

Minutes for the Ticonderoga Monthly Financial Meeting with Any Other Lawful Business that may Arise along with a Public Hearing regarding the Town’s Litter Law on the Property located at 64 The Portage

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

Absent: Heath Towne, Councilman

Others: Codes Officer Dave Burrows, Mark Yaw, Kyle Dinsmore, Louis Forkas (arrived after the Public Hearing)

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

Public Hearing

Supervisor Wright opened the Public Hearing.

PLEASE TAKE NOTICE that a public hearing will be held by the Town Board of the Town of Ticonderoga on April 25, 2024, at 8:30 a.m. at the Offices of the Town of Ticonderoga, 132 Montcalm Street, Ticonderoga, New York, to discuss potential enforcement of Local Law 5 of 2003 titled “Regulating Litter in the Town of Ticonderoga” with regard to property at 64 The Portage, Tax Map Parcel 150.59-5-5.100, Ticonderoga, Essex County, New York. Enforcement may include, pursuant to section 7 of said local law, an order from the Town Board authorizing the cleanup of the property at the owner’s expense and assessing the cost thereof to the owner and pursuant to said local law. Persons wishing to be heard on this matter must appear at said hearing.

Supervisor Wright noted that this is the first of two Public Hearings on this matter. Today is the violation of the Litter Law for the property at 64 The Portage. The second will be held at the next regular Town Board meeting in May regarding the Nuisance Law at 64 The Portage. If you go into the Litter Law and Section 3.

Section 3. Storage of garbage.

No person shall throw, deposit, accumulate, store, or cause to be thrown, deposited, accumulated, or stored, any filth, waste, tin cans, bottles, garbage, rubbish, refuse or any discarded substances in or upon any private property within the Town of Ticonderoga except in a receptacle such as a garbage can or garbage bin used for the collection and removal of the above.

Then in Section 5

Section 5. Penalties.

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The Building Inspector, or any person defined as a "police officer" pursuant to the New York State Criminal Procedure Law, is authorized to issue an appearance ticket, in compliance with the provisions of the Criminal Procedure Law, to any person who is violating any provision of this Law, requiring such person to appear before a Town Justice. Such a violation shall constitute a violation punishable by a fine not exceeding Two Hundred Fifty Dollars (\$250). Subsequent violations of this Law by the same person(s) shall constitute a misdemeanor punishable by a fine not exceeding One Thousand Dollars (\$1,000), or by imprisonment in the Essex County Jail for not more than one year, or by both such fine and imprisonment. Each day's continued violation of this Law shall constitute a separate additional misdemeanor.

Codes has issued four Orders to Remedy after the initial Order to Remedy after July 5, 2023. There have actually been five (5) orders to remedy on this. His office has recommended this board to pursue action regarding this case in terms of the Litter Law and he can add to this if he would like.

Mr. Burrows was going to take a ride over this morning but did not have a chance to see if anything had been done because there is one gentleman that had come into his office to tell him that he will take care of the litter issue. He is going to be staying there. He recommended him to be here for this meeting and he is not here. He did call the other day and he believes that he will be coming to the Nuisance Law meeting, but he is not here so.

Supervisor Wright continued explaining how this would work. The Town gives the property owner a certain number of days to rectify the problem and he is recommending seven (7) business days, which is short but they have already received five (5) orders to remedy. If it is not cleaned up by the expiration of that date then the Town can take care of that themselves and send the bill to the property owner. The property owner would then have 30 days to pay that back in full and if that is not paid then the Clerk's Office takes over and applies that to the taxes of the individual property and it will become a lien on that property until it gets paid.

Mark Yaw stated that he is monitoring that property and yes, yesterday they cleaned the back deck off but all they did was throw all of it under the deck. His wife takes care of his property and he doesn't know if you have ever seen the piles of garbage there, but why do we have to live next to that. He has observed the tenants that live there, specifically one person that that garage that burned, that is the first storage area for the garbage to get collected, if you look in there, it is chucked full of garbage. That is where he was going in there and dumping. He caught him one night throwing his garbage in there and he just wants it cleaned up.

Kyle Dinsmore stated that he had to get out of work to make this meeting at 8:30 a.m. which was difficult but felt it was needed. His house is right next door to that building, he has dozens and dozens of videos from the cameras that he has to have all around his house because of the constant drug trafficking, weapons, theft everything is coming out of that house right now and he

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is more than willing to share all the videos that he has. People are climbing in and out, underneath the porches at 2:00 in the morning. Duffle bags going out the windows, people running around naked. He has zombies just standing in his front yard for two hours. He understands that the police are doing the best they can, but they pick them up, they bring them down, they release them and they are right back there the next day. It is terrible, the garbage pile outside is just continually getting bigger. Nobody is even supposed to be living there right now but yet, every day someone is bringing garbage there, stolen bicycles are starting to pile up in there and now that is just where everything is ending up. He honestly is in fear for his safety from the activity that goes on there. He doesn't feel like he should live in Town and have to have eight (8) cameras on his house to make sure that he is not going to get robbed or stabbed or shot. The opportunity was there the first time when he was gone to lock that place up, the opportunity was there when he was just locked up again, nobody was living there; that would have been the time. As those people start moving back in they are going to get squatters rights. He had to deal with it in Schroon Lake, he had to take care of 10 people, he spent \$40,000.00 to eliminate the 10 people that would not leave the property because once they are in, they take hold and then it becomes a government issue where you can't get them out. Before anyone moves in there again, it needs to be boarded up.

Councilman Woods asked if there was something that the Department of Health could take care of quicker than the Town.

Mr. Yaw stated that his wife did call and there was nothing that they could do.

Supervisor Wright stated that this is a Town matter. He reiterated the process that we are going to go through for those that showed up a bit late. Today we will address the litter law violation and then at the May meeting we will be discussing the actual issue with the violations.

Mr. Dinsmore asked about the level of fentanyl that was found there, to him that is a health hazard. Some one could die just from exposure because they were in that place. That alone is a reason to condemn it. He has seen it in Vermont, where people who have meth labs in buildings are condemned because they are not safe anymore.

Supervisor Wright again explained the process and added that at the May meeting we will discuss pulling the Certificate of Occupancy, that is an issue at that meeting. We have already announced that we will have that Public Hearing next month and that is the process. If the CO is pulled, the house will be boarded and locked and of course Law Enforcement will address any trespassers.

Councilman Woods asked if these were young kids going in there?

Mr. Dinsmore stated that there are people of all different ages. When they are dealing out of it, yes, unfortunately, he has seen 12, 13 year old kids going in and out of there. Honestly, right now, he thinks that this is where they are storing stuff and they are dealing out of the apartment building across the street. They will come over at 2:00 in the morning, they get their duffle bags out of that building and they go to that other building and then they distribute from there. He

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thinks that is why they are hiding under the porches; the attic lights have been on lately. They think they are avoiding the cameras by going in and out of the front of the building but he has his cameras up so that he can see just about everything that they do.

Mr. Yaw stated that he sees a Vermont car in the driveway at least once a week late at night, about 1:00 in the morning, so he doesn't know if that is who is breaking in, how they are getting in, but it is still going on there.

Mr. Dinsmore agreed, it comes up on a train from NYC, they pick them up at the train station and bring them there. If you pay attention, it is very easy to see the traffic and who is going where and what is doing what. Two days ago a car showed up there at 10:30 at night and he went out and it was a husband and wife from Johnstown that are somehow working out a deal with him while he is in prison. I asked them what they were you doing over there and they said oh, we are moving in. As of two days ago, someone tried to move in there.

Public Hearing closed at 8:43 a.m.

Resolution #192-2024 brought by Mark Wright, seconded Joyce Cooper directing the Order to the property owner, Timothy Welch; to remedy the violation within seven (7) business days from the issuance which will be today's date of April 25, 2024 (that would be by May 8th, 2024, close of business). **All in Favor** Mark Wright – Aye, Dave Woods – Aye, Joyce Cooper – Aye, Tom Thatcher – Aye. **Opposed** – none. Heath Towne – Absent. **Carried.**

If this property is not cleaned by that May 8th date, the Town will send someone in to remove that garbage and send the bill to the property owner. The property owner will then have 30 days from that date to pay the bill and if it is not paid it will go against their taxes and a lien will go against the property. In May we will discuss the Certificate of Occupancy with the Nuisance Law.

Code Enforcement will compose the letter for the 7 day clean-up.

Resolutions for Consideration

Resolution #193-2024 brought by Dave Woods, seconded by Joyce Cooper to amend Resolution #183-2024 to read: to advertise for NYS Part-Time Police Officers. Must hold an active BMP Certification. Rate of pay will be \$28.53/hr., no benefits. **To correct a Resolution from the April Regular Town Board Meeting.** **All in Favor** Mark Wright – Aye, Dave Woods – Aye, Joyce Cooper – Aye, Tom Thatcher – Aye. **Opposed** – none. Heath Towne – Absent. **Carried.**

Resolution #194-2024 brought by Tom Thatcher, seconded by Dave Woods authorizing training and prepayment vouchers for registration, hotel, meals, and travel for Derrick Fleury and Colt Russell to attend the NY Rural Water Annual Conference at Turning Stone, May 19-22, 2024. The training cost per person is \$440.00. Room accommodation is \$684.00 per person. Total cost per person \$1,124.00, plus travel & food expenses. **All in Favor** Mark Wright – Aye, Dave

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Woods – Aye, Joyce Cooper – Aye, Tom Thatcher – Aye. **Opposed** – none. Heath Towne – Absent. **Carried.**

Resolution #195-2024 brought by Dave Woods, seconded by Tom Thatcher authorizing the publication of a legal notice regarding an Application for Debt Exclusion by the Town of Ticonderoga on project C5-5520-11-00. **All in Favor** Mark Wright – Aye, Dave Woods – Aye, Joyce Cooper – Aye, Tom Thatcher – Aye. **Opposed** – none. Heath Towne – Absent. **Carried.**

Resolution #196-2024 brought by Tom Thatcher, seconded by Joyce Cooper authorizing the Supervisor to extend a non-binding purchase offer and applicable documentation to representatives of Hudson Headwaters Health Network concerning property at 102 Racetrack Road. **All in Favor** Mark Wright – Aye, Dave Woods – Aye, Joyce Cooper – Aye, Tom Thatcher – Aye. **Opposed** – none. Heath Towne – Absent. **Carried.**

Resolution #197-2024 brought by Dave Woods, seconded by Joyce Cooper to acknowledge Kasey Slater has declined the Summer Program Food Service Helper position. **All in Favor** Mark Wright – Aye, Dave Woods – Aye, Joyce Cooper – Aye, Tom Thatcher – Aye. **Opposed** – none. Heath Towne – Absent. **Carried.**

Resolution #198-2024 brought by Mark Wright, seconded by Tom Thatcher authorizing the Supervisor to issue a request for Qualifications and Proposals for Engineering Services for the Town's water meter project funded by the Green Infrastructure Grant Program (GIGP) #2159 CWSRF Project # C5-5520-13-00. **All in Favor** Mark Wright – Aye, Dave Woods – Aye, Joyce Cooper – Aye, Tom Thatcher – Aye. **Opposed** – none. Heath Towne – Absent. **Carried.**

Resolution #199-2024 brought by Dave Woods, seconded by Tom Thatcher to accept with great regret the resignation of Jennifer Gendron effective May 3, 2024. **All in Favor** Mark Wright – Aye, Dave Woods – Aye, Joyce Cooper – Aye, Tom Thatcher – Aye. **Opposed** – none. Heath Towne – Absent. **Carried.**

Resolution #200-2024 brought by Dave Woods, seconded by Joyce Cooper to acknowledge Amy Tucker's last day in her position of Deputy Town Clerk effective April 14, 2024. **All in Favor** Mark Wright – Aye, Dave Woods – Aye, Joyce Cooper – Aye, Tom Thatcher – Aye. **Opposed** – none. Heath Towne – Absent. **Carried.**

Resolution #201-2024 brought by Joyce Cooper, seconded by Dave Woods to offer employment to Katrina Johnson as Summer Program Food Service Helper (\$18.55/hr, no benefits) for the 2024 Summer Food Program. **All in Favor** Mark Wright – Aye, Dave Woods – Aye, Joyce Cooper – Aye, Tom Thatcher – Aye. **Opposed** – none. Heath Towne – Absent. **Carried.**

CAPITAL PROJECT REVIEW

- **Updates to airport apron and runway project reimbursements.**
- **Updates to the airport environmental assessment project.**
- **Final reimbursement from NYS on the Veteran's Road Culvert project is in work.**

OTHER BUSINESS

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DISCUSSION: Police vacation time cash in.

There is a current contract in effect with the Police and their Union. The Board agreed to continue to follow the contract agreement that is in place.

DISCUSSION: Police K9 Sylvamo grant, W9, and Form 990.

The Chief and Officer Cook have been asked to submit a proposal to the board for their review. In the meantime, we can approve the acceptance of the grant to utilize for some other purpose if the K9 program does not come to fruition.

Resolution #202-2024 brought by Dave Woods, seconded by Tom Thatcher authorizing the Supervisor to Execute a letter to Sylvamo in acceptance of a grant offered to the Ticonderoga Police Department. **All in Favor** Mark Wright – Aye, Dave Woods – Aye, Joyce Cooper – Aye, Tom Thatcher – Aye. **Opposed** – none. Heath Towne – Absent. **Carried.**

Meeting adjourned at 9:20 a.m.

Respectfully submitted, Tonya M. Thompson, Town Clerk

Town of Ticonderoga
Town Board Finance Meeting Agenda (Thursday, April 25, 2024; 8:30 a.m.)

Pledge to the Flag

Public Hearings

- Local Law 5 of 2003 - Regulating Litter Regarding 64 The Portage.

RESOLUTION to amend Resolution #183-2024 to read: to advertise for NYS Part-Time Police Officers. Must hold an active BMP Certification. Rate of pay will be \$28.53/hr., no benefits.

To correct a Resolution from the April Regular Town Board Meeting.

RESOLUTION authorizing training and prepayment vouchers for registration, hotel, meals, and travel for Derrick Fleury and Colt Russell to attend the NY Rural Water Annual Conference at Turning Stone, May 19-22, 2024. The training cost per person is \$440.00. Room accommodation is \$684.00 per person. Total cost per person \$1,124.00, plus travel & food expenses.

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RESOLUTION authorizing the Supervisor to extend a non-binding purchase offer and applicable documentation to representatives of Hudson Headwaters Health Network concerning property at 102 Racetrack Road.

RESOLUTION to acknowledge Kasey Slater has declined the Summer Program Food Service Helper position.

DISCUSSION: Police vacation time cash in.

DISCUSSION: Police K9 Sylvamo grant, W9, and Form 990.

Capital Projects Review

- Updates to airport apron and runway project reimbursements.
- Updates to the airport environmental assessment project.
- Final reimbursement from NYS on the Veteran's Road Culvert project is in work.

Other Business

Adjourn

Ticonderoga Capital Projects

| Capital Project # | Date Started / Closeout | AES # | Project Name | Grant Program | Project # (Funding Agency) | Funding Agency | Project Status | | | Grant Budget | Match | | | Total Expenditures | Reimbursed | |
|-------------------------|-------------------------|-------|---|---|---|----------------|----------------|----------|------|----------------|--------------|--------------|--------------|--------------------|--------------|--------------|
| | | | | | | | In work | complete | open | | closed | Federal | State | | Local | Federal |
| CURRENT PROJECTS | | | | | | | | | | | | | | | | |
| H18 | 2020 / 3/2022 | N/A | Airport Pavement Management Program | Airport Improvement Program (AIP) Grant | 3-36-0196-024-2020 | FAA | x | x | | \$62,117.00 | \$61,000.00 | \$0.00 | \$0.00 | \$61,000.00 | \$55,904.89 | N/A |
| H18 | 2021 / TBD | N/A | Runway 2-20 Pavement Rehabilitation | Airport Improvement Program (AIP) Grant | 3-36-0196-030-2022 1907.34 K007519 | FAA/NYS | x | x | | \$1,022,616.28 | \$108,090.00 | \$6,005.00 | \$6,005.00 | \$120,100.00 | \$99,063.00 | \$6,005.00 |
| H19 | 07/2020 / 11/2023 | N/A | Airport Reconstruction Taxiway Rehabilitation (Airport Apron/Taxiway) | Airport Improvement Program (AIP) Grant | 3-36-0196-032-2023 1907.36 T042053 | FAA/NYS | x | x | | \$902,516.28 | \$812,264.65 | \$45,125.81 | \$45,125.81 | \$863,127.19 | \$812,264.64 | \$3,837.66 |
| H20 | 2021 / TBD | N/A | Airport Environmental Assessment/Land Acquisition | Airport Improvement Program (AIP) Grant | 3-36-0196-025-2020 3-36-0196-031-2022 1907.35 K007519 | FAA | x | x | | \$1,047,043.91 | \$102,891.00 | \$0.00 | \$1.00 | \$101,100.63 | \$849,736.72 | \$44,846.41 |
| H60 | 2019 / 2022 | 4921 | Veterans Road Culvert/Bridge NY | Bridge NY | 1761.09 | NYS DOT | x | x | | \$624,723.00 | \$0.00 | \$518,154.50 | \$106,588.50 | \$615,557.99 | N/A | \$120,184.19 |