Present:	Joseph Giordano Supervisor	
	Joyce Cooper, Councilwoman	
	Tom Cunningham, Councilman	
	Dave Woods, Councilman	
	Matthew Fuller, Town Attorney	
	Tonya M. Thompson, Town Clerk	

Absent: Mark Russell, Councilman

Others: Mark Wright, Greg Swart, Heath Towne, Stephanie Mitchell, Donna Wotton, Laura Wright, Patricia Curtiss, Carol Ramundo and Kellyanne Mandy with Elisha Bartlett via GoToMeeting

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

Public Hearings

Joint Increase and Improvement of the Facilities of Sewer Districts Nos. 2 through 11, in the Town of Ticonderoga (Phosphorus-Collection System Work Project)

This project has been discussed at our water and sewer meetings along with last months meeting. There are water infrastructure improvement monies available this month, this is part of the submission requirement process. This is not necessarily definite to go through, but it at least gets us in the ballpark of being able to apply for grants and then the future board can make a decision if we get awarded any monies. This project is for Phosphorus reduction and collection system upgrades that are mandated by Department of Environmental Conservation for our sewer and storm water collection system and wastewater treatment plant. All in All, the project is approximately 10 million dollars, and the phosphorus project has already scored a zero percent hardship which is good. As you may recall, we received one million dollars on a ventilation project and in addition we are hoping that the collection system component of this project will score another 5 million dollars in water quality improvements funding. There are some good opportunities here to continue to do the good work of improving our wastewater and storm water collection systems in the Town. At this we will open the floor for comments.

No public comments.

Closed at 6:08 p.m.

2022 Ticonderoga Town Budget

The preliminary budget is a 1.34% increase from 2021. It allows for 2% wage rate increase across all departments, except for those under a collective bargaining agreement. It also incorporates an 8.9% health insurance increase, there are some reductions for the different retirement divisions in the Town, the employee's retirement and the Police & Fire. One of the big things we added to the budget this year (every year we have been continually been improving or refining) and this year we implemented a new asset management allocation for all

departments. We have been able to decrease our expenditures and appropriations and balance with our revenues to open up some new line item fundings. We included sidewalks last year and this year we are funding that again. We have also gone through all the major departments, Building and Grounds, Highway, Water and Sewer and Police and their corresponding Capital Reserve taking into account what their estimated annual appropriations should be to maintain properly functioning equipment. This year we have \$71,000 for Building and Grounds, Police Equipment has nothing this year but last year we had put funding in there for a new vehicle. All in all we are doing very well for planning for the future. We did have some 2021 carry over which helps with reduction of the overall impact to the taxes from some functions that did not happen due to COVID. At this time, we will open the floor for comments.

Donna Wotton mentioned that she just sent an email to the board today, encouraging you all to fund two (2) different things, one is a Downtown Visioning Community visiting project which is something that is having an impact on our ability to have an updated plan that works for our downtown. Today Elisha Bartlett from PRIDE, Matt Courtright from the Chamber and she gave a presentation to the Downtown Development Work Group, it is an organization that is highly active right now, helping with initiatives attracting new residences and development. There were 80 people from the North Country at this presentation. We really have done everything that we should do to get on the radar of funding organizations, but we do not have an updated Downtown Vision Plan. The other thing that she would like to respectfully request is some funding for Ti Alliance, we are the only one of the major economic development groups that is fully funded by the money that we raise, we are doing great work that is having an impact on this community, we are an entity of the Town itself, the only one that is and we are the only one that doesn't get State or Federal monies. We could really use your help and just with things like our annual audit which is very costly.

Councilman Cunningham would like to have a bit of time to review the budget.

Supervisor Giordano wanted to discuss the Highway Equipment funding – trucks and other equipment currently is at 3 ¼ million dollars, the Capital Reserve is at \$152,500 and that money is associated with that 3 million dollars for all the equipment that the Highway owns and operates and replenishing it on a regular basis. We have looked at every item and have evaluated its current condition, longevity and when we anticipate when we would be replacing an item and how much that replacement cost would be, whether there would be surplus money or money to come back from sale. So, \$122,000.00 is what we are allocating for next year based on the 3 million dollars of total assets. We have not really had a robust list of equipment in the past, so it is important for the taxpayers to realize that we are now able to include this in a line item and give some consideration of what is required every year.

Public Hearing closed at 6:20 p.m.

2022 Water and Sewer Rate Increase

Since early 2010 our rates have had an annual 3% rate increase. There were a few years where they remained constant while we established where we were financially. This year water has

increased \$4.00 a quarter, It will go from \$108 to \$112.00. Sewer likewise will move at an increase of \$4.00 per quarter, currently it is \$140.00, and it will move to \$144.00. Chilson and Eagle Lake rates have remained constant for several years now because of the water discussion. Putting them aside now, we are going into long term financing shortly, potentially the end of this year, beginning of next year and we are looking at about \$325,000 annual debt service that we will be making. The budget for this year in water is roughly 1.24 million and a quarter of that is the debt service of the recent upgrades of the system which is about 10 million dollars at zero interest. Zero interest is really critical for us, without that it would be several million dollars more. We have done pretty well with trying to keep our rate increases low and still taking into account new features such as the asset management and how to incorporate debt service into the total cost for operation. When it comes to sewer, we have just gone to long term on sewer. That debt service alone, the previous one is about \$417,000 annually. The total expenses for sewer this year are 1.33 million and the rate is \$4 more than it was last year. At this time, we will open the floor for comments.

Kellyanne Mandy (Champlain Avenue) wants to talk about the water issue that has been going on for years that you are trying to take care of. She does not drink the water, her dad put a filtration system in so that everything runs through something, so it doesn't ruin her lines or anything. She is lucky that she has her father to do all of that because there are a lot of people that live in town that don't have that option. It is sad because she won't even give it to her dog. We buy bottled water; the water is too hard and scaley – her dad is constantly coming over and switching over stuff. She knows we need water, but who wants to pay more because the quality is shit, she is sorry, but it is. She knows that you can't control that, and you are trying to fix that, but how much did you pay for that building there. She just thinks that this is crazy, the budget and everything. She gets that we need certain things, but as far as like the pumps running and how much that will cost us yearly, she is not saying that we don't need good water, we do need good water, but when will we get that? She has her dad, but her friends have replaced dishwashers, washing machines, you know stuff they can hardly afford on top of everything else. It sucks, so basically you are pushing people out that can't afford it - she has a couple of relatives that sold their houses this year just to get away from it all. That is sad, because they have lived here for many years...it is hard, but there seems to be no solution to it.

Supervisor Giordano stated that he does empathize with what you are saying, this is not easy for the town either. The concerns that you bring up are ones that we face and have been facing for a while. He can't speak for what has gone on in the past, you would need to go back and ask those administrations why the work wasn't done when it needed to be done. A lot of the maintenance has been deferred, but to your point, he understands that you are commenting on the hard water, and he doesn't know what the comparison is of the hardness of the water in your area to the water more north in the Town. The hardness is definitely different than what everyone else has been experiencing because it has all been surface water. Those are some of the challenges that the Town will need to work through. From the Town's standpoint, liability standpoint, we need to follow regulations and while hardness is a quality that people find to be frustrating, certainly if people were to get sick on the water like in Flint, Michigan and other places in the country, that

is a lot more serious than the liability associated with a municipality providing water to its constituents. He does not have the answer, per se, but he understands the frustration about this.

Mrs. Mandy understands that and gets that, if it ain't broken then don't fix it, she gets it....completely understands...

Supervisor Giordano stated that he doesn't know that it is not broken and that this might not be an accurate statement – for whatever reason, they pushed it off for a while with whatever the rational was – this has been a problem for a while. We have been on filtration avoidance since the 90's and out of compliance for decades, so this is not a new thing. The Department of Justice got involved and said you have to take care of this or we will fine you. To your point, if we received fines that would still impact the rate system...your question is a valid question and will require a town discussion of what to do to solve it. There are a couple of different options out there but obviously as a rate payer it is still coming out of your pocket whether you decide to install a system in your own home or whether the town decides to do a municipal wide system and go through the pro's and con's of cost benefit analysis of those options.

Mrs. Mandy stated that it is just more frustration, it is not 'your fault' per se, you didn't do it as you said it has been building up for years...but here you guys areshe understands.... But when do we figure it out? There is a fire hydrant up by her house that is running, it is going to start freezing, she has had a swamp all summer, mosquitos, like... she gets it, but you can't even mow the lawn. Is this going to run all year?

Supervisor Giordano agreed that we can address that, but on this particular topic for budget --there is a lot that has been going on in town and once finished people will look back and say wow, look at what we have been able to get done, but in the thick of it people are frustrated and in your case you are right next to, people on the Portage are constantly dealing with have to run up a rough road or rocks on the sidewalk. Just like everything else, there is a certain hardship period and as soon as we get through that, we are not very far from the finish line.

Public Hearing closed at 6:32 p.m.

Opening Remarks – Announcements

COVID – four deaths in our county over the last recent weeks as well as numbers still climbing for positive cases. Just a reminder to the public if you have not been vaccinated, please consider being vaccinated.

Public Comment

Heath Towne would like to thank Officer Bush for an issue with a truck driver who locked himself out of his cab, Officer Bush got him back in and on his way this morning. This happened right in the middle of shift change and Officer Bush did his best and it was an excellent job.

Stephanie Mitchell would like to speak on the COVID issue, there are several people here tonight coughing and she realizes that it is a dry, hack cough, but she say her doctor yesterday in Glens Falls and she does want everyone to know that Glens Falls is loaded and it is not all COVID, it is loaded with everything broken backs, COVID and her doctor is an ER doctor and he says they can't keep up, and this new variant is highly contagious. Everybody should have a mask on, and she is offering this up because as leaders of the Town you all set examples. She is not criticizing at all but when people are coughing and the masks aren't on, it just kind of.... Be careful.

Report of Committees

Public Works – Joseph Giordano, Supervisor

Town of Ticonderoga Water/Sewer Committee Meeting Minutes October 26, 2021 9:00 am

Committee Members Present:	Supervisor Giordano, Derrick Fleury, Sherry Veneto,	
	Eric Blanchard, Tom Cunningham	

Others: Greg Swart (*AES*), Maddy Hetman (*AES*), Matt Fuller, Mark Wright, Rob Wick (*ECCR*), Hannah Neilly (*ECCR*), Anna Reynolds (*ECCR*), Joyce Cooper

Public Comment

No public comment.

Item for Discussion

- 1. Mary Jo Reale 388 Black Point Rd
 - a. The Town placed a new pump at one of the structures on the property.
 - b. Derrick will be making a bill up for the pump (which was \$2,100.00) and the labor for work at the property.
 - i. As there was no record of two pumps on this property. It is recommended to the Town Board to charge 2 sewer EDU's, 2 sewer O&M's and 1 sewer debt fee.
- 2. Nick Defuria 27 Cottage Rd

a. He's looking to put a shed on his property and would like to install a toilet and sink. Would like to know if he can hook onto the current line or run a new line.

i. After a discussion, it was decided that the codes department needs to be brought in on this to find out what exactly they have been permitted for.

3. Glen Brownstein – 34 Kennedy Dr/Birchwood Dr

a. He has 2 lots at these locations (only one is buildable). He will be installing a well in the spring and is wondering if it is possible for him to be removed from the water district after it is completed.

i. After a brief discussion, it was determined that he is not able to be removed from the water district.

4. Morse Residence – 9 Kennedy Dr.

a. They have had low water pressure and is inquiring about a booster pump that is supplied by the town. Derrick will be getting quotes from different contractors to get this done.

Derrick Fleury – Water/Wastewater Superintendent's Report

Nothing to report

Eric Blanchard – Chief Wastewater Operator

1. Had a price increase from Slack

AES Report

1. Veterans Road

a. Nothing has been heard as a start date. Greg will get in touch with Bellamy Construction. The project should only take a few weeks to complete

2. The Water Meters-

a. Not much to do at this point, applied for a water meter grant this summer and still waiting to hear back on that

3. Water District Consolidation

a. Close to being finished. Workshop to follow directly after the Water/Sewer Committee meeting.

4. Chilson/Eagle Lake

- a. WIIA application is going in. Surveying is scheduled for when the leaves come off the trees.
- 5. Lead Service Line Replacement
 - a. There have been a couple of people asking about updates on the forms they sent back. The project will not begin until Spring of 2022.
 - i. A follow up letter will be sent out to the people that sent the questionnaire back, or a public notice will be sent out in the near future.
- 6. WWTP
 - a. The last sensor was installed, and everything seems to be working well.
- 7. The Portage Project
 - a. Paving should start the first week in November. Most storm lines are in. Curbing is done beyond Treadway Street. They are getting as much done as possible in the next few weeks.
 - b. There will be a change order for putting the PRV in.

Additional Topics For Discussion

- 1. Short discussion on the 2nd phase of the sewer project, Paul will have information put together for Town Board approval at the next meeting.
- 2. Discussion on whether the Town followed up with EFC about FEMA funding.
- 3. Matt spoke briefly about the Chilson/Eagle Lake bond resolution that they hope to adopt at the Town Board meeting in November.

Supervisor Giordano adjourned the Water/Sewer Committee Meeting at 10:17 am.

The next Committee Meeting will take place on November 30, 2021, at 10:30 am.

Resolution #325-2021 brought by Tom Cunningham, seconded by Joyce Cooper to reflect a 2.0 EDU sewer rate charge (SS05), 2.0 EDU sewer rate fees (SS09) and 1.0 EDU debt service fee (SS09) for the residential property located at 388 Black Point Road (Mary Jo Reale). All in **Favor** Joseph Giordano – Aye, Joyce Cooper – Aye, Tom Cunningham – Aye, Dave Woods – Aye. **Opposed** – none. Mark Russell – Absent. **Carried**.

Resolution #326-2021 brought by Dave Woods, seconded by Joyce Cooper to approve Reale Construction Inc. Change Order #5 (AES #4394 Portage Street & Utility Reconstruction) at no change for drainage design modifications due to differing site conditions related to buried drainage lines discovered on Battery Street. **All in Favor** Joseph Giordano – Aye, Joyce Cooper – Aye, Tom Cunningham – Aye, Dave Woods – Aye. **Opposed** – none. Mark Russell – Absent. **Carried.**

Resolution #327-2021 brought by Tom Cunningham, seconded by Dave Woods to approve Reale Construction Inc. Change Order #6 (AES #4394 Portage Street & Utility Reconstruction) at no change for 300lf of curb and sidewalk replacement along the west side of Champlain Ave from Fr. Jogues to the HG Burleigh House / Heritage Building (135 Champlain Ave) **All in Favor** Joseph Giordano – Aye, Joyce Cooper – Aye, Tom Cunningham – Aye, Dave Woods – Aye. **Opposed** – none. Mark Russell – Absent. **Carried.**

Resolution #328-2021 to approve Reale Construction Inc. Change Order #7 (AES #4394 Portage Street & Utility Reconstruction) in the amount of \$176,443.00 to add a pressure reducing valve vault and related piping/valves. **All in Favor** Joseph Giordano – Aye, Joyce Cooper – Aye, Tom Cunningham – Aye, Dave Woods – Aye. **Opposed** – none. Mark Russell – Absent. **Carried.**

Resolution #329-2021 brought by Joseph Giordano, seconded by Joyce Cooper to approve AES Northeast Amendment #1 (AES #5001 Long Term Control Plan) at no change to replace EFC bid package for EFC contract review. **All in Favor** Joseph Giordano – Aye, Joyce Cooper – Aye, Tom Cunningham – Aye, Dave Woods – Aye. **Opposed** – none. Mark Russell – Absent. **Carried.**

Resolution #330-2021 brought by Joseph Giordano, seconded by Dave Woods to approve Contract Proposal for Preliminary Design and Grant Applications for Wastewater Treatment Plant (Phosphorus and GIGP Ventilation) and Collection System Separation (AES Project #5032 Grant Applications, Wastewater & Sewer Collection Upgrades) in the amount of \$24,750 as required for sewer WIIA applications pending attorney review. All in Favor Joseph Giordano – Aye, Joyce Cooper – Aye, Tom Cunningham – Aye, Dave Woods – Aye. **Opposed** – none. Mark Russell – Absent. **Carried.**

(This is intended to be reimbursed by the upcoming sewer grant/loan funding package if the Town ultimately moves forward. If the Town does not move forward, the Town will cover these expenses.)

Proposed Chilson-Eagle Lake District

Resolution #331-2021 brought by Joseph Giordano, seconded by Tom Cunningham pertaining to SEQR determining that the Town of Ticonderoga Chilson-Eagle Lake Water District Project will not have a significant adverse environmental impact. All in Favor Joseph Giordano – Aye,

Joyce Cooper – Aye, Tom Cunningham – Aye, Dave Woods – Aye. **Opposed** – none. Mark Russell – Absent. **Carried.**

SEQR RESOLUTION DETERMINING THAT THE TOWN OF TICONDEROGA CHILSON-EAGLE LAKE WATER DISTRICT PROJECT WILL NOT HAVE A SIGNIFICANT ADVERSE ENVIRONMENTAL IMPACT

WHEREAS, the Town of Ticonderoga (the "Town") is the sponsor of a proposed project including the proposed creation of a Chilson Eagle Lake drinking water district to be known as the Chilson Eagle Lake Water District (the "District") together with the joint increase, construction and improvement of the facilities of all of the proposed District consisting of the construction of drinking water storage, pipes, hydrants, connections, valves and including original furnishings, equipment, machinery, apparatus, appurtenances and incidental improvements and expenses in connection therewith (the "Project"); and

WHEREAS, the Town intends to comply with the New York State Environmental Quality Review Act ("SEQRA") and the implementing regulations set forth at 6 NYCRR Part 617 (the "Regulations") with respect to the Project; and

WHEREAS, the Town has prepared and completed Parts 1, 2, and 3 of the Short Environmental Assessment Form ("SEAF") for the Project and compared the impacts that may reasonably be expected to result from the Project to the criteria for determining significance as identified in Section 617.7(c)(1) of the Regulations; and

WHEREAS, the New York State Department of Environmental Conservation ("NYSDEC"), Adirondack Park Agency ("APA") and the Town Zoning/Planning Board are the other "involved agencies" (as the quoted term is defined in the regulations) for this Project; and

WHEREAS, correspondence was sent to all involved agencies for consent to the Town acting as lead agency for the review of the Project and providing a copy of the SEAF Part 1, and with no objection to the Town acting as lead agency; and

WHEREAS, the Town Board has considered the significance of the potential environmental impacts of the Project and said review has resulted in a reasoned determination that the proposed action will NOT result in any large and important impact(s) and, therefore is one which will not have a significant negative impact on the environment.

NOW, THEREFORE, BE IT RESOLVED, by the Town Board of the Town of Ticonderoga that based upon an examination of the SEAF and other available supporting information, the knowledge about the area surrounding the Project, and such further investigation of the Project and its potential environmental impacts, the Town Board makes the following findings and determinations with respect to the Project:

1. The Project is classified as an "Unlisted" action, as that term is defined in the Regulations; and 2. The Town has completed Parts 2 and 3 of the SEAF and compared the impacts that may reasonably be expected to result from the Project to the criteria for determining significance identified in Section 617.7(c)(1) of the Regulations; and

3. The Town hereby approves and adopts the attached SEAF for the Project (Parts 1-3 with its supporting written elaboration), which is attached hereto and incorporated herein: and

4. The Town hereby authorizes the SEAF to be signed and a Negative Declaration to be filed for the Project and will not require the preparation of an environmental impact statement for the Project; and5. The Town Clerk and Town staff are authorized to take such additional steps as may be necessary to carry out this Resolution; and

6. That this resolution shall take effect immediately.

ROLL CALL VOTE:

Aye
Absent
Aye
Aye
Aye

Resolution #332-2021 brought by Joseph Giordano, seconded by Tom Cunningham authorizing the issuance of \$8,306,300 serial bonds of the Town of Ticonderoga, Essex County, New York, to pay the cost of the establishment of the Chilson-Eagle Lake Water District, in and for said Town. All in Favor Joseph Giordano – Aye, Joyce Cooper – Aye, Tom Cunningham – Aye, Dave Woods – Aye. **Opposed** – none. Mark Russell – Absent. **Carried.**

BOND RESOLUTION #332-2021 DATED NOVEMBER 3, 2021.

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$8,306,300 SERIAL BONDS OF THE TOWN OF TICONDEROGA, ESSEX COUNTY, NEW YORK, TO PAY THE COST OF THE ESTABLISHMENT OF THE CHILSON-EAGLE LAKE WATER DISTRICT, IN AND FOR SAID TOWN.

WHEREAS, pursuant to proceedings heretofore had and taken and to be undertaken in accordance with the provisions of Article 12-A of the Town Law, the Town Board of the Town of Ticonderoga, Essex County, New York, is considering the establishment of the Chilson-Eagle Lake Water District, in the Town of Ticonderoga (the "District"); and

WHEREAS, the improvements for said District shall consist of a new water distribution system, including water mains, pump station and installation of a new water tank, together with original equipment, machinery, apparatus, appurtenances, land or rights-in-land, and incidental improvements and expenses in connection therewith; and

WHEREAS, the maximum amount proposed to be expended by the District for said improvements is \$8,306,300; and

WHEREAS, said capital project is expected to be determined to be a Type I Action pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act, the implementation of which as proposed, will not result in any significant adverse environmental impact; and

WHEREAS, it is now desired to authorize the financing of said improvements; NOW, THEREFORE, BE IT RESOLVED, by the Town Board of the Town of Ticonderoga, Essex County, New York, as follows:

<u>Section 1.</u> For the class of objects or purposes of paying the cost of the establishment of the Chilson-Eagle Lake Water District in the Town of Ticonderoga, Essex County, New York, and the improvements therefor, consisting of a new water distribution system, including water mains, pump station and installation of a new water tank, together with original equipment, machinery, apparatus, appurtenances, land or rights-in-land, and incidental improvements and expenses in connection therewith, as described in the preambles hereof, at a maximum estimated cost of \$8,306,300, which class of objects or purposes is hereby authorized at said maximum estimated cost, there are hereby authorized to be issued \$8,306,300 serial bonds of the Town of Ticonderoga, Essex County, New York pursuant to the provisions of the Local Finance Law.

<u>Section 2.</u> It is hereby determined that the plan for the financing of said class of objects or purposes shall consist of the issuance of the \$8,306,300 serial bonds of said Town authorized to be issued pursuant to this bond resolution; **PROVIDED, HOWEVER**, that to the extent that any grants-in-aid are received for such class of objects or purposes, the amount of bonds to be issued pursuant to this resolution shall be reduced dollar for dollar.

<u>Section 3.</u> It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is 40 years, pursuant to subdivision 1 of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the serial bonds herein authorized will 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 bonds as the same respectively become due and payable. There shall be annually assessed upon the taxable real property in said District which the Town Board shall apportion and assess upon the several lots and parcels of land in the manner provided by law, an amount sufficient to pay the principal and interest on said bonds as the same become due, but if not paid from such source, all the taxable real property in said Town shall be subject to the levy of ad valorem taxes without limitation as to rate or amount sufficient to pay the principal of and interest on said bonds as the same shall become due.

<u>Section 5.</u> 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, the chief fiscal officer. 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 he shall deem best for the interests of the Town, including, but not limited to, the power to sell said serial bonds to the New York State Environmental Facilities Corporation, provided, however, that in the exercise of these delegated powers, the Supervisor 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.

<u>Section 7.</u> All other matters, except as provided herein relating to such bonds, including determining whether to issue such bonds having substantially level or declining annual debt service and all matters related thereto, prescribing whether manual or facsimile signatures shall appear on said bonds, prescribing the method for the recording of ownership of said bonds, appointing the fiscal agent or agents for said bonds, providing for the printing and delivery of said bonds (and if said bonds are to

be executed in the name of the Town by the facsimile signature of its Supervisor, providing for the manual countersignature of a fiscal agent or of a designated official of the Town), the date, denominations, maturities and interest payment dates, place or places of payment, and also including the consolidation with other issues, shall be determined by the Supervisor. It is hereby determined that it is to the financial advantage of the Town not to impose and collect from registered owners of such serial bonds any charges for mailing, shipping and insuring bonds transferred or exchanged by the fiscal agent, and, accordingly, pursuant to paragraph c of Section 70.00 of the Local Finance Law, no such charges shall be so collected by the fiscal agent. 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 52.00 of the Local Finance Law, as the Supervisor shall determine.

Section 8. The Supervisor is hereby further authorized, at the Supervisor's sole discretion, to execute a project financing and/or loan agreement, and any other agreements with the New York State Department of Health 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 class of objects or purposes described in Section 1 hereof, or a portion thereof, by a serial bond, and, or note issue of said Town in the event of the sale of same to the New York State Environmental Facilities Corporation.

<u>Section 9.</u> 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 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 intent of this resolution is to give the Supervisor sufficient authority to executethose applications, agreements, instruments or to do any similar acts necessary to effect the issuance ofthe aforesaid serial bonds and, or notes without resorting to further action of this Town Board.Section 11.This resolution shall constitute a statement of official intent for purposes of TreasuryRegulations Section 1.150 - 2.Other than as specified in this resolution, no monies are, or arereasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respectto the permanent funding of the object or purpose described herein.

Section 12. 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.

<u>Section 13.</u> 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; provided, however, that no bond anticipation notes or bonds shall be issued prior to the final establishment of the Chilson-Eagle Lake Water District in the Town after the approval of the State Comptroller, if required, and the subsequent ratification and confirmation of this bond resolution by re-adoption thereafter by the Town Board.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

ROLL CALL VOTE:	
Joseph Giordano, Supervisor	Aye
Mark Russell, Councilman	Absent
Tom Cunningham, Councilman	Aye
Joyce Cooper, Councilwoman	Aye
Dave Woods, Councilman	Aye

Town Attorney Matt Fuller explained this actual Bond Resolution and per discussions at committee meetings, the Town Board committed to the people in Chilson and Eagle Lake to try to get as much grant money as we possibly can. At the same time, the people that live in Chilson and Eagle Lake have significant, justified, concerns about the cost. Per the MPR, if no grant funds can be secured it could be a couple thousand dollars a year or beyond to make the required improvements to supply drinking water and the members of the Town Board here said that is obviously not acceptable to the Town Board, let alone the taxpayers that have to bear that cost. So, what we have done here is essentially the best we can to try to apply for these WIIA funds, these Water Infrastructure Improvements funds. Usually, and in a legal process, you would go forward and adopt a public interest order, which you have done that on other bonds, and you will do in another few minutes, which is part of a formation of the district. Again, the Town Board said that they are not going to form the district at this time, we are going to try to get grant funds so we can show the rate payers that we have knocked this cost down. We are going forward to adopt a Bond Resolution so that we can apply for the WIIA funds to show awarding agencies that the town is serious with the project if we can get the grant funding. It is a bit of a chicken and the egg/cart before the horse – reality is adopting the bond resolution prior to the actual formation of the district, the Town could never actually borrow money on that, really, we are doing this just to apply for the WIIA funds. The awarding authority could say that in and of itself is not grounds to award the grant, if they do - ok. We have gone through this process for nothing, and we will keep trying to get some grant funds. The reason to note this is in case someone after the fact says that procedurally you didn't do this right and you couldn't adopt the bond resolution without forming the district, they are correct. So publicly here, we are telling everybody, yes, we know this, but again we are putting the cart before the horse scenario, we need to go get the grant funds to show the rate payers what the actual project is going to be, but in order to apply for grant funds, we can't do it without a bond resolution. So do you go form a district and commit to the thing without having the money in hand or do you do this knowing that the steps are not complete yet, but still we are showing everybody that we are going to go and get these grant funds, come hell or high water, we are going to go get these grant funds. So, this is what we have done, with working with our Bond Counsel, obviously again we are not going to sign an opinion that we have done this right, we haven't, and we know it. Again, we are noting this in case someone comes in after the fact, yelling at the town board claiming that you did some thing wrong, the Town Board is saying we will do whatever it takes. We are going to take a swing at millions of dollars of grant funds, and this is not the end, just this grant will not cover what we need to get this down to an affordable amount. This is just the first one that came up, it came up on short notice – we had two months, so there was literally no time to satisfy a district formation and to also apply for this without really upsetting the rate payers. We could have done that process, but that would be going back on what the Town Board said it was going

to do. So, this is why we are adopting a Bond Resolution without forming the district. So, we are knowingly adopting this Bond Resolution that is incomplete and hopefully, we get the grant funds and then we will go back and fix it. We will do what we have to.

WIIA/Phosphorus-Collection System Work Project

Resolution 333-2021 brought by Joyce Cooper, seconded by Joseph Giordano pertaining to SEQR determining that the Town of Ticonderoga Wastewater Treatment Plant Wastewater Treatment and Collection System Project will not have a significant adverse environmental impact. All in Favor Joseph Giordano – Aye, Joyce Cooper – Aye, Tom Cunningham – Aye, Dave Woods – Aye. **Opposed** – none. Mark Russell – Absent. **Carried.**

SEQR RESOLUTION DETERMINING THAT THE TOWN OF TICONDEROGA WASTEWATER TREATMENT PLANT WASTEWATER TREATMENT AND COLLECTION SYSTEM PROJECT WILL NOT HAVE A SIGNIFICANT ADVERSE ENVIRONMENTAL IMPACT

WHEREAS, the Town of Ticonderoga (the "Town") is the sponsor of a proposed project to upgrade and improve the Town's existing Wastewater Treatment Plant ("WWTP") and collections system, wastewater treatment and collection system improvements including original furnishings, equipment, machinery, apparatus, appurtenances and incidental improvements and expenses in connection therewith (the "Project"); and

WHEREAS, the Town intends to comply with the New York State Environmental Quality Review Act ("SEQRA") and the implementing regulations set forth at 6 NYCRR Part 617 (the "Regulations") with respect to the Project; and

WHEREAS, the Town has prepared and completed Parts 1, 2, and 3 of the Short Environmental Assessment Form ("SEAF") for the Project and compared the impacts that may reasonably be expected to result from the Project to the criteria for determining significance as identified in Section 617.7(c)(1) of the Regulations; and

WHEREAS, the New York State Department of Environmental Conservation ("NYSDEC"), Adirondack Park Agency ("APA") and the Town Zoning/Planning Board are the other "involved agencies" (as the quoted term is defined in the regulations) for this Project; and

WHEREAS, correspondence was sent to all involved agencies for consent to the Town acting as lead agency for the review of the Project and providing a copy of the SEAF Part 1, and with no objection to the Town acting as lead agency; and

WHEREAS, the Town Board has considered the significance of the potential environmental impacts of the Project and said review has resulted in a reasoned determination that the proposed action will NOT result in any large and important impact(s) and, therefore is one which will not have a significant negative impact on the environment.

NOW, THEREFORE, BE IT RESOLVED, by the Town Board of the Town of Ticonderoga that based upon an examination of the SEAF and other available supporting information, the knowledge about the area surrounding the Project, and such further investigation of the Project and its potential environmental impacts, the Town Board makes the following findings and determinations with respect to the Project:

1. The Project is classified as an "Unlisted" action, as that term is defined in the Regulations; and 2. The Town has completed Parts 2 and 3 of the SEAF and compared the impacts that may reasonably be expected to result from the Project to the criteria for determining significance identified in Section 617.7(c)(1) of the Regulations; and

3. The Town hereby approves and adopts the attached SEAF for the Project (Parts 1-3 with its supporting written elaboration), which is attached hereto and incorporated herein: and

4. The Town hereby authorizes the SEAF to be signed and a Negative Declaration to be filed for the Project and will not require the preparation of an environmental impact statement for the Project; and 5. The Town Clerk and Town staff are authorized to take such additional steps as may be necessary to carry out this Resolution; and

6. That this resolution shall take effect immediately.

ROLL CALL VOTE:

Joseph Giordano, Supervisor	Aye
Mark Russell, Councilman	Absent
Tom Cunningham, Councilman	Aye
Joyce Cooper, Councilwoman	Aye
Dave Woods, Councilman	Aye

Resolution #334-2021 brought by Tom Cunningham, seconded by Joseph Giordano to pass this Public Interest Order. All in Favor Joseph Giordano – Aye, Joyce Cooper – Aye, Tom Cunningham – Aye, Dave Woods – Aye. **Opposed** – none. Mark Russell – Absent. **Carried.**

In the Matter of		
the Proposed Joint Increase and Improvement of the Facilities of Sewer Districts Nos. 2 through 11 in the Town of Ticonderoga, Essex County, New York	RESOLUTION #334 of 2021 INTEREST ORDER	PUBLIC

WHEREAS, the Town Board of the Town of Ticonderoga, Essex County, New York, has duly caused to be prepared a map, plan and report including an estimate of cost, pursuant to Section 202-b of the Town Law, relating to the proposed joint increase and improvement of the facilities of Sewer Districts Nos. 2 through 11 (together, the "Districts; each a "Sewer District" or "District"), in the Town of Ticonderoga, Essex County, New York, 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, at a meeting of said Town Board duly called and held on October 14, 2021, an Order was duly adopted by it and entered in the minutes specifying the said Town Board will meet to consider the

proposed joint improvement of the facilities of Sewer District Nos. 2-11 in said Town, with the cost allocable to each District based upon an equation as hereinafter described, and to hear all persons interested in the subject thereof concerning the same at the Town Hall, in Ticonderoga, New York, in said Town; and

WHEREAS, it is anticipated at this time that the apportionment of such cost between the following Districts shall be based on an equation, the numerator of which shall be the equivalent dwelling units (EDU's) for the particular district and the denominator of which shall be the total EDU's for all of the following Districts with the current EDU's, subject to change in the future, as follows: Sewer District No. 2 (Park Avenue) (79.50 EDU's), Sewer District No. 3 (Alexandria Avenue) (54.00 EDU's), Sewer District No. 4 (Homelands) (26.30 EDU's), Sewer District No. 5 (Village) (1458.86 EDU's), Sewer District No. 6 (Commerce Park) (110.20 EDU's), Sewer District No. 7 (Delano Point) (26.10 EDU's), Sewer District No. 8 (Baldwin Road) (41.50 EDU's), Sewer District No. 9 (Black Point Road/Outside) (244.25 EDU's), Sewer District No. 10 (Hague Road) (15.15 EDU's) and Sewer District No. 11 (Routes 9N and 74) (36.25 EDU's); and

WHEREAS, said Order duly certified by the Town Clerk is to be duly published and posted as required by law; and

WHEREAS, a public hearing will be duly held at the time and place set forth in said notice, at which all persons desiring to be heard will be duly heard; and

WHEREAS, said capital project has been determined to be an Unlisted Action pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act, which, it has been determined, the implementation of such capital project, as proposed, will not result in a significant environmental effect; NOW, THEREFORE, BE IT ORDERED, by the Town Board of the Town of Ticonderoga, Essex County, New York, as follows: Section 1. It is hereby found and determined that it is in the public interest to make the joint increase and improvement of the facilities of Sewer Districts Nos. 2 through 11, in the Town of Ticonderoga, Essex County, New York, 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, at a maximum estimated cost of \$10,120,000, allocated amongst said Sewer Districts as described at said public hearing and as hereinabove provided.

<u>Section 2.</u> This Order shall take effect immediately.

Resolution #335-2021 brought by Joseph Giordano, seconded by Dave Woods authorizing the issuance of \$10,120,000.00 serial bonds of the Town of Ticonderoga, Essex County, New York, to pay the cost of the joint increase and improvement of the facilities of sewer districts Nos 2 through 11, in the Town of Ticonderoga, Essex County, New York. (Phosphorus Removal and Collecting System Project). All in Favor Joseph Giordano – Aye, Joyce Cooper – Aye, Tom Cunningham – Aye, Dave Woods – Aye. **Opposed** – none. Mark Russell – Absent. **Carried.**

BOND RESOLUTION #335-2021

At a regular meeting of the Town Board of the Town of Ticonderoga, Essex County, New York, held at the Town Hall, in Ticonderoga, New York, in said Town, on November 3, 2021, at 6:00 o'clock P.M., Prevailing Time.

The meeting was called to order by Joseph Giordano, and upon roll being called, the following were

The following resolution was offered by Supervisor Joseph Giordano who moved its adoption, seconded by Councilman Dave Woods to-wit:

PRESENT:

Joseph Giordano, Supervisor Joyce Cooper, Councilwoman Tom Cunningham, Councilman Dave Woods, Councilman

ABSENT: Mark Russell, Councilman

BOND RESOLUTION #335-2021 DATED NOVEMBER 3, 2021.

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$10,120,000 SERIAL BONDS OF THE TOWN OF TICONDEROGA, ESSEX COUNTY, NEW YORK, TO PAY THE COST OF THE JOINT INCREASE AND IMPROVEMENT OF THE FACILITIES OF SEWER DISTRICTS NOS. 2 THROUGH 11, IN THE TOWN OF TICONDEROGA, ESSEX COUNTY, NEW YORK.

WHEREAS, the capital project hereinafter described, as proposed, has been determined to be an Unlisted Action pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act, which, it has been determined, the implementation of such capital project, as proposed, will not result in a significant environmental effect; and

WHEREAS, pursuant to the provisions heretofore duly had and taken in accordance with the provisions of Section 202-b of the Town Law, and more particularly an Order dated the date hereof, said Town Board has determined it to be in the public interest to jointly improve the facilities of Sewer Districts Nos. 2 through 11, in the Town of Ticonderoga, Essex County, New York, at a maximum estimated cost of \$10,120,000;NOW, THEREFORE, BE IT RESOLVED, by the Town Board of the Town of Ticonderoga, Essex County, New York, as follows:

<u>Section 1.</u> The joint increase and improvement of Sewer Districts Nos. 2 through 11, in the Town of Ticonderoga, Essex County, New York, 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, is hereby authorized at a maximum estimated cost of \$10,120,000, said cost to be allocated amongst said Sewer Districts as described in the Public Interest Order of even date herewith.

<u>Section 2.</u> It is hereby determined that the plan for the financing of such specific object or purpose is by the issuance of \$10,120,000 serial bonds hereby authorized to be issued therefor

pursuant to the provisions of the Local Finance Law; provided, however that the amount of serial bonds to be issued therefor shall be reduced dollar for dollar by any grant monies received therefor.

<u>Section 3.</u> 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 the first bond anticipation note issued therefor. It is hereby further determined that the maximum maturity of the serial bonds herein authorized will exceed five years.

<u>Section 4.</u> 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, the chief fiscal officer. 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.

<u>Section 5</u>. 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 from said joint 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 of said Town, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

<u>Section 6.</u> Such bonds shall be in fully registered form and shall be signed in the name of the Town of Ticonderoga, Essex County, New York, by the manual or facsimile signature of the Supervisor and a facsimile of its corporate seal shall be imprinted or impressed thereon and may be attested by the manual or facsimile signature of the Town Clerk.

<u>Section 7.</u> 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 he 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, the Supervisor 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 Town 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.

<u>Section 8.</u> All other matters, except as provided herein relating to such bonds, including determining whether to issue such bonds having substantially level or declining debt service and all matters related thereto, prescribing whether manual or facsimile signatures shall appear on said bonds, prescribing the method for the recording of ownership of said bonds, appointing the fiscal agent or agents for said bonds, providing for the printing and delivery of said bonds (and if said bonds are to be executed in the name of the Town by the facsimile signature of its Supervisor, providing for the manual countersignature of a fiscal agent or of a designated official of the Town), the date, denominations, maturities and interest payment dates, place or places of

payment, and also including the consolidation with other issues, shall be determined by the Supervisor.

<u>Section 9.</u> The Supervisor is hereby further authorized, at the Supervisor's sole discretion, to execute a project financing and 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 specific object or purpose described in Section 1 hereof, or a portion thereof, by a serial bond issue of said Town in the event of the sale of same to the New York State Environmental Facilities Corporation.

<u>Section 10.</u> 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 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 11. 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. <u>Section 12.</u> 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.

<u>Section 13.</u> This resolution, which takes effect immediately, shall be published in full or summary form in the official newspaper, together with a notice of the Town Clerk in substantially the form provided in Section 81 of the Local Finance Law.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

Joseph Giordano, Supervisor	VOTING - AYE
Joyce Cooper, Councilwoman	VOTING - AYE
Tom Cunningham, Councilman	VOTING - AYE
Dave Woods, Councilman	VOTING - AYE
Mark Russell, Councilman	ABSENT

Greg Swart (AES) informed the board that that the Veterans Road water main project will beginning this week – they should be done in approximately two weeks.

We are continuing to work through the Water District Consolidation process.

The Lead Service Line Replacement project that was started this summer will be beginning in the Spring, a follow-up letter will be going out to those that responded to the notice informing them of such.

Building & Grounds - Dave Woods, Councilman

- Armory tile repair/shades for windows
- Cmmty Bldg boiler repair, more work than anticipated done
- Cmmty Bldg leak in roof/plugged drains repaired
- Police Furnace repair
- Library Furnace repair
- Various electrical work ball courts/skating rink/park light

Parks, Recreation, Historical Lands, Beach, Monuments and Cemeteries Joyce Cooper, Councilwoman

Parks and Recreation Committee Meeting Minutes October 19, 2021

Committee members in attendance were Elisha Bartlett, Jerry Cooper, Bill Dolback, Nancy Kelley, Grant Spaulding, Tonya Thompson, and Chairs Joyce Cooper and Dave Woods. Also in attendance were Joe Giordano, Shawn Ross, and Mark Wright.

Posted Town Property:

A town resident has reported that a bow hunter has been observed on the Upper LaChute Trail. Posted signs have been placed along this trail. Perhaps a more specific sign stating "No Hunting" should be placed along this portion of the trail. The police have been alerted regarding this problem.

New Christmas Lights:

New bulbs and wires were ordered in January for the town Christmas tree as well as garland for the 3 decorative downtown light posts. The order has not yet been received. We will check with the vendor.

Groundskeeping Report:

Grant Spaulding reported that Dick Bessett and Eugene Alteri have or will be submitting letters of resignation. That brings the number of available summer workers down to 3, including our 2 full-time employees Grant Spaulding and Jason Winchill. Tonya will advertise for new part-time groundskeepers.

Bicentennial Park:

Joyce thanked Highway Superintendent Sal Barnao for the roadbed improvements and paving of the park's walkway. Sal covered the labor and any materials used other than asphalt through his budget. This allowed for the paving of the entire walkway and not just an initial section as

budgeted. Head Groundskeeper Grant Spaulding is purchasing topsoil to finish the blacktop edges and will seed the area in the spring.

Groundskeeper Jason Winchill and Bill Norton are removing the wooden playground structures so the new equipment can be installed in the spring.

Wooden Statue:

Joyce reported that the Ticonderoga Montcalm Street Partnership Board discussed the Whitely Statue Project at its October meeting. It was decided that the TMSP Executive Board will meet with Roberta to determine how and when the statue will be placed in the ground.

Property Available:

The land parcel behind the Black Watch Library is back on the market. The Library Board would like to see this parcel purchased for the library (primarily for children's and patron use). Books and the library book sale could also be located there. They are willing to pay for the appraisal to determine the fair market price of the property.

Winter Use of Park Lands:

The committee discussed how the Bicentennial Park and the Recreation Park walkways could be used when there is snow on the ground. It was decided the Bicentennial Park walkway would be maintained for walkers. The snowmobile club can use a portion of the park for a trail but not the walkway. The walkway at Recreation Park can be used by walkers, and a trail created beside it for cross country skiing and snowshoeing. Snowmobile use in this park would be limited to any trail created and maintained by the Adirondack Snow Riders. Rogue riders would be reported to the police. A representative of the club will be invited to our November meeting.

There was discussion whether the town skating rink should remain at its present location. Purchasing a liner for the rink was discussed. Input from last year's attendant will be sought.

LaChute Hydro Payments:

The lack of and inadequate payments by the power company was discussed. Chairman Cooper feels this problem is a legal matter and should be on the town's radar.

PRIDE Report:

PRIDE's Executive Director, Elisha Bartlett, discussed the current status of the Sawmill Project. Although architectural plans have been drawn, a discussion with Fort Ticonderoga's local history experts Stuart Lillie and Mathew Keagle centered on ensuring that this structure be historically accurate. Some modification may be made. Ft. Ticonderoga's help with the staffing and historical interpretation of the structure's importance is a crucial aspect of the project. The committee was receptive to the ideas proposed and steps taken to ensure the accuracy of the project.

Resolution #336-2021 brought by Joyce Cooper, seconded by Joseph Giordano to regretfully accept the resignation of Eugene Alteri as groundskeeper effective October 15, 2021. All in

Favor Joseph Giordano – Aye, Joyce Cooper – Aye, Tom Cunningham – Aye, Dave Woods – Aye. **Opposed** – none. Mark Russell – Absent. **Carried.**

Resolution #337-2021 brought by Dave Woods, seconded by Tom Cunningham to regretfully accept the resignation of Richard Bessett as groundskeeper effective October 15, 2021. All in Favor Joseph Giordano – Aye, Joyce Cooper – Aye, Tom Cunningham – Aye, Dave Woods – Aye. **Opposed** – none. Mark Russell – Absent. **Carried**.

Resolution #338-2021 brought by Joyce Cooper, seconded by Tom Cunningham to appoint Shawn Ross to the Building/Grounds and Parks and Rec. Committee. **All in Favor** Joseph Giordano – Aye, Joyce Cooper – Aye, Tom Cunningham – Aye, Dave Woods – Aye. **Opposed** – none. Mark Russell – Absent. **Carried.**

<u>Highway and Transfer Station – Tom Cunningham, Councilman</u> No Meeting Councilman Woods stated that all the plows and boxes have been repainted and are ready for plowing.

Municipal Facility Evaluation, Mark Russell – Reported by Tom Cunningham, Councilman

Town of Ticonderoga Municipal Facility Evaluation Committee October 26, 2021, minutes of Meeting

Committee Members Present:

Tom Cunningham Tom Thatcher Chris Dotsie Mike Moser

Others

Mark Wright – In Person Dave Woods – in person Joyce Cooper – In person Holly Dixon – In person

Committee Discussion

- The Committee drafted up a statement that tried to answer the questions and concerns brought up in the last meeting. That statement is included in these minutes.
- The Committee voted all in favor to bring the AES Proposal to the town board, for approval. The Resolution is to accept AES Proposal for Professional Architectural &

Engineering Services Schematic Design for New Police Station AES Project No. 4955, dated September 27, 2021.

Public Discussion

- Meeting was opened to public comment
 - Dave Woods made a statement Reiterating his position on the AES cost estimate to renovate the HHW building and the cost to build a new building. He asked the committee members if they wanted to make another walk through the building.
 - Holly Dixon asked about the Armory as a possible location and she was informed that, that building had been investigated earlier and was deemed that a Police Station would not be in accordance with the purchase criteria. She also voiced her concern as to whether a soil sample was taken to determine if there were any contaminates that would need to be rectified before putting a new building on that site. She was informed that that would be part of the AES proposal to look into a proper site for the new station.
 - Mark Wright asked if the committee had decided on taking the petition that was submitted to the Town to perform another cost evaluation on the Hudson Headwaters building. Tom Cunningham stated that the committee did not see the need to spend additional taxpayers money to perform another evaluation. Mark W. asked if there was a request for a public meeting to be held in that petition and the answer was no there was no request for a public meeting or referendum requested in the petition. He also wanted to clear up a statement that the Board of Elections came to the Fire commission asking permission to hold elections in the Fire House.

Next meeting scheduled for November 29, 2021, at 6:30 PM

Meeting was adjourned at 7:45 PM Minutes were taken and prepared by the Committee Co-Chairman Thomas F Cunningham

STATEMENT FROM MUNICIPAL FACILITES COMMITTEE REGARDING REVIEW OF LOCATION OF POLICE STATION

This committee has reviewed the questions and comments that have been brought up by members of the community and we would like to take this time to address those. A copy of this statement and attachments are available. Some history first, what was done to bring us to where we are now:

To address the concerns some of the residents have brought up we went back and took another look into those concerns and have addressed those as follows:

The first item we investigated was whether the Town could purchase a building that exceeds the space that is required. I will refer you to several Municipal laws that pertain to this. Town law 220: 222;223 and Town law 64(2) are the laws that pertain to the purchase of buildings and property. These laws clearly state that any purchase must meet "necessary town purposes". There is no mention of any percentage of space that is unused to determine whether a building meets that requirement. To further clarify this, any unused space does not constitute use for necessary Town Purposes.

Should the Town move other operations from the Community building that would leave that space unoccupied creating the same problem, empty space in that building. Secondly moving many of the town operations out of the community building would be detrimental to our downtown as there would be less people coming into the downtown area.

These constraints alone, in the opinion of this committee, removes the Hudson headwaters building from further consideration.

However, to answer and clarify some of the other questions and comments that have been raised regarding the purchase and renovation of the HHW building, this Committee has performed some research on several of these subjects.

First of these has to do with the design specifications regarding a Police Station and whether there is a state, federal or other code that clearly states to what design specs a Police Station must be built to? The answer is NO there is no building code that lays out what a Police Station must be designed to.

However, there are many groups that have laid out "best practices and standards" for the design and build of a Police Station, the International Association of Chiefs of Police, and Fentress Blog, by Ted Prestogeorge dated February 20, 2020 and 2021 are two of these. These all have listed various "best practices and standards" for the design and build of a Police Station. The cost estimates that AES used to determine the renovation of the Hudson Headwaters building and the building of a new Police Station used these "Best Practices and Standards" as their base line. They admittedly were conservative in their estimates as they used the highest of standards for both estimates. Could the Town ignore these "best practices" in whole or part, yes, but that may lead to possible insurance issues as well as ignoring the safety of our Police Officers, suspects and witnesses.

In moving forward and during the final design of any building the Town in conjunction with the Police department can and should determine which if any of the Standards can be left out of the design to lower cost. This of course would apply to a renovation or new construction evenly. It is the opinion of this committee that the estimate to renovate the Hudson Headwaters building given to us verbally, with no design criteria has no bearing and we are relying on the estimates of the Town Engineering firm, which could be decreased depending on which Standards are eventually agreed to be included.

It is also the opinion and recommendation, based on all the above, that the Petition to perform a second evaluation and cost to perform this evaluation of the Hudson Headwaters building is not necessary.

The latest proposal from AES includes, performing a high-level evaluation of several possible locations for the new Police station, as well as consideration of the Highway Department location which will include looking at where the Police Station along with the Water and Sewer

and building and Grounds facilities could be located. It also includes evaluating the cost to renovate the existing Highway Department building vs building a new building. In summary this committee after considering all the above sees no reason to ask the Town Board to reverse the resolution to proceed with the next steps to build a new building for our Police Department.

Resolution #339-2021 brought by Tom Cunningham, seconded by Joyce Cooper to accept AES Proposal No. 4955, for Professional Architectural & Engineering Services Schematic Design for New Police Station, dated September 27, 2021. This is a 3 phased proposal, Phase 1 is to perform an evaluation on 4 Properties to determine viability of placing the Police Station, Phase 2 is to provide two possible floor plans for the police station along with a layout of the entire Highway department showing the location of the Police Station, Water and Sewer department and building a ground. Phase 3 is to perform an evaluation of the existing Highway Department building with cost estimates to renovate the building and a cost evaluation to build a new building. Total cost for all three phases is \$35,000.00. All in Favor Joseph Giordano – Aye, Joyce Cooper – Aye, Tom Cunningham – Aye. **Opposed** – Dave Woods – Nay. Mark Russell – Absent. **Carried.**

Councilman Woods is still looking at the Hudson Headwater Health Center, he has had inquiries as to the use of the upstairs. He will say no at this time because of this, he can't see spending this money now until we know all the answers.

Next meeting will be the last Monday of the month at 6:30 p.m.

<u>Airport – Joseph Giordano, Supervisor</u> No meeting

Public Safety - Dave Woods, Councilman

Public Safety Meeting

October 26, 2021

Councilman Dave Woods calls the meeting to order at 8:00am with the reciting of the Pledge of Allegiance.

The Following committee members were present: Dave Woods, Adam Hurlburt Dave Burrows, Rhiannon Peters and Jennifer Gendron.

Guests: Mark Wright.

Councilmen Woods asked if there is any public participation, none at this time.

Police Department:

Chief Hurlburt goes over monthly report. (See attachment)

Chief Hurlburt briefly goes over the possibility of purchasing some new wireless camaras that can be moved from place to place when needed. (See attachment)

can be moved from place to place when needed. (See attachment)

Councilman Woods says he will discuss at the next board meeting.

Building Codes department:

Rhiannon Peters goes over the monthly report. (See attachment) Meeting was adjourned at 8:12am Next Public Safety Meeting is November 30, 2021 at 8:00am

The following is a summary of the activities of the Ticonderoga Police Department from 9/28/2021to 10/25/2021

Patrol Statistics	<u>Monthly</u>	_YTD_
Approx. Calls to Service:	358	3273
Incident reports:	24	262
Arrests:	10	151
Uniform traffic tickets:	75	664
DWI arrests:	1	8
Accidents investigated:	9	109

*Speed Trailer: Currently on River Rd.

*Ticonderoga Police Department participated in the DEA sponsored drug take back day on October 25, 2021.

* The Police Department is seeking approval to purchase WCCTV IR Mini Dome Camera for \$6,195.00. This camera is wireless and can be moved from place to place. It can be deployed for events, high crime areas, and narcotics investigations.

*Patrol Vehicle 7B378 is still out of service.

*The Ticonderoga Police Department would like to remind residents of the annual Downtown Trick or Treat event taking place Friday October 29th, 2021. Montcalm street from Cannonball Path to Lake George Avenue will be closed from 2:45PM until 5:30PM for this event.

The following is a summary of the activities of the Building Inspection / Code Enforcement Department.	(July)	YTD
Building Inspection:		
Building Permits Issued:	15	67
Safety Inspections:	0	14

Pass/Fail:	0/0	8/2	
Permit & Inspection Notes:			
 Repairs/Alterations Permit→ Cottage Rd, Wicker St, Black Pt & Schuyler St. Addition Permits→ Outlook Dr & Lonergan Lane Reroofing Permit→ Lake George Ave Septic Permits→ NYS Route 9N & NYS Route 56 Demolition Permits→ NYS Route 9N (2) Garage Permits→ NYS Route 9N (2) & Burgoyne Rd Deck Permit→ NYS Route 74 			
Code Violation Notices:	(July)	YTD	
Order to Remedy:	5	26	
Remediated:	4	13	
Clean-Up Contractor:	0	0	
NYS DFS	0	0	
Other:	0	0	
Condemned:	0	1	
Do Not Occupy:	1	2	
Appearance Tickets:	0	0	

Code Violation Notes:

- Garbage/Rubbish OTR \rightarrow Oak St.
- Elevator Issue OTR \rightarrow Adirondack Dr.
- Water Leak issue OTR \rightarrow Montcalm St.
- Do not Occupy \rightarrow Delano Rd.
- Mowing OTR \rightarrow Treadway St & Schuyler St.

Miscellaneous:	(July)	YTD
*Complaints:	5	17
Resolved:	3	8/11

Misc. Complaint Notes:

- Rubbish/Garbage Complaint → Oak St. (Remediated)
- Tenant Complaint, Water Leak-Mold issues → Montcalm St. (Remediated)
- Camper Complaint → Burgoyne Rd. (No Issues found)
- Gray Water Complaint → Delano Rd (Ongoing)
- Elevator Issue \rightarrow Adirondack Dr (Ongoing)

<u>Trainings:</u> N/A Safety & Resource Grants (YTD):

• Zombie & Abandoned Properties Grant (Round II) \$47,500

Noteworthy Highlights / Achievements:

- B-Dame issues ... Find out who Owner/Contact is
- Talk about Concerns with structural issues and deterioration.

Resolution #340-2021 brought by Dave Woods, seconded by Joyce Cooper to accept the resignation of Paul LaRock as Dog Control Officer effective October 22, 2021. All in Favor Joseph Giordano – Aye, Joyce Cooper – Aye, Tom Cunningham – Aye, Dave Woods – Aye. **Opposed** – none. Mark Russell – Absent. **Carried.**

Resolution #341-2021 brought by Joyce Cooper, seconded by Tom Cunningham to appoint Robert Budwick as the Dog Control Officer effective November 3, 2021. All in Favor Joseph Giordano – Aye, Joyce Cooper – Aye, Tom Cunningham – Aye, Dave Woods – Aye. **Opposed** – none. Mark Russell – Absent. **Carried.**

Human Services: Youth - Mark Russell reported by Joyce Cooper, Councilwoman

Resolution #342-2021 brought by Joyce Cooper, seconded by Joseph Giordano to appoint Ash Alexander as the Ice Skating Rink Specialist for the 2021-2022 Winter Season. **All in Favor** Joseph Giordano – Aye, Joyce Cooper – Aye, Tom Cunningham – Aye, Dave Woods – Aye. **Opposed** – none. Mark Russell – Absent. **Carried**.

<u>Health Insurance – Joseph Giordano, Supervisor</u> The retirees will be getting a refund from last year's insurance premiums.

<u>Contract Negotiations – Joseph Giordano, Supervisor</u> Need to have a conversation with Unions regarding Juneteenth. Contracts will be renegotiated in 2022.

I.T./ Cable T.V. – Joseph Giordano, Supervisor

This letter will serve as notice that on or around November 15, 2021, Spectrum Northeast, LLC, ("Spectrum"), will launch the Tennis Channel on Spectrum Stream TV/Spectrum Lifestyle TV on channel 406 on the channel lineup serving your community.

This letter will serve as notice that on or around November 22, 2021, Spectrum Northeast, LLC ("Spectrum"), will expand EPIX Drive-In on channel 599 to High Definition on the channel lineup serving your community.

Resolutions for Consideration

Resolution #343-2021 brought by Dave Woods, seconded by Tom Cunningham to accept/correct minutes of the Regular TB Meeting October 14, 2021, the Budget Workshops of October 15, 2021 and October 21, 2021. All in Favor Joseph Giordano – Aye, Joyce Cooper – Aye, Tom Cunningham – Aye, Dave Woods – Aye. **Opposed** – none. Mark Russell – Absent. Carried.

Resolution #344-2021 brought by Joseph Giordano, seconded by Dave Woods authorizing the
creation of the following new Budget Accounts:DA5112.266CHiPs ExpendituresTo create the appropriate line item to expend CHiPs expendituresAll in Favor Joseph Giordano – Aye, Joyce Cooper – Aye, Tom Cunningham – Aye, Dave
Woods – Aye.Woods – Aye.Opposed – none.Mark Russell – Absent.Carried.

Supervisor Giordano explained that we had submitted our AUD for 2020 and the State has finally gotten back to us. The above resolution is one thing that came out of their inspection of our AUD.

Resolution #345-2021 brought by Joseph Giordano, seconded by Tom Cunningham to schedule a Public Hearing on December 9, 2021 at 6:00 p.m. for the annual 2022 Chilson Volunteer Fire Company contract. **All in Favor** Joseph Giordano – Aye, Joyce Cooper – Aye, Tom Cunningham – Aye, Dave Woods – Aye. **Opposed** – none. Mark Russell – Absent. **Carried**.

Resolution #346-2021 brought by Joseph Giordano, seconded by Tom Cunningham.to schedule a public hearing on December 9, 2021 at 6:00 p.m. for the annual 2022 Ticonderoga Emergency Services Contract. **All in Favor** Joseph Giordano – Aye, Joyce Cooper – Aye, Tom Cunningham – Aye, Dave Woods – Aye. **Opposed** – none. Mark Russell – Absent. **Carried**.

Resolution #347-2021 brought by Tom Cunningham, seconded by Joyce Cooper to schedule a public hearing on December 9, 2021 at 6:00 p.m. for the annual 2021 Ticonderoga Emergency Services Contract. **All in Favor** Joseph Giordano – Aye, Joyce Cooper – Aye, Tom Cunningham – Aye, Dave Woods – Aye. **Opposed** – none. Mark Russell – Absent. **Carried**.

Supervisor Giordano noted the need for applicants for Activity Attendants – we have hired a full time Recreation Supervisor and would like to open the After School program, but we need Attendants to run the program.

Mrs. Thompson asked if the board was ready to adopt the 2022 Ticonderoga Town Budget.

Councilman Cunningham would like to look it over a little further.

We will bring this back up at the rescheduled Financial Meeting for Wednesday, November 10, 2021 at 8:30 a.m.

Meeting adjourned at 7:33 p.m.

Respectfully submitted, Tonya M. Thompson, Town Clerk

Ticonderoga Town Board Agenda - Wednesday, November 3, 2021

Pledge to the Flag

Presentations

Public Hearing

- Regarding the matter of the Joint Increase and Improvement of the Facilities of Sewer Districts Nos. 2 through 11, in the Town of Ticonderoga (Phosphorus-Collection System Work Project)
- Regarding Ticonderoga's 2022 Town Budget
- Regarding Ticonderoga's 2022 Town Water and Sewer Rate Increases

Opening Remarks -- Announcements:

Coronavirus Update & Notifications

Board of Health - no report

Public Comment (time limit 2 minutes per speaker)

Committee reports:

Public Works JG

RESOLUTION to reflect a 2.0 EDU sewer rate charge (SS05), 2.0 EDU sewer rate fees (SS09) and 1.0 EDU debt service fee (SS09) for the residential property located at 388 Black Point Road (Mary Jo Reale)

RESOLUTION to approve Reale Construction Inc. Change Order #5 (AES #4394 Portage Street & Utility Reconstruction) at no change for drainage design modifications due to differing site conditions related to buried drainage lines discovered on Battery Street.

RESOLUTION to approve Reale Construction Inc. Change Order #6 (AES #4394 Portage Street & Utility Reconstruction) at no change for 300lf of curb and sidewalk replacement along the west side of Champlain Ave from Fr. Jogues to the HG Burleigh House / Heritage Building (135 Champlain Ave)

RESOLUTION to approve Reale Construction Inc. Change Order #7 (AES #4394 Portage Street & Utility Reconstruction) in the amount of \$182,476.32 to add a pressure reducing valve vault and related piping/valves.

RESOLUTION to approve AES Northeast Amendment #1 (AES #5001 Long Term Control Plan) at no change to replace EFC bid package for EFC contract review

RESOLUTION to approve Contract Proposal for Preliminary Design and Grant Applications for Wastewater Treatment Plant (Phosphorus and GIGP Ventilation) and Collection System Separation (AES Project #5032 Grant Applications, Wastewater & Sewer Collection Upgrades) in the amount of \$24,750 as required for sewer WIIA applications pending attorney review.

(This is intended to be reimbursed by the upcoming sewer grant/loan funding package if the Town ultimately moves forward. If the Town does not move forward, the Town will cover these expenses.)

Proposed Chilson-Eagle Lake District

RESOLUTION pertaining to SEQR determining that the Town of Ticonderoga Chilson-Eagle Lake Water District Project will not have a significant adverse environmental impact

RESOLUTION authorizing the issuance of \$8,306,300 serial bonds of the Town of Ticonderoga, Essex County, New York, to pay the cost of the establishment of the Chilson-Eagle Lake Water District, in and for said Town.

WIIA/Phosphorus-Collection System Work Project

RESOLUTION pertaining to SEQR determining that the Town of Ticonderoga Wastewater Treatment Plant Wastewater Treatment and Collection System Project will not have a significant adverse environmental impact

RESOLUTION to pass this Public Interest Order

RESOLUTION authorizing the issuance of \$10,120,000.00 serial bonds of the Town of Ticonderoga, Essex County, New York, to pay the cost of the joint increase and improvement of the facilities of sewer districts Nos 2 through 11, in the Town of Ticonderoga, Essex County, New York. (Phosphorus Removal and Collecting System Project)

Building Grounds Parks Rec Library DW/JC

RESOLUTION to accept the resignation of Eugene Alteri as groundskeeper eff. October 15, 2021

RESOLUTION to accept the resignation of Richard Bessett as groundskeeper eff. October 15, 2021

Highway / Transfer Station TC

Municipal Facility Evaluation: MR

RESOLUTION to accept AES Proposal No. 4955, for Professional Architectural & Engineering Services Schematic Design for New Police Station, dated September 27, 2021. This is a 3 phased proposal, Phase 1 is to perform an evaluation on 4 Properties to determine viability of placing the Police Station, Phase 2 is to provide two possible floor

plans for the police station along with a layout of the entire Highway department showing the location of the Police Station, Water and Sewer department and building a ground. Phase 3 is to perform an evaluation of the existing Highway Department building with cost estimates to renovate the building and a cost evaluation to build a new building. Total cost for all three phases is \$35,000.00.

Airport JG

Public Safety DW

RESOLUTION to accept the resignation of Paul LaRock as Dog Control Officer eff. October 22, 2021

RESOLUTION to approve Rob Budwick as the Dog Control Officer eff. November 3, 2021

Human Services: Youth MR

RESOLUTION to approve Ash Alexander as the Ice Skating Rink Specialist for the 2021-2022 Winter Season

Human Services: Seniors TC

Health Insurance JG

Contract Negotiations JG

I.T. / Cable T.V. JG

Resolutions:

RESOLUTION to accept/correct minutes of the Regular TB Meeting October 14, 2021, the Budget Workshops of October 15, 2021 and October 21, 2021

RESOLUTION authorizing the creation of the following new Budget Accounts: o DA5112.266 CHiPs Expenditures

To create the appropriate line item to expend CHiPs expenditures

RESOLUTION to schedule a Public Hearing on December 9, 2021 at 6:00 p.m. for the annual 2022 Chilson Volunteer Fire Company contract

Town Clerk, Tonya Thompson

Attorney, Matt Fuller

Public Comment (time limit 2 minutes per speaker)

Adjourn the Town Board Meeting