

**TOWN OF PLATTSBURGH
TOWN BOARD SEMI-MONTHLY MEETING
February 27, 2006**

The meeting was called to order at 7:00p.m. By the presiding officer at the Town Hall on the Banker Road.

MEMBERS:	<u>Present</u>	<u>Absent</u>
Bernard C. Bassett, Supervisor	X	
John St. Germain, Councilor		X
Thomas E. Wood, Councilor	X	
Paul D. Lamoy, Councilor	X	
Sheila A. Brockway, Councilor	X	
Amy L. Duquette, Town Clerk	X	
James J. Coffey, Town Attorney	X	

RESOLUTION NO. 06-75 Accept Minutes

Motion by:	Paul D. Lamoy	Seconded by:	Sheila A. Brockway
Carried by:	Ayes 4	Nays 0	

RESOLVED, that the minutes of the previous meeting(s) be approved and the reading of the minutes be dispensed with.

PUBLIC RECOGNITION

Present: See Attached sign in sheet

Comments: no

See Attached

RESOLUTION NO. 06-76 Public Speaking

RESOLVED, that at all public Town Board meetings any person present wishing to address the Town Board be so recognized by the presiding officer after the adoption of the resolution approving the minutes of the previous meeting pursuant to Section 63 of Town Law, and it is further

RESOLVED, that any person, so recognized, will be limited to five (5) minutes.

RESOLUTION WAS UNNECESSARY FOR PUBLIC COMMENT; RESOLUTION WAS APPROVED AT PRIOR MEETING.

MOTION WAS WITHDRAWN BY PAUL D. LAMOY

Motion by:	Paul D. Lamoy	Seconded by:	Sheila A. Brockway
Carried by:	Ayes 4	Nays 0	

Motion to enter into public recognition, persons wishing to address the board.

Motion By; Paul D. Lamoy

Seconded by: Sheila A. Brockway

DISCUSSION:

Gerard Renadette addressed the board to inquire as to whether or not the Board has made any decisions regarding the Shawn Cliché Subdivision or the Treadwell Bay Subdivision. Supervisor Bassett assured Mr. Renadette that no decisions have been made.

Don Mc Gully spoke of his concerns between the talks of the Town and the City regarding annexation. Supervisor Bassett commented that this Town board does not have any intention of letting any property be annexed to the City.

RESOLUTION NO. 06-77 **Paving Policy**

WHEREAS, the Town of Plattsburgh has appropriated funds to meet the needs of the Town to maintain Town Roads and a Road Paving Program, and

WHEREAS, the Town Highway Superintendent has made recommendation for a Town of Plattsburgh Subdivision Paving Policy to help meet budget Limitations and an effective Road Paving Program therefore it is

RESOLVED, that subdivision developers will be responsible for installation and purchasing of all materials necessary for completion of new roadways within subdivisions, gravel, binder and topcoat, asphalt, etc. per Town of Plattsburgh Highway Department Specifications, and inspections and be it further

RESOLVED that subdivisions, new or existing, with multiple phases, which have not received preliminary approval per phase, will be included under the new Subdivision Paving Policy.

Motion by: Thomas E. Wood **Seconded by: Paul D. Lamoy**
Carried by: Ayes 4 **Nays 0**

DISCUSSION: Wayne Gonyea explained the on site inspection plan.

RESOLUTION NO. 06-78 **Development Corp. Deposit**

WHEREAS, the Town of Plattsburgh Planning Board has reviewed and approved the Development Corporation Building No. 3 Site Plan 2004; and

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WHEREAS, The Development Corporation Building No. 3 Site Plan 2004 has on file with the Town of Plattsburgh, a 3% deposit for construction to their project in the original amount of six thousand one hundred and eighteen dollars (\$6,118.00) to be returned with accrued interest; and

WHEREAS, Phil VonBargen, Planning and Engineering Assistant and Donald Lee, Codes Enforcement Officer conducted an on-site inspection of the construction improvements and report that all work has been completed according to the specifications of their As-Built site plan and are in full compliance with the Zoning Regulations; now, therefore it is

RESOLVED, that the Supervisor is hereby authorized and directed to release the said deposits in amount of six thousand one hundred and eighteen dollars (\$6,118.00) plus accrued interest to date; and it is further

RESOLVED, that a certified copy of this resolution be forwarded, by the Planning Department Secretary, with the return of deposit to Easy Self Storage/Development Corp. 61 Area Drive , Plattsburgh NY 12901.

Motion by:	Thomas E. Wood	Seconded by:	Paul D. Lamoy
Carried by:	Ayes 4	Nays 0	

DISCUSSION:

RESOLUTION NO. 06-79 Payment to Bore Tech

WHEREAS, Kathy Fenoff has submitted Periodic Estimate for Payment No. 1 and final payment request from BORE TECH LLC for Base Water Phase IV for work completed at RR Crossing on Arizona Avenue and

WHEREAS, request has been made and authorized by Laberge Group for the period from December 1, 2005 to January 11, 2006 to BORE TECH LLC; is in the gross amount of thirty four thousand one hundred and six dollars. (\$34,106.00) less 5% retained, one thousand seven hundred and nine dollars and fifty cents (\$1,709.50), less previous payments (\$0) making the total amount requested Thirty two thousand four hundred and eighty dollars and fifty cents. (\$32,480.50)

RESOLVED that the Supervisor is hereby authorized to make Payment No. 1 and FINAL in the net amount of thirty two thousand four hundred and eighty dollars and fifty cents (32,480.50) to BORE TECH, LLC; and, it is further

RESOLVED that the payment is to be made payable from the Base Water District Improvement Capital Project.

Motion by:	Paul D. Lamoy	Seconded by:	Thomas E. Wood
Carried by:	Ayes 4	Nays 0	

DISCUSSION: yes

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agrees to provide for the establishment of work experience projects for the assignment of employable persons in receipt of Home Relief (HR) and pursuant to the Code of Federal Regulations Title 45, Section 450.63 and Section 335-c of the Social Services Law of the State of New York for employable persons in receipt of Aid to Families with Dependent Children (ADC); and

WHEREAS, the Sponsor has agreed to enter into said agreement as approved to form by the Town Attorney; now, therefore, it is

RESOLVED, that the Town of Plattsburgh enter into the said "Agreement with Worksite Sponsor Agency" and the Supervisor be and he hereby is authorized to sign same effective January 1, 2006 through December 31, 2006.

Motion by: Sheila A. Brockway
Carried by: Ayes 4

Seconded by: Paul D. Lamoy
Nays 0

DISCUSSION: no

RESOLUTION NO. 06-83

Abstract 2A-06

RESOLVED, that the abstract of audited claims **No. 2A** in the amount of one million nine hundred and ninety four thousand seven hundred and seventy four dollars and ninety-five cents (\$1,994,774.95) be received as reviewed by the audit committee and the Supervisor is hereby authorized to pay said abstracts.

Motion by: Thomas E. Wood
Carried by: Ayes 4

Seconded by: Sheila A. Brockway
Nays 0

DISSCUSSION: no

RESOLUTION NO. 06-84

Change Order Morrisonville Chlorination

WHEREAS, CHANGE ORDER NO. 1 for: MORRISONVILLE CHORINATION, Town of Plattsburgh, New York was prepared on January 19, 2006 the purposed of which is to make certain changes and / or additions to the original contract, as requested by the original contract, and requested by the Town and;

WHEREAS, the Consulting Engineers, Laberge Engineering & Consulting Group Ltd., have submitted their report relative to the necessity of said changes and / or additions, now therefore it

RESOLVED that the recommendation of said Engineers be hereby accepted, approved and adopted: and be it further;

RESOLVED, that **CHANGE ORDER NO. 1 FOR MORRISONVILLE CHLORINATION, TOWN OF PLATTSBURGH, NEW YORK** be hereby approved and that the contract for Steven I. Fuller Excavating, Inc. PO Box 386 Keeseville New York 12944 be amended to reflect the changes as so stated within CHANGE ORDER NO. 1

Motion by: Paul D. Lamoy Seconded by: Sheila A. Brockway
Carried by: Ayes 4 Nays 0

DISCUSSION: Councilor Lamoy asked Mr. Laberge what exactly the change order is for; Mr. Laberge explained the adjustments to the original contract.

RESOLUTION NO. 06-85 Schuyler Falls / Morrisonville Ambulance

RESOLVED, that the renewal agreement, as reviewed and approved by the Town Attorney, between the Morrisonville/Schuyler Falls Ambulance Service, Inc., and the Town of Schuyler Falls and the Town of Plattsburgh be and the same hereby is approved for the period of January 1, 2006 through December 31, 2006; and it is further

RESOLVED, that the Supervisor be and he hereby is authorized to sign said agreement for the Town.

Motion by: Sheila A. Brockway Seconded by: Paul D. Lamoy
Carried by: Ayes 4 Nays 0

DISCUSSION: yes

RESOLUTION NO. 06-86 Accept Redesignation Empire Zone

WHEREAS, PURSUANT TO section 961 of the General Municipal Law, the County of Clinton authorized, pursuant to Resolution #736, dated September 24, 1997, an application to be submitted by the Plattsburgh Airbase Redevelopment Corporation (PARC) on behalf of the County for redesignation of certain areas as an Empire Zone within the meaning of said statute, and such redesignation was approved as Empire Zone within the meaning of said statute, and such re-designation was approved as Empire Zone#56 with a total acreage of 1280 acres by the New York State Commissioner of Economic Development and was formally designated by the Empire Zones Designation Board on June 3, 1998; and

WHEREAS, the County of Clinton ratified Empire Zone #56 and supported and concurred with expansion of Empire Zone #56, pursuant to Local Law #1, dated February 12, 2003; and

WHEREAS, the County of Clinton supported and concurred with additional expansion of Empire Zone #56, pursuant of Local Law #2, dated September 22, 2004; and

WHEREAS, the New York State Legislature and the Governor have enacted into law changes to the Empire Zones program, whereby each existing Empire Zone must configure its existing zone acreage into three or six “distinct and separate contiguous” areas, and it has been determined that Clinton County Empire Zone #56 must configure its existing zone acreage into six distinct and separate contiguous areas; and

WHEREAS, pursuant to Sections 957 (d) and 961 of the General Municipal Law, the County of Clinton has proposed the re-designation of the existing Clinton County Empire Zone # 56 into six distinct and separate contiguous areas, which will include three areas in the Town of Plattsburgh as follows: area# 1 at 776.88 acres, which will include three area #5 at 214.70 acres, for a total of 1128.92 acres in the Town of Plattsburgh; and the boundaries of said areas to be included in Empire Zone #56 within the Town of Plattsburgh shall be as set forth in the maps and legal descriptions in Schedule A, which is attached hereto and made a part hereof; and

WHEREAS, such re-designation may greatly benefit the Town of Plattsburgh in that new businesses would be encouraged to locate in the Empire Zone, existing businesses would be encouraged to expand in the Empire Zone, and new and expanded businesses would generate new jobs for Town of Plattsburgh residents; and

WHEREAS, the County of Clinton has authorized the submission of an application in compliance with the newly enacted changes to the Empire Zone, with a total acreage not to exceed 1280 acres; and

WHEREAS, the County of Clinton wished to re-designate three areas within the Town of Plattsburgh as part of the proposed Empire Zone as described above and set forth in Schedule A; and

WHEREAS, the Town of Plattsburgh is desirous of working with the County of Clinton through the Empire Zone program to provide enhanced job opportunities for its residents; now therefore it be

RESOLVED; by the Town Board in the Town of Plattsburgh, New York, that it fully supports and concurs in the submission of an application by the County of Clinton for the re-designation of three areas described above and set forth in Schedule A as an Empire Zone in the Town of Plattsburgh

Motion by:	Paul D. Lamoy	Seconded by:	Sheila A. Brockway
Carried by:	Ayes 4	Nays	0

DISCUSSION: Supervisor Bassett explained that Empire Zone 56 has been created at the Clinton County Airport.

RESOLUTION NO. 06-87

Code Enforcement Education

WHEREAS, Town of Plattsburgh Code Enforcement Officials are required to maintain license; and

WHEREAS, it is in the best interest of the Town to remain current and informed concerning changes in regulation; therefore it is

RESOLVED that Donald F. Lee and Stephen Imhoff, Codes Enforcement Officers, be allowed to attend the Northern Adirondack Code Enforcement Officials Association 11th Annual Educational Conference held on February 27 – March 1 at the Lake Placid Resort formerly the Holiday Inn; and it is further

RESOLVED that \$966.00 for lodging and conference, and \$196.00 for meals, be charged to the Code/Zoning budget.

Motion by: Paul D. Lamoy
Carried by: Ayes 4

Seconded by: Sheila A. Brockway
Nays 0

DISCUSSION: Councilor Lamoy stated that he is a little concerned with the town paying for lodging and travel for this training, due to it being so close to Plattsburgh. Supervisor Bassett explained that he had a discussion with Don Lee and that this training is necessary and required, Supervisor Bassett also stated that this is included in their budget.

RESOLUTION NO. 06-88 **Arthur Brault Vacation Time**

WHEREAS, Arthur Brault, Senior Building Maintenance Worker, has accumulated excess unused vacation time from 2005 totaling 240 hours; and

WHEREAS, as per contract, after 8 years of employment up to 3 weeks, 120 hours, of unused vacation time may be rolled into the following year for a maximum of 6 weeks accumulated time; and

WHEREAS, a balance of 120 hours of vacation time would remain; therefore it is

RESOLVED that Arthur Brault be allowed to add 15 days sick time to his total 2006 sick time allowed by contract making his total for 2006 equal to 27 days.

Motion by: Paul D. Lamoy
Carried by: Ayes 3

Seconded by: Sheila A. Brockway
Nays 1 Thomas E. Wood

DISCUSSION: Councilor Wood clarified that there are 12 sick days in a year and we would be adding 15 days to that which he has a problem with. Supervisor Bassett said there was a previous letter dated December 5, 2005 to Andrew Abdallah asking to have his unused sick time be paid for.(which had been practice in some situations) Supervisor Bassett reviewed the contract and informed Mr. Brault that there were no provisions to pay for the time. Supervisor Bassett feels the practices of the past are not Mr. Brault’s fault. Supervisor Bassett stated that Mr. Brault realizes from this point on any unused vacation time will not be available. Supervisor Bassett acknowledges that Mr. Brault is a good employee and that was caught in crossfire of interpretations of contract, Supervisor Bassett feels that we should honor his request.

RESOLUTION NO. 06-89 **Fireman of the Year**

WHEREAS, the Town of Plattsburgh recognizes that voluntary services to the community are valued and necessary: and

WHEREAS, the Town would like to recognize and commend individual effort that goes beyond the norm and serves the community in a manner worthy of commendation,

RESOLVED, that the Town of Plattsburgh Town Board recognize and commend Jim Fleming for his effort s and recent recognition as Clinton County Fireman of The Year.

RESOLVED, that the Supervisor write a letter of recognition to Mr. Fleming acknowledging his achievement and the Town’s appreciation.

RESOLVED, that the Town of Plattsburgh Town Board recognize and commend Art (Buddy) Maggy for his efforts and recent recognition as Morrisonville Volunteer Fire Department Fireman of The Year,

RESOLVED, that the Supervisor write a letter of recognition to Mr. Maggy acknowledging his achievement and sharing the Town’s appreciation for his service.

Motion by: Paul D. Lamoy **Seconded by:** Thomas E. Wood
Carried by: Ayes 4 **Nays** 0

DISCUSSION: The Supervisor and most members of the Board spoke on Mr. Flemming and Mr. Maggys behalf.

RESOLUTION NO. 06-90 **Accept Abstract 2B-06**

RESOLVED, to receive and place on file, Abstract 2B-06

Motion by: Paul D. Lamoy **Seconded by:** Thomas E. Wood
Carried by: Ayes 4 **Nays** 0

DISCUSSION: yes

RESOLUTION 06-91 **Water and Wastewater Report**

RESOLVED, to receive and place on file, the Water and Waste Water Utilities monthly report for the month February 2006.

Motion by: Paul D. Lamoy **Seconded by:** Sheila Brockway
Carried by: Ayes 4 **Nays** 0

DISCUSSION: no

RESOLUTION NO.06-92 **Supervisor Year End Report**

RESOLVED, to Accept, receive and place on file the Year End Supervisors Report for 2005.

Motion by: Paul D. Lamoy **Seconded by:** Sheila A. Brockway
Carried by: Ayes 4 **Nays** 0

DISCUSSION: yes

RESOLUTION NO.06-93**Supervisors Monthly Report**

RESOLVED, to receive and place on file, the Supervisor's monthly report for the months of January, February 2006.

Motion by: Paul D. Lamoy
Carried by: Ayes 4

Seconded by: Thomas E. Wood
Nays 0

DISCUSSION: yes

RESOLUTION NO.06-94**Accept Year End Budget**

WHEREAS, the General Fund had some over expenditures in fiscal year 2005 for health insurance, fuel and research projects; now therefore be it

RESOLVED, that the Town Board of the Town of Plattsburgh authorize the following budget amendments:

Increase Appropriated Fund Balance	\$20,000.00
Increase revenue A1170 Franchise Fees	\$35,000.00
Increase revenue A2555 Building Permits.	\$10,000.00
Increase revenue A2610 Justice Fines	\$40,500.00
Increase revenue A3001 State Revenue Sharing	\$4,000.00
Increase revenue A3005 Mortgage Tax	\$70,000.00
Decrease Appropriation A 1940.2 Land Purchase	\$14,000.00
Decrease Appropriation A 3310.2 Traffic Lights	\$10,000.00
Decrease Appropriation A 5410.4 Sidewalks	\$12,000.00
Decrease Appropriation A 7550,4 Community	\$4,000.00
Increase Appropriation A7110, 85 Medical Ins.,	\$2,300.00
Increase Appropriation A1620.42 Heating/Fuel	\$9,200.00
Increase appropriation A8030.4100 Research	\$100,000.00
Increase Appropriation A1620.47 Cont. Services.	\$108,000.00

Motion by: Thomas E. Wood
Carried by: Ayes 4

Seconded by: Paul D. Lamoy
Nays 0

DISCUSSION: yes

RESOLUTION NO.06-95**Year End Budget Highway**

WHEREAS, the Highway Department had over expenditures in various lines due to workers compensation, fuel pricing and winter storms; now therefore be it

RESOLVED, that the Town Board of the Town of Plattsburgh authorize the following budget amendments:

Increase revenue DA 3501NYS chips	\$5,000.00
Increase revenue DA 2701refund prior yrs.	\$9,500.00
Increase revenue DA 2300 services other gov't	\$6,700.00

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Increase revenue DA 2401 interest/earnings	\$1,800.00
Increase revenue DA 1120 Sale Tax	\$65,000.00
Increase Appropriation DA 9000.8200 worker comp	\$23,000.00
Increase Appropriation DA 5112.4100 Gasoline	\$3,000.00
Increase appropriation DA 5112.4101 Diesel fuel	\$10,000.00
Increase Appropriation DA 5142.4101 Diesel fuel.	\$12,000.00
Increase appropriation DA 5148.4101 diesel fuel	\$1,500.00
Increase appropriation DA 5112.1000	\$38,500.00

Motion by: Paul D. Lamoy **Seconded by:** Sheila A. Brockway
Carried by: Ayes 4 **Nays 0**

DISCUSSION: no

ADJOURNMENT

Motion by: Paul D. Lamoy **Seconded by:** Sheila A. Brockway
Carried by: Ayes 4 **Nays 0**

RESOLVED, that this Town Board Meeting be adjourned at 8:08PM.

Respectfully Submitted,

Amy Duquette, Town Clerk