

RESOLUTION – 01/19/2023

7.5 ADOPTION OF LOCAL LAW P-1 OF 2023: A local law amending in its entirety City Code Section 348-24 and setting water service rates and enacting regulations for levy and collection of water charges.

AMENDING IN ITS ENTIRETY CITY CODE SECTION 348-24 AND SETTING WATER SERVICE RATES AND ENACTING REGULATIONS FOR LEVY AND COLLECTION OF WATER CHARGES.”

BE IT ENACTED by the Common Council of the City of Plattsburgh, New York as follows:

1. This local law amends and restates in its entirety City Code §348-24, entitled “Schedule of Rates; Regulations (Water Services)”.
2. If any clause, sentence, paragraph, subdivision or part of this section shall be adjudged by any court of competent jurisdiction to be invalid, such judgment, decree or order shall not affect, impair or invalidate the remainder thereof but shall be confined in its operation to the clause, sentence, paragraph, subdivision or part thereof directly involved in the controversy in which such judgment, decree or order shall have been rendered.
3. This law shall not affect the validity or enforceability of any water charge, interest, penalty or lien that accrued or attached before the effective date of this law.
4. The rates for water services and the regulations for levying and collecting water charges are as follows:

A. Service Classification No.: 1

APPLICABLE TO THE USE OF SERVICE FOR:

All customers taking service within the corporate limits of the City of Plattsburgh, for bills rendered on and after February 1, 2023

CHARACTER OF SERVICE:

Continuous

USAGE RATE:

Per Month.

	PER THOUSAND GALLONS GROSS NET	
First 16,000 Gallons	4.61	4.19
In excess of 16,000 gallons	4.11	3.73

MINIMUM CHARGE:

Monthly, based on a minimum usage rate and usage scale:

METER SIZE	Gallons Per Month Allowance	MINIMUM CHARGE	
		Gross	Net
5/8 "	2,000	9.22	8.38
3/4 " (residential and commercial), or 1" residential	4,000	18.43	16.76
1 " non-residential	7,000	32.27	29.33
1-1/4 "	10,000	46.09	41.90
1-1/2 "	13,000	59.92	54.47
2"	21,000	94.27	85.70
3 "	40,000	172.25	156.60
4 "	66,000	278.98	253.61
6 "	130,000	553.94	503.61
8 "	210,000	870.02	790.93
10 "	300,000	1239.43	1127.06

INFRASTRUCTURE INVESTMENT CHARGES (IIC): Annual charges, to be billed monthly, based on meter size/service Line size:

NEW STORAGE TANKS IIC 2009

Meter/Service Line Size	Annual Charge	
	\$/Yr/Service	\$/Month
5/8"	15	1.25
3/4"	30	2.50
1"	45	3.75
1.5"	65	5.42
2"	185	15.42

3"	1,000	83.33
4"	1,650	137.50
6"	2,700	225.00
8"	4,800	400.00

MEAD DAM IIC 2012

Annual Charge

Meter/Service Line Size	\$/Yr/Service	\$/Month
5/8"	11.40	0.95
3/4"	22.80	1.90
1"	34.20	2.85
1.5"	49.40	4.12
2"	140.60	11.72
3"	760.00	63.33
4"	1,254.00	104.50
6"	2,052.00	171.00
8"	3,648.00	304.00

Westbrook Dams IIC 2013

Annual Charge

Meter/Service Line Size	\$/Yr/Service	\$/Month
5/8"	8.40	0.70
3/4"	16.80	1.40
1"	25.20	2.10
1.5"	36.40	3.03
2"	103.60	8.63
3"	560.00	46.67
4"	924.00	77.00
6"	1,512.00	126.00
8"	2,688.00	224.00

Impact Demand Charge (IDC) 2020
Beginning with bills sent after June 30, 2020.

	Annual Charge	
Meter/Service Line Size	\$/Yr/Service	\$/Month
1" *	400.00	33.33
1.5"	900.00	75.00

2"	1,600.00	133.33
3"	3,600.00	300.00
4"	6,400.00	533.33
6"	14,400.00	1,200.00
8"	25,600.00	2,133.33

*Single and two family homes with 1" services and smaller are exempt from this 2020 IDC.

Water Distribution System IIC 2022

Meter/Service Line Size	\$/Yr/Service	\$/Month
5/8"	45.00	3.75
3/4"	64.80	5.40
1"	115.20	9.60
1.5"	259.20	321.60
2"	460.80	38.40
3"	1036.80	86.40
4"	1843.20	153.60
6"	4147.20	345.60
8"	7372.80	614.40

TERMS OF PAYMENT

Except as set forth in the following subsection entitled "Special Provision" meters shall be read and bills shall be rendered monthly, in arrears. The water consumed times the water rate shall

be the net amount of the water charges and shall be due and payable when the bill is rendered. The gross amount of the water bill shall be the net amount plus 10% of the net amount. The gross amount shall be due and payable if the net amount is not paid within 20 days of the date of the billing. If the gross amount of a water bill is not paid, the gross amount shall accrue interest at the rate of 1.5 per cent per month until date of payment.

TERM:

From the date of commencement of service, pursuant to application, until 10 days written notice is given prior to the date set for discontinuance or upon discontinuance by the water department in accordance with the provisions of this Schedule of Water Service.

SPECIAL PROVISION:

Meters may be read and/or bills rendered monthly at the option of the Water Department. The terms of payment, for monthly billings are net-twenty days after date of bill. Gross amount plus interest shall be due thereafter.

All those customers who do not have water meters installed in the water service line serving their premises on the effective date of this service classification shall be billed at the rate of \$16.76/month until such time that a water meter has been set in the water service line to their premises. Thereafter, the rates for water service above set forth shall apply.

Elderly persons that qualify for the Real Property Tax Exemption shall also be exempt from the Minimum Charge for water service and be charged for only the actual gallons of water consumed.

B. Service Classification No. 3

APPLICABLE TO USE OF SERVICE FOR:

Private fire protection service within the corporate limits of the City of Plattsburgh.

CHARACTER OF SERVICE:

Continuous.

RATE:

(a) Private Fire Lines

Size of Service	Annually	Quarterly	Monthly
2 inch	167.90	41.98	14.00
3 inch	364.24	91.05	30.36
4 inch	432.36	108.09	36.03
6 inch	779.58	194.91	64.97
8 inch	1589.52	407.60	135.86
10inch	2338.32	584.59	194.88

10inch 2293.59 573.41 191.15

	Annually	Quarterly	Monthly
(b) Private Fire Hydrant:	755.98	189.01	63.01

(c) Infrastructure Investment Charge: \$696/hydrant/year (\$174.00/Quarter, \$58.00/month)

MINIMUM CHARGE:

None

TERMS OF PAYMENT:

Net cash on presentation of bill. Bills may be rendered quarterly or monthly.

TERMS:

From the date of commencement of service, pursuant to application, until thirty days written notice is given prior to the date set for discontinuance by the Water Department in accordance with provisions of this Schedule Water Service.

SPECIAL PROVISION:

The foregoing rates for private fire protection service are based on unmetered service. Water for Fire Extinguishment purposes and limited testing requirements is provided at no extra charge. However, if, in the opinion of the Water Department, the installation of a fire line meter is required, the customer shall make said installation at his own expense. The entire meter installation shall be constructed and installed according to the specifications of the Water Department. There shall be no branch connections to said fire service line other than those for fire protection service.

5. This law shall take effect immediately upon filing with the New York Secretary of State.

RESOLUTION – 01/19/2023

7.6 ADOPTION OF LOCAL LAW P-2 OF 2023: A local law establishing an Associated Schedule of Rates for Sewer Connections in the City of Plattsburgh. A local law amending and restating in its entirety Chapter 278, Article VII, Section 48, Subsection (C) of the City Code of the City of Plattsburgh.

Establishing an Associated Schedule of Rates for Sewer Connections in the City of Plattsburgh

A local law amending and restating in its entirety Chapter 278, Article VII, Section 48, Subsection (C) of the City Code of the City of Plattsburgh.

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

1. Subsection (C) of Section 48 of Chapter 278 of the City Code of the City of Plattsburgh will be amended and restated as follows:

278-48(C):

Schedule of Rates; Regulations (Sewer Service)

Service Classification No. : 1

Character of Service: Continuous

APPLICABLE TO THE USE OF SERVICE FOR:

All customers taking service within the corporate limits of the City of Plattsburgh, for bills rendered on and after February 1, 2023

RATE:

\$ Per Month, based upon metered water consumption:

		2023	2023
	Gallons	Gross	Net
First	3,000	7.76	7.06
Next	14,000	6.32	5.74
Next	17,000	6.24	5.67
Next	133,000	6.12	5.56
Next	167,000	6.08	5.53

MINIMUM CHARGE: Monthly \$.

		2023	2023
	<u>Allowance</u>	<u>Gross</u>	<u>Net</u>
5/8 "	3,000	24.30	21.16
3/4 "	4,000	29.60	26.90
1 "	7,000	48.56	44.12
1-1/4 "	10,000	67.48	61.34
1-1/2 "	13,000	86.42	78.56
2 "	21,000	130.38	118.53
3 "	40,000	259.91	231.22
4 "	66,000	415.41	377.64
6 "	130,000	804.42	731.29
8 "	210,000	1292.40	1174.91
10 "	300,000	1847.92	1679.92

INDUSTRIAL USERS

City users that are issued an industrial Pretreatment Permit and discharge more than 7,000,000 gallons per month will be charged \$1.75 per 1000 gallons beginning on February 1, 2023

HIGH FLOW NON-INDUSTRIAL USERS

Non-Industrial users that discharge more than 2,200,000 gallons per month (annual monthly average) the rate will be \$4.07 per 1000 gallons.

TERMS OF PAYMENT

Except as shown under "Special Provisions" below, meters are read and bills rendered monthly in arrears. The net amount is due when bill is rendered. Gross amount shall be due after date shown on bill.

TERM:

From the date of commencement of service, pursuant to application, until 10 days written notice is given prior to the date set for discontinuance or upon discontinuance by the Sewer Department in accordance with the provisions of this Schedule of Sewer Service.

SPECIAL PROVISION:

All those customers who do not have water meters installed in the water service line serving their premises on the effective date of this service classification shall be billed at the rate of \$26.90 per month thereafter until such time that a water meter has been set in

the water service line to their premises. Thereafter, the rates for sewer service above set forth shall apply.

Bills may be rendered monthly at the option of the Sewer Department. The terms of payment for monthly billings are twenty days after date of bill. Gross amount plus interest shall be due thereafter.

Elderly persons that qualify for the Real Property Tax Exemption shall also be exempt from the minimum charge for Sewer Service and be charged for only the actual gallons of sewage discharged as measured by the water meter readings.

2. If any clause, sentence, paragraph, subdivision or part of this section shall be adjudged by any court of competent jurisdiction to be invalid, such judgment, decree or order shall not affect, impair or invalidate the remainder thereof but shall be confined in its operation to the clause, sentence, paragraph, subdivision or part thereof directly involved in the controversy in which such judgment, decree or order shall have been rendered.

3. This law shall not affect the validity or enforceability of any water charge, interest, penalty or lien that accrued or attached before the effective date of this law.

4. This local law shall take effect immediately upon filing in the office of the New York State Secretary of State however, it shall only apply to sewer bills rendered on or after February 1, 2023 during which intervening period the existing sewer rates shall apply.

RESOLUTION – 01/19/2023

7.7 AUTHORIZING AWARD CONSULTING SERVICES FOR THE PRELIMINARY DESIGN OF THE SARANAC RIVER TRAIL PHASE III BIKE AND PEDESTRIAN PATHWAY

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.

RESOLUTION – 01/19/2023

7.8 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.

RESOLUTION – 01/19/2023

7.9 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.

RESOLUTION – 01/19/2023

7.10 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 NYS DOS; 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.

RESOLUTION – 01/19/2023

**7.11 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.

RESOLUTION – 01/19/2023

7.12 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.

RESOLUTION – 01/19/2023

7.13 AUTHORIZES CITY HALL ROOF PRE-RENOVATION ASBESTOS INSPECTION SERVICES AGREEMENT

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).

RESOLUTION – 01/19/2023

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

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.

RESOLUTION – 01/19/2023

7.15 RESTORE NY GRANT APPLICATION APPROVAL FOR CRETE CENTER DEMOLITION

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.

RESOLUTION – 01/19/2023

7.16 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.

RESOLUTION – 01/19/2023

7.17 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.

RESOLUTION – 01/19/2023

7.18 AUTHORIZE TRAVEL REQUESTS

1. Police Chief request for one Police Department employee to travel to Montour Falls, NY for “Fire Academy Training” on February 12, 17, February 27-March 3 and March 12-17, 2023. This training is being held by the Academy of Fire Science. The total cost should not exceed \$2,453.90 and will be paid for out of the training account.

RESOLUTION – 01/19/2023

7.19 AUTHORIZING REVISING CAPITAL PROJECT H5110.78 – 2021 PUBLIC SERVICE BUILDINGS

WHEREAS, the Capital Expenditure Plan adopted January 7th, 2021, included a Public Service Buildings category, and

WHEREAS, the Infrastructure Division established a 2021 Public Service Buildings project for items included in the Public Service Buildings category of the Capital Expenditure Plan adopted January 7th, 2021, and

WHEREAS, the cost of the 2021 Public Service Buildings project has been estimated by the Infrastructure Division for the costs of the planned expenditures to purchase items included in the expenditure plan for 2021, and is being further revised to include additional items and costs for this project, as follows:

	2021 Capital Cost	2021 Estimated Cost	2021 Revised Cost	2021 Revised Cost	2023 Revised Cost
DPW boiler system replacement	\$ 200,000	\$ 200,000	\$ 380,000	\$ 380,000	\$ 353,765
2 electric vehicle charging stations	-	-	-	-	13,790
Fire Station1 – ramp	-	-	-	60,000	77,434
Fire Station 2 – ramp	-	-	-	40,000	56,074
	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
Total	<u>\$ 200,000</u>	<u>\$ 200,000</u>	<u>\$ 380,000</u>	<u>\$ 480,000</u>	<u>\$ 501,063</u>

Project Funding:

Water Fund	\$ 66,667	\$ 66,667	\$ 126,666	\$ 126,666	\$ 122,518
Sewer Fund	66,667	66,667	126,667	126,667	122,518
General Fund	<u>66,666</u>	<u>66,666</u>	<u>126,667</u>	<u>226,667</u>	<u>256,027</u>
	<u> </u>				
Total	<u>\$ 200,000</u>	<u>\$ 200,000</u>	<u>\$ 380,000</u>	<u>\$ 480,000</u>	<u>\$ 501,063</u>

Now therefore,

BE IT RESOLVED, by the Common Council of the City of Plattsburgh, New York, this 19th day of January 2023, as follows:

- 1) That, the amount of Five Hundred One Thousand and Sixty-three and 00/100 (\$501,063.00) Dollars is hereby appropriated for the capital project **2021 Public Service Buildings (H5110.78)** for the revised cost of the equipment listed above and is hereby authorized to be expended for such purpose.

- 2) That, One Hundred Twenty-two Thousand Five Hundred Eighteen and 00/100 (\$122,518.00) Dollars of such appropriation be provided through serial bonds assigned to the Water Fund.
- 3) That, One Hundred Twenty-two Thousand Five Hundred Eighteen and 00/100 (\$122,518.00) Dollars of such appropriation be provided by the Sewer Fund.
- 4) That, Two Hundred Fifty-six Thousand and Twenty-seven and 00/100 (\$256,027.00) Dollars of such appropriation will be provided through serial bonds assigned to the General Fund.

RESOLUTION – 01/19/2023

7.20 AUTHORIZE CONTRACT AGREEMENT NUISANCE ANIMAL AND DOG CONTROL

RESOLVED: In accordance with the request therefore the Common Council approves the Mayor to sign a contract with Charles Grimshaw for nuisance animal and dog control for a lump sum price of \$15,000. Mr. Grimshaw meets all of the criteria set forth by the council, and has produced all the documentation required for insurance coverage per the contract.

RESOLUTION – 01/19/2023

7.21 MAYORAL APPOINTMENTS

THE MAYOR HANDS DOWN THE APPOINTMENT OF TOM COSGRO AS A REGULAR MEMBER TO THE PLANNING BOARD FOR A TERM TO BEGIN ON JANUARY 19, 2023 AND EXPIRING DECEMBER 31, 2027.