

**TOWN OF PLATTSBURGH
TOWN BOARD PUBLIC HEARING
August 7, 2006**

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

The notice of public hearing was read by the Clerk for the record.

The Public Hearing was called to order at 6:50 p.m., prevailing time at the Town Hall on the Banker Road, Plattsburgh, New York to hear all interested persons relative to:

The Town of Plattsburgh’s consideration of the of adoption of Local Law #3 of the year 2006 for the Town of Plattsburgh entitled: “A Local Law amending Local Law No. 1 of the year 1989 entitled Amending Section 3. Fees of Town of Plattsburgh Local Law No. 4 of the year 1984 entitled Administration and Enforcement of the New York State Fire Prevention and Building Code”

The public hearing closed at 6:57PM.

Present: See Attached

Comments: Don Lee gave a brief overview of the Local Law, and the reason why the fees need updating.

MOTION TO CLOSE THIS PUBLIC HEARING

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

**Seconded by: Paul D. Lamoy
Nays 0**

TOWN OF PLATTSBURGH
TOWN BOARD MONTHLY MEETING
AUGUST 7, 2006

The meeting was called to order at 7:00 p.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 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. 06-227 **Approve Minutes of the Previous Meeting**

Motion by: **Paul D. Lamoy** **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

Present: **See Attached**

Comments: **James Conley** expressed his concerns regarding the water bill he paid on 3/21/2006 under protest. as noted in the July 3, 2006 minutes.

RESOLUTION NO. 06-228 **Receive Report from Water and Wastewater**

Motion by: **John F. St Germain** **Seconded by:** **Thomas E. Wood**
Carried by: **Ayes 5** **Nays 0**

RESOLVED, to receive and place on file a report from David Comfort, Water and Wastewater Department for, July 2006.

Discussion: yes

RESOLUTION NO. 06-229 **Receive Report from Codes and Zoning**

Motion by: **John F. St Germain** **Seconded by:** **Paul D. Lamoy**
Carried by: **Ayes 5** **Nays 0**

RESOLVED, to receive and place on file a report from Don Lee, Codes and Zoning Department for July 2006.

Discussion: Councilor St. Germain asked Don Lee if the roads in the trailer park had been fixed or not Don Lee replied yes. Don Lee gave the board an update complaints received regarding Tractor Trailers dieseling at night in residential areas.

RESOLUTION NO. 06-230

Abstract 8A

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

**Seconded by: Thomas E. Wood
Nays 0**

RESOLVED, that the abstract of audited claims **8A** in the amount of (\$), be received as reviewed by the Audit Committee and the Supervisor is hereby authorized to pay said abstracts.

RESOLUTION NO. 06-230

Shannon Properties 3% Refund

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

**Seconded by: Thomas E. Wood
Nays 0**

WHEREAS, the Town of Plattsburgh Planning Board has reviewed and approved the Primax Construction, Inc. (Tractor Supply Company) Site Plan 2005; and

WHEREAS, Mr. Von Bargen, Engineering and Planning Assistant, has inspected said project and requirements for the project are completed; and

WHEREAS, the applicant has requested that the 3% deposit for this project in the amount of \$12,426.15 plus accrued interest to date by refunded to the project; therefore, be it

RESOLVED, that the Supervisor is hereby authorized and directed to release said deposit in the amount of Twelve Thousand Four Hundred Twenty Six Dollars and Fifteen Cents (\$12,426.15) 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 Robert Duerner, Administrative Assistant, 293 Olmsted Boulevard, Suite 11 PO Box 3229, Pinehurst, NC 28374

Discussion: Don Lee said the property looks great and they were a great company to work with. Supervisor Bassett added that it is a pleasure to hear.

RESOLUTION NO. 06-232

Town Hall and Highway Garage Re-Roofing

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

**Seconded by: Sheila A. Brockway
Nays 0**

WHEREAS, Bids for Town Hall and Highway Garage re-roofing were received on July 27th 2006 at the Town Hall 151 Banker Road, Plattsburgh NY 12901; and

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

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

RESOLVED, that Town Hall and Highway Garage Re-Roofing be awarded to Monahan & Loughlin, Inc. of 6 Kaycee Loop Road, P.O. Box 336, Plattsburgh, New York 12901 in the amount of \$ 181,777.00. Pending identifying funding and the Town Attorney’s review of the contract.

Discussion: Supervisor Bassett said that the bid came in lower than anticipated. Councilor St Germain stated that Monahan & Loughlin will be able to do the re-roofing project this year.

RESOLUTION NO. 06-233

Citizen’s Bank Site Plan 3%

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

Seconded by: Sheila A. Brockway
Nays 0

WHEREAS, the Town of Plattsburgh Planning Board has reviewed and approved the Citizen’s Bank Site Plan 2005, and

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

WHEREAS, the applicant has requested that the 3% deposit for this project in the amount of \$3,503.67 plus accrued interest to date by refunded to the project; therefore, be it

RESOLVED, that the Supervisor is hereby authorized and directed to release the said deposit in the amount of Three Thousand Five Hundred Three dollars and Sixty Seven Cents (\$3,503.67) 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 Thomas Stang, Assistant Vice President, Citizen’s Bank, 833 Broadway, Albany, NY 12207

RESOLUTION NO. 06-234

Local Law No. 3 for 2006 – Fee Adjustments

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

Seconded by: Sheila A. Brockway
Nays 0

WHEREAS Mr. Bassett, being a member of the Town Board, has duly introduced Proposed Local Law No. 3 of the Year 2006 for the Town of Plattsburgh entitled: “A Local Law amending Local Law No. 1 of the year 1989 entitled Amending Section 3. Fees of Town of

Plattsburgh Local Law No. 4 of the year 1984 entitled Administration and Enforcement of the New York State Fire Prevention and Building Code”; and

WHEREAS The Town Board believes it is in the best interest of the community and the residents of the Town of Plattsburgh that it consider and investigate the adjustment of fees for

T/B MONTHLY

AUGUST 7, 2006

permits and various activities and services of the Planning Department, Zoning Department and Recreation Department; and

WHEREAS the proposed Local Law No. 3 of the year 2006 the Town Of Plattsburgh had been mailed to all the members of the Town Board in accordance with Section 20 (4) of the Municipal Home Rule Law and a public hearing was held on August 7, 2006 at 6:50 PM; and

WHEREAS all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said Proposed Local Law;

NOW, THEREFORE, BE IT RESOLVED that Proposed Local Law No. 3 for the Year 2006 entitled "A Local Law amending Local Law No. 1 of the year 1989 entitled Amending Section 3. Fees of Town of Plattsburgh Local Law No. 4 of the year 1984 entitled Administration and Enforcement of the New York State Fire Prevention and Building Code" be adopted; and it is further

RESOLVED that the Town Attorney and Town Clerk are hereby authorized to certify Town Law No. 3 of the year 2006 and take appropriate action to file said law with the Department of State of the State of New York.

Discussion: Councilor St. Germain asked Don Lee if there was any SEQR requirements for this resolution, Jim Coffey explained to Councilor St. Germain that this is not Zoning there is no SEQR required, no notice to adjoining Towns or the County. Mr. Coffey noted this is an internal fee adjustment something the Town can do itself requiring a public hearing.

RESOLUTION NO. 06-235

Knox Box Public Hearing

Motion by: Thomas E. Wood

Seconded by: Sheila A. Brockway

Carried by: Ayes 5

Nays 0

WHEREAS a local law, being proposed Local Law No. 4 of the year 2006, a copy of which is attached here to, was introduced at this meeting by Paul Lamoy, a member of the Town Board, of the Town of Plattsburgh; and

WHEREAS the Town Board desires to hold a public hearing with respect to the adoption of said Local Law;

NOW, THEREFORE, BE IT RESOLVED, that a public hearing be held by the Town Board with respect to the adoption of the aforesaid Local Law at 6:50 p.m. on August 21, 2006 at the Town Hall, 151 Banker Road, Plattsburgh, New York 12901; and it is further

RESOLVED that the Town Clerk is hereby authorized and directed to cause public notice of said hearing to be given as provided by law.

Discussion: Councilor Lamoy thanked Jim Coffey for putting everything together for this Local Law; Councilor Lamoy feels that the Fire Departments are comfortable with the law and glad that it is moving forth. Supervisor Bassett suggested to Councilor Lamoy that he get a copy of this resolution to the fire departments, and a copy to Eric Day.

RESOLUTION NO.06-236

William M. Kahn, CPA

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

Seconded by: Sheila A. Brockway
Nays 0

WHEREAS, the Town of Plattsburgh has become involved in real property tax assessment review proceedings and litigation with Pyramid Champlain Company, and

WHEREAS, it has 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, 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 authorize the Supervisor to enter into a contract with William M. Kahn, CPA of UHY L.L.P., 66 State Street, Suite 200, Albany NY, 12207-2595 to represent the Town of Plattsburgh; and it is further

RESOLVED, that the Supervisor authorize the Budget Officer to make initial full payment for services 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: Councilor St Germain asked what the difference is between this resolution and the one we passed on July 17, 2006. Supervisor Bassett explained that they are two separate contracts. Khan and his group are the accountants necessary to audit Pyramid's books for the year, in order for the Town to have that service the Town has to enter into contract with them. Jim Coffey stated he believes the contract can be terminated at anytime.

MOTION TO MOVE INTO EXECUTIVE SESSION AT 8:02 PM TO DISCUSS BARGIANING CONTRACTS

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

Seconded by: Sheila A. Brockway
Nays 0

MOTION TO COME OUT OF EXECUTIVE SESSION 9:52 PM

Motion by: Sheila A. Brockway
Carried by: Ayes 5

Seconded by: John F. St Germain
Nays 0

ADJOURNMENT

Motion by: John F. St Germain

Seconded by: Thomas E. Wood

T/B MONTHLY

AUGUST 7, 2006

Carried by: Ayes 5

Nays 0

RESOLVED, that this Town Board Meeting be adjourned at 9:55 PM.

Respectfully Submitted,

Amy Duquette, Town Clerk