

**TOWN OF PLATTSBURGH
TOWN BOARD MONTHLY MEETING
JUNE 5, 2006**

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

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

RESOLUTION NO. 06-165 Receive Minutes

Motion by:	Thomas E. Wood	Seconded by:	Sheila A. Brockway
Carried by:	Ayes 5	Nays	0

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

PUBLIC RECOGNITION
See Attached

RESOLUTION NO. 06-166 Receive Abstract

Motion by:	Thomas E. Wood	Seconded by:	Sheila A. Brockway
Carried by:	Ayes 5	Nays	0

RESOLVED, that the abstract of audited claims 6A in the amount of \$631,766.00 be received as reviewed by the audit committee and the Supervisor is hereby authorized to pay said abstracts.

Discussion: Councilor St Germain questioned voucher # 8768, Resolution was carried with the understanding voucher # 8768 was to be removed.

RESOLUTION NO. 06-167 Receive Report from Water and Wastewater

Motion by:	John F. St Germain	Seconded by:	Sheila A. Brockway
Carried by:	Ayes 5	Nays	0

RESOLVED, to receive and place on file a report from the Water and Wastewater Department for May 2006.

RESOLUTION NO. 06-168 Receive Report from Justice Court

Motion by: Paul D. Lamoy
Carried by: Ayes 5

Seconded by: Sheila A. Brockway
Nays 0

RESOLVED, to receive and place on file a report from the Court Justices Christina Bezrutczyk and Kevin Patnode.

RESOLUTION NO. 06-169

Receive Report from Parks and Receptions

Motion by: Paul D. Lamoy
Carried by: Ayes 5

Seconded by: Thomas E. Wood
Nays 0

RESOLVED, to receive and place on file a report from Robert Robare of Parks and Recreation Department for June 2006 including a Building Grounds Maintenance Report for the month of May.

Discussion: yes

RESOLUTION NO. 06-170

Receive Report from Planning

Motion by: John F. St Germain
Carried by: Ayes 5

Seconded by: Sheila A. Brockway
Nays 0

RESOLVED, to receive and place on file a report from Phil Von Bargaen of the Planning Department for June 13, 2006.

Discussion: Councilor St Germain gave a brief summary of projects involving the Planning Department.

RESOLUTION NO. 06-171

WWTP Cultural Resources Study

Motion by: John F. St Germain
Carried by: Ayes 5

Seconded by: Paul D. Lamoy
Nays 0

WHEREAS, the Town is progressing the study and design of a wastewater treatment facility to service the Consolidated Sewer District and other areas of the Town as they become serviced by and connected to the Consolidated Sewer District; and,

WHEREAS, it is necessary to determine the cultural resources that exist at the proposed treatment plant site and along the route of proposed pipelines associated with the project; and,

WHEREAS, Laberge Group, the Town consultant for the treatment plant project has requested and obtained quotes from qualified archaeologists to perform the requisite services; and,

WHEREAS, Laberge Group has reviewed the quotes received and presented them for the Town's review and has recommended that the Town secure the services of Black Drake Consulting of Champlain, New York; now, therefore, be it

RESOLVED that the Town hereby retain the services of Black Drake Consulting as

recommended by the Laberge Group and that the Supervisor is hereby authorized to enter in an agreement for the required services in the amount of \$2,000.

RESOLUTION NO. 06-172

WWTP Aerial Photography & Mapping

Motion by: Paul D. Lamoy
Carried by: Ayes 5

Seconded by: John F. St Germain
Nays 0

WHEREAS, the Town is progressing the study and design of a wastewater treatment facility to service the Consolidated Sewer District and other areas of the Town as they become serviced by and connected to the Consolidated Sewer District; and,

WHEREAS, it is necessary to obtain mapping of the proposed treatment plant site route of proposed pipelines associated with the project; and,

WHEREAS, Laberge Group, the Town consultant for the treatment plant project has requested and obtained quotes from qualified aerial mapping companies to perform the requisite services; and,

WHEREAS, Laberge Group has reviewed the quotes received and presented them for the Town's review and has recommended that the Town secure the services of Col East; now, therefore it is

RESOLVED, that the Town hereby retain the services of Col East as recommended by the Laberge Group and that the Supervisor is hereby authorized to enter in an agreement for the required services in the amount of \$29,850.00.

RESOLUTION NO. 06-173

WWTP Soils Testing

Motion by: John F. St Germain
Carried by: Ayes 4

Seconded by: Paul D. Lamoy
Nays 1 Thomas E. Wood

MOTION TO TABLE

Motion by: Thomas E. Wood

Motion received no second

Discussion: yes

WHEREAS, the Town is progressing the study and design of a wastewater treatment facility to service the Consolidated Sewer District and other areas of the Town as they become serviced by and connected to the Consolidated Sewer District; and,

WHEREAS, it is necessary to determine the subsurface conditions that exist at the proposed treatment plant site and along the route of proposed pipelines associated with the project; and,

WHEREAS, Laberge Group, the Town consultant for the treatment plant project has requested and obtained quotes from qualified geotechnical firms to perform the requisite

WHEREAS, Laberge Group has reviewed the quotes received and presented them for the Town's review and has recommended that the Town secure the services of Dente Engineering of Watervliet, New York; now, therefore, be it

RESOLVED, that the Town hereby retain the services of Dente Engineering as recommended by the Laberge Group and that the Supervisor is hereby authorized to enter in an agreement for the required services in the amount of \$41,014.

RESOLUTION NO. 06-174

Champlain Center North (Best Buy) 3% Refund

Motion by: Paul D. Lamoy
Carried by: Ayes 5

Seconded by: Sheila A. Brockway
Nays 0

WHEREAS, the Town of Plattsburgh Planning Board has reviewed and approved the Champlain Centre North (Best Buy) Site Plan 2005, and

WHEREAS, Mr. Von Bargaen, Planning and Engineering Assistant, has inspected said project and requirements for he project are completed, and

WHEREAS, David Napolitan has requested that the 3% deposit for this project in the amount of \$3,015.30 plus accrued interest to date; therefore, be it

RESOLVED, that the Supervisor is hereby authorized and directed to release the said deposit in the amount of Three Thousand Fifteen dollars Thirty Cents (\$3,015.30) 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 David Napolitan, General Manager, Champlain Center North, LLC 60 Smithfield Blvd. Suite 69, Plattsburgh, NY 12901

RESOLUTION NO. 06-175

Plattsburgh Public Library Board of Trustees

Motion by: Thomas E. Wood
Carried by: Ayes 5

Seconded by: Paul D. Lamoy
Nays 0

WHEREAS, the Town Of Plattsburgh is supportive of the Public Library System and values its contribution to the community, and

WHEREAS, the Town has opportunity to appoint a representative to participate on the Plattsburgh Public Library Board of Trustees as liaison for the Town; now, therefore it is

RESOLVED, that Clarice Bainbridge is appointed as liaison for the Town of Plattsburgh to represent the Town at the Plattsburgh Public Library Board of Trustees meetings.

RESOLUTION NO. 06-176

Readers Rock Youth Program

Motion by: Thomas E. Wood
Carried by: Ayes 5

Seconded by: Paul D. Lamoy
Nays 0

WHEREAS, State funds have been appropriated for services and expenses, from the Office of Children and Family Services, to counties and their contractors for the operation of programs designed to prevent juvenile delinquency and promote youth development, and

WHEREAS, the Town of Plattsburgh Recreation and Youth Services Director, Mr. Robare, had budgeted funds for programs and has been made aware of matching grant funds to implement the Readers Rock Youth Program; now, therefore be it

RESOLVED, that the Town enter into agreement with the Clinton County Legislature to partner and provide the Readers Rock program to 40 Town of Plattsburgh Children from grades one through four at various sites in the Town from July 24, 2006 – August 5, 2006; and it is further

RESOLVED, that the Supervisor is hereby authorized to enter into contract not to exceed \$1,500.00 with the County to provide the program and services as noted in the Contract Agency Agreement.

RESOLUTION NO. 06-177

Reimbursements for Highway for Repairs

Motion by: Paul D. Lamoy

Seconded by: Sheila A. Brockway

MOTION TO TABLE

Motion by: Thomas E. Wood
Carried by: Ayes 5

Seconded by: John F. St Germain
Nays 0

WHEREAS, the Highway Department has received reimbursements of \$5,579.68 for repairs on a damaged truck (wind storm) and for damaged equipment; and

WHEREAS, the repair and replacement of equipment was not anticipated in the 2006 Highway Fund Budget; now, therefore be it

RESOLVED, that the Town Board of the Town of Plattsburgh does hereby authorize the following budget amendment increasing the Highway Fund 2006 Budget:

Increase Revenue DA2680.000 Ins. Recoveries	\$5,579.68
Increase Appropriation DA5130.4200 Repairs	\$3,542.80
Increase Appropriation DA5130.4400 Misc. Supplies	\$2,036.88

RESOLUTION NO. 06-178

Assessment/Challenges

Motion by: John F. St Germain
Carried by: Ayes 5

Seconded by: Thomas E. Wood
Nays 0

WHEREAS, the Town of Plattsburgh may become involved in real property tax assessment review proceedings and,

WHEREAS, the Beekmantown Central School District and Clinton County have interest in Town proceedings concerning challenges to assessments made on properties that may affect each governing body, and

WHEREAS, it may become necessary to hire an expert to prepare a commercial assessment and to defend the current level of valuation placed on property by the Town of Plattsburgh and work toward a settlement, and

WHEREAS, the Clinton County Real Property Tax Committee and the Ways and Means Committee have discussed this item and approved the sharing of said expense with the Town of Plattsburgh and the Beekmantown Central School District; therefore, be it

RESOLVED, that the Town of Plattsburgh Town Board hereby adopts a policy that it will share costs with Clinton County and the Beekmantown Central School District at the rate of 26% to be paid by the Town of Plattsburgh as contribution toward payment of settlement expenses.

RESOLVED, that the Supervisor authorize the Budget Officer to make initial full payment for litigation to Hiscock Barclay with reimbursement to the Town from the County in the amount of 26% and the School District in the amount of 48% leaving the Town's balance not to exceed 26% of total cost to represent the Town vs. Pyramid Champlain Company (Parcel No. 206.4-2-1.2).

Discussion:yes.

RESOLUTION NO. 06-179

Paul Couch Site Plan 2005 3% Deposit

Motion by: John F. St Germain
Carried by: Ayes 5

Seconded by: Paul D. Lamoy
Nays 0

WHEREAS, the Town of Plattsburgh Planning Board has reviewed and approved the Paul Couch Site Plan 2005; and

WHEREAS, Paul Couch Site Plan 2005 has on file with the Town of Plattsburgh, a 3% deposit for construction to their project in the original amount of one thousand eight hundred seventy one dollars and thirty one cents (\$1,871.31) 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 one thousand eight hundred seventy one dollars (\$1,871.31) 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 Paul Couch 122 Stafford Drive, Plattsburgh NY 12901.

RESOLUTION NO. 06-180

Archie Bordeau Water District Bid

Motion by: Paul D. Lamoy
Carried by: Ayes 5

Seconded by: John F. St Germain
Nays 0

WHEREAS, the Consulting Engineers, Laberge Engineering & Consulting Group Ltd. have submitted their report relative to their analysis of bids for the Archie Bordeau Water District; now therefore be it

RESOLVED that the recommendation of said Engineers be hereby accepted, approved and adopted; and that **ARCHIE BORDEAU WATER DISTRICT** be hereby **TENTATIVELY** awarded to Ed Garrow and Sons, Inc. 982 Military Turnpike, Plattsburgh, New York 12901 in the Total Base Bid of \$ 902,750.00 less Deductible Alternate No. 1 (\$169,250.00) for a total contract amount of \$ 733,500.00 with the following conditions:

1. The Town receives an executed Water Crossing Permit from the Delaware and Hudson Railroad.
2. The Town Receives final health department approval.
3. The Town receives approval from the Clinton County Highway Department to occupy their right of way with the water line.
4. The Town acquires the easements necessary for the construction of the project.

RESOLUTION NO. 06-181

Solid Waste Moratorium Extension

Motion by: John F. St Germain
Carried by: Ayes 5

Seconded by: Thomas E. Wood
Nays 0

WHEREAS, a proposed local law has been presented and laid before the Town Board as Introductory Local Law No. 2 of the year 2006 entitled:

“A Local Law establishing the extension of a one (1) year Moratorium Law on Accumulation and Disposal of Solid Waste and By-Products within the Town of Plattsburgh”

And such has been introduced, therefore, it is

RESOLVED, that a public hearing will be held on said Introductory Local Law No. 2 of the year 2006 on Monday, June 19th, 2006 at 6:50 PM prevailing time at the Town Hall, 151 Banker Road, Plattsburgh, NY 12901; and it is further

RESOLVED, that the Town Clerk is hereby authorized and directed to cause notice of public hearing to be published in the Press Republican in accordance to Town Law, and a copy of such be provided to adjoining Towns and Clinton County Planning Board.

RESOLUTION NO. 06-182

Battle Of Plattsburgh 2006

MOTION TO TABLE

Motion by: Paul D. Lamoy
Carried by: Ayes 5

Seconded by: Sheila A. Brockway
Nays 0

WHEREAS, the Town of Plattsburgh recognizes the positive impact and contribution to the Town that is made by the Battle of Plattsburgh Commemoration, and

WHEREAS, in is in the best interest of the Town that the Commemoration activities continue and that the Town of Plattsburgh should take an active role in the program and activities; therefore, it is

RESOLVED that, on behalf of the Town, the Supervisor be authorized to sponsor The Woods Tea Company Tuesday evening performance not to exceed \$1,500.00, and be it further

RESOLVED that the Supervisor be authorized to purchase a 1/2 page ad in the Battle of Plattsburgh Commemoration souvenir program noting the Town's role and appreciation for the work done by the program organizers not to exceed \$225.00.

RESOLUTION NO. 06-183

Cable Franchise Negotiations

Motion by: Paul D. Lamoy
Carried by: Ayes 5

Seconded by: Thomas E. Wood
Nays 0

WHEREAS, The Town participates as part of Committee to periodically negotiate contracts and franchise agreements for cable television service in the region, and

WHEREAS, the Supervisor is sole representative for the Town of Plattsburgh on the Clinton County Cable Television Council and participation may be shared, it is

RESOLVED, that Martin Mannix is appointed to work with the Supervisor to represent the Town's interest to best negotiate a franchise agreement during the current negotiation session.

RESOLUTION NO.06-184

Highway Department Agreement with CV TEC

RESOLVED, to receive a letter dated June 1, 2006 from Wayne Gonyea, Highway Superintendent requesting permission to assist CV- TEC with the development of the Aeronautical Institute project.

THEREFOR, assistance needed will be by means of gravel, sand, and stone products etc. including use of the town equipment such as backhoe, excavator, and similar pieces of equipment.

WHEREAS, Highway law (s) 142-b does allow for a Town Board to authorize the use of town equipment for use on a school project within a school district.

RESOLVED, that the Town Board does hereby grant permission Wayne Gonyea Highway Superintendent to assist CV-TEC in the Aeronautical project, as outlined in the letter to the Board from Mr. Gonyea

Motion by: Paul D. Lamoy

Seconded by: Sheila A. Brockway

MOTION TO TABLE

Motion by: John F. St Germain

Seconded by: Thomas E. Wood

Carried by: Ayes 5

Nays 0

RESOLUTION NO. 06-185

Bids for Highway Mini Excavator

Motion by: Paul D. Lamoy

Seconded by: Sheila A. Brockway

Carried by: Ayes 5

Nays 0

WHEREAS, bids for Highway Contract No. HWY. 06-01 One (1) New 2006 Mini Excavator with Misc. Attachments, were publicly opened and read aloud on Weds. May 31st, 2006 at 2:00 PM prevailing time at the Town Hall, Office Complex, 151 Banker Rd. Plattsburgh NY 12901; and

WHEREAS, Wayne Gonyea, Highway Superintendent and the Highway Committee have reviewed said bids; now therefore it is

RESOLVED, that the Town Board of the Town of Plattsburgh does hereby authorize the Supervisor to award Highway Contract No. 06-01 One (1) New 2006 Mini Excavator with Misc. Attachments to the bidder Dame's Rental Sales Center Airport Mall 755 State Rt. 3 Plattsburgh, New York 12901 for the total amount of \$39,070.16; and it is further

RESOLVED, that the Supervisor be and he hereby authorized to sign all related documents relative to the award of said contract with payment to be made payable from Highway Account #DA 5130 2000 Equipment & Capital Outlay, as provided in the 2006 budget.

MOTION TO MOVE INTO EXECUTIVE SESSION

Motion by: Paul D. Lamoy

Seconded by: Thomas E. Wood

Carried by: Ayes 5

Nays 0

MOTION TO COME OUT OF EXECUTIVE SESSION

Motion by: Thomas E. Wood

Seconded by: Paul D. Lamoy

Carried by: Ayes 5

Nays 0

ADJOURNMENT

Motion by: Thomas E. Wood

Seconded by: Paul D. Lamoy

Carried by: Ayes 5

Nays 0

T/B Meeting

June 5, 2006

RESOLVED, that this Town Board Meeting be adjourned at 11:45 PM.

Respectfully Submitted,

Amy Duquette, Town Clerk