

**REGULAR MEETING OF THE COMMON COUNCIL
OF THE CITY OF PLATTSBURGH, NEW YORK
OCTOBER 7, 2021
5:00 P.M.**

MINUTES

Present: Mayor Christopher Rosenquest, Councilors Jaime Canales (W1) Mike Kelly (W2), Elizabeth Gibbs (W3), Jennifer Tallon (W4), Caitlin Bopp (W5), Jeff Moore (W6)

Absent: None

1. MINUTES OF THE PREVIOUS MEETING:

RESOLVED: That the Minutes of the Regular Meeting of the Common Council held on September 16, 2021 are approved and placed on file among the public records of the City Clerk's Office.

By Councilor Bopp; Seconded by Councilor Canales
Roll call: Councilors Canales, Kelly, Gibbs, Tallon, Bopp, Moore
(All in Favor/opposed)
(All voted in the affirmative)

2. PUBLIC COMMENT ON ANY TOPIC:

Sherry Provost, resident of Underwood Avenue area, expressed concerns about conditions in mobile home park, sewage, trash, unlicensed vehicles, squatters living in tents, holes in road, feels Park manager Bruce Eaton Doesn't care, etc.

Unidentified speaker, resident of Underwood Avenue area, expressed concerns about conditions in mobile home park, no lights, rent not accounted for correctly.

Steve Krieg, 8 Mason Drive, spoke about parking meters, what is city trying to accomplish, he perceives that Council is rushing decisions on big projects and should slow down and take one step at a time.

Ron Nolland, Couch Street, spoke about Resolution 7.238 Local Law P-4, feels broad reaching, all encompassing, isn't in City's best interest, feels need committee to study and council should table or stop law.

Carol Klepper, spoke about parks, overgrown, steps eroding at Samuel de Champlain Monument. Spoke about Resolution 7.238 Local Law P-4, doesn't support and feels law will ruin quality of life. Submitted letter in to minutes dated October 7, 2021

**3. REPORTS OF CITY OFFICES & COUNCILOR/DEPARTMENT CHAIR/LIAISON
COMMITTEE REPORTS:**

City Operations – Chair Councilor Canales indicated nothing to report, no meeting Tuesday, October 12, 2021

Finance and Community Development – Chair Mayor Rosenquest indicated nothing to report, next meeting is Thursday, October 14, 2021.

City Infrastructure – Chair Councilor Moore mentioned paving done for season, met last Monday, October 4, 2021.

Public Safety – Chair Councilor Gibbs mentioned September Public Safety Committee was cancelled, asked about Fire Department Budget adjustment.

Plattsburgh Public Library – Liaison Councilor Bopp indicated nothing to report.

MLD - MLD Board President Councilor Kelly indicated nothing to report.

Corporation Counsel – Dean Schneller indicated no updates and there will be a need for an executive session at end of meeting to discuss pending litigation.

4. CORRESPONDENCE OR RECOMMENDATIONS FROM BOARDS: None

5. PAYROLLS OF VARIOUS DEPARTMENTS:

RESOLVED: That the payrolls of the various Departments of the City of Plattsburgh for the week ending October 6, 2021 in the amount of \$ 476,196.06 are authorized and allowed and the Mayor and the City Clerk are hereby empowered and directed to sign warrants drawn on the City Chamberlain for the payment thereof.

By Councilor Bopp; Seconded by Councilor Canales
Roll call: Councilors Canales, Kelly, Gibbs, Tallon, Bopp, Moore
(All in Favor/opposed)
(All voted in the affirmative)

6. AUDIT OF CLAIMS:

RESOLVED: That the bills Audited by the Common Council for the week ending October 8, 2021 in the amount of \$ 412,207.11 are authorized and allowed and the Mayor and City Clerk are hereby authorized and directed to sign warrants drawn on the City Chamberlain for the payment thereof.

By Councilor Kelly; Seconded by Councilor Canales
Roll call: Councilors Canales, Kelly, Gibbs, Tallon, Bopp, Moore
(All in Favor/opposed)
(All voted in the affirmative)

6a. PROCLAMATION: DEDICATING INDIGENOUS PEOPLES' DAY

Mayor Rosenquest presented the following proclamation:

PROCLAMATION

Serving to dedicate the second Monday in October as “Indigenous Peoples’ Day” and to celebrate and honor indigenous peoples and their shared history and culture; **also**

Serving to recognizes and adopts our true native name: Tsi’ietsen’tha.

Whereas, “Indigenous Peoples’ Day” was first proposed in 1977, by a delegation of Native Nations to the United Nations International Conference on Discrimination against Indigenous Populations in the Americas; and

Whereas, currently over 50 municipalities and 10 States celebrate “Indigenous Peoples’ Day” on the second Monday of October; and

Whereas, Columbus Day is a Federal holiday, established by order of President Roosevelt in 1937, and is officially recognized by some cities and States around the country on the second Monday of October; and

Whereas, Columbus Day serves to celebrate the colonization of North America and genocide of our Native Peoples by Europeans; and

Whereas, prior to colonization, indigenous peoples lived and flourished in the Americas for tens of thousands of years; and

Whereas, the European colonization of North America led to the suppression, forced assimilation, and genocide of indigenous peoples and their cultures; and

Whereas, the City of Plattsburgh recognizes and values the vast contributions made to the United States by indigenous peoples’ knowledge, science, philosophy, arts, and culture; and

Whereas, it is the responsibility of the City of Plattsburgh to foster inclusivity, racial equity, and justice for all people and oppose systemic practices that perpetuate oppression;

NOW, THEREFORE, I Christopher Rosenquest, Mayor of the City of Plattsburgh do hereby proclaim that the second Monday in October be designated as "Indigenous Peoples' Day" and that the City of Plattsburgh;

- (1) Is forever recognized by its native name: Tsi’ietsen’tha; and
- (2) honors and recognizes the unique contributions indigenous peoples have made to the United States of America and to our community; and
- (3) encourages the people of the City of Plattsburgh to observe “Indigenous Peoples’ Day” with appropriate ceremonies and activities that celebrate and promote awareness of indigenous peoples and their shared history and culture; and
- (4) supports the official designation of “Indigenous Peoples Day”.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the official seal of the City of Plattsburgh to be affixed.

Done in the City of Plattsburgh, New York
this seventh day of October in the year
two-Thousand Twenty-one

Christopher Rosenquest, Mayor

7. OTHER ITEMS:

7.238 ADOPTION OF LOCAL LAW P-4 OF 2021: A local law amending chapter 360 "Zoning" of the City Code of the City of Plattsburgh by amending and restating Section 360-26(A) "Off-street parking requirements" in its entirety, as well as amending any other Code references thereto.

Whereas, a Public Hearing was held on said Local Law on Thursday, July 1, 2021 at 5:00pm in the Council Chambers, 41 City Hall Place, Plattsburgh, NY 12901; and

Whereas, the proposed Local Law was referred to the Clinton County Planning Board on July 1, 2021, which County Planning Board issued a "Disapproval" of the proposed Local Law by decision dated August 5, 2021; and

Whereas, the Common Council completed its SEQRA review of this proposed Local Law and adopted a Negative Declaration pursuant to SEQRA on September 16, 2021.

This Local Law shall take effect immediately upon approval by the Mayor and filing with the New York Secretary of State. The entire text of which has been distributed to and read by the members of the Common Council, is hereby enacted without the reading thereof and a copy of said local law is made part of the minutes of this meeting.

By Councilor Gibbs; Seconded by Councilor Canales
Discussion: Yes

Roll call: Councilors Canales, Kelly, Gibbs, Tallon, Bopp, Moore
[Requires 5 affirmative Council votes]
(Councilors Canales and Tallon voted in the negative. Councilors Kelly, Gibbs, Bopp and Moore voted in the affirmative. 5 affirmative Council votes required to pass, therefore, motion not carried)

ACTION TAKEN: Defeated
Follow up Action: None

The Infrastructure Committee requested Resolutions #7.239- 7.250 be placed on the agenda

7.239 AUTHORIZE TABLING FEE FOR 2021 TRINITY PARK SPOOKY STREET EVENT

By Councilor Tallon; Seconded by Councilor Canales
Discussion: None
Roll call: Councilors Canales, Kelly, Gibbs, Tallon, Bopp, Moore
(All voted in the affirmative)
ACTION TAKEN: Adopted

Follow up Action: None

7.240 AUTHORIZE BUDGET ADJUSTMENT – GENERAL FUND – MUNICIPAL BUILDINGS CONTRACT SERVICES AND UTILITIES

By Councilor Canales; Seconded by Councilor Bopp

Discussion: None

Roll call: Councilors Canales, Kelly, Gibbs, Tallon, Bopp, Moore

(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

7.241 EXTENSION OF MULTIMODAL AGREEMENT

By Councilor Canales; Seconded by Councilor Bopp

Discussion: None

Roll call: Councilors Canales, Kelly, Gibbs, Tallon, Bopp, Moore

(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

7.242 APPROVE TRAVEL REQUESTS POLICE DEPARTMENT

By Councilor Canales; Seconded by Councilor Bopp

Discussion: None

Roll call: Councilors Canales, Kelly, Gibbs, Tallon, Bopp, Moore

(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

7.243 AUTHORIZE BUDGET TRANSFER – GENERAL FUND UNDER-BUDGETED ACCOUNTS - POLICE

By Councilor Gibbs; Seconded by Councilor Canales

Discussion: Yes

Roll call: Councilors Canales, Kelly, Gibbs, Tallon, Bopp, Moore

(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

7.244 AUTHORIZE BUDGET TRANSFER – GENERAL FUND UNDER-BUDGETED ACCOUNTS - FIRE

By Councilor Canales; Seconded by Councilor Bopp

Discussion: Yes

Roll call: Councilors Canales, Kelly, Gibbs, Tallon, Bopp, Moore

(Councilors Canales, Tallon and Bopp voted in the affirmative. Councilors Kelly, Gibbs and Moore voted in the negative. Mayor broke tie in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

7.245 AUTHORIZE CAPITAL RESERVE FUND ESTABLISHMENT – REC COMPLEX FUND

By Councilor Canales; Seconded by Councilor Bopp

Discussion: Yes

Roll call: Councilors Canales, Kelly, Gibbs, Tallon, Bopp, Moore

(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

7.246 AUTHORIZE BUDGET ADJUSTMENT – REC COMPLEX FUND ESTIMATED REVENUES AND CAPITAL RESERVE TRANSFER

By Councilor Canales; Seconded by Councilor Kelly

Discussion: None

Roll call: Councilors Canales, Kelly, Gibbs, Tallon, Bopp, Moore

(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

7.247 AUTHORIZE RIGHT OF ENTRY PROPERTY LICENSE AGREEMENT – HARBOR VIEW

By Councilor Canales; Seconded by Councilor Bopp

Discussion: Yes

Roll call: Councilors Canales, Kelly, Gibbs, Tallon, Bopp, Moore

(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

7.248 AUTHORIZE EVALUATION OF GREEN STREET

By Councilor Canales; Seconded by Councilor Tallon

Discussion: Yes

Roll call: Councilors Canales, Kelly, Gibbs, Tallon, Bopp, Moore

(Councilors Canales and Tallon voted in the affirmative. Councilors Kelly, Gibbs, Bopp and Moore voted in the negative)

ACTION TAKEN: Defeated

Follow up Action: None

7.249 AUTHORIZE HYDROSOURCE ASSOCIATES HYDROGEOLOGIC CONSULTING AGREEMENT

By Councilor Canales; Seconded by Councilor Kelly

Discussion: Yes

Roll call: Councilors Canales, Kelly, Gibbs, Tallon, Bopp, Moore

(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

7.250 AUTHORIZE SEWER SYSTEM ANALYSIS

By Councilor Kelly; Seconded by Councilor Canales

Discussion: Yes

Roll call: Councilors Canales, Kelly, Gibbs, Tallon, Bopp, Moore

(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

The Board of the Plattsburgh Municipal Lighting Department requested Resolutions #7.251 – 7.254 be placed on the agenda.

7.251 APPROVAL OF PMLD WHEELING OPERATING INSTRUCTION

By Councilor Bopp; Seconded by Councilor Canales

Discussion: Yes

Roll call: Councilors Canales, Kelly, Gibbs, Tallon, Bopp, Moore

(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

7.252 AUTHORIZING MLD TO AWARD BIDS

By Councilor Gibbs; Seconded by Councilor Canales

Discussion: None

Roll call: Councilors Canales, Kelly, Gibbs, Tallon, Bopp, Moore

(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

7.253 AUTHORIZING MLD TO ADVERTISE FOR BIDS

By Councilor Gibbs; Seconded by Councilor Kelly

Discussion: None

Roll call: Councilors Canales, Kelly, Gibbs, Tallon, Bopp, Moore

(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

7.254 AUTHORIZING MLD TO WRITE-OFF UNPAID FINAL BILLS AS REQUIRED BY THE NEW YORK DEPARTMENT OF PUBLIC SERVICE REGULATIONS.

By Councilor Kelly; Seconded by Councilor Gibbs

Discussion: None

Roll call: Councilors Canales, Kelly, Gibbs, Tallon, Bopp, Moore

(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

7.255 AUTHORIZING JOINT PUBLIC HEARING NOTICE TOWN OF PLATTSBURGH REGARDING ANNEXATION

By Councilor Gibbs; Seconded by Councilor Canales
Discussion: None

Public Hearing Date: Thursday, October 21, 2021 at 5:00pm to be held in City Hall, 41 City Hall Place, Plattsburgh, NY 12901

Roll call: Councilors Canales, Kelly, Gibbs, Tallon, Bopp, Moore
(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

7.256 Introduced: Local Law P-6 of 2021: A LOCAL LAW OFFICIALLY ANNEXING A CERTAIN PARCEL OF PROPERTY LOCATED ON REEVES LANE IN THE TOWN OF PLATTSBURGH AND IDENTIFIED ON THE 2021 TAX MAP NO. 220.-4-32 and 220.-4-31.2

By Mayor Rosenquest

Public Hearing Date set by Mayor: Thursday, October 21, 2021 at 5:15pm

7.257 Introduced: Local Law P-7 of 2021: A LOCAL LAW OFFICIALLY ANNEXING A CERTAIN PARCEL OF PROPERTY LOCATED ON SHARRON AVENUE IN THE TOWN OF PLATTSBURGH AND IDENTIFIED ON THE 2021 TAX MAP AS NO. 233.7-1-14

By Mayor Rosenquest

Public Hearing Date set by Mayor: Thursday, October 21, 2021 at 5:16pm

8. NEW BUSINESS: None

9. BUDGET MESSAGE: MAYOR'S 2022 PROPOSED BUDGET

Mayor Rosenquest delivers his proposed 2022 budget and message.

10. EXECUTIVE SESSION:

At 6:24pm Motion to enter Executive Session to discuss pending litigation.

By Councilor Kelly; Seconded by Councilor Canales
Roll call: Councilors Canales, Kelly, Gibbs, Tallon, Bopp, Moore
(All voted in the affirmative)

At 6:43pm returned from Executive Session.

By Councilor Gibbs; Seconded by Councilor Canales
Roll call: Councilors Canales, Gibbs, Tallon, Bopp, Moore.
(All voted in the affirmative) *(at 6:43pm Councilor Kelly excused himself from Executive Session and did not return to meeting)*

The following resolution was brought forward out of Executive Session and Motion to waive rule 4:

RESOLVED: In accordance with the request therefore, the Common Council approves a payment to Kathy Livingston in the amount of \$25,000 I full resolution of the litigation entitled Livingston vs City Of Plattsburgh, Index #2019-1058, and further authorized the Mayor and Corporation Counsel to execute any other documents deemed necessary by Corporation Counsel in furtherance of this resolution.

By Councilor Gibbs; Seconded by Councilor Canales
Roll call: Councilors Canales, Gibbs, Tallon, Bopp, Moore
(All voted in the affirmative to waive Rule 4)

7.258 RESOLVED: In accordance with the request therefore, the Common Council approves a payment to Kathy Livingston in the amount of \$25,000 I full resolution of the litigation entitled Livingston vs City Of Plattsburgh, Index #2019-1058, and further authorized the Mayor and Corporation Counsel to execute any other documents deemed necessary by Corporation Counsel in furtherance of this resolution.

By Councilor Bopp; Seconded by Councilor Gibbs
Roll call: Councilors Canales, Gibbs, Tallon, Bopp, Moore
(All voted in the affirmative on Resolution 7.258)

ACTION TAKEN: Adopted

11. ADJOURNMENT:

Motion to Adjourn by Councilor Gibbs; Seconded by Councilor Bopp
Roll call: Councilors Canales, Kelly, Gibbs, Tallon, Bopp, Moore
(All voted in the affirmative)

MEETING ADJOURNED: 6:44pm

RESOLUTION– 10/07/21

7.238 ADOPTION OF LOCAL LAW P-4 OF 2021

Local Law P-4 of the year 2021

Introduced by Councilor McFarlin on June 10, 2021 at a Finance and Community Development Committee meeting of the Common Council.

Public Hearing held on Thursday, July 1, 2021 at 5:00pm in the Council Chambers, 41 City Hall Place, Plattsburgh, NY 12901.

A local law amending chapter 360 “Zoning” of the City Code of the City of Plattsburgh by amending and restating Section 360-26(A) “Off-street parking requirements” in its entirety, as well as amending any other Code references thereto.

Be it enacted by the Common Council of the City of Plattsburgh as follows:

1. The City Code of the City of Plattsburgh (hereafter “City Code”) at Section 360-26(A) “Off-street parking requirements” is amended and restated in its entirety to read as follows:
 - § 360-26 (A) Off-Street parking requirements. Parcels of real property within the City of Plattsburgh shall not be required to establish a minimum number of off-street parking spaces.
2. The City Code is amended by removing Section 360-26(B)(2) in its entirety.
3. The City Code is amended by removing Section 360-21(D)(5)(d)(2) in its entirety.
4. The City Code is amended by removing Section 360-29(A)(1)(c) in its entirety.
5. This Local Law shall take effect immediately upon approval by the Mayor and filing with the New York Secretary of State.

RESOLUTION– 10/07/21

7.239 AUTHORIZE TABLING FEE FOR 2021 TRINITY PARK SPOOKY STREET EVENT

WHEREAS, The City of Plattsburgh will use Trinity Park to host a Spooky Street event on Saturday October 30 from 12PM-3PM where local businesses and organizations can set up a table and tent to distribute Halloween candy to event participants; and

WHEREAS, The City of Plattsburgh will charge a \$25 reservation fee for businesses and organizations to have a table in Trinity Park for this event; and

WHEREAS, The Community Engagement Coordinator will coordinate and complete any related ancillary tasks;

NOW, THEREFORE, BE IT RESOLVED, The Common Council Authorizes the Mayor of Plattsburgh to execute all necessary documents/the following change order/the following contract.

RESOLUTION– 10/07/21

7.240 AUTHORIZE BUDGET ADJUSTMENT – GENERAL FUND – MUNICIPAL BUILDINGS CONTRACT SERVICES AND UTILITIES

WHEREAS, the 2021 General Fund budget does not make sufficient appropriations for the required annual maintenance for the City Hall elevator and the utility accounts; and

WHEREAS, City Clerk has requested to provide for the additional costs for performing the annual maintenance on the City Hall elevator in order to have it operating safely and for providing sufficient appropriations for the City Hall utilities in 2021;

NOW, THEREFORE, BE IT RESOLVED, the Common Council Authorizes the City Chamberlain to adjust the General Fund budget, as follows:

Increase: General Fund – Muni. Buildings Contract Svcs.	11620000-4430	\$ 2,500.00
Increase: General Fund – Municipal Buildings Water	11620000-4412	\$ 1,000.00
Increase: General Fund – Municipal Buildings Sewer	11620000-4413	\$ 200.00
Decrease: General Fund – Appropriated Fund Balance	1-0599	\$ 3,700.00

This entry is to provide appropriations in the General Fund for the unbudgeted costs to service the City Hall elevator for 2021, as well as, increase the appropriations for the utility accounts. The budget adjustment increases the General Fund Budget for 2021 by \$3,700.00 for the increase in appropriations and will decrease the General Fund unassigned unappropriated portion of the fund balance in 2021 by \$3,700.00.

RESOLUTION– 10/07/21

**7.241 EXTENDING WATER SUPPLY AGREEMENT WITH TOWN OF
PLATTSBURGH MULTIMODAL FACILITY**

RESOLVED: In accordance with the request therefore the Common Council approves that the Mayor be authorized to sign an extension of Water Supply Agreement with the Town of Plattsburgh regarding tax map parcel 233.6-1-2.1.

RESOLUTION– 10/07/21

7.242 RESOLUTION TITLE: APPROVE TRAVEL REQUESTS POLICE DEPARTMENT

1. Request for two Police Department employees to attend the “2021 Mandatory Use of Force updates Training” from October 24-26, 2021, in Canton, NY. The total cost will not exceed \$487 and it will be expensed out of the Asset Forfeiture Fund. This is a required training for the Use of Force instructors to maintain compliance with New York State.

2. Request for one Police Department employee to attend the “Lead Firearms Instructor Zone 9 Police Academy Training” from October 12-14, 2021, in Cicero, NY. The total cost will not exceed \$547 and it will be expensed out of the Asset Forfeiture Fund and fully reimbursed by DCJS. This is a required training for the Firearms instructors to maintain compliance with New York State

RESOLUTION– 10/07/21

7.243 AUTHORIZE BUDGET TRANSFER – GENERAL FUND UNDER-BUDGETED ACCOUNTS - POLICE

WHEREAS, the 2021 General Fund budget makes appropriations for various costs in the police department; and

WHEREAS, the police are asking to transfer appropriations from accounts projecting a year-end surplus to accounts projecting year-end deficits for 2021;

NOW, THEREFORE, BE IT RESOLVED, the Common Council Authorizes the City Chamberlain to adjust the General Fund budget, as follows:

It is being requested to adjust the 2021 General Fund Budget, as follows:

Increase: General Fund – Police Overtime Payroll	13120000-1200	\$54,000.00
Increase: General Fund – Police Separation Pay	13120000-1500	\$45,000.00
Increase: General Fund – Police Other Equipment	13120000-2500	\$12,500.00
Increase: General Fund – Police Motor Vehicle Repairs	13120000-4452	\$10,050.00
Increase: General Fund – Police Tech. & Spec. Equip.	13120000-4330	\$ 5,000.00
Increase: General Fund – Police Training & Education	13120000-4461	\$ 2,000.00
Increase: General Fund – Police Water	13120000-4412	\$ 1,600.00
Increase: General Fund – Police Fees for Services	13120000-4440	\$ 1,400.00
Decrease: General Fund – Police Motor Vehicles 17,050.00	13120000-2300	\$
Decrease: General Fund – Police Technical Equipment 10,000.00	13120000-2400	\$
Decrease: General Fund – Police Regular Telephone 28,000.00	13120000-4414	\$
Decrease: General Fund – Police Regular Payroll 76,500.00	13120000-1100	\$

To provide for the transfer of appropriations within the Police department budget from accounts carrying a surplus through year-end to accounts with current deficits and pending deficits based on cost trends. The budget adjustment will not increase the total General Fund budget for 2021.

RESOLUTION– 10/07/21

7.244 AUTHORIZE BUDGET TRANSFER – GENERAL FUND UNDER-BUDGETED ACCOUNTS - FIRE

WHEREAS, the 2021 General Fund budget makes appropriations for various costs in the fire department; and

WHEREAS, the fire chief is asking to transfer appropriations from accounts projecting a year-end surplus to accounts projecting year-end deficits and cover the rest with appropriated fund balance for 2021;

NOW, THEREFORE, BE IT RESOLVED, the Common Council Authorizes the City Chamberlain to adjust the General Fund budget, as follows:

It is being requested to adjust the 2021 General Fund Budget, as follows:

Increase: General Fund – Fire Overtime Payroll	13410000-1200	\$206,000.00
Increase: General Fund – Fire Separation Pay	13410000-1500	\$259,000.00
Increase: General Fund – Fire Temporary Pay	13410000-1300	\$ 35,000.00
Increase: General Fund – Fire Fees For Services	13410000-4440	\$ 29,000.00
Increase: General Fund – Fire Materials & Supplies	13120000-4330	\$ 7,000.00
Increase: General Fund – Fire Contract Services	13120000-4430	\$ 7,000.00
Increase: General Fund – Fire Water	13120000-4412	\$ 2,400.00
Increase: General Fund – Fire Repairs to Equipment	13120000-4450	\$ 1,500.00
Increase: General Fund – Fire Vehicle Parts	13410000-4321	\$ 1,000.00
Increase: General Fund – Fire Print & Copy	13120000-4431	\$ 700.00
Decrease: General Fund – Fire Telephone 12,000.00	13410000-4414	\$
Decrease: General Fund – Fire Regular Payroll 75,000.00	13120000-1100	\$
Decrease: General Fund – Unass., Unapp. Fund Balance \$461,600.00	1-0599	

To provide for the transfer of appropriations within the Fire department budget from accounts carrying a surplus through year-end to accounts with current deficits and pending deficits based on cost trends, as well, appropriating an additional \$461,600 of unassigned unappropriated

General Fund, fund balance. The budget adjustment will increase the total General Fund budget for 2021 by that \$461,600.

RESOLUTION– 10/07/21

7.245 AUTHORIZE CAPITAL RESERVE FUND ESTABLISHMENT – REC COMPLEX FUND

WHEREAS, the Rec Complex Fund has need of a Capital Reserve to fund capital project improvements for the Rec Complex facilities; and

WHEREAS, the Mayor is requesting to establish a capital reserve in the Rec Complex Fund for the fiscal year 2021 and beyond;

NOW, THEREFORE, BE IT RESOLVED, the Common Council Authorizes the establishment of the Rec Complex Capital Reserve Fund, as follows:

RESOLVED, that pursuant to Section 6-c of the General Municipal Law, as amended, there is hereby established a capital reserve fund to be known as the “Rec Complex Capital Reserve Fund” (hereinafter “Reserve Fund”). The purpose of this Reserve Fund is to accumulate moneys to finance the cost of a type of capital improvement. The type of capital improvements to be financed from the Reserve Fund is the construction or reconstruction of Rec Complex facilities for future recreation program development.

FURTHER RESOLVED, that the City of Plattsburgh City Chamberlain (“Chamberlain”) is hereby directed to deposit and secure the moneys of this Reserve Fund in the manner provided by Section 10 of the General Municipal Law. The City of Plattsburgh Common Council (“Council”) and the Chamberlain may invest the moneys in the Reserve Fund in the manner provided by Section 11 of the General Municipal Law, and consistent with the investment policy of the City of Plattsburgh. Any interest earned or capital gains realized on the moneys so deposited or invested shall accrue to and become part of the Reserve Fund.

FURTHER RESOLVED, that the Chamberlain shall account for the Reserve Fund in a manner which maintains the separate identity of the Reserve Fund and shows the date and amount of each sum paid into the fund, interest earned by the fund, capital gains or losses resulting from the sale of investments of the fund, the amount and date of each withdrawal from the fund and the total assets of the fund, showing cash balance and a schedule of investments, and shall, at the end of each fiscal year, render to the Council a detailed report of the operation and condition of the Reserve Fund. Except as otherwise provided by law, expenditures from this Reserve Fund shall be made only for the purpose for which the Reserve Fund is established. No expenditure shall be made from this Reserve Fund without the approval of this governing board and such additional actions or proceedings as may be required by Section 6-c of the General Municipal Law or any other law, including a permissive referendum if required by subdivision 4 of Section 6-c.

RESOLUTION– 10/07/21

**7.246 AUTHORIZE BUDGET ADJUSTMENT – REC COMPLEX FUND
ESTIMATED REVENUES AND CAPITAL RESERVE TRANSFER**

WHEREAS, the 2021 Rec Complex Fund budget does not contain estimated revenues for or make appropriations for sale of the Chaplin House and transfer of the proceeds to a capital reserve in the Rec Complex Fund; and

WHEREAS, the City Chamberlain is requesting to adjust the rec Complex 2021 budget to include estimated revenues and appropriate for the unbudgeted transfer of the proceeds from sale of the Rec Complex property in the fiscal year 2021;

NOW, THEREFORE, BE IT RESOLVED, the Common Council Authorizes the City Chamberlain to adjust the Rec Complex Fund budget, as follows:

Increase: Rec Complex Fund – Transfer to Capital Reserve	29560000-9000	\$148,715.00
Increase: Rec Complex Fund – Sale of Property	00002127-2650	\$148,715.00

To provide for the estimated revenue received for sale of the Chaplin’s House from the Rec Complex Fund and to appropriate those funds for transfer to the Rec Complex Capital Reserve. The budget adjustment increases the Rec Complex Fund budget for estimated revenues and appropriations in 2021 by \$148,715.00.

RESOLUTION- 10/07/21

**7.247 AUTHORIZE RIGHT OF ENTRY PROPERTY LICENSE AGREEMENT –
HARBOR VIEW**

WHEREAS, Harbor View desires to enter the License Area to cut and remove scrub brush, striped maples, young poplars and other woody stemmed vegetation no greater than 2” diameter at breast height (“dbh”) located on the property paralleling that of the Condominiums at Harbor View (hereafter “Tree Line Work”). The intent is to preserve window views of the lake while avoiding clear cutting and also avoiding removing any mature trees which may cause erosion of the lake shore area, banks, or impact the structural integrity of the rail lines.

RESOLUTION– 10/07/21

7.248 RESOLUTION TITLE: AUTHORIZE EVALUATION OF GREEN STREET

WHEREAS, Vehicular and pedestrian use of Green Street has increased over the years; and

WHEREAS, Increased activity on Harborside will likely increase that activity further; and

WHEREAS, A significant component of the traffic is related to activities at the Water Resource Recovery Facility including treating hauled wastes that generate over \$1,000,000 in revenue;

WHEREAS, The City desires to have safe, sustainable, and efficient ingress and egress along this route;

NOW, THEREFORE, BE IT RESOLVED, The Common Council Agrees to and Authorizes the execution of Amendment #1, dated September 9, 2021, to the City's agreement with Barton & Loguidice for completion of the Harborside Master Plan proposal to evaluate alternatives to accomplishing this. Funding for the work included in Amendment #1's scope of services is to be provided by Capital Project H8130.64.

RESOLUTION– 10/07/21

**7.249 RESOLUTION TITLE: AUTHORIZE HYDROSOURCE ASSOCIATES
HYDROGEOLOGIC CONSULTING AGREEMENT**

WHEREAS, A Water Supply Well Field is being developed to enhance the redundancy, resiliency, robustness, and reliability of the City water supply; and

WHEREAS, A production well is being constructed and will need appropriate development, analysis, testing, and regulatory permitting; and

WHEREAS, Hydrogeology consulting services are needed to perform this work;

NOW, THEREFORE, BE IT RESOLVED, The Common Council Agrees to and Authorizes the execution all necessary documents for HydroSource Associates proposal dated July 30, 2021

Source of Funds: Water System Improvements Capital Project H 8320.79.

RESOLUTION– 10/07/21

7.250 AUTHORIZE SEWER SYSTEM ANALYSIS

WHEREAS, The City Sewer Collection System has Combined Sewer Overflows (CSOs); and

WHEREAS, The Collection System also conveys revenue generating wastewater from outside the City from the Town of Plattsburgh, including the Reeves Lane property that is being annexed into the City,

WHEREAS, A better understanding of the collection system is needed in order to properly convey existing and future sewer flow in a manner that is sustainable, regulatory compliant, and protective of public health and the environment,

NOW, THEREFORE, BE IT RESOLVED, The Common Council Agrees to and Authorizes the execution all necessary documents for CDM Smith proposal dated September 14, 2021:

The Source of Funds will be a wastewater capital project.

RESOLUTION– 10/07/21

7.251 APPROVAL OF PMLD WHEELING OPERATING INSTRUCTION

BE IT RESOLVED: That the Plattsburgh MLD Wheeling Operating Instruction has been reviewed and is on file at MLD Offices.

RESOLUTION- 10/07/21

7.252 AUTHORIZING MLD TO AWARD BIDS

1. BE IT RESOLVED: In accordance with the request therefore the MLD Board approves MLD to award for PMLD contract through State/County Contract for a F450 dump truck to Van Bortel Ford, East Rochester, NY in the amount of \$73,144.47.

2. BE IT RESOLVED: In accordance with the request therefore the MLD Board approves MLD to award for PMLD Bid #2021-8-2 “ 60 Foot Hybrid Aerial Truck with Line Service Body” to Terex Utilities, Inc., Watertown, SD in the amount of \$332,296.00.

3. BE IT RESOLVED: That No bids were received for PMLD Bid #2021-8-1 “Transformer Oil Liquid Screen and Gas Analysis testing. MLD intends with the MLD Board’s permission to advertise it, again.

RESOLUTION– 10/07/21

7.253 AUTHORIZING MLD TO ADVERTISE FOR BIDS

1. BE IT RESOLVED: In accordance with the request therefore the MLD Board approves MLD to advertise for bids for PMLD Bid #2021-10-1 “Wooden Utility Poles”. Bid opening date is November 2, 2021 at 11:00 am in the Common Council Chambers.

2. BE IT RESOLVED: In accordance with the request therefore the MLD Board approves MLD to advertise for bids for PMLD Bid #2021-8-1 “Transformer Oil Liquid Screen and Gas Analysis Testing”. Bid opening date is November 2, 2021 at 11:05 am in the Common Council Chambers.

RESOLUTION– 10/07/21

7.254 AUTHORIZING MLD TO WRITE-OFF UNPAID FINAL BILLS AS REQUIRED BY THE NEW YORK DEPARTMENT OF PUBLIC SERVICE REGULATIONS.

- 1. BE IT RESOLVED:** In accordance with the request therefore the MLD Board approves MLD to write-off unpaid final bills from September 2020 in the total amount of \$3,376.48. The percentage of write-offs for this period is .34%. The recovered amount for this period is \$1,492.02.
- 2. BE IT RESOLVED:** In accordance with the request therefore the MLD Board approves MLD to write-off unpaid final bills from October 2020 in the total amount of \$5,797.64. The percentage of write-offs for this period is .54%. The recovered amount for this period is \$1,505.30.
- 3. BE IT RESOLVED:** In accordance with the request therefore the MLD Board approves MLD to write-off unpaid final bills from November 2020 in the total amount of \$1,317.44. The percentage of write-offs for this period is .10%. The recovered amount for this period is \$346.32.
- 4. BE IT RESOLVED:** In accordance with the request therefore the MLD Board approves MLD to write-off unpaid final bills from December 2020 in the total amount of \$6,389.18. The percentage of write-offs for this period is .33%. The recovered amount for this period is \$587.91.

RESOLUTION– 10/07/21

7.255 AUTHORIZING JOINT PUBLIC HEARING NOTICE TOWN OF PLATTSBURGH REGARDING ANNEXATION

WHEREAS, pursuant to "The Plattsburgh Compact Between the City and the Town" dated as of April 16, 2021 (the "Compact"), the City of Plattsburgh Common Council, and the Town of Plattsburgh Town Board, made a commitment to resolve the conflicts of past administrations, and to focus on mutually beneficial solutions, shared goals, and regional successes to establish a strong foundational bedrock that will last far into the future, by adopting a specific framework to accomplish numerous goals, including: the resolution of all pending litigation between the municipalities; a binding path to resourcefully and efficiently adjusting the boundaries of the City of Plattsburgh ("the City") and the Town of Plattsburgh (the "Town") so that both municipalities mutually benefit; a joint planning initiative for areas where the communities intersect; and a joint infrastructure initiative, which includes the water and waste water systems and the Plattsburgh Organics Recycling Plant; and

WHEREAS, the County of Clinton served and filed a Petition for annexation to the Town of Plattsburgh (the "Town"), of certain territory situated in the City of Plattsburgh (the "City"). The property described in the petition for annexation (the "Petition") is more particularly described as follows: approximately 18.05+/- acres of real property located at 15/27 LeMay Drive in the City of Plattsburgh, comprised of Tax Map No. 233.6-1-2.1, and as further described in the legal description attached to the Petition; and

WHEREAS, pursuant to Section 704 of the General Municipal Law, the Town and the City are required to conduct a joint public hearing to hear testimony regarding the Petition which concerns itself with the annexation to the Town of certain lands described in the Petition; now therefore, be it

RESOLVED, that the Mayor and Corporation Counsel are hereby authorized to take any and all actions necessary to schedule, hold and conduct the public hearing, and any prior actions taken to schedule and publicize the public hearing are hereby affirmed.

Carol Klepper submitted in to minutes

Plattsburgh City Common Council

City Hall Place, Plattsburgh, NY 12901

RE: 7.238 ADOPTION OF LOCAL LAW P-4 OF 2021: A local law amending chapter 360 "Zoning" of the City Code of the City of Plattsburgh by amending and restating Section 360-26(A) "Off-street parking requirements" in its entirety, as well as amending any other Code references thereto.

Dear members of the Common Council:

October 7, 2021

I am in opposition to the common council's proposal to amend & remove local law chapter 360-26(A) "off street parking requirements" in its entirety from Plattsburgh city zoning code, as well as amending any other code references thereto. Removal of all off street parking requirements for all properties within the city of Plattsburgh would be a detriment to our city. After speaking to Mike Kelly and other common council members it is clear that the purpose of removal of all off street parking requirements city wide would only benefit developers like Prime, who wish to as Mike Kelly said "earn a greater rate of return on their investment." Naturally, every developer and landlord would like to create the largest possible PUD or fill their units to their highest capacity. Obviously the removal of Plattsburgh's zoning code requiring minimum parking for all multi-family dwellings would benefit all landlords and developers at the expense of the rest of the city. Such irresponsible planning would result in insufficient parking and no green space for any tenants, guests or visitors and would lead to parking problems & increased traffic and congestion throughout our city.

Remember, All of YOU were elected to serve your constituents NOT developers or greedy landlords who wish to make a greater profit at the expense of city residents!!\

Even the members of the Clinton County Planning Board, Plattsburgh's former Chairperson and members of the Zoning and Planning Board DISAPPROVE of YOUR push to remove all off street parking requirements city wide. NOT only is this ludicrous, but it makes no sense. Amendments to all city zoning codes that impact residents and the future survival of the city should and need to be carefully thought through and planned. PARKING... both off street and on street is a city wide problem and has a long reaching and permanent effect for not only our city, but neighboring communities and the county... removal of minimum parking requirements off street for any property in Plattsburgh, especially downtown and center city will reduce property values and both sales and county taxes, because it will lead to closure of downtown businesses and restaurants. **NOT to mention the problem of snow removal during winter months. Where will all the cars parked on city streets park between midnight and 6 AM when public works has to clear all streets of all snow??**

Removing off street parking requirements will force tenants, visitors and tourists to compete for limited and unavailable parking on street. Traffic, congestion and noise will increase exponentially, as more people are able to occupy buildings surrounding downtown and throughout the city. Rather than make downtown Plattsburgh a "walkable" section of town, your vote to amend and remove all minimum off street parking requirements will most definitely

make walking or bicycling on our city streets unsafe and threatening... it will detour rather than attract tourists and will prevent first time homeowners to be able to purchase historic homes, because they will be competing with developers and landlords with deep pockets.

Look around your neighborhood and you will witness evidence of insufficient parking throughout the city... I have noticed that all city parking lots and streets are full, cars parked on lawns both at rental properties and homes, because many of the parcels in Plattsburgh have small lots with inadequate space to provide additional parking off street and our city streets are narrow and highly trafficked now, which will only be exasperated, if more properties are sold as rentals without any off street parking requirements rather than occupied by families.

As a resident of Plattsburgh for over 60 years, landlord and homeowner at 17 Couch for over 30 years, I along with my neighbors have had to endure the endless noise, increased traffic, trash and degradation of nearby properties formerly owned by responsible caring residents who made center city and Plattsburgh their home... Properties throughout the city have been purchased by greedy landlords who wish to make as much money as possible at the expense of our neighborhoods.

This year alone landlords, like Ryan Earl who now owns close to 20 properties on Broad, Couch and Brinkerhoff Streets would be able to fill each unit with as many students as he can, if the council votes to remove the off street parking requirements from Plattsbutrgh's Zoning code. Approving local law P-4: removing all off street parking requirements throughout the city would benefit landlords and developers at the expense of long-time homeowners, such as myself. It would lead to fist time homeowners competing unsuccessfully with landlords with deep pockets, because home prices would be cost prohibitive. Historic homes and other properties would be sold to greedy landlords rather than being purchased by first time homeowners or families who wish to make Plattsburgh their home. **Everyone, including each one of you would be negatively impacted and the quality of life for all of us would be greatly sacrificed!**

I am surrounded by "college housing" at 4, 5,16, 18, 19, 21,23 Couch Street, this represents more than 50% of all the houses that exist at the lower end of Couch Street alone. Homeowners like myself have fought for years to encourage families and first time homeowners to make the center city their home. We have been successful in preventing money hungry landlords from buying up properties in our neighborhood and prevented further overpopulation of adjacent properties by landlords renting to non-blood related tenants due to the efforts of the building inspector being able to enforce zoning code 360-26(A) and making sure that there is sufficient off street parking to serve the occupants of these houses.

Lake Placid & other communities throughout the country are struggling with how to provide enough parking for residents, visitors + tourists. They are spending millions of dollars to build parking garages or taking over ownership of parcels to provide additional parking, which has become a tax burden to longtime residents and is forcing them to move, because homeowners can no longer afford to live in the cities where they grew up.

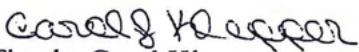
Removal of Plattsburgh's off street minimum parking requirements would abolish all efforts to reduce overcrowding in all our neighborhoods. I have spoken to other city building and zoning code officers throughout upstate New York, who wish they had off street parking requirements in their city code to reduce the overcrowding of their city streets.

If the council passes local law 4 to amend and remove all off street parking requirements throughout the city it will negate all the hard work and money the city has spent to establish Plattsburgh's rental registry. Our building inspector will tell you that off street parking requirements is one of the only means by which he can inspect multi-family units to ensure that they are not over occupied and reduce overpopulation in these rental properties. Plattsburgh is one of the few cities with universities that has the vehicle to enforce and prevent overpopulation of college students or non-blood tenants throughout the city. Do NOT remove our code enforcement officer's only method of helping to improve the quality of life for all current homeowners and future residents of Plattsburgh.

Planning ahead is the key to a successful and thriving downtown and community. A city that plans conscientiously for growth, while preserving the character of its historic districts and neighborhoods, will result in an improved quality of life for all residents, tenants and will promote tourism. As an avid hiker, I have traveled throughout the northeast, New England and Vermont and world, one common comment from all tourists and potential homeowners is that they are attracted to the character and uniqueness of neighborhoods that are safe, walkable and have lots of green space and sufficient parking for their families, guests and visitors to city.

The members of this council were elected to improve the quality of life for all Plattsburgh residents and homeowners. Long term residents NOT developers are Plattsburgh's future. Developers leave as soon as a project is built, leaving Plattsburgh residents to endure the mess that they create.

I implore YOU to work with city residents, planners and zoning board members to build a city that will promote growth in a conscientious manner and improve everyone's quality of life with sufficient parking year round for all and lots of green space for children to play and residents and visitors to enjoy. PLEASE do NOT destroy Plattsburgh!


Thanks Carol Klepper

Homeowner of 17 Couch Street & landlord of 34 Broad & 43 Hamilton Street, Plattsburgh, NY