1. Agenda

   Documents:

   AGENDA 10-08-20.PDF

2. Supporting Documents

   Documents:

   MEETING DOCS 100820.PDF

REGULAR MEETING OF THE COMMON COUNCIL
OF THE CITY OF PLATTSBURGH, NEW YORK
OCTOBER 8, 2020
5:00 P.M.

AGENDA

Pledge of Allegiance
(RC)
Present: Mayor Colin Read, Councilors Ira Barbell (W1), Mike Kelly (W2), Elizabeth Gibbs (W3), Steve Brodi (W4), Patrick McFarlin (W5), Jeff Moore (W6)
Absent:
****

MAYOR'S COMMENTS:

****

1. MINUTES OF THE PREVIOUS MEETING:

RESOLVED: That the Minutes of the Regular Meeting of the Common Council held on October 1, 2020 are approved and placed on file among the public records of the City Clerk's Office

By Councilor _____; Seconded by Councilor _____
(All in Favor/opposed)
Roll call: Councilors Barbell, Kelly, Gibbs, Brodi, McFarlin, Moore

****

2. PAYROLLS OF VARIOUS DEPARTMENTS:

RESOLVED: That the payrolls of the various Departments of the City of Plattsburgh for the week ending October 7, 2020 in the amount of **$ _____**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 _____; Seconded by Councilor _____
(All in Favor/opposed)
Roll call: Councilors Barbell, Kelly, Gibbs, Brodi, McFarlin, Moore

****

3. REPORTS OF CITY OFFICES & COMMITTEE REPORTS:

- Report of Fire and Ambulance Responses for September 15 - 28, 2020
- Report from the Building Inspector's office for the week of September 23 - October 6, 2020
- Minutes from the Governance, Strategy & City Operations Committee meeting held on October 1, 2020
- Report from the City Clerk's Office of all monies received during the month of September 2020 in the total amount of $7,681.00

COUNCILOR/DEPARTMENT CHAIR COMMITTEE REPORTS:

Governance, Strategy, and City Operations- Chair Councilor Barbell

City Infrastructure – Chair Councilor Moore

Finance and Budget – Chair Councilor Kelly

Public Safety – Chair Councilor Gibbs

Plattsburgh Public Library – Chair Councilor McFarlin

MLD - MLD Board President Councilor McFarlin

RESOLVED: That the reports as listed are hereby ordered received and any written reports are placed on file among the public records of the City Clerk's Office.

By Councilor _____; Seconded by Councilor _____
(All in Favor/opposed)
Roll call: Councilors Barbell, Kelly, Gibbs, Brodi, McFarlin, Moore

****

4. CORRESPONDENCE OR RECOMMENDATIONS FROM BOARDS: None

****

5. AUDIT OF CLAIMS:

RESOLVED: That the bills Audited by the Common Council for the week ending October 9, 2020 in the amount of $_____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 _____; Seconded by Councilor _____
(All in Favor/opposed)
Roll call: Councilors Barbell, Kelly, Gibbs, Brodi, McFarlin, Moore

****

6. PERSONS ADDRESSING COUNCIL ON AGENDA ITEMS ONLY:

_____

_____

****

7. OTHER ITEMS:

A. RESOLVED: In accordance with the request therefore the Common Council approves that all outdoor seating and parking space barriers will be removed on or by October 19, 2020. This shall only apply to the 2020 year.

By Councilor _____; Seconded by Councilor _____

Discussion:

Roll call: Councilors Barbell, Kelly, Gibbs, Brodi, McFarlin, Moore

ACTION TAKEN: Adopted _____ Defeated _____ Withdrawn _____ Tabled _____
Follow up Action:

****

B. RESOLVED: In accordance with the request therefore the Mayor is authorized to sign a Legal Services Agreement Addendum dated October 5, 2020 with Miller, Mannix, Schachner and Hafner, LLC.

By Councilor _____; Seconded by Councilor _____

Discussion:

Roll call: Councilors Barbell, Kelly, Gibbs, Brodi, McFarlin, Moore

ACTION TAKEN: Adopted _____ Defeated _____ Withdrawn _____ Tabled _____
Follow up Action:

****

C. RESOLVED: That in accordance with the request the Common Council hereby agrees to and authorizes CDM Smith Amendment 4 – WRRF Façade Architectural in a not to exceed amount of $85,000 dated October 6, 2020. Funding is from the WRRF Mitigation capital project with WIIA grant and financing.

By Councilor _____; Seconded by Councilor _____

Discussion:

Roll call: Councilors Barbell, Kelly, Gibbs, Brodi, McFarlin, Moore

ACTION TAKEN: Adopted _____ Defeated _____ Withdrawn _____ Tabled _____
Follow up Action:

****

D. RESOLVED: That in accordance with the request therefore the Common Council approves the construction contract for "Sanitary Sewer Replacement" to be completed as part of the DRI's improvements to the Betty Little Arts Park be awarded to the low bidder, Luck Brothers, Inc., in the amount of $160,838.00 and authorizes the Mayor to execute all necessary documents.

By Councilor _____; Seconded by Councilor _____

Discussion:

Roll call: Councilors Barbell, Kelly, Gibbs, Brodi, McFarlin, Moore

ACTION TAKEN: Adopted _____ Defeated _____ Withdrawn _____ Tabled _____
Follow up Action:

****

E. WHEREAS, the City issued an Request for Proposals for a "Recreation Center Operation & Building License"; and

WHEREAS, the YMCA of Plattsburgh submitted a proposal in response which has been selected by a review committee to be the most promising of all submitted proposals.

RESOLVED: In accordance with the request therefore the Common Council authorizes the Director of Community Development to enter into discussions with the YMCA of Plattsburgh to draft an agreement for that organization's operation and management of the City Recreation Center. That agreement shall be subject to final approval by the Common Council.

By Councilor _____; Seconded by Councilor _____

Discussion:

Roll call: Councilors Barbell, Kelly, Gibbs, Brodi, McFarlin, Moore

ACTION TAKEN: Adopted _____ Defeated _____ Withdrawn _____ Tabled _____
Follow up Action:

****

F. RESOLVED: In accordance with the request therefore the Mayor is authorized to sign an agreement with Elevate518, LLC for management of the Crete Memorial Civic Center.

By Councilor _____; Seconded by Councilor _____

Discussion:

Roll call: Councilors Barbell, Kelly, Gibbs, Brodi, McFarlin, Moore

ACTION TAKEN: Adopted _____ Defeated _____ Withdrawn _____ Tabled _____
Follow up Action:

****

8. TRAVEL REQUEST: None

****

9. RESOLUTIONS FOR INITIAL CONSIDERATION: None

****

10. NEW BUSINESS AND COUNCILOR REPORTS:

_____

_____

****

11. CLOSING PUBLIC COMMENTS ON ANY TOPIC:

_____

_____

****

Motion to Adjourn by Councilor _____; Seconded by Councilor _____
Roll call: Councilors Barbell, Kelly, Gibbs, Brodi, McFarlin, Moore
MEETING ADJOURNED: _____

CITY OF PLATTSBURGH, NEW YORK
OFFICE OF THE CITY CLERK

Following is a complete statement of all monies received during the month of: Sept. 2020

REVENUE SOURCES			CITY REVENUE	DUE OTHERS	TOTAL
Bingo Licenses (City)	25-2540	BINGO	$0.00		$0.00
Bingo Licenses (State)	1-0632	G 0632			$0.00
Bingo License Fees 3%	25-2540	BINGO	$0.00		$0.00
Building Permits	25-2555	PRMTS			$0.00
Circus License	25-2502				$0.00
City Code	12-1255				$0.00
Code Civil Compromise	26-2614				$0.00
Contractor Fees	25-2557	CNTRR			$0.00
Dog Licenses	25-2542	DOGLIC	$322.50		$322.50
State Neuter/Spay Surcharge				$47.00	$47.00
Extract of Records	12-1255	CLERKF	$25.50		$25.50
Game of Chance Lic. (City)	25-2541	GAMCHN			$0.00
Game of Chance Lic. (State)	1-0632	G 0632			$0.00
Gas Permits	15-1540	FIRFEE	$520.00		$520.00
Going Out of Business Lic	25-2509				$0.00
Hauler's License	25-2505	REFLIC	$380.00		$380.00
Housing Code	21-2110	ZONE			$0.00
Impound Fees	15-1550	PUBPND	$0.00		$0.00
Interest Temp	1124-2401	INTERE	$0.00		$0.00
Jeweler's Licenses	25-2503	VNDLIC			$0.00
Marriage Licenses	25-2545	MARRIA	$525.00	$675.00	$1,200.00
Notary Fees	12-1255	CLERKF			$0.00
Peddler/Vendor License	25-2503	VNDLIC	$20.00		$20.00
Returned Check Charges	12-1255	CLERKF	$0.00		$0.00
Sign Permits	25-2590	SIGNPM			$0.00
Specifications	T-30	TP300	$0.00	$0.00	$0.00
Special Use Permits	21-2110	ZONE			$0.00
Subdivision Fee	21-2110	ZONE	$0.00		$0.00
Subdivision Ordinance	12-1255	CLERKF			$0.00
Taxi Operator's Licenses	25-2507	TXIPRT	$450.00		$450.00
Taxi Vehicle Licenses	25-2504	TXIVEH	$200.00		$200.00
Tree/Stump Removal License	25-2508	TREREM	$0.00		$0.00
Vital Statistics	16-1603	VITSTA	$4,516.00		$4,516.00
Zoning Ordinances	21-2110	ZONE			$0.00
Zoning Variances	21-2110	ZONE			$0.00
OTHER REVENUE					
Riverwalk					
1127-2753					$0.00
Auditorium					
1127-2752		G 2752	$0.00		$0.00
Centennial Plaques					
1127-2705					$0.00

Lake Champlain Memorial				
1127-				
RECOVERED FUNDS				
Telephone				
1-1410000-4414				$0.00
Postage				
1-1410000-4470				$0.00
Print & Copy				
1-1410000-4431				$0.00
DISBURSEMENTS:	$6,959.00	$722.00		$7,681.00
NYS Dept of Health	$675.00	Check No	1573	
NYS Dept of Ag & Mkts	$47.00	Check No	1574	
	TOTAL PAID OTHERS:			$722.00
ADJUSTMENT: NONE				
Shortage/Overage				
Chamberlain (Spec. Deposits)	$0.00	Check No		
Chamberlain (New Revenue)	$6,959.00	Check No	1575	
	Amount Due City Chamberlain:			$6,959.00
Dated at Plattsburgh, New York				$7,681.00

Sylvia Parrotte, 1-Oct-20
City Clerk

DEPARTMENT: Building Inspector

REPORTING PERIOD: 09/23/20 TO 10/06/20

COMPLAINT/VIOLATION TYPE	TOTAL REPORTED
GARBAGE	7
PROPERTY MAINTENANCE	3
ZONING VIOLATION	1
DEPARTMENT TOTALS	11
REPORT TOTALS	11

** END OF REPORT - Generated by Lisa Beebie **

DEPARTMENT: Building Inspector REPORTING PERIOD: 09/23/20 TO 10/06/20

REFERENCE	LOCATION / CASE / COMPLAINT/VIOLATION	COMMENT	AREA / SOURCE	RESPONSIBLE PARTY / SEVERITY	CREATED / COMPLIED
2074	129 BROAD ST		INTERNAL	MOUNTAIN HARBOR PROPERTIES LLC / 0	10/06/2020

VIOLATION | SEVERITY | AREA | COMPLY BY | COMPLIED
GARBAGE | 0

GARBAGE CONTINUES TO NOT BE PICKED UP. ANIMALS CONSTANTLY RUMMAGING THROUGH GARBAGE AND SPREADING IT AROUND PROPERTY.

STEPS	ACTION TYPE	STATUS	NOTICE	SCHEDULED	STARTED	COMPLETED
INITIAL INSPECT	INSPECTION	NEW		10/07/20		
NOTICE	NOTICE	NEW				
REINSPECT	INSPECTION	NEW				
ORDER PICK UP	OTHER	NEW				

INSPECTION	INSPECTOR	REQUESTED	SCHEDULED	RESULTS	FEE AMOUNT
COMPLAINT	JIM WELCH	10/07/20	10/07/20		.00
COMPLAINT	JIM WELCH				.00

COMPLAINT/VIOLATION TOTALS .00

REFERENCE	LOCATION / CASE / COMPLAINT/VIOLATION	COMMENT	AREA / SOURCE	RESPONSIBLE PARTY / SEVERITY	CREATED / COMPLIED
2072	134 BRINKERHOFF ST			MICHAEL J BOULE / 0	10/01/2020

VIOLATION | SEVERITY | AREA | COMPLY BY | COMPLIED
GARBAGE | 0 | | | | 5 DAYS OPEN

FUTON AND MINI-FRIDGE AT CURB.

STEPS	ACTION TYPE	STATUS	NOTICE	SCHEDULED	STARTED	COMPLETED
INITIAL INSPECT	INSPECTION	NEW		10/02/20		
NOTICE	NOTICE	NEW				
REINSPECT	INSPECTION	NEW				
ORDER PICK UP	OTHER	NEW				

INSPECTION	INSPECTOR	REQUESTED	SCHEDULED	RESULTS	FEE AMOUNT
COMPLAINT		10/02/20	10/02/20		.00
COMPLAINT					.00

COMPLAINT/VIOLATION TOTALS .00

REFERENCE	LOCATION / CASE / COMPLAINT/VIOLATION	COMMENT	AREA / SOURCE	RESPONSIBLE PARTY / SEVERITY	CREATED / COMPLIED
2073	140 BRIDGE ST			NYSEG / 0	10/01/2020

VIOLATION | SEVERITY | AREA | COMPLY BY | COMPLIED
GARBAGE | 0 | | | | 5 DAYS OPEN

TRASH, CARDBOARD BOXES, OLD TV AT CURB.

STEPS	ACTION TYPE	STATUS	NOTICE	SCHEDULED	STARTED	COMPLETED
INITIAL INSPECT	INSPECTION	NEW		10/02/20		
NOTICE	NOTICE	NEW				
REINSPECT	INSPECTION	NEW				
ORDER PICK UP	OTHER	NEW				

INSPECTION	INSPECTOR	REQUESTED	SCHEDULED	RESULTS	FEE AMOUNT
COMPLAINT	JIM WELCH	10/02/20	10/02/20		.00
COMPLAINT	JIM WELCH				.00

DEPARTMENT: Building Inspector REPORTING PERIOD: 09/23/20 TO 10/06/20

REFERENCE	LOCATION / CASE / COMPLAINT/VIOLATION	COMMENT	AREA / SOURCE	RESPONSIBLE PARTY / SEVERITY	CREATED / COMPLIED

COMPLAINT/VIOLATION TOTALS .00

2076 2 NORTH ST — DOUGLAS R RUSHFORD — 10/05/2020

EMAIL / 0

VIOLATION	SEVERITY	AREA	COMPLY BY	COMPLIED	
GARBAGE WASHER BY CURB	0				1 DAYS OPEN

STEPS	ACTION TYPE	STATUS	NOTICE	SCHEDULED	STARTED	COMPLETED
INITIAL INSPECT	INSPECTION	NEW		10/06/20		
NOTICE	NOTICE	NEW				
REINSPECT	INSPECTION	NEW				
ORDER PICK UP	OTHER	NEW				

INSPECTION	INSPECTOR	REQUESTED	SCHEDULED	RESULTS	FEE AMOUNT
COMPLAINT	KYLE BURDO	10/06/20	10/06/20		.00
COMPLAINT	KYLE BURDO				.00

COMPLAINT/VIOLATION TOTALS .00

2075 236 MARGARET ST — GERALDINE FRECHETTE — 10/05/2020

0

VIOLATION	SEVERITY	AREA	COMPLY BY	COMPLIED	
GARBAGE MATTRESS, GARBAGE AT CURB	0				1 DAYS OPEN

STEPS	ACTION TYPE	STATUS	NOTICE	SCHEDULED	STARTED	COMPLETED
INITIAL INSPECT	INSPECTION	NEW		10/06/20		
NOTICE	NOTICE	NEW				
REINSPECT	INSPECTION	NEW				
ORDER PICK UP	OTHER	NEW				

INSPECTION	INSPECTOR	REQUESTED	SCHEDULED	RESULTS	FEE AMOUNT
COMPLAINT	NICK WALKER	10/06/20	10/06/20		.00
COMPLAINT	NICK WALKER				.00

COMPLAINT/VIOLATION TOTALS .00

2078 32 SO PERU ST — DAVID G BEZIO — 10/05/2020

0

VIOLATION	SEVERITY	AREA	COMPLY BY	COMPLIED	
GARBAGE MICROWAVE AT CURB	0				1 DAYS OPEN

STEPS	ACTION TYPE	STATUS	NOTICE	SCHEDULED	STARTED	COMPLETED
INITIAL INSPECT	INSPECTION	NEW		10/06/20		
NOTICE	NOTICE	NEW				
REINSPECT	INSPECTION	NEW				
ORDER PICK UP	OTHER	NEW				

DEPARTMENT: Building Inspector REPORTING PERIOD: 09/23/20 TO 10/06/20

REFERENCE	LOCATION / CASE / COMPLAINT/VIOLATION	COMMENT	AREA / SOURCE	RESPONSIBLE PARTY / SEVERITY	CREATED / COMPLIED

INSPECTION	INSPECTOR	REQUESTED	SCHEDULED	RESULTS	FEE AMOUNT
COMPLAINT	KYLE BURDO	10/06/20	10/06/20		.00
COMPLAINT	KYLE BURDO				.00
COMPLAINT/VIOLATION TOTALS					.00

2068 5013 SO CATHERINE ST — KELLY F CADIEUX — 09/23/2020
0

VIOLATION	SEVERITY	AREA	COMPLY BY	COMPLIED	
ZONING VIOLATION	0				13 DAYS OPEN

NEIGHBOR AT 5013 SO. CATHERINE STREET IS BURNING IN AN OPEN FIRE PIT CLOSER THAN 25 FT TO 3 NEIGHBORING PROPERTIES.

STEPS	ACTION TYPE	STATUS	NOTICE	SCHEDULED	STARTED	COMPLETED
INITIAL INSPECT	INSPECTION	NEW		09/25/20		
NOTICE	NOTICE	NEW				
FOLLOW UP	INSPECTION	NEW				
ORDER REMEDY	NOTICE	NEW	LETTER			
APPERANCE TICKE	OTHER	NEW				

INSPECTION	INSPECTOR	REQUESTED	SCHEDULED	RESULTS	FEE AMOUNT
COMPLAINT	KYLE BURDO	09/25/20	09/25/20		.00
COMPLAINT	KYLE BURDO				.00
COMPLAINT/VIOLATION TOTALS					.00

2070 72 MONTCALM AVE — DAVID NEPHEW — 09/23/2020
0

VIOLATION	SEVERITY	AREA	COMPLY BY	COMPLIED	
PROPERTY MAINTENANCE	0				13 DAYS OPEN

SEWER BACK UP IN APARTMENT AND MOLD PROBLEM. HEALTH DEPT REFERRED TOM TO BUILDING INSPECTOR'S OFFICE FOR MOLD ISSUE. TOM F RUSTRATED THAT NO GOVERNMENT AGENCY WILL TEST FOR MOLD. COMPLAINS FAMILY IN APARTMENT ARE GETTING SICK/HAVING HEADACHES.

STEPS	ACTION TYPE	STATUS	NOTICE	SCHEDULED	STARTED	COMPLETED
INITIAL INSPECT	INSPECTION	NEW		09/25/20		
NOTICE	NOTICE	NEW				
FOLLOW UP	INSPECTION	NEW				
ORDER REMEDY	NOTICE	NEW	LETTER			
APPERANCE TICKE	OTHER	NEW				

INSPECTION	INSPECTOR	REQUESTED	SCHEDULED	RESULTS	FEE AMOUNT
COMPLAINT	NICK WALKER	09/25/20	09/25/20		.00
COMPLAINT	NICK WALKER				.00
COMPLAINT/VIOLATION TOTALS					.00

2077 88 WATERHOUSE ST — KELLIE A PORTER — 10/05/2020
EMAIL 0

DEPARTMENT: Building Inspector REPORTING PERIOD: 09/23/20 TO 10/06/20

REFERENCE LOCATION AREA RESPONSIBLE PARTY CREATED
CASE SOURCE SEVERITY COMPLIED
COMPLAINT/VIOLATION COMMENT

VIOLATION	SEVERITY	AREA	COMPLY BY	COMPLIED
GARBAGE	0			1 DAYS OPEN
BED FRAME AT CURB				

STEPS	ACTION TYPE	STATUS	NOTICE	SCHEDULED	STARTED	COMPLETED
INITIAL INSPECT	INSPECTION	NEW		10/06/20		
NOTICE	NOTICE	NEW				
REINSPECT	INSPECTION	NEW				
ORDER PICK UP	OTHER	NEW				

INSPECTION	INSPECTOR	REQUESTED	SCHEDULED	RESULTS	FEE AMOUNT
COMPLAINT	KYLE BURDO	10/06/20	10/06/20		.00
COMPLAINT	KYLE BURDO				.00

COMPLAINT/VIOLATION TOTALS .00

2071 PERU ST STEPHEN BRODI 09/28/2020
0

VIOLATION	SEVERITY	AREA	COMPLY BY	COMPLIED
PROPERTY MAINTENANCE	0			8 DAYS OPEN

FOUL ODORS COMING FROM THIS APARTMENT. RESIDENT HAD 2 BAGS OF DEAD CATS/KITTENS IN HOME. APARTMENT SMELLS OF CAT FECES/URIN
E - ODOR PERMIATING TO NEIGHBORING APARTMENTS.

STEPS	ACTION TYPE	STATUS	NOTICE	SCHEDULED	STARTED	COMPLETED
INITIAL INSPECT	INSPECTION	NEW		09/30/20		
NOTICE	NOTICE	NEW				
FOLLOW UP	INSPECTION	NEW				
ORDER REMEDY	NOTICE	NEW	LETTER			
APPERANCE TICKE	OTHER	NEW				

INSPECTION	INSPECTOR	REQUESTED	SCHEDULED	RESULTS	FEE AMOUNT
COMPLAINT		09/30/20	09/30/20		.00
COMPLAINT					.00

COMPLAINT/VIOLATION TOTALS .00

2069 UNDERWOOD AVE PLATTSBURGH MHP LLC 09/23/2020
0

VIOLATION	SEVERITY	AREA	COMPLY BY	COMPLIED
PROPERTY MAINTENANCE	0			13 DAYS OPEN

TRAILER HAS ELECTRICAL PROBLEMS, CIRCUITS BREAK. OLD WIRING. METERS HAVE NOT BEEN UPDATED.

STEPS	ACTION TYPE	STATUS	NOTICE	SCHEDULED	STARTED	COMPLETED
INITIAL INSPECT	INSPECTION	NEW		09/25/20		
NOTICE	NOTICE	NEW				
FOLLOW UP	INSPECTION	NEW				
ORDER REMEDY	NOTICE	NEW	LETTER			
APPERANCE TICKE	OTHER	NEW				

INSPECTION	INSPECTOR	REQUESTED	SCHEDULED	RESULTS	FEE AMOUNT
COMPLAINT		09/25/20	09/25/20		.00

DEPARTMENT: Building Inspector

REPORTING PERIOD: 09/23/20 TO 10/06/20

REFERENCE / COMPLAINT/VIOLATION	LOCATION / CASE	COMMENT	AREA / SOURCE	RESPONSIBLE PARTY / SEVERITY		CREATED / COMPLIED
COMPLAINT					.00	
COMPLAINT/VIOLATION TOTALS					.00	

DEPARTMENT TOTALS	11	COMPLAINTS/VIOLATIONS	.00
COMPLAINT/VIOLATION ACTIVITY 09/23/20-10/06/20:	11	CREATED	
REPORT TOTALS	11	COMPLAINTS/VIOLATIONS	.00
COMPLAINT/VIOLATION ACTIVITY 09/23/20-10/06/20:	11	CREATED	

** END OF REPORT - Generated by Lisa Beebie **

ADDENDUM TO LEGAL SERVICES AGREEMENT
BETWEEN
CITY OF PLATTSBURGH
and MILLER, MANNIX, SCHACHNER & HAFNER, LLC

THIS ADDENDUM is entered into this 5th day of October, 2020 by and between the **CITY OF PLATTSBURGH,** 41 City Hall Place, Plattsburgh, New York 12901 (CITY) and **MILLER, MANNIX, SCHACHNER & HAFNER, LLC**, 15 West Notre Dame Street, Glens Falls, NY 12801 (COUNSEL).

WHEREAS, COUNSEL is Special Counsel to the CITY in real property assessment litigation matters pursuant to a Legal Services Agreement dated August 27, 2015 (the "LSA"); and

WHEREAS, COUNSEL and the CITY have since augmented the LSA on several occasions by mutual consent; and

WHEREAS, COUNSEL and the CITY now seek to further augment the LSA to provide for additional legal services as set forth herein.

NOW, THEREFORE, the CITY and COUNSEL hereby agree as follows:

1. **SCOPE OF SERVICES**. COUNSEL shall defend the CITY against the legal claims raised in a litigation Action commenced against the CITY on or about September 22, 2020 under Clinton County Index Number 2020-00020597 and undertake any related tasks.

2. **COMPENSATION**. COUNSEL's legal services hereunder shall be paid by the CITY based on the amount of time spent in accordance with COUNSEL's hourly rates of up to $250 per hour. COUNSEL shall submit monthly invoices for payment by the CITY accompanied by any voucher forms that the CITY may require. COUNSEL shall charge a maximum of ½ its standard hourly rate for travel time.

IN WITNESS THEREOF, the parties have executed this Agreement by their duly authorized representatives as of the 5th day of October, 2020.

CITY OF PLATTSBURGH	**MILLER, MANNIX, SCHACHNER & HAFNER, LLC**
By:_____	**By:**_____
Colin L. Read, Mayor	**Mark Schachner, Esq.**

N:\Clients\PLATTSBURGH CITY OF\Legal Services Agrmt Addnd October 2020.doc

CDM Smith

11 British American Boulevard, Suite 200
Latham, New York 12180
tel: 518 782-4500

October 6, 2020

Mr. Jonathan Ruff, P.E.
Environmental Manager
Environmental Services Department
41 City Hall Place
Plattsburgh, NY 12901

Subject: Water Resource Recovery Facility (WRRF) Mitigation Project
Amendment 4 – WRRF Architectural & Odor Control

Dear Mr. Ruff:

Camp Dresser McKee & Smith (CDM Smith) is pleased to present the City of Plattsburgh (City) with this proposal for professional engineering services related to providing additional architectural and odor control design services at the City's Water Resource Recovery Facility (WRRF).

Project Understanding

Under our current contract, CDM Smith along with our subcontractor Aubertine & Currier, Architects, Engineers & Land Surveyors, PLLC (A&C) previously generated sketches and a color rendering for improvements to the WRRF south façade. The City is now interested in developing concepts for an interpretive center on the west side of the Administration Building and an observation deck on the roof where the public can overlook the wastewater process. In addition, the City would like a monument style sign at the entrance to the WRRF off Green St. incorporated into the current design documents.

Our current contract also includes a variety of odor control upgrades including covering channels and process tanks inside and outside the Headworks Building, covering the east primary clarifier and directing foul air from these sources to a new odor control system located in a new building off the south face of the WRRF. Following the 30 percent design submittal, the City requested a change in the scope of work including deleting covering the primary clarifier and examining whether the balance of the foul air can be directed to the existing odor control system in the Solids Handling Building.

Scope of Work

CDM Smith's scope of work presented below is broken into multiple elements, additional west side architectural planning and design services, a WRRF master plan task and the revised odor control design.

WRRF West Side Architectural Services

CDM Smith and A&C will design a monument style sign based on the image provided by the City and incorporate it into the design documents currently being developed for disinfection and odor control upgrades. We anticipate this sign being located off the northwest corner of the proposed Disinfection Chemical Building or at the edge of pavement near the current entrance gate. This will include site plan updates, generating structural foundation details and architectural details for the sign's construction.

The architectural concept design services for the west side of the WRRF are based on developing an Interpretive Center in the area between the Administration Building and the Maintenance Garage. The Interpretive Center is envisioned as incorporating significant glass elements to promote natural light and provide an area where interpretive displays about the WRRF can be constructed for public viewing. The Observation Deck is envisioned as an accessible area on top of the Administration Building where the public can observe the primary and secondary clarifiers along with the aeration tanks from a safe distance. The various west facing concrete facades will be screened with new materials to enhance the appearance.

CDM Smith and A&C will develop two or three sketches of different concepts for the above design elements that also incorporates the proposed Disinfection Chemical Building. We will then conduct a review conference call with the City to discuss the sketches and select a concept for further development. A single, color rendering of the west facades will then be developed along with a floor plan for the Interpretive Center.

CDM Smith and A&C previously developed a color rendering of the south façade at the City's request. The cost of this service is identified separately.

WRRF Campus Master Plan

CDM Smith and A&C believe the most beneficial approach to progressing the WRRF façade and landscape enhancements is to look at the WRRF campus as a whole to have a complete vision for its development.

To accomplish this, we would:

- Develop two or three sketches of all facades along with the Interpretive Center and Observation Deck that work with the previously developed south façade concept.
- Develop two or three site plan sketches that incorporate trail systems, landscaping design, picnic areas, etc. along the waterfront on the north and east sides of the WRRF.

We will then conduct a review conference call with the City to discuss the sketches and select a concept for further development. A single, color rendering of the north and east facades along with the site enhancements will be developed.

Odor Control Design Revisions

At the City's request, CDM Smith evaluated the capacity and condition of the odor control system in the Solids Handling Building including the existing carbon scrubbers and exhaust fans. The results of our evaluation were presented in a Memorandum dated September 24, 2020. Our findings and recommendations included:

- The existing carbon scrubbers have capacity to process foul air from odor producing spaces in the Headworks Building and Solids Handling Building.
- The existing exhaust fans operate in series in a push/pull configuration and appear to produce the design volume of air. This type of configuration is not common and CDM Smith recommends replacing the fans with two new units operating in parallel in a lead/standby configuration along with corresponding ductwork modifications.
- The carbon media inside the scrubbers should be replaced with a different type of carbon.

Based on direction received during a follow-up call with the City, CDM Smith understands the City wants to proceed with running new ductwork from the Headworks Building to the existing ductwork in the Solids Handling Building. The City also wants to proceed with replacing the media as recommended. However, the City believes the existing fans are operating in a satisfactory manner and is not interested in replacing them or modifying the ductwork around the fans at this time. Therefore, the fan upgrade scope of work will be limited to replacing the shives and re-balancing the fans.

Project Schedule

CDM Smith and A&C are prepared to begin work upon receipt of an executed amendment. We anticipate completing the WRRF West Side Architectural Services sketches within six weeks thereafter and the color rendering within 4 weeks of selecting a concept. The monument sign would be developed in accordance with the current design schedule.

We anticipate generating concept sketches for the WRRF Master Plan within 12 to 16 weeks and the color rendering within 4 weeks of selecting a concept.

With direction on odor control design received, CDM Smith will modify the in-progress 60% design documents and submit those to the City by November 13, 2020. This will be followed by the 90% design documents on January 29, 2021 and Issue for Bid documents on February 26, 2021.

Project Cost

CDM Smith proposes to complete the scope of work on a time and expense basis. The fee for generating the color rendering of the south façade is $5,000. Our proposed fee for the WRRF West Side Architectural Services is $22,000 and for the WRRF Campus Master Plan is $50,500. Our proposed fee for the revised odor control design is $7,500. Therefore, the total proposed fee for Amendment 4 is $85,000 thereby increasing our upper limit from $686,500 to $771,500. We will utilize the schedule of hourly billing rates included in the original agreement for this amendment. We will invoice the City monthly based on the actual labor hours and out-of-pocket expenses incurred and outside professionals utilized in the execution of the work.

If this is acceptable to the City, please sign and return one copy of this letter to my attention. The signed letter will serve as an Amendment 3 to our existing contract.

We appreciate the opportunity to continue working with you on this important project. Should you have any questions, please do not hesitate to call Greg Bold at (518) 782-4507.

Sincerely,

Daniel D. Durfee, PE, BCEE
Vice President
Camp Dresser McKee & Smith

cc: Greg Bold – CDM Smith

Approved:

_____ _____

Mayor Date

CITY OF PLATTSBURGH

BID TITLE: City of Plattsburgh Arts Park Sanitary Sewer Line Replacement BID OPENING DATE: 9/25/20 11:10am

NAME & ADDRESS OF BIDDERS	AMOUNT OF BID	NCBC	SECURITY
PM Leary, LLC	$219,289.50	✓	✓
JFP Enterprises, Inc.	$243,213.00	✓	✓
Luck Bros, Inc.	$160,838.00	✓	✓
Beale Construction, Inc.	$292,000.00	✓	✓

SARATOGA ASSOCIATES

BID SUMMARY

City of Plattsburgh DRI: Arts Park - Sanitary Sewer Line Replacement

Opening: Fri. Sept. 25, 2020 at 11:10am

SA Project # 18039.10

Note: 15% MBE/15% WBE Goal listed in Notice to Bidders (Contractors, Subs, Suppliers)

				Reale Construction Company Inc		PM Leary LLC		JFP Enterprises Inc		Luck Bros. Inc.	
				Addendum?	yes	Addendum?	yes	Addendum?	yes	Addendum?	yes
				NCBC	yes	NCBC		NCBC	yes	NCBC	yes
				Bond	yes	Bond	yes	Bond	yes	Bond	yes
				MWBE?		MWBE?		MWBE?		MWBE?	
ITEM NO.	PAY ITEM DESCRIPTION	UNITS	QTY.	UNIT COST	TOTAL COST	UNIT COST	TOTAL COST	UNIT COST	TOTAL COST	UNIT COST	TOTAL COST
1	GENERAL REQUIREMENTS	LS	1	$ 41,090.00	$ 41,090.00	$ 10,000.00	$ 10,000.00	$ 98,002.00	$ 98,002.00	$ 29,000.00	$ 29,000.00
2	SURVEY AND STAKEOUT	LS	1	$ 7,500.00	$ 7,500.00	$ 5,000.00	$ 5,000.00	$ 698.00	$ 968.00	$ 850.00	$ 850.00
3	MAINTENANCE AND PROTECTION OF TRAFFIC	LS	1	$ 53,000.00	$ 53,000.00	$ 10,000.00	$ 10,000.00	$ 5,000.00	$ 5,000.00	$ 22,250.00	$ 22,250.00
4	SEDIMENT CONTROL FENCE	LF	40	$ 30.00	$ 1,200.00	$ 37.50	$ 1,500.00	$ 20.40	$ 816.00	$ 4.00	$ 160.00
5	INLET PROTECTION – GRAVEL BAG	EA	2	$ 220.00	$ 440.00	$ 500.00	$ 1,000.00	$ 345.50	$ 691.00	$ 125.00	$ 250.00
6	SITE DEMOLITION AND REMOVALS	LS	1	$ 30,200.00	$ 30,200.00	$ 38,500.00	$ 38,500.00	$ 23,320.00	$ 23,320.00	$ 16,000.00	$ 16,000.00
7C	TRENCH EXCAVATION AND BACKFILL	CY	550	$ 65.00	$ 35,750.00	$ 140.73	$ 77,401.50	$ 80.72	$ 44,397.00	$ 79.00	$ 43,450.00
8	24" PVC SANITARY SEWER MAIN	LF	294	$ 260.00	$ 76,440.00	$ 102.00	$ 29,988.00	$ 82.92	$ 24,379.00	$ 52.00	$ 15,288.00
9	SANITARY SEWER MANHOLES	EA	1	$ 12,100.00	$ 12,100.00	$ 5,000.00	$ 5,000.00	$ 4,181.00	$ 4,181.00	$ 5,300.00	$ 5,300.00
10C	TEMPORARY SOIL STABILIZATION	SY	500	$ 10.00	$ 5,000.00	$ 10.00	$ 5,000.00	$ 25.76	$ 12,879.00	$ 2.50	$ 1,250.00
11	FIELD ALLOWANCE	LS	1	$ 5,000.00	$ 5,000.00	$ 5,000.00	$ 5,000.00	$ 5,000.00	$ 5,000.00	$ 5,000.00	$ 5,000.00
12C	PAVEMENT SUBBASE COURSE	CY	30	$ 96.00	$ 2,880.00	$ 200.00	$ 6,000.00	$ 374.66	$ 11,239.00	$ 80.00	$ 2,400.00
13	HOT MIX ASPHALT, TYPE 3 BINDER COURSE	SY	80	$ 87.00	$ 6,960.00	$ 102.50	$ 8,200.00	$ 52.56	$ 4,205.00	$ 92.00	$ 7,360.00
14	HOT MIX ASPHALT, TYPE 7 TOP COURSE	SY	80	$ 98.00	$ 7,840.00	$ 83.75	$ 6,700.00	$ 52.56	$ 4,205.00	$ 81.00	$ 6,480.00
15	CONCRETE PAVEMENT	SY	20	$ 250.00	$ 5,000.00	$ 350.00	$ 7,000.00	$ 142.10	$ 2,842.00	$ 175.00	$ 3,500.00
16	CAST IN PLACE CONCRETE CURB	LF	25	$ 80.00	$ 1,600.00	$ 120.00	$ 3,000.00	$ 43.56	$ 1,089.00	$ 92.00	$ 2,300.00
			Total		$ 292,000.00		$ 219,289.50		$ 243,213.00		$ 160,838.00
			Differs from estimate		$ 194,950.00		$ 122,239.50		$ 146,163.00		$ 63,788.00
			% over/under estimate		201%		126%		151%		66%

Engineer's Estimate $ 97,050

City Recreation Center Management RFP - Proposal Review Committee Scores

October 6, 2020

*All scores are based on a maximum score of 100 and evaluated per the review guidelines contained within the RFP

	YYMCA of Plattsburgh	Thomas Lacey
Member #1	90	50
Member #2	90	60
Member #3	80	40
Average	**87**	**50**