

**Minutes for a Ticonderoga Public Hearing Regarding Chilson/Eagle Lake Water Project
held on May 26, 2022, commencing at 6:00 p.m.**

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

Others: Greg Swart (AES Engineer), Paul & Mary Burroughs, Colleen Wickes, Brian Hudon, Bill Grinnell, Henry Bartlett, Candy Towne, Cole Hickland, Tammy & Jerry Smith, Derrick Fleury, Vicki Rao, Widget Scuderi, Barbara, John & Deanna DiPofi, Deb & Jack Mulcahy, Randy LaPann, Joe Bevilacqua, Chief Hurlburt, Frank Sheldon, with many others in attendance, along with Kim and B. Clifton via Go-To-Meeting.

Supervisor Wright opened the meeting with the Reciting of the Pledge of Allegiance. He thanked everyone for coming and explained that the Town wants to continue the practice of sharing information with the public and we also have some ground rules for tonight. Please be respectful of other people that are speaking by avoiding side conversations and interrupting. Commentors should address the board first and not each other and if you do want to make a comment or have a question, just come up to the table, state your name so we can better hear you and record it for the minutes. He also went over the agenda of tonight's meeting.

We recently sent out a survey to residents of Chilson and Eagle Lake, the whole goal of this is to determine who has options for water and who does not. The responses that we received out of the 108 was 58 responses; 27 did not require a drinking water source, 29 had a desire to have a drinking water source and there were 2 that were undecided or needed more information to make a decision and we understand that. A map was brought pointing out the areas of those that did respond to the survey.

This board and the one before them has not sat idle on this subject, we've had six public meetings including tonight since 2019 there has been 12 letters of meeting notices, information and requests for information since 2016 and there have been 2 surveys and a couple of conference calls with residents in 2020 and 2021. The board has also reached out to several legislator representatives to obtain funding, funding efforts for water projects are not easy. We did get an award from the Drinking Water State Revolving Fund in the amount of 3 million dollars, plus 5.3 million in straight loans and that was for the specific project of bringing the well water up the hill, which was option 1 of the original engineering proposal. At the time it was approximately 8 million dollars and change, since that time it has increased in cost and supply chain issues bringing it up to a little over 13 million dollars. We also applied with the help of County Resources in Elizabethtown for err marked funding for 2023 budget from both Congresswoman Stefanic and Senator Schumer and Senator Gillibrand. We did hear back from Congresswoman Stefanic's office, they did clear our application request and moved it to the next round which would be the sessions for the 2023 budget hearings with the Federal Government. It was good that it did pass that round, but that is all we have heard so far.

**Minutes for a Ticonderoga Public Hearing Regarding Chilson/Eagle Lake Water Project
held on May 26, 2022, commencing at 6:00 p.m.**

Without getting to far into a water softening discussion tonight, that should be its own meeting in general, but the Town did conduct a report, survey, evaluation on different water softening options and that was done in 2021, this has been placed on the Town's webpage it is pretty interesting as most of the options in the report are cost prohibitive and all of them really do not have a significant decrease in the hardness, it is anywhere from 25 to 50%. All of them have logistical challenges of how to remove the effluent and wastewater treatment plant impacts. So, at this time we will open the public hearing and hear any comments, questions, but as stated please come up to the table so we can get them in the minutes.

Vicki Rao has attended maybe 2 of the water meetings, so currently when you have a water meeting are you just putting them on your website? How are the notices going out?

Supervisor Wright stated that they are in the legal notices of the local paper.

Mrs. Rao noted that at one of the water meetings that we were at, they had decided that if you chose to drill a well and the pipe went across your property you would not be involved in the cost at all. Has that changed or has nothing been set in stone?

Supervisor Wright explained that it all gets to the benefit to the individual of where the line crosses. It is pretty confusing..

Mrs. Rao interrupted noting that at the time they had said to us, if the pipe crossed your property and you were not tying into it, you would not have any cost, but if further down the road you had to tie back into it, you would be eligible to pay that cost across the board and that was the way it was being looked at.

Supervisor Wright acknowledged that any water district situation, that let's say if you were to move into the Town, build a house and you are not connected to water and you want to be connected into that particular water district, there is a calculation where you pay your fair share of what the O & M costs would be up to that point, yes.

Mrs. Rao continued, is has a choice been made or is there no choice, we want to look into drilling a well, we live up on Chilson Hill, on our property and if it is feasible or not because the cost we are hearing is quite hefty per year because it would be such a small amount of people that would be tied into this water. She is assuming that this is still the scenario.

Supervisor Wright agreed that this would be the case if the district was formed although it probably not conceivable because of the Office of the State Comptroller won't approve that because we can only have an EDU Cost of around \$900 some odd dollars. They will not approve the project because the individual EDU cost for each user must be kept to a certain dollar amount and we are well over that.

Mrs. Rao asked if she is to understand that you will not be forming a district for the people up there.

Minutes for a Ticonderoga Public Hearing Regarding Chilson/Eagle Lake Water Project held on May 26, 2022, commencing at 6:00 p.m.

Supervisor Wright agreed that we would not be forming a district unless we had ample funding to make it affordable to the taxpayers. The Town has stated several times that if it is unaffordable for the users up there, we will not pursue those engineering options.

Mrs. Rao asked what would.. sorry she is just trying to understand, so you are not leaving us out to hang dry or..

Supervisor Wright stated that if we cannot form a district, either voluntarily with funding or the residents choose not to have a district, there is nothing more that the Town can do to provide you with water.

Mrs. Rao stated then you ARE leaving us out, she is not trying to be mean, but it is, so if we can't get a well and we can't get enough funding then we are kind of up a creek?

Supervisor Wright stated that one of the things that we have looked at is the concept of drilling municipal wells in the area, well sharing by residents, we can't use state funding to finance private wells or anything like that, but if we had enough funding and we could entertain the possibility of looking at municipal wells.

Mrs. Rao surmised that right now you are looking at pushing the water up the hill and everybody gets water.

Supervisor Wright stated that right now that is not supported. Unless we get funding, like he said the most affordable option now would be a municipal well.

Mrs. Rao asked that this would be getting several neighbors together? Or a municipal well that would feed that whole chain....

Supervisor Wright stated a combination thereof, yes.

Mrs. Rao asked then that could be funded?

Supervisor Wright stated that there still would need to be a district formed and the individual users would pay back the cost.

Mrs. Rao stated that it sounds like you make the individual water district or it is the Town that makes the water district.

Supervisor Wright explained that it would be a water district, whether its us pushing water up the hill (which is not doable) or it is a municipal well. Municipal is the forming of a district out of a certain group of individuals and that district would be supplied by a drilled well, which is a municipal well, which means the municipality can get grant money or other monies to pay for that because it is municipal and not private. That district, whatever size it is, would, it would be just like any other water district in Ticonderoga, it would pay the construction costs, O & M costs and as long as you can get that to an affordable price per user then that is an option.

**Minutes for a Ticonderoga Public Hearing Regarding Chilson/Eagle Lake Water Project
held on May 26, 2022, commencing at 6:00 p.m.**

Councilman Woods asked the engineer if a municipal well was drilled, can we use the existing lines from Gooseneck to tap into to feed these people?

Greg Swart answered that you would have to pull a smaller line, you would have to put in a water and we probably would try to use it as a sleeve but you wouldn't be able to push enough water...

Mrs. Rao stated that basically, there is no plan right now, there are options...

Supervisor Wright stated that the plans we have right now are just simply not affordable.

Mrs. Rao said that this is basically what you are saying, everything that we have heard....

Supervisor Wright stated unless we get a chunk of federal money or whatever to make it afford...

Mrs. Rao stated that they are not going to do that for 100 and some odd people....

Supervisor Wright explained that the letters that we have sent to all the representatives talked about the cost of 13-14 million dollars. The money is probably out there somewhere, but the decision of who they give it to is the question.

Mrs. Rao agrees that it would be logical for us to see if we can drill a well on our land for us and that would solve our problem and then there would be so many other people that would have more of a problem, so do you know if all of the people around her have wells? She knows some of them may, she doesn't know if there is a listing? She is on Route 74, right across from Putts Pond Road. She may want to reach out to her neighbors...

Supervisor Wright does not know if there is an actual listing of that.

Mr. Swart explained that this is why we need the people that didn't respond to respond to the survey that was mailed out. That information is very helpful. We know there are pockets.

Mrs. Rao stated that she should check into her well cost because right now you do not have a solution? (agreed)

Bill Grinnell has some questions – in 2012 wasn't there an extensive study done of possible well sites in Chilson that were very, very, very unsuccessful?

Mr. Swart stated that there was a study done, it wasn't necessarily unsuccessful, it was unsuccessful for providing water for the village area. There are still potential drilling locations for water up there that would serve water users.

Mr. Grinnell asked what was the largest capacity that was discovered when they did that, gallons per minutes.

**Minutes for a Ticonderoga Public Hearing Regarding Chilson/Eagle Lake Water Project
held on May 26, 2022, commencing at 6:00 p.m.**

Mr. Swart is not exactly positive at this minute, but it was less than something like 10 or less, but 10 gallon per minute on what they found could serve several homes in that pocket.

Mr. Grinnell asked how many homes would 10 gallons a minute serve according to DOH. He thinks 2. Have any of the board that we suggested, challenged, wished, for some of the board take it upon themselves to go online and Google dangerous hard water, extremely hard water.. has anybody done that – the board answered yes. Well, what did you find.....

Councilman Cunningham stated that it is a mixed bag. Some situations that he found says that hard water is health beneficial because it has magnesium and calcium in it and can assist with heart health, some say that it is not as good, but the fact of the matter is that according to NYS and anybody else in the Unites States, hard water is not measured as part of something that has to be treated. So, the other stuff that we test for and treat for, hard water is not measurable DOH requirements. They don't consider it harmful.

Supervisor Wright stated that it is not a standard in the Safe Drinking Water Act.

Councilman Woods stated that he found the same thing, one says it is not healthy one says it is, but for equipment and stuff it is definitely bad. For Hot water appliances...

Mr. Grinnell stated so universally it is pretty well given that hard water destroys, plumbing equipment. Hot water as in dishwashers, cloths washers, coffee makers, shower heads, faucets, furnaces....among others. The school is out as to whether it is harmful to health or not. There is a handful over here that says yes, and there is a handful over here that say no. What hand do you want to be in?

Supervisor Wright stated that we have looked at the data, it is half and half.

Mr. Grinnell asked if that is a risk you want to take. 50/50

Councilman Cunningham continued that it is not a requirement by the state, it is not something that they have asked us to measure, so the state does not consider it harmful.

Mr. Grinnell added, this state....

Supervisor Wright added that this is the state we live in.

Mr. Grinnell asked, other states do consider it?

Councilman Cunningham cannot answer that.

Mr. Grinnell believes if you research that, you will find several states that fine hard water harmful to health. There are states that have banned hardwater above a certain level of hardness. There are states that have banned water softeners, both sodium and non-sodium and Mark already stated that the proof of the matter is that the softeners really don't work. They just disguise it.

**Minutes for a Ticonderoga Public Hearing Regarding Chilson/Eagle Lake Water Project
held on May 26, 2022, commencing at 6:00 p.m.**

Supervisor Wright corrected that this is for the options in that water report that talked about water softener techniques. Yes, most of those methods are 25 to 50%.

Councilman Cunningham stated that individual in-home water softeners have a greater reduction in hardness than anything you can purchase and install as a municipality.

Mr. Grinnell stated that this is arguable but he knows where you are coming from. It is a matter of cost, you have to have a gigantic unit to begin to soften the volume of water we are talking about here, particularly with the either very hard or extremely hard conditions that exist in Ticonderoga.

Councilman Woods asked if there was a cost... it is \$900 per individual unit and a couple of million for a municipality.

Mr. Grinnell stated that this would be fair.... Another question – he received this in the mail (Annual drinking water report) the flyer that went out to the Town, wasn't this just published in the paper as a legal notice that the Town is required to do every year a month ago, and we are doing it again for what reason???

Derrick Fleury explained that this report has to be sent by several different avenues, there is a check list, we have to mail it, it has to be put in the paper, it has to be on the website and it has to be posted. We have to make a good faith effort to get it out to everybody.

Mr. Grinnell has a couple of questions on the report, no where in this document is water hardness described, mentioned, referred to...

Supervisor Wright again explained that it is not a state requirement...

Mr. Grinnell stated that he was pleased to notice that none of our three water sources that were submitted has issues. The point he wants to make is that as read DOH regulations, if you have less than 10,000 users and you never fail a coliform test, you don't have to treat or do anything about cryptosporidium, is that fair.

Mr. Swart noted that he does not have all of that memorized.

Mr. Grinnell stated that we are paying you a lot of money.

Supervisor Wright again stated that the point of this is that we are still under a Consent Decree and it really, that is where the cusp of this is. Gooseneck has to be shut off.

Mr. Grinnell wanted to ask a question about consent decrees, this decree says it was made in good faith and in the best interest of the people in Ticonderoga. We have more than 1,000 names of people that disagree. We are going to request a referendum, is that something that the Town is going to accommodate?

**Minutes for a Ticonderoga Public Hearing Regarding Chilson/Eagle Lake Water Project
held on May 26, 2022, commencing at 6:00 p.m.**

Supervisor Wright stated that the Town Board, years ago, made a decision that Gooseneck was no longer an option. This board is not going to change that.

Mr. Grinnell stated really – yes – no matter what the people want, that is your decision?

Supervisor Wright again stated that this was the decision of the....(inaudible)

Mr. Grinnell interrupted and asked if we could poll the board to see if this board agrees, if the people come to you and say there is over 1,000 signatures of voters in Ticonderoga that want the question of Gooseneck water put on a ballot, you are going to say no?

Councilman Cunningham started (inaudible) this is not a yes or no question – we need to back up – you have to look at the whole situation. To begin with Gooseneck cannot supply the entire Town, nor can Baldwin Road.

Mr. Grinnell tried to interject that it can.

Councilman Cunningham continued that it can't because we don't have a permit from DEC to allow us to pull water from that facility...

Mr. Grinnell asked what is it in that permit?

Mr. Fleury stated that it is 1 million gallons...

Mr. Grinnell asked when that changed?

Mr. Fleury stated that it changed with our water supply permit....

Councilman Cunningham stated that we have been through this, so the fact is that if we continue to use Gooseneck, assuming that we have that option, it is not financially feasible. If you don't like spending what we have agreed is an unaffordable amount for the users presently up there to put in a new facility to upgrade Gooseneck and its associated facilities, it would equal or be greater than the money that we have put into the present MPR. So, it is not financially feasible, even if it was feasible otherwise to continue to use Gooseneck and upgrade it to do what needs to be done. Now that maybe something that you disagree with, but all the reports and several engineering firms that have looked at this – it is a 30 to 40 million dollar project right now to upgrade and use Gooseneck. It is not financially feasible, even if we didn't have a consent decree.

Councilman Woods would say no also, for those reasons stated. Until those users can tell us where we will get 50 million dollars it is stupid to put it up for a referendum.

Mr. Grinnell stated, let's back up here. You have engineering reports describing a scope of work for a project that is, quite frankly, a rolls Royce, not even a Cadillac. He respectfully disagrees with those costs estimates and he respectfully disagrees with the scope of work that is being claimed to be necessary. He thinks that you can find an engineer that would tell you exactly the

**Minutes for a Ticonderoga Public Hearing Regarding Chilson/Eagle Lake Water Project
held on May 26, 2022, commencing at 6:00 p.m.**

same thing. Maybe not this one, but he is sure that you can find an engineer that would tell you something entirely different.

Councilman Woods stated that even if it is half of that, where are you going to get it???

Mr. Grinnell doesn't even believe it is that.

Councilman Woods stated that 20 something years ago, it was 30 something million....

Mr. Grinnell stated that this amount is within the perimeters of what....

Councilman Woods agreed that we are on your side, if you could cough up 30 million dollars, we would do it tomorrow. .

Mr. Grinnell stated that you don't need 30 million dollars, you can do it in stages, you can do it for much less money, you can....there are areas that can be reservices and re-used, everybody is making such a big deal, well there is part of that line that is on top of the ground. Ok, he can take you to Hague and show you half a dozen others that are only 2 inch lines that are on the ground. They work all year round because they run continuously. Just like Gooseneck does, that water isn't....what do you do when you get a real cold snap over on Cossey and Myers Street? Open the faucet and let it run so it won't freeze. It is not rocket science...and to not look at it from the point of view of what the taxpayers want and do your due diligence to find the one way to do it...

Councilman Woods stated that we are finding it to be 30-40 million to do it, what do you say?

Mr. Grinnell stated that you could put Gooseneck up and running for 5 with the ultraviolet ok, and say at some point down the road...

Councilman Woods asked if that is documented, is there engineering on that or are you just guessing?

Mr. Grinnell stated that he has his own experience, his experience from Homelands, Arcady in Hague, ultraviolet is probably one of the most inexpensive ways to purify water.....

Supervisor Wright stated that we went over all of this on March 17th and nothing has changed, you say we haven't looked at it, but we have looked at it and you just don't like the answer.

Mr. Grinnell stated that he doesn't like where you are looking.

Councilman Cunningham stated that the amount you gave would still put the residents paying just for that and assuming there are no grants available, which you are not going to get grants for using Gooseneck, that is still \$1,530 a year per residents for the 108.

Minutes for a Ticonderoga Public Hearing Regarding Chilson/Eagle Lake Water Project held on May 26, 2022, commencing at 6:00 p.m.

Mr. Grinnell interrupted to say why would that be for only the 108, (inaudible) you wouldn't tie Gooseneck back into the system down here and let the people have soft water instead of that 18 grains per hardness stuff that you are trying to pump over Chilson?

Supervisor Wright again stated that hardness is not a requirement per the State of....

Mr. Grinnell interrupted and said stop, you are not representing the taxpayers in a reasonable manner.... (inaudible).... we do not want to go the path that you are forcing us to take. It is going to cost us money, it is going to cost the Town money, he (attorney) is going to make the money, but that is what it is coming to and if that is the route you are taking, again, you are not serving the taxpayer, you are just saying don't and so is he.

Margaret (Widget) Scuderi lives on Killicut and has her own water, she would like to remind you and not against this Town board but you have elections coming up, primary is June 28 another August 23rd and to defend you (the board) she would say, who is making these requirements, mandates, who do you have to answer to that you have to shut Gooseneck off?

Supervisor Wright stated the Department of Justice and the Department of Health....

Mrs. Scuderi asked if everyone heard that? They are making unreasonable demands on Town's like us, that is her opinion.

Supervisor Wright agrees, it is not unusual for us to get an unfunded mandate which is basically something that we have to adhere to without any additional funding.

Mrs. Scuderi wanted to say that you need to talk to your elected officials and not necessarily this board, because they are caught between a rock and a hard place.

Henry Bartlett (Eagle Lake) two quick questions. #1 when the Town signed this Consent Decree in 2018 and there is a drop dead date when you will have to decide what to do about the water district – water is shut off by 2025. Between now and 2025, what is the last date that we need to decide if we are going to form the water district?

Supervisor Wright stated that there are milestones in between and some of those, which include the MPR, the Engineering plan and final design have been met by certain dates.

Mr. Fuller added that the next deadline that is coming up right now is June 15 of this year, the Town has to commence final design. Final design that was outlined in the MPR has to start with in two weeks and that is not going to happen, obviously the district hasn't been formed and in order to dedicate money to do that the Town would have had to form a district beforehand then we would have had to enter into short-term financing with EFC which is the award that the Supervisor was mentioning, the Town needed to go and borrow that money from the EFC to commence the final design, so that is our next step. Every year ahead of that we have a specific deadline. Our next one was to commence construction next year.

**Minutes for a Ticonderoga Public Hearing Regarding Chilson/Eagle Lake Water Project
held on May 26, 2022, commencing at 6:00 p.m.**

Mr. Bartlett asked if you cannot commence construction by 2023, will there be a notice sent out to the residents saying that you will be on your own in 2025?

Mr. Fuller stated that the Town board just sent out that survey to those that are on the water system. The majority of those that have responded, they are not interested. So he has already alerted the DOJ that just yesterday. They are aware that essentially 25 people have decided to go out on their own and as the Supervisor said, 27 have responded that they are in need of some sort of assistance and we will start working to find some money to help those people out and of the remaining 50, there will be a process to reach out to them to try to get an answer one way or another, if they need more information or if they aren't going forward with a municipal solution.

Mr. Bartlett asked of those of us that have private wells and have never participated in the water system, never gotten a bill, never have been able to connect, will we continue to be exempt even if a water district is created from having to participate financially?

Mr. Fuller stated that you can go to the Town's website and there is a Q & A on there and the reason why the answer is not as simple as are you in or are you out if a water line goes by your property there is a process under Article 12 in the Town Law where if a group of property owners provide a petition with a MPR, you obviously have to go out and fund that yourself, bring it in with a petition and there is a process whereby they can include the neighbors against their will. That is a process that is statutory in Town Law. That is where, when she asked the question, am I in or am I out. The MPR that the Town Board had drafted made the decision to not include those people, and that process is under Article 12A of the Town Law, that is the process that brings about a permissive referendum. If it is Town Board driven and you can think of the logic in the statute, if it is Town Board driven which is a 12A process driven, then there is a vote, if it is an Article 12 process which has to have more than 50% of the assessed value of the properties in the district and for resident owners it has to be more than 50% of the assessed value of those resident owners, so it is a two part legal threshold for a petition. If that petition is properly provided to the Town, then there is no referendum for that. That would be the Article 12 process where your neighbors can, for lack of a better term, drag you into a district.

Mr. Bartlett noted that this is only if the water line goes past his property.

Mr. Fuller added water, sewer, lighting, parking, there are all sorts of districts...

Mr. Rao asked if you would get notified...

Mr. Fuller noted that there would be a public hearing, whether it is an Article 12 or 12A, if anybody benefits with a bond resolution or things that we pass for projects, there is a Public Interest Order, that is a very similar process if not identical of going forward with a water project and the formation of a district. The Town Board has to make findings – it is all on the Q & A on the website.

Mr. Bartlett asked what happens one year from today, or June when and if you have started construction on a ...

Minutes for a Ticonderoga Public Hearing Regarding Chilson/Eagle Lake Water Project held on May 26, 2022, commencing at 6:00 p.m.

Mr. Fuller stated that he is actually working by the hour right now with the DOJ on that, he had a lengthy call yesterday morning and the reality is, they understand that from a fiscal standpoint with the Office of the State Comptroller, we obviously would not be able to get a now \$3,400.00 a year project approved. Nor would it survive a referendum, so that is the purpose of the Town Board sending out that questionnaire, it now has a pivot to find money for private solutions, be it private wells or whatever to provide drinking water.

Mr. Grinnell has one more question that didn't get answered, Mr. Cunningham mentioned the cost per unit is still going to be whatever because of the size of the district if it is only Chilson, why would it be only Chilson? Your people that live in the Village, the old Village limits and the people that are hooked into the system also want soft water, so if you hook Gooseneck and Lake George back in what does that do to your cost per unit. It will be spread out on the entire system.

Supervisor Wright stated that you cannot hook Gooseneck in, because the Federal Government said so.

Mr. Grinnell would like to see this.

Supervisor Wright stated that we need to shut off Gooseneck by 2025....(inaudible)

Mr. Grinnell stated that the Decree also says that it was made in good faith and in the best interest of the people of Ticonderoga. He thinks that is pretty arguable points that the Town could appeal that decree and probably get it overturned in a very easy fashion and when that decree is overturned, you put Gooseneck and Lake George, your two primary sources and moth ball the wells and stop wasting our system and poisoning our people, thank you.

Mr. Fuller stated that it wasn't required by DOJ, or EPA, or DOH. That was the decision that the past Town Board made in the Consent Decree and it is not appealable anymore. It is a consent decree; it is a judgement. He acknowledges that you may not agree with it, but it was a decision that the board made at that time.

Mr. Grinnell asked if the Town elects to hook that Gooseneck line back into the reservoir, what is going to happen. The federal government going to sue the Town?

Mr. Fuller stated that the Town board has already agreed to stipulations and fines.

Mr. Grinnell stated that somebody has to sign the check, if you don't sign the check, then what is going to happen. You have to have the nerve to push and push hard, the people deserve it. Push them. Stand up for us.

Dan Blanchette thinks that this would resolve a lot of things, does the state actually understand how hard the water was. Was there anything, he knows that this is not one of their requirements, but we deserve the best drinking water. He knows you have done some research, you said something about medically it is good for you, but when it is this destructive you will be forced to put salt in your system and that takes away your heart. People that have high blood pressure and

**Minutes for a Ticonderoga Public Hearing Regarding Chilson/Eagle Lake Water Project
held on May 26, 2022, commencing at 6:00 p.m.**

heart problems, they can't have salt. He would like to get together with the ones that are receptive, whether it is privately or not to really go over what we have researched so the people have the best water. The State of NY, what is the harm in telling them that the people now understand that it is not about Gooseneck anymore, it is not just about Chilson and Eagle Lake anymore, it is a bigger problem. It is a much bigger problem, why can't we write the State a letter saying, listen, we have big push back, we already have 1,000 signatures. Why can't we deallet the state take it over, why do you guys have to deal with this if the state is so involved. Why can't they confront the people that have these signatures and tell them that they are going to take our water in 2025 because we don't want the destructive water coming up the hill. At one point, we were actually trying in our minds when we were having our group, maybe we should form a district, but when we started doing the research on the hardness that fell completely apart. We deserve the best possible drinking water. We are trying to revitalize our Town...

Councilman Woods stated that even if this water wasn't hard, it was perfect water, you would still have the same problem with Gooseneck, they are still going to shut you down. Whether that water is hard or whether it isn't.

Mr. Blanchette continued that there were two things that they wanted us to meet, right? They wanted a covered reservoir, we have that, we've got that, you've disconnected from the old reservoir and hooked it up to the new reservoir. We take it in steps, we get the filtration done first, somehow valve it so there is not a lot of pressure until we can take another step to fix the pipes that need to be fixed and then the dam. We don't do it all at once because it is 40 million, we do this in steps and like Bill said you spread it out to the people downtown, so you are not looking at just 100 and some odd users.

Councilman Woods asked if the DOH would allow this??

Mr. Blanchette stated that this is what we need to ask them. We need to tell them that we have another issue, we didn't realize until we did the research how hard this water was. He showed you the picture (on his phone) at the last meeting of the owner on a ladder in the hot biscuit, she had the softener in that 2 year old unit and it was still clogging up her unit. The softener is not really the answer. You know, if you want to sell something bad enough, you will put enough BS out there to sell something and that is what these people that have these softeners are doing. Because they really don't add up to a hill of beans, maybe if you have a little tiny bit of hardness, that is doable, but with the hardness that we have, what is going to happen to his (Wastewater) plant down there if all that salt goes into his plant. What does salt do to our cars? If you don't have a system that takes the salt out before putting it into our treatment plant, how many millions is that going to cost us down the road? This is a big problem.

Councilman Woods stated that if the hardness is gone, you still have Gooseneck to deal with. They are still going to shut you down whether it is hard, soft, no matter what it is.

Mr. Blanchette believes that there is a constitutional amendment that protects our right, it is under dams. He has read the state archives and he knows Matt, he thinks he knows about that, he knows Bill and Matt were talking to DEC about this he doesn't know how long ago and they said

Minutes for a Ticonderoga Public Hearing Regarding Chilson/Eagle Lake Water Project held on May 26, 2022, commencing at 6:00 p.m.

there are rights to that dam. Now, the dam is not ready to blow out, anybody can tell you that, there have been many people up there investigating it. Take baby steps and see if the State will entertain it. Why don't we at least start there, if that is going to be a dead end for us, we don't really want to push water up the hill. There was a gentleman that he spoke with, he doesn't remember his name but he used to be an Encon officer up there with DEC and he told him that he offered the Town, he is at the very tippy top, so the location of his property, the water goes towards Eagle Lake and the water goes down Chilson Hill. Gravity, we don't have to have those expensive pumps and maybe there is a possibility to get softer water on his property to serve the Town. He came to the board and said, I offer my land to you and they laughed at him, they said no, we don't want your land for that. So, he doesn't understand, there has to be other options besides this water that we are trying to push up the hill.

Councilman Woods stated that he knows just enough to be dangerous, but to him, a municipal well on the top of the hill, common sense tells him that is the best solution. He is probably wrong, but anyway.

Mr. Blanchette doesn't believe that is wrong, he believes it is common sense. You don't have to be an engineer to know that gravity....

Councilman Woods stated that you still need the money to do it...

Mr. Blanchette agrees and if the state is demanding so much about Gooseneck, why doesn't the State of New York pay for everything, why do we have to struggle with that. They should be giving us the best water and we should be throwing it back in their ballpark after learning what the hardness is. That is a different issue....

Councilman Woods asked about the 3 million...

Mr. Fuller wants you to understand that the 3 million is not a flat amount, it is based on the total cost of the project. The total cost under EFC.... If for example your project is a 3 million dollar project you don't get the whole thing, you get a portion of that. It is up to In concept something like that can be done, but not in this time frame.

Councilman Cunningham added that we would have to form another MPR and we don't have time.

Councilman Woods agreed that time is of the essence.

Mr. Grinnell wanted to address this MPR, in 2015 there was a MPR presented to DOH, the EPA by AES and the Town of Ticonderoga that was approved, but nobody knows where that plan went. It was to upgrade Lake George, back up with the wells and in the future find a decent proposal to bring Gooseneck back online. He was told that he was going to get a copy of that report, but he has yet to see it. He had a copy of it in 2015, it was sitting on top of the file cabinet right behind the Supervisor's desk when he left. Where the hell is it and why is it not part of the public record? It was voted on and approved by the Town Board, ok, it was approved by the DOH and the EPA, where the hell did it disappear to. We paid for it once and yes, they

**Minutes for a Ticonderoga Public Hearing Regarding Chilson/Eagle Lake Water Project
held on May 26, 2022, commencing at 6:00 p.m.**

did agree to. Why wouldn't they again? You have to have someone that would push them a little.

Mr. Blanchette does not need the state to tell us what to drink and we need to work together, the board, the people, the signatures, let's ...

Randy LaPann stated at the last meeting he asked the Town how does he opt out, and you said that we couldn't opt out. Two weeks later, he gets a letter in the mail for his signature to sign saying I'm going.....

Supervisor Wright stated that the letter wanted to find out who has water options and who doesn't....who can drill a well versus who has absolutely no way of drilling a well.

Mr. LaPann doesn't believe that this is what it said, but anyway, if he signs it to opt out and you guys go ahead and run a line up through there are you going to require me to pay for it?

Supervisor Wright stated that right now we cannot economically run a line up anywhere..

Mr. LaPann stated that this is not what he asked, he asked that if he puts in his own water system and three years down the road by 2025 you guys decide you are running a water line up there, does he have to pay for it.

Mr. Fuller stated that he just explained that, you must have just walked in.

Mr. LaPann stated that these meetings are great for some but for those that work out of state....

Mr. Fuller interrupted and said that he will explain it as he did earlier (please refer back to explanation with Mr. Bartlett)..

Mr. LaPann stated that if he spends \$14,000.00 next summer on to drill a well, you are telling him that his neighbors can tell him that he needs to join. (right) Not a chance in hell. (laughter) Not a chance in hell. Should he throw that paper away that he signed?

Councilman Cunningham stated that we would like to know the information of who can and who cannot drill a well.

Mr. LaPann asked if his signature would be used against him. (No – it is a survey).

Councilman Woods asked if anyone around Mr. LaPann already has a well.

Mr. LaPann stated no, they are all trying to sell their houses.

Mr. Blanchette would like to say one more thing, you know we had people out everywhere doing the petitions and he did a lot including people on Chilson Hill including that gentleman that just spoke and he probably shouldn't say what a lot of them have said because it is pretty bad, he hopes it doesn't turn into a revolution over water because they are angry. They are not angry at

**Minutes for a Ticonderoga Public Hearing Regarding Chilson/Eagle Lake Water Project
held on May 26, 2022, commencing at 6:00 p.m.**

you; they are not pointing fingers at you because they know of the decree and what is going on - they are really angry at you (Tom Thatcher?) for some reason. He is glad to have you here, he thinks you are a good guy, but a lot of people on Chilson said that Tommy said he was going to fight for our right to keep Gooseneck.

Councilman Thatcher doesn't know who you talked to.....

Mr. Blanchette stated a lot of people, we have 1,000 signatures and they are still coming, a lot of people – he would not misrepresent these people and he is sure that, maybe he can get a couple of them to come to the next meeting....

Councilman Thatcher stated that the one thing you fail to understand is that this board is on your side, you folks have to do something that makes sense and first off, form the district, form it and then we can help you... (inaudible)

Mr. Blanchette stated \$3,000.00 a year....

Councilman Thatcher cannot help what it boils down to, he paid \$10,000.00, 30 years ago for his well and right now he has to put a new pump in, is anybody here going to help him with that?

Mr. Blanchette said that is a one time deal drilling a well, what does \$3,000.00 a , what does (inaudible)

Councilman Thatcher stated drill your own well then,,

Mr. Blanchette stated no, we want Gooseneck....

Councilman Thatcher stated that this is what you have to listen to, we can't help you unless you form a district. That is really what it boils down to. Do something to let us help you...

Mr. Blanchette stated that this is incorrect.

Mr. Fuller stated that even what Mr. Grinnell is proposing would require a district.

Mr. Blanchette asked where you got this information.....(Inaudible)

Councilman Thatcher reiterated that we have to go by state law.....(inaudible)

Mr. Blanchette walked away saying that explains it, thank you, that explains it.... We the people, he (attorney) is not a taxpayer, he understands that he handles the legalities, but this is our water and we are going to fight to keep it. Period. Even if it means and Article 78, we already have a lot of people that are, we are ready to form an association here to get the money, so you guys keep going...

Unidentified individual stated that he is willing to give \$10,000.00 towards these people's lawyer.. (inaudible)

**Minutes for a Ticonderoga Public Hearing Regarding Chilson/Eagle Lake Water Project
held on May 26, 2022, commencing at 6:00 p.m.**

Joe Bevilacqua has a couple of questions, some of us people are pretty naive and stupid, but that thing that went around in the paper that everybody has signed, that petition, some of the people are saying that everyone is signing it for nothing. Nothing is going to happen with it, it is going to get tabled, right? Yes or No (Yes) So all of these people up there, will the board be able to notify or put something in a....

Supervisor Wright explained that the board has not received anything officially yet.

Mr. Bevilacqua continued but right now you are able to say that it is going to be tables, he is not arguing, he is just saying...

Supervisor Wright again stated that the decision on Gooseneck was made a long time ago, we are not going to(interrupted).

Mr. Bevilacqua stated that his impression of the thing was that the people of Ticonderoga, most of them are revolting, they don't know what is going on, but you are saying that it is going to be tabled.

Supervisor Wright stated that he is not saying this will be tabled.....

Mr. Bevilacqua stated that this is the jist he got from this meeting....

Supervisor Wright asked what the question is....

Mr. Bevilacqua just stated his question....

Supervisor Wright asked for the question again...

Mr. Bevilacqua would like to state his second question, (inaudible) he didn't come up to argue, but he didn't like some of the comments, in other words, you are telling us, no matter how many of thousands of people come up and sign this petition, it is going to get tabled, you said yes, you answered his question., Now his other question is, he went to a meeting that was up in Chilson a couple of years ago and Giordano was talking and one of the questions was if we had to drill a well can individuals get financial help to do it and they said yes, there would be things available. If you had questions to call the Town Board and he is asking that now.

Supervisor Wright understands that a municipality cannot fund a privately owned well.....(interrupted)

Mr. Bevilacqua stated that this is not what was not what was said at that meeting..

Mr. Fuller can answer this, he knows what he is talking about. When we were up there at that meeting, at that time, there was a HUD loan and grant program that was funded through the Federal Government at that time, that money was available to do that. The Federal Government has not funded that again. They let it lapse, he actually did contact Rural Development down in

Minutes for a Ticonderoga Public Hearing Regarding Chilson/Eagle Lake Water Project held on May 26, 2022, commencing at 6:00 p.m.

Greenwich probably 5 or 6 months ago to see if that was going to be funded again in this fiscal year and it has not been funded again. So, you are partially right, there was a program at that time that would have provided some funding at that time. So, what we can tell you is that what we are doing now is going directly to the Governor and Senator Schumer and Congresswoman Stefanie to basically get similar money like that outside of that fund process. The reality is, we need a member item, that is what the town needs for the people that need money to help drill wells and things like that, we have to find some money. The solution, even if we are spending 10 -12 million dollars on Gooseneck for 2 or 3 million to drill wells from a money standpoint, he is hopeful that we can get that, but he is not as hopeful that we can get the 10-12. That is just reality.

Supervisor Wright stated that they have the money, it is just whether they want to cough it up.

Mr. Bevilacqua apologizes for getting loud, but he feels he was getting the running around. He wants it to make sense.

Jack Mulcahy (Eagle Lake) this district keeps coming up and answer if you can – if we form a district and the cost is still where it is, can we get out of it?

Mr. Fuller explained that there is a process under NYS Law that if a district is formed and does not have debt (you have not taken on things yet) there is a process to dissolve the district. Basically, if a district gets formed and nothing ever happens with it, it can be dissolved.

Mr. Mulcahy stated that the point is, for a lot of us, he doesn't want to form a district and be locked into something and then find out that there you go, you are stuck with it and we can't get out of it and that he would assume for him, he does not want to form a district. You said, we can't get funding if we don't form a district, but he just sees it as we are between a rock and a hard place, we form a district and

Mr. Fuller explained that the Town was awarded that funding package from EFC for Chilson and Eagle Lake, but it is contingent on forming a district. So, in some grant programs, you have to have a district before you can even apply, others grant programs, loan programs they are contingent. So, that is what we have. Past administrations, Mr. Grinnell did the same, we kept applying for this money and finally we were awarded it, but in order to actually go to loan on that, adopt a bond resolution, go to loan and get the money and start spending the money, that is when the district has to be formed. To your point, that is your rock and a hard place, once you go borrow that money, now you are locked in because you borrowed the money. He will say too, that is why the Town Board did not go forward on the Public Interest Order to form this district, right, because the Town Board can legally adopt a PIO, apply to EFC for the funding and put that district on its own initiative, it is a permissive referendum, but the Town Board can bypass the permissive part and put a district up for referendum. To the point that the Town Board is on your side, they do hear you, why would they go spend the money when it is going to get shot down and not solve the problem. That doesn't make sense.

**Minutes for a Ticonderoga Public Hearing Regarding Chilson/Eagle Lake Water Project
held on May 26, 2022, commencing at 6:00 p.m.**

Mr. Mulcahy expressed, as he sees it, you people have been handed a dirty deal, the State of NY, the Federal Government stuck it to you and you have to listen to us. They are the ones that should be listening to us, not you and that is...

Mr. Fuller would like to offer something, and again he just relays the information and will do whatever direction the Town Board tells him to go in, we can talk about it, but he understands the convenience of saying the DOH, it is not the Department of Health. These drinking water standards came out of the Federal Government in the late 80's and mid 90's and, he has said it before, but Ticonderoga and NYC are the last two water systems in NYS that use a surface water system that are under filtration avoidance. That is what this is called, so we are not filtering, you are getting water that is just chlorinated. There are only two systems and we are the last one. He understands the, they are telling us what to do, but this was imposed on the Village about the time the Village dissolved, he wasn't here, but they probably saw this coming and said we are not going to deal with this, that was convenient, the Village knew and the past administrations in the 90's knew that this was going to have to happen, not necessarily giving up Gooseneck so to speak, but a filtration system, which is really what you are dealing with, so, even, hypothetically, you all go out and get your own MPR and have an engineer come up with a filtration system for Gooseneck water, we know what that cost is going to be, it is still unaffordable. One gentleman said you can do it piece meal, you can but there is still the threshold number just to meet filtration requirements that you must meet. That is not a,.. we can't fight them on that, that will kick in, sure you can say that we just aren't going to pay it, he thinks we all know if we don't pay our bills, there are repercussions. It is going to get paid and the taxpayers are going to pay it and it is not the entire Town General fund, it is honestly, the 109 users that will be responsible for those fines. The Town Board is not going to do that to you. You're making the matter worse, so we are looking for the funding to solve the issue.

Mr. Mulcahy stated if we were all immigrants, we could get the money. (laughter)

Debra Mulcahy asked what is the hardness of Street Road water? Someone mentioned 18?

Mr. Fleury stated 18 grains, when we test it, it is 200 to 220, you need to turn that into grains, it is high, there is no doubt about it. There is a conversation process to do for that.

Mrs. Mulcahy said her second statement and questions is, we have been to all the meetings, maybe not the very first one, but all the meetings going back that it was stated that you were going to have neighbor against neighbor, which is not what any of us want, but the thing is that if a number of people drill a well, there are neighbors that cannot drill. Is there any variance that they can, is it from the Town or State to ease a setback or certain number of feet from the sewer system or property line?

Mr. Fuller stated yes, all of the above, there are designs that can be done to mitigate or protect against those impacts. That is one of the purposes of the survey was again to get this information, and we will reach out to the people that didn't respond to find out that need and then it will turn into an engineering solution, that is the plan. You may have two or three properties that may have to combine to be on a well.

Minutes for a Ticonderoga Public Hearing Regarding Chilson/Eagle Lake Water Project held on May 26, 2022, commencing at 6:00 p.m.

Mrs. Mulcahy asked if you have 2 or 3 people near each other and none have ample property to drill a well, what do they do, apply for a variance from the Town or the State?

Mr. Swart answered it would be from DOH and APA, the first thing to look at is the spacing as a whole, sometime setbacks may be property line setback and that may be getting your neighbor to agree and overcome that, if that doesn't work then we would look for a variance, but it is workable.

Mrs. Mulcahy asked then for those people you say you are willing to help, is that help with the paper process or the monetary that you are willing to help with.

Supervisor Wright stated that unless we can find something like that HUD grant, then the Town could not fund that.

Mrs. Mulcahy stated ok, so those people again would be on their own if they decided, 3 or 2 people on a well, but there is no financial help if they go out on their own to do that.

Mr. Fuller stated that as we sit here at this meeting, no there is nothing, but this is the lobbying that we are doing with our representatives.

Mrs. Mulcahy then asked so what if the people that six months prior to that decided to drill a well, they won't get any help?

Supervisor Wright agreed, there would be no retroactive funding, unless there is something special out there.

Mr. Swart again added that we will help with whatever we can and go how far we can go, we have already been brainstorming these circumstances.

Mr. Fuller explained that there is always a cost, the reality that we would ever get 100% grant funding, he has been doing this for 20 years and has never had a 100% funded project. That doesn't mean that we aren't trying for all of it. But again, the cost analysis, if you are going to spend 13 million dollars or 2 or 3, that is the pitch, keep your 13 and give us 3, drill wells and see how far that money gets us.

Mrs. Mulcahy would like the numbers of the survey again, 58 responded, 2 undecided, 29 said they wanted municipal and 27 were going out on their own. The survey is non-binding, but it did say, well you used the word withdraw, which is a matter of semantics, she understands that, but the other thing is it said the first option - I do not wish my property identified to be included in a drinking water source - I understand that my drinking water will be terminated prior to June of 2025 and I will make plans to provide my own drinking water supply and then that you will give us a date of termination - how close to that June 2025 will we be given notice, if we do decide to drill our own well and there is no funding to help. She doesn't want to know in three months that if you are going to drill your well, we are done with you, you will give us ample notice so we can secure a well driller and make that final decision if that is that decision is what we make.

Minutes for a Ticonderoga Public Hearing Regarding Chilson/Eagle Lake Water Project held on May 26, 2022, commencing at 6:00 p.m.

Supervisor Wright agreed, but we do not know where that line in the sand is yet.

Mr. Fuller stated that we are working on that right now and he would say that within the next year we should know that number for sure.

Mrs. Mulcahy asked that is 2023, so 2023 is not our cut off if we chose to drill a well, it is still 2025? (Correct)

Mr. Fuller wants you to understand that there is a process, this will take quite a bit of work....Derrick doesn't just go out one day, well hypothetically he does, but he just doesn't go out one day and turn the valve off...

Mrs. Mulcahy answered ok, he still owes her a driveway, ,she hasn't forgotten that, the water main washed it out, so...

Mr. Swart was thinking about time, personally he would want those that are getting off to know by 2024, we can't do physical work out in the field after a certain point and we don't want to be right up against that 2025 deadline.

Mrs. Mulcahy agreed that we need to know that. How will individuals be informed? She likes the paper copies. Thank you.

Supervisor Wright stated that we will be discussing this.

Paul Burroughs lives in a section of Eagle Lake that has 12 camps on it, the Wickes camp along with himself are on the municipal water line and there are 10 that are not. Out of those 10 there are 3 that have their own wells and the others use the lake. What he is concerned about is if he gets dragged into the water district, are the other people going to get dragged in also and #2 if he opts out of the water district can he be dragged in.

Mr. Fuller again repeated his answer given earlier (Article 12 & Article 12A to Mr. Bartlett and Mr. LaPann – please see earlier minutes).

Mr. Burroughs asked if he can now get out of the district – have Derrick shut him off right now, that is it?

Mr. Fuller stated that you need to discuss this with the Town Board, you are a contract user right now.

Mr. Burroughs asked, he has to talk to the board about getting out of the district right now.

Councilman Cunningham explained that there is no district right now, and as it stands, just to be clear, there are a couple of reasons and issues right now, that make it appear to us that there won't be a district for a couple of reasons, #1 the Town is not going to move forward to form a district on its own because we have not been able to find a viable, cost effective solution to supply water to Chilson and Eagle Lake. So, the Town at this point in time is not moving

**Minutes for a Ticonderoga Public Hearing Regarding Chilson/Eagle Lake Water Project
held on May 26, 2022, commencing at 6:00 p.m.**

forward to form a district because it is not viable or feasible. Also, it doesn't appear that if the Town did move forward to form a district it would not pass the referendum by the residents because there are not enough residents that would vote for it. So, it would fail and secondly, every alternative that we have looked at to try to fund this thing would not get past the State Comptroller's Office because it is simply too much money for each individual resident. So as it stands today, we do not see where a district is going to get formed because there is not enough residents that want it and there isn't a solution that is cost effective at this point of time short of drilling individual wells and the Town trying to find some funding for those people drilling wells which we may or may not be able to find, that is really where we stand today. We have heard the comments where people really think that Gooseneck could be a viable option going forward, everything that we have seen and all the studies that we have seen and the consent decree that is out there makes that situation highly unlikely to overcome all the hurdles that would make that worth while and it is an expensive proposition even if it were to take place over 15 years. It is still a 30-40 million dollar project to bring Gooseneck back in order, so that, to him, is unfair to all the other residents in Ticonderoga. That is really where we stand today and how we move forward from here, we will continue to try to find some funding and we need these surveys back from the rest of the residents so we can identify those people, such as yourself, that can drill a well if that option is available to them and those that at this point in time don't feel that they can because they don't have the proper property size, they don't have the proper set backs and then it will be a matter of trying to find a way for those residents to either combine with their neighbors so that they can increase their property size and increase their setbacks, those kinds of things, but forming a district right now does not appear that #1 the residents want a district and #2 there is no solution out there that is cost effective enough to get by the State Comptrollers Office. So, we don't see where this will get formed at this point in time.

Mr. Burroughs again asked if he wanted to get out of the water district, can he get dragged into another one.

Councilman Cunningham again stated that there isn't one to get out of now, in the future if one was formed and you benefited from that because the water ran past your residence then there is a possibility that you could get dragged into it, but we don't see where there is a viable option for a district. At this point, there isn't enough residents up there to vote for it.

Cole Hickland noted that you just answered a couple of his questions, saying that the district isn't going to go forward, but if it does, he has the same question as Paul and he understands the 12 & 12A, just 12A if somebody wants out, you just said you can end your contract and then we don't have to worry about going into a district if one were to be formed. His concerned is that what if you get another 5 million in aid, it still is too expensive and he wouldn't want any part of it, so he would want to be out of the district if it was formed.

Councilman Cunningham again stated that his understanding of this, is if a district is formed and the project moves forward and the water source runs past your property and you benefit or could benefit from having that water run past your property, benefitting from a fire hydrant or whatever, then the town could put you into the water district.

Minutes for a Ticonderoga Public Hearing Regarding Chilson/Eagle Lake Water Project held on May 26, 2022, commencing at 6:00 p.m.

Mr. Hickland asked what the plan was for the Town Board if somebody wants to opt out are they going to have that option if they are a contract user now. If he drills a well, how does he know he can't be forced into a water district.

Councilman Cunningham does not feel that we can know that at this point. That is something that would need to be determined on a case by case basis when and if a district was ever formed and whether or not, obviously if there are 100 people in a district as opposed to 50, you know that it probably wouldn't make a district viable because the division doesn't work regarding the funding, so the Town felt if there were 100 people that benefited from that water source and it was beneficial for everybody getting water from it then they could put you in the district.

Mr. Hickland asked what water source, the new source, because if somebody doesn't hook up to that then they would not benefit from it, so if that is the criteria...

Councilman Cunningham stated that this is not necessarily true.

Mr. Fuller agreed and it is a good question.

Mr. Hickland understands, he was in a municipal auditor for almost 40 years so he knows, the 12 and the 12A, so he knows that you can include anyone that has benefited. He would say why not all or nothing because you get 109 people if you do all or anybody that doesn't want to do it you let them out, but it seems kind of(inaudible)

Councilman Cunningham again stated that there isn't going to be a district at this time (inaudible) it is not viable...

Councilman Thatcher again noted that we cannot say that there isn't people around you that want to form their own district and drag you into it.....

Mr. Hickland understands that and he is glad there is not a district at this point..

Mr. Fuller stated that connection isn't necessarily a benefit, the test under NYS law for benefit isn't limited to connection, to answer your question.

Mr. Hickland stated that now the Town Board has some options and has made some choices and let some people out, so he is just trying to understand so... (inaudible)

Councilman Cunningham noted that no one has been let out since the MPR has been done.

Mr. Fuller stated to change the MPR requires an amendment and the process has not proceeded to that.

Mr. Hickland stated that they let some people that weren't hooked up and didn't want to be included ...

Mr. Fuller explained that the MPR only included those people that were hooked up.

**Minutes for a Ticonderoga Public Hearing Regarding Chilson/Eagle Lake Water Project
held on May 26, 2022, commencing at 6:00 p.m.**

Mr. Hickland understands, this is what he is saying, so those people that benefit aren't included in the...(inaudible) . Based on the law they benefit and they are not included, so he benefits and he is being included, how is that fair.

Mr. Fuller again noted that the Town did not get to that, what you are talking about is the Public Interest Order that is the next step and the Town did not proceed to make....

Mr. Hickland does think this was a good decision, everybody is upset and he thinks you all are trying to help and he understands that.....

Mr. Fuller continued, even if you add the 50 or 75 lots that you are talking about, it doesn't move the needle a ton on 13 million dollars, right.

Mr. Hickland agrees, right now every million is \$10,000 per home, so... and there is 10 million unfunded it is \$100,000 of ..(inaudible)..

Mr. Fuller agreed and explained if you reverse the math from the Comptroller's \$989 number from 2022, we have O&M that was targeted, if you deduct the O&M which is about \$700 and take the \$200 difference, with 109 users over 30 years, that give you about \$700,000 to fund a project, that is just for engineering.....

Mr. Hickland agreed and it looked like it was the old village and the new district, you want the new people to pay 13 million that have all brand new facilities and then they would have to pay O&M on the old facilities....

Mr. Fuller agreed because legally you do have to pay to purchase the water and what that amount is would be up to the Town Board, but there is a cost to the actual water...

Mr. Hickland added that this is on top of the water, the O&M costs.....

Mr. Fuller stated correct, that is in the O&M cost because the debt from the district down here which is not part of that district does not get transferred up there...

Mr. Hickland stated that at this point, so he understands, the board is not planning on going ahead and forming the district and....

Supervisor Wright stated that economically we can't...

Mr. Hickland agrees, so, users should start thinking ahead as to how they are going to get their own water whether it is an individual well or getting with neighbors.

Supervisor Wright agreed and, in the meantime, we will keep beating the bushes to look for funding.

**Minutes for a Ticonderoga Public Hearing Regarding Chilson/Eagle Lake Water Project
held on May 26, 2022, commencing at 6:00 p.m.**

Mr. Blanchette asked when we actually formed, he knows it used to be Town and Village and we formed a new one, where is the paperwork that says we are contract users.

Mr. Fuller stated that there is no paperwork that says you are a contract user, there would have to be paperwork that says you are in a district. So, the reverse is the logic. In order to be in a district, there needs to be a MPR that at one point included you in a district, so all the districts, when the village was dissolved a water district was formed based on the old boundary of the Village. That was part of the dissolution of the Village, so a water district was formed for them, but at that time there were also Town water districts that had been formed that were purchasing water from the Village.

Mr. Blanchette asked his next harder question that goes with this is we get letters in the mail saying that there is a great chance that you are going to get cryptosporidium. People downtown are paying pretty much the same prices for water. Why are we paying full price for water that we can't drink for how many years, we can't drink because, you know you may not be saying directly that you can't drink it, but you are saying indirectly that there is a great chance, he doesn't think any elderly here or infant would want that water because it could be very, very, death... so why are we paying that amount of water quarterly when we can't even drink our water. Maybe some of the people here that have been paying that water for 20 years need some money back so they can drill their wells, how about getting some funds back for the people who have, he thinks, not any of you guys have probably created that but there has to be something in writing, contract users and this whole cryptosporidium. He means we can't use the water to drink because there is a scare. The adequate filtration is really the only thing that the state requires of us, at this point he still thinks we need to take baby steps to fix and keep our clean water. We really need to take a good look at that. The hardness is way too hard. It is going to destroy our Town, it is going to destroy our Town, we are trying to create our beautiful, we have a beautiful town, but this is going to destroy our Town in a lot of ways. You just have to get the vision and get the information that we have gotten so you can understand our frustration with that part of it now. It is not just saving Chilson and Eagle Lake, it is about giving us the best water, the softest water. Something that we don't have to add salt to and create people having problems with blood pressure and so on and so forth. The hardness is hard enough to destroy your hair follicles and he is sure it is not going to happen overnight, but in the long run there will be a lot of bald people that live in Ticonderoga, not to mention esophagus cancer from the hard water, liver, we have done a lot of research, he wants you guys to look at it and we can back it up by the sites that we went under, they are not just someone that did research and were sloppy, they are very well put together.

Mr. LaPann has two more questions, was it a Town Law that you stated that your neighbors could...

Mr. Fuller explained that it is not a Town of Ticonderoga Law, it is under NYS Town Law Article 12 and Article 12A.

Mr. LaPann asked if the Town Board could rescind that law?

Mr. Fuller stated no. It is legislature, it is not a Town Board Local Law, it is State Law.

**Minutes for a Ticonderoga Public Hearing Regarding Chilson/Eagle Lake Water Project
held on May 26, 2022, commencing at 6:00 p.m.**

Mr. LaPann then asked if there were any residents or businesses on 74 or Chilson that are receiving the water from Street Road?

Mr. Fleury does not believe on 74, there are some on Lead Hill..

Mr. LaPann asked if they were in a water district?

Mr. Fleury stated he doesn't know, but they might not be.

Mr. LaPann asked if they were going to lose their water?

Mr. Fleury stated no, they are off the new system, so they would still have water.

Mr. LaPann reiterated that they are not in a water district?

Mr. Fleury agreed and noted that there are a lot of places around that are not in a water district.

Mr. LaPann thought this was illegal? You (attorney) told him at one of the meetings, he said why can't the Old Chilson Road join the Racetrack District and you told him it was illegal.

Mr. Fuller stated that he did not say that.

Mr. LaPann said you did, swear to god....

Mr. Fuller stated that he is not going to argue, but he did not say that...

Mr. LaPann stated that you did, it was at one of the meetings....

Mr. Fuller stated that that is not true, you would need to extend the district and you could be in the district...

Mr. LaPann is not going to argue, but that is what he was told.... So there is no body on 74 and there is nobody in Chilson that is receiving Street Road Water with the Wells.

Mr. Fleury stated up to the water tank, anybody to the Water Tank, Reale's is on it, Pete Reale, Kolysko's house, some of the lower, Walt Maher's house, they are all below the tank. Reale's shop is on the old line.

Mrs. Rao would like to clarify, so you are still going with the survey to get the hard number of who needs to be on this water, and then you are going to do the narrow down thing on who can clump together type thing like a municipal well, like if her neighbors can not you are going to try to help with that. (inaudible)

Councilman Cunningham wants to be clear on when we say that we are going to try to help, we are going to still try to find some money, but at this point in time there isn't any available, so if

**Minutes for a Ticonderoga Public Hearing Regarding Chilson/Eagle Lake Water Project
held on May 26, 2022, commencing at 6:00 p.m.**

we can identify those people that cannot drill a well, that just don't have the ability to do it and we can find out if there is a number of those people in a pocket so to speak, then those people we need to work with to come up with a solution, we have a moral obligation to try to do this because we can't supply water any other way.

Mrs. Rao stated that she feels it is a good idea for people to get out there, maybe you can help her a bit, who do you, do you contact a well drilling company and have them come out and look at your property, or does someone else, she has no idea what to do is basically what she is saying. What she would like to do is to drill a well and she should have that answer for you guys.

Councilman Cunningham agreed that he would start with them. As Mr. Swart, realistically we are looking at 2024 to start having to shut some residents down to meet the deadline of 2025.

Mrs. Rao agreed and stated that their plan was 2023 or something like that, and she understands that even if you do get funding to help those that haven't drilled a well at that time but some already have a well, you won't go back and say hey, you were part of the 109 to begin with....

Supervisor Wright stated that it would not be retroactive funding.

Supervisor Wright concluded the Public Hearing to reiterate that the Town will continue to work with legislative representatives to get more money, to get any money. If that situation changes, we will certainly let everyone know. If we get a positive response from Congresswoman Stefanic of the opportunity (outburst from public) we will continue on this avenue and if things change, we will certainly let everyone know. As he was saying if Congresswoman Stefanic progress with our application moves forward, we will let everyone know. That is all we have right now.

Mrs. Rao asked how we will be informed.

Supervisor Wright stated that it will try to put this out socially on our social media site and if there is any other way to post it, we certainly will. Anything that is legal we will put in the paper, the Sun Community News.

Public Hearing closed at 7:45 p.m.

Respectfully submitted, Tonya M. Thompson, Town Clerk.

**Public Hearing – Chilson/Eagle Lake Water
AGENDA**

I Introductory Comments

**Minutes for a Ticonderoga Public Hearing Regarding Chilson/Eagle Lake Water Project
held on May 26, 2022, commencing at 6:00 p.m.**

II Recent Letter/Survey Results

III Water Options Summary

- Gooseneck (2010) - \$33M
- B&J: 3 Options (2019) - \$8M - \$13M
- AES (2021) - \$14M
- Smaller Private Well Districts
- Municipal Well District

IV Legislative Efforts

- Letters (2021) - Hochul, Schumer, Gillibrand, Stefanik (2), Stec, Simpson
- Stec/Simpson/Stefanik Rep Meeting (2022)
- Letters (2022) - Hochul

V Funding Efforts

- DOH DWSRF grant \$3M + \$5.3M interest free financing
- Federal Earmark Funding (2022) – Gillibrand, Schumer, Stefanik

VI Water Softening Study (AES)

VII Public Comment

VIII Final Comments