

DRAFT RESOLUTION 2.2 – 05/12/2022

RESOLUTION TITLE: AUTHORIZING CAPITAL PROJECT H5110.88 – 2022 PARKS MAINTENANCE & UPGRADES

WHEREAS, the Capital Expenditure Plan adopted January 6th, 2022, includes a Recreation Complex Facilities category; and

WHEREAS, the Infrastructure Division desires to establish a 2022 Parks Maintenance & Upgrades project for items included in the Recreation Complex Facilities category of the Capital Expenditure Plan adopted January 6th, 2022; and

WHEREAS, the cost of the 2022 Parks Maintenance & Upgrades project has been estimated by the Infrastructure Division for the costs of the planned expenditures to purchase items to be added to the capital expenditure plan for 2022, as follows:

	2022 Capital Plan	2022 Estimated Cost
Parks Maintenance & Upgrades	\$ -	\$ 1,400,000
City Parks – new equipment	<u>100,000</u>	<u>\$ 100,000</u>
Total	<u>\$ 100,000</u>	<u>\$ 1,500,000</u>

Project Funding:

General Fund	<u>\$ 100,000</u>	<u>\$ 1,500,000</u>
Total	<u>\$ 100,000</u>	<u>\$ 1,500,000</u>

Now therefore,

BE IT RESOLVED, by the Common Council of the City of Plattsburgh, New York, this 19th day of May 2022, as follows:

- 1) That, the amount of One Million Five Hundred Thousand and 00/100 (\$1,500,000.00) Dollars is hereby appropriated for the capital project **2022 Parks Maintenance & Upgrades (H5110.88)** for the cost of the items listed above and is hereby authorized to be expended for such purpose.

- 2) That, One Million Five Hundred Thousand and 00/100 (\$1,500,000.00) Dollars of such appropriation will be provided by an advance from the General Fund to be refunded by the fiscal year-end through issuance of serial bonds or a bond anticipation note (BAN) or use of ARPA Funds.

Approved by the **FINANCE/CDO COMMITTEE** at its meeting on **May 12th, 2022**

“Yes”

“No”

Absent

RESOLUTION 2.3 – 05/12/22

**RESOLUTION TITLE: “AUTHORIZE CONSULTING AGREEMENT WITH
BARTON & LOGUIDICE FOR PARK IMPROVEMENT PROJECT”**

BY: Christopher C. Rosenquest, Mayor

WHEREAS, The Common Council of the City of Plattsburgh is dedicated to the improvement and development of our park system;

WHEREAS, Barton & Loguidice are experts in the field of park development, improvement, and maintenance, and they have a proven track record of positive work in the City of Plattsburgh, and;

WHEREAS, Barton & Loguidice has provided a comprehensive outline and parks improvement proposal that satisfies the request of the Mayor’s proposal for the Parks Renewal Project, on a time and expense basis not to exceed \$119,300;

NOW, THEREFORE, BE IT RESOLVED, The Common Council authorizes the execution of all necessary documents to enter into an agreement with Barton & Loguidice on a time and expense basis not to exceed \$119,300. The source of funds will be a capital project H5110.88 – 2022 PARKS MAINTENANCE & UPGRADES.

Approved by the FINANCE AND CDO COMMITTEE at its meeting on **May 12, 2022**

“Yes”

“No”

Absent

BE IT FURTHER RESOLVED, that the above listed parking fees shall be effective and enforced between the hours of 10:00 a.m. and 6:00 p.m., seven (7) days per week between the Friday preceding Memorial Day and Labor Day each year.

BE IT FURTHER RESOLVED, that none of the above listed parking fees shall apply to those parking spaces within the beach parking area which have been designated and marked as reserved for use by persons with disabilities, though vehicles parked in said spaces which do not display the required parking permit and/or special license plates issued to persons with disabilities shall be subject to the issuance of traffic violations or other remedies in accordance with City code; and

BE IT FURTHER RESOLVED, that the above listed parking fees shall apply equally to all those parking at the beach, regardless of residency or employment status, but that specific exemptions to these parking fees shall be permitted if authorized directly via Council resolution (e.g., special events to be held at the beach) or via the Council's approval of contractual agreements that explicitly include such exemptions; and

BE IT FURTHER RESOLVED, that vehicles parked within the area indicated in the map attached to this resolution as Exhibit A that are determined by the City's police department, its parking enforcement staff, or any other designated parking enforcement official to be in violation of the policies or parking fee structure listed above shall be subject to the issuance of traffic violations or other remedies in accordance with City Code; and

BE IT FURTHER RESOLVED, that the Common Council approves that all previously approved entry or parking fees established for the City beach facility are hereby terminated with immediate effect; and

BE IT FURTHER RESOLVED, that the Common Council authorizes the Mayor, Corporation Counsel, Chief of Police, Chamberlain, Superintendent of Public Works, and Community Development Director to take such further actions as may be necessary to effectuate the intent of this resolution; and

Approved by the **FINANCE/CDO COMMITTEE** at its meeting on **May 12th, 2022**

"Yes"

"No"

Absent

DRAFT RESOLUTION 3.2 – 05/12/2022

RESOLUTION TITLE: ESTABLISHMENT OF MANAGEMENT POLICIES AND FEES FOR THE DOWNTOWN AREA PARKING SYSTEM

By: Matthew Miller, Director of Community Development

WHEREAS, implementation of a managed parking system for the City’s downtown area (the “Action”) is proposed and appropriate fees for that system must be established; and

WHEREAS, in 2020, the Common Council approved a traffic order which created uniform two (2) hour time-limited parking free of charge for all on-street parking areas within the City’s Downtown Special Assessment District (SAD), defined broadly as the area bounded by Oak Street to the west, Cornelia Street to the north, and the Saranac River to the south and east; and

WHEREAS, regulations governing management of the various off-street parking areas within the SAD must be established to include the following lots:

- South Durkee Street Lot
- North Durkee Street Lot
- Arnie Pavone Memorial Parking Plaza (APMPP)
- Broad Street Parking Lot (BSPL)
- Public Parking Section of the Clinton County Government Center Lot (CCGC)
- Court Street Lot
- City Hall Place Lot

WHEREAS, the parking system provided by IPS Group, Inc. (IPS) allows for various payment options including hourly parking fees, daily parking fees, and long-term permit fees; and

WHEREAS, the City desires for the downtown managed parking system to generate revenue sufficient to cover the system’s annual operating costs; and

WHEREAS, the City of Plattsburgh’s downtown revitalization efforts involve several downtown area improvement projects known as the Downtown Area Improvement Projects (DAIP); and

WHEREAS, the City of Plattsburgh Common Council determined to conduct a comprehensive review of the DAIP through preparation of a Generic Environmental Impact Statement (GEIS) pursuant to the State Environmental Quality Review Act (SEQRA) and Section 617.10 of Title 6 of the New York Compilation of Codes, Rules and Regulations; and

WHEREAS, the Common Council, as duly designated Lead Agency pursuant to SEQRA, conducted a thorough SEQRA review of the DAIP, including conducting scoping, preparing both a Draft and a Final GEIS, conducting a Public Hearing and adopting a SEQRA Findings Statement; and

WHEREAS, the Findings Statement determined, among other things, that given the demonstrated public need and benefit of the DAIP, its lack of significant adverse environmental impacts and its avoidance of such impacts by project design, location and mitigation, the decision to proceed with the Action as proposed gave due consideration to and represented a reasonable and proper balancing of environmental considerations with social, economic and other relevant considerations; and

WHEREAS, the Findings Statement further determined and certified that, consistent with social, economic, and other essential considerations from among the reasonable alternatives available, the DAIP avoids or minimizes adverse environmental impacts to the maximum extent practicable and incorporates as conditions to the Board’s decision those mitigation measures that were identified as practicable; and

WHEREAS, approval from the Common Council is now needed for implementation of the downtown managed parking system, which is required to allow multiple projects evaluated under the DAIP to proceed.

NOW, THEREFORE, BE IT RESOLVED, the Common Council establishes the following management policies and fee structure for the off-street public parking areas within the SAD listed above with specific exceptions as itemized below:

- **Hourly Parking Fee: \$1.00 per hour**

Customers paying with U.S. or Canadian coins may pay for hourly parking in fifteen (15) minute increments at \$0.25 per fifteen (15) minute period with no minimum charge.

A minimum charge of \$1.00 shall be required for all debit and credit card transactions so any customer paying via this method will be required to purchase a minimum of one (1) hour of parking time. Additional time may be added in increments of fifteen (15) minutes at a cost of \$0.25 per fifteen (15) minute period. No additional fees shall be charged to the customer and all transaction/processing fees for kiosk transactions shall be absorbed by the City as an operational cost.

- **Daily Parking Rate: \$7.25 per day**

This daily rate represents a ten percent (10%) discount to the hourly rate based on a daily enforcement period of eight (8) hours. No additional fees shall be charged to the customer and all transaction/processing fees for kiosk transactions shall be absorbed by the City as an operational cost.

- **Quarterly Permit: \$90.00 per permit (valid for 3 months)**

Purchase of each permit will be accompanied by a \$3.50 gateway fee charged by IPS to the customer. IPS shall charge the City a \$3.00 fee per permit purchased as an administrative charge. All other transaction/processing fees for permit transactions shall be absorbed by the City as an operational cost.

- **Semi-Annual Permit: \$180.00 per permit (valid for 6 months)**

Purchase of each permit will be accompanied by a \$3.50 gateway fee charged by IPS to the customer. IPS shall charge the City a \$3.00 fee per permit purchased as an

administrative charge. All other transaction/processing fees for permit transactions shall be absorbed by the City as an operational cost.

- Annual Permit: \$324.00 per permit (valid for 12 months)

This annual permit fee represents a ten percent (10%) discount to the quarterly permit fee based on an annualized quarterly permit cost of \$360. Purchase of each permit will be accompanied by a \$3.50 gateway fee charged by IPS to the customer. IPS shall charge the City a \$3.00 fee per permit purchased as an administrative charge. All other transaction/processing fees for permit transactions shall be absorbed by the City as an operational cost; and

BE IT FURTHER RESOLVED, that pursuant to a prior agreement with Clinton County, quarterly, semi-annual, and annual parking permits shall not be valid within the public parking areas of the CCGC and that, within the public parking areas of the CCGC as detailed in the map included as Exhibit A, the first one (1) hour of parking for all vehicles shall be free of charge but all subsequent parking hours shall be subject to the above fee structure while no parking fees shall be imposed by the City in the employees parking areas of the CCGC; and

BE IT FURTHER RESOLVED, that none of the above listed parking fees shall apply to those parking spaces within the off-street lots listed above which have been designated and marked as reserved for use by persons with disabilities, though vehicles parked in said spaces which do not display the required parking permit and/or special license plates issued to persons with disabilities shall be subject to the issuance of traffic violations or other remedies in accordance with City code; and

BE IT FURTHER RESOLVED, that the approximately one hundred, twenty-three (123) off-street parking spaces within the North Durkee Street Lot, defined as the area within the Durkee Street Lot that lay north of that lot's central east-west traffic corridor, are designated as free, two (2) hour time-limited parking and that no hourly, daily, or permit fees shall be required to park in the North Durkee Street Lot; and

BE IT FURTHER RESOLVED, that quarterly, semi-annual, and annual permits shall be made available on a first-come, first-served basis to those members of the public who provide acceptable documentation of residency or employment within the SAD and then, if available permits remain, to all other members of the public on a first-come, first-served basis. The types of acceptable documentation for the establishment of residency or employment within the SAD is to be determined by the City Chamberlain or the Director of Community Development; and

BE IT FURTHER RESOLVED, that the above listed parking fees shall be effective and enforced between the hours of 8:00 a.m. and 4:00 p.m., Monday through Friday, year round, excepting those days designated as "holidays" per the AFSCME collective bargaining agreement; and

BE IT FURTHER RESOLVED, that a visual representation of the policies for management of the downtown parking system is included as Exhibit B which shall be included in marketing materials to be made available to the public; and

BE IT FURTHER RESOLVED, that the above listed parking fees shall apply equally to all those parking within the SAD, regardless of residency or employment status, but that specific exemptions to these parking fees shall be permitted if authorized directly via Council resolution (e.g., special events to be held in the downtown area) or via the Council's approval of contractual agreements that explicitly include such exemptions; and

BE IT FURTHER RESOLVED, that vehicles determined by the City's police department, its parking enforcement staff, or any other designated parking enforcement official to be in violation of the policies or parking fee structure listed above shall be subject to the issuance of traffic violations and other remedies in accordance with City Code; and

BE IT FURTHER RESOLVED, that the Common Council approves that all previously approved parking fees established within the SAD are hereby terminated with immediate effect, however, this termination of fees does not apply to parking district costs assessed to property owners within the SAD per the legislation which enacted the SAD; and

BE IT FURTHER RESOLVED, that the Common Council authorizes the Mayor, Corporation Counsel, Chief of Police, Chamberlain, Superintendent of Public Works, and Community Development Director to take such further actions as may be necessary to effectuate the intent of this resolution; and

BE IT FURTHER RESOLVED AS FOLLOWS:

- 1. The Common Council has reviewed the proposed Action and finds that it constitutes an integral component of multiple projects evaluated as part of the DAIP which was thoroughly reviewed under SEQRA.**
- 2. The potential environmental impacts of the Action were adequately addressed as an essential component of multiple projects evaluated as part of the DAIP in the GEIS, the Statement of Findings, and the Amendment to the Statement of Findings and the proposed Action is not likely to result in any new or different environmental impacts than those previously considered during SEQRA review of the DAIP. Therefore, no further SEQRA review is necessary.**

Approved by the **FINANCE/CDO COMMITTEE** at its meeting on **May 12th, 2022**

“Yes”
“No”
Absent

DRAFT RESOLUTION 4.4 – 05/12/2022

**RESOLUTION TITLE: AUTHORIZE BUDGET ADJUSTMENT POLICE
DEPARTMENT - INSURANCE DEDUCTIBLE**

WHEREAS, the 2022 General Fund budget does not makes appropriations for insurance deductible cost in settlement of the claim entitled Butchino v City of Plattsburgh involving the City of Plattsburgh police department; and

WHEREAS, the request is to provide for appropriations for 2022 pursuant to the settlement agreement to pay the insurance carrier for the claim deductible amount; and

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

Increase: General Fund – Police Fees for Services	13120000-4440	\$100,000.00
Increase: General Fund – Appropriated Fund Balance	1-0590	\$100,000.00

To provide appropriations for unbudgeted cost for the insurance deductible expense for the settlement of the claim entitled Butchino v City of Plattsburgh involving the City of Plattsburgh police department for actions that occurred on or about August 19, 2017. The budget adjustment provides for the increase in appropriations and the increase in appropriated fund balance for these unbudgeted costs which will increase the total General Fund budget by \$100,000.00 for 2022.

Approved by the **FINANCE/CDO COMMITTEE** at its meeting on **May 12th, 2022**

“Yes”
“No”
Absent

DRAFT RESOLUTION 4.5 – 05/12/2022

RESOLUTION TITLE: AUTHORIZE THE WITHDRAWAL OF THE PARCEL FROM TAXATION AND AUTHORIZE THE CITY CHAMBERLAIN, AS TAX ENFORCEMENT OFFICER OF THE CITY, TO DELIVER A CERTIFICATE OF PROSPECTIVE CANCELLATION FOR THE PARCEL TO BOTH THE CITY ASSESSOR AND THE COUNTY DIRECTOR OF REAL PROPERTY SERVICES IN ORDER TO RECEIVE AN EXEMPTION FROM TAXATION, AD VALOREM LEVIES AND SPECIAL ASSESSMENTS FOR THE PARCEL - 15 COUCH STREET.

WHEREAS, the Common Council (Council) of the City has determined there is no practical method to enforce the collection of future property taxes against parcel ID 207.19-3-48, 15 Couch Street, Plattsburgh, NY (parcel); and

WHEREAS, the Council's determination is based on the fact that a fire occurred on the parcel in 2013 subsequent to which the current owner of the parcel has refused to pay real property taxes, and has also refused to pay substantial civil judgments obtained against the property owner and the parcel for violations of City Code; and

WHEREAS, notwithstanding these repeated failures by the property owner to pay property taxes, in rem tax foreclosure proceedings—in which the City could take title—are not in the best interest of the City tax payer; and

WHEREAS, due to the framework of the collection of taxes, while the parcel remains on the tax rolls the City has been required to reimburse the other taxing jurisdictions for their assessments for this parcel; and

WHEREAS, the Council has determined the parcel has been withdrawn from foreclosure proceedings again in 2022; and

WHEREAS, pursuant to RPTL Section 1138, a municipality may withdraw certain parcels from taxation where authorized by a Council resolution and a Certificate of Prospective Cancellation filed with the assessor; and

WHEREAS, the Council desires to cancel the property tax lien on the parcel and make the parcel eligible for exemption from taxation, ad valorem levies and special assessments until such time as the Council determines the parcel should be restored to the property tax roll;

NOW, THEREFORE, BE IT RESOLVED, that the Common Council, by copy of this resolution, authorizes the City Chamberlain, as tax enforcing officer of the City, to deliver a Certificate of Prospective Cancellation for the parcel to both the City Assessor and the County Director of Real Property Services in order to receive an exemption from taxation, ad valorem levies and special assessments for the parcel.

Approved by the **FINANCE/CDO COMMITTEE** at its meeting on May 12th, 2022

“Yes”

“No”

Absent

DRAFT RESOLUTION 5.1 – 05/12/2022

RESOLUTION TITLE: AUTHORIZING REVISING CAPITAL PROJECT H5110.82 - 2021 STREET RESURFACING 3

WHEREAS, the Capital Expenditure Plan adopted January 7th, 2021, includes a Street Resurfacing & Improvements category, and

WHEREAS, the Infrastructure Division desires to establish a 2021 Street Resurfacing 3 project for items not included in the Street Resurfacing & Improvements category of the Capital Expenditure Plan adopted January 7th, 2021, and

WHEREAS, the cost of the 2021 Street Resurfacing 3 project has been estimated by the Infrastructure Division for the costs of the unplanned expenditures to purchase items not included in the expenditure plan for the General Fund for 2021, and is being revised in 2022, as follows:

	2021 Capital Cost	2021 Estimated Cost	2022 Estimated Cost
Margaret St. conceptual design	\$ -	\$ 68,000	\$ 68,000
Margaret St. prelim/final design	<u>-</u>	<u>-</u>	<u>850,500</u>
Total	<u>\$ -</u>	<u>\$ 68,000</u>	<u>\$ 918,500</u>

Project Funding:

NYSDOT Touring Route Funding	<u>\$ -</u>	<u>68,000</u>	<u>\$ 918,500</u>
Total	<u>\$ -</u>	<u>\$ 68,000</u>	<u>\$ 918,500</u>

Now therefore,

BE IT RESOLVED, by the Common Council of the City of Plattsburgh, New York, this 19th day of May 2022, as follows:

- 1) That, the amount of Nine Hundred Eighteen Thousand Five Hundred and 00/100 (\$918,500.00) Dollars is hereby appropriated for the capital project

2021 Street Resurfacing 3 (H5110.82) for the cost of the items listed above and is hereby authorized to be expended for such purpose.

- 2) That, Nine Hundred Eighteen Thousand Five Hundred and 00/100 (\$918,500.00) Dollars of such appropriation be provided by an advance payment from the General Fund to be reimbursed by a request issued by the City of Plattsburgh to the NYSDOT for Touring Route Program funding to be provided as a permanent funding source for the project by the end of the fiscal year of 2022.

Approved by the **FINANCE/CDO COMMITTEE** at its meeting on **May 12th, 2022**

“Yes”

“No”

Absent

DRAFT RESOLUTION 5.2 – 05/12/2022

RESOLUTION TITLE: AWARD OF PRELIMINARY AND FINAL DESIGN PHASE FOR THE MARGARET STREET RECONSTRUCTION PROJECT

RESOLVED: In accordance with the request therefore the Common Council awards the Preliminary and Final Design Phase for the Margaret Street Reconstruction Project to C&S Engineers for a total of \$850,500.00 which is to be reimbursed thru the NYSDOT Touring Routes Program.

Contractor: C&S Engineers

Service: Preliminary and Final Design Plans and Construction Documents

Rate: \$850,500.00

Mileage: N/A

Contract Amount: \$850,000.00

City Cost: initial \$850,000.00 which is 100% reimbursable through Touring Routes Funding.

Period: Spring – Winter 2022

New/Renewal: New

Previous Years Cost: 2021 – \$68,000 for Concept Study

Previous Years Cost to the City: Initial \$68,000 to be reimbursed through Touring Routes Funding.

Approved by the **FINANCE/CDO COMMITTEE** at its meeting on **May 12th, 2022**

“Yes”

“No”

Absent