

**REGULAR MEETING OF THE COMMON COUNCIL
OF THE CITY OF PLATTSBURGH, NEW YORK**

September 26, 2019

5:30 P.M.

MINUTES

Pledge of Allegiance

(RC)

Present: Mayor Colin Read, Councilors Mike Kelly (W2), Elizabeth Gibbs (W3), Peter Ensel (W4), Jeff Moore (W6)

Absent: Councilors Rachele Armstrong (W1) and Patrick McFarlin (W5)

MAYOR'S COMMENTS: spoke about this week the Office of the New York State Comptroller issued its annual stress score for the City of Plattsburgh. The score has improved from "Moderate Fiscal Stress" to "Susceptible to Fiscal Stress".

1. MINUTES OF THE PREVIOUS MEETING:

RESOLVED: That the Minutes of the Regular Meeting of the Common Council held on September 19, 2019 are approved and placed on file among the public records of the City Clerk's Office

By Councilor Kelly; Seconded by Councilor Gibbs

(All in Favor/opposed)

Roll call: Councilors Kelly, Gibbs, Ensel, Moore

(All voted in the affirmative)

2. PAYROLLS OF VARIOUS DEPARTMENTS:

RESOLVED: That the payrolls of the various Departments of the City of Plattsburgh for the week ending September 25, 2019 in the amount of \$ 501,016.76 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 Gibbs; Seconded by Councilor Kelly

(All in Favor/opposed)

Roll call: Councilors Kelly, Gibbs, Ensel, Moore

(All voted in the affirmative)

3. REPORTS OF CITY OFFICES & COMMITTEE REPORTS:

- Report of Fire and Ambulance Responses for the week of September 17-23, 2019
- Report from the Building Inspector's office for the week of September 18-24, 2019
- Report from the Police Department
- Minutes from the Finance and Budget Committee meeting held on September 19, 2019
- Report from the Parking Violations Bureau for August 2019

● **COUNCILOR/DEPARTMENT CHAIR COMMITTEE REPORTS:**

[meeting reports provided during work session]

Governance, Strategy, and City Operations- Chair Councilor Armstrong and Councilor McFarlin absent. No report.

City Infrastructure – Chair Councilor Moore indicated a property owner on Protection Avenue asked where they will put their garbage receptacles after construction done in that area.

Finance and Budget – Chair Councilor Kelly discussed preparing for Budget Sessions and suggested Council read Financial Restructuring Board report.

Public Safety – Chair Councilor Gibbs indicated met tonight all items moved to agenda.

Plattsburgh Public Library – Chair Councilor Ensel indicated the Board met Tuesday he was not able to attend.

MLD - MLD Board President Councilor McFarlin absent. No report.

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 Gibbs; Seconded by Councilor Ensel

(All in Favor/opposed)

Roll call: Councilors Kelly, Gibbs, Ensel, Moore

(All voted in the affirmative)

4. CORRESPONDENCE OR RECOMMENDATIONS FROM BOARDS: None

5. AUDIT OF CLAIMS:

RESOLVED: That the bills Audited by the Common Council for the week ending September 27, 2019 in the amount of \$ 1,266,953.25 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 Moore; Seconded by Councilor Kelly

(All in Favor/opposed)

Roll call: Councilors Kelly, Gibbs, Ensel, Moore

(All voted in the affirmative)

6. PERSONS ADDRESSING COUNCIL ON AGENDA ITEMS ONLY: None

7. OTHER ITEMS:

A. WHEREAS, on October 25, 2018, the Common Council authorized the Mayor to enter into a Memorandum of Understanding (“MOU”) with the Clinton County Board of Realtors for proposed improvements to and sponsorship of the Dog Park located adjacent to the Crete Center; and

WHEREAS, the Mayor and the Clinton Board of Realtors signed an MOU on August 28, 2019 detailing the obligations of both parties with respect to the Dog Park improvements; and

WHEREAS, the Board of Realtors has provided an improvement plan showing the proposed improvements as required by the MOU; and

WHEREAS, the MOU requires the City to accept the proposed improvement plan prior to any work being performed.

RESOLVED, the Common Council approves the improvement plan provided by the Clinton County Board of Realtors and authorizes the Board of Realtors to begin work on the improvements; and it is further

RESOLVED, the Common Council, serving as lead agency, hereby finds and determines that this resolution constitutes a Type II action such that no further environmental review is required.

Motion to waive reading and move Resolution

By Councilor Ensel; Seconded by Councilor Gibbs
Roll call: Councilors Kelly, Gibbs, Ensel, Moore
(All voted in the affirmative to waive reading and move Resolution)
Discussion:

Clinton County Board of Realtors Representative Michael Coughlin spoke about the project.

Roll call: Councilors Kelly, Gibbs, Ensel, Moore
(All voted in the affirmative)

ACTION TAKEN: Adopted
Follow up Action: None

B. RESOLVED: In accordance with the request therefore the Common Council approves the City Chamberlain to adjust the 2019 General Fund budget by an increase of \$12,330.00 for unbudgeted and under-budgeted line items related to Finance Office operations and financial related appropriations for property taxes and unallocated insurance.

Motion to waive reading and move Resolutions B, C, D, E and F

By Councilor Ensel; Seconded by Councilor Kelly
Roll call: Councilors Kelly, Gibbs, Ensel, Moore
(All voted in the affirmative to “waive reading and move resolutions B, C, D, E and F)
Discussion: None
Roll call: Councilors Kelly, Gibbs, Ensel, Moore
(All voted in the affirmative)

ACTION TAKEN: Adopted
Follow up Action: None

C. RESOLVED: In accordance with the request therefore the Common Council approves the City Chamberlain to transfer \$2,500.00 of Parking Lot Fund 2019 budgeted items for vehicle supplies and parts to the technical and special materials budget line for unbudgeted costs therefore requiring no increase to the Parking Lot Fund 2019 budget.

[See details under Item 7B]

ACTION TAKEN: Adopted
Follow up Action: None

D. RESOLVED: In accordance with the request therefore the Common Council approves the City Chamberlain to adjust the 2019 Water Fund budget by an increase of \$12,800.00 for unbudgeted and under-budgeted line items related to personnel payroll and equipment repair costs in administration and operations and the financial related appropriations for property taxes.

[See details under Item 7B]

ACTION TAKEN: Adopted
Follow up Action: None

E. RESOLVED: In accordance with the request therefore the Common Council approves the City Chamberlain to authorize a 2019 General Fund budget transfer within the Municipal Buildings budget from repairs to contract services of \$2,200.00 to provide appropriation for the annual elevator maintenance agreement payment.

[See details under Item 7B]

ACTION TAKEN: Adopted
Follow up Action: None

F. RESOLVED: In accordance with the request therefore the Common Council approves the City Chamberlain to adjust the 2019 General Fund and Capital Fund budgets by a combined total of \$626,115.00 for the recognition of all DRI reimbursable expenditures as estimated revenues and appropriations instead of cash spent as pre-paid expenses, required under the opinion of the City's outside auditors, Boulrice & Wood, CPA's PC, for financial statement presentation purposes.

[See details under Item 7B]

ACTION TAKEN: Adopted
Follow up Action: None

G. RESOLVED: In accordance with the request therefore the Common Council approves Canadian Pacific Railway to close Miller Street and have a short term detour for maintenance of the railroad

crossing. The anticipated road closure is requested from Monday, September 30 – Friday, October 4, 2019 from 6am to 2pm daily.

By Councilor Kelly; Seconded by Councilor Ensel

Discussion: Yes

Roll call: Councilors Kelly, Gibbs, Ensel, Moore

(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

H. RESOLVED: In accordance with the request therefore the Common Council approves the City Chamberlain to authorize executing a three month extension of the City’s current banking agreement with Glens Falls National Bank, citing the same terms and conditions as the five year agreement expiring on September 30th, 2019. A formal RFP will be issued to all local banks in October 2019 to solicit quotes for a new five year banking agreement to take effect beginning with the City’s fiscal period beginning on January 1st, 2020.

By Councilor Moore; Seconded by Councilor Gibbs

Discussion:

Mayor Read stated as always recuses himself completely from all discussions and delegated all authority to sign to **Chamberlain Marks** or **Corporation Counsel Schneller**.

Roll call: Councilors Kelly, Gibbs, Ensel, Moore

(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

I. WHEREAS, during its meeting on June 13, 2019, the Common Council authorized the Mayor and the Director of Community Development to pursue a formal and binding cooperative agreement with Clinton County to accomplish a reconfiguration of the County’s Government Center parking lot; and

WHEREAS, Clinton County has received bids for construction services related to the reconfiguration of that parking lot; and

WHEREAS, Clinton County and the City of Plattsburgh both find that the agreement serves a proper public purpose; and

RESOLVED, the Common Council hereby authorizes the Mayor to sign a cooperative agreement with Clinton County which requires the City to pay \$64,000 to the County for those construction costs related to extending the existing County Government Center parking lot to the existing boundary of Court Street, requires the County to make sixty-six (66) parking spaces of various sizes available for public use in the new lot once construction activities are complete, and details how the new lot is to be administered by both County and City officials.

By Councilor Gibbs; Seconded by Councilor Moore

Discussion: Yes

Roll call: Councilors Kelly, Gibbs, Ensel, Moore
(All voted in the affirmative)

ACTION TAKEN: Adopted
Follow up Action: None

J. RESOLUTION AUTHORIZING DISCONTINUANCE OF PROPERTY ASSESSMENT CASE FILED BY WALGREEN CO./RAD NY PLATTSBURGH PROPERTY

WHEREAS, Walgreen Co./RAD NY Plattsburgh Property filed an Article 7 Real Property Assessment Review case against the City challenging the 2019 assessment on real property located at 357 Cornelia Street, Plattsburgh, New York (Tax Map Parcel No. 207.17-2-2.1); and

WHEREAS, the property located at 357 Cornelia Street, Plattsburgh, New York was previously owned by Rite Aid Corporation and was the subject of litigation that was settled in 2017;

WHEREAS, the assessed value of the property is still controlled under the settlement terms and Walgreen Co. has therefore agreed to discontinue the pending case without any reduction to the assessment; and

NOW, THEREFORE, BE IT RESOLVED, that the Common Council hereby authorizes and directs the Mayor, City Assessor, Corporation Counsel and/or its Special Counsel to execute a Stipulation of Discontinuance and take any additional steps necessary to discontinue to the pending litigation.

By Councilor Ensel; Seconded by Councilor Kelly

Discussion: Yes
Roll call: Councilors Kelly, Gibbs, Ensel, Moore
(All voted in the affirmative)

ACTION TAKEN: Adopted
Follow up Action: None

8. TRAVEL REQUEST:

A. RESOLVED: In accordance with the request therefore the Common Council approves one Police Department employee to attend “DCJS Office of Public Safety/National Highway Safety Administration’s DWI Detection and Standardized Field Sobriety Testing Instructor Course” from November 12-15, 2019 in Syracuse, NY. The total cost will not exceed \$843.75 and it will be expensed out of the Asset Forfeiture Fund.

By Councilor Kelly; Seconded by Councilor Ensel

Discussion: None
Roll call: Councilors Kelly, Gibbs, Ensel, Moore
(All voted in the affirmative)

ACTION TAKEN: Adopted
Follow up Action: None

B. RESOLVED: In accordance with the request therefore the Common Council approves one Police Department employee to attend “Division of Criminal Justice Services ALERT Active Shooter Level I-

Train the Trainer Course” from December 16-20, 2019 in Albany, NY. The total cost will not exceed \$1,146 and it will be expensed out of the Asset Forfeiture Fund.

By Councilor Gibbs; Seconded by Councilor Moore

Discussion: None

Roll call: Councilors Kelly, Gibbs, Ensel, Moore

(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None:

9. RESOLUTIONS FOR INITIAL CONSIDERATION: None

10. NEW BUSINESS AND COUNCILOR REPORTS:

Councilor Gibbs received an email from a constituent regarding the Local Law recently passed after WPTZ report and wanted to clarify as that report was incorrect.

Councilor Ensel mentioned WPTZ reporter had tried to get in contact with him but he didn’t get a chance to call back until the next day.

Councilor Kelly mentioned Rec Complex is being studied and rumors about gym closing indicated no decisions have been made at this time.

11. CLOSING PUBLIC COMMENTS ON ANY TOPIC: None

Motion to Adjourn by Councilor Gibbs; Seconded by Councilor Moore

Roll call: Councilors Kelly, Gibbs, Ensel, Moore

(All voted in the affirmative)

MEETING ADJOURNED: 5:54pm