

**DRAFT RESOLUTION 2.1 – 01/12/2023**

**RESOLUTION TITLE: AUTHORIZING AWARD CONSULTING SERVICES FOR THE PRELIMINARY DESIGN OF THE SARANAC RIVER TRAIL PHASE III BIKE AND PEDESTRIAN PATHWAY**

By: Elisha Bartlett, Senior Planner

**WHEREAS**, the City Council approved a sum of \$167,000.00 to be appropriated pursuant to amendment to the 2017 Capital Budget by resolution dated 6/23/2017 and made available to cover the cost of participation for a project for the **Saranac River Trail Phase III, PIN 780661 (the “project,”)** which is eligible funding under Title 23 US Code, as amended, that calls for the apportionment of the costs such program to be borne at the ratio of 80% Federal funds and 20% non-federal funds

**WHEREAS**, the City issued a consultant contract advertisement to contractors on the Local Design Services Agreement (LDSA) Region 7 short list of prequalified firms on October 3, 2022 to identify the most qualified and most available firm to provide Consulting Services to assist in completing the scope of work, and provide a preliminary design for the Saranac River Trail Phase III Bike and Pedestrian Trail; and

**WHEREAS**, two (2) expression of interests were received in response to the solicitation; and

**WHEREAS**, a three member Proposal Review Committee composed of employees from the City Community Development Department and Public Works Department have fully evaluated the proposals in accordance with the terms of the RFQ.

**WHEREAS**, a pre-bid project walk was completed by the chosen team, Barton and Loguidice, accompanied by the Community Development Department Director, and Senior Planner on October 31, 2022.

**WHEREAS**, a final scope of services for preliminary design work and right of way incidentals (the “scope”) was provided by Barton & Loguidice with a not to exceed amount of \$194,195.

**WHEREAS**, considerable analysis will be required to ensure that the proposed trail alignment and resulting roadways will be compliant as the project passes through the intersection of Bridge Street, South Peru Street, to enter onto Green Street, or other viable alternatives will need to be identified and vetted.

**WHEREAS**, the not to exceed amount for the scope is \$27,195.00 more than what was previously approved by Council by resolution dated 6/23/2017.

**WHEREAS**, supplemental funding to cover the additional amount of \$27,195.00 to be provided covered by the City’s General Fund balance.

**NOW, THEREFORE, BE IT RESOLVED, the Common Council awards the RFQ and authorizes the Mayor to sign an agreement for Consulting Services for Preliminary Design of the Saranac River Trail Phase III Bike and Pedestrian Pathway in an amount not to exceed \$194,195. Funding to cover this contract amount has been secured through Federal DOT grant D035705 PIN 7806-61, and the General Fund balance.**

Contractor:	Barton & Loguidice
Service:	Consulting Services for Saranac River Trail Phase III Preliminary design service
Rate:	Max: \$194,195
Mileage:	n/a
Contract Amount:	\$194,195 (New)
City Cost:	20% match + leverage funds = \$61,195 (\$34,000 + \$27,195 = \$61,195)
Period:	1 year
New/Renewal:	New
Previous Year's Cost:	n/a
Previous Year's City Cost:	n/a

Approved by the **FINANCE & COMMUNITY DEVELOPMENT COMMITTEE** at its meeting on **JANUARY 12TH, 2023**

“Yes”  
“No”  
Absent

**DRAFT RESOLUTION 2.2 – 01/12/2023**

**RESOLUTION TITLE: AUTHORIZE ACCEPTANCE OF THE DRAFT 2022  
COMPREHENSIVE PLAN UPDATE**

**WHEREAS**, the City entered into a Master Grant Contract with NYS DOS on July 29, 2019 for a term from 6/1/2018 to 5/31/2023 in order for the City to complete updates to its Comprehensive Plan, finalize its 2016 draft Local Waterfront Revitalization Program (LWRP), and update Zoning components associated with the LWRP update.

**WHEREAS**, by Resolution dated February 20, 2020 the Common Council approved the Consulting Services contract to be assigned to Saratoga Associates Landscape Architects, Architects, Engineers, and Planners, P.C. (Saratoga Associates) for the finalization of the LWRP and update of the Comprehensive Plan and Zoning Ordinance and be paid for by a grant from the NYSDOS; and

**WHEREAS**, the City has followed the process laid out by the DOS grant agreement has been substantially adhered to, including numerous public engagement opportunities for the Comprehensive Plan in coordination with the LWRP and associated Zoning Updates; and

**WHEREAS**, a copy of the draft plans and zoning updates were shared with DOS with minor comments provided by DOS for revisions; and

**WHEREAS**, the necessary revisions were completed; and

**WHEREAS**, the draft Comprehensive Plans, LWRP, and zoning update were presented by Saratoga Associates at a final Community Workshop and public meeting in the City Council Chambers on November 22, 2022 resulting in no additional comments that would necessitate additional revisions; and

**WHEREAS**, the Community Development Department shared the final drafts of the Comprehensive Plan, LWRP, and Zoning update with the Common Council via email on December 19, 2022 for their review and feedback; and

**WHEREAS**, a final presentation of the Comprehensive Plan, LWRP, and Zoning update have been provided to the Finance and Community Development Council subcommittee regularly held meeting on January 12, 2023 for their further consideration and comment;

**NOW, THEREFORE, BE IT RESOLVED, the Common Council accepts the final draft 2022 Comprehensive Plan, and allows it to move forward to the SEQRA process.**

Approved by the **FINANCE & COMMUNITY DEVELOPMENT COMMITTEE** at its meeting on **JANUARY 12TH, 2023**

“Yes”

“No”

Absent

## **DRAFT RESOLUTION 2.3 – 01/12/2023**

### **RESOLUTION TITLE: AUTHORIZE ACCEPTANCE OF THE DRAFT LWRP UPDATE**

**WHEREAS**, the City initiated the preparation of a Local Waterfront Revitalization Program in cooperation with the New York State Department of State in accordance with the provisions Article 42 of Executive Law to complete a 2016 preliminary draft; and

**WHEREAS**, the City entered into a Master Grant Contract with NYS DOS on July 29, 2019 for a term from 6/1/2018 to 5/31/2023 in order for the City to complete updates to its Comprehensive Plan, finalize its 2016 draft Local Waterfront Revitalization Program (LWRP), and update Zoning components associated with LWRP updates.

**WHEREAS**, by Resolution dated February 20, 2020 the Common Council approved the Consulting Services contract to be assigned to Saratoga Associates Landscape Architects, Architects, Engineers, and Planners, P.C. (Saratoga Associates) for the finalization of the LWRP and update of the Comprehensive Plan and Zoning Ordinance and be paid for by a grant from the NYSDOS; and

**WHEREAS**, the Draft Local Waterfront Revitalization Program (LWRP) has been prepared under the guidance and review of the City, with consultant planning services provided by Saratoga Associates; and

**WHEREAS**, the process laid out by the DOS has been substantially adhered to and coordinated with DOS by the City and its consultant for this LWRP update process, in tandem with the Comprehensive Plan update, and LWRP associated Zoning updates; and

**WHEREAS**, DOS has complete a preliminary review of the the LWRP and zoning updates and provided minor comments for revisions; and

**WHEREAS**, the necessary revisions were completed; and

**WHEREAS**, the draft LWRP, and zoning update, along with the Comprehensive Plan were presented by Saratoga Associates at a final Community Workshop and public meeting in the City Council Chambers on November 22, 2022 resulting in no additional comments that would necessitate additional revisions; and

**WHEREAS**, the Community Development Department shared the final drafts of the Comprehensive Plan, LWRP, and Zoning update with the Common Council on December 19, 2022 for their review and feedback; and

**WHEREAS**, a final presentation of the Comprehensive Plan, LWRP, and Zoning update have been provided to the Finance and Community Development Council subcommittee regularly held meeting on January 12, 2023 for their further consideration and comment;

**NOW, THEREFORE, BE IT RESOLVED, the Common Council accepts the draft LWRP, and allows it to move forward to the SEQRA process.**

Approved by the **FINANCE & COMMUNITY DEVELOPMENT COMMITTEE** at its meeting on **JANUARY 12TH, 2023**

“Yes”

“No”

Absent

**DRAFT RESOLUTION 2.4 – 01/12/2023**

**RESOLUTION TITLE: AUTHORIZING ACCEPTANCE OF THE DRAFT ZONING UPDATE IN ASSOCIATION WITH THE LWRP UPDATE**

**WHEREAS**, the City initiated the preparation of a Local Waterfront Revitalization Program in cooperation with the New York State Department of State in accordance with the provisions Article 42 of Executive Law; and

**WHEREAS**, the City entered into a Master Grant Contract with NYS DOS on July 29, 2019 for a term from 6/1/2018 to 5/31/2023 in order for the City to complete updates to its Comprehensive Plan, finalized its 2016 draft Local Waterfront Revitalization Program (LWRP), and update associated Zoning components.

**WHEREAS**, by Resolution dated February 20, 2020 the Common Council approved the Consulting Services contract to be assigned to Saratoga Associates Landscape Architects, Architects, Engineers, and Planners, P.C. (Saratoga Associates) for the finalization of the LWRP and update of the Comprehensive Plan and Zoning Ordinance and be paid for by a grant from the NYSDOS; and

**WHEREAS**, the Draft Zoning Updates have been prepared to correspond directly with the draft LWRP under the guidance and review of the City, with consultant planning services provided by Saratoga Associates; and

**WHEREAS**, a more robust, City-wide Zoning update will occur as a separate process at a later date; and

**WHEREAS**, the process laid out by the DOS has been substantially adhered to for this update effort; and

**WHEREAS**, DOS has preliminarily reviewed the draft Zoning updates provided initial comment requiring minor revisions; and

**WHEREAS**, the necessary revisions were completed; and

**WHEREAS**, the draft Comprehensive Plans, LWRP, and zoning update were presented by Saratoga Associates at a final Community Workshop and public meeting in the City Council Chambers on November 22, 2022 resulting in no additional comments that would necessitate additional revisions; and

**WHEREAS**, the Community Development Department shared drafts of the Comprehensive Plan, LWRP, and Zoning update with the Common Council on December 19, 2022 for their review and feedback; and

**WHEREAS**, a final presentation of the Comprehensive Plan, LWRP, and Zoning update have been provided to the Finance and Community Development Council subcommittee regularly held meeting on January 12, 2023 for their further consideration and comment;

**NOW, THEREFORE, BE IT RESOLVED, the Common Council accepts the final drafted Zoning updates, and allows it to move forward to the SEQRA process.**

Approved by the **FINANCE & COMMUNITY DEVELOPMENT COMMITTEE** at its meeting on **JANUARY 12TH, 2023**

“Yes”

“No”

Absent



**DRAFT RESOLUTION 2.5 – 01/12/2023**

**RESOLUTION TITLE: AUTHORIZE BUDGET ADJUSTMENT - INCREASE 2023  
GENERAL, ECONOMIC DEV CONTRACT SERVICES - ZONING CODE UPDATES**

It is being requested to adjust the 2023 General Fund Budget, as follows:

Increase: General Fund – Economic Dev. Contract Services	16335000-4430	\$246,280.00
Increase: General Fund – Appropriated Fund Balance	1-0590	\$246,280.00

To provide appropriations for unbudgeted cost for the updating of the City’s zoning codes. 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 \$246,280.00 for 2023.

Approved by the **FINANCE & COMMUNITY DEVELOPMENT COMMITTEE** at its meeting on **JANUARY 12TH, 2023**

“Yes”  
“No”  
Absent

**DRAFT RESOLUTION 2.6 – 01/12/2023**

**RESOLUTION TITLE: APPROVING CONSTRUCTION CONTRACT AWARD FOR RIVERWALK PORTION OF DOWNTOWN AREA IMPROVEMENT PROJECTS**

**WHEREAS**, the City of Plattsburgh revitalization efforts will 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 Draft and Final Generic Environmental Impact Statements (EIS), 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 Project 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 award of the construction contract for the Saranac Riverwalk (“Riverwalk”), which is required to enable the Riverwalk to proceed;

**NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:**

1. In accordance with the request therefore, the Common Council approves the construction contract for the Riverwalk be awarded to the lowest responsible bidder, Luck Brothers, Inc., in the amount of \$1,610,228.55. Funding is to be provided by capital project 2019 DRI Streetscape – Riverfront (H5110.69) and the DRI’s Streetscape Improvements and Riverfront Access grant.
2. The Common Council has reviewed the proposed construction contract award and finds that it constitutes an integral component of the Riverwalk portion of the DAIP which was thoroughly reviewed under SEQRA.

3. The potential environmental impacts of the construction contract award were adequately addressed as an essential component of the Riverwalk portion of the DAIP in the GEIS, the Statement of Findings, and the Amendment to the Statement of Findings and the proposed construction contract award 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.
4. The Common Council authorizes and directs the Mayor to execute the Riverwalk construction contract with Luck Brothers, Inc. and further authorizes the Mayor, City Clerk, Director of Community Development, City Attorney and/or Special Legal Counsel to take such further actions as may be necessary to effectuate the intent of this Resolution.

Approved by the **FINANCE & COMMUNITY DEVELOPMENT COMMITTEE** at its meeting on **JANUARY 12TH, 2023**

“Yes”

“No”

Absent

**DRAFT RESOLUTION 2.7 – 01/12/2023**

**RESOLUTION TITLE: AUTHORIZES CITY HALL ROOF PRE-RENOVATION ASBESTOS INSPECTION SERVICES AGREEMENT**

By: Matthew Miller, Director of Community Development

**WHEREAS**, ongoing analysis of City Hall’s roof requires testing for asbestos containing materials in order to clarify the scope of the renovation work.

**NOW, THEREFORE, BE IT RESOLVED**, the Common Council authorizes the Mayor to execute a service agreement with KAS, Inc. to complete a pre-renovation asbestos inspection for the roof of Plattsburgh City Hall at a cost not to exceed \$2,950. Funding is to be provided by capital project 2022 Public Service Buildings (H5110.85).

Contractor:	KAS, Inc.
Service:	Pre-renovation ACM testing for City Hall roof
Rate:	n/a
Mileage:	n/a
Contract Amount:	\$2,950 (New)
City Cost:	\$2,950
Period:	n/a
New/Renewal:	New
Previous Year’s Cost:	n/a
Previous Year’s City Cost:	n/a

Approved by the **FINANCE & COMMUNITY DEVELOPMENT COMMITTEE** at its meeting on **JANUARY 12TH, 2023**

“Yes”  
“No”  
Absent

**DRAFT RESOLUTION 2.8 – 01/12/2023**

**RESOLUTION TITLE: AUTHORIZE CHANGE ORDER #5 CT MALE ASSOCIATES AGREEMENT - DURKEE LOT SITE MANAGEMENT PLAN PERIODIC REVIEW REPORT**

By: Matthew Miller, Director of Community Development

**NOW, THEREFORE, BE IT RESOLVED, that the Common Council authorizes the Mayor to execute technical services change order #5 to the City’s October 28, 2014 agreement C.T. Male Associates in an amount not to exceed \$2,800 for completion and submission of a periodic review report for the Durkee Street lot Site Management Plan (SMP) in accordance with NYSDEC requirements. Funding is to be provided by the Parking Fund.**

Contractor:	C.T. Male Associates
Service:	Durkee Street lot SMP periodic review report
Rate:	n/a
Mileage:	n/a
Contract Amount:	\$2,800 (New)
City Cost:	\$2,800
Period:	n/a
New/Renewal:	Renewal
Previous Year’s Cost:	n/a
Previous Year’s City Cost:	n/a

Approved by the **FINANCE & COMMUNITY DEVELOPMENT COMMITTEE** at its meeting on **JANUARY 12TH, 2023**

“Yes”  
“No”  
Absent

**DRAFT RESOLUTION 2.9 – 01/12/2023**

**RESOLUTION TITLE: RESTORE NY GRANT APPLICATION APPROVAL FOR CRETE CENTER DEMOLITION**

By: Matthew Miller, Director of Community Development

**WHEREAS**, the City of Plattsburgh is eligible for grant funding under Round 7 of the Restore NY Communities Initiative Municipal Grant Program; and

**WHEREAS**, the Common Council has considered proposals that qualify for funding under the program and selected one project to be included in an application that will be submitted to Empire State Development Corporation (ESDC) as follows:

Demolition of Crete Memorial Civic Center (Crete) located at 2-3 Beach Road in Plattsburgh, NY. The Crete is a 49,450 sq. ft. municipal recreational building located in the City’s beachfront property and has served as its foremost recreational gathering space. Due to safety issues and other concerns, this area has been targeted for improvement within the City’s draft Local Waterfront Revitalization Program and its 2016 City Beach and Crete Center Waterfront Design and Feasibility Study. The project will result in the demolition of the Crete and associated structures which would be replaced with a large, multipurpose facility to be managed via one or more public/private partnerships that can host community events, activities, and performances; and

**WHEREAS**, this project is consistent with all existing local plans, the proposed financing is appropriate for the project, the project will facilitate effective and efficient use of existing and future public resources so as to promote both economic development and preservation of community resources and the project develops and enhances infrastructure and/or other facilities in a manner that will attract, create and sustain employment opportunities in the City of Plattsburgh.

**NOW, THEREFORE, BE IT RESOLVED**, that the Common Council hereby supports and will sponsor an application for Restore NY funding for demolition of the Crete Memorial Civic Center located at 2-3 Beach Road in Plattsburgh, NY and will administer the grant in accordance with all applicable rules and regulations established by ESDC; and

**BE IT FURTHER RESOLVED** that the Mayor is authorized to sign the application and any agreements required by ESDC for grant funding that result from the application.

Approved by the **FINANCE & COMMUNITY DEVELOPMENT COMMITTEE** at its meeting on **JANUARY 12TH, 2023**

“Yes”  
“No”  
Absent

**DRAFT RESOLUTION 3.2 – 01/12/2023**

**RESOLUTION TITLE: AUTHORIZE BUDGET ADJUSTMENT - INCREASE 2023  
GENERAL, STATE AID AND ECONOMIC DEV CONTRACT SERVICES**

It is being requested to adjust the 2023 General Fund Budget, as follows:

Increase: General Fund – State Aid – DEC                      00001330-3790                      \$ 29,905.00

Increase: General Fund – Economic Dev. Contract Services   16335000-4443                      \$ 29,905.00

To provide for an increase in in the 2023 General Fund budget for NY state aid revenue awarded under a CFA grant to be utilized for climate smart work to be performed by Vermont Energy Investment Corporation (VEIC). The budget adjustment increases the 2023 General Fund budget equally for estimated revenue and appropriations.

Approved by the **FINANCE & COMMUNITY DEVELOPMENT COMMITTEE** at its meeting on **JANUARY 12TH, 2023**

“Yes”

“No”

Absent

**DRAFT RESOLUTION 4.1 – 01/12/2023**

**RESOLUTION TITLE: AUTHORIZING 2023 RETAINER AGREEMENT WITH STAFFORD, OWENS, MURNANE, KELLEHER, MILLER, MEYER AND ZEDICK, PLLC**

**RESOLVED: in accordance with the request therefore, the Mayor is authorized to sign 2023 Retainer Agreement with Stafford, Owens, Murnane, Kelleher, Miller, Meyer and Zedick, PLLC for Labor and Employment matters.**

Approved by the **FINANCE & COMMUNITY DEVELOPMENT COMMITTEE** at its meeting on **JANUARY 12TH, 2023**

“Yes”

“No”

Absent