

RESOLUTION 09/07/2023

7.168 ADOPTION OF THE FINAL DRAFT 2023 COMPREHENSIVE PLAN FOR THE CITY OF PLATTSBURGH

City of Plattsburgh Resolution to Adopt the Final Draft of the 2023 Comprehensive Plan

Whereas, the proposed Final Draft of the City of Plattsburgh 2023 Comprehensive Plan (the Plan) was funded by a grant awarded by NYS Department of State; and

Whereas, the Plan was developed in accordance to the process laid out and agreed upon by the respective State of New York Master Contract for Grants with NYS Department of State; and

Whereas, the Plan is a result of an extensive public participation process; and

Whereas, the Plan has completed the appropriate SEQRA process and shared the results with NYS Department of State; and

Whereas, the Plan has been referred to the County for review and recommendation; and

Whereas, pursuant to Section 28-a of the General City Law, and after a proper notice was given, a public hearing was held on September 7, 2023 for the purpose of hearing final public comments on the Final Draft 2023 Comprehensive Plan for the City of Plattsburgh ahead of its proposed adoption; and

Whereas, there has been no negative public comment or objections noted to the proposed Final Draft of the City of Plattsburgh 2023 Comprehensive Plan; and

Whereas, the Mayor and Common Council have determined that approving the Final Draft of the City of Plattsburgh 2023 Comprehensive Plan will be in the best interest of the residents of the City of Plattsburgh, and worthy of implementation; now

Therefore, be it Resolved that the Mayor and Common Council of the City of Plattsburgh, NY hereby adopt and approve the Final Draft of the City of Plattsburgh 2023 Comprehensive Plan as the City's Comprehensive Plan, and will advocate for its continued implementation over the next 20 years or until it is replaced.

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7.169 AUTHORIZE HARBORSIDE HOTEL DEVELOPMENT AGREEMENT

WHEREAS, in December 2019, the City received a grant award via the Consolidated Funding Application process for the completion of a master planning document for the area commonly known as Harborside (the “Harborside Master Plan”) including certain real property located at 2 Dock Street; and

WHEREAS, in the spring of 2020, the City of Plattsburgh (the “City”) issued a Request for Proposals (“RFP”) seeking qualified and interested bidders to submit proposals for the future development of the City’s 2 Dock Street property; and

WHEREAS, Skyward Hospitality submitted a proposal in response to the RFP and on June 11, 2020, the City’s Common Council (the “Common Council”) subsequently awarded Skyward Hospitality the exclusive right to negotiate with the City for the potential purchase and development of 2 Dock Street; and

WHEREAS, on August 19, 2021, the Common Council authorized an extension of the negotiating period with Skyward Hospitality for a period not to exceed six (6) months beyond the date on which the Council formally accepts the completed Harborside Master Plan; and

WHEREAS, on February 16, 2023, the Common Council authorized execution of an agreement with Skyward Companies Holdings, LLC (“Skyward” or “Guide Hospitality”) with respect to various planning, permitting, and other matters relating to the potential purchase and development of 2 Dock Street; and

WHEREAS, in order to accomplish the goals of the City’s Harborside Master Plan, the Common Council executed on March 16, 2023 a subdivision of three (3) former tax parcels (Tax Map Nos. 207.20-1-2.32 known as 4 Dock Street, 207.20-1-2.31 known as 2 Dock Street, and 207.20-1-1 known as 53 Green Street) to create four (4) new tax parcels (Tax Map Nos. for the new parcels have not yet been assigned); and

WHEREAS, a map/subdivision plat detailing that subdivision titled “Harborside Subdivision 2021” prepared by Robert M. Sutherland P.C. and dated June 9, 2021 (the “RMS Survey”) was filed with the Clinton County Clerk’s Office on April 12, 2023 as instrument # 2023-00330782; and

WHEREAS, the new parcels on the RMS Survey are identified as “Lot B”, “Lot C”, “Lot 2”, and “Lot 1, Lot 3, & Tax Parcel: 207.20-1-2.32 To be Merged with Lot A” (collectively, these parcels are referred to as the “Harborside Area”); and

WHEREAS, the City has been in negotiations with Guide Hospitality for several years regarding the construction of a hotel in the Harborside Area having approximately 125 rooms,

4,000 square feet of meeting space, a restaurant and other ancillary facilities (the “proposed Hotel Development”); and

WHEREAS, Guide Hospitality has caused to be created the single purpose New York limited liability corporation GP Manager PLF, LLC (the “Developer”) to own the proposed Hotel Development; and

WHEREAS, a development agreement detailing the terms of the proposed Hotel Development to be constructed within Lot B as identified on the RMS Survey and the respective responsibilities of both the City and the Developer (the “Development Agreement”) has been drafted and reviewed by the Common Council and is incorporated herein by reference; and

WHEREAS, the Common Council has not yet accepted the completed Harborside Master Plan.

NOW, THEREFORE, BE IT RESOLVED, the Common Council authorizes the Mayor to execute the Development Agreement with GP Manager PLF, LLC for the proposed Hotel Development within Lot B as identified on the RMS Survey in a form approved by the City Attorney; and be it further

RESOLVED, the Common Council authorizes the Mayor, City Clerk, Director of Community Development, and City Attorney to take such further actions as may be necessary to effectuate the intent of this Resolution.

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7.170 ***ITEM WITHDRAWN*******

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7.171 AUTHORIZE ORDER AND JUDGMENT ON STIPULATION - 15 COUCH STREET

RESOLVED, in accordance with the request therefore, the Corporation Counsel is authorized to sign and file the Order and Judgment on Stipulation involving the owner's demolition of the structure located at 15 Couch Street.

RESOLUTION 09/07/2023

**7.172 AUTHORIZE SETTLEMENT AGREEMENT WITH TOWN OF
PLATTSBURGH INVOLVING THE SEWER SERVICES AGREEMENT AND CSO
RELATED ISSUES**

RESOLVED, in accordance with the request therefore, the Mayor is authorized to sign the Settlement Agreement on behalf of the City to resolve the pending dispute with the Town of Plattsburgh involving the Sewer Services Agreement and CSO related issues. The Mayor, Corporation Counsel and/or Environmental Services Manager are authorized to take any additional necessary steps in furtherance of, and to effect the purpose of, this Settlement Agreement.

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7.173 AUTHORIZE RENEWAL CONTRACT FOR ASSESSMENT SERVICES

Request that the Mayor is authorized to sign a renewal contract for Assessment Services under Section 1537 of the Real Property Tax Law with the County of Clinton a copy of the proposed contract is made part of the minutes of this meeting. The dates of the contract are January 1, 2024 thru December 31, 2026.

RESOLUTION 09/07/2023

7.174 AUTHORIZE BUDGET ADJUSTMENTS – GENERAL FUND - BARTON & LOGUIDICE

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

Increase: General Fund – Economic Dev. Contract Services	16335000-4430	\$ 37,200.00
Increase: General Fund – Appropriated Fund Balance	1-0599	\$37,200.00

To provide appropriations for the balance of the contract services for Barton & Loguidice to provide grant writing services under a three year agreement signed by the City May 21st, 2021. The budget adjustment provides for an increase in appropriations and an increase in appropriated fund balance for these contractual costs which will increase the total General Fund budget by \$37,200.00 for 2023.

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7.175 AUTHORIZE CONTRACT FOR YOUTH SAFETY ADVOCATE (PCSD)

Police Chief requests the Mayor be authorized to sign a Youth Safety Advocate Agreement between the City of Plattsburgh and the Plattsburgh City School District abiding by the general terms/conditions set forth in the agreement. The Term of this Agreement is one school year, commencing on or about September 1, 2023 and ending June 30, 2024.

RESOLUTION 09/07/2023

7.176 AUTHORIZE TRAVEL REQUESTS - POLICE DEPARTMENT

1. Request for one Police Department employee to attend the “Firearms Instructor Workshop” on October 9-13, 2023 in Oneida County. The total cost will not exceed \$1,024.50 and it will be expensed out of the Training account.
2. Request for two Police Department employees to attend the “M.A.P.P. Training” on September 24-25, 2023 in Jamestown, NY. The total cost will not exceed \$764.98 and it will be expensed out of the Training account.
3. Request for one Police Department employee to attend the “2023 State E-DMT Conference” on September 13-14, 2023 in Albany, NY. The total cost will not exceed \$153.50 and it will be expensed out of the Training account.
4. Request for two Police Department employees to attend the “Public Safety Symposium” on September 26-28, 2023 in Albany, NY. The total cost will not exceed \$883.00 and it will be expensed out of the Training account.
5. Request for one Police Department employee to attend the “Investigative Photography and Crime Scene and Evidence Technician Training” on September 11-15, 2023 in Colonie, NY. The total cost will not exceed \$3,798.00 and it will be expensed out of the Training account.

RESOLUTION 09/07/2023

7.177 AUTHORIZING MLD TO WRITE-OFF UNPAID FINAL BILLS AS REQUIRED BY THE NEW YORK DEPARTMENT OF PUBLIC SERVICE REGULATIONS

1. BE IT RESOLVED: In accordance with the request therefore the MLD Board approves MLD to write-off unpaid final bills from July 2022 in the total amount of \$8,860.68. The percentage of write-offs for this period is .78%. The recovered amount for this period is \$ 713.79.

2. BE IT RESOLVED: In accordance with the request therefore the MLD Board approves MLD to write-off unpaid final bills from August 2022 in the total amount of \$2,584.75. The percentage of write-offs for this period is .20%. The recovered amount for this period is \$1,253.78.

3. BE IT RESOLVED: In accordance with the request therefore the MLD Board approves MLD to write-off unpaid final bills from September 2022 in the total amount of \$1,620.72. The percentage of write-offs for this period is .13%. The recovered amount for this period is \$1,404.58.

RESOLUTION 09/07/2023

7.178 AUTHORIZING MLD TO BOND THE MARGARET STREET LIGHTING SYSTEM IMPROVEMENTS

BE IT RESOLVED: In accordance with the request therefore the MLD Board approves MLD Bonding Resolution for the issuance of \$837,741 bonds of the City of Plattsburgh, Clinton County, NY, to pay the cost of the Margaret Street Lighting System Improvements, in and for said City.

RESOLUTION 09/07/2023

**7.179 AUTHORIZE BUDGET ADJUSTMENTS – SEWER FUND WRRF
CHEMICALS AND SLUDGE HAULING**

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

Decrease: Sewer Fund – WRRF Shop Contract Services	58130115-4430	\$ 75,000.00
Decrease: Sewer Fund – WRRF Aeration Parts/Supplies	58130135-4334	\$ 4,000.00
Decrease: Sewer Fund – WRRF Sec. Clarification Parts	58130137-4334	\$ 3,000.00
Increase: Sewer Fund – WRRF Odor Control Chemicals	58130138-4331	\$ 57,600.00
Decrease: Sewer Fund – WRRF Odor Control Parts/Supp.	58130138-4334	\$ 6,000.00
Increase: Sewer Fund – WRRF Chlorination Chemicals	58130139-4331	\$120,000.00
Decrease: Sewer Fund – WRRF Dewatering Sludge Parts	58130151-4334	\$ 6,000.00
Increase: Sewer Fund – WRRF Dewatering Sludge C/S	58130151-4430	\$ 40,000.00
Increase: Sewer Fund – Appropriated Fund Balance	5-0599	\$123,600.00

To provide for transfers of appropriations and for appropriating additional fund balance in the 2023 Sewer Fund budget for the purchase of chemicals for several cost centers and sludge hauling and disposal costs, each of which have increased beyond original budgeted levels. The budget transfer increases the 2023 Sewer Fund budget in total by \$123,600.

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7.180 REVISING CAPITAL PROJECT H5110.94 – 2023 MARGARET STREET CONSTRUCTION

WHEREAS, the Capital Expenditure Plan adopted January 5th, 2023, includes a Street Resurfacing & Improvements category, and

WHEREAS, the Infrastructure Division desires to establish a 2023 Margaret Street Construction project for items included in the Street Resurfacing & Improvements category of the Capital Expenditure Plan adopted January 5th, 2023, and

WHEREAS, the cost of the 2023 Margaret Street Construction project has been estimated by the Infrastructure Division for the costs of the planned expenditures to purchase and install items included in the expenditure plan for the General, Water, MLD and Sewer Funds for 2023, and is being revised as to the source of funding, as follows:

	2023 Capital Plan	2023 Estimated Cost	2023 Revised Cost
Margaret St. Construction	<u>\$ 5,750,000</u>	<u>\$ 12,452,115</u>	<u>\$ 12,752,115</u>
Total	<u>\$ 5,750,000</u>	<u>\$ 12,452,115</u>	<u>\$ 12,752,115</u>

Project Funding:

NYS DOT Touring/CHIPS	\$ 2,250,000	\$ 3,746,554	\$ 5,046,554
General Fund Bonds	2,500,000	2,985,394	1,985,394
Sewer Capital Reserve	500,000	2,699,337	2,699,337
Water Fund Bonds	500,000	2,183,089	2,183,089
MLD Enterprise Fund	<u>-</u>	<u>837,741</u>	<u>837,741</u>
Total	<u>\$ 5,750,000</u>	<u>\$ 12,452,115</u>	<u>\$ 12,752,115</u>

Now therefore,

BE IT RESOLVED, by the Common Council of the City of Plattsburgh, New York, this 7th day of September 2023, as follows:

- 1) That, the amount of Twelve Million Seven Hundred Fifty-two Thousand One Hundred Fifteen and 00/100 (\$12,752,115.00) Dollars is hereby appropriated

for the capital project **2023 Margaret Street Construction (H5110.94)** for the cost of the items listed above and is hereby authorized to be expended for such purpose.

- 2) That, Five Million Forty-six Thousand Five Hundred Fifty-four and 00/100 (\$5,046,554.00) Dollars of such appropriation be provided by a request issued by the City of Plattsburgh to the NYSDOT for Touring Route Program and CHIPS funding to be provided as a permanent funding source for the project by the end of the fiscal year of 2023.
- 3) That, One Million Nine Hundred Eighty-five Thousand Three Hundred Ninety-four and 00/100 (\$1,985,394.00) Dollars of such appropriation provided by an advance payment from the General Fund to be reimbursed by a BAN or serial bond issue funding by the end fiscal year 2023.
- 4) That, Two Million Six Hundred Ninety-nine Thousand Three Hundred Thirty-seven and 00/100 (\$2,699,337.00) Dollars of such appropriation be provided by a transfer from the Sewer Fund Capital Reserve.
- 5) That, Two Million One Hundred Eighty-three Thousand Eighty-nine and 00/100 (\$2,183,089.00) Dollars of such appropriation provided by an advance payment from the Water Fund to be reimbursed by a BAN or serial bond issue funding by the end fiscal year 2023.
- 6) That, Eight Hundred Thirty-seven Thousand Seven Hundred Forty-one and 00/100 (\$837,741.00) Dollars of such appropriation provided by a transfer from the MLD Depreciation Reserve.
- 7) That, this resolution takes effect immediately.

RESOLUTION 09/07/2023

**7.181 AWARD OF CHANGE ORDER FOR THE MARGARET STREET
RECONSTRUCTION PROJECT.**

RESOLVED: In accordance with the request therefore the Common Council awards a change order for the amount of \$300,000.00 to Rifenburg Construction for additional milling, resurfacing, and painted pavement markings work to be completed as a portion of the Margaret Street Reconstruction Project.

RESOLUTION 09/07/2023

7.182 REVISING CAPITAL PROJECT H5110.96 – 2023 STREET RESURFACING

WHEREAS, the Capital Expenditure Plan adopted January 5th, 2023, includes a Street Resurfacing & Improvements category, and

WHEREAS, the Infrastructure Division is establishing a 2023 Street Resurfacing project for items included and not included in the Street Resurfacing & Improvements category of the Capital Expenditure Plan adopted January 5th, 2023, and

WHEREAS, the cost of the 2023 Street Resurfacing project has been estimated by the Infrastructure Division for the costs to implement the planned improvements included and not included in the street expenditure plan during 2023, and is being further revised, as follows:

	2023 Capital Plan	2023 Estimated Cost	2023 Revised Cost	2023 Revised Cost
New York Road extension	\$ -	\$ 80,000	\$ 80,000	\$ 80,000
Ohio Avenue	-	85,000	85,000	85,000
Nevada Oval	-	175,000	175,000	175,000
Lake Forest Drive	-	48,000	48,000	48,000
George Angell Drive	125,000	72,000	185,000	185,000
Ollivetti Place (Park to Rugar)	-	-	90,000	90,000
Prospect Ave. (Park to Rugar)	-	-	95,000	95,000
Cogan Ave. (Park to Rugar)	-	-	130,000	130,000
Park Ave. (Lexington - Tremblay)	-	-	43,000	43,000
Pond Street	-	-	30,000	30,000
Hamilton Street	-	-	46,000	46,000
Pike Street	-	-	8,000	8,000
Durkee Street – (Broad to Bridge)	-	-	-	50,000
Miscellaneous Paving	<u>25,000</u>	<u>25,000</u>	<u>25,000</u>	<u>25,000</u>
Total	\$ 150,000	\$ 485,000	\$ 1,040,000	\$ 1,090,000
Project Funding:				
NYS funding – CHIPS/Touring	<u>\$ 150,000</u>	<u>\$ 485,000</u>	<u>\$ 1,040,000</u>	<u>\$ 1,090,000</u>
Total	\$ 150,000	\$ 485,000	\$ 1,040,000	\$ 1,090,000

Now therefore,

BE IT RESOLVED, by the Common Council of the City of Plattsburgh, New York, this 7th day of September 2023, as follows:

- 1) That, the amount of One Million Ninety Thousand and 00/100 (\$1,090,000.00) Dollars is hereby appropriated for the capital project **2023 Street Resurfacing (H5110.96)** for the cost of the project items listed as revised above and is hereby authorized to be expended for such purpose.
- 2) That, the amount of One Million Ninety Thousand and 00/100 (\$1,090,000.00) Dollars of such appropriation be provided by funding from the Consolidated Local Street and Highway Improvement Program (CHIPS) and the City Touring Routes Program sponsored by New York State.
- 3) That, this resolution takes effect immediately.