

**Minutes for a Regular Town Board Meeting held on March 9, 2023,
commencing at 6:00 p.m. with a Public Hearing regarding an
Ordinance for No Parking along Champlain Avenue**

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

Absent: Tom Thatcher, Councilman

Others: Vic Lavallie, Melissa Bartlett, Alan Densmore, Tim Halladay, R.B. Crammond, Randy LaPann, Tim Connors, Bill Grinnell, Renee Kennedy, Patty Cook, Jim & Betty Garrison, Dan & Kathy Blanchette, Laura Wright, Heath Towne, Donna Wotton, Marge Cross, Lori Clark, Bailey Clark, Harry Towne, Kathy Curtis, Hayden Frasier, Kennedy McKeown, Frank Sheldon, Rob Hurlburt, Scott Cook, Brenda Wells, Tammy Perry, Dennis Towne, Officer Belden, Officer Coryea and others, including via Go-To-Meeting Sherry Veneto, Rebecca Norton and Franchesca Fonda

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

No Department of Health updates and there are not COVID updates. There are no presentations tonight, but Tim Halliday has asked to address the board after the public comment period to regarding the status of a potential lease of the Hudson Headwaters Building as a Police Department location. After the Public Comment period we will discuss that.

Supervisor Wright explained that the Board needs to enter into a brief Executive Session to discuss a personnel matter.

Resolution #108-2023 brought by Mark Wright, seconded by Dave Woods to exit the Regular Town Board meeting at 6:01 p.m. to enter into an Executive Session to discuss the employment of a person inviting Chief Hurlburt, Sgt. Belden and Officer Waldron to attend. **All In Favor** Mark Wright – Aye, Dave Woods – Aye, Joyce Cooper – Aye, Tom Cunningham – Aye. **Opposed** – None. Tom Thatcher – Absent. **Carried.**

Resolution #109-2023 brought by Mark Wright, seconded by Dave Woods to exit out of Executive Session and re-enter the Regular Town Board meeting at 6:10 p.m. **All In Favor** Mark Wright – Aye, Dave Woods – Aye, Joyce Cooper – Aye, Tom Cunningham – Aye. **Opposed** – None. Tom Thatcher – Absent. **Carried.**

Resolution #110-2023 brought by Dave Woods, seconded by Joyce Cooper to appoint Patrolman Robert Budwick to Police Sergeant effective March 10, 2023. **All In Favor** Mark Wright – Aye, Dave Woods – Aye, Joyce Cooper – Aye, Tom Cunningham – Aye. **Opposed** – None. Tom Thatcher – Absent. **Carried.**

Resolution #111-2023 brought by Dave Woods, seconded by Tom Cunningham to offer employment to Scott E. Cook for Full-time Police Officer pending successful completion of a

**Minutes for a Regular Town Board Meeting held on March 9, 2023,
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Ordinance for No Parking along Champlain Avenue**

background investigation and psychological evaluation. **All In Favor** Mark Wright – Aye, Dave Woods – Aye, Joyce Cooper – Aye, Tom Cunningham – Aye. **Opposed** – None. Tom Thatcher – Absent. **Carried.**

Public Hearing

Proposed Ordinance prohibiting parking on the west side of Champlain Avenue between Algonkin Street & Father Jogues Place

PLEASE TAKE NOTICE that an ordinance has been introduced in the Town Board of the Town of Ticonderoga entitled “An Ordinance Prohibiting Parking on the West Side of Champlain Avenue between Algonkin Street and Father Jogues Place in the Town of Ticonderoga”. Convictions for a first offense shall be punishable by a fine of fifty dollars (\$50). Convictions for a second offense, both or all of which were committed within a period of 18 months, shall be punished by a fine of two hundred fifty dollars (\$250). Convictions for a third offense and for each subsequent offense, all of which were committed within a period of 18 months, shall be punished by a fine of five hundred dollars (\$500). In addition, for any violation of this Order, the Town may arrange for the removal and storage of the offending vehicle and require reimbursement to the Town for the costs incurred by the Town for same, before returning said vehicle to the owner or operator thereof. A copy of said proposed ordinance is on file in the office of the Town Clerk.

Supervisor Wright explained that we received multiple complaints about the ability or hazard related to getting through that little choke point of cars parked on the west side of the street, parking is available in the nearby parking lot and for some of the owners that do rent properties on that street, they do have driveways. The hearing is open at this time.

Public Hearing closed at 6:15 p.m.

Report of Committees

Airport – Tom Thatcher, Councilman (reported by Supervisor Wright)

TICONDEROGA AIRPORT 4B6

7March 2023

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

Present: Mark Wright, , Alan Densmore,
Bryan Douros, Dave Woods, and Jon Hanna
Guests: Terry Smith

Fuel sales for February were 889 gallons. Fuel levels currently are acceptable. Our current price will remain the same. Expected next fuel delivery around May.

**Minutes for a Regular Town Board Meeting held on March 9, 2023,
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Ordinance for No Parking along Champlain Avenue**

Discussion on checking NOTAM to see if GPS nighttime landing restriction is still in place. FAA project to clear the obstacle from the database was completed. It is still active; Mark will follow up on this for next meeting.'

The tower update, the crane work is expected sometime in May. Obstruction project for the tower is with the FAA awaiting clearance. A discussion on filing information with the APA. Jurisdictional inquiry form is not required. The team is still looking for ways to relocate the generator building.

Discussion on moving the original support structure for the beacon/tower. Approx footprint is 16x12. There was discussion as to whether this may require a permit if moved to town property.

Hanger discussion. No changes or direction as to how to use private money in construction. The plan for future hanger construction is in the FAA master plan. Current plan allows for 2 additional structures. Discussion on ability of town to fund additional local matches for grants.

Bryan was able to fix a problem with the gate drive wheel and is working correctly again.

Meeting adjourned at 0850.

We have an environmental assessment meeting on Monday 13 March at 3PM.

Next monthly meeting will be 0830, Tuesday, the 4 of April, at the town hall.

Submitted by Jon Hanna

Building & Grounds – Dave Woods, Councilman

Repairs on water leak issues, repaired a broken door – mostly minor repairs.

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

Joyce Cooper, Councilwoman

**Parks and Recreation Committee Meeting Minutes
February 22, 2023**

Committee members present were Bill Dolback, Jerry Cooper, Nancy Kelley, Grant Spaulding, Tonya Thompson, Dave Woods, and Joyce Cooper.

Also present were Steve Boyce, Tom Thatcher and Mark Wright.

2023 Triathlon:

Mark Wilson, race organizer, presented information through the internet for this year's event to be held Saturday, June 17th. The race will be held in the same locations as last year with a Sprint taking place at 7:30 am and the Olympic event taking place from 9:30 until 2:00. All participants and organizers are expected to be gone by 4:00. The majority of racers will be children aged 14-15 and adults aged 40-65. A beer garden will be set up behind the beach

**Minutes for a Regular Town Board Meeting held on March 9, 2023,
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building at race finish for adults of legal age. A shuttle bus will bring racers and their supporters to the beach starting line and back from 5:00 a.m. until the event is over.

Steve Boyce:

Steve addressed the committee regarding several matters. As President of the Library Board, he thanked Grant Spaulding for helping with the removal of books and cardboard from the library as well as small trees on the grounds. He asked about the progress of the asbestos survey needed before the small building behind the library can be demolished. He has the town's permission to pursue the potential donated services by PRIDE to get this survey done. He also expressed the library's need to obtain the services of consultants to explore the best use of the newly acquired land behind the library and resolve drainage issues on this property. This property receives water from a well and probably should be connected to town water. The library board hopes some of these needs will be addressed through DRI funds.

As a member of the Heritage Museum Board, Steve expressed disappointment that the town has not held its usual summer day camp program for children for the past 2 years. This program bused many local children to the museum to participate in their summer art programs offered for elementary children. Without the town day camp, attendance has been down for the museum programs. Steve was informed the town tried last year, and will again this year, to get enough day camp counselors needed to run this popular summer program.

Skating Rink:

The rink framework and liner work has been completed and Ash has reported many families and hockey players have been using the rink. Debris and extra pieces of framework need to be removed and Grant will work with Ash to get this done. It was felt there is a need for better communication between Rink Attendant Ash Alexander and the committee to keep things running smoothly and efficiently.

He will be asked to attend our next meeting to discuss rink matters and determine what will be done with the liner and rink framework during the warm months.

Vandalism:

Chunks of asphalt and pieces of lead pipe were thrown on the rink and the ice damaged. These were removed with the help of volunteers and the ice repaired. Security cameras are now in operation and it is hoped those doing vandalism will be identified and punished. Committee members feel that Family Court is the best setting to determine appropriate and meaningful punishments.

Vandals have also spray painted "No Parking" signs on town property and the interiors of dugouts in Recreation Park.

Schedules:

Grant needs the schedule for Little League and Girls' Softball League to make sure the fields are maintained and ready for play. Schedules should also be given to the Town Clerk.

Policies needed:

**Minutes for a Regular Town Board Meeting held on March 9, 2023,
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Ordinance for No Parking along Champlain Avenue**

The committee needs to develop policies regarding the use of vehicles, snowmobiles for example, on town lands.

A fireworks policy is also needed.

Town Clock:

The town clock at the corner of Montcalm and Champlain Avenue only displays the correct time on one of its 4 faces. Repair will cost nearly as much as a new clock, and there are no guarantees that it will continue working properly. Moreover, the manufacturer of the clock is no longer in business. Tonya has received a quote for a new clock and will seek more. Replacing this clock was included in the DRI application. Committee members looked at the Elan Streetscape Plan that shows a town clock located at the Bicentennial Park Entrance on a "Village Green". This green does not presently exist but potentially could be constructed through DRI monies. Improving the entrance to Bicentennial Park was included in the application for the DRI Grant.

The next Parks and Recreation Committee Meeting is scheduled for Tuesday, March 21st at 8:30 am.

Supervisor Wright added that the Library is looking to begin a snowshoe program, we are waiting for them to provide some insurance information before it can fully begin.

Economic Development – Mark Wright, Supervisor

No meeting was held - a proposed DRI Planning committee list was provided to the state and we are now awaiting information or notification from the State as to who will be on that specific committee.

Highway and Transfer Station – Dave Woods, Councilman

**Town of Ticonderoga
Highway and Transfer Station
February 28th, 2023, minutes of Meeting**

Present:

Heath Towne, John Deming, Mark Wright, Dave Woods

Others:

Matt Fuller

Public Discussion

Said the Pledge of Allegiance

Public discussion

- No public comment

End public comment

**Minutes for a Regular Town Board Meeting held on March 9, 2023,
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Ordinance for No Parking along Champlain Avenue**

Committee Discussion

- Discussion on Grove and St Clair, actions being taken to move forward.
- Discussion was had about making more handicapped spaces at the armory. We will work with the attorney on getting the ordinance taken care of.
- John Deming brought up looking for historical markers that had been by the Ticonderoga EMS building. He was inquiring if anyone knows where they may have gone.

Resolutions for the next town board meeting

- No resolutions

Outstanding items not discussed

- None

Meeting was adjourned at 9:33am

Minutes were taken and prepared by Rebecca Norton

Resolution #112-2023 brought by Dave Woods, seconded by Tom Cunningham to enter into an agreement with Essex County Department of Public Works (DPW) for 2023 to spend Town Highway Funds. **All In Favor** Mark Wright – Aye, Dave Woods – Aye, Joyce Cooper – Aye, Tom Cunningham – Aye. **Opposed** – None. Tom Thatcher – Absent. **Carried.**

Municipal Facility Evaluation- Tom Cunningham, Councilman

**Town of Ticonderoga
Municipal Facility Evaluation Committee
February 27, 2023,
Minutes of Meeting**

Committee Members Present:

Tom Cunningham, Tom Thatcher, Chris Dostie

Others Present:

Erin Allison with AES, Timothy Halladay, RB Crammond, Dave Woods, Chief Hurlburt, Unnamed resident

Pledge of Allegiance

Committee Discussion

- **Alfrandre report**
 - Chris has updated the report, it will now go to the Buildings and Grounds Committee for action.
 - This item is now closed for this committee.

**Minutes for a Regular Town Board Meeting held on March 9, 2023,
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Ordinance for No Parking along Champlain Avenue**

- **Hudson Headwaters building Potential lease.**
 - Several investors are interested in purchasing the HHH building and leasing it to the town.
 - Timothy Halladay with Living Well Realty gave a presentation, he handed out his cost analysis of Leasing the HHH building vs buying new.
 - Attached to these minutes is the cost analysis, the proposed lease and the lease acceleration.
 - They have also provided an option to buy the lower portion of the building, incorporating an HOA.
 - They provided a cost of money spreadsheet showing what a new construction would cost based on a 3MM cost to build and a 4MM build out.
 - Estimated time to be able to get into a leased building in 5 to 6 months.
 - March 10, 2023, is their dead line to have an agreed lease, or the purchase offer expires.
 - All expenses to add security to the building would be up to the town, cameras, security etc.
 - The building is a type B and could be used as a Police station.
 - Dave Woods stated that Mark Wright told him the Town does not have the funds available to build a new building.
 - The potential buyers, stated that their return on investment would be around 10%. Some deal would have to be worked out to determine how the Taxes.
- **Highway Department**
 - AES presented the committee with a comparison table created by VIS construction consultants of the cost to build a new building vs renovation the existing building, along with adding an additional bay.
 - The analysis is attached, the cost to renovate is estimated at \$2,192,301 and the cost to build new is \$3,992,992.
- **Police station update**
 - AES has updated the site plan with the new suggested footprint of the building.
 - AES provided two separate floor plans for the Police Station, which are very similar, with only a change in the location of the mechanical room.
 - Erin Allison went over the floor plans and handed them to Chief Hurlburt for his review and comments.
 - Progress for next steps, this would complete the original proposal for AES. Next steps would be to get a proposal to provide construction drawings, perform site ground analysis.

**Minutes for a Regular Town Board Meeting held on March 9, 2023,
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Ordinance for No Parking along Champlain Avenue**

- Tom Cunningham asked AES to provide a similar proposal to spec out the HHH building so a realistic cost analysis could be determined.
 - Tom Thatcher asked what the cost per sq Ft would be to build new, Erin stated somewhere between 400.00 and 600.00 per square footage depending on finishes.
 - Adam Hurlburt to send Tom Cunningham the HHH floor plan the investors used to base their cost on.
-
- No other new business

Public Discussion

- Meeting was opened to public comment, with no public comment.

Next meeting scheduled for Monday March 27, 2023, at 18:30 PM

Meeting was adjourned at: 19:15

Minutes were taken and prepared by the Committee Chairman Thomas F Cunningham

(Drawings and estimates are in the legally filed minutes kept in the Town Clerk's Office)

Public Safety – Dave Woods, Councilman

**Public Safety
Meeting February 28, 2023**

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

The following committee members were present: Dave Woods, Joyce Cooper, Chief Hurlburt, Jennifer Gendron, Rhiannon Peters and Dave Burrows.

Guests: Supervisor Wright, Matt Fuller, Vinny Veneto and Evan Frasier.

PUBLIC PARTICIPATION: None

POLICE DEPARTMENT:

Chief Hurlburt goes over monthly report. (See attachment)

Codes Department:

Rhiannon Peters goes over the monthly report. (See attachment)

Dave Burrows mentions that the owner of the two Montcalm Street burnout buildings are in the process of putting plans together, Demo permit will be coming in the next couple of weeks to have them removed.

Lease Proposal

102 Race Track Road, Ticonderoga, NY



Upstate Professional Management LLC is pleased to offer the following proposal for the leasing of 5,500 square feet of the premises at 102 Race Track Road, Ticonderoga, NY, to the Town of Ticonderoga for use as Ticonderoga Police Headquarters.

Upstate Professional Management LLC has a contract to purchase the subject property.

The following are the proposed lease terms:



Lease Premises

5,500 square feet

at 102 Race Track Rd,
Ticonderoga, NY



Term of Lease

30 years



Proposed Rent

\$110,000 / year

payable monthly, with an annual
increase of 3% of the base rent

At the option of the Town of Ticonderoga, Upstate Professional Management will construct a garage as an addition to the leased premises. The additional rent shall be at the same rate per square foot as the rate for the existing premises, for the same term (30 years), and with the same terms and conditions.

Landlord responsibilities:



- 1) Landlord shall complete the proposed alterations and improvements to the subject rental premises, plans and specs for which shall be submitted to Upstate Professional Management LLC for approval.
 - 2) Landlord shall perform maintenance of the leased premises, excluding the parking lot, grounds, and driveway areas, for the duration of the 30-year lease term.
-

Tenant responsibilities:

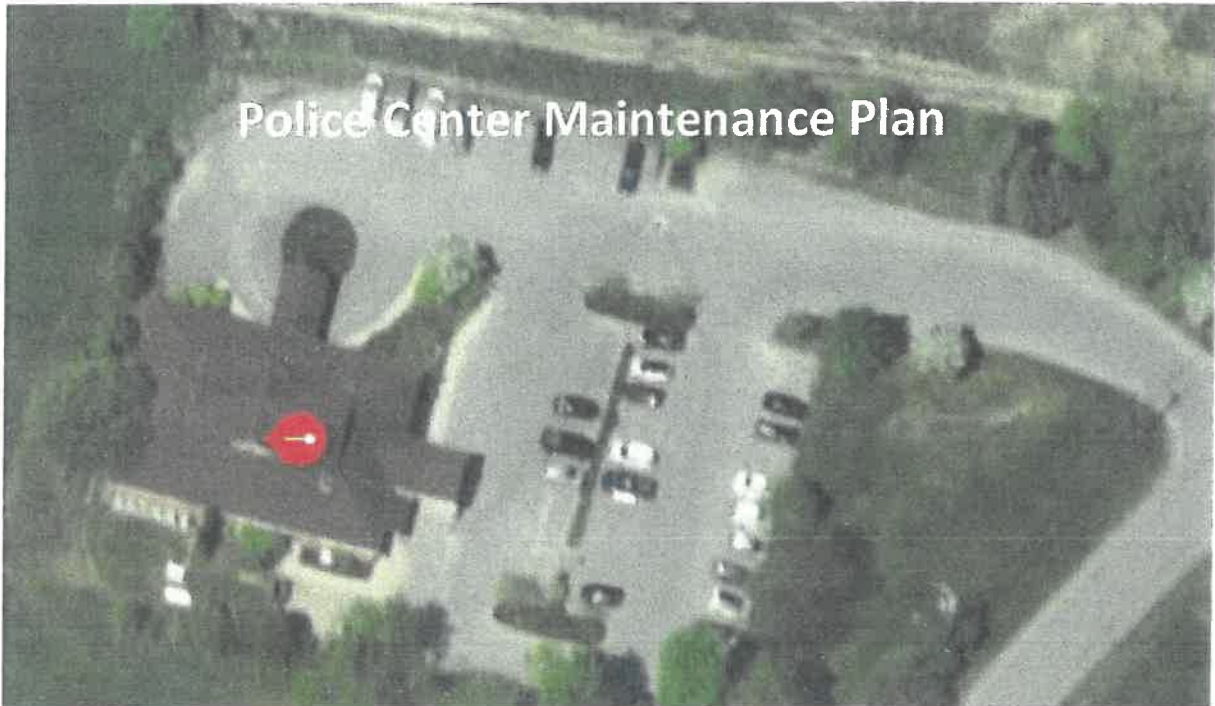


- 1) Tenant shall maintain the parking lot and driveway areas for the duration of the 30-year lease term.
 - 2) Tenant shall pay the pro-rated share of property taxes and fire and liability insurance, and shall pay for the interior cleaning and all utilities for the rental premises, including but not limited to heat, AC, water, electricity, gas and/or oil.
 - 3) Tenant shall pay the cost of grounds maintenance and the cost of installing and maintaining security items, including but not limited to locks, cameras, metal detectors, and shielding materials.
-

Thank you for the opportunity to submit this lease proposal to the Town of Ticonderoga.

Regards,

Upstate Professional Management LLC



The following responsibilities will be divided accordingly per the lease agreement with the Town of Ticonderoga:

Landlord Responsibilities:

Exterior:

Siding	Windows	Roof covering Existing Ext
Lighting	Electrical Entrance	Water/Sewer
HVAC components		



Interior:

Electrical systems	Existing Lighting	HVAC – including scheduled maintenance
Plumbing systems		

Tenant Responsibilities:

Exterior:

Landscaping	Snow Removal	Asphalt
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Interior:

Painting	Flooring	Tenant-caused Plumbing Repair (clogs, damage etc.)
Security systems	Cleaning	Lighting consumables (bulbs)

Lease acceleration			Maintenance acceleration for HOA			
Year 1	120000		24000			
Year 2	123600		24720			
Year 3	127308		25461.6			
Year 4	131127.24		26225.448			
Year 5	135061.057		27012.21144			
Year 6	139112.889		27822.57778			
Year 7	143286.276		28657.25512			
Year 8	147584.864		29516.97277			
Year 9	152012.41		30402.48195			
Year 10	156572.782		31314.55641			
Year 11	161269.966		32253.9931			
Year 12	166108.064		33221.6129			
Year 13	171091.306		34218.26128			
Year 14	176224.046		35244.80912			
Year 15	181510.767		36302.1534			
Year 16	186956.09		37391.218			
Year 17	192564.773		38512.95454			
Year 18	198341.716		39668.34317			
Year 19	204291.967		40858.39347			
Year 20	210420.726		42084.14527			
Year 21	216733.348		43346.66963			
Year 22	223235.349		44647.06972			
Year 23	229932.409		45986.48181			
Year 24	236830.381		47366.07627			
Year 25	243935.293		48787.05856			
Year 26	251253.352		50250.67031			
Year 27	258790.952		51758.19042			
Year 28	266554.681		53310.93613			
Year 29	274551.321		54910.26422			
Year 30	282787.861		56557.57214			
	5709049.88		1141809.977			

Cost Analysis 102 Race Track Road									
Town of Ticonderoga Cost		Total	Annual	Monthly	Total	Annual	Monthly		
Option	1	2	3	P&I	P&I	4	P&I	P&I	
30 Year Lease		Option to buy		Build New 4,000 SF Building					
Cost at inception	\$120,000	\$2,000,000	\$3,000,000			\$4,000,000			
Total Debt Service*	\$0	\$3,541,966	\$2,312,949	\$177,098	\$14,758	\$3,083,932	\$236,124	\$19,677	
Maintenance	\$0	\$1,141,810	\$1,500,000	\$50,000	\$4,167	\$2,000,000	\$66,667	\$5,555	
Fit Up	\$0	\$0	\$0						
Total Cost Year 1	\$120,000	\$142,065		\$227,100			\$302,791		
Year 10	\$156,572	\$149,370		\$227,100			\$302,791		
Year 20	\$210,420	\$160,140		\$227,100			\$302,791		
Year 23	\$229,932	\$164,042		\$227,100			\$302,791		
Year 30	\$282,787	\$174,613		\$227,100			\$302,791		
Total cost 30 years	\$5,709,050	\$4,683,776	\$6,812,949			\$9,083,932			
Timing	5 Months	1 year	2+ years						
* Ticonderoga has not been rated by Moodys or Dunn and Bradstreet. Bond prices are estimated at 4.25% + assuming an A rating.									
Info obtained from Jeanine Caruso of Fiscal Advisors & Marketing									
**Future value if invested at 4%			\$9,730,192			\$12,973,590			
**Future value if invested at 3%			\$7,281,787			\$9,709,050			

Plus Taxes Revenue

BUDGET ESTIMATE

February 23, 2023

PROJECT: Town of Ticonderoga Highway Garage
Ticonderoga, New York

COST ESTIMATOR :

VIS Construction Consultants
174 Avenue C
Williston, Vermont
Tel: (802) 289-2109 (Mark)
Tel: (802) 222-2253 (Marc)Architect:
AES Northeast
Erin Allison

Work Type	DESCRIPTION	QUANTITY	UNIT	#	Rehab Old Garage & Vehicle Bay			New Garage		
					Total				Total	
					OPTION 1			OPTION 2		
Gnrl Cond	General Conditions for construction overall:									
	Building Permit - State of New York building permit	0		0	0		1	10,000	10,000	
	Other possible permits (occupancy/use)									
Gnrl Cond	Project Management, administration	4 months		4,000	16,000		12 months	4,000	48,000	
Gnrl Cond	Job supervision- site person	3 months		8,000	24,000		10 months	8,000	80,000	
Gnrl Cond	Temporary toilet (2)	3 months		150	450		10 months	150	1,500	
Gnrl Cond	Trailers	0 months			0		10 months		0	
Gnrl Cond	Safety	3 months		1,000	3,000		10 lump sum	1,000	10,000	
				sub	43,450			sub	149,500	
Sitework	NEW	Excavation and clearing on site					1 lump sum	8,000	8,000	
	NEW	Concrete slab on grade w frost walls					215 cubic yards	450	96,750	
	Demolition	Gut existing building to create cold storage					1 lump sum	5,000	5,000	
Utilities	BOTH	New electrical service	1 lump sum	5,000	5,000		1 lump sum	10,000	10,000	
	BOTH	Generator	1 lump sum	15,000	15,000		1 lump sum	50,000	50,000	
				sub	20,000			sub	169,750	
New Constr	NEW	New Garage - Metal structure, envelope, admin space and mechanicals					8800 sq ft	250	2,200,000	
New Constr	NEW	add new vehicle bay onto existing building 70x20	1,400 sq	150	210,000					
				sub	210,000			sub	2,200,000	
Renovate	Existing	New exterior envelope - insulation, siding, roofing = walls(5000sqft),roof (10,000sqft)	15,000 sq ft	50	750,000					
Renovate	Existing	new mechanical systems Hot Water,Heat, A/C for office space	1 lump sum	50,000	50,000					
Renovate	Existing	repair mezzanine	1 lump sum	25,000	25,000					
Renovate	Existing	miscellaneous repair to interior - doors, wallboard, paint	8,800 sq ft	30	264,000					
Renovate	Existing	update electrical and data systems. Lighting,power,phone,WiFi,security	1 lump sum	20,000	20,000					
				sub	1,109,000			sub	0	
Reserved									0	
SUBTOTAL					\$1,382,450				\$2,519,250	
Contractor OH&P 15%					\$207,368				\$377,888	
reserved					\$0				\$0	
Design contingency 5%					\$69,123				\$125,963	
TOTAL CONSTRUCTION BUDGET					\$1,658,940				\$3,023,100	
OWNER'S ITEMS:										
Contingency - 15% construction					\$ 248,841				\$ 453,465	
Alternate 1										
Alternate 2										
Design - Architect 12% of Construction Cost					\$ 199,073				\$ 362,772	
Structural engineering, Civil, MEP engineering 5%					\$ 82,947				\$ 151,155	
Estimating, consulting, pre-construction					\$ 2,500				\$ 2,500	
					\$ -				\$ -	
					\$ -				\$ -	
TOTAL BUDGET					\$2,192,301				\$3,992,992	

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Dave Woods asks about the property on Route 22 towards Putnam, Rhiannon states they are slowly starting to clean it up.

Joyce Cooper asks about the propane tanks that are not in use behind the Flooring building, Rhiannon states that they have sent a letter to the owner of the building stating that if the tanks are not in use they need to be removed.

PARKING:

Joyce Cooper states that there is a lot of parking on the sidewalks on Amherst Ave near the white apartment building.

MEETING:

Supervisor Wright states on March 9th the board will be having a public hearing on the parking on Champlain Ave and possibly a resolution to be putting that no parking into effect.

Supervisor Wright asks Chief Hurlburt to be aggressive with enforcement, Chief Hurlburt states that he will need signs in place and maybe in the spring white lines.

Supervisor Wright also states that he has asked Codes to check into a couple properties on Burgoyne Road regarding garbage and old vehicles.

Meeting adjourned at 8:20am

Next Public Safety meeting will be March 28th at 8:00am

The following is a summary of the activities of the Ticonderoga Police Department from January 30, 2023, to February 28th, 2023.

<u>Patrol Statistics</u>	<u>Monthly</u>	<u>YTD</u>
Approx. Calls to Service:	170	538
Incident reports:	22	59
Arrests:	18	48
Uniform traffic tickets:	10	56
DWI arrests:	0	1
Accidents investigated:	7	14

Reminder to all residents that the Winter Parking Ban is in effect. There should be NO vehicles parked along the side of the roadway between the house of 1AM and 6AM. Any vehicles parked along the side of the roadway between those hours are subject to be ticketed and or Towed at the owner's expense.

*Speed Trailer: Taken out of service for the Winter

* On February 7th, 2023, Ticonderoga Police arrested Medhat Elsayed, 30 of Jersey City, NJ for Criminal Possession of a Controlled Substance in the Third Degree, a Class B Felony and Jason

**Minutes for a Regular Town Board Meeting held on March 9, 2023,
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Tausinger, 43 of Ticonderoga, NY for Criminal Possession of a Controlled Substance in the 4th Degree, A Class C Felony.

Ticonderoga Police responded to a residence on Champlain Avenue for a report of an individual threatening people with a gun. After a police investigation, Elsayed was found to be in possession of approximately 24.5 grams of crack/cocaine and a replica handgun. Tausinger was found to be in possession of approximately 9.5 grams of Cocaine. Elsayed was arraigned before the Ticonderoga Town Court and was remanded to Essex County Jail without bail. Tausinger was arraigned in Moriah Town Court and was released on his own recognizance.

* On February 26th, 2023, Ticonderoga Police arrested Suzanne Richards, 39 of Laconia, New Hampshire as a Fugitive from Justice. Richards is wanted in New Hampshire for 2 Felony counts of Possession of Narcotics.

While on patrol, the Ticonderoga Police observed a woman in the parking lot of the Whispering Willows who matched the description of Suzanne Richards. Richards was known to have a Felony warrant in New Hampshire. Richards initially gave a false name but was ultimately identified. Richards was arraigned before the Ticonderoga Town Court and was remanded to Essex County Jail pending extradition.

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

Building Inspection:

(January)

YTD

Building Permits Issued:

3

104

Safety Inspections:

5

20

Pass/Fail:

5/0

18/1

Permit & Inspection Notes:

1- Demo Permit → Warner Hill Rd

1- Generator Install → Outlet Dr

1- Roof Mounted Solar Permit → Prince Taylor Path

5- Fire Safety Inspections → 3) Champlain Ave, (1) Wiley St & (1) Burgoyne

Code Violation Notices:

(January)

YTD

Order to Remedy:

2

20

Remediated:

0

11

Clean-Up Contractor:

0

1

NYS DFS

0

0

Condemned:

0

0

**Minutes for a Regular Town Board Meeting held on March 9, 2023,
commencing at 6:00 p.m. with a Public Hearing regarding an
Ordinance for No Parking along Champlain Avenue**

Do Not Occupy:	0	1
Appearance Tickets:	0	2

Code Violation Notes

2- OTR for Montcalm Street properties: Safety Issues

Miscellaneous:

(January)

YTD

*Complaints:

2

20

Resolved:

0

8/13

Misc. Complaint Notes:

Tenant has Safety Concerns at Montcalm Street property.

Old Propane tanks behind Building need to be removed.

Trainings:

Freedom of Information Law Training

Energy Code for Existing Buildings Training Part 1 & 2 (Additions, Alterations & Change in Occupancy)

Safety & Resource Grants (YTD):

N/A

Noteworthy Highlights / Achievements:

All Good at this time!

Resolution #113-2023 brought by Joyce Cooper, seconded by Tom Cunningham adopting the Ordinance Prohibiting Parking on the West Side of Champlain Avenue between Algonkin Street and Father Jogues Place in the Town of Ticonderoga. **All In Favor** Mark Wright – Aye, Dave Woods – Aye, Joyce Cooper – Aye, Tom Cunningham – Aye. **Opposed** – None. Tom Thatcher – Absent. **Carried.**

Public Works – Mark A. Wright, Supervisor

**Town of Ticonderoga
Water/Sewer Committee Meeting Minutes
February 28, 2023
10:30 am**

**Minutes for a Regular Town Board Meeting held on March 9, 2023,
commencing at 6:00 p.m. with a Public Hearing regarding an
Ordinance for No Parking along Champlain Avenue**

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

Others: Greg Swart (AES-Architecture, Engineering, & Land Surveying), Shannon Vogt (AES), Dave Burrows (Codes Dept.)

Pledge to the Flag

Public Comment: None

Items for Discussion:

1. 170 Champlain Ave (170 Champlain Ave LLC)
 - a. Discussion needed on the proper EDU charge for this property, as it has been changed to 1 apartment by Patti.
 - b. The building is just a shell at this point, all plumbing fixtures and interior walls have been removed. It is a commercial building so it does need to be charged at least 2 EDU for both water and sewer.
 - i. It is recommended to the Town Board to change the billing account for 170 Champlain Ave (170 Champlain Ave. LLC) to 2 EDU Water and 2 EDU Sewer, as the property has been changed to 1 apartment in a commercial building.
2. 85 Cossey Street (Carol Tucker)
 - a. The house has been removed from the lot, so the account needs to be reduced to a vacant lot fee.
 - i. It is recommended to the Town Board to change the billing account for 85 Cossey Street (Carol Tucker) to a Vacant Lot fee of .10 EDU Water and .10 EDU Sewer, as the house has been removed from the lot.
3. 102 Tiroga Beach Lane (Joe Iannuzzi)
 - a. The property owner is working with the APA to subdivide his lot. He is wondering if a new sewer connection can be performed, as the APA is requesting a note from the Town saying it can be done.
 - b. Derrick wants to make sure capacity will not be an issue. Greg will check into it, and report back to the Committee with what he finds.

**Minutes for a Regular Town Board Meeting held on March 9, 2023,
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4. Black Point Pump Station Update

- a. Shannon at AES has been working with someone about the top. He will be doing a site inspection on the 7th of March to do some measuring, and an inspection for building a new top.
- b. Derrick has submitted the information to get a PO for ordering the UV unit. Prices have gone up, and it's looking like orders are about 6-8 weeks out.

Superintendent's Report

- There was recently a leak on Holcomb Avenue and a broken valve was found. It is leaking and approximately 9 feet deep. Derrick would like to hire a company with the proper equipment to dig it up and repair it.
- There is a leak on Wiley Street on a service that Reale had dug up for the lead service line replacement project. It needs to be found out who will repair this, Reale or the Town.
- A septic hauler has called about getting rid of out-of-town grease. The closest plant that accepts it is Albany. It seems too much of a process to start taking the out-of-town grease again.

Chief Wastewater Operator's Report

- PH meter went down. A new one has been ordered.

Other

Mark has received written agreements of authorization from the 2 property owners that may possibly have areas for wells for the Eagle Lake residents. Hopefully by the end of March it will be determined if the properties are usable.

The Country Club is wondering about public sewer. This will be discussed further at a different time.

AES Report

1. Water

- I. **Chilson Eagle Lake (Required by DOH)**

**Minutes for a Regular Town Board Meeting held on March 9, 2023,
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- Further Outreach to be compiled and mailed to homeowners
 - i. Update on Responses
 - ii. Update on Funding Opportunities available and confirmation of BIL Money

II. Water Meters (Required by DEC)

- Discuss at meeting on March 17th

III. Water District Consolidation (In progress)

- Map, Plan, and Report
 - Finalize Maps
 - ◆ Finalize Metes and Bounds
 - ◆ Set meeting with Matt and Scott

IV. LSLRP

- Approx \$40-\$50K left over.
 - ◆ Time has been extended.
 - ◆ Contract amendment for Reale for spring work

V. Additional Water System Upgrades

- Discuss at meeting on March 17th

2. Wastewater

I. AES #4394 Portage

- Plus minus change order in progress
- Easements

II. Treatment Plant

- AES is preparing an EPG Report to address phosphorus and other deficiencies at the WPCP.

III. Collection System

**Minutes for a Regular Town Board Meeting held on March 9, 2023,
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Ordinance for No Parking along Champlain Avenue**

- The Long-Term Control Plan EPG
- The Updated Long Term Control Plan needs to be submitted to NYSDEC by August 1, 2023.

IV. BIL Funding

- Response Letter
 - RFQ for engineering should occur Q1 2023
 - Set meeting for scheduling final scoping decision.

V. Additional Permitting Requirements

- None at this time

VI. Additional Wastewater System Upgrades

- Black Point Road Pump Station
 - Coordinating with CAMP Precast to review the current top and offer solution.
- Sewer District Consolidation
 - Sewer district consolidation has not yet begun but is slated to begin upon completion of the water district consolidation.

3. Additional Items

I. Fiscal Advisors- Need RFQ/RFP

- a. Town needs request quotes, AES to assist in this process.
- b. Basic Services vs Every Option

II. St Clair Storm Culvert

Meeting adjourned at 11:32.
Next meeting will be Tuesday March 28, 2023, at 10:30

Minutes respectfully submitted by Sherry Veneto, Water/Wastewater Clerk.

Resolution #114-2023 brought by Dave Woods, seconded by Joyce Cooper to change the billing account for 170 Champlain Ave (170 Champlain Ave. LLC) to 2 EDU Water and 2 EDU Sewer, as the property has been changed to 1 apartment in a commercial building. **All In Favor** Mark Wright – Aye, Dave Woods – Aye, Joyce Cooper – Aye, Tom Cunningham – Aye. **Opposed** – None. Tom Thatcher – Absent. **Carried.**

**Minutes for a Regular Town Board Meeting held on March 9, 2023,
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Ordinance for No Parking along Champlain Avenue**

Resolution #115-2023 brought by Tom Cunningham, seconded by Joyce Cooper to change the billing account for 85 Cossey Street (Carol Tucker) to a Vacant Lot fee of .10 EDU Water and .10 EDU Sewer, as the house has been removed from the lot. **All In Favor** Mark Wright – Aye, Dave Woods – Aye, Joyce Cooper – Aye, Tom Cunningham – Aye. **Opposed** – None. Tom Thatcher – Absent. **Carried.**

Resolution #116-2023 brought by Joyce Cooper, Tom Cunningham authorizing the creation of a purchase order in the amount of \$23,000.00, to In-Pipe Technology for an Advanced Oxidation Process lift station control unit, with funds to come from SS09 Fund Balance. **All In Favor** Mark Wright – Aye, Dave Woods – Aye, Joyce Cooper – Aye, Tom Cunningham – Aye. **Opposed** – None. Tom Thatcher – Absent. **Carried.**

Resolution #117-2023 brought by Dave Woods, seconded Joyce Cooper to approve Lead Service Line Replacement Project Change Order No. 02 which adjusts the substantial completion and final payment dates. Remaining funds can accomplish approximately 15 additional properties requiring approximately ten (10) working days. The \$40,000 hard cap will not be exceeded. **All In Favor** Mark Wright – Aye, Dave Woods – Aye, Joyce Cooper – Aye, Tom Cunningham – Aye. **Opposed** – None. Tom Thatcher – Absent. **Carried.**

Resolution #118-2023 brought by Tom Cunningham, seconded by Joyce Cooper to send Caleb Winter to the Basic Laboratory Course at SUNY Morrisville June 12-16. Cost for course, motel, and lab gear is \$1,268.43. There will also be milage and meal reimbursement. **All In Favor** Mark Wright – Aye, Dave Woods – Aye, Joyce Cooper – Aye, Tom Cunningham – Aye. **Opposed** – None. Tom Thatcher – Absent. **Carried.**

Resolution #119-2023 brought by Dave Woods, seconded by Tom Cunningham to send Caleb Winter to the Activated Sludge Course at SUNY Morrisville June 20-23. Cost for course, motel, and book is \$1,065.39. There will also be milage and meal reimbursement. **All In Favor** Mark Wright – Aye, Dave Woods – Aye, Joyce Cooper – Aye, Tom Cunningham – Aye. **Opposed** – None. Tom Thatcher – Absent. **Carried.**

Human Services/Youth – Joyce Cooper, Councilwoman

- Rec. Supervisor Ross has noted that there has been great attendance at the afterschool program, 80 have signed up, but it averages 35-40 daily.
- Ski Program finished up this past weekend.
- Summer Program – accepting applications for counselors and lifeguards.

**Minutes for a Regular Town Board Meeting held on March 9, 2023,
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Human Services/Seniors – Tom Cunningham, Councilman

No Meeting – will be starting them back up next month.

Health Insurance – Mark Wright, Supervisor

Meeting will be held on March 29, 2023, at 1:00 p.m.

Contract Negotiations – Mark Wright, Supervisor

No meeting

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

Spectrum Northeast, LLC ("Spectrum"), is noticing its customers that on or around March 31, 2023, will launch WFFF 4 in high definition and launch information-tier of service, located on Spectrum Channel 191 or 1252, on the channel lineup serving your community.

Additionally, Spectrum Northeast, LLC ("Spectrum"), is noticing its customers that on or around March 31, 2023, will launch WFFF 2 in high definition and launch information-tier of service, located on Spectrum Channel 190 or 1250, on the channel lineup serving your community.

Spectrum Northeast, LLC ("Spectrum") is notifying its customers that on or around March 27, 2023, WYCI 3 Decades, located on Spectrum Channels 189 or 1266, will rebrand to Catchy Comedy on the channel lineup serving your community.

Resolutions for Consideration

Resolution #120-2023 brought by Tom Cunningham, seconded by Dave Woods authorizing the following budget transfers:

- | | | |
|--------------|---|------------|
| ○ A.1989.400 | Contingency | (\$173.92) |
| ○ A.1370.410 | Discount on Taxes TWC (Franchise Fee) | \$158.92 |
| ○ A.1650.455 | Central Communications System General Website | \$15.00 |

**Fund underbudgeted General accounts from Contingency (Balance after transfer
\$74,607.38).**

All In Favor Mark Wright – Aye, Dave Woods – Aye, Joyce Cooper – Aye, Tom Cunningham – Aye. **Opposed** – None. Tom Thatcher – Absent. **Carried.**

**Minutes for a Regular Town Board Meeting held on March 9, 2023,
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Ordinance for No Parking along Champlain Avenue**

Resolution #121-2023 brought by Dave Woods, seconded by Joyce Cooper authorizing the following budget adjustments:

- A.3620.862 Safety Inspection Code Enforcement HSA \$2,500.00
- A.3625.497 Rescue Squad Public Safety \$70,000.00

Funding account by General Fund Balance for Budget Correction and Contract fulfillment.

- SS09.8130.405 Sewage Treatment & Disposal Contr. (Black Point) \$23,000.00
- SS09.8130.405 Sewage Treatment & Disposal Cont. (Black Point) \$13,204.20
- SS05.8120.220 Sanitary Sewers Equipment \$55,022.44

Funding accounts by Sewer Fund Balances to cover repair costs and equipment purchase order.

All In Favor Mark Wright – Aye, Dave Woods – Aye, Joyce Cooper – Aye, Tom Cunningham – Aye. **Opposed** – None. Tom Thatcher – Absent. **Carried.**

Resolution #122-2023 brought by Tom Cunningham, seconded by Joyce Cooper authorizing the following Inter-Fund Transfer:

- A.9950.900 General Inter-fund Transfer (\$499.30)
- H61.5031 Chilson / Eagle Lake \$499.30

Transfer funds from General to Eagle Lake Water Project.

All In Favor Mark Wright – Aye, Dave Woods – Aye, Joyce Cooper – Aye, Tom Cunningham – Aye. **Opposed** – None. Tom Thatcher – Absent. **Carried.**

Resolution #123-2023 brought by Joyce Cooper, seconded by Dave Woods authorizing the following Inter-Fund Loans:

- A.0391 General Due From Other Funds (\$14,317.11)
- H18.0630 Airport Pavement Management Due To Other Funds \$14,317.11

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

- A.0391 General Due From Other Funds (\$8,595.20)
- H20.0630 Airport Environmental Assessment \$8,595.20

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

**Minutes for a Regular Town Board Meeting held on March 9, 2023,
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Ordinance for No Parking along Champlain Avenue**

All In Favor Mark Wright – Aye, Dave Woods – Aye, Joyce Cooper – Aye, Tom Cunningham – Aye. **Opposed** – None. Tom Thatcher – Absent. **Carried.**

Resolution #124-2023 brought by Mark Wright, seconded by Joyce Cooper to approve the renewal agreement with Pontem Software for continued use by the Cemetery. **All In Favor** Mark Wright – Aye, Dave Woods – Aye, Joyce Cooper – Aye, Tom Cunningham – Aye. **Opposed** – None. Tom Thatcher – Absent. **Carried.**

Resolution #125-2023 brought by Tom Cunningham, seconded by Dave Woods to approve the replacement of the host server in the Community Building at a cost not to exceed \$21,887.52. The current server dates to 2015 and has exceeded its life expectancy for performance, dependability, and security. Funding to come from contingency. **All In Favor** Mark Wright – Aye, Dave Woods – Aye, Joyce Cooper – Aye, Tom Cunningham – Aye. **Opposed** – None. Tom Thatcher – Absent. **Carried.**

Resolution #126-2023 brought by Dave Woods, seconded by Joyce Cooper to approve the replacement of the Ticonderoga Police Department server at a cost not to exceed \$19,085.27. The current server dates to 2015 and has exceeded its life expectancy for performance, dependability, and security. Funding to come from contingency. **All In Favor** Mark Wright – Aye, Dave Woods – Aye, Joyce Cooper – Aye, Tom Cunningham – Aye. **Opposed** – None. Tom Thatcher – Absent. **Carried.**

Resolution #127-2023 Tom Cunningham, seconded by Joyce Cooper to approve the replacement of the town board room computer system used to live stream and record town board meetings at a cost not to exceed \$1,257.15. The current system is no longer fully capable to perform as required. **All In Favor** Mark Wright – Aye, Dave Woods – Aye, Joyce Cooper – Aye, Tom Cunningham – Aye. **Opposed** – None. Tom Thatcher – Absent. **Carried.**

Resolution #128-2023 brought by Dave Woods, seconded by Tom Cunningham to convert two additional parking spaces on the north side of the Armory nearest the north side entrance to handicap parking only with appropriate parking space paint color designation and signage. **All In Favor** Mark Wright – Aye, Dave Woods – Aye, Joyce Cooper – Aye, Tom Cunningham – Aye. **Opposed** – None. Tom Thatcher – Absent. **Carried.**

Resolution #129-2023 brought by Mark Wright, seconded by Tom Cunningham to go out for bid for sidewalk repair and replacement to the extent of available funds using \$100,000.000 in ARPA funding and the remaining \$14,650 in the general fund sidewalk capital reserve which is reimbursable through a NYSDOT Master Capital Project Agreement (ref: Resolution #290-2020). **All In Favor** Mark Wright – Aye, Dave Woods – Aye, Joyce Cooper – Aye, Tom Cunningham – Aye. **Opposed** – None. Tom Thatcher – Absent. **Carried.**

**Minutes for a Regular Town Board Meeting held on March 9, 2023,
commencing at 6:00 p.m. with a Public Hearing regarding an
Ordinance for No Parking along Champlain Avenue**

Resolution #130-2023 brought by Joyce Cooper, seconded by Dave Woods to provide a letter of support for the National Grid Ticonderoga Energy Storage Project. **All In Favor** Mark Wright – Aye, Dave Woods – Aye, Joyce Cooper – Aye, Tom Cunningham – Aye. **Opposed** – None. Tom Thatcher – Absent. **Carried.**

Resolution #131-2023 brought by Joyce Cooper, seconded by Tom Cunningham to adopt the revised Senior Bus Policy (February 2023 revision). **All In Favor** Mark Wright – Aye, Dave Woods – Aye, Joyce Cooper – Aye, Tom Cunningham – Aye. **Opposed** – None. Tom Thatcher – Absent. **Carried.**

Resolution #132-2023 brought by Dave Woods, seconded by Joyce Cooper to accept the minutes of the February 9, 2023, Regular TB Meeting and the February 23, 2023, Finance Meeting. **All In Favor** Mark Wright – Aye, Dave Woods – Aye, Joyce Cooper – Aye, Tom Cunningham – Aye. **Opposed** – None. Tom Thatcher – Absent. **Carried.**

Resolution #133-2023 brought by Tom Cunningham, seconded by Joyce Cooper to Pay the Abstract #3 of 2023. **All In Favor** Mark Wright – Aye, Dave Woods – Aye, Joyce Cooper – Aye, Tom Cunningham – Aye. **Opposed** – None. Tom Thatcher – Absent. **Carried.**

Board Meeting Date 3/9/2023				
Gross Payroll # 4	107,632.67			
Gross Payroll # 5	104,859.88			
Trust & Agency Total	\$212,492.55			
Pre-Pays:	\$0.00			

ABSTRACT # 3	3/9/2023	Cash Transfers	YTD Revenue	YTD Expenses
General (A)	214,553.25	214,553.25	3,601,024.63	836,889.09
CD20 LaChute Trail Connector	-	-		
CD21 LISC Zombie		-	-	-
CM Library Trust Special		-	236.62	-

**Minutes for a Regular Town Board Meeting held on March 9, 2023,
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Ordinance for No Parking along Champlain Avenue**

H17 - Ticonderoga Airport Improvements		-	-	-
H18 - Airport Pavement Management	14,317.11	14,317.11	15,348.66	31,368.78
H19 - Airport Apron Reconstruction / Taxiway Rehab	-	-	0.57	1,500.00
H20 - Airport Environmental Assessment	8,595.20	8,595.20	17,613.34	26,208.07
H36 - C/P Chilson Res. Replacement	490.00	490.00	3.35	490.00
H45 - C/P Equipment Purchase		-	-	-
H48 - FEMA Chilson Water Main		-	0.02	-
H49 - GIGP Daylight Streaming		-	-	-
H50 - C/P WQIP WWTP Disinfection	-	-	1.55	-
H51 - Res & Design French Sawmill	-	-	1.43	-
H53 - Clean Water Main Project	-	-	3.17	8,975.50
H54 - LaChute Signage Grant		-	-	30,499.83
H56 - Sewer Pollution Right to Know		-	0.28	-
H57 - Parking Lot Cannonball Path		-	0.08	-
H58 - WWTP HVAC Project		-	-	-
H59 - LCBP Storm Water Sewer Separation	-	-	4.72	-
H60 - Veterans RD Culvert/Bridge NY Project	-	-	120,184.19	-
H61 - Chilson/Eagle Lake Water Exploration	499.30	499.30	59,856.10	60,355.40
H62 - Lead Service Line Replacement Grant			-	-
H63 - Water Meter Project	-		-	-
H64 - WWTP Ventilation Project GIGP	-		-	-
H65 - 5052 WWTP Phosphorous removal EPG			0.48	-
H66 - NYS DEC EPG #104867			-	-
H67- Wet Weather Operating Plan	-	-	0.02	-

**Minutes for a Regular Town Board Meeting held on March 9, 2023,
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Ordinance for No Parking along Champlain Avenue**

H68 - Black Point HVAC 5099	-	-	-	-
PN - Permanent Fund Mt. Hope Cemetery			190.87	-
SF01- Ticonderoga Town/Village Joint Fire District	-		557,108.00	557,108.00
SF02 - Chilson Fire Protection District	-		96,415.00	96,415.00
Claymore Sewer District (SS01)	95.92		1,549.04	530.72
Park Ave Sewer District (SS02)	30.74		13,072.99	12,320.67
Alex Ave Sewer District (SS03)	94.86		8,928.32	8,836.02
Homelands Sewer Dist (SS04)	425.09		4,883.23	5,400.41
Central Sewer (SS05)	42,111.54	55,240.61	351,474.05	287,800.04
Commerce Park Sewer (SS06)	234.21		19,888.23	18,023.37
Delano Point Sewer (SS07)	284.49		6,455.64	4,827.80
Baldwin Road Sewer Dist (SS08)	297.12		11,358.33	7,407.54
Black Point Road Sewer (SS09)	11,106.67		68,713.86	118,079.33
Hague Road Sewer (SS10)	35.13		3,178.94	2,472.22
9N & 74 Sewer (SS11)	524.84		7,568.27	6,927.80
9N & 74 Water (SW01)	-		17,116.70	16,098.00
Street Road Water (SW02)	-		8,562.89	7,440.00
Alex Avenue I Water District (SW03)	-		6,982.71	6,720.00
Homelands Water District (SW04)	-		2,896.07	2,664.00
Alex Ave II Water District (SW05)	-		10,822.25	11,939.13
Central Water (SW06)	58,076.93	181,819.48	300,419.92	183,585.49
Park Ave Water Dist (SW07)	-		8,083.29	7,770.00

**Minutes for a Regular Town Board Meeting held on March 9, 2023,
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Shore Airport Water (SW09)	123,742.55		59,342.59	146,164.27
Multi Account Total	513,442.93	513,442.93	6,758,836.97	2,786,984.66
Total Expenditures This Abstract	\$725,935.48	TRUE		

Resolution #134-2023 brought by Dave Woods, seconded by Joyce Cooper to accept the Supervisor's Report as submitted. **All In Favor** Mark Wright – Aye, Dave Woods – Aye, Joyce Cooper – Aye, Tom Cunningham – Aye. **Opposed** – None. Tom Thatcher – Absent. **Carried.**

Supervisor's Report

3/9/2023

Account Title	GFNB	NYCLASS	GFNB ICS	Total
General	1,047,335.26	169,954.30	6,127,999.36	7,345,288.92
Airport	91,356.81			91,356.81
Highway	58,146.46	84,994.70	1,470,513.90	1,613,655.06
H17 - Airport				-
H36 - Master Drinking Water	120,593.06			120,593.06
Clean Water H49 H50 H53	168,045.74			168,045.74
H56 - Sewer Pollution Right to Know				-
H57 - Parking Lot Cannonball Path				-
H58 - WWTP - HVAC Planning Grant				-
H59 - LCBP NEIWPCC				-
H61 - Chilson Eagle Lake Project				-
All other Capital Projects	578,249.72			
SS01 - Claymore				-
SS02 - Park Ave				-
SS03 - Alex Ave				-
SS04 - Homelands				-
SS05 & All Districts	425,686.40	692,758.76	1,009,794.17	2,128,239.33

**Minutes for a Regular Town Board Meeting held on March 9, 2023,
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SW06 - Central Water All Districts	674,356.80	510,965.98	56,132.47	1,241,455.25
C/R - Carillon Park		5,233.37		5,233.37
C/R - Liberty Monument		10,728.12		10,728.12
C/R - Unemployment		30,931.46		30,931.46
C/R - Police Equipment		75,760.81		75,760.81
C/R - Senior Bus		20,737.54		20,737.54
C/R - Frazier Bridge		6,750.72		6,750.72
C/R - Forfeiture		1,768.47		1,768.47
C/R - Building Improvement		332,678.94		332,678.94
C/R - General Sidewalk Improvement		204,265.78		
C/R - Building & Grounds Equipment		10,955.43		
C/R - Airport Development		102,107.27		
C/R - Highway Equipment		176,779.62		176,779.62
C/R - DA Sidewalk Repair		20,431.71		
C/R - Sewer Equipment + Infrastructure		82,393.41		82,393.41
C/R - Sewer Repair		102,598.68		102,598.68
C/R - Water Equipment + Infrastructure		263,665.14		263,665.14
C/R - Water Repair		51,271.29		51,271.29
0				-
Library Trust		34,152.00		34,152.00
Mount Hope Cemetery		28,020.48		28,020.48
				20,678,807.03
Total	9,910,469.06	3,019,903.98	8,664,443.90	21,594,816.94

**Minutes for a Regular Town Board Meeting held on March 9, 2023,
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Ordinance for No Parking along Champlain Avenue**

Resolution #135-2023 brought by Dave Woods, seconded by Mark Wright to propose and addendum #1 to the Community Generator Bid – on file in the Town Clerk's Office. **All In Favor** Mark Wright – Aye, Dave Woods – Aye, Joyce Cooper – Aye, Tom Cunningham – Aye. **Opposed** – None. Tom Thatcher – Absent. **Carried.**

Resolution #136-2023 brought by Dave Woods, seconded by Joyce Cooper to advertise for Bids for a heating system at the Ticonderoga Highway garage – on file in the Town Clerk's Office. **All In Favor** Mark Wright – Aye, Dave Woods – Aye, Joyce Cooper – Aye, Tom Cunningham – Aye. **Opposed** – None. Tom Thatcher – Absent. **Carried.**

Supervisor Wright inquired with Mr. Fuller what the next steps are for moving forward with the EMS – Fire tax exemption?

Mr. Fuller stated that you could set a public hearing for the April meeting and he can get the draft and everything to the Clerk. There are a few questions that the board will need to answer before the law can be finalized such as the percentage up to 10%, but that can be done and in front of the board within the 10 days needed to be adopted at the April meeting.

Supervisor Wright also asked Mr. Fuller what the Town needs to do to convey the Town property at 149 Lord Howe to the Ticonderoga Historical Society, they have requested to acquire this property as it is part of the Lord Howe Historic Battlefield.

Mr. Fuller agreed that this requires a Board Resolution that is subject to a Permissive Referendum, usually they put a clause of no development rights on the property if it was ever used for a non-historic or vacant purpose then the title would revert to the Town of Ticonderoga. He also needs some sort of documentation from the Historical Association, like their charter or the Certificate of Incorporation, something like that.

Resolution #137-2023 brought by Dave Woods, seconded by Tom Cunningham to hold a Public Hearing to discuss the EMS and Firefighter tax exemption on April 13, 2023, at 6:00 p.m. **All In Favor** Mark Wright – Aye, Dave Woods – Aye, Joyce Cooper – Aye, Tom Cunningham – Aye. **Opposed** – None. Tom Thatcher – Absent. **Carried.**

Public Comment

Supervisor Wright would like to ask everyone to understand some general facts and guidelines here, there has been some shouting about free speech and first amendment at our meetings. Tonight he has some clear information about this so that these meetings can be conducted in a more orderly fashion and civil fashion. The information that he wants to share is the way our

**Minutes for a Regular Town Board Meeting held on March 9, 2023,
commencing at 6:00 p.m. with a Public Hearing regarding an
Ordinance for No Parking along Champlain Avenue**

state government operates. Those that have been in this seat before, know this, some choose to ignore it.

Public Comment Guidelines:

- There is a difference between a public hearing and a town board meeting.
- A public hearing is an opportunity for public to openly speak on a specific topic and only that topic.
- The right of public attendance guaranteed by the Open Meetings Law does not include the right to participate by public testimony or comment.
- Outside of a public hearing, the public has a right to hear, but not to be heard.
- Public has the right to attend meetings of public bodies, listen to debate and watch the decision-making process.
- Public participation in the meeting of a public body outside a public hearing is a privilege, not a right.
- The public is not **entitled** to speak during a town board meeting because it's just that.
- A meeting of and for the town board, not a community forum.
- However, many town boards, including this one, include a public comment period.
- We will continue to provide this opportunity.

The town board meeting is a Limited Public Forum during which the municipality can regulate the time, place, and manner of speech for the purpose of efficiency and expedience in conducting the town's business, while not infringing upon 1st amendment rights.

Guidelines:

- 1) If you would like to make a statement or ask a question, please come up to the table and state your name so we can hear you and record your comment for the minutes.
- 2) Please limit the length of your comment to 3 minutes.
- 3) This allows the opportunity for comment by as many people as possible while maintaining a reasonable amount of time to conduct the town business in the town board meeting.
- 4) Those commenting should address the board and not each other.
- 5) Please be respectful of those speaking by avoiding side conversations and interrupting.

Mr. Lavallie would like to yield his three minutes to someone else for six minutes.

Supervisor Wright explained that there is no yielding of time – it is three minutes.

Mr. Grinnell has several comments that he would like to make about the water situation in Ticonderoga. As he knows the board is aware, Mr. Fuller is aware and most of you here are aware, the Town has been service served, on notice, by an attorney, that has been hired by

**Minutes for a Regular Town Board Meeting held on March 9, 2023,
commencing at 6:00 p.m. with a Public Hearing regarding an
Ordinance for No Parking along Champlain Avenue**

several constituents of the Town, that are completely and utterly dissatisfied with the actions of the board in regards to our water source. We feel that the board and the Town need to re-negotiate with Department of Health and the EPA, even though they refuse to do so. We are offering a chance to change that position, before further action needs to take place. It would be to the Town's benefit and the taxpayer's benefit. The ball is in the town's court. We feel there has been a lot of misinformation given, he has been criticized that he is not an engineer, he does not know what he is talking about, but let him tell you what he does know, he spent 50 years, taking architectural and engineered drawings and specifications and putting costs to them. Weighs and means to them and if he didn't get it right, he wouldn't be standing here, he wouldn't have had a successful business. He disagrees, extensively and completely with a good deal of the information coming from AES. For instance, a UV unit will deal with all the output that Gooseneck Pond is capable of, cost less than a half a million dollars. You would need a small building to put it in and some funding to go with it. He does not know where you get the millions of dollars, multiple millions. You have a proposal to drill two wells to take care of 20 homes that are going to be losing their water. That is less than 20% of the homes that are going to need a new source. You are going to spend more than 50% of your grant money to do it. His math isn't the best, but he can tell you if you try to develop property at that rate, you are going out of business in a damn hurry. (Times up)

Supervisor Wright thanked him for his comment, duly noted.

Mr. Sheldon stated that you know who he is and these people approached him a year ago for financial help to file a lawsuit against the Town and he is providing the funds. You have failed to provide adequate water for the people, you have failed to listen to the people, 700 people on petitions that say they want this re-negotiated, you have failed to do that. You are not trying to work with the people, this is a dictatorship. Because of that, people, he wants you to know, that he is in this for you, he has been in it for you right from the beginning, he is not in it for these people, because they are not in it for you, ok. We need support and we are going to go through and we are going to get our Gooseneck and Lake George water back and he tried to say that he is not going to disconnect Lake George, they are, they have been working on it, that is a lie.

Public Comment period ended at 6:58 p.m.

Presentation by Tim Halliday and Robert Crammond – Hudson Headwaters Building as Police Station

Mr. Halladay showed some drawings of the first floor of the Hudson Headwaters Building showing the sally port and some cold storage, this does change the proposed rent mentioned earlier. We have done a walk through with the Chief, he likes the layout, he picked the layout.

Councilman Woods asked if any of that is heated (sally port/cold storage)?

Mr. Halladay stated that they are not heated, that was not indicated.

**Minutes for a Regular Town Board Meeting held on March 9, 2023,
commencing at 6:00 p.m. with a Public Hearing regarding an
Ordinance for No Parking along Champlain Avenue**

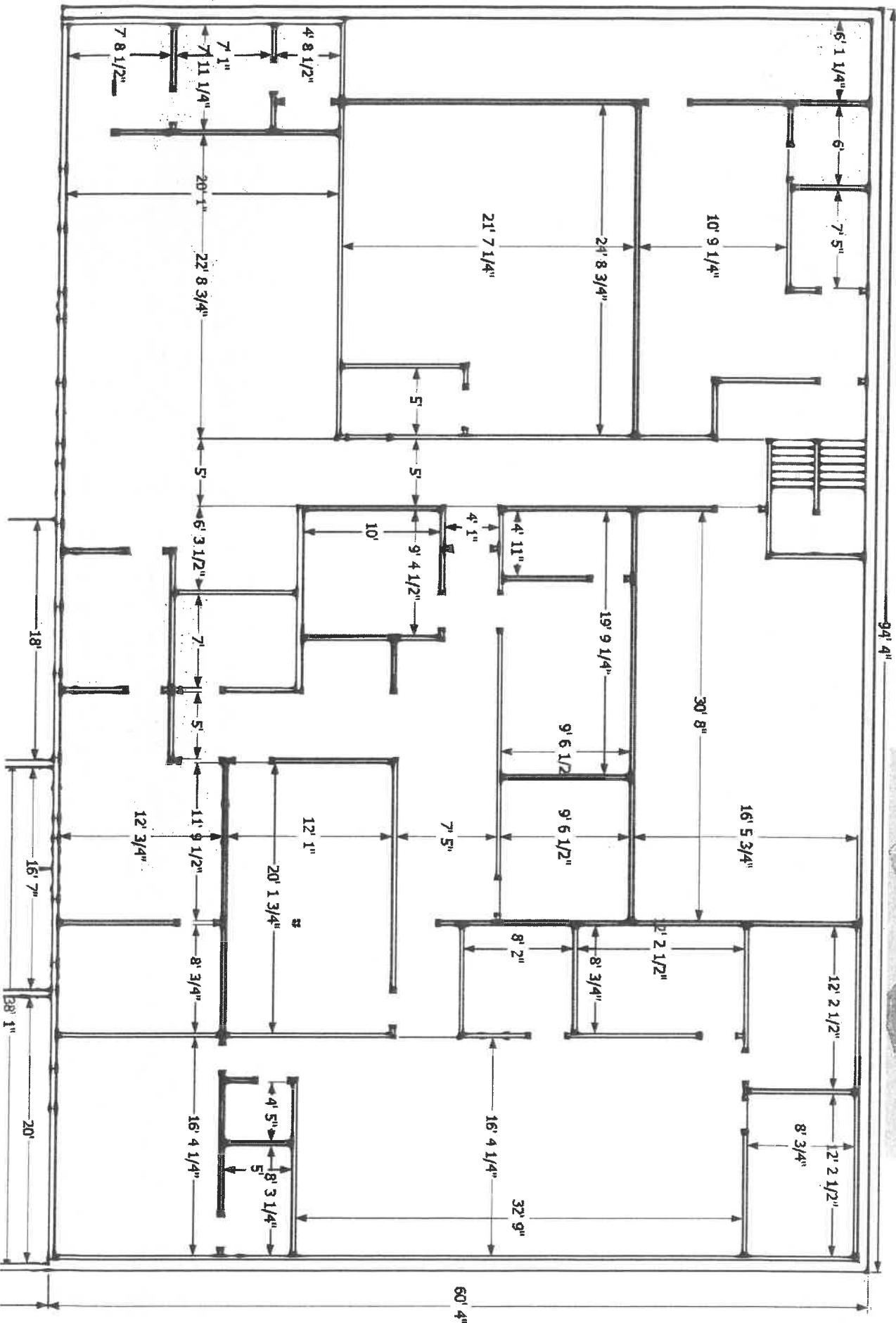
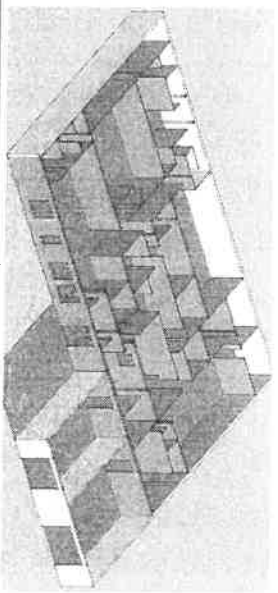
Council Woods noted that over at the Vergennes department, they wanted to use the cold storage room for an exercise room and it was cold.

Mr. Halladay stated that there is storage in the building that is heated if they want to use it for that. They also have an extra training room and your bull pen area and a locker room, so there is plenty of room if you wanted to put a work out room in this instead of storage. The total square footage of the building that we are proposing, including the outside square footage is 6,600 square feet. This is where it gets fun, the 30 year lease hasn't changed except it is \$120,000 now as it includes the sally port, per year. Then the option to buy is still there, it is in the lease that was distributed. The next number of option 3 is him taking AES's estimate of your Town Shed that was done at the municipal meeting. He took the document that AES produced for that and at that meeting Tom Thatcher asked AES what the cost per square foot of the police station was because they produced a footprint and off the top of her head, she said between 500 and 650 a square foot. So, he plugged that number into their formula and that is what you have here and obviously he reduced the size of the slab, he cut it in half to 4,400 square feet and he used all of their math, all of their contingencies and all of their expert costs scaled to this project because they are all percentages and ran the numbers with that property and he used 575 per square foot which is right in the middle of what she said between 500 and 650, that is how he got to that number and when you add in all the soft costs and site work and all the owners items and contingencies and all that, you come to 4.607 million dollars and that is how he got to that number. It was not arbitrary; it was the same method that AES came up with for their number. So, following this same first document of the cost analysis done, over 30 years, you are spending 5.079 million lease and the option to buy is about a million dollars less if you buy within the first 10 years, that is an option and then the other – he kept the maintenance the same as if it was a smaller 2 million dollar, he only used \$50,000 a year on maintenance and that is \$321,984 a month which you never get to on your lease. So, the monthly on day one is more than you will pay on your 30, which obviously there is a time value of money there and additionally, another interesting note he thought is that just the cost of the note, forget about maintenance, so building to building brand new, let's say you have no maintenance on it ever, which is not reality, the cost would be \$271,984 a month and you don't get that until you are at year 29 on your lease. Just the principle and interest on a note to build that building, you will have made payments for 29 years on that building before you get to that number that you would be paying on day one to build. So, a lot like the analysis you conducted on the Town building, renovation versus building, needless to say, when you are renovating an existing building it is far less, in addition to that, you are not paying for the renovation, we are.

Councilman Cunningham asked what is this 2.9 million?

Mr. Halladay stated it is overhead and profit, this is AES's numbers. It is pretty in his opinion crystal clear that it makes more sense to lease than it does to build new. He can't imagine what math could be proposed or discovered to refute that. The last page is the rent accelerator. Copies will be attached to these minutes. We need to talk about time, if we were to get a conceptual approval to move forward, we would start the process of getting this building closed and purchased and so we are probably 60 days out from that and then within 90 days we could have the interior of the building ready for occupancy, that may take a little longer on exterior and

Ticonderoga Police Station



Cost Analysis 102 Race Track Road							
	Town of Ticonderoga Cost	Total	Annual P&I	Monthly P&I			
Option	1	2	3	P&I	P&I		
	30 Year Lease	Option to buy			Build New 4,600 SF Building		
Cost at inception	\$120,000	\$2,000,000	\$4,607,346				
Total Debt Service*	\$0	\$3,541,966	\$8,159,533	\$271,984	\$22,665		
Maintenance	\$0	\$1,141,810	\$1,500,000	\$50,000	\$4,167		
Fit Up	\$0	\$0	\$0				
Total Cost year 1	\$120,000	\$142,065		\$321,984			
Year 10	\$156,572	\$149,370		\$321,984			
Year 20	\$210,420	\$160,140		\$321,984			
Year 29	\$274,551	\$164,042		\$321,984			
Year 30	\$282,787	\$174,613		\$321,984			
Total cost 30 years	\$5,709,050	\$4,683,776	\$9,659,533				
Timing	5 Months	1 year	2+ years				
* Ticonderoga has not been rated by Moodys or Dunn and Bradstreet. Bond prices are estimated at 4.25% + assuming an A rating.							
Info obtained from Jeanine Caruso of Fiscal Advisors & Marketing							
**Future value if invested at 4%				\$14,943,454			
**Future value if invested at 3%				\$11,832,308			

Cost Estimate to Build Using AES Method and Formulas

Gnrl Cond	Description	Quantity	Unit	#	Total
	Building permit	1		10000	\$10,000
	Project management, admin	12 months		4000	\$48,000
	Job Supervision - Site Person	10 months		8000	\$80,000
	Temp Toilet (2)	10 months		150	\$1,500
	Safety	10 Lump sum		1000	\$10,000
Site Work	Excavation and cleaning	1 Lump sum		4000	\$4,000
	Concrete Slab	108 cubic yds		450	\$48,600
	Electric	1 Lump sum		10000	\$10,000
	Generator	1 Lump sum		50000	\$50,000
New Const		4600 Sq Ft		575	\$2,645,000
Sub totals					\$2,907,100
	Contractor OH&P 15%				\$436,065
	Design Contingency 5%				\$145,355
	Subtotal Construction Budget				\$3,488,520
Owner's Items	Contingency - 15% Construction				\$523,278
	Design Architect 12% of Const cost				\$418,622
	Structural, Civil, MEP Engineering 5%				\$174,426
	Estimating, Consulting, preconstruction				\$2,500
Total Budget					\$4,607,346
NOTE - Variables are slab size and cost per sf to construct. We used middle of AES					
	verbal estimate of 500-650 per SF (575)				

Lease acceleration		Maintenance acceleration for HOA				
Year 1	\$120,000		\$24,000			
Year 2	\$123,600		\$24,720			
Year 3	\$127,308		\$25,462			
Year 4	\$131,127		\$26,225			
Year 5	\$135,061		\$27,012			
Year 6	\$139,113		\$27,823			
Year 7	\$143,286		\$28,657			
Year 8	\$147,585		\$29,517			
Year 9	\$152,012		\$30,402			
Year 10	\$156,573		\$31,315			
Year 11	\$161,270		\$32,254			
Year 12	\$166,108		\$33,222			
Year 13	\$171,091		\$34,218			
Year 14	\$176,224		\$35,245			
Year 15	\$181,511		\$36,302			
Year 16	\$186,956		\$37,391			
Year 17	\$192,565		\$38,513			
Year 18	\$198,342		\$39,668			
Year 19	\$204,292		\$40,858			
Year 20	\$210,421		\$42,084			
Year 21	\$216,733		\$43,347			
Year 22	\$223,235		\$44,647			
Year 23	\$229,932		\$45,986			
Year 24	\$236,830		\$47,366			
Year 25	\$243,935		\$48,787			
Year 26	\$251,253		\$50,251			
Year 27	\$258,791		\$51,758			
Year 28	\$266,555		\$53,311			
Year 29	\$274,551		\$54,910			
Year 30	\$282,788		\$56,558			
	\$5,709,050		\$1,141,810			

**Minutes for a Regular Town Board Meeting held on March 9, 2023,
commencing at 6:00 p.m. with a Public Hearing regarding an
Ordinance for No Parking along Champlain Avenue**

of course that is the only structure that requires prints and we will adhere to what code enforcement requires.

(Discussion on the numbers)

Supervisor Wright inquired about conceptual approval.

Mr. Halladay stated if you are at a place where you can agree that a lease is a better option and contingent of the legal aspects being approved by the Town. To him that would be conceptual approval. He has already invested about 20 grand into this project and that would give us the ability to go ahead and move forward with the title searches and getting the due diligence done with the bank and financing in place and so on knowing that conceptually this is the best option for the town, we will go forward. That is what he is seeking, that would be fantastic.

Councilwoman Cooper asked about the top floor?

Mr. Halladay stated that the top floor would also be leased out to other entities that would be just office space. While we are not going to let you pick our tenants, we won't put a dance studio up there or a day care or anything else that wouldn't be appropriate and is symmetrical with what you guys do and have some good...

Councilman Woods asked if that would be part of the lease?

Mr. Fuller stated it will be.

Mr. Halladay doesn't have a problem with that, we can restrict it with office space, the goal is to have other agencies in there, either county agencies, the court system, whoever needs space and it makes sense that they are near the police department, that is what we are aiming for here to really have it be a municipal safety building.

Councilwoman Cooper stated that she has been there as a patient, it is a very noisy building. She does not know what your thoughts are about that, but you can hear every footprint going up and down the hall, conversations in the next room and she was shocked when she went there as a patient how

Councilman Woods stated maybe on that floor it is but between floors it isn't, there is 28 inches of insulation in there, you can ask the people that were down stairs.

Mr. Halladay stated if there are multiple tenants in the upstairs, which we expect there will be, more than likely they will want some kind of protection that way.

Supervisor Wright stated obviously the Police Department is not a normal office building, what protects the first level from the second level, for example an erroneous discharge of a firearm or something like that going through the ceiling.

**Minutes for a Regular Town Board Meeting held on March 9, 2023,
commencing at 6:00 p.m. with a Public Hearing regarding an
Ordinance for No Parking along Champlain Avenue**

Mr. Halladay does not believe you can account for that any different than you would any building where the police officers are operating.

Supervisor Wright stated except that they are all police stations, they are not like an office space above it or anything like that.

Mr. Halladay does not know, everything has a risk reward, so he doesn't know if we can point to any...

Supervisor Wright stated again that this is a Police Department, it is not a call center asking people how their computers are working, so..it needs a little more protection than, maybe the space between the two floors is enough but.....

Councilman Woods stated that the Vergennes building is right on the main road....

Supervisor Wright re-iterated that they do not have....

Councilman Woods stated they can shoot through the wall.

Supervisor Wright asked if they could.

Councilman Woods stated sure ...

Councilman Cunningham stated that it is concrete..

Councilman Woods stated that it is not.

Councilwoman Cooper has to tell you, when it was talked about putting the police station in the armory and she was a resident that was against it, you have to think about the mix that you are bringing in when you bring in a police station.

Mr. Halladay agrees and that is why we believe that the county and other municipal offices which co-exist with police departments on a regular basis will be a good fit for that.

Supervisor Wright states that it was just something that he thought about, what protects the upper level from something on the bottom level.

Mr. Crammond asked how many times does that actually happen?

Supervisor Wright stated that he worked 35 years in missiles and was told many times that never happens only to sit down and watch it happen. He is looking for the what the best cost benefit is for the Town and he is not sure, lease wise, this cannot be just a normal, we are talking about a municipal lease.

**Minutes for a Regular Town Board Meeting held on March 9, 2023,
commencing at 6:00 p.m. with a Public Hearing regarding an
Ordinance for No Parking along Champlain Avenue**

Mr. Fuller stated that he is going through this lease as if the Town was going to do something, the unfortunate thing is a commercial lease doesn't work for a municipality, even the default provisions and things like that. For example, if a commercial tenant defaults on a lease, the landlord comes in and changes locks, the landlord has that right under New York Law, you can't do that with a municipal lease and you certainly can't do that with a police department. We have evidence lockers, we have obligations, so, the security deposit, a municipality does not put down a security deposit, the full faith and credit of the Town are pledged to pay the lease, there is no security deposit. There are a lot of things like that, that a normal commercial landlord may not know that the municipality does not agree to. It is doable, but the procedure is a resolution of the Town Board and it is subject to a permissive referendum, there will be a 30 day estoppel notice, this is how a municipality would buy or lease a piece of property. In the past, when he was working on the potential of the Police Department being part of the Fire Department, the initial meetings with the architect there was a big discussion about those buildings being connected and there was significant pushback from the architect and he believes it was the police department or the committee that was working on it that they couldn't be connected for some of the reasons that you are talking about. Security being the big one, you can't have somebody drilling through sheetrock or something like that to get a defendant out of the holding cell. There's an architectural basis to how you build a police department.

Supervisor Wright also noted that another item was earthquake protection and ..

Mr. Fuller agreed, just some of the meetings he was at, there was specific discussion, so he is not pro or con for this, but certainly we made mistakes on things like this in the past, not to this extent, but what you don't want to do is just do that and find out you made a mistake. He does not know what discussion there has been, honestly, what he saw was very bare bones in an email drawing. There are no specs as to what the walls are going to be, what the security is going to be, or any of that stuff, so, he doesn't know what the discussion has been with these gentlemen as to what that fit up actually looks like. If the Town was going to do it, there is a specific provision, there are requirements of what a Town has to do in terms of architectural engineers, stamped plans and things like that. The difficulty of not being a commercial tenant, if he was to run a store, he could get away with what the building code allows, but from your standpoint, there are some protective things that you guys or your consultant....

Councilman Woods stated that he went to Dave Burrows back when we originally thought about buying it and he gave me all the stats of what it has to be, it is a type b rating and as long as it is code compliant, if they meet code when they put it in... that wouldn't affect us as long as they build it per code.

Mr. Fuller explained that code and, there is no specific code that would say, to his knowledge, here is what you would need for a holding cell, or here is what you must have for an evidence room, there very well could be, DOC or

Mr. Halladay agreed that they have talked about this a little bit, one thing that is not included in our fit up is any safety and security additional things that you guys need to do.

**Minutes for a Regular Town Board Meeting held on March 9, 2023,
commencing at 6:00 p.m. with a Public Hearing regarding an
Ordinance for No Parking along Champlain Avenue**

Mr. Fuller agreed and that is not in this lease.

Mr. Halladay stated, Ok, he believes when the lease was sent that it was contingent on a little more detail. Absolutely, that is where, no matter if you build it or lease it, you are going to do safety and security, no matter what. As far as the cost benefit analysis, it is neutral on both sides.

Councilman Woods stated whatever plans it took to build it new would be the same as it would be doing it over as long as it is code compliant.

Mr. Halladay agreed and that is where we would deliver code compliance and then if you need to do safety fit ups because a police station requires it, in this regard it is like a commercial tenant. If you are going to lease it like a book store, you are going to have a different fit up than if you were to lease it as a restaurant. You will have all sorts of different fire code, even though the building may be the same.

Councilman Cunningham gets this back to the discussion of the facilities meeting and these very specification things. That was looking for AES to give us a proposal, you were in the meeting, to do a specification, what it would require to specify and the requirements for us to be in that building and also to, a proposal of what to do for the next step on the floor plan for the new build police department and work up those specs, so we would have comparisons on specs and to him that seems like the next logical step, otherwise, we could get into a lease and then find out that we need to go spend another however much money to make it a proper police department. He thinks we need the input from our engineers, at least their proposal to put the detailed specs together for this and the specs together for a new build in order to be able to make them an actual informed decision on which way to go.

Councilman Woods stated that dollar wise you can't get any more specific.

Councilman Cunningham stated that those are his dollars, not our dollars.

Councilman Woods continued on to say that the building is code compliant..

Councilman Cunningham agreed that there is code compliant, and there is police station (inaudible) there are nation wide recommendations that have come in and different things out there that are probably not required, but are strongly suggested to build a police station and those are things that need to be taken into consideration. It is not just code compliance, there are other things that need to be taken into consideration..

Councilman Woods stated that this is why they are called specifications, if it is code compliance. If it meets code compliance for a police department, then that is all that we need, we are not obligated, they are the ones that are going to comply

Councilman Cunningham stated that he is not arguing that, what he is

Mr. Fuller spoke up to say this is not what he (Mr. Halliday) is saying

**Minutes for a Regular Town Board Meeting held on March 9, 2023,
commencing at 6:00 p.m. with a Public Hearing regarding an
Ordinance for No Parking along Champlain Avenue**

Councilman Cunningham stated that what he is saying is that he (Mr. Halliday) needs those specifications in order to know what those actual costs are and the cost that we put in there as a new build are obviously his costs and we need our costs.

Mr. Halladay stated that the costs that we put in were from the costs from AES, not him..
(inaudible)

Councilman Cunningham stated we want to see this from our engineer..

Mr. Fuller stated that there is a cost savings if they do the fit up, if it is a turn key fit up, there is some negotiation to be had there.

Councilman Woods is sure they have their own engineers, we don't need AES again to go over two more buildings. They have engineering firms, they can do just what AES has done.

Councilman Cunningham stated that we are not going to rely on someone that is not contracted with the Town to perform those services...

Councilman Woods stated maybe you won't but we could..

Councilwoman Cooper asked what Mr. Halliday's background is.

Mr. Halladay will go back about 32 years, he was a navy nuclear power plant operator and instructor for the US Navy. While he was in, he decided that he had enough bosses to last him a lifetime so he started flipping houses, so he had a construction company when he got out, that was the last time he was gainfully employed, June 10th of 1990. Since then, he has flipped houses for quite a few years, at the peak of what we were doing, we were buying a house a week and that was all him, and from there, he shifted into doing subdivisions, we did 5 major subdivisions in Saratoga County and countless minor subdivisions. We built some houses, we split some lots and then the market shifted out from under him, his business model was buy land, subdividing it and selling it to the end user and overnight, people stopped buying lots. The banking industry shifted under him and he didn't realize that, once he understood that, he decided for some extra cash flow and this is in the mid 90's right after the first crash that he started this business in, he started originating loans and he realized that the most money he ever had was putting transactions together, so he started, he worked for someone for five years and then he managed the business for five years and then he opened Victory Funding which is a mortgage company in Malta, NY that he still owns today as one of his main businesses and so we offer commercial hard money loans for flippers, we finance flippers, we do first time home buyers, FHA, USDA and all the residential products and all that. He has a real estate company that he started about the same time, actually before the mortgage company, he has that. He has a property management company which is the name of this company here (Upstate Professional Management LLC) in which he manages hundreds of units in the City of Albany and he still buys properties, renovates properties and resells properties for himself. He is an investor in a bunch of real estate related businesses. Most of what he owns is commercial, and he does residential, but he also does commercial. One of the partners in this particular endeavor has built

**Minutes for a Regular Town Board Meeting held on March 9, 2023,
commencing at 6:00 p.m. with a Public Hearing regarding an
Ordinance for No Parking along Champlain Avenue**

and owned dozens of post offices including some in the North Country up here. We have a breath of experience with that kind of a lease, that is about as wonky as a municipal lease as you can get is a Post Office. He has done nothing but real estate or real estate related stuff for a very long time.

Supervisor Wright noted that this has to go to permissive referendum, so that we won't be able to sign any kind of lease before that.

Mr. Fuller agreed that the soonest would be a resolution subject to PR and then 30 days after that.

Councilman Woods asked if he takes the Chiefs drawings and take that to a licensed engineer and they review what the Police Department wants and comes back with stamped drawings..

Mr. Fuller stated that we should have a discussion about that Councilman Cunningham is not completely wrong. The engineer stamp is only to the person it is certified to and that is not the Town.

Mr. Swart was listening to the cost comparisons and he did not do this but he believes the break down is different there are some things that may be in our cost, so you are not comparing apples to apples.

Mr. Halladay stated to Mr. Fuller's point, our fit up is code compliant for a commercial building, that is our proposal. So, the safety and security fit up is on the Town, regardless.

Mr. Swart does not know that this is in the estimate that we did or not.

Mr. Halladay noted that you haven't done an estimate yet. You have not done an estimate to fit this building up. His estimate for new construction was based on AES's estimate formulas for the Town building and then Erin said the cost for square foot would be 500 to 650, so it was off the cuff.

Councilman Woods is asking why AES has to do it. If we have a (inaudible) he is just saying that they want two studies on a new building and if they are going to do it (inaudible)

Councilman Cunningham is saying that we need a proposal.

Councilman Woods stated that would cost us money.

Mr. Halladay stated that he is asking for an estimate to do an estimate.

Councilman Cunningham stated that the cost estimate from them to perform what needs to be done on here to get proper specs and to do the same thing for a new police department. That is just a proposal that will come to the Town Board and the Town Board can agree to proceed down

**Minutes for a Regular Town Board Meeting held on March 9, 2023,
commencing at 6:00 p.m. with a Public Hearing regarding an
Ordinance for No Parking along Champlain Avenue**

both paths so they can compare both of them or they can agree to discard one and go with the other.

Councilman Woods asked if it would be the same new or rehabbed? Call that a new building.

Mr. Swart is not sure if the estimates we gave included some of that or not.

Councilman Cunningham stated that the estimates that were given were on the highway department, so those are different.

Mr. Halladay stated even if it was the same new or fit up, it is still no different to them, but again if you compare renovation to new construction it is half. If you are going to pay for safety and fit up, safety and security anyway, it will be half in a building that exists with all brand new walls and sheet rock and everything else brand new. Probably less than half, but that is his point with that. What he is trying to get to, and he understands, studying this endlessly is an option, probably not the best option, but he doesn't know if it is arguable that there is, that it is not less expensive to go with a lease at this point. He thinks it is obvious. He is trying to get us to agree that it makes more sense to lease than it does to build. He can't imagine anybody to present numbers to indicate that it is not correct. Would you agree with that.

Councilwoman Cooper knows what you are saying, but the bottom line is that this is almost six million dollars for a building that we don't own and that bothers her.

Mr. Halladay stated that this will be over 30 years.

Councilman Cooper stated this really bothers her that we would spend that much money, we will be of tax payers money in a building that we don't own.

Mr. Halladay asked if it would be better to own a building for eight million dollars?

Councilwoman Cooper expressed that maybe some changes need to be made to the plans, she doesn't know, this is not her expertise.

Mr. Halladay continued by asking if he was buying a business or leasing a business, he would choose to own, but that is because when he sells it, he makes money. The equity to the Town is no equity to the Town, the value is today because it is the taxpayers money. If you were to sell something and make money for the Town and reduce taxes with it, he can help you with that, he flips properties for 30 years.

Councilman Woods stated this is a win/win, we do not need another building to maintain. We have enough now, depending on if Matt agrees on the lease or comes up with a lease, it is a win/win situation to him and Tom Thatcher agrees, and Jeff Cook.

Councilwoman Cooper would like to hear what Tom Thatcher has to say.

**Minutes for a Regular Town Board Meeting held on March 9, 2023,
commencing at 6:00 p.m. with a Public Hearing regarding an
Ordinance for No Parking along Champlain Avenue**

Supervisor Wright stated that we are not going to make any kind of a decision, he does not know what we can give you tonight to make you comfortable of what you are going to do in the future.

Mr. Halladay stated that he has requested an extension, his contractual obligation to get an approval of some sort ends tomorrow, so he has requested another 30 day extension. He wasn't aware that we needed to have a public hearing, (it is permissive referendum). Theoretically, if we did the data that we are looking for and the Town is interested in it, we could approve this at the next meeting with a resolution?

Mr. Fuller again stated that it would be subject to a permissive referendum.

Mr. Halladay asked if we could sign the lease the day after?

Mr. Fuller stated no, it is thirty days after the publication, usually a publication is about a week after the meeting and then 30 days out. So, it would be 40 days out.

Councilman Woods stated that he believes everything hinges on Mr. Fuller.

Mr. Fuller stated no, you all have to decide that. He can deal with the lease, but the board needs to make the decision. The lease is not the, it is the logistics and physical....

Supervisor Wright stated for him it is the language of the lease to protect the Town ...(inaudible)

Mr. Halladay agrees, and he knows there is a security deposit in there, he is completely fine without a security deposit. These are things that, the difference between a thousand dollar lien on someone's house or a judgement against them, a lien is everything they own.

Supervisor Wright does think it is important for the Town engineer to do a check.

Councilman Cunningham agreed and believes they will have the proposal it back in a couple of weeks.

Mr. Halladay asked what the proposal because when he was there, he didn't hear anyone asked them to do anything with this building.

Councilman Cunningham stated that they were asked to create a proposal for this building....

Mr. Halladay noted what he understood was she was to do a proposal on a new construction..

Councilman Cunningham stated yes, that they were asked to do two, one new and on the second was to create town specifications and requirement to do that building (HHHN). There are two proposals that they are working on.

Mr. Halladay again asked what are we asking AES, to come up with NYS Code on a police department.

**Minutes for a Regular Town Board Meeting held on March 9, 2023,
commencing at 6:00 p.m. with a Public Hearing regarding an
Ordinance for No Parking along Champlain Avenue**

Councilman Cunningham stated that we are asking AES to come up with Police Department Codes, not just New York State..

Mr. Halladay stated he can google that and save you \$2,500.00 bucks. Done!

Councilman Woods stated yes, that is his point.

Mr. Halladay stated his concern is that we get three weeks down the road and we get a proposal and we have to get to another meeting to agree to the proposal. The concern is timing should be important, he knows it is important to do the right thing for the community, but you are operating out of a condemned building. There has to be some urgency.

Supervisor Wright stated that there has been an urgency for the last umpteen years.

Councilman Cunningham understands the urgency, but we have to do what is prudent, otherwise we will find ourselves potentially in a jam with the Town and possible the state that we did not follow proper procedures. We cannot get rushed into doing something until we have our t's crossed and our I's dotted. He has no feelings of which is the right way to go or the wrong way to go at this point, we just need to make sure we do what we need to do and part of that is making sure that people that are working on behalf of the Town come up with the specifications and requirements both for a new build and to renovate that building so that we know what those real costs are and that is what he thinks needs to happen.

Supervisor Wright is in favor as long as the cost benefit works out.

Councilman Cunningham stated that we also need to have a discussion if we continue the lease for 30 years, what happens at the end of that time period.

Mr. Halladay stated that as the lease stands right now we have proposed two 10 year extensions, we could do 50 years for all he cares.

Supervisor Wright stated that we have to protect ourselves.

Mr. Fuller also wants to keep in mind that these leases are executory, they have to execute themselves. If you have experience with Post Offices then you know it, the federal government can walk away from those leases. This Town Board can bind, but the future Town board it could get dicey. You can get a 30 year lease, but from an investment standpoint, that is the risk that they are taking. Those Post Office leases are very lucrative, but the governor can walk away and they have.

Mr. Halladay asked if there was anything else that he can do for the board. What he plans on doing starting tomorrow is to find those NYS Codes and specifications and if there is anything specific for a police department and he will distribute them and he will have a conversation with

**Minutes for a Regular Town Board Meeting held on March 9, 2023,
commencing at 6:00 p.m. with a Public Hearing regarding an
Ordinance for No Parking along Champlain Avenue**

Matt or his attorney will or someone will regarding what we agree to do and what we don't so anything that is NYS Code for a type B building, he can tell you that they are going to do.

Mr. Fuller must keep it clear, he does not decide what you are or are not going to do. Anything that gets negotiated that has to come through the Town Board.

Mr. Halladay stated that he understands that, he wants to make it crystal clear in the document.

Mr. Fuller again stated that you definitely want to take a look at this lease again, the way it is written – landlord agrees to make modifications to the premises that meets the needs of the tenant at landlords sole cost and expense. That is the access and fit up, you may want to look at that. That is a blank check and he does not believe that is what you mean to do.

Mr. Halladay believes there is more clarification in the lease, but if there is not then you are absolutely right. The reason that he said that they would let you know is if there is something that is crazy above and beyond the, that is specific to the police department, then we likely won't agree to it and it would be your expense. No matter what, it is going to be y our expense.

More discussion about codes and the difference between NYS Codes and the build up of Police Departments – that is where the Engineers come in.

Mr. Halladay ended with this, what he would like, and this maybe irrelevant, but he would like if we can at the next meeting a resolution to move forward with the least and again, not contingent or maybe it is contingent on reviewing something, but that way the resolutions, once the clock starts on the 40 to 60 days of the referendum, he is sure that would suffice for his approval under the lease, he thinks that would be fine. That would be his goal and as he understands and he will say it out loud one more time, what we are trying to get to is that what we are going to do to this (HHH) is not only NYS Code compliant but meets any additional specifications for a police department and agree on who is doing that work. If that is us and it changes the lease price then that is fine and to Matt's point, he might save the Town another hundred thousand dollars or half a million of dollars looking at these numbers. That is between now and then and closer to now because he doesn't want to give you something the day before and expect you to have reviewed that. He will work diligently with Matt to get the lease in a condition that makes sense if that is ok with you guys, does that make sense.

Mr. Fuller will be back to the board before that.

Supervisor Wright asked if there is any more discussion for the board.

Mr. Fuller stated that he does have a brief executive for the Board.

Resolution #138-2023 brought by Dave Woods, seconded by Tom Cunningham to exit the Regular Town Board meeting at 7:54 p.m. and enter into an executive session for attorney/client discussion. **All In Favor** Mark Wright – Aye, Dave Woods – Aye, Joyce Cooper – Aye, Tom Cunningham – Aye. **Opposed** – None. Tom Thatcher – Absent. **Carried.**

**Minutes for a Regular Town Board Meeting held on March 9, 2023,
commencing at 6:00 p.m. with a Public Hearing regarding an
Ordinance for No Parking along Champlain Avenue**

Resolution #139-2023 brought by Dave Woods, seconded by Tom Cunningham, to exit out of Executive session at 8:00 p.m. and re-enter the Regular Town Board meeting. **All In Favor** Mark Wright – Aye, Dave Woods – Aye, Joyce Cooper – Aye, Tom Cunningham – Aye. **Opposed** – None. Tom Thatcher – Absent. **Carried.**

Meeting adjourned at 8:00 p.m.

Respectfully submitted, Tonya M. Thompson, Town Clerk

**TOWN OF TICONDEROGA
BOARD MEETING AGENDA (Thursday, March 9, 2023; 6:00 p.m.)**

Pledge to the Flag

Opening Remarks

COVID Update

Board of Health

Presentations

Public Hearings

- Order Restricting Parking within Designated Areas EMS Services for Ticonderoga

Committee reports

Airport TT

Building Grounds Parks Rec Library JC/DW

Economic Development MW

Highway / Transfer Station DW

RESOLUTION to enter into an agreement with Essex County Department of Public Works (DPW) for 2023 to spend town highway funds.

Municipal Facility Evaluation TC

Public Safety DW

RESOLUTION adopting proposed ordinance prohibiting parking on the west side of Champlain Avenue between Algonkin Street and Father Jogues Place in the Town of Ticonderoga.

**Minutes for a Regular Town Board Meeting held on March 9, 2023,
commencing at 6:00 p.m. with a Public Hearing regarding an
Ordinance for No Parking along Champlain Avenue**

Public Works MW

RESOLUTION to change the billing account for 170 Champlain Ave (170 Champlain Ave. LLC) to 2 EDU Water and 2 EDU Sewer, as the property has been changed to 1 apartment in a commercial building.

RESOLUTION to change the billing account for 85 Cossey Street (Carol Tucker) to a Vacant Lot fee of .10 EDU Water and .10 EDU Sewer, as the house has been removed from the lot.

RESOLUTION authorizing the creation of a purchase order in the amount of \$23,000.00, to In-Pipe Technology for an Advanced Oxidation Process lift station control unit, with funds to come from SS09 Fund Balance.

RESOLUTION to approve Lead Service Line Replacement Project Change Order No. 02 which adjusts the substantial completion and final payment dates. Remaining funds can accomplish approximately 15 additional properties requiring approximately ten (10) working days. The \$40,000 hard cap will not be exceeded.

RESOLUTION to send Caleb Winter to the Basic Laboratory Course at SUNY Morrisville June 12-16. Cost for course, motel, and lab gear is \$1,268.43. There will also be milage and meal reimbursement.

RESOLUTION to send Caleb Winter to the Activated Sludge Course at SUNY Morrisville June 20-23. Cost for course, motel, and book is \$1,065.39. There will also be milage and meal reimbursement.

Human Services - Youth JC

Human Services - Seniors TC

Health Insurance MW

Contract Negotiations MW

I.T. / Cable T.V. MW

Resolutions

RESOLUTION authorizing the following budget transfers:

- | | | |
|--------------|---|------------|
| ○ A.1989.400 | Contingency | (\$173.92) |
| ○ A.1370.410 | Discount on Taxes TWC (Franchise Fee) | \$158.92 |
| ○ A.1650.455 | Central Communications System General Website | \$15.00 |

Fund underbudgeted General accounts from Contingency (Balance after transfer \$74,607.38).

RESOLUTION authorizing the following budget adjustments:

**Minutes for a Regular Town Board Meeting held on March 9, 2023,
commencing at 6:00 p.m. with a Public Hearing regarding an
Ordinance for No Parking along Champlain Avenue**

- A.3620.862 Safety Inspection Code Enforcement HSA \$2,500.00
- A.3625.497 Rescue Squad Public Safety \$70,000.00

Funding account by General Fund Balance for Budget Correction and Contract fulfillment.

- SS09.8130.405 Sewage Treatment & Disposal Contr. (Black Point) \$23,000.00
- SS09.8130.405 Sewage Treatment & Disposal Cont. (Black Point) \$13,204.20
- SS05.8120.220 Sanitary Sewers Equipment \$55,022.44

Funding accounts by Sewer Fund Balances to cover repair costs and equipment purchase order.

RESOLUTION authorizing the following Inter-Fund Transfer:

- A.9950.900 General Inter-fund Transfer (\$499.30)
- H61.5031 Chilson / Eagle Lake \$499.30

Transfer funds from General to Eagle Lake Water Project.

RESOLUTION authorizing the following Inter-Fund Loans:

- A.0391 General Due From Other Funds (\$14,317.11)
- H18.0630 Airport Pavement Management Due To Other Funds \$14,317.11

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

- A.0391 General Due From Other Funds (\$8,595.20)
- H20.0630 Airport Environmental Assessment \$8,595.20

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

RESOLUTION to approve the renewal agreement with Pontem Software for continued use by the Cemetery.

RESOLUTION to approve the replacement of the host server in the Community Building at a cost not to exceed \$21,887.52. The current server dates to 2015 and has exceeded its life expectancy for performance, dependability, and security. Funding to come from contingency.

RESOLUTION to approve the replacement of the Ticonderoga Police Department server at a cost not to exceed \$19,085.27. The current server dates to 2015 and has exceeded

**Minutes for a Regular Town Board Meeting held on March 9, 2023,
commencing at 6:00 p.m. with a Public Hearing regarding an
Ordinance for No Parking along Champlain Avenue**

its life expectancy for performance, dependability, and security. Funding to come from contingency.

RESOLUTION to approve the replacement of the town board room computer system used to live stream and record town board meetings at a cost not to exceed \$1,257.15. The current system is no longer fully capable to perform as required.

RESOLUTION to convert two additional parking spaces on the north side of the Armory nearest the north side entrance to handicap parking only with appropriate parking space paint color designation and signage.

RESOLUTION to provide a letter of support for the National Grid Ticonderoga Energy Storage Project.

RESOLUTION to go out for bid for sidewalk repair and replacement to the extent of available funds using \$100,000.000 in ARPA funding and the remaining \$14,650 in the general fund sidewalk capital reserve which is reimbursable through a NYSDOT Master Capital Project Agreement (ref: Resolution #290-2020).

RESOLUTION to adopt the revised Senior Bus Policy (February 2023 revision).

RESOLUTION to accept the minutes of the February 9, 2023, Regular TB Meeting and the February 23, 2023 Finance Meeting.

RESOLUTION to Pay the Abstract.

RESOLUTION to accept the Supervisor's Report as submitted.

Town Clerk, Tonya Thompson

Attorney, Matt Fuller

Public Comment

Adjourn the Town Board Meeting