

**Ticonderoga's Monthly Financial Meeting and any other Lawful Business held on
October 27, 2015 commencing at 11:30 a.m. with a Public Hearing regarding
Amending Local Law #2 of 2015 Establishing Health Insurance for
Retiring Elected Officials and Employees in the Town**

Present: R. William Grinnell, Supervisor
David Iuliano, Councilman
Fred Hunsdon, Councilman
Chattie Van Wert, Councilwoman
Matthew Fuller, Town Attorney
Tonya M. Thompson, Town Clerk

Absent: Wayne Taylor, Councilman

Others: Amy Quesnel, Paul Dixon, Chief Johns, John Bartlett

Supervisor Grinnell opened the meeting shortly after 11:30 a.m.

Public Hearing - Amendment to Local Law #2 of 2015 which Establishes a Health Insurance Policy for Retiring Elected Officials and Employees in the Town

Please take notice that a public hearing will be held by the Town Board of the Town of Ticonderoga on October 27, 2015 at 11:30 a.m. at the Offices of the Town of Ticonderoga, 132 Montcalm Street, Ticonderoga, NY to discuss a proposed Local Law amending Local law 2 of 2015 which established a health insurance policy for retiring elected officials and employees in the Town of Ticonderoga. Copies of the proposed local law is available at the Town Hall, 132 Montcalm Street, Ticonderoga, NY during regular business hours. All members of the public and interested parties are permitted to appear and be heard.

Supervisor Grinnell explained that this is basically a language clean-up as recommended by our HR representative and our Attorney. It involves elected officials and retirees' health insurance.

Councilwoman Van Wert would like to ask about the Section 4. #4 - This talks about having to be enrolled in the Town's insurance plan for 2 years prior to retirement. What if it was somebody who had been covered under their spouses insurance, but that insurance was not going to be available after they retire. Does it have to be that they are covered under the Town's insurance or can it be under any health insurance. It could be that they had insurance with somebody else.

Mr. Fuller explained that this law was brought to prevent somebody from jumping from somebody else's insurance onto the Town's just for the benefit. Basically, if it was something that they didn't have before and didn't use, then you were not going to just extend that benefit for no good reason. What you run into is that somebody may just take it, just to take it and be double insured.

Councilwoman Van Wert again explained, say you have this with your spouse and your spouse passes away and you lose it - something like that, it just seems that there could be some unfortunate circumstances.

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Mr. Fuller explained that really this is a policy question, it is up to you as to who you want to cover and how broad you want to make this.

Public Hearing closed at 11:40 a.m.

Resolution #350-2015 brought by David Iuliano, seconded by Fred Hunsdon to accept the Amendments to Local Law #2 of 2015 Establishing a Health Insurance Policy for Retiring elected Officials and Employees in the Town of Ticonderoga. **This Resolution was tabled and is continued at the end of this meeting.**

Resolution #351-2015 brought by R. William Grinnell, seconded by David Iuliano to table Resolution #350 of 2015 Amending Local Law #2 of 2015 Establishing a Health Insurance Policy for Retiring elected Officials and Employees in the Town of Ticonderoga for legal discussion in Executive. **All in Favor** R. William Grinnell - Aye, David Iuliano - Aye, Fred Hunsdon - Aye, Chattie Van Wert - Aye. **Opposed** - none. Wayne Taylor - Absent. **Carried.**

Resolutions for Consideration

Resolution #352-2015 brought by Fred Hunsdon, seconded Chattie Van Wert supporting the following prepays processed;

To Excellus, \$33,848.17 for November Health Insurance, voucher #11006

A.9060.8 \$18142.49 DA.9060.8 \$6200.40 SS05.9060.8 \$5010.08 SW06.9060.8 \$4495.20

To Guardian, \$590.68 for October Eye & Dental Insurance, voucher #11010

A.9060.8 \$422.99 DA.9060.8 \$91.82 SS05.9060.8 \$7.97 SW06.9060.8 \$67.90

To Excellus, \$3285.76 for November Retiree Health Insurance, voucher #11007

A.9060.8 \$3285.76

To Simply Prescriptions, \$2771.20 for November Retiree Prescription Premium, voucher #11005

A.9060.8 \$2771.20

To First Bankcard, \$2669.00 for September Credit Card, voucher # 11004

A.3120.4 \$2087.33 SS05.8120.4 \$148.72 SW06.8310.4 \$77.50 A.8510.4 \$355.45

All in Favor R. William Grinnell - Aye, David Iuliano - Aye, Fred Hunsdon - Aye, Chattie Van Wert - Aye. **Opposed** - none. Wayne Taylor - Absent. **Carried.**

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Resolution #353-2015 brought by David Iuliano, seconded by Chattie Van Wert supporting the following prepays processed;

To Fitzgerald Morris Baker Firth, \$1700.00 for September attorney, vouchers 11008&11009

SW06.1420.4 \$755.00 SS05.1420.4 \$945.00

To Meyer & Fuller, \$3,408.90 for September attorney, voucher #11011

H36.1420.4 \$1127.40 A.1420.4 \$1296.00 DA.1420.4 \$297.00 SS05.1420.4 \$391.50

SW06.1420.4 \$297.00

To WE Aubuchon, \$164.74 for September invoices, voucher #11012

SW06.8320.4 \$42.37 SW09.8340.4 \$122.37

To Tractor Supply, \$397.31 for September charges, voucher #11013

A.3120.4 \$49.99 DA.5130.4 \$307.33 SW06.8340.4 \$39.99

To Town of Ticonderoga, \$4757.90 for 2015 Court Officer reimbursement, voucher #11014

A.1110.4 \$4757.90

All in Favor R. William Grinnell - Aye, David Iuliano - Aye, Fred Hunsdon - Aye, Chattie Van Wert - Aye. **Opposed** - none. Wayne Taylor - Absent. **Carried.**

Resolution #354-2015 brought by David Iuliano, seconded by Chattie Van Wert approving the following budget adjustments;

Increase A.2770 Increase A.1620.4 \$ 722.88

Increase A.2770 Increase A.3120.4 \$ 722.87

IP grant award of \$1445.75 to purchase an AED

10/23/15 GR #9019, 6/12/15 voucher #9851

Increase A.2770 Increase A.7620.4 \$ 205.00

Lake George Steamboat refunded overpayment

10/20/15 GR #8990, 10/09/15 voucher #10792

Increase A.2770 Increase A.6989.4 \$ 7500.00

Partial reimbursement from Visitor Bureau for 2015 fishing tournaments

10/22/15 GR #9012, various dates & vouchers #9133, 9805, 9946, 9947, 10091, 10460, 10471, 10472

Increase A.2770 Increase A.3120.4 \$ 4757.90

2015 Police invoice for court officer

10/22/15 GR #9015, September 30, 2015 invoice

Transfer from A.1989.4 Contingency to A.1220.4 Supervisor contractual \$1000.00

Town Board resolution # 337-2015 remove tree on Wiley St

Transfer from H36.8310.4 contractual to H36.1440.4 engineering \$1700.00

Transfer within H36 accounts for AES invoice #10080

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All in Favor R. William Grinnell - Aye, David Iuliano - Aye, Fred Hunsdon - Aye, Chattie Van Wert - Aye. **Opposed** - none. Wayne Taylor - Absent. **Carried.**

Resolution #355-2015 brought by Chattie Van Wert, seconded by Fred Hunsdon to create a capital project named The Portage Green Storm water Bumpout Program. The Revenue will come by the Memorandum of Agreement entered into April 1, 2015 between New England Interstate Water Pollution Control commission and Town of Ticonderoga (contract #LC96177101-1, NEI job code: 0990-003-007, project code: L-2015-09). **All in Favor** R. William Grinnell - Aye, David Iuliano - Aye, Fred Hunsdon - Aye, Chattie Van Wert - Aye. **Opposed** - none. Wayne Taylor - Absent. **Carried.**

Resolution #356-2015 brought by Fred Hunsdon, seconded by Chattie Van Wert creating a capital project budget of \$40,827.00 for The Portage Green Storm Water Bumpout Program.

Increase H52.3089	MOA/Grant Reimbursement	\$19,986.00
Increase H52.5031	In Kind Services	\$20,841.00
Increase H52.1440.4	Engineering (AES project #4356)	\$8,051.00
Increase H52.8110.4	Contractual	\$32,776.00

All in Favor R. William Grinnell - Aye, David Iuliano - Aye, Fred Hunsdon - Aye, Chattie Van Wert - Aye. **Opposed** - none. Wayne Taylor - Absent. **Carried.**

Resolution #357-2015 brought by Chattie Van Wert, seconded by Fred Hunsdon creating a Capital Project named Clean Water Main, for underground storm water piping from battery Street to Cannonball Path. The revenue will come by an EFC loan C5-5520-07-00. **All in Favor** R. William Grinnell - Aye, David Iuliano - Aye, Fred Hunsdon - Aye, Chattie Van Wert - Aye. **Opposed** - none. Wayne Taylor - Absent. **Carried.**

Resolution #358-2015 brought by Chattie Van Wert, seconded by David Iuliano creating a capital project budget of \$1,096,606.00 for the Clean Water Main.

Increase H53.5789	Debt/EFC	\$1,096,606.00
Increase H53.1440.4	Engineer (AES project #4394)	\$122,364.00
Increase H53.1420.4	Attorney Estimate	\$17,435.00
Increase H53.8340.4	Contractual Estimate	\$956,807.00

All in Favor R. William Grinnell - Aye, David Iuliano - Aye, Fred Hunsdon - Aye, Chattie Van Wert - Aye. **Opposed** - none. Wayne Taylor - Absent. **Carried.**

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Resolution #359-2015 brought by Chattie Van Wert, seconded by David Iuliano
amending the FEMA transmission line project budget, aka H48;

Increase H48.4960	FEMA	\$1,900,287.00
Increase H48.1440.4	Professional Services estimate	\$219,657.00
Increase H48.8310.4	Contractual	\$1,680,630.00

All in Favor R. William Grinnell - Aye, David Iuliano - Aye, Fred Hunsdon - Aye,
Chattie Van Wert - Aye. **Opposed** - none. Wayne Taylor - Absent. **Carried.**

Resolution #360-2015 brought by David Iuliano, seconded by Fred Hunsdon authorizing
the following training including Registration, Travel, and Meal expenditures on the Town
Credit Card; Chattie Van Wert, Annual Training, Association of Towns, NYC - February
14-17, 2016 and Karla Vigliotti, Annual Training, Association of Towns, NYC, February
14-17, 2016. **All in Favor** R. William Grinnell - Aye, David Iuliano - Aye, Fred
Hunsdon - Aye, Chattie Van Wert - Aye. **Opposed** - none. Wayne Taylor - Absent.
Carried.

Resolution #361-2015 brought by David Iuliano, seconded by Chattie Van Wert
awarding AES Northeast the engineering contract for the Community Center & Armory
Building Electronic Door Installation project. **All in Favor** R. William Grinnell - Aye,
David Iuliano - Aye, Fred Hunsdon - Aye, Chattie Van Wert - Aye. **Opposed** - none.
Wayne Taylor - Absent. **Carried.**

Resolution #362-2015 brought by David Iuliano, seconded by Fred Hunsdon
reappointing Eric Stoddard to the Zoning Board of Appeals. (send a letter of
appreciation) **All in Favor** R. William Grinnell - Aye, David Iuliano - Aye, Fred
Hunsdon - Aye, Chattie Van Wert - Aye. **Opposed** - none. Wayne Taylor - Absent.
Carried.

Resolution #363-2015 brought by David Iuliano, seconded by Chattie Van Wert
supporting the following prepays processed; To State Comptroller Office, \$12,442.00 for
September court revenue, voucher #11003 - A.0690, \$12,442.00. **All in Favor** R.
William Grinnell - Aye, David Iuliano - Aye, Fred Hunsdon - Aye, Chattie Van Wert -
Aye. **Opposed** - none. Wayne Taylor - Absent. **Carried.**

Miscellaneous Discussion

Liberty Affordable Housing proposal

Supervisor Grinnell found this letter quite interesting. Liberty Affordable housing has
taken upon themselves to take an entity that is owned by the Town of Ticonderoga (our
water system) and determine what the rates should be and what we should be allowed to
charge Moses Circle Apartments. Also, we do not have the legal right to differentiate
between users.

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Much Discussion was held.

LIBERTY AFFORDABLE HOUSING INC.

P.O. Box 549
Rome, New York 13442
315/334-9333

Thomas F. Kirkpatrick
Executive Director

October 19, 2015

William Grinnell, Supervisor
Town of Ticonderoga
132 Montcalm Street
Ticonderoga, NY 12883

RE: Proposal Regarding Water and Sewer Billing of Moses Circle Senior Apartments

Dear Bill,

In response to your willingness to have the Town consider a compromise proposal from Liberty Affordable Housing Inc. regarding the current water and sewer fees at Moses Circle, this letter presents what we believe is a fair and realistic basis for agreement.

- Liberty has paid the balance due the Town for 2014 water and sewer services provided to Moses Circle Senior Apartments which was added to the taxes for Moses Circle. Even though Liberty was contesting the charges, additional fees were added to the original billed amounts. Though we have paid that balance under protest, we did so in the spirit of working out a resolution with the Town.
- This extra payment will be a credit towards future water and sewer charges for Moses Circle Senior Apartments through a schedule of total annual payments over the next five years as follows. The payment amounts are calculated to reflect Liberty's willingness to pay water /sewer charges beyond its originally budgeted amounts.

- 2015	55%	of current EDU Billing Rate	\$13,750
- 2016	60%		\$15,000
- 2017	65%		\$16,250
- 2018	70%		\$17,500
- 2019	70%		\$17,500

(Note: Dollar figures based on expected 2016 charge @100% per Sue Huestis (rounded to \$25,000) and provided as reference.

- The above amounts, based on the agreed upon percentages, will be paid on a quarterly basis per the Town's normal billing procedures.
- The above percentages will be fixed once agreed upon. If changes in the Town's formula result in charges more than the above listed amounts in any particular year, the lesser charges would apply based on the dollar reference. The exception will be Liberty will accept yearly increases of 1-2 % if that is the official Town wide increase.
- After 2019, the maximum total annual charges to Moses Circle Senior Apartments cannot exceed \$17,500 per year as derived from the percentage formula with allowable yearly increases of 1-2%. Again, if changes in the Town's formula would result in charges less than the reference dollar amount, the lesser charge would apply.

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- Liberty again points out the difficult financial realities the present water /sewer charges have created for Moses Circle Senior Apartments. Moses Circle cannot pay that amount because the rents cannot sustain such a huge increase, which is twice the amount budgeted for those charges. Moreover, the actual water usage by Moses Circle, as documented by its meter readings, does not justify the current charges, which exceed \$25,000. This is based on actual comparisons of metered water /sewer usage at other similar sized affordable housing projects owned by Liberty.
- Liberty Affordable Housing Inc. will loan the 2014 water /sewer charge balance due to Moses Circle Senior Apartments in a spirit of compromise. The property could not begin to pay that amount as its budget is structured. If no compromise is reached, the resident rents would have to be significantly raised to cover the water/sewer charges –causing the residents to bear the cost of what are extremely high charges by comparison to other senior properties. With this compromise, any necessary rent increases will be more in line with other similarly financed Liberty Senior properties.
- The above proposal charges will be subject to change if and when the Town implements a meter based billing system as long as actual charges don't exceed the guideline dollar amounts. If the meter based billing results in changes less than the reference dollar amount, the lesser charge would apply.

As the Board and you consider this proposal, please keep in mind the following points:

1. For the last year and a half, the residents of Moses Circle Senior Apartments have been aware of this billing issue and have been concerned about what it might mean for their ability to continue living at their home at Moses Circle. They are concerned about a possible large rent increase if the current excessive water /sewer fees remain in place. Please see the attached petition signed by over two thirds of the current residents urging the Town to accept a reasonable compromise from Liberty.
2. To illustrate the toll of having to raise rents sufficiently to cover \$25,000 in contested fees would have on residents, please review the Resident Profile Facts sheet which is attached. These numbers are all based upon the actual resident population at present.
3. Ironically, the current 100% EDU assessment rate, based upon usage of 300 gallons per day/ per unit, or approximately 283,000 gallons per month, can be compared with actual usage since Moses Circle has its own water meter read each month by

the Town and property staff. According to these readings, the average monthly usage is about 34,000 gallons. The fact that actual usage is just 12% of the EDU "basis" assessment is just another reason the 100% rate is very unfair for Moses Circle as affordable housing for seniors.

4. If Lord Howe Estates is permitted to continue at 50% EDU rate as was decided at last week's Board meeting,(until the water meter issue is put to a referendum), that is another example of very unfair treatment for Moses Circle and most importantly its residents. By all rights, Moses Circle should be set at the 50% EDU Rate.
5. Even with the above compromise figures in place, Moses Circle will pay more than what is the norm for water /sewer charges at other senior properties. See attached recap of total water and sewer fees actually paid by these properties.
6. Moses Circle currently pays an additional \$12,400 to the Town annually per the terms of its PILOT agreement.

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Liberty has made a commitment to Ticonderoga and is very glad to provide much needed quality affordable housing for its seniors through Moses Circle Senior Apartments. In addition, Liberty is contemplating other possibilities for providing quality housing for Ticonderoga. For these and the above reasons, we believe this proposal is accepted.

Most importantly, your fellow residents who are current and/or future residents of Moses Circle Senior Apartments deserve the quiet enjoyment of their homes at Moses Circle free from the fear of being forced to move out by the impact of unfair and excessive fees.

Sincerely,



Davis G. Yohe
Deputy Executive Director

CC: Ticonderoga Board Members
John Varecka
John Gruninger

We, the residents of the Moses Circle Senior Apartments, hereby petition the Town Of Ticonderoga to immediately reduce the current water/ sewer fees currently charged the Moses Circle Senior Apartments.

These fees far exceed those paid by similar sized senior affordable housing properties. Since the property cannot afford these fees, which work out to about an \$800 charge for each resident, Liberty will have no choice but to raise rents. The increased rents would likely force some of us to leave the peace, comfort, and security of our homes.

We demand the Town adopt a reasonable position and accept Liberty's compromise in the spirit of fairness and respect for us.

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Name	Address	Apt #
1 Barbara J. Brennan	1007 Wicker St apt 101 Ticonderoga N.Y.	101
2 Carol G. Eaton	1007 Wicker St Apt 211 Ticonderoga	211
3 Barbara Burtin	1007 Wicker St Apt 209 Ticonderoga, NY	209
4 Eva Becking	1007 Wicker St apt 207 Ticonderoga N.Y.	207
5 Joseph J. Jernon	1007 Wicker St, "102"	102
6 John T. Ryan	1007 Wicker St 308 Ticonderoga, N.Y.	
7 John A. Walker	1007 Wicker St 208 Ticonderoga, N.Y.	12883
8 Carol Hagen	1007 Wicker St #306, Ticonderoga, N.Y.	1288
9 Barbara	106 Wicker St, apt. 105	
10		
11		
12 Mary J. Holmes	MCSA apt 100	
13 Esther Walker	1007 Wicker St Ticonderoga NY	12883
14 John A. Walker	1007 Wicker St Ticonderoga NY	12883
15 Barbara Burtin	1007 Wicker St Ticonderoga NY	209
16 Barbara Burtin	1007 Wicker St Ticonderoga NY	209
17 John A. Walker	1007 Wicker St Ticonderoga NY	12883
18 Marian J. Brennan	Moses Circle apt 303	
19 Barbara Burtin	Moses Circle apt 305	
20 Barbara Burtin	Moses Circle apt 304	
21 Shirley Gales	Moses Circle apt 109	
22 Mary J. Brennan	Moses Circle apt 107	
23 Barbara Burtin	MCSA 204	
24 Barbara Burtin	#307 Ticonderoga, NY	12883
25		

Moses Circle Resident Profile Facts

- Formal Set Rents \$455 and \$550 per month (Average \$502)
- Average yearly rent \$3975 or \$331 per month (This is the average affordability standard of 30% of income)
- Qualifying Income Range For One Person:
\$21700- \$26,040
Average Income per month approx. \$1300
- 18 Residents w/incomes under \$15,000
9 Residents w/incomes under \$10,000
Lowest income currently \$8800
Example rent: 30% of \$15000 = \$375/ month

Impact of Rent Increase to Cover Additional \$25,000 in Contested Fees

- Increase rents by \$70/month for all residents to cover the loan from Liberty for the \$25,000)
- For someone paying average monthly rent of \$331 the increase would be 20%!
- For reference, the Social Security increase received this year by residents is about \$17/month on average leaving a net negative impact of \$36/month or \$432 per year.
- Other operational costs increase, so a real chance an additional \$10 month increase would be necessary.
- A total rent increase of \$80 month would then be needed to maintain the property's financial stability. This is now a \$24% increase to \$411/month. This is huge for someone on a fixed income.
- There is a very real chance this large increase would force residents to move out of their homes at Moses Circle.
- Moving forward the above increases would be halved to cover the difference for the coming year.
- Any increases by the Town in the 100% EDU rate from the current \$25,000(approx.) would further increase all the projected increases above.

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2014 Total Actual Water/ Sewer Fees Paid by Selected Senior Properties

# Units	Total \$
33	\$7,255
40	\$4,617
54	\$12,383
81	\$10,382

Report from Department Heads

Tonya M. Thompson, Town Clerk

Re-appoint Brenda Wells, BOAR

Resolution #364-2015 brought by David Iuliano, seconded by Fred Hunsdon to re-appoint Brenda Wells to the Board of Assessment Review. (send a letter of appreciation) **All in Favor** R. William Grinnell - Aye, David Iuliano - Aye, Fred Hunsdon - Aye, Chattie Van Wert - Aye. **Opposed** - none. Wayne Taylor - Absent. **Carried.**

Councilman Hunsdon would like the board to consider a resolution changing the senior bus hours of operation.

Resolution #365-2015 brought by Fred Hunsdon, seconded by Chattie Van Wert to run the Senior Bus from 7:30 a.m. to 3:30 p.m. starting November 2, 2015. **All in Favor** R. William Grinnell - Aye, David Iuliano - Aye, Fred Hunsdon - Aye, Chattie Van Wert - Aye. **Opposed** - none. Wayne Taylor - Absent. **Carried.**

Skating Rink - Attendant

Resolution #366-2015 brought by David Iuliano, seconded by Chattie Van Wert to advertise for a Skating Rink attendant for the 2015-2016 season. **All in Favor** R. William Grinnell - Aye, David Iuliano - Aye, Fred Hunsdon - Aye, Chattie Van Wert - Aye. **Opposed** - none. Wayne Taylor - Absent. **Carried.**

Transfer Station - publication

Recycle Area - will be closed Wednesdays and Thursdays November 1 through May 1

Councilwoman Van Wert would like to discuss the EDU's at the next Town Board meeting, there were still some that we knew needed to be updated and we should look into them.

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Councilwoman Van Wert wanted to mention that August 21st of 2016, Cycle Adirondack will be coming to town and they would like to be able to use Bicentennial Park -camping, setting up camp which includes setting up their caterer.

The Board agrees with allowing the use, but would like to stress to them that there is NO Swimming at the Falls in the LaChute.

Councilwoman Van Wert would also like to mention that they have been having discussions with the Snowmobile club and have invited them to the next Town Board meeting - they would like to propose a different route for their trail, their original route has been taken away with the new guardrails that were put up on Tower Avenue. (The board would like to see maps of trails).

Councilman Iuliano excused himself for work.

Councilwoman Van Wert made the board aware that they are planning on putting signs up for parking - there is question on Town owned property by Trendy Threads and by the Library. (Suggestion is to go to the Highway meeting)

End of Meeting

Resolution #367-2015 brought by Fred Hunsdon, seconded by Chattie Van Wert to exit the Monthly Financial at 12:50 p.m. and enter into an Executive Session for legal advise on the proposed Local Law amending LL #2 of 2015 regarding Health Insurance for Elected and Employees of the Town of Ticonderoga. **All in Favor** R. William Grinnell - Aye, Fred Hunsdon - Aye, Chattie Van Wert - Aye. **Opposed** - none. Wayne Taylor - Absent, David Iuliano - Absent. **Carried.**

Resolution #368-2015 brought by Fred Hunsdon, seconded Chattie Van Wert to exit the Executive Session and re-enter the Monthly Financial Meeting at 12:57 p.m. **All in Favor** R. William Grinnell - Aye, Fred Hunsdon - Aye, Chattie Van Wert - Aye. **Opposed** - none. Wayne Taylor - Absent, David Iuliano - Absent. **Carried.**

Resolution #350-2015 brought by David Iuliano, seconded by Fred Hunsdon to accept the Amendments to Local Law #2 of 2015 Establishing a Health Insurance Policy for Retiring elected Officials and Employees in the Town of Ticonderoga. **All in Favor** R. William Grinnell - Aye, Fred Hunsdon - Aye, Chattie Van Wert - Aye. **Opposed** - none. Wayne Taylor - Absent, David Iuliano - Absent. **Carried.** (This resolution was brought at the beginning of the meeting and finalized at this time - by three members present)

**TOWN BOARD OF THE TOWN OF TICONDEROGA
COUNTY OF ESSEX, STATE OF NEW YORK**

Resolution No. 251 of 2015

**Ticonderoga's Monthly Financial Meeting and any other Lawful Business held on
October 27, 2015 commencing at 11:30 a.m. with a Public Hearing regarding
Amending Local Law #2 of 2015 Establishing Health Insurance for
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Adopted October 27, 2015**

Introduced by David Iuliano
who moved its adoption

Seconded by Fred Hunsdon

**RESOLUTION ADOPTING LOCAL LAW AMENDING LOCAL LAW 2 OF
2015: A LOCAL LAW ESTABLISHING A HEALTH INSURANCE POLICY FOR
RETIRING ELECTED OFFICIALS AND EMPLOYEES IN THE TOWN OF
TICONDEROGA**

WHEREAS, the Town Board previously adopted a local law establishing a policy for health insurance benefits for certain elected officials and employees retiring from the Town of Ticonderoga (the "Town") and the Town Board has determined that certain amendments to said law are necessary and a local law has been drafted amending said Local Law 2 of 2015; and

WHEREAS, the Town scheduled a public hearing to be held before the Town Board on October 27, 2015 at 11:30 a.m. at the Offices of the Town of Ticonderoga, 132 Montcalm Street, Ticonderoga, New York, to hear all interested parties on the proposed Local Law; and

WHEREAS, notice of said public hearing was duly posted and then published in the *Times of Ti*, the official newspaper of the Town, pursuant to and in conformance with Section 20 of the Municipal Home Rule Law; and

WHEREAS, said public hearing was duly held and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to the proposed Local Law.

NOW, THEREFORE, BE IT

RESOLVED, the Town Board, upon due deliberation of the proposed Local Law and the comments presented at the public hearing, finds that the adoption of the same shall be in the best interests of the Town; and be it further

RESOLVED, the Proposed Local Law No. 5 of 2015 amending Local Law 2 of 2015, a copy of which is attached to and made a part of this resolution, is hereby adopted and shall take effect immediately upon its filing with the Department of State; and be it further

RESOLVED, this resolution shall take effect immediately.

PRESENT:

**Ticonderoga's Monthly Financial Meeting and any other Lawful Business held on
October 27, 2015 commencing at 11:30 a.m. with a Public Hearing regarding
Amending Local Law #2 of 2015 Establishing Health Insurance for
Retiring Elected Officials and Employees in the Town**

R. William Grinnell, Supervisor
Wayne Taylor, Councilman
David Iuliano, Councilman
Chattie Van Wert, Councilman
Fred Hunsdon, Sr., Councilman

AYES: 3
NAYS: 0
ABSENT: 2

{Seal}

Tonya Thompson, Town Clerk
Town of Ticonderoga

**TOWN OF TICONDEROGA
COUNTY OF ESSEX, STATE OF NEW YORK
Local Law No. 5 of the Year 2015**

**A LOCAL LAW AMENDING LOCAL LAW NO. 2 OF THE YEAR 2015
ESTABLISHING A MEDICAL INSURANCE POLICY FOR RETIRING
ELECTED OFFICIALS AND EMPLOYEES IN THE TOWN OF
TICONDEROGA**

Be it Enacted by the Town Board of the Town of Ticonderoga, as follows:

Section 1. Declaration of legislative findings

The Town of Ticonderoga (hereinafter "Town"), pursuant to General Municipal Law, § 92-a, has the authority to provide health insurance benefits to elected officials and employees whether active or retired. After due deliberation, the Town Board finds that it is necessary to adopt such a local law to determine the eligibility of elected officials and employees of the Town for health insurance benefits upon such elected official and/or employee's retirement from service or employment with the Town. The Town Board finds that adoption of such a local law is necessary and in the best interest of the Town, Town residents and Town employees and elected officials to define a Town policy for such retired elected officials and/or employees.

Section 2. Title and Authority

**Ticonderoga's Monthly Financial Meeting and any other Lawful Business held on
October 27, 2015 commencing at 11:30 a.m. with a Public Hearing regarding
Amending Local Law #2 of 2015 Establishing Health Insurance for
Retiring Elected Officials and Employees in the Town**

This Local Law shall be known as "A Local Law Establishing a Medical Insurance Policy for Retiring Elected Officials and Employees." It is adopted pursuant to Section 10 of Municipal Home Rule Law.

Section 3. Definitions

As used in this chapter, any inconsistent provisions of law notwithstanding, the following terms shall have the following meanings:

"**Employees**" means all employees of the Town of Ticonderoga.

"**Elected Officials**" means the **Superintendent of Highways** and the **Town Clerk** of the Town of Ticonderoga.

Section 4. Eligibility (employees)

An eligible retired employee of the Town must meet all of these requirements:

- 1) hired as full-time employee of the Town of Ticonderoga before August 1, 2015;
- 2) served at least **thirty years** of full-time employment with a government entity that participates in the New York State Retirement System or the New York State Teachers' Retirement System with no less than **twenty years** of that service with the Town of Ticonderoga;
- 3) attained at least **fifty-five years** of age;
- 4) retired directly from the Town of Ticonderoga; and,
- 5) entitled to receive service retirement benefits from the New York State Retirement System on the completion of Town service or within ninety calendar days thereof.

Notwithstanding the above, an employee who leaves employment due to disciplinary action will not be eligible for medical insurance or prescription drug coverage for retirees.

The Town Board of the Town of Ticonderoga reserves the unfettered right, free from judicial review, to modify these age and service eligibility requirements.

Section 5. Eligibility (elected officials)

An Elected Official in the office of Superintendent of Highways or Town Clerk is eligible provided such elected official meets all of these requirements:

- 1) took office before December 31, 2015;

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- 2) credited with least **thirty-five years** in the New York State Retirement System or the New York State Teachers' Retirement System with no less than **twenty years** of that service credited to the Town of Ticonderoga;
- 3) attained the applicable retirement age according to the laws, rules and regulations of the New York State Retirement System;
- 4) submitted an application for retirement benefits within three months of the completion of his or her final term of office; and,
- 5) entitled to receive service retirement benefits from the New York State Retirement System on the completion of Town service or within ninety calendar days thereof.

The Town Board of the Town of Ticonderoga reserves the unfettered right, free from judicial review, to modify these age and service eligibility requirements.

Section 6. Dependents

Coverage is not available for the retiree's spouse and/or dependents.

Section 7. Filing Requirements

Eligible retirees are entitled to post-retirement medical insurance as set forth herein provided the eligible retiree has notified the Town of his or her election to receive post-retirement medical insurance coverage at the time the employee or elected official submits an application for retirement with the Town. This notification must be submitted prior to the eligible retiree's completion of Town service.

Section 8. Insurance Plan

The Town Board will make available the same medical insurance plan(s) and prescription drug plan(s) that it makes available to active employees of the Town. When the retiree meets the eligibility criteria for Medicare coverage, coverage will be provided by Medicare and the Town **will not** continue to make available a medical insurance plan or prescription drug plan to the retiree.

Section 9. Premiums and Deductibles

For an eligible retiree, the Town will pay fifty percent (**50%**) of the **premium** of the medical insurance and prescription drug plan for individual coverage and fifty percent (**50%**) of any "**high deductible**" for individual coverage.

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When the retiree meets the eligibility criteria for Medicare coverage, the Town **will not** continue to make available a medical insurance plan or prescription drug plan to the retiree, however, the Town **will** pay the monthly premium cost for **Medicare Part B**.

Section 10. Town Board right to modify post-employment benefit

This Local Law is not a contract of employment, expressed or implied, and should not be construed as such. The Town Board of the Town of Ticonderoga reserves the unfettered right, free from judicial review, to modify or eliminate the post-employment medical insurance benefit set forth herein and/or the contribution that the Town makes towards the premiums and/or the “high deductible” component of the medical insurance plan.

Section 11. Applicability

This Local Law shall apply only to all eligible employees and eligible elected officials retiring on or after December 31, 2015.

Section 12. Severability

If any clause, sentence, paragraph, subdivision, section, or part of this Local Law or the application thereof to any person, individual, corporation, firm, partnership, entity, or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section, or part of this Local Law, or in its application to the person, individual, corporation, firm, partnership, entity, or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

Section 13. Effective Date.

This Local Law shall take effect upon filing with the New York State Secretary of State.

Financial Meeting Agenda

As of 10/26/2015 8:31 AM

Tuesday, October 27, 2015, 11:30am

Opening

Public Hearing

Amending Local Law #2 Health Insurance for Retirees

RESOLUTION supporting the following prepaids processed;

To State Comptroller Office, \$11585.00 for September court revenue, voucher #11003

A.0690 \$12,442.00

To Excellus, \$33,848.17 for November Health Insurance, voucher #11006

A.9060.8 \$18142.49 DA.9060.8 \$6200.40 SS05.9060.8 \$5010.08 SW06.9060.8 \$4495.20

To Guardian, \$590.68 for October Eye & Dental Insurance, voucher #11010

A.9060.8 \$422.99 DA.9060.8 \$91.82 SS05.9060.8 \$7.97 SW06.9060.8 \$67.90

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To Excellus, \$3285.76 for November Retiree Health Insurance, voucher #11007

A.9060.8 \$3285.76

To Simply Prescriptions, \$2771.20 for November Retiree Prescription Premium, voucher #11005

A.9060.8 \$2771.20

To First Bankcard, \$2669.00 for September Credit Card, voucher # 11004

A.3120.4 \$2087.33 SS05.8120.4 \$148.72 SW06.8310.4 \$77.50 A.8510.4 \$355.45

To Fitzgerald Morris Baker Firth, \$1700.00 for September attorney, vouchers 11008&11009

SW06.1420.4 \$755.00 SS05.1420.4 \$945.00

To Meyer & Fuller, \$3,408.90 for September attorney, voucher #11011

H36.1420.4 \$1127.40 A.1420.4 \$1296.00 DA.1420.4 \$297.00 SS05.1420.4 \$391.50

SW06.1420.4 \$297.00

To WE Aubuchon, \$164.74 for September invoices, voucher #11012

SW06.8320.4 \$42.37 SW09.8340.4 \$122.37

To Tractor Supply, \$397.31 for September charges, voucher #11013

A.3120.4 \$49.99 DA.5130.4 \$307.33 SW06.8340.4 \$39.99

To Town of Ticonderoga, \$4757.90 for 2015 Court Officer reimbursement, voucher #11014

A.1110.4 \$4757.90

RESOLUTION approving the following budget adjustments;

Increase A.2770 Increase A.1620.4 \$ 722.88

Increase A.2770 Increase A.3120.4 \$ 722.87

IP grant award of \$1445.75 to purchase an AED

10/23/15 GR #9019, 6/12/15 voucher #9851

Increase A.2770 Increase A.7620.4 \$ 205.00

Lake George Steamboat refunded overpayment

10/20/15 GR #8990, 10/09/15 voucher #10792

Increase A.2770 Increase A.6989.4 \$ 7500.00

Partial reimbursement from Visitor Bureau for 2015 fishing tournaments

10/22/15 GR #9012, various dates & vouchers #9133, 9805, 9946, 9947, 10091, 10460,

10471, 10472

Increase A.2770 Increase A.3120.4 \$ 4757.90

2015 Police invoice for court officer

10/22/15 GR #9015, September 30, 2015 invoice

Transfer from A.1989.4 Contingency to A.1220.4 Supervisor contractual \$1000.00

Town Board resolution # 337-2015 remove tree on Wiley St

Transfer from H36.8310.4 contractual to H36.1440.4 engineering \$1700.00

Transfer within H36 accounts for AES invoice #10080

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RESOLUTION to create a capital project named The Portage Green Storm water Bumpout Program. The Revenue will come by the Memorandum of Agreement entered into April 1, 2015 between New England Interstate Water Pollution Control Commission and Town of Ticonderoga (contract # LC96177101-1, NEI job code: 0990-003-007, project code: L-2015-09)

RESOLUTION to create a capital project budget of \$40,827.00 for The Portage Green Storm water Bumpout Program.

Increase H52.3089	MOA/Grant Reimbursement	\$19,986.00
Increase H52.5031	In Kind Services	\$20,841.00
Increase H52.1440.4	Engineering (AES project #4356)	\$8,051.00
Increase H52.8110.4	Contractual	\$32,776.00

RESOLUTION to create a capital project named Clean Water Main, for underground storm water piping from Battery Street to Cannonball Path. The revenue will come by an EFC loan C5-5520-07-00.

RESOLUTION to create a capital project budget of \$1,096,606.00 for the Clean Water Main.

Increase H53.5789	Debt/EFC	\$1,096,606.00
Increase H53.1440.4	Engineer (AES project #4394)	\$122,364.00
Increase H53.1420.4	Attorney Estimate	\$17,435.00
Increase H53.8340.4	Contractual Estimate	\$956,807.00

RESOLUTION to amend the FEMA transmission line project budget, aka H48;

Increase H48.4960	FEMA	\$1,900,287.00
Increase H48.1440.4	Professional Services estimate	\$219,657.00
Increase H48.8310.4	Contractual	\$1,680,630.00

RESOLUTION authorizing the following Training including Registration, Travel, and Meal expenditures on the Town Credit Card;

- Chattie VanWert, Annual Training, Association of Towns, New York City, February 14-17, 2016
- Karla Vigliotti, Annual Training, Association of Towns, New York City, February 14-17, 2016

RESOLUTION awarding AES Northeast the engineering contract for the Community Center & Armory Building Electronic Door Installation project

RESOLUTION reappointing Eric Stoddard to the Zoning Board of Appeals

Discussion:

Liberty Affordable Housing proposal (attached)

Town Clerk

Attorney

RESOLUTION to adjourn the Financial Town Board Meeting