

**RESOLUTION – 12/15/2022**

**7.235 AUTHORIZE BUDGET ADJUSTMENTS - 2023 GENERAL, WATER AND DEBT SERVICE FUND BUDGETS**

It is being requested to amend the 2023 General, Water and Debt Service Fund Budgets, as follows:

Increase: Debt Service Fund – Debt Reserve Revenue	00007228-2882	\$
68,416.22		
Decrease: Debt Service Fund – General Inter-fund Rev.	00007228-2810	\$ 26,166.19
Decrease: Debt Service Fund – Water Inter-fund Rev.	00007228-2813	\$ 96,031.56
Decrease: Debt Service Fund – Principal Debt Expense	79710000-6000	\$
65,000.00		
Decrease: Debt Service Fund – Interest Debt Expense	79710000-7000	\$
57,197.75		
Increase: Debt Service Fund – Interest Res. Debt Expense	79710000-7500	\$ 68,416.22
Decrease: General Fund – Transfer Debt Service	19570000-9000	\$
26,166.19		
Decrease: General Fund – Contingency	11990000-4430	\$ 26,166.19
Decrease: Water Fund – Transfer Debt Service	39570000-9000	\$
96,031.56		
Decrease: Water Fund – Appropriated Fund Balance	4-0599	\$ 96,031.56

To provide for an increase in the Debt Service Fund Reserve and a decrease in the final debt service figures established for 2023 from the premium of \$68,416.22 paid by the buyer of the City's BAN issue dated November 18, 2022, and from the reduced principal and interest payment required for the 2022 BAN to be made in November of 2023. The above budget adjustments decrease the Water Fund 2023 budget by \$96,031.56 and it reduces the Debt Service Fund 2023 budget by a net \$53,781.53 and it leaves the General Fund 2023 budget unchanged.

**RESOLUTION – 12/15/2022**

**7.236 APPROVE CITY OF PLATTSBURGH’S 2023 BUDGET**

Motion confirming identification of Mayor’s 2023 Budget as amended for a final adjustment to the 2023 Debt Service figures.

Resolved: The Budget presented by the Mayor to the Common Council for the 2023 Fiscal Year is identified by the heading “Mayor’s 2023 Budget”, is dated October 7, 2022, and is amended as of December 15, 2022, for finalization of the 2023 Debt Service Fund appropriations and is hereinafter referred to as the “Amended 2023 Mayor’s Budget”; further

Resolved: that the Amended 2023 Mayor’s Budget will be the City of Plattsburgh’s Adopted Budget for the 2023 fiscal year.

**RESOLUTION – 12/15/2022**

**7.237 AUTHORIZING RANGE AND STEP ADJUSTMENT - CDO DIRECTOR**

RANGE AND STEP INCREASE FOR COMMUNITY DEVELOPMENT DIRECTOR TO RANGE 14, STEP 5 EFFECTIVE JANUARY 1, 2023.

**RESOLUTION – 12/15/2022**

**7.238 AUTHORIZING RANGE AND STEP ADJUSTMENT: CHIEF WATER  
FILTRATION PLANT OPERATOR**

RANGE AND STEP INCREASE FOR CHIEF WATER FILTRATION PLANT OPERATOR  
TO RANGE 9, STEP 6 EFFECTIVE JANUARY 1, 2023

**RESOLUTION – 12/15/2022**

**7.239 AUTHORIZE AWARD OF PRELIMINARY AND FINAL DESIGN PHASE FOR THE CORNELIA STREET REHABILITATION PROJECT**

RESOLVED: In accordance with the request therefore the Common Council awards the Preliminary and Final Design Phase for the Cornelia Street Rehabilitation Project to Barton & Loguidice, D.P.C. for a total of \$873,968.00 which is to be reimbursed thru the NYSDOT Project PIN 7SUP.10 (Cornelia Street (NY-3) Rehabilitation).

**RESOLUTION – 12/15/2022**

**7.240 AUTHORIZE TRAVEL REQUEST - ENVIRONMENTAL MANAGER**

WHEREAS, The New York Water Environment Association has an annual meeting that provides training on a variety of important topics plus the opportunity to meet with regulatory officials and funding agents;

NOW, THEREFORE, BE IT RESOLVED: The Common Council agrees to and authorizes Environmental Manager Jonathan Ruff to attend the 2023 New York Water Environment Annual Meeting Conference at an estimated cost of \$1,932.

**RESOLUTION – 12/15/2022**

**7.241 AUTHORIZE DRINKING WATER INFRASTRUCTURE IMPROVEMENTS  
PROJECT: CDM SMITH – PHASE 2 ENGINEERING DESIGN**

WHEREAS, The City is upgrading its water system under the NYS WIIA Grant and Financing program; and

WHEREAS, Such work is funded by WIIA grant and financing; and

WHEREAS, Additional work is needed to advance the engineering design per CDM Smith Proposal dated October 18, 2022 on a time and expense basis not to exceed \$184,000;

NOW, THEREFORE, BE IT RESOLVED, The Common Council Agrees to and Authorizes the execution of all necessary documents for this work funded from Capital Project H8320.79:

**RESOLUTION – 12/15/2022**

**7.242 AUTHORIZE DRINKING WATER INFRASTRUCTURE IMPROVEMENTS  
PROJECT- CDM SMITH AMENDMENT #5 – CONSTRUCTION ADMINISTRATION  
SERVICES FOR PHASE 1**

WHEREAS, The City is upgrading its water system under the NYS WIIA Grant and Financing program; and

WHEREAS, Such work is funded by WIIA grant and financing; and

WHEREAS, Phase 1 construction is anticipated for this coming spring and construction services will be needed; and

WHEREAS, CDM Smith proposal dated November 2, 2022 will provide the services on a time and expense basis not to exceed \$147,000;

NOW, THEREFORE, BE IT RESOLVED, The Common Council Agrees to and Authorizes the execution all necessary documents for this work funded from Capital Project H8320.79:

**RESOLUTION – 12/15/2022**

**7.243 AUTHORIZE PROPOSAL - CDM SMITH - WATER FILTRATION PLANT  
FILTER BACKWASH TREATMENT OPTIONS**

WHEREAS, The Water Filtration Plant backwash lagoon is aged and operational changes require adding more flow to it; and

WHEREAS, The lagoon is a critical part of the treatment process; and

WHEREAS, The lagoon needs to be supplemented or replaced; and

WHEREAS, CDM Smith proposal dated November 9, 2022 will provide services to evaluate treatment options at a cost not to exceed \$29,000;

NOW, THEREFORE, BE IT RESOLVED, The Common Council Agrees to and Authorizes the execution of all necessary documents for the November 9, 2022 CDM Smith proposal. This work funded from Capital Project H8320.79:

## **RESOLUTION – 12/15/2022**

### **7.244 AUTHORIZE - CDM SMITH - WATER FILTRATION PLANT OPERATIONS ASSESSMENT**

WHEREAS, Future phases of the drinking water WIIA work will provide some focus on the drinking water treatment plant and its processes. The design engineers will need a good understanding of how the plant is supposed to function in order to develop the capital improvements; and

WHEREAS, There are unique situations that arise from time to time that require technical assistance from experts. These situations are usually time sensitive and require someone who is already familiar with our system and how it functions. The recent discolored water episodes is an example; and

WHEREAS, CDM Smith has provided a November 9, 2022 proposal for providing this assessment and support.

NOW, THEREFORE, BE IT RESOLVED, The Common Council Agrees to and Authorizes the execution of all necessary documents to contract with CDM Smith to perform Task 1 in their November 9, 2022 proposal for a not to exceed fee of \$21,000. This work will be funded from Capital Project H8320.79:

**RESOLUTION – 12/15/2022**

**7.245 AUTHORIZE CHANGE ORDER 1 TO STANTEC CONSULTING SERVICES FOR UPDATING PORP AIR STATE FACILITIES PERMIT**

WHEREAS, Stantec Consulting Services Inc. performed services per their March 15, 2022 proposal for preparing the application, including dispersion modeling; and,

WHEREAS, Additional modeling and application work is needed;

NOW, THEREFORE, BE IT RESOLVED, The Common Council authorizes the execution of all necessary documents to execute Change Order 1 to the Stantec Consulting Services Agreement in the amount of \$2,570. The source of funds is Capital Project H8130.51.

**RESOLUTION – 12/15/2022**

**7.246 APPROVAL OF 2023 RATE INCREASES IN THE BUILDING INSPECTORS OFFICE**

**WHEREAS;** the City of Plattsburgh does a periodic review/re-evaluation of its fee schedules; and

**WHEREAS;** it has been determined periodic increases are necessary to deter extreme price hikes at one time; and

**WHEREAS;** there are some fees that have been deemed well below the value of revenue generated for certain entities; and

**NOW, THEREFORE, BE IT RESOLVED, The Common Council Authorizes the increases effective January 1, 2023**

**RESOLUTION – 12/15/2022**

**7.247 AUTHORIZING REVISING CAPITAL PROJECT H5110.92 – 2022 EQUIPMENT PURCHASE**

**WHEREAS**, the Capital Expenditure Plan adopted January 6<sup>th</sup>, 2022, includes a Public Service Equipment category, and

**WHEREAS**, the Infrastructure Division desires to establish a 2022 Equipment Purchase 4 project for items that were included in the Public Service Equipment category of the Capital Expenditure Plan adopted January 6<sup>th</sup>, 2022, and

**WHEREAS**, the cost of the 2022 Equipment Purchase 4 project has been estimated by the Infrastructure Division for the costs of the planned expenditures to purchase items included in the expenditure plan for 2022, and is being revised as follows:

	<b>2022 Capital Plan</b>	<b>2022 Estimated Cost</b>	<b>2022 Revised Cost</b>
Air pack equipment	<u>\$ 150,000</u>	<u>\$ 220,000</u>	<u>\$ 230,416</u>
Total	<u>\$ 150,000</u>	<u>\$ 220,000</u>	<u>\$ 230,416</u>

Project Funding:

General Fund	<u>\$ 150,000</u>	<u>\$ 220,000</u>	<u>\$ 230,416</u>
Total	<u>\$ 150,000</u>	<u>\$ 220,000</u>	<u>\$ 230,416</u>

Now therefore,

**BE IT RESOLVED**, by the Common Council of the City of Plattsburgh, New York, this 15<sup>th</sup> day of December 2022, as follows:

- 1) That, the amount of Two Hundred Thirty Thousand Four Hundred Sixteen and 00/100 (\$230,416.00) Dollars is hereby appropriated for the capital project

**2022 Equipment Purchase 4 (H5110.92)** for the cost of the equipment listed above and is hereby authorized to be expended for such purpose.

- 2) That, the amount of Two Hundred Thirty Thousand Four Hundred Sixteen and 00/100 (\$230,416.00) Dollars of such appropriation be provided by a transfer of cash from the General Fund to the Capital Fund.

**RESOLUTION – 12/15/2022**

**7.248 ADOPT UPDATED PARKS & OUTDOOR SPORTS FIELD MANAGEMENT POLICY**

**WHEREAS**, in response to both reduced recreation staffing levels and increased maintenance costs, updated policies for the management of the City’s parks and the sports fields contained therein are required; and

**WHEREAS**, new fee structures have been developed which shift, partially, the burden of maintaining the City’s parks and fields to those organizations using them on a frequent basis.

**NOW, THEREFORE, BE IT RESOLVED**, the Common Council adopts the City’s updated Parks & Outdoor Sports Field Management Policy and the fee structures prescribed within with immediate effect.

## RESOLUTION – 12/15/2022

### 7.249 CRETE CENTER DEMOLITION SEQR NEGATIVE DECLARATION

WHEREAS, in accordance with the New York State Environmental Quality Review Act (“SEQR”), the Common Council of the City of Plattsburgh announced its intent to serve as Lead Agency on or about December 1, 2022 to conduct an environmental review of a Type 1 action to complete asbestos abatement and demolition of the Crete Center Memorial Civic Center and associated structures located at 2 Beach Road (collectively, the “Crete Demolition”); and

WHEREAS, the Common Council thereafter determined that, lacking any other involved agencies, it would service as Lead Agency and in its capacity as Lead Agency, has caused to be prepared an environmental assessment of the significance of and potential environmental impact of the action described above; and

WHEREAS, the Common Council has considered the Environmental Assessment Forms (“EAF”), project description, the proposed EAF Parts 2 and 3, and the proposed Negative Declaration, and in particular, during its review of the potential environmental impacts of the Crete Demolition, as set forth in EAF Part 2 of the SEQR form, during a meeting, did not identify any “moderate to large” potential environmental impacts.

NOW, THEREFORE, BE IT RESOLVED, the Common Council as Lead Agency for the Crete Demolition, which is a Type 1 action under SEQR per 6 NYCRR Part 617.4(b)(9), declares that, based on the record which has been prepared, including a review and completion of Part 2 of the Full Environmental Assessment Form, in which no “moderate to large” potential environmental impacts were identified, hereby adopts a Negative Declaration for the Crete Demolition as it will result in no major adverse environmental impacts. The Mayor is authorized to sign Part 3 accordingly. The filing of this Negative Declaration is hereby ordered in accordance with 6 NYCRR Part 617.11 and this resolution will take effect immediately.

**RESOLUTION – 12/15/2022**

**7.250 AWARD OF LOWEST RESPONSIBLE BID FOR CRETE CENTER  
DEMOLITION**

WHEREAS, the Crete Memorial Civic Center (“Crete”) is in a state of extreme disrepair and is unsafe for further public use; and

WHEREAS, the City sought bids for asbestos abatement and demolition of the Crete and associated structures (collectively, the “Crete Demolition”).

NOW, THEREFORE, BE IT RESOLVED, the Common Council awards the lowest responsible bid for the Crete Demolition to Ritter & Paratore Contracting, Inc. in the amount of \$384,414 and authorizes the Mayor to execute all documents required for the completion of the work. Funding to be provided by capital project 2022 Crete Center Demolition (H5110.91).

**RESOLUTION – 12/15/2022**

**7.251 AUTHORIZING REVISING CAPITAL PROJECT H5110.91 – 2022 CRETE CENTER DEMOLITION**

**WHEREAS**, the Capital Expenditure Plan adopted January 6<sup>th</sup>, 2022, includes a Recreation Complex Facilities category, and

**WHEREAS**, the Infrastructure Division desires to establish a 2022 Crete Center Demolition project for an item included in capital expenditure plan year 2023 in the Recreation Complex Facilities category of the Capital Expenditure Plan adopted January 6<sup>th</sup>, 2022, and

**WHEREAS**, the cost of the 2022 Crete Center Demolition project has been estimated by the Infrastructure Division for the cost of the unplanned expenditures for the purchase of services to be added to the capital expenditure plan for 2022, and has been revised as follows:

	<b>2022 Capital Plan</b>	<b>2022 Estimated Cost</b>	<b>2022 Revised Cost</b>
Crete Center Demolition	\$ -	\$ -	\$ 384,414
Project oversight & management	<u>-</u>	<u>10,575</u>	<u>10,575</u>
Total	<u>\$ -</u>	<u>\$ 10,575</u>	<u>\$ 394,989</u>

Project Funding:

ARPA Funding	<u>\$ -</u>	<u>\$ 10,575</u>	<u>\$ 394,989</u>
Total	<u>\$ -</u>	<u>\$ 10,575</u>	<u>\$ 394,989</u>

Now therefore,

**BE IT RESOLVED**, by the Common Council of the City of Plattsburgh, New York, this 15<sup>th</sup> day of December 2022, as follows:

- 1) That, the amount of Three Hundred Ninety-four Thousand Nine Hundred Eighty-nine and 00/100 (\$394,989.00) Dollars is hereby appropriated for the capital project **2022 Crete Center Demolition (H5110.91)** for the cost of the item listed above and is hereby authorized to be expended for such purpose.

- 2) That, Three Hundred Ninety-four Thousand Nine Hundred Eighty-nine and 00/100 (\$394,989.00) Dollars of such appropriation will be provided by the ARPA funding received by the City's General Fund during 2021 and 2022 as deferred revenue and that such amount will be transferred to the estimated revenue for this capital project as federal aid.

**RESOLUTION – 12/15/2022**

**7.252 AUTHORIZING BOND ISSUANCE TO PAY FOR PARKS RENEWAL  
UPGRADES**

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$1,000,000 BONDS OF THE CITY OF PLATTSBURGH, CLINTON COUNTY, NEW YORK, TO PAY A PART OF THE COST OF UPGRADES OF CITY PARKS, IN AND FOR SAID CITY.

**RESOLUTION – 12/15/2022**

**7.253 AUTHORIZING REVISING CAPITAL PROJECT H5110.88 – 2022 PARKS MAINTENANCE & UPGRADES**

**WHEREAS**, the Capital Expenditure Plan adopted January 6<sup>th</sup>, 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 6<sup>th</sup>, 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 and unplanned expenditures to purchase items for the project to be added as additional appropriations to the capital expenditure plan for 2022, and is further revised as follows:

	<b>2022 Capital Plan</b>	<b>2022 Estimated Cost</b>	<b>2022 Revised Cost</b>	<b>2022 Revised Cost</b>
Parks Maintenance & Upgrades	\$ -	\$ 1,400,000	\$ 1,400,000	\$1,606,543
City Parks – new equipment	<u>100,000</u>	<u>\$ 100,000</u>	<u>\$ 100,000</u>	<u>1,000,000</u>
Total	<u>\$ 100,000</u>	<u>\$ 1,500,000</u>	<u>\$ 1,500,000</u>	<u>\$2,606,543</u>

Project Funding:

General Fund	\$ 100,000	\$ 1,500,000	\$ 1,000,000	\$1,000,000
ARPA Funding	<u>-</u>	<u>-</u>	<u>500,000</u>	<u>1,606,543</u>
Total	<u>\$ 100,000</u>	<u>\$ 1,500,000</u>	<u>\$ 1,500,000</u>	<u>\$2,606,543</u>

Now therefore,

**BE IT RESOLVED**, by the Common Council of the City of Plattsburgh, New York, this 15<sup>th</sup> day of December 2022, as follows:

- 1) That, the amount of Two Million Six Hundred Six Thousand Five Hundred Forty-three and 00/100 (\$2,606,543.00) 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 and appropriated to be expended for such purpose.

- 2) That, One Million and 00/100 (\$1,000,000.00) Dollars of such appropriation will be provided 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).
- 3) That, One Million Six Hundred Six Thousand Five Hundred Forty-three and 00/100 (\$1,606,543.00) will be provided by the ARPA funding received by the City's General Fund during 2021 and 2022 as deferred revenue and that such amount will be transferred to the estimated revenue for this capital project as federal aid.

**RESOLUTION – 12/15/2022**

**7.254 AUTHORIZE COOPERATIVE ADMINISTRATIVE AGREEMENTS FOR COMMUNITY DEVELOPMENT REVOLVING LOAN FUND**

WHEREAS, the City's Community Development Revolving Loan Fund (CDRLF) includes funding options for the rehabilitation of commercial and residential properties; and

WHEREAS, City staff do not possess the specialized knowledge required to effectively supervise the rehabilitation/construction related tasks that many CDRLF projects will require; and

WHEREAS, certain regional non-profit organizations possess extensive experience with building rehabilitation and the specialized knowledge required for the CDRLF.

NOW, THEREFORE, BE IT RESOLVED, the Common Council authorizes the Mayor to sign cooperative administrative agreements with Housing Assistance Program of Essex County, Inc. (HAPEC) and Friends of the North Country, Inc. (FONY) for management and supervisory services related to rehabilitation projects undertaken with funding from the CDRLF. Funding for said services is to be provided via the CDRLF.

**RESOLUTION – 12/15/2022**

**7.255 AUTHORIZE MAYOR TO ATTEND NYCOM 2023 CONFERENCES/  
LEGISLATIVE MEETINGS**

1. RESOLVED: In accordance with the request therefore the Common Council approves Mayor Rosenquest to attend the “NYCOM 2023 Winter Legislative meeting” in Albany, NY from February 5-7, 2023 at a cost not to exceed \$1,200.
  
2. RESOLVED: In accordance with the request therefore the Common Council approves Mayor Rosenquest to attend the “NYCOM 2023 Annual meeting” in Bolton Landing, NY from May 17-19, 2023 at a cost not to exceed \$1,500.
  
3. RESOLVED: In accordance with the request therefore the Common Council approves Mayor Rosenquest to attend the “NYCOM Fall Training School” in Lake Placid, NY from September 18-22, 2023 at a cost not to exceed \$1,800.

**RESOLUTION – 12/15/2022**

**7.256 AUTHORIZE BUDGET TRANSFER – 2022 CLOSING ENTRY FOR GOVERNMENT FUNDS**

**WHEREAS**, the 2022 City budget made appropriations for all government fund expenditures; and

**WHEREAS**, the City Chamberlain is requesting to close the over-budget account balances through transfer of surplus budget appropriations or increase of appropriations for estimated revenue increases for the fiscal year 2022 for all government funds;

**NOW, THEREFORE, BE IT RESOLVED, the Common Council Authorizes the City Chamberlain to adjust the 2022 City budget for all government funds, as follows:**

The attached Excel spreadsheet provides for all the over-budget accounts being adjusted to be in balance through budget transfers from accounts that are in a surplus position by government fund.

**RESOLUTION – 12/15/2022**

**7.257 APPROVAL OF RATE INCREASES IN THE CITY CLERK’S OFFICE**

**WHEREAS;** the City of Plattsburgh does a periodic review/re-evaluation of its fee schedules; and

**WHEREAS;** it has been determined periodic increases are necessary to deter extreme price hikes at one time; and

**WHEREAS;** there are some fees that have been deemed well below the value of revenue generated for certain entities; and

**NOW, THEREFORE, BE IT RESOLVED, The Common Council Authorizes the following increases effective January 1, 2023**

	<u>2022</u>	<u>2023</u>
Taxi Operator Amendment:	\$30.00	\$50.00
Taxi Operator:	\$75.00	\$150.00
Taxi Vehicle Amendment:	\$30.00	\$50.00
Taxi Vehicle:	\$100.00	\$250.00
Food Truck Monthly:	\$98.00	\$115.00
Food Truck Seasonal:	\$545.00	\$650.00
Food Truck Yearly:	\$725.00	\$750.00
Haulers License:	\$215.00	\$1000.00
Tree/Stump Removal:	\$290.00	\$450.00

Note: The last adjustment to most fees was in January 2022, prior to that it was 2017.

## **RESOLUTION – 12/15/2022**

### **7.258 ACCEPTANCE OF PUBLIC ENGAGEMENT SOFTWARE CONTRACT PROPOSAL**

WHEREAS, the City has had numerous projects, large and small including high profile projects like the Downtown Revitalization Program with public engagement requirements; and

WHEREAS, some projects have either failed, or not been as successful as they could be due to the lack of quality public engagement, and only the voices of a few really being heard; and

WHEREAS, there have been major technological shifts over the last 20 years with a high gravitation to cell phones and social media, as well as improvements in engagement software; and

WHEREAS, the COVID pandemic has proved the importance of providing a long term hybrid approach to public engagement; and

WHEREAS, Community Engagement Coordinator and Senior Planner, researched and interviewed leading public engagement software companies; and

WHEREAS, two (2) proposals were received and reviewed by Community Engagement Coordinator and Senior Planner; and

NOW, THEREFORE, BE IT RESOLVED, the Common Council authorizes the Mayor to sign an agreement for a Public Engagement Software Contract for 1 year with the option to renew for 3 years with CitizenLab \$8,000. Funding to cover this contract will be provided by the existing Community Development Office Budget.

## RESOLUTION – 12/15/2022

### 7.259 APPROVAL OF 2023 ROAD CLOSURES FOR CITY OF PLATTSBURGH EVENTS

#### FOURTH OF JULY PARADE 07/04/2023

PARADE ROUTE: Floats will depart from the corner of Hamilton Street and Club Road at 1pm. The parade will proceed down Jay Street to Bridge Street to City Hall Place carrying on over the bridge along Cumberland Ave and ending at Wilcox Dock.

#### STREET CLOSURES (PARADE):

Street closures for the parade will start at 12:30pm and will immediately end following the parade route. The following intersections/streets will be closed during this timeframe.

- Intersection at Fort Brown Drive and Club Road
- Intersection of Route 9 and Hamilton Street
- Intersection of Hamilton Street and MacDonough Street
- Intersection of Macomb and Jay Street
- Intersection of Bridge Street and MacDonough Street
- Intersection of Pike Street and Bridge Street
- Intersection of Rt. 9 to Bridge Street
- Intersection of Durkee Street to Broad Street
- City Hall Place
- Both one ways on Trinity Park
- Intersection of Miller Street and Rt. 3
- Intersection of Saily Avenue and Cumberland Ave
- Intersection of Lorraine Street and Cumberland Ave
- Intersection of Durand Street and Cumberland Ave
- Intersection of Cedar Lane and Cumberland Ave
- Intersection of Kellogg and Cumberland Ave
- Intersection of Margaret Street and Cumberland Ave

#### STREET CLOSURES (FIREWORKS):

The following streets will be closed starting at 7:00PM and ending when fireworks have finished. Fireworks will begin at approximately 9:30PM.

- City Hall Place
- Both one ways on Trinity Park

**LAKE CITY ART FEST (08/26/2023)**

The following streets will be closed starting at 9AM on Saturday August 26th and ending at 7:00PM.

- Lower Court Street
- Trinity Place

**BATTLE OF PLATTSBURGH EVENT 09/08-09/10/2023**

Road Closures for Battle of Plattsburgh Events			
Date	Roads	Close the Road	Open the Road
Friday - Sunday 09/08 - 09/10	Trinity and Court Street	12:00 PM (Friday)	5:00 PM (Sunday)
Friday 09/08	City Hall Place	12:00 PM	10:00 PM
Saturday 09/09	City Hall Place	7:00 AM	9:00 PM
	Cumberland Ave	7:30 AM	Until Parade Clears area
	Durkee Street		
	Kellog Street		
	Cedar Street		
	Lorraine Street (between Sailey and Cumberland)		
	Durand Street (between Sailey and Cumberland)		
	Upper Bridge Street		
Sailey Avenue (between Lorraine and Cumberland)			
Sunday 09/10	City Hall Place	8:00 AM	5:00 PM

**HOLIDAY PARADE 12/02/2023**

PARADE ROUTE: Parade line up will begin at Brinkerhoff and Beekman streets at 4:00PM. The parade will disembark at 5:30PM down Brinkerhoff street, making a left turn onto Oak Street, a right turn onto Court Street, a right onto Margaret Street and will end at the intersection of Margaret Street and Broad Street.

**STREET CLOSURES (PARADE):**

Street closures will begin at 2:00PM and will immediately end following the parade route. The following intersections/streets will be closed during this timeframe

- Intersection of Brinkerhoff and Beekman Street
- Intersection of Brinkerhoff and Wells Street
- Intersection of Brinkerhoff and William Street
- Intersection of Brinkerhoff and Pleasant Street
- Intersection of Brinkerhoff and N. Catherine Street
- Intersection of Brinkerhoff and Oak Street
- Intersection of Oak and Court Street
- Intersection of Court and Marion Street
- Intersection of Court and Margaret Street
- Intersection of Margaret and Bridge Street
- Intersection of Margaret Street and Protection Ave
- Intersection of Margaret and Brinkerhoff Street
- Intersection of Margaret and Division Street
- Intersection of Margaret and Broad Street

**RESOLUTION – 12/15/2022**

**7.260 APPROVAL OF 2023 “BEER GARDEN’S” FOR CITY OF PLATTSBURGH EVENTS**

1. Tannen-BOOM Event on 02/04/2023:

In accordance with the request therefore, the Common Council approves The City of Plattsburgh to have a "Beer Garden" on February 4th 2023 as part of the Tannen-BOOM event from 12:00PM to approximately 8:00PM at the City Beach. Insurance proof for the event is required. Alcohol will be served, and is permitted by the Council per Section 129-4 of the Code, and accordingly, NYS Liquor Authority permit compliance and documentation is required. In the event that the Tannen-BOOM event is postponed due to inclement weather a rain date will be on Saturday February 10th 2023.

2. Mayor's Cup on 07/08/2023

In accordance with the request therefore, the Common Council approves Plattsburgh Sunrise Rotary to have a "Beer Garden" on July 8, 2023 as part of the Mayors Cup Festivities, from 11:30am to approximately 8:00pm at the City Beach. Insurance proof for the Mayor's Cup event is required. Alcohol will be served, and is permitted by the Council per Section 129-4 of the Code, and accordingly, NYS Liquor Authority permit compliance and documentation is required.

3. Parks Come Alive Events on 06/08/2023, 07/13/2023, 08/10/2023

In accordance with the request therefore, the Common Council approves The City of Plattsburgh to have a "Beer Garden" on the following dates and times as part of the Parks Come Alive Event Series. Insurance proof for the Mayor's Cup event is required. Alcohol will be served, and is permitted by the Council per Section 129-4 of the Code, and accordingly, NYS Liquor Authority permit compliance and documentation is required.

Date	Location	Time
06/08/2023	Peter Blumette Park	4:30-7:30PM
07/13/2023	Melissa Penfield Park	4:30-7:30PM
08/10/2023	South Acres Park	4:30-7:30PM

4. Lake City Arts Fest on 08/26/2023

In accordance with the request therefore, the Common Council approves The City of Plattsburgh and the Plattsburgh Arts Coalition to have a "Beer Garden" on Saturday August 26th 2023, as part of the Lake City Arts Festival from 12:00PM to approximately 7:00PM in Trinity Park.

Alcohol will be served, and is permitted by the Council per Section 129-4 of the Code, and accordingly, NYS Liquor Authority permit compliance and documentation is required.

5. Battle of Plattsburgh on 09/08 - 09/09 2023

In accordance with the request therefore, the Common Council approves The City of Plattsburgh and 1814 Inc to have a "Beer Garden" on Friday September 9th and Saturday September 10th, as part of the Battle of Plattsburgh Commemoration from 12:00PM to approximately 10:00PM in Trinity Park. Alcohol will be served, and is permitted by the Council per Section 129-4 of the Code, and accordingly, NYS Liquor Authority permit compliance and documentation is required.

## RESOLUTION – 12/15/2022

### 7.261 DECLARING SUPPORT FOR THE NEW YORK STATE CLIMATE ACTION COUNCIL SCOPING PLAN

WHEREAS, the Sixth Assessment of the International Panel on Climate Change (IPCC) finds that climate change is causing dangerous and widespread disruption in nature and affecting the lives of billions of people around the world; and

WHEREAS, the IPCC Assessment concludes that rapid, deep and sustained reductions in global greenhouse gas emissions (GHG) are necessary, including accelerated action in this critical decade, to limit global warming to within 1.5°C and 2°C in this century; and

WHEREAS, New York State recognizes the urgent need to reduce and eliminate GHG emissions in the atmosphere, passing the 2019 Climate Leadership and Community Protection Act ("Climate Act") committing the State to:

- reduce GHG emissions by 40 percent by 2030 below 1990 levels, and achieve net-zero emissions by 2050;
- meet 70 percent of electricity needs from renewable resources by 2030, and 100 percent of electricity needs from zero-emissions resources by 2040;
- ensure a just and equitable transition that leaves no one behind, and dedicate up to 40 percent of the benefits of clean energy investments to Disadvantaged Communities; and

WHEREAS, the New York State Climate Action Council has approved for public comment a Draft Scoping Plan to meet New York's climate and equity goals; and

WHEREAS, the Scoping Plan calls for shifting to energy-efficient electrification in buildings and transportation as the primary solution to replace fossil-fuel combustion in these sectors, which together account for 60 percent of the state's carbon emissions; and

WHEREAS, the Scoping Plan calls for a phase-down of emissions from fossil fuel-fired electricity generation, while ensuring support and protections for impacted workers as they transition to clean energy jobs;

WHEREAS, the 2021 Jobs Study by the Just Transition Working Group for the NYS Climate Action Council estimates that meeting New York's climate goals will result in a net gain of 189,000 jobs across the state by 2030, alone, with a ratio of jobs gained to jobs displaced of 10 to 1; and

WHEREAS, the Scoping Plan includes measures that would expand the development of renewable resources and battery storage, encourage "agrivoltaics," or the co-location of agricultural activities with solar and wind, and provide resources to communities to assist with renewable siting and land-use planning;

WHEREAS, the Scoping Plan recognizes the critical role that rural landscapes play, both natural and working lands, in sequestering carbon emissions and enabling the state to achieve net-zero emissions, and the importance of agricultural land preservation, open space protection, support for farmers to improve soil health, and policies that expand afforestation and reforestation and incentivize and assist private landowners in implementing sustainable forest management practices;

WHEREAS, the Integration Analysis for the Scoping Plan finds that meeting emissions reduction goals of the Climate Act is technically feasible and will have the additional and significant benefit of improving public health by eliminating co-pollutants from fossil fuel combustion, resulting in an estimated \$50 to \$120 billion in health-related savings by 2050; and

WHEREAS, according to NYSERDA, over half of what New Yorkers currently spend on energy leaves New York, mostly for fossil fuels; and

WHEREAS, our communities would be better served by keeping energy spending primarily within the local economy; now, therefore be it

RESOLVED, the City of Plattsburgh affirms the critical importance of meeting the emissions and equity goals of the Climate Act, which will help mitigate dangerous warming while delivering the additional benefits of improving public health, economic opportunities, agricultural land open space protection, and quality of life for the people of [name of county/municipality]; and, be it further

RESOLVED, City of Plattsburgh declares its support for prohibiting an expansion of fossil fuel infrastructure, which contradicts the goals of the Climate Act, and for transitioning to efficient electricity-based solutions for buildings and transportation; and be it further

RESOLVED, City of Plattsburgh supports a planning process for a managed transition of the utility gas system that maintains affordable, safe, and reliable utility service and protects low- and moderate-income households from an undue burden in the transition; and be it further

RESOLVED, City of Plattsburgh supports the recommendations of the Scoping Plan for advanced building codes that will improve the energy efficiency of new buildings, creating healthier living and work environments while reducing monthly energy costs; and be it further

RESOLVED, City of Plattsburgh supports the recommendations of the Scoping Plan to phase in code requirements prohibiting on-site combustion of fossil fuels in new buildings over a 2024-2027 period; and, be it further

RESOLVED, City of Plattsburgh calls on the Climate Action Council to include in the Scoping Plan the necessary policies and support to help owners of existing buildings improve energy efficiency and transition to zero-emissions equipment, ensuring cost parity with fossil systems, with incentives and financing assistance as necessary; and, be it further

RESOLVED, City of Plattsburgh supports Scoping Plan recommendations that make electric vehicles more affordable relative to gas-powered vehicles, and expand fast-charging infrastructure; and, be it further

RESOLVED, City of Plattsburgh urges the Climate Action Council to include in the Scoping Plan recommendations to expand assistance for all-electric upstate municipal transit systems; and, be it further

RESOLVED, City of Plattsburgh further urges the New York State Department of Environmental Conservation and NYSERDA to immediately launch a sustained statewide public education and information campaign on the benefits of a clean energy economy and climate-friendly choices by consumers of heating and cooling systems, transportation, and products and appliances; and, be it further

RESOLVED, City of Plattsburgh shall forward copies of this resolution to the Commissioner of the NYS Department of Environmental Conservation, President of NYSERDA, Chair of the NYS Public Service Commission, the NYS Climate Action Council, and Members of the State Senate and Assembly representing [name of town/city/village/county].

**RESOLUTION – 12/15/2022**

**7.262 AUTHORIZE CONTRACT WEBSITE HOSTING WITH CLINTON COUNTY**

RESOLVED: That the Mayor be authorized to sign a contract for Website hosting 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 November 1, 2022 thru October 31, 2023. At a cost not to exceed \$3,000 for the term of the contract to be invoiced quarterly.

**RESOLUTION – 12/15/2022**

**7.263 AUTHORIZE BUDGET TRANSFER – SEWER FUND CAPITAL RESERVE**

WHEREAS, the 2022 Sewer Fund budget has not made appropriations for the cost of the transfer to increase the funding to the Sewer Capital Reserve; and

WHEREAS, the Environmental Services Manager is requesting to make a transfer to the capital reserve in 2022 for \$1,250,000;

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

Increase: Sewer Fund – Appropriated Fund Balance	5-0599	\$1,250,000.00
Increase: Sewer Fund – Transfer to Capital Reserve	5-9560000-9000	\$1,250,000.00

To establish the funding source for the Sewer Fund capital projects planned for 2022 and forward to the extent available for transfer from the Sewer Fund unappropriated fund balance.

**RESOLUTION – 12/15/2022**

**7.264 APPROVING THE SETTLEMENT AGREEMENT BETWEEN  
PLATTSBURGH MUNICIPAL LIGHTING DEPT. (PMLD) AND NEW YORK  
STATE ELECTRIC & GAS (NYSEG)**

BE IT RESOLVED, that the Common Council approves the Settlement Agreement for signature between PMLD and NYSEG involving the electrical service at the Sharron Ave., LeMay Drive and Reeves Lane parcels.

**RESOLUTION – 12/15/2022**

**7.265 AUTHORIZING SETTLEMENT OF PROPERTY ASSESSMENT CASES  
FILED BY WALGREEN EASTERN CO., INC. (ARC)**

WHEREAS, Walgreen Eastern Co., Inc. (ARC) (“Petitioner”), filed Article 7 Real Property Assessment Review cases against the City challenging the 2018 through 2022 assessments on real property located at 301 Cornelia Street, City of Plattsburgh, New York, and identified as Tax Map Parcel No.: 207.17-2-19.1; and

WHEREAS, it is the best interests of the City to avoid the significant costs that would result if the litigation continues to Trial; and

WHEREAS, the following settlement terms which the Council believes to be fair, equitable and advantageous to the City, have been negotiated with Petitioners and are recommended by the Mayor and Assessor; and

NOW, THEREFORE, BE IT

RESOLVED, that the Common Council hereby approves the proposed settlement of the tax assessment cases filed by Petitioner for the 2018 through 2022 assessment rolls as follows:

- 1) The 2018, 2019, 2020, 2021 and 2022 Proceedings will be dismissed in their entirety without reduction of the assessments or refunds.
- 2) The assessed value on Tax Map Parcel #207.17-2-19.1 will be set at \$3,000,000 for the 2023, 2024, 2025, 2026 and 2027 assessment rolls, and will survive any City-wide revaluation during those assessment roll years.

BE IT FURTHER, RESOLVED, that the Common Council further authorizes and directs the Mayor, City Assessor, Corporation Counsel and/or its Special Counsel (Miller, Mannix, Schachner & Hafner, LLC) to execute settlement documents and take any additional steps necessary to effectuate the settlement in accordance with the terms of this Resolution.

## RESOLUTION – 12/15/2022

### 7.266 ADOPTION OF LOCAL LAW P-5A OF 2022:

#### Local Law No. P-5A of the year 2022

A local law amending Chapter 360, Article II, Section 360-5 entitled “Terms Defined” by amending the definition of “Livestock” to exclude laying hens and adding Chapter 360, Article VIII, Sections 360-46 to regulate the keeping of hens per the City Code of the City of Plattsburgh.

The purpose of this Local Law is to permit and regulate the keeping of laying hens within the City of Plattsburgh and to ensure that the keeping of laying hens does not pose a health and safety threat to the residents of the City and to ensure the humane treatment of laying hens.

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

1. Chapter 360, Article II, Section 360-5 definition of “Livestock” is hereby amended and replaced in its entirety and will read as follows: “Livestock- Farm animals kept for use, for propagation, or for intended profit or gain and without limiting the generality of the foregoing, includes: dairy and beef cattle, horses, swine, sheep, roosters, guinea hens, ducks, turkeys, goats, geese, mink and rabbits. Female chickens raised in accordance with this Chapter, are not included within the definition of Livestock.”

2. Chapter 360, Article VIII entitled “Reserved” is hereby amended, re-named, and replaced in its entirety and will read as follows:

Chapter 360 “Zoning”...Article VIII “Backyard Hens”

Section 360-46. Requirements For Keeping Hens.

Regulations for the keeping of female chickens on residential properties are hereby established as follows:

- A. No more than six (6) hens shall be allowed on each Lot. Hens may only be kept by a domiciliary of a dwelling unit located on the lot on which the hens are kept.
- B. Male chickens (roosters), Guinea Hens or Peacocks are expressly prohibited, regardless of age or maturity.
- C. Hens must be kept in and confined in a properly designed and constructed coop that is at least four (4) square feet per chicken in size but is not in excess of one hundred forty-four (144) square feet. The coop shall require a building permit but shall not be defined as an “accessory

structure” per this Chapter. In addition, an outdoor fence run/range area, which is connected to the coop is required and must be constructed in a manner that contains the hens from all sides and provides at least 10 square feet per hen. The coop and run must be adequately constructed and fenced to contain the hens and to prevent access to the hens by dogs and other predators.

D. Hens shall be provided with adequate food and water and kept in a humane condition. Chicken feed must be stored in rodent-resistant and weather-proof containers.

E. Hens shall be confined at all times to the property on which they are kept. It shall be unlawful for any person to allow hens to run at large upon the streets, alleys or other public places of the City, or upon the property of any other person.

F. Coops and runs shall be located in the rear yard of the parcel and be located no less than five (5) feet from any property line. The square footage of the rear yard must be a minimum of five hundred (500) square feet. In the case of a rear yard where such required setback from property lines cannot be met, or the minimum square footage in the rear yard cannot be met, a coop or run may be located in a side yard at the discretion of the Building Department. No coop or run may be located in the front yard between the house and the public street under any circumstances. No chickens, coops, pens, cages, fences or other shelters are permitted on a lot within one hundred (100) feet of any lake, pond, river or stream, unless such body of water is wholly contained on the same lot.

G. A coop, and the premises where the chicken coop is located, shall be maintained in a condition such that the facility or chickens do not produce noise or odor that creates a nuisance for adjoining lots and the responsible domiciliary and the owner shall remove any odorous or unsanitary condition. The lot owner shall be responsible for the repair on any adjoining lot of any damage caused by the chickens, including but not limited to damage to dwellings, structures and yards, and shall be responsible for repair of any unsafe condition.

H. The use and consumption of such hens and their eggs is limited to the occupants of the premises and shall not be sold. Selling chickens, eggs, or breeding chickens for commercial use is prohibited.

I. The killing or slaughter of hens is limited to killings or slaughters undertaken for private use by the occupants of the premises and is prohibited outside of enclosed buildings. Waste materials from the slaughter of such animals shall be disposed of immediately in a clean and sanitary matter.

J. The keeping of hens is prohibited unless a permit is obtained from the City Building Inspector. An annual fee for such permit shall be established by the Common Council pursuant to resolution. The Building Inspector shall maintain a current listing of all permits issued hereunder. Applications for a Backyard Hen permit will be available in the City Building Inspector’s Office. Applications shall be made on forms as approved by the Common Council by the Building Inspector. Necessary information shall include, but not be limited to proof of

compliance with this Article. The City Building Inspector may impose any other restriction on the location, size or design of the coop or run that, in their sole judgment, protects the accessibility, health, safety and welfare of the public. The City Building Inspector may revoke a Backyard Hen permit for a specific site via written notice to the property owner when the Building Inspector or designee finds, at his or her sole discretion, that any requirements of this Article are not met, a rebuttable presumption of which shall be created by (a) a record of three or more complaints to the City Police Department or City Building Inspector's Office about a specific site's chickens, (b) on the recommendation of Cornell Cooperative Extension, or (c) on the recommendation of the City Police Department. Upon revocation, the City Building Inspector shall notify the Permit holder in writing of the same, and if the revocation stands, the owner must remove the hens from the property per the requirements of the City Building Inspector. Any appeal of the City Building Inspector's revocation or denial of a permit issued under this Article may be brought to the City of Plattsburgh Zoning Board of Appeals pursuant to the City Code.

3. This Local Law shall take effect immediately upon approval by the Mayor and filing with the New York Secretary of State.