Town Board of the Town of Ticonderoga.

Nicole Justice Green wanted to thank the board for entertaining this resolution. As part of the DRI project we tried to apply for demolition and re-development funds and that project wasn't funding and we as a Land Bank remain committed to seeking out other funding avenues. The State of NY has been incredibly redescent to hand personal property owners/business owners who potentially do not maintain their structures funding for demolition so that they can then turn

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around and flip that property and profit off from it. With this grant funding source, the reason why demolition is the only eligible activity and not redevelopment is for that reason. This building's property owner is going to have to maintain the green space, there will be a screen that will be put up to make this property look aesthetically pleasing for five (5) years. After that period is over there are a number of restrictions, but it can be developed eventually, obviously in the confines of your local zoning and codes enforcement. Given the complexity of the environmental issues, structural issues of this property demolition is the only solution. While the current owner has been incredibly open to working with us, they do not have the financial means to do anything else with this property. It is upsetting, given the historic relevance of this structure, but in the eyes of community health and safety that takes precedence and hopefully we learn from this and maintain our other historic structures. It is critical to tie into the overall Streetscape, DRI and the investments that are being put in all around the property. The reason why the Land Bank is doing this grant and not NRDC is because it is the Land Banks job as the County's public authority is to clear hazardous buildings and remediate blight. She looks forward to putting on that other hat with this project. Thank you.

Supervisor Wright agreed that it is really unfortunate as this structure is the oldest commercial structure and to let it get into this disrepair

Resolution #401-2024 brought by Dave Woods, seconded by Tom Thatcher to schedule a public hearing on October 10, 2024, at 6 PM in the Community Building board room (basement) for the purpose of hearing public comments on the Town of Ticonderoga's community development needs and to discuss the possible submission of a Community Development Block Grant (CDBG) application for an emergency septic replacement grant to assist the Ticonderoga Golf Course. **All in Favor** Mark Wright – Aye, Dave Woods – Aye, Joyce Cooper – Aye, Tom Thatcher – Aye, Heath Towne – Aye. **Opposed** – none. **Carried.**

The Town of Ticonderoga will hold a public hearing on October 10, 2024, at 6:00 p.m. in the Conference Room located at 132 Montcalm Street, Ticonderoga, NY. This hearing is for the purpose of gathering public comments on the Town of Ticonderoga's community development needs and to discuss the possible submission of a Community Development Block Grant (CDBG) application for an emergency septic replacement grant to assist the Ticonderoga Golf Course. This grant is intended to support the retention of jobs, 51% of which are held by low- and moderate-income (LMI) persons, to facilitate the creation of additional LMI jobs, and to address imminent threats to the facility's operations due to septic system failure.

The CDBG program is administered by the New York State Office of Community Renewal (OCR). The Town of Ticonderoga is seeking to apply for **\$1.3 million** in CDBG funds to support the emergency septic replacement project at the Ticonderoga Golf Course, located at **609 State**

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Hwy 9N, Ticonderoga, NY 12883, which will help secure the jobs of local LMI employees, provide opportunities for additional job creation for LMI individuals, and ensure the continued operation of the facility by addressing imminent threats posed by the septic system failure.

The hearing will provide additional information about the CDBG program, including progress towards beneficiary goals and program objectives, and will enable citizen participation in the development of any proposed grant applications and/or to provide technical assistance to develop alternate proposals. Comments on the CDBG program or proposed project(s) will be accepted at this time.

The hearing is conducted in compliance with Section 570.486, Subpart I of the CFR and the requirements of the Housing and Community Development Act of 1974, as amended. The location of the hearing is [accessible/not accessible] to persons with disabilities. If special accommodations are needed for persons with disabilities, those with hearing impairments, or those in need of translation from English, please contact [Contact Name] at [Contact Information], at least three days prior to the hearing date to arrange necessary accommodations.

Written comments may also be submitted to Tonya M. Thompson, Town Clerk at P O Box 471, Ticonderoga, NY 12883 until Tuesday, October 15, 2024, at 4:00 p.m.

The Town of Ticonderoga will contract with the North Country Rural Development Coalition to administer all or a portion of the CDBG grant-funded activities as a “subrecipient.” Please note that the Town remains the applicant and contractual entity for the purposes of the NYS CDBG program. A subrecipient relationship is governed by a subrecipient agreement, which can be found in Chapter 1 of the NYS Grant Administration Manual (GAM).

Resolution #402-2024 brought by Mark Wright, seconded by Joyce Cooper to award a bid to Reale Construction Company, Inc. in the amount of \$380,000 for the La Chute River Trail Extension project funded with NYS Local Waterfront Revitalization Program (LWRP) grant funds (\$226,990) and Town of Ticonderoga ARPA funding (\$153,010) and to authorize the expenditure of those ARPA funds and to further authorize the Supervisor to execute all associated contract documentation. **All in Favor** Mark Wright – Aye, Dave Woods – Aye, Joyce Cooper – Aye, Tom Thatcher – Aye, Heath Towne – Aye. **Opposed** – none. **Carried.**

Highway/Transfer Station – Dave Woods, Councilman

**Town of Ticonderoga
Highway and Transfer Station
August 27, 2024, minutes of Meeting**

**Minutes from the Ticonderoga Regular Town Board Meeting held on September 12, 2024,
commencing at 6:00 p.m. with a Public Hearing regarding a Joint Increase and
improvement of the facilities of Sewer Districts 2-9, 11&12**

Present:

Dave Woods, Sal Barnao, Mark Wright, John Deming, Don Paige

Others:

Joyce Cooper, Tom Thatcher

Public Discussion

Said the Pledge of Allegiance

- Joyce – would like to know if we will still have time to make the handicap path from the beach parking lot to the bath house, then from the bath house to the pavilion and possibly to the playground.
 - Sal- We possibly can once we have a set plan and price we intend to spend.
- Joyce- George Brown had called and asked if we could do something more permanent at the Tee-pads for disk golf. Can some of the pieces of the pulled-up sidewalk be used for the 18 holes.
 - Sal- The ones in the woods may not be able to get to. Have him reach out to me and we can discuss it. I can't promise we will be able to make it happen right away.
 - Dave- This will be a lot of work. You will need to dig, level and manpower. Lots of labor in this. It will need to be discussed further. George needs to come in a discuss his wishes

End public comment.

Committee Discussion

- Mark- the LaChute Trail Extension is over budget. Do you think the highway can remove spoils when they are dug up?
 - Sal -What does that entail? Are they going to stockpile and have us remove it? They don't need a truck there with a man at all times.
 - Mark -I will need to get you more details on this.
- Mark – Where are we on Warren Hill?
 - Sal- it will be half a million to take care of it. We are looking to go this week or next week to do some pothole work. I had it reclaimed about 6 or so years ago.
 - Dave – can we move the drainage ditches back away from the road?
 - Sal- we need to get the correct base it's all Clay.
 - Don- can we all go and look at this and come up with a plan. Sounds like everyone has an idea. We should all go do a sight review.
- Dave – The parking spot next to the crosswalk in front of the old Rathbun store. Can you get that blacked out so people don't park there.
 - Sal- we will work on blacking it out by hand. And add no parking yellow strips.

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- Becky- Schyler Street, the parking on both sides with the added traffic having to go around the Alexandria Ave Bridge work may become a problem. A fire truck may not be able to get through to help those in need. I feel parking on the roadway should only be on one side. This roadway is very narrow.
 - Mark- Legally there needs to be approx. 15ft in the roadway to get a fire apparatus down it. Does the County do a safety study on this road?
 - John- County DPW may do this.
 - Mark- I am going to ask the County if they do this.

Meeting was adjourned at 9:32am

Minutes were taken and prepared by Rebecca Norton

Mrs. Thompson, Town Clerk, wanted to announce that we opened the Electronics station drop off spot a few weeks ago and it was so well received that we have had to close it down because we are overfull of large screen TV's. We need to have the company come and pick up what we have and will then open it back up. That should be in a couple of weeks, people are calling ahead to inquire if it is true so it has been easy to ask people to please wait another week or two before dropping off anymore electronics.

Municipal Facility Evaluation – Tom Thatcher, Councilman

Attendance: Tom Thatcher, Chris Dostie, Jeff Cook, Health Towne

Absent: Mike Moser

Public: Mark Wright, Supervisor

Opened with the pledge @6:21 p.m.

Handed out copies of Floor Plan, Walk through notes and property survey. Reviewed in detail. Comments on floor plan: Have Male and Female locker rooms, put clerks' office closer to entrance, split interview rooms, what windows will need to be Kevlar coated. Add bathroom entry.

Focus right now is to get Police into the building. The Police Chief will be contacting his radio, camera and internet providers to get them working on plans for the transaction. At this time the priority is the Police Department, once we have that prioritized and moving forward the committee will work on the top floor.

Once the work list is prioritized the Town Board will determine what can be done by town workers and what will need to go out for bid.

When we have a key to the building, Tom Will schedule a walk through for the committee.

**Minutes from the Ticonderoga Regular Town Board Meeting held on September 12, 2024,
commencing at 6:00 p.m. with a Public Hearing regarding a Joint Increase and
improvement of the facilities of Sewer Districts 2-9, 11&12**

Next meeting: Monday, September 23rd @ 6:30 p.m.

Meeting adjourned at 7:30 p.m.

Minutes prepared by Tom Thatcher, Committee Chair

Public Safety – Dave Woods, Councilman

Public Safety Meeting

August 27, 2024

Councilman Dave Woods called the meeting to order at 8:03am with the Pledge of Allegiance.

The following committee members were present: Joyce Cooper, Adam Hurlburt, Dave Woods, Ross Kelley, Dave Burrows, Laura Wright and Rhiannon Peters.

Public: Tom Thatcher and Mark Wright

Public Comment: Supervisor Wright asked about 64 the Portage and whether they had any violations at this time. Dave Burrows stated they did not have any violations at this time. A property management company was on site doing repairs and that there were no plans to tear down the burned-out garage at this time.

Supervisor Wright also asked Chief Hurlburt his opinion on keeping the Community Building Auditorium doors open or closed during the day. Chief Hurlburt stated he would like them to be closed and locked until the Auditorium is in use to prevent contraband being left in the room. Chief Hurlburt will send an email with his recommendation to Supervisor Wright.

Dave Woods stated the extra parking lot by the falls should be paved in the fall.

Police Department: Chief Hurlburt went over the monthly report (See attachment).

Chief Hurlburt stated there has been recent vandalism at the Armory and along the LaChute trail. Both are under investigation. Officer Brent Olden is currently undergoing his 4 weeks on the job training and is scheduled to graduate from the police academy on September 26th. He will continue his training for a short period of time after graduation. The K-9 vehicle is getting prepped for use in the K-9 program.

Codes Department: Rhiannon Peters went over the codes monthly report (See attachment).

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Rhiannon Peters stated that 161 Champlain Avenue is under new ownership and is being cleaned up. The building is currently vacant. There was discussion regarding the process for notification of violation. Discussed policies regarding staying in campers long term vs short term. The Town’s comprehensive plan will address this issue more clearly.

Ross Kelley stated the parking space directly in front of the old Rathbun Jewelers blocks the site line of the crosswalk. There was discussion regarding blocking off that parking space so the site line was restored.

The Committee would like to recommend to the Town Board that the parking space directly in front of the old Rathbun Jewelers, and adjacent to the crosswalk, be striped “No Parking” so the site line from the crosswalk is not obstructed. Carried.

Ross Kelley brought up the new paving on Baldwin Road. He stated that the last mile has been paved at the far end of the road, but there has been no lines painted so there are people driving in the center of the road. Supervisor Wright stated this is a County road and the County crews are currently working on repairing the \$12M in storm damage and won’t be striping the road in the near future.

Councilman Woods adjourned the meeting at 8:55am.

The next Public Safety meeting is September 24, 2024, at 8:00am

The following is a summary of the activities of the Ticonderoga Police Department from July 29, 2024, to August 27, 2024.

<u>Patrol Statistics</u>	<u>Monthly</u>	<u>YTD</u>
Approx. Calls to Service:	375	2736
Incident Reports:	35	250
Arrests:	31	227
Uniform traffic tickets:	35	552
DWI arrests:	2	16
Accidents investigated:	5	66

The following is a summary of the activities of the Building Inspection / Code Enforcement Department.

**Minutes from the Ticonderoga Regular Town Board Meeting held on September 12, 2024,
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improvement of the facilities of Sewer Districts 2-9, 11&12**

Building Inspection:

(July-August)

YTD

Building Permits Issued:

8

288

Safety Inspections:

1

46

Pass/Fail:

1/0

42/2

Permit & Inspection Notes:

- 5- Alterations/Repairs Permit → Warner Hill Rd, County Rt 56, NYS Rt 9N, Champlain Ave & Summit St.
- 1- Signage Permit → Father Jogues Pl
- 1- New Residential Construction Permit (Seasonal Camp) → NYS Route 74
- 1- Solar Array Permit (Residential) → Water St
- 1- Fire/Safety Inspection → Coates Pt

Code Violation Notices:

(July-August)

YTD

Order to Remedy:

3

55

Remediated:

2

36

Clean-Up Contractor:

0

5

NYS DFS

0

0

Condemned:

0

0

Do Not Occupy:

0

2

Appearance Tickets:

0

3

Code Violation Notes:

- OTR- Occupied Camper Violation → Myers St
- OTR- Garbage/Rubbish Violation → Park Ave
- OTR- Septic System Failure → NYS Route 9N

Miscellaneous:

(July-August)

YTD

*Complaints:

3

69

Minutes from the Ticonderoga Regular Town Board Meeting held on September 12, 2024, commencing at 6:00 p.m. with a Public Hearing regarding a Joint Increase and improvement of the facilities of Sewer Districts 2-9, 11&12

Resolved:

2	18
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Misc. Complaint Notes:

- Occupied Camper Complaint, spoke with owner about zoning law. No further issues.
- Garbage Rubbish Complaint- OTR Sent, no response from owner
- Contacted by Dept of Health regarding a Septic System Failure on 9N, Issue is being worked out and moving forward to remedy the situation.

Trainings:

- No Trainings this month

Safety & Resource Grants (YTD):

N/A

Noteworthy Highlights / Achievements:

161 Champlain Ave is under new ownership, renovations will be happening soon.

Notes from the Ticonderoga Dog Control Officer August 16th to August 31st

Complaints: 6
Seizures: 0
Bites: 0
Dangerous Dog : 0
Dogs to the Shelter: 0
Tickets written: 0
Calls sent to Police: 2

Public Works – Mark Wright, Supervisor

**Town of Ticonderoga
Public Works Committee Meeting Minutes
August 27, 2024
10:00 am**

Minutes from the Ticonderoga Regular Town Board Meeting held on September 12, 2024, commencing at 6:00 p.m. with a Public Hearing regarding a Joint Increase and improvement of the facilities of Sewer Districts 2-9, 11&12

Committee Members Present: Mark Wright, Tom Thatcher, Derrick Fleury, Eric Blanchard, Matt Fuller (Town Attorney), Sherry Veneto

Committee Members Absent: None

Others: Jennifer Weeks (AES-Architecture, Engineering, & Land Surveying), Kalyani Mer (AES), Hannah Neilly (Essex County)

Pledge to the Flag

Public Comment: None

Items for Discussion:

13 Abercrombie Street (Marc Yaw)

- a. Follow -up from July's meeting. The property was increased to 2 EDU water and 2 EDU sewer for the 1st quarter of this year. The property owner states there is no 2nd residence on the property. There was another building, but the structure was to be changed to a shed on the property description in 2018 by the assessor. It was never completed.
- b. Sherry checked with Letitia and the property was not adjusted on the 2024 Tax roll.
 - i. The EDU count will remain at 2 until the 2025 Tax roll is in place.

161 Champlain Avenue (Janet Davies Trust)

- a. This property is currently being charged .75 EDU Water & .75 EDU Sewer. It has 2 apartments and a Commercial space on the ground floor.
- b. The building is condemned, and Mark would like to find out from the Codes Office what the status is of the building.
 - i. Tabled until discussion is had with the Codes Office.

Regan Development

- a. The Town Board gave a recommendation to proceed to the Planning & Zoning Board with their Combined Sewer Overflow Plan (CSO).
- b. AES submitted an LOA for providing review and comment on construction. Mark will bring this up at the budget meeting tomorrow (8/28).

Water Use Law

- a. Matt created a draft for everyone to look over and add comments where needed.

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Superintendent's Report

Leerkes would like to increase their fee for the land spreading to \$35 a ton.

There is a problem on Lake George Avenue where the sewer line runs behind the houses. There are tree roots that have grown into the pipe. Derrick will speak to the property owners on both sides of that section as a pine tree will have to be removed.

Mossy Point Property is looking to connect, they are already in the district and being charged.

Water lines have been run at the Alexandria Avenue bridge. Should be hooking onto it soon.

Chief Wastewater Operator's Report

The power failures at Black Point Pump Station seem to be better.

There have been communication problems with 3 of the bigger pump stations. Keeping the systems running is critical.

We received a notice from Franklin County that they are going to require testing on sludge and Grit for PFAS beginning in the New Year.

A new property owner at Roger's Rock Club is inquiring about forming a district to hook onto the Town's sewer system.

Town Supervisor Discussions

Mark asked if the no trespassing signs have been posted at the Filter Plant yet. Derrick will get some signs and get them posted.

AES Report

1. Water

I. 4989: Chilson Eagle Lake (Required by DOH & EPA)

• August 2024 – Update

i. Timeline and next steps:

- 1. Matt in correspondence with EPA. EPA requested a motion on amending the decree the week of June 24-28, 2024. Has there been any movement on this or are we still waiting on them to respond?**

Minutes from the Ticonderoga Regular Town Board Meeting held on September 12, 2024, commencing at 6:00 p.m. with a Public Hearing regarding a Joint Increase and improvement of the facilities of Sewer Districts 2-9, 11&12

2. Engineering RFQ drafted by ECCR – anticipated to be issued 8/30, responses due 9/20.
 3. Recommend waiting on well drilling RFP until engineer is engaged or at least selected because will need engineering and hydrogeologist review.
 4. Draft schedule proposed to EPA needs to be updated, initial dates already lapsed. How does funding wrap into this schedule?
 - Engineering RFQ Late July-August 2024
 - Engineer Appointment Late July-August 2024
 - Test Well Solicitation August 2024
 - Test Well Drilling September – November 2024
 - MPR Completion December 2024 – January 2025
 - MPR acceptance February 2025
 - District proceedings February 2025
 - District Vote April-May 2025
 - SRF closing Summer-Fall 2025
 - Project Engineering 2026
 - Bid project Late Winter/Early Spring 2027
(requires expedited agency review/approval)
 - Project Award March-April 2027
 - Notice to Proceed April 2027
 - Project Construction May 2027- Fall 2028? [for substantial completion (*Need to know expected construction duration*)
 - Meet Consent Decree **December 2028**
- Project Status and Key Items
 - i. Updated budget estimate for funding sent out to the group on 7/12/24. The Estimated total probable cost for the test well drilling, testing, prelim DOH reporting, and MPR is \$490,200.
 - ii. Update from EPA/EFC - EFC will supply funding for Test Well Drilling (\$300,000+/-). Matt Fuller working with EFC to see if amount can be updated to cover the revised \$490,200 estimated cost.
 - iii. IUP 2023 was posted for DWSRF/BIL - Chilson was awarded \$14,000,000.00 (\$5M grant & \$9M interest free financing)
 - iv. Project currently has the following funding:
 1. \$14 Million BIL Funding (\$5 Million DWSRF Grant/\$9 Million 0% Interest Financing Loan)
 2. \$4 Million Elyse Stefanik CDS
 3. \$1.325 DOH/EPA - Disadvantaged Communities Fund
 - v. Next Steps:
 1. Engineering RFQ
 2. HydroSource perform Geophysical Survey on Porter & Williams Properties
 3. Go out to RFP for Well Drilling
 4. Develop MPR
 5. District Vote
 - vi. June 24, 2025, remains the date to fully discontinue and disconnect Gooseneck Pond as a drinking water source, complete any District Drinking Water Solution(s), and provide a spreadsheet indicating the date on which each Eagle Lake/Chilson user has disconnected.

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II. 4898/4801: Water Meters (Required by DEC)

• August 2024 – Update

i. Plan of Finance

- 1. During AES monthly call with EFC the funding gap between GIGP and the total project cost was discussed because GIGP is CWSRF funding. Per CWSRF EFC – if the Town wants SRF funding then it needs to come from DWSRF. Hannah and AES are working on chasing down more information to confirm if that is the case and see what steps have to be taken. The overall water project, which includes water meters is listed on the DWSRF IUP multiyear list at \$10.1 million.**
- ii. RFQ for engineering services – anticipated to be issued 8/30 and responses required by 9/20.**
- iii. Water use law drafted by Matt to be circulated for review?**
- iv. EFC Missing Items Letter: The following items remain to be sent to Abby Lusier no later than Friday 8/30/2024.**
 - 1. SEQR**
 - a. Copy of Notice of Intent filed with NYSDAM pursuant to Ag. & M. L. 305(4) and “no adverse effect” impact determination letter for ag district ESSE0001 noted on EAF Part 1**
 - i. NOI was sent by Matt F. Awaiting the No Adverse Effect impact determination letter from NYSDAM. Can Matt provide a copy of the NOI to AES so it can be submitted to EFC, and follow up with NYSDAM to determine response timing?**
 - b. SHPO No Effect Letter – I have record of Scott sending it to the town and Matt F on 6/14/24 but no record of it being sent to EFC. Did Matt or the Town send it, which is why it is not on Abby’s list of open items?**
 - 2. Engineering report comments received 7/29/24 and response to be issued prior to 8/30/24.**
 - 3. Town to provide a copy of Bond resolution adopted 8/8, estoppel notice, and affidavit of publication. Need copies circulated to AES and ECCR to send to EFC .**

• Project Status and Key Items

i. Timeline

- 1. June 13, 2024- Town Board adopted lead agency resolution for SEQRA.**
- 2. June 17, 2024- AES sent lead agency coordination letter with EAF and resolution. July 17, 2024 will conclude the 30 day clock.**
- 3. June 21, 2024, Matt forwarded to bond counsel, Doug Goodfriend, at Orrick et al. the engineering report with addenda, and current status of SEQRA documents, for bond proceeding resolutions and notices.**
 - a. June 27, 2024- Planned meeting for Town Board to call public interest order setting public hearing on bond resolution for July 25, 2024.**
- 4. July 25, 2024- Town Board conduct SEQRA review.**
- 5. July 25, 2024 and/or August 8, 2024- Town Board may continue the public hearing for July 25, 2024 to August 8, 2024 (2 meetings) for public**

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comment/input, and proposed adoption of bond resolution ~~would be either July 25, 2024 or August 8, 2024.~~

- ii. Report update
 1. Addendum #4, dated June 14, 2024 was issued to DEC/EFC/DOH on June 21, 2024. Comments received 7/29/24
- iii. Proposed schedule in Addendum #4
 1. Design: Fall 2024-Fall 2025
 2. Agency Review: Fall/Winter 2025
 3. Bidding: Winter/Spring 2026
 4. Construction: Summer 2026 – Fall 2027
 5. Construction Completion: December 31, 2027
- iv. **GIGP Funding:**
 1. **\$1,795,000 grant**
 2. **\$598,333 match**
- v. **Project Budget = \$3,117,325.81**
 1. **Construction: \$2,493,860.65**
 2. **Engr, Legal, Bonding, etc.: \$374,079.10**
 3. **10% Contingency: \$249,386.07**
 4. Estimate performed by Mike Metcalf working with Ti Sales to review and update the project budget based on Neptune meters, 2025 meter purchase date, and a drive-by system.
 5. The project cost used in the 2023 GIGP application was \$2,624,879.
- vi. GIGP project checklist. The following items are due by August 31, 2024
 1. Project Schedule (AES) – to be updated by AES as part of the report update after receiving EFC comments. – **included with Addendum No. 4 Report update**
 2. Engineering Report (AES) – completed and awaiting EFC comments. AES to respond to comments and issue revised report
- vii. Budget & Financing Items
 1. Project costs/Exhibit C (AES) – **Provided as part of the report update**
 2. Plan of finance (Town, Matt F, & AES)
 - a. GIGP + EFC (0%?) loan
 3. DUNS # (AES has on file)
- viii. Legal
 1. Title cert (Matt F & Town – local law?)
 2. Cert copy of authorized representative & local match funding resolutions of eligible GIGP total project costs only (Matt F & Town – project cost provided by AES)
 3. Bond resolution, Estoppel Notice, & Permissive Referendum (Matt, project cost and description provided by AES)
- ix. SHPO signoff – (AES) – Completed and letter of no effect received 6/13/24 (forwarded to Town & Matt on 6/14/24)
- x. SEQR – (AES) - Matt to coordinate
- xi. MWBE Work plan (Town & AES)
- xii. Prior to disbursement of funds need, among other things, Engineering agreement compliant with EFC terms and conditions and EFC procurement requirements.
- xiii. Town elected to move forward with ultrasonic meters in a drive-by system to later be upgraded at the Town's discretion.
- xiv. **Current DEC deadline is 5/31/25.**

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xv. NEXT STEPS:

1. Provide DEC with an updated schedule. - waiting to hear back from Albany DEC. Connor Cincotta indicated on 11/9/23 that the Town should hold off on an extension request until they can provide a locked in schedule that is reasonable to meet.

III. **5262: Lead Service Lines**

- **August 2024- Update**
 - i. **Final authorization to submit? Or will the town be submitting?**
- Project Status & Key Items
 - i. The desktop study results are complete. Max is finishing his final review with Derrick before submittal to DOH.
 - ii. Next steps:
 1. Submit forms to DOH and wait to hear back, Respond to DOH comments if necessary.
 - iii. Town signed LOA 11/30/23.
 - iv. Budget: not to exceed \$10,500 & \$300 reimbursables.
 - v. Work to be completed and submitted to DOH by 10/16/24 deadline.
 - vi. AES has finished the desktop study of service lines and overlay of the data onto GIS maps to estimate (by age) which lines may be lead.
 - vii. This work meets the inventory deadline for October. There is no need to dig up service lines or get into homes for a visual inspection. AES will let Derrick know if this changes for any reason.

IV. **Additional Water System Upgrades**

- **August 2024 – Update**
 - i. **Max sent Derrick flow data from the loggers on 7/25/24. Derrick needs the format to be in graphs, not just numerical data. Jen to send.**
 - ii. **Jen to compile already incurred hours and then budget some additional time for future assistance and provide an LOA to Derrick for review.**
- Project Status & Key Items
 - i. Max has been assisting with getting loggers installed, started-up, and downloaded.
 - ii. AES to schedule and complete hydrant testing with Derrick after we have a month +/-.
 - iii. 4975: AES and Derrick have locations identified for logger deployment. Dickson loggers are deployed. Still working on transient loggers. Possible coordination with Todd.

2. Wastewater

I. **4394: Portage Project**

- **August 2024 - No update**
- Project Status & Key Items
 - i. The survey group at AES completed the easement maps and Matt completed the easements and forms. AES is working on getting the easements executed and recorded.
 - ii. AES will continue to work with the town as needed to provide requested information following review by our attorney.

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II. 5001: Long Term Control Plan

- **August 2024 – No Update**
- Project Status & Key Items
 - i. LTCP submitted to DEC July 26, 2024. Deadline was August 1, 2024. Awaiting comments.
 - ii. Project priorities were finalized during the June W&S meeting. Project matrix and maps provided for review and discussion.
 - iii. In April, DEC responded to the 2023 Flow Certification violation by requesting that the Flow Management Plan be incorporated into the LTCP.
 - iv. The Flow Management Plan was written as an appendix to the LTCP (LOA authorizing the work for the FMP was signed by Town)

III. 5052: Treatment Plant

- **August 2024 – No Update**
- Project Status & Key Items
 - i. Report is approved by EFC/DEC
 - ii. WQIP Application submitted Monday, July 29, 2024
 - iii. DEC report approval was received on March 22, 2024.
 - iv. AES Comment responses and updated report issued 01/29/2024.
 - v. DEC report comments were provided 12/29/2023.

IV. 5229: Collection System

- **August 2024 – No Update**
- Project Status & Key Items
 - i. Report is approved by EFC/DEC
 - ii. WQIP Application submitted Monday, July 29, 2024
 - iii. Final reports (4737 ventilation and 5229 collection system) were issued to EFC on April 16, 2024. The most recent changes modified the cover page for the ventilation report to reflect both CWSRF numbers and the GIGP number. Earlier revisions (April 2 and April 5) modified the FEMA flood maps in the collection system and ventilation reports to identify the location of the WPCP.
 - iv. Comment response and addendums on the 5229 – Combined Sewer System Evaluation Outfall 003 & Trunk Sewer Main Report and the 4737 – WPCP Effluent Exchange System Evaluation Final Engineering Report were submitted on February 16, 2024.
 - v. The submittal included a final Summary Report detailing the total project scope, budget, and schedule for all three reports (5052, 5229, and 4737).
 - vi. Comments on the 5229 – Combined Sewer System Evaluation Outfall 003 & Trunk Sewer Main and the 4737 – WPCP Effluent Exchange System Evaluation Final Engineering Report were provided verbally during the virtual meeting on 11/28/23 and were provided formally in writing on December 22, 2023 with a due date of Friday January 26, 2024.
 - vii. One of the comments requested the creation of a summary report that combines the total project scope, budget, and schedule for all three reports (5052, 5229, and 4737). AES requested an extension until February 16, 2024, which was granted by EFC.
 - viii. The existing report, along with the 4737 (ventilation) report and 5052 (WWTP phosphorus) report is the basis for current funding package. Both original reports were submitted to EFC & DEC on 5/10/2023.

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V. Wastewater Funding

- **August 2024 – Update**
 - i. **\$30M Sewer Project: Due date for all missing items to secure BIL funds is September 30, 2024. Hannah Neilly ECCR sent an Email to EFC, Town, and AES asking if any open items remained to finalize ST financing. Matt replied that the final bond resolution is scheduled to be adopted on 9/12/24. MJ @ EFC indicated that she is waiting on the revised 202-b documents reflecting the increased cost. Who will take the lead on sending these items to EFC?**
- **Project Status & Key Items**
 - i. AES is authorized by the town to take the lead in re-working and resubmitting the WPCP and collection system WQIPs (\$1.4M & \$10M) to better tie-in the Lake George Basin septage disposal need.
 - ii. GIGP Water Meters (\$1.795M) – see water meter section above.
 - iii. Green Resiliency Grant Program (EFC)
 - 1. Based on the grant criteria it appears that some of the sewer separation projects may qualify for this funding.
 - 2. \$60M available to support green infrastructure projects in flood-prone communities. The minimum project cost is \$1,000,000. Fund up to 90% of eligible costs.
 - 3. Grant funding supports the implementation of green infrastructure for stormwater management and restoration of non-instream features (wetlands, riparian buffers, and flood plains)
 - 4. Applications for inaugural round due August 16, 2024 – recommend applying next year during design phase because the grant application requires conceptual plans and green infrastructure design calculations.
 - iv. If scope changes are made then the final project scope will need to be resubmitted to WIIA for approval.
 - 1. All 8 service areas are included in the WIIA scope.
 - v. March 29th is the 6 month deadline for BIL funding. Town needs to submit an SRF funding application by March 29, 2024 to secure BIL funding and close on financing agreement by September 30, 2024 or lose BIL (\$8,559,500). If the Town loses BIL funding the Town will not be eligible for future rounds of funding. Note: deadline was met.
 - vi. Existing Engineering Contract is for planning and preliminary design only and is being used by ECCR as the existing contract required for funding. Will need to execute a contract amendment to update the contract for Final Design, Bidding, Construction, & Post Construction services to move forward.
 - vii. Town is working with ECCR to complete the documentation needed to execute the project financing agreement. AES can provide assistance upon request from the Town or ECCR. Town and ECCR submitted some *items and, per Rob, received an extension for the remaining items until the WQIP awards are announced*
 - 1. *Current Funding Outlook:*
 - a. *Project Cost:\$35,221,437.40*
 - b. *IUP & Bond Amount:*
 - c. *BIL: \$8,559,500.00 (50% of project cost \$17,119,000)*
 - d. *WIIA: \$7,743,293.22 (25% of project cost \$30,973,172.88)*
 - i. **Award may be reduced if the project scope/costs change**

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e. *GIGP: \$1,000,000.00 tied to effluent heat exchanger*

VI. Additional Wastewater System Upgrades

- Sewer District Consolidation
 - Committee would like to start consolidation following Water District Consolidation

3. Additional Items

I. LOAs

- a. 2024-001 LOA for general water & sewer engineering – Approved May Board Meeting
 - i. A LOA for \$15,000 was approved by the Town to cover 2024 W&S meetings, misc. calls and correspondence, and 40 hrs. of misc. work upon the town's request. Tasks exceeding 4 hours would warrant a separate LOA.

- b. 2024-002 LOA for Homelands PS - Approved May Board Meeting
 - i. A LOA for \$5,000 was approved by the Town to cover costs associated with assistance to date and further assistance if needed.
 - ii. Current costs incurred are \$3,639.75. Remaining balance available for any further assistance needed. If not needed, then it will not be billed.

- c. 2024-003 LOA for Flow Management Plan - Approved May Board Meeting
 - i. The Flow Management Plan was submitted to NYSDEC on July 26, 2024 as an appendix to the LTCP. It is was due August 1, 2024.
 - ii. A LOA for \$8,885 was approved by the Town to cover time spent working with Derrick, Eric, & DEC to figure out what DEC is going to require, and will cover writing the Flow Management Plan and 1 round of DEC comments.
 - iii. The Flow Management Plan will be written per the CFR requirements and included in the LTCP as an appendix. The work consists of approximately 10 hours previously incurred, and 55 hours of time intended to be spent on the report and DEC comment response.

- d. 2024-004 LOA for (2) WQIP Grant Applications - Approved May Board Meeting
 - i. WQIP Applications were submitted on 7/29/24
 - ii. LOA for \$7,500 to cover updating and resubmitting the two 2023 WQIP applications (due July 31)
 - iii. Plan is to team up with ECCR and Matt F regarding the project need and regional impact.

- e. 2024-005 LOA for Water Meter GIGP SEQR and SHPO work - Approved June Board Meeting
 - i. LOA for \$2,500 for 4801 – Water Meter GIGP SEQR and SHPO.

- f. **2024-006 LOA for Regan Development Project Stormwater Outfall Sizing (AES # 5260) – presented for approval**
 - i. **LOA in the amount of \$7,500 for engineering and \$250 for reimbursables.**
 - ii. **Scope is: Hydrologic modeling of the drainage area around Montcalm St. to determine stormwater runoff from the drainage area with a future separated storm sewer system. Determine the basis of design sizing for a stormwater outfall to include the Montcalm drainage and additional separated stormwater flows from the Portage Project. Coordinate with developer's engineer with requirements for**

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location, alignment, and materials for the new outfall. Provide review and comment on construction drawings developed by the developer's engineer for the pipe and outfall.

- iii. Scope of work excludes developing plans and specifications for the new stormwater outfall and any regulatory permits needed.

g. 2024-007 LOA for War Cannon Plan Review

- i. LOA in the amount of \$3,500 for engineering and \$250 for reimbursables.
- ii. Scope: Engineering and technical review of War Cannon proposed distillery operation with respect to water and wastewater impacts on the Town of Ticonderoga's existing infrastructure.
- iii. Deliverable is a comment memo and a single comment response memo after War Cannon responds to the initial comment memo. Subsequent document reviews and comments are out of scope.
- iv. Scope assumes that the Town will be the one corresponding directly with War Cannon.

II. Fiscal Advisors

a. August 2024 - Update

- i. Meeting with Andre from Baker Tilly was held on 8/22/24 (Mark Wright – Town, Matt Fuller – town counsel, Jen Weeks – AES, Andre Reilly – Baker Tilly).
- ii. Andre indicated that he would make updates to the reports following the announcement of sewer funding in the fall/winter. At that time both reports would also be updated with most current rates and EDUs.
- iii. AES to touch base in October 2024 to indicate if funding awards have been announced.
- iv. Discussion of User Rate Affordability – Andre indicated that this is out of scope for the current report and involves looking at a variety of economic factors in addition to the EPA Guidance for the Clean Water Act. For Baker Tilly to do this evaluation would cost ~7,500 - \$10,000.
- v. Bonding capacity – is dependent on the Town's "pain threshold" and user rate affordability.
- vi. General recommendation is that rates should be 1.25 – 1.3 times the debt service to allow for emergencies and additional savings for capital improvements. I assume that O&M costs are on top of that amount.
- vii. For water meters Baker Tilly can do a cost of service study to figure out how to change from EDU billing to metered billing. Better to approach this study after meters are installed and some data on water usage and loss has been gathered.

III. 5274: St Clair Storm Culvert

a. August 2024 – No Update

b. Project Status & Key Items

- i. After the May W&S meeting, AES inspected the pond with Derrick, Eric, and Dave. The pond was found to be in good shape and appears to be functioning as designed.
 - 1. The contractor reported a forebay depth of 5 feet, which complies with NYS DEC requirements.

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2. Looking at the original design plans, the invert to the outlet pipe is at 272.0 and the pond bottom should be between 273.0 (max) to 268.0 (min). The contractor reported they excavated to 2' below the outlet pipe, which in theory would put the bottom at 270.0. We are okay with this depth from a capacity standpoint and are optimistic that it worked as designed during that overnight storm last month.
3. It would be nice to verify depths once the water goes down, but we are comfortable with where things stand for the time being.
- ii. Derrick received a Dig Safe request for the Lowe's pond area in April. The work was scheduled for the week of May 6, 2024.
 1. Derrick received a completion report for cleaning of stormwater detention basin, but he isn't sure it meets the work plan they proposed. AES, Operators, and Dave to do a site visit after the May W&S meeting.
 2. Town got 2.3 inches of rain last night and the Porter MH's didn't overflow per Eric – good sign...but maybe just because detention pond was filling back up.
- iii. Dave Burrows has been in touch with Kristin and Michael regarding the work proposed to repair the Lowes detention pond. Dave submitted the bid docs for the maintenance work in March and it was sent out to bid.
- iv. Has the Town heard back from Connor at DEC regarding the NOV response?
- v. AES put together Proposal for Report on St Clair and sent to Town for Review but it has not been accepted/executed.
- vi. In 2023 Lowes performed some maintenance on the Bio-Retention Pond but this only included mowing and not dredging the Pond. On 12/1/23 AES provided a memo to the town with recommendations for Lowe's Bioretention area.
- vii. Per February 2024 W&S meeting The Town indicated that this project is not done, but they're not aggressively pursuing at this time.

IV. 5260: Fireman's Field (Regan Development)

a. August 2024 – Update

i. AES has provided LOA 2024-006 for stormwater outfall sizing for the Town's consideration.

b. Project Status & Key Items

- i. On 8/16/24 Jamie sent a letter from Regan Development's legal counsel for discussion the 9/5/24 Planning Board meeting
- ii. 4/12/24 call w/ Jamie Easton, Derrick, & Jen – can town start working on developing the ratio of the offset they would want for this development project and others moving forward for adding flow to the system (e.g. - if estimated additional sewer flow is 10,000 gpd then with a 5:1 offset a total of 50,000 gpd of storm would need to be removed from the system (based on 1 year avg rainfall event over 30 yrs).
- iii. Follow-up call with the Town, Matt Fuller, Jamie Easton, and Larry Regan – Jamie Easton is supposed to be working on a plan to propose to the Town for SEQR and also dealing with the flow cert issue. Town is supposed to see if it can identify any areas for potential sewer offset.
- iv. Jen provided a second round of comments to the town on the engineer's resubmission to the town on March 6, 2024. The engineer followed up with a 3rd submission on March 19,

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2024. The engineer Jamie Easton attended the March W&S meeting to answer questions and discuss the project.

- v. Escrow set up and LOA processed.
- vi. Jen has been in contact with the engineer (Jamie Easton) after he received AES's initial review comments.
- vii. The Engineer issued a 2nd submission on 2/16/24.

V. Alexandria Ave Bridge Replacement

a. August 2024 – Update

i. Work has commenced

- b. Project Status & Key Items
 - i. Bids were opened Friday May 24.
 - ii. Derrick is concerned about the force main work location.
 - iii. Waiting on the health department.
 - iv. Courtesy review of plans and comment letter for the Town to issue to the consultant engineer – letter drafted for discussion with Derrick. If additional work is needed AES can provide an LOA for the Town to execute.
 - v. Alex bridge road closure August 5 and est completion in mid November.

VI. 5261: Golf Course

a. August 2024 – No Update

b. Project Status & Key Items

- i. The golf course is purportedly looking at building their own sewer system/soil disposal option. Perc tests were not successful.

VII. Well Field Building

a. August 2024 – No Update

b. Project Status & Key Items

i. Well Abandonment

- 1. Derrick working on it and will let AES know if any assistance is needed.

VIII. 5263: Homeland Sewer

a. August 2024 - No Update

b. Project Status & Key Items

- i. The letter asking homeowners to disconnect sump pumps seems to have been partially successful. The plan is for Derrick/Eric to send a follow-up letter.
- ii. Pump station currently operating on 2 Liberty pumps and the Flygt pump has been placed in inventory.
- iii. AES is available to assist further if needed.

IX. 5099: Black Point Sewer

a. August 2024 - No Update

b. Project Status & Key Items

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- i. Mulch bed installed by Town in May 2024 and appear to be operating well.

X. WPCP Flow Certification

a. August 2024 – No Update

b. Project Status & Key Items

- i. The Flow Management Plan was submitted to NYSDEC as an appendix to the LTCP on July 26, 2024. Awaiting any comments.
- ii. DEC requires a Flow Management Plan as an appendix to the LTCP.
- iii. The Town approved a LOA for this work in April.
- iv. In March, Eric sent a letter to Connor Cincotta @ DEC requesting input on the flow exceedance versus the BMP that calls for maximizing flow to the WWTP. Eric has also had several calls with Connor regarding the issue. Connor indicated that he elevated the issue and DEC is working on a response.
- v. WPCP exceeded the annual average flow in 2023, which initiates a reporting process with DEC.
- vi. AES is working with Eric and Derrick to notify the DEC and determine will be required.

XI. Stormwater No Exposure Certification (due 9/16/2024)

a. August 2024 –Updates

i. Due in 3 weeks. AES will assist Eric if needed.

b. Project Status & Key Items

- i. Just putting it here to keep it on the radar because it is required on a non-standard 5-year cycle.

The meeting adjourned at 11:51.

Next Committee meeting is September 24, 2024, at 10:00.

Minutes submitted by Sherry Veneto Water/Wastewater Clerk

Resolution #403-2024 brought by Dave Woods, seconded by Joyce Cooper to close account #510050260-0, 130 The Portage- Essex County Land Bank, as they are exempt from Water & Sewer utility fees and have a zero balance. **All in Favor** Mark Wright – Aye, Dave Woods – Aye, Joyce Cooper – Aye, Tom Thatcher – Aye, Heath Towne – Aye. **Opposed** – none. **Carried.**

Resolution #404-2024 brought by Heath Towne, seconded by Tom Thatcher authorizing the Supervisor to approve Letter of Authorization (LOA) No. 2024-006 (Stormwater Outfall Sizing) and authorizing AES to proceed with review of this project once the developer provides escrow funds. **All in Favor** Mark Wright – Aye, Dave Woods – Aye, Joyce Cooper – Aye, Tom Thatcher – Aye, Heath Towne – Aye. **Opposed** – none. **Carried.**

Resolution #405-2024 brought by Joyce Cooper, seconded by Tom Thatcher authorizing the Supervisor to approve Letter of Authorization (LOA) No. 2024-007 (War Cannon Engineering & Technical Review) and authorizing AES to proceed with review of this project once the developer provides escrow funds. **All in Favor** Mark Wright – Aye, Dave Woods – Aye, Joyce Cooper – Aye, Tom Thatcher – Aye, Heath Towne – Aye. **Opposed** – none. **Carried.**

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Resolution #406-2024 brought by Dave Woods, seconded by Tom Thatcher authorizing the purchase of 8 – Clopay Replacement Bottom Sections Model 3591S 10’ x 24’’; bottom, top & side seals; general service & lubricate doors for the Water Department, from Winchip Overhead Door Co. Total price will be \$7,890.00, including installation. **All in Favor** Mark Wright – Aye, Dave Woods – Aye, Joyce Cooper – Aye, Tom Thatcher – Aye, Heath Towne – Aye. **Opposed** – none. **Carried.**

Resolution #407-2024 brought by Dave Woods, seconded by Heath Towne authorizing the creation of a purchase order in the amount of \$7,890.00, to Winchip Overhead Door Co. for the purchase of 8 – Clopay Replacement Bottom Sections Model 3591S 10’ x 24’’; bottom, top & side seals; general service & lubricate doors for the Water Department. **All in Favor** Mark Wright – Aye, Dave Woods – Aye, Joyce Cooper – Aye, Tom Thatcher – Aye, Heath Towne – Aye. **Opposed** – none. **Carried.**

Human Services: Youth – Joyce Cooper, Councilwoman

Youth Commission Meeting 9/10/2024

Afterschool Program

After school program we are still looking for employees as of right now. We have three people from last year ready to work, but they can only work a few days a week due to their schedule. This puts the program without the proper amount of coverage on Wednesdays and Fridays. As of right now we cannot open till we can cover those days during the week.

Youth Soccer

We had a very good home games Saturday. Seemed that everyone got playing time and that everyone was having fun as well. Still waiting on game times for next weekend.

Exchange Program

We have received a couple of larger donations this summer, but the donations have fallen off since then. We are also not receiving equipment that is not suited for athletic programs. We received scuba gear, skies and ski boots. This is fine to receive, but I was looking for equipment along the lines of soccer, baseball, basketball etc...

Gore Ski Program

We are going to advertise the ski program coming this winter this week.

Fall Fest

I will be running a wiffle ball homerun derby during the fall fest from 5pm to 7pm.

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improvement of the facilities of Sewer Districts 2-9, 11&12**

Resolution #408-2024 brought by Tom Thatcher, seconded by Dave Woods to accept the resignation of Joseph T. LaPeter as Activity Attendant and extending best wishes on his new career as a first-year teacher in Schroon Lake. **All in Favor** Mark Wright – Aye, Dave Woods – Aye, Joyce Cooper – Aye, Tom Thatcher – Aye, Heath Towne – Aye. **Opposed** – none. **Carried.**

Resolution #409-2024 brought by Heath Towne, seconded by Tom Thatcher to offer employment as Activity Attendants to Grace Patnode and Morgan Burris at a rate of \$15.00 per hour no benefits, part-time. **All in Favor** Mark Wright – Aye, Dave Woods – Aye, Joyce Cooper – Aye, Tom Thatcher – Aye, Heath Towne – Aye. **Opposed** – none. **Carried.**

Human Services: Seniors – Heath Towne, Councilman

AGENDA

TAS MONTHLY MEETING

AUGUST 28, 2024

IN ATTENDANCE: Sharon Mitchell, President, Patty Reid, Secretary/Treasurer

ABSENT: Joan Kay, Vice President, Marlene Charboneau, Activities Director and Heath Towne, Town of Ticonderoga Representative

MEMBERS: Nancy Connery, Jackie Hurlburt, Rosemary Matte, Sara Guyette, Aileen Rafferty, Sue Thatcher, Ellen Stroessner, Clem Hacunda, Betty TeReile, Donna Ballard

CALL TO ORDER: Meeting was called to order at 1:00 by the President, Sharon Mitchell.

PLEDGE OF ALLEGIANCE: The pledge of Allegiance was recited by the membership

MINUTES: The minutes of the July 31st meeting were read by Patty Reid. Motion by Sue Thatcher to accept the minutes as read. Seconded by Jackie Hulburt. All in favor. Motion carried.

FINANCIAL REPORT: The July financial report was given by Patty Reid. The beginning balance was \$12,541.90. The ending balance is \$11,529.22.

GUEST SPEAKER: Michele Borden with ACAP

Michele Borden talked about her beginning positions such as a cook, driver delivering meals and now running the Ticonderoga's site. Michele has been with ACAP for 15 years. She discussed

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her plans for Ticonderoga. Michele also talked about her upcoming vacation dates which are shown on the September menu. The cost of lunch is \$3.50.

OLD BUSINESS:

MEMBERSHIP DUES: Sharon reported that there are 58 members who have not paid their 2024 dues

DEPOT THEATRE: Sharon stated that the musical Pump Boys and Dinettes held on Sunday August 18th was a great success. Everyone loved the show. She also said that dinner at Wintons was also a success.

NEW BUSINESS:

MONTHLY DINNER: Sharon stated that the dinner for September will be held on Thursday, September 5th at 5:00pm. It will be held at the Paper and Pencil Restaurant. We will be ordering off the menu. The menu with choices and costs will be posted on the bulletin board.

DRAWING FOR THE ACAP LUNCH: Mike Connery and Mark Wheeler were chosen for the free ACAP lunch.

TOWN REPORT- Heath Towne, Town of Ticonderoga Representative was absent but did leave information regarding the following: The front door has been discovered to have a broken part, therefore a locksmith needs to be contacted; the Town is still working on the parking lot issue of no restraints to prevent accidentally driving into the fence; and the Town has been working on the rodent issue.

BIRTHDAYS- Aileen Rafferty read off the birthday for September.

RAFFLE- Winner of the free milkshake or sundae and free coffee or hot chocolate at Stewart's is Sharon Mitchell.

FYI: Marlene will be returning from vacation on Thursday September 5th.

ADJOURNMENT: Motion by Eileen Rafferty to adjourn the meeting at 2:10 pm. Seconded by Nancy Connerty. All in favor. Motion carried

Health Insurance – Mark Wright, Supervisor

Rates have come in; 4.9%

Contract Negotiations – Mark Wright Supervisor

No meetings

I.T./Cable T.V. – Mark Wright, Supervisor

No report

**Minutes from the Ticonderoga Regular Town Board Meeting held on September 12, 2024,
commencing at 6:00 p.m. with a Public Hearing regarding a Joint Increase and
improvement of the facilities of Sewer Districts 2-9, 11&12**

Resolutions for Consideration

Resolution #410-2024 brought by Dave Woods, seconded by Tom Thatcher authorizing the creation of new accounts:

- H21.0200 Cash
- H21.0410 State And Federal, Other
- H21.0510 Estimated Revenue
- H21.0521 Encumbrances
- H21.0522 Expenditures
- H21.0599 Appropriated Fund Balance
- H21.0600 Accounts Payable
- H21.0605 Retained Percentages, Contracts
- H21.0630 Due to Other Funds
- H21.0821 Reserve For Encumbrances
- H21.0909 Fund Balance, Unreserved
- H21.0960 Appropriations
- H21.0980 Revenues
- H21.2401 Interest & Earnings
- H21.3089 State Aid
- H21.4592 Airport Improve FAA Grant
- H21.5031 Interfund Transfers
- H21.1420.400 Attorney Contractual Exp
- H21.1440.400 Engineer Contractual Exp
- H21.5610.400 Airport Contractual Exp
- H21.9950.900 Interfund Transfers - Capital Proj

For creation of new project, H21, Airport Apron Expansion.

All in Favor Mark Wright – Aye, Dave Woods – Aye, Joyce Cooper – Aye, Tom Thatcher – Aye, Heath Towne – Aye. **Opposed** – none. **Carried.**

Resolution #411-2024 brought by Dave Woods, seconded by Heath Towne authorizing the following budget transfers:

Minutes from the Ticonderoga Regular Town Board Meeting held on September 12, 2024, commencing at 6:00 p.m. with a Public Hearing regarding a Joint Increase and improvement of the facilities of Sewer Districts 2-9, 11&12

○ A.1989.400	Contingency	(\$1,478.42)
○ A.5010.294	Supt Highway IT Equipment	\$175.00
○ A.5182.496	Street Lighting Electric Charging Station	\$115.49
○ A.6772.463	Programs for the Aging Repair & Maintenance	\$95.65
○ A.7140.472	Playgrounds & Recreation Meals	\$240.13
○ A.8510.463	Community Beautification Repair & Maint.	\$607.85
○ A.8510.467	Community Beautification Equip.Sm Tools	\$244.30

Fund underbudgeted General accounts & increased costs from Contingency (Balance after transfer \$ 68,970.20).

○ A.1110.477	Justices Education and Training	(\$391.26)
○ A.1110.191	Justices Overtime	\$391.26

Transfer funds to cover overtime costs for court.

○ A.0450.019	Capital Reserve – General Sidewalks	(\$73,000.00)
○ A.5410.410	Sidewalk Construction and Replacement	\$73,000.00

Transfer funds from Capital Reserve for sidewalk repair/replacement.

○ A.4089.000	ARPA Funds	(\$7,800.00)
○ A.5410.410	Sidewalk Construction and Replacement	\$7,800.00

Transfer ARPA funds received to the correct expenditure lines.

○ A.2260	Stop DWI	(\$5,607.45)
○ A.3120.191	Police & Constable Overtime	\$5,607.45

Transfer Grant revenue received to the appropriate expense line.

○ DA.1989.400	Contingency	(\$4,202.21)
○ DA.5110.468	Highway Safety Equipment/Supplies	\$4,202.21

Fund underbudgeted Highway account & increased costs from Contingency (Balance after transfer \$ 7,797.35).

All in Favor Mark Wright – Aye, Dave Woods – Aye, Joyce Cooper – Aye, Tom Thatcher – Aye, Heath Towne – Aye. **Opposed** – none. **Carried.**

Resolution #412-2024 brought by Heath Towne, seconded by Tom Thatcher authorizing the following budget adjustments:

○ A.3620.498	Safety Inspection Property Remediation	\$122.21
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**Minutes from the Ticonderoga Regular Town Board Meeting held on September 12, 2024,
commencing at 6:00 p.m. with a Public Hearing regarding a Joint Increase and
improvement of the facilities of Sewer Districts 2-9, 11&12**

○ A.3120.477	Police & Constable Education & Training	\$430.60
○ SS03.8130.405	Sewage Treatment & Disposal Contractual	\$3,120.25
○ SS04.8130.410	Sewage Treatment & Disposal Contr Electric	\$75.43
○ SS05.8120.466	Sewer Collection Systems Materials	\$9,004.13
○ SS05.8120.463	Sewer Vehicle & Equip Repair/Maint.	\$4,186.60
○ SS06.8130.410	Sewage Treatment & Disposal Cont. Electric	\$54.63
○ SS08.8130.405	Sewage Treatment & Disposal Cont.	\$231.73
○ SS08.8130.410	Sewage Treatment & Disposal Cont. Electric	\$152.96
○ SS11.8130.410	Sewage Treatment & Disposal Cont. Electric	\$193.45
○ SW05.8310.405	Water Administration Contractual	\$2,130.00
○ SW06.8310.493	Water Administration Prof/Contr Engineer	\$644.00
○ SW06.8320.420	Water Electric	\$3,257.14
○ SW06.8320.465	Source of Supply Chemicals & Additives	\$11,005.80
○ SW06.8320.499	Water Contr Lab Water Testing	\$1,359.00

Funding un/underbudgeted accounts and increased costs by respective Fund Balances.

All in Favor Mark Wright – Aye, Dave Woods – Aye, Joyce Cooper – Aye, Tom Thatcher – Aye, Heath Towne – Aye. **Opposed** – none. **Carried.**

Resolution #413-2024 brought by Tom Thatcher, seconded by Dave authorizing the following Inter-Fund Transfer:

○ A.9950.900	General Inter-fund Transfer	(\$270.81)
○ H61.5031	Chilson / Eagle Lake	\$270.81

Transfer funds from General to Eagle Lake Water Project.

RESOLUTION authorizing the following Inter-Fund Loans:

○ A.0391	General Due From Other Funds	(\$7,440.69)
○ H20.0630	Airport Environmental Assessment	\$7,440.69

Transfer funds from General to Airport Environmental Assessment project under funding is received.

○ SW06.0391	Central Water Due From Other Funds	(\$922.56)
○ H63.0630	Water Meter Project Due To Other Funds	\$922.56

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Transfer funds from Central Water to Water Meter project until funding is received.

- | | | |
|------------|-----------------------------------------|--------------|
| ○ A.0391 | General Due From Other Funds | (\$5,713.25) |
| ○ H64.0630 | WWTP Ventilation/Phosphorous/Collection | \$5,713.25 |

Transfer funds from General to WWTP Ventilation/Phosphorous/Collection project until funding is received.

- | | | |
|------------|------------------------------------|--------------|
| ○ A.0391 | General Due From Other Funds | (\$1,560.00) |
| ○ H69.0630 | LaChute River Walk Trail Extension | \$1,560.00 |

Transfer funds from General to LaChute River Walk project until funding is received.

- | | | |
|-------------|----------------------------|---------------|
| ○ SS05.0391 | Sewer Due From Other Funds | (\$22,744.81) |
| ○ SS04.0630 | Sewer Due To Other Funds | \$22,744.81 |

Transfer funds to cover Abstract, until they can be paid back.

- | | | |
|-------------|----------------------------|--------------|
| ○ SS05.0391 | Sewer Due From Other Funds | (\$5,444.01) |
| ○ SS07.0630 | Sewer Due To Other Funds | \$5,444.01 |

Transfer funds to cover Abstract, until they can be paid back.

All in Favor Mark Wright – Aye, Dave Woods – Aye, Joyce Cooper – Aye, Tom Thatcher – Aye, Heath Towne – Aye. **Opposed** – none. **Carried.**

Resolution #415-2024 brought by Dave Woods, seconded by Tom Thatcher to appoint Steve Dunn to a 5-year term on the Board of Assessment Review. **All in Favor** Mark Wright – Aye, Dave Woods – Aye, Joyce Cooper – Aye, Tom Thatcher – Aye, Heath Towne – Aye. **Opposed** – none. **Carried.**

Resolution #416-2024 brought by Dave Woods, seconded by Joyce Cooper authorizing the advertisement for the annual fuel bid. **All in Favor** Mark Wright – Aye, Dave Woods – Aye, Joyce Cooper – Aye, Tom Thatcher – Aye, Heath Towne – Aye. **Opposed** – none. **Carried.**

Resolution #417-2024 brought by Tom Thatcher, seconded by Joyce Cooper to advertise for the annual Construction & Debris (C&D) bid. **All in Favor** Mark Wright – Aye, Dave Woods – Aye, Joyce Cooper – Aye, Tom Thatcher – Aye, Heath Towne – Aye. **Opposed** – none. **Carried.**

Resolution #418-2024 brought by Dave Woods, seconded by Joyce Cooper to advertise for the annual cemetery Fall clean-up. **All in Favor** Mark Wright – Aye, Dave Woods – Aye, Joyce Cooper – Aye, Tom Thatcher – Aye, Heath Towne – Aye. **Opposed** – none. **Carried.**

Resolution #419-2024 brought by Tom Thatcher, seconded by Heath Towne introducing the consideration of a proposed local law entitled “A Local Law to Override the Tax Levy Limit Established in General Municipal Law §3-C” and scheduling a public hearing regarding the proposed Local Law to be held on October 10, 2024, at 6:00 pm. **All in Favor** Mark Wright – Aye, Dave Woods – Aye, Joyce Cooper – Aye, Tom Thatcher – Aye, Heath Towne – Aye. **Opposed** – none. **Carried.**

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Resolution #420-2024 brought by Dave Woods, seconded by Tom Thatcher to accept the minutes of the August 8, 2024, Regular Town Board Meeting, August 14, 2024, 2025 Budget Workshop#1, August 22, 2024, Finance Meeting, August 28, 2024, 2025 Budget Workshop#2, September 5, 2024, 2025 Budget Workshop#3, and September 10, 2024, 2025 Budget Workshop#4. **All in Favor** Mark Wright – Aye, Dave Woods – Aye, Joyce Cooper – Aye, Tom Thatcher – Aye, Heath Towne – Aye. **Opposed** – none. **Carried.**

Resolution #421-2024 brought by Joyce Cooper, seconded by Dave Woods to Pay the Abstract #9 of 2024. **All in Favor** Mark Wright – Aye, Dave Woods – Aye, Joyce Cooper – Aye, Tom Thatcher – Aye, Heath Towne – Aye. **Opposed** – none. **Carried.**

Resolution #422-2024 brought by Heath Towne, seconded by Tom Thatcher to accept the Supervisor's Report as submitted. **All in Favor** Mark Wright – Aye, Dave Woods – Aye, Joyce Cooper – Aye, Tom Thatcher – Aye, Heath Towne – Aye. **Opposed** – none. **Carried.**

DISCUSSION: TowerCo. Lease interest. This company has an interest in installing a tower on Tax Map parcel 150.1-1-11.100 and 150.9-1-10.000. Are we interested in entertaining this lease agreement. The Board would like to see a proposal.

Mr. Fuller explained that they will have a two-step process, first they will come and ask for an access agreement for due diligence so they can do a Phase I environmental and possibly a Phase II if they need it. In the course of that, a lease gets negotiated. For us it will be a little bit different because we will need to do a permissive referendum to serve, but it is doable.

Town Clerk, Tonya Thompson - no report

Attorney, Matt Fuller - A brief update on litigation in Executive Session.

Public Comment

Patty Cook stated that she, along with other members, whom have now left; are just showing their presence and commitment to the District.

Supervisor Wright reminded that the Public Hearing is scheduled for the 19th of September regarding the EMS District.

Drew Metzler would like to ask about the property behind his commercial building, he would like to purchase this.

The board is unsure if they would like to proceed with this. They asked Mr. Metzler to contact the other property owners that this will affect and report back to the board with their responses.

Resolution #423-2024 brought by Dave Woods, seconded by Tom Thatcher to exit the Regular Town Board meeting at 7:24 p.m. to enter into an Executive Session regarding pending litigation.

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All in Favor Mark Wright – Aye, Dave Woods – Aye, Joyce Cooper – Aye, Tom Thatcher – Aye, Heath Towne – Aye. **Opposed** – none. **Carried.**

Resolution #424-20204 brought by Joyce Cooper, seconded by Tom Thatcher to exit out of the Executive Session at 7:45 p.m. and re-enter the Regular Town Board meeting. **All in Favor** Mark Wright – Aye, Dave Woods – Aye, Joyce Cooper – Aye, Tom Thatcher – Aye, Heath Towne – Aye. **Opposed** – none. **Carried.**

Meeting adjourned at 7:45 p.m.

Respectfully submitted, Tonya M. Thompson, Town Clerk

Town of Ticonderoga
Board Meeting Agenda (Thursday, September 12, 2024; 6:00 p.m.)

Call to Order

Pledge to the Flag

Opening Remarks

Presentations

Public Hearing

- 1) Joint Increase/Improvement of Sewer Districts – WWTP.

RESOLUTION: authorizing the joint increase and improvement of the facilities of Sewer Districts Nos. 2-9, 11, and 12 in the Town of Ticonderoga is hereby found and determined necessary and in the public interest at a new maximum estimated cost of \$35,221,537.40 to Sewer Districts Nos. 2-9, 11 and 12 being an increase of \$4,248,364.51 and said increase and improvement is hereby authorized and approved, allocated to each of said sewer districts as provided in the Order Calling a Public Hearing dated and duly adopted on July 25, 2024. Further resolved that this order shall take effect immediately.

RESOLUTION authorizing the issuance of an additional \$4,248,364.51 bonds of the Town of Ticonderoga, Essex County, New York, to pay part of the cost of the increase and improvements of the facilities of Sewer Districts Nos. 2 through 9, 11 and 12 in the Town of Ticonderoga, Essex County, New York.

Committee Reports

Airport TT

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RESOLUTION authorizing the Supervisor to issue a request for proposals (RFP) for engineering services - airport consulting services for the Ticonderoga Municipal Airport (4B6) and to authorize advertising the notice.

DISCUSSION: Hangar Lease.

Building Grounds Parks Rec Library JC/DW

Economic Development MW/HT

RESOLUTION: CDBG for 74 Montcalm Street (Agway).

RESOLUTION to schedule a public hearing on October 10, 2024, at 6 PM in the Community Building board room (basement) for the purpose of hearing public comments on the Town of Ticonderoga's community development needs and to discuss the possible submission of a Community Development Block Grant (CDBG) application for an emergency septic replacement grant to assist the Ticonderoga Golf Course.

RESOLUTION to award a bid to Reale Construction Company, Inc. in the amount of \$380,000 for the La Chute River Trail Extension project funded with NYS Local Waterfront Revitalization Program (LWRP) grant funds (\$226,990) and Town of Ticonderoga ARPA funding (\$153,010) and to authorize the expenditure of those ARPA funds and to further authorize the Supervisor to execute all associated contract documentation.

Highway / Transfer Station DW/MW

Municipal Facility Evaluation TT/HT

Public Safety DW/JC

Public Works MW/TT

RESOLUTION to close account #510050260-0, 130 The Portage- Essex County Land Bank, as they are exempt from Water & Sewer utility fees and have a zero balance.

RESOLUTION authorizing the Supervisor to approve Letter of Authorization (LOA) No. 2024-006 (Stormwater Outfall Sizing) and authorizing AES to proceed with review of this project once the developer provides escrow funds.

RESOLUTION authorizing the Supervisor to approve Letter of Authorization (LOA) No. 2024-007 (War Cannon Engineering & Technical Review) and authorizing AES to proceed with review of this project once the developer provides escrow funds.

RESOLUTION authorizing the purchase of 8 – Clopay Replacement Bottom Sections Model 3591S 10' x 24"; bottom, top & side seals; general service & lubricate doors for the Water Department, from Winchip Overhead Door Co. Total price will be \$7,890.00, including installation.

Minutes from the Ticonderoga Regular Town Board Meeting held on September 12, 2024, commencing at 6:00 p.m. with a Public Hearing regarding a Joint Increase and improvement of the facilities of Sewer Districts 2-9, 11&12

RESOLUTION authorizing the creation of a purchase order in the amount of \$7,890.00, to Winchip Overhead Door Co. for the purchase of 8 – Clopay Replacement Bottom Sections Model 3591S 10’ x 24” ; bottom, top & side seals; general service & lubricate doors for the Water Department.

Human Services - Youth JC/HT

RESOLUTION to accept the resignation of Joseph T. LaPeter as After School Program Counselor and extending best wishes on his new career as a first-year teacher in Schoon Lake.

Human Services - Seniors HT

Health Insurance MW

Contract Negotiations MW

I.T. / Cable T.V. MW

Resolutions

RESOLUTION authorizing the creation of new accounts:

- H21.0200 Cash
- H21.0410 State And Federal, Other
- H21.0510 Estimated Revenue
- H21.0521 Encumbrances
- H21.0522 Expenditures
- H21.0599 Appropriated Fund Balance
- H21.0600 Accounts Payable
- H21.0605 Retained Percentages, Contracts
- H21.0630 Due to Other Funds
- H21.0821 Reserve For Encumbrances
- H21.0909 Fund Balance, Unreserved
- H21.0960 Appropriations
- H21.0980 Revenues
- H21.2401 Interest & Earnings
- H21.3089 State Aid
- H21.4592 Airport Improve FAA Grant

**Minutes from the Ticonderoga Regular Town Board Meeting held on September 12, 2024,
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improvement of the facilities of Sewer Districts 2-9, 11&12**

- H21.5031 Interfund Transfers
- H21.1420.400 Attorney Contractual Exp
- H21.1440.400 Engineer Contractual Exp
- H21.5610.400 Airport Contractual Exp
- H21.9950.900 Interfund Transfers - Capital Proj

For creation of new project, H21, Airport Apron Expansion.

RESOLUTION authorizing the following budget transfers:

- A.1989.400 Contingency (\$1,478.42)
- A.5010.294 Supt Highway IT Equipment \$175.00
- A.5182.496 Street Lighting Electric Charging Station \$115.49
- A.6772.463 Programs for the Aging Repair & Maintenance \$95.65
- A.7140.472 Playgrounds & Recreation Meals \$240.13
- A.8510.463 Community Beautification Repair & Maint. \$607.85
- A.8510.467 Community Beautification Equip.Sm Tools \$244.30

Fund underbudgeted General accounts & increased costs from Contingency (Balance after transfer \$ 68,970.20).

- A.1110.477 Justices Education and Training (\$391.26)
- A.1110.191 Justices Overtime \$391.26

Transfer funds to cover overtime costs for court.

- A.0450.019 Capital Reserve – General Sidewalks (\$73,000.00)
- A.5410.410 Sidewalk Construction and Replacement \$73,000.00

Transfer funds from Capital Reserve for sidewalk repair/replacement.

- A.4089.000 ARPA Funds (\$7,800.00)
- A.5410.410 Sidewalk Construction and Replacement \$7,800.00

Transfer ARPA funds received to the correct expenditure lines.

- A.2260 Stop DWI (\$5,607.45)
- A.3120.191 Police & Constable Overtime \$5,607.45

Transfer Grant revenue received to the appropriate expense line.

- DA.1989.400 Contingency (\$4,202.21)

**Minutes from the Ticonderoga Regular Town Board Meeting held on September 12, 2024,
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- DA.5110.468 Highway Safety Equipment/Supplies \$4,202.21
Fund underbudgeted Highway account & increased costs from Contingency (Balance after transfer \$ 7,797.35).

RESOLUTION authorizing the following budget adjustments:

- A.3620.498 Safety Inspection Property Remediation \$122.21
- A.3120.477 Police & Constable Education & Training \$430.60
- SS03.8130.405 Sewage Treatment & Disposal Contractual \$3,120.25
- SS04.8130.410 Sewage Treatment & Disposal Contr Electric \$75.43
- SS05.8120.466 Sewer Collection Systems Materials \$9,004.13
- SS05.8120.463 Sewer Vehicle & Equip Repair/Maint. \$4,186.60
- SS06.8130.410 Sewage Treatment & Disposal Cont. Electric \$54.63
- SS08.8130.405 Sewage Treatment & Disposal Cont. \$231.73
- SS08.8130.410 Sewage Treatment & Disposal Cont. Electric \$152.96
- SS11.8130.410 Sewage Treatment & Disposal Cont. Electric \$193.45
- SW05.8310.405 Water Administration Contractual \$2,130.00
- SW06.8310.493 Water Administration Prof/Contr Engineer \$644.00
- SW06.8320.420 Water Electric \$3,257.14
- SW06.8320.465 Source of Supply Chemicals & Additives \$11,005.80
- SW06.8320.499 Water Contr Lab Water Testing \$1,359.00

Funding un/underbudgeted accounts and increased costs by respective Fund Balances.

RESOLUTION authorizing the following Inter-Fund Transfer:

- A.9950.900 General Inter-fund Transfer (\$270.81)
- H61.5031 Chilson / Eagle Lake \$270.81

Transfer funds from General to Eagle Lake Water Project.

RESOLUTION authorizing the following Inter-Fund Loans:

- A.0391 General Due From Other Funds (\$7,440.69)
- H20.0630 Airport Environmental Assessment \$7,440.69

Minutes from the Ticonderoga Regular Town Board Meeting held on September 12, 2024, commencing at 6:00 p.m. with a Public Hearing regarding a Joint Increase and improvement of the facilities of Sewer Districts 2-9, 11&12

Transfer funds from General to Airport Environmental Assessment project under funding is received.

- SW06.0391 Central Water Due From Other Funds (\$922.56)
- H63.0630 Water Meter Project Due To Other Funds \$922.56

Transfer funds from Central Water to Water Meter project until funding is received.

- A.0391 General Due From Other Funds (\$5,713.25)
- H64.0630 WWTP Ventilation/Phosphorous/Collection \$5,713.25

Transfer funds from General to WWTP Ventilation/Phosphorous/Collection project until funding is received.

- A.0391 General Due From Other Funds (\$1,560.00)
- H69.0630 LaChute River Walk Trail Extension \$1,560.00

Transfer funds from General to LaChute River Walk project until funding is received.

- SS05.0391 Sewer Due From Other Funds (\$22,744.81)
- SS04.0630 Sewer Due To Other Funds \$22,744.81

Transfer funds to cover Abstract, until they can be paid back.

- SS05.0391 Sewer Due From Other Funds (\$5,444.01)
- SS07.0630 Sewer Due To Other Funds \$5,444.01

Transfer funds to cover Abstract, until they can be paid back.

RESOLUTION to appoint Steve Dunn to a 5-year term on the Board of Assessment Review.

RESOLUTION authorizing the advertisement for the annual fuel bid.

RESOLUTION to advertise for the annual Construction & Debris (C&D) bid.

RESOLUTION to advertise for the annual cemetery Fall clean-up.

RESOLUTION introducing the consideration of a proposed local law entitled "A Local Law to Override the Tax Levy Limit Established in General Municipal Law §3-C" and scheduling a public hearing regarding the proposed Local Law to be held on October 10, 2024, at 6:00 pm.

RESOLUTION to accept the minutes of the August 8, 2024, Regular Town Board Meeting, August 14, 2024, 2025 Budget Workshop#1, August 22, 2024, Finance

Minutes from the Ticonderoga Regular Town Board Meeting held on September 12, 2024, commencing at 6:00 p.m. with a Public Hearing regarding a Joint Increase and improvement of the facilities of Sewer Districts 2-9, 11&12

Meeting, August 28, 2024, 2025 Budget Workshop#2, September 5, 2024, 2025 Budget Workshop#3, and September 10, 2024, 2025 Budget Workshop#4.

RESOLUTION to Pay the Abstract.

RESOLUTION to accept the Supervisor's Report as submitted.

DISCUSSION: TowerCo. Lease interest.

Town Clerk, Tonya Thompson

Attorney, Matt Fuller

Public Comment

Adjourn the Town Board Meeting