

**TOWN OF PLATTSBURGH
TOWN BOARD PUBLIC HEARING
NOVEMBER 9, 2006**

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

Seconded by: Paul D. Lamoy
Nays 0

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

The Public Hearing was called to order at 6:17 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 Consolidated WATER District Completed Assessment Roll.

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 public hearing closed at 6:20 PM.

Motion to close Public hearing

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

Seconded by: Paul D. Lamoy
Nays 0

**TOWN OF PLATTSBURGH
TOWN BOARD PUBLIC HEARING
NOVEMBER 9, 2006**

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

Seconded by: Paul D. Lamoy
Nays 0

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

The Public Hearing was called to order at 6:20 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 Consolidated SEWER District Completed Assessment Roll.

**TOWN BOARD PUBLIC HEARING
NOVEMBER 9, 2006**

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

Seconded by: Paul D. Lamoy
Nays 0

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

The Public Hearing was called to order at 6:30 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 Archie Bordeau WATER District Completed Assessment Roll.

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 public hearing closed at 6:33 PM.

Motion to close Public hearing

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

Seconded by: Sheila A. Brockway
Nays 0

**TOWN OF PLATTSBURGH
TOWN BOARD PUBLIC HEARING
NOVEMBER 9, 2006**

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

Seconded by: Thomas E. Wood
Nays 0

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

The Public Hearing was called to order at 6:35 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 BASE WATER District Completed Assessment Roll.

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	6:35	
Amy L. Duquette, Town Clerk	x	
James J. Coffey, Town Attorney		x

The public hearing closed at 6:38 PM.

Motion to close Public hearing

Motion by:	Paul D. Lamoy	Seconded by:	Thomas E. Wood
Carried by:	Ayes 5	Nays	0

**TOWN OF PLATTSBURGH
TOWN BOARD PUBLIC HEARING
NOVEMBER 9, 2006**

Motion by:	Thomas E. Wood	Seconded by:	Paul D. Lamoy
Carried by:	Ayes 5	Nays	0

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

The Public Hearing was called to order at 6:40 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 BASE SEWER District Completed Assessment Roll.

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 public hearing closed at 6:43 PM.

Motion to close Public hearing

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

John F. St. Germain, Councilor	x	
Thomas E. Wood, Councilor	x	
Amy L. Duquette, Town Clerk	x	
James J. Coffey, Town Attorney		x

The public hearing closed at 6:51 PM.

Motion to close Public hearing

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

**TOWN OF PLATTSBURGH
TOWN BOARD PUBLIC HEARING
NOVEMBER 9, 2006**

Motion by:	Sheila A. Brockway	Seconded by:	Paul D. Lamoy
Carried by:	Ayes 5	Nays	0

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

The Public Hearing was called to order at 6:51 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 Preliminary Budget for the Fiscal year 2007.

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 public hearing closed at 6:59 PM.

Motion to close Public hearing

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

**TOWN OF PLATTSBURGH
TOWN BOARD MONTHLY MEETING
NOVEMBER 9, 2006**

The meeting was called to order at 7:04 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		
	7:40	

RESOLUTION NO. 06--306

Approve Minutes of the Previous Meeting

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

Seconded by: Sheila A. Brockway
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: None

Committee Reports

See Attached

RESOLUTION NO.06-307

Abstract 11A

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

Seconded by: John F. St Germain
Nays 0

RESOLVED, that the abstract of audited claims **No11A. (9970-10141)** In the amount of (\$1,387,935.54), be received as reviewed by the Audit Committee and the Supervisor is hereby authorized to pay said abstracts.

RESOLUTION NO. 06-308

Receive Report from W/W

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

Seconded by: Thomas E. Wood
Nays 0

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

RESOLUTION NO. 06-309

Receive Report from Codes and Zoning

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

Seconded by: Paul D. Lamoy
Nays 0

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

Discussion: yes

RESOLUTION NO. 06-310

Heritage Heights Subdivision
Phase III 3% Deposit Plus Interest

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

Seconded by: Sheila A. Brockway
Nays 0

WHEREAS, the Town of Plattsburgh Planning Board has reviewed and approved the Heritage Heights Subdivision Phase III, and

WHEREAS, Mr Von Bargaen, Planning and Engineering Assistant, has inspected said project and requirements for the project have been completed, and

WHEREAS, Bill Brudvig has requested that the 3% deposit for this project in the amount of \$4,073.52 plus accrued interest to date be returned; therefore, be it

RESOLVED, that the Supervisor is hereby authorized and directed to release said deposit in the amount of Four Thousand Seventy Three Dollars and Fifty Two Cents (\$4,073.52) 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 Bill Brudvig Heritage Heights 18 Independence Drive Plattsburgh NY 12901.

Discussion:

RESOLUTION NO. 06-311

Town Hall/ Highway Garage Re-Roofing
Periodical Estimate No. 1 from Monahan & Loughlin

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

Seconded by: John F. St Germain
Nays 0

WHEREAS, Brian M. Monahan Vice President of Monahan & Loughlin has requested the Town Hall Highway Garage Re Roofing project payment , in the amount of 163,599.30 One Hundred Sixty Three Thousand Five Hundred Ninety-nine dollars and thirty cents; and

WHEREAS, Mr. Brault, Senior Building Maintenance Worker, has inspected said project and requirements for the project have been completed, and

WHEREAS, Ronald J. Laberge, Jr. PE Consulting Engineer has reviewed said Payment No. 1. Dated October 25, 2006 and has acknowledged approval for said payment request less 10% retainer (181,777.00) making the balance to be paid \$163,599.30: now, therefore it is

RESOLVED, that the Supervisor is hereby authorized and directed to release said amount of One Hundred Sixty Three Thousand Five Hundred Ninety Nine Dollars and thirty cents \$163,599.30 and it is further

RESOLVED, that a certified copy of this resolution be forwarded to the Accounting Department to forward payment to Monahan & Loughlin, Inc. 6 Kaycee Loop, Plattsburgh New York, 12901

RESOLUTION NO.06-312

Summit View Estates Lots 8-18

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

Seconded by: Sheila A. Brockway
Nays 0

WHEREAS, the Town of Plattsburgh Planning Board has reviewed and approved the Summit View Estates Subdivision Phase III, Lots 8-18; and

WHEREAS, Summit View Estates Subdivision Phase III, Lots 8-18 has submitted a deed for conveyance of improvements to the Town representing approximately thirteen hundred feet plus or minus (1,300 +/-) of new public road and related water, and storm drainage improvements; and

WHEREAS, the Town Superintendent of Highways, Water and Wastewater Director and Planning and Engineering Assistant have conducted and/or supervised on-site inspection of the constructed improvements and submitted a letter dated October 11, 2006 recommending the acceptance and dedication of said improvements and new road extension; and

WHEREAS, the applicant shall prepare a final warranty deed to the Town of Plattsburgh for the new road and other improvements constructed in the subdivision conveying an 1,300 ft.± extension of new road identified as Brandell Drive and which road name has been verified with 911 Emergency Services. now therefore be it

RESOLVED, to receive and place on file a letter dated October 11, 2006 from the Town Planning and Engineering Assistant, Highway Superintendent, Water and Waste Water Facilities Director and; and it is further

RESOLVED, that the Town Board of the Town of Plattsburgh does hereby, upon the final warranty deed being acceptable to the Town Planning Attorney, accept and dedicate 1,300 ± ft. of gravel road identified as Brandell Drive as a Public Town Road; and be it further

RESOLVED, that the Town Board of the Town of Plattsburgh does authorize the Town Planning Attorney to review the said deed and upon his review and acceptance, authorize the recording of the final warranty deed in the Clinton County Clerk's Office which conveys approximately thirteen hundred plus or minus ft. (1,300+/-) of new road with public water line and other related improvements as shown on the subdivision final plans of the Summit View Estates Subdivision Phase III, Lots 8-18; and be it

RESOLVED, that the developer be required to place on deposit with the Town a one-year warranty deposit for the road dedication in the amount of \$2,600 (1,300 ft @ \$2.00 per ft. = \$2,600); and be it further

RESOLVED, that the Town Board does authorize the release of the project's 3% construction deposit and transfer the amount of \$2,600 for the one year warranty deposit satisfying the one year warranty deposit and return the remaining balance with interest to the project developer.

Discussion: Yes

RESOLUTION NO.06-313

Thomas Latinville Subdivision 2005

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

Seconded by: Sheila A. Brockway
Nays 0

WHEREAS, the Town of Plattsburgh Planning Board has reviewed and approved the Thomas Latinville Deerfield Subdivision 2005 - Lots 1-7; and

WHEREAS, Mr. Thomas Latinville has submitted a deed for conveyance of improvements to the Town representing approximately one thousand feet plus or minus (1,000 +/-) of new public road and related water, and storm drainage improvements; and

WHEREAS, the Town Superintendent of Highways, Water and Wastewater Director and Planning and Engineering Assistant have conducted and/or supervised on-site inspection of the constructed improvements and submitted a letter dated October 25, 2006 recommending the acceptance and dedication of said improvements and new road extension; and

WHEREAS, the applicant shall prepare a final warranty deed to the Town of Plattsburgh for the new road and other improvements constructed in the subdivision conveying an 1,000 ft. ± extension of new road identified as Pristine Drive and which road name has been verified with 911 Emergency Services; now therefore be it

RESOLVED, to receive and place on file a letter dated October 25, 2006 from the Town Planning and Engineering Assistant, Highway Superintendent, Water and Waste Water Facilities Director and; and it is further

RESOLVED, that the Town Board of the Town of Plattsburgh does hereby, upon the final warranty deed being acceptable to the Town Planning Attorney, accept and dedicate 1,000 ± ft. of gravel road identified as Pristine Drive as a Public Town Road; and be it further

RESOLVED, that the Town Board of the Town of Plattsburgh does authorize the Town Planning Attorney to review the said deed and upon his review and acceptance, authorize the recording of the final warranty deed in the Clinton County Clerk's Office which conveys approximately one thousand plus or minus feet (1,000 +/-) of new road with public water line and other related improvements as shown on the subdivision final plans of the Thomas Latinville Subdivision 2005 - Lots 1-7; and be it

RESOLVED, that the developer be required to place on deposit with the Town a one-year warranty deposit for the road dedication in the amount of \$2,000 (1,000 ft @ \$2.00 per ft. =

\$2,000); and be it further

RESOLVED, that the Town Board does authorize the release of the project's 3% construction deposit and transfer the amount of \$2,000 for the one year warranty deposit satisfying the one year warranty deposit and return the remaining balance with interest to the project developer.

RESOLUTION NO. 06-314

**PARC Road Maintenance Agreement
Amendment**

Motion by: Paul D. Lamoy
Defeated by: Ayes 0

Seconded by: Sheila A. Brockway
Nays 5

WHEREAS, on January 31, 2003 the Town of Plattsburgh entered into an Operation And Maintenance Agreement that provided for the operation and maintenance and eventual conveyance of the utilities and streets located on the portion of the former Plattsburgh Air Force Base within the Town and

WHEREAS, the Town and PARC desire to amend the Agreement to reflect a new agreed upon Contract Cost for the Town's operation and maintenance of the Streets; now, therefore it is

RESOLVED that the total contract cost for the years 2004, 2005, 2006 and 2007 shall be the sum of One Hundred Fifty Thousand Dollars (\$150,000) to be paid by PARC to the Town in fifteen (15) equal monthly payments of Ten Thousand Dollars (\$10,000) each, as outlined in the Amendment To Operations And Maintenance Agreement.

Discussion: Councilor Lamoy referred to article 11 and how it states that either party can terminate this agreement upon 90 days of written notice, and goes on to say in the event of a default, which he believes PARC is in right now if it failed to pay within 20 days of a payment due. A payment was due back in 2004 sometime. Supervisor Bassett said that he has the contract if Councilor St. Germain would like to see it; in the interm from somewhere in July or August with some conversation this is the point the town is at. Supervisor Bassett does not believe he can do anymore and if the town wants to take a position that PARC also had a responsibility to continue payment to the town without waiting for the town to calculate. Supervisor Bassett agrees with Councilor Lamoy there is clearly language about termination. Supervisor Bassett explained that he did speak with Mr. Abdallah regarding this and he did not recall any agreements, but he also conceded that he did not do any billing, which is unfortunate, maybe the good news is that we do not charge interest and just collect the payment. Councilor Lamoy feels that the town needs to get Mr. Coffey involved. Supervisor Bassett said there is no notice that billing has to take place it is simply noted that payment has to take place, and also that the document can not be modified other than by written agreement of both parties. Supervisor Bassett said the consensus right now of opinion is that the town should not accept the 150, 000.00 and hold them accountable to the agreement that was agreed to. Mr. Coffey referred to a Letter from Wayne Gonyea expressing his concerns regarding this amendment. Mr. Coffey stated if there are concerns about it he would like the board to decide what the concerns are and he will be willing to sit with Mr. Steadman and explain that we are not going to come to an agreement until these issues are addressed. Mr. Coffey said if there is dissatisfaction with the amendment it is probably not something the board will want to enter into tonight.

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

Seconded by: John F. St Germain
Nays 0

RESOLVED, that the list of delinquent water and sewer charges in the respective districts for 2006, submitted by the Water and Sewer Department, be accepted and placed on file and that a copy be forwarded to the Clinton County Board of Legislators to be added to the 2006 tax roll and a copy to the Town Clerk pursuant to Section 198(3) of the Town Law.

RESOLUTION NO. 06-316

Assessment Rolls for Consolidated W/S District

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

Seconded by: Sheila A. Brockway
Nays 0

WHEREAS, the Town Board of the Town of Plattsburgh has met at the time and place specified in the notice of public hearing to review the completed assessment rolls for the consolidated water and sewer districts and heard all persons desiring to be heard thereon; now, therefore, it is

RESOLVED, that the completed assessment rolls be and hereby is adopted as the annual assessment roll for the Town of Plattsburgh.

RESOLUTION NO. 06-317

Ed Garrow & Sons Payment Request

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

Seconded by: John F. St Germain
Nays 0

WHEREAS, Ed Garrow and Sons, has submitted Periodic Estimate for Payment No. 1, in the amount of \$292,435.63 less 5% retained (14,621.78) making the total payment due for Archie Bordeau Water District; 277,813.85 and

WHEREAS, Ronald J. Laberge, Jr. PE Consulting Engineer has reviewed said Payment No. 1 dated September 27, 2006 and has acknowledged approval for said payment request; now, therefore, it is

RESOLVED, that the Supervisor is hereby authorized to make Payment No. 1 and in the net amount of \$277,813.85 to Ed Garrow and Sons; and, it is further

RESOLVED, that said payment is to be made payable from the Archie Bordeau District Improvement Capital Project.

ADJOURNMENT

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

Seconded by: Paul D. Lamoy
Nays 0

RESOLVED, that this Town Board Meeting be adjourned at 7:56 PM.

Respectfully Submitted,

Amy Duquette , Town Clerk