

**TOWN OF PLATTSBURGH
TOWN BOARD SEMI-MONTHLY MEETING
NOVEMBER 20, 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. 06-318

Approve Minutes of the Previous Meeting

Motion by:	Sheila A. Brockway	Seconded by:	Paul D. Lamoy
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: David Kimmell notified the board about "TESSI" Tax Entity Summit Initiative. Mr.Kimmell explained what TESSI is and how he feels TESSI would benefit the community.

Committee Reports

See Attached

RESOLUTION NO. 06-319

Receive Report from Codes and Zoning

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

RESOLVED, to receive and place on file a report from Don Lee, Codes and Zoning Officer, to update information on the abandoned properties to be demolished.

Discussion: Yes

RESOLUTION NO. 06-320

Final Budget For 2007

Motion by:	Thomas E. Wood	Seconded by:	Sheila A. Brockway
Carried by:	Ayes 4	Nays	1 John F. St Germain

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 entire 2007 Preliminary Budget and heard all persons desiring to be heard thereon; now, therefore, it is

RESOLVED, that the preliminary budget be and hereby is adopted as the Final Budget for the Town of Plattsburgh for the fiscal year beginning the first day of January 2007 and that the budget, as adopted, be entered in detail in the minutes of the proceedings of the Town Board; and, it is further

RESOLVED, that the Supervisor of the Town of Plattsburgh shall prepare and certify in duplicate, copies of said annual budget as adopted by this Town Board, together with the assessment rolls for benefit improvements, adopted pursuant to Sections 116 and 202A, Subdivision 2 of the Town Law and deliver one copy thereof to the Clinton County Board of Legislators.

Discussion: Councilor St Germain said that is unfortunate that the budget is not in more detail as far as what the increases or decreases are from one year to the next. Councilor St Germain feels that there are several cuts that should be made in the budget, the first being the town board. Councilor St Germain feels that there should not be an increase in salary for board members or an increase for conferences or meetings. Councilor St Germain also expressed concerns regarding increases in several other departments and line items. Supervisor Bassett responded to Councilor St Germain's concerns explaining that these are difficult times that we all share. Supervisor Bassett agreed that Councilor St Germain is right, the board could make an enormous amount of cuts and change the dollars in the budget, Supervisor Bassett is not sure how this would affect ones life other than to also factor in things that Supervisor Bassett has heard from the community, the other side of the coin of wanting to be fiscally responsible. Supervisor Bassett stated that he also wants to be fiscally responsible. Supervisor Bassett also touched on the quality of services and things the town does to keep the highways safe, the lighting to keep the intersections and roadways safe for our families and children. Supervisor Bassett believes the residents of the town realize the value of having town water and public sewer system; these are services people are asking for, unfortunately there is a price. Supervisor Bassett explained that there are many people who look to the state and to the federal government to provide, to provide more money for education, more money for highway funds so the localities don't have to do it. Supervisor Bassett believes it is important to keep the town thriving and growing. The cost of maintaining is astronomical and the board does need to keep an eye on our revenue sources, when some of the revenue sources stop the board will need to sharpen their pencils. Supervisor Bassett stated that the town needs to find new revenue sources for the future. Supervisor Bassett feels the final budget came out fairly well, when compared to neighboring municipalities. Councilor Wood is pleased that everyone got a chance to discuss the budget in detail this year, Councilor Wood felt more involved in the budget process this year than his prior years on the board. Councilor Wood said that when making cuts it is more complicated than just making cuts. Councilor Wood pointed out the fact that nobody addressed the board regarding the budget. Councilor Wood believes that this is a budget that meets the needs of the people, and added that just because there is money in a budget that does not mean that it has to be spent, the town is not just spending to spend.

RESOLUTION NO. 06-321

Abstract 11B

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

Seconded by: Sheila A. Brockway
Nays 0

RESOLVED, that the abstract of audited claims **No.11 B (00010142-00010244)** in the amount of \$1,423,773.93, be received as reviewed by the Audit Committee and the Supervisor is hereby authorized to pay said abstracts.

RESOLUTION NO. 06-322

Receive Report from W /W

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 David Comfort Director of the Water and Wastewater Department for October 2006.

Discussion: Yes

RESOLUTION NO. 06-323

Receive Supervisor’s Financial Report

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

Seconded by: Paul D. Lamoy
Nays 0

RESOLVED, to receive and place on file the Supervisor’s Financial Report for the month of October 2006.

RESOLUTION NO. 06-324

Shared Services Amendment

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

Seconded by: Sheila A. Brockway
Nays 0

WHEREAS, the Town of Plattsburgh Town Board has received a letter from Highway Superintendent Wayne Gonyea outlining the corrected quotes for two pieces of equipment included in resolution **06-304 Shared Services Grant Program for Highway Departments;** and

WHEREAS, it is required to have an amended resolution with the updated quotes affixed to be forwarded to the NYS Department of State; and be it

FURTHER RESOLVED that the corrected quotes will reflect as follows:

Total Estimated cost:	\$184,500.00
Amount of Grant requested:	\$162,000.00
Local Share:	\$ 22,500.00
Municipality Share:	\$ 7,500.00
Lead Applicant:	Village of Dannemora
Co Applicants:	Towns of Plattsburgh, & Dannemora

THEREFORE BE IT RESOLVED, that the Town of Plattsburgh Town Board authorizes the Town of Plattsburgh Supervisor to enter into an agreement as a co-applicant with the Village of Dannemora and the Town of Dannemora, to submit an application to the Shared Services Incentive Grant program and to execute all financial and/or administrative

Discussion: Yes

RESOLUTION NO. 06-325

Lighting for Pristine Drive

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

Seconded by: Sheila A. Brockway
Nays 0

WHEREAS, the safety of Town residents and others who drive on roads in the Town is a priority, and

WHEREAS, Robert Robare, Director of Buildings and Grounds, has requested that the Town Of Plattsburgh provides street lights for intersections to improve visibility and reduce the potential for an incident; therefore, be it,

RESOLVED, to receive and place on file a letter from Mr. Robare dated November 16, 2006 making recommendation. Therefore, be it,

RESOLVED, that the Town Board authorize and direct the New York State Electric and Gas to install and activate a street light at the intersection of Pristine Drive and Cumberland Head Road with said expenses being paid from the Town’s General At Large Lighting District.

Discussion: Yes

RESOLUTION NO. 06--326

Restrictions On C/H Road, Rt. 314

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

Seconded by: Sheila A. Brockway
Nays 0

WHEREAS, the Town of Plattsburgh Town Board has received a letter from Highway Superintendent Wayne Gonyea requesting permission pursuant to Section 1660 (17) of the Vehicle & Traffic Law to exclude trucks, commercial vehicles, tractors, tractor trailer combinations semi-combinations or tractor- trailer-semi trailer combinations from highways specified by such Town Board. Such exclusions shall not be construed to prevent the delivery or pick up of merchandise or other property along the highways from which such vehicles and combinations are otherwise excluded, operate on Cumberland Head Rd. Rt. 314, therefore be it

RESOLVED, that vehicles, as described in the New York State Vehicle and Traffic Law, Section 1660, section 17, be excluded from operating on the Cumberland Head Rd. Rt. 314 and sections thereof as identified in the aforementioned letter upon (1) erection of signs posting the respective highway or section thereof; and (2) a notice, pursuant to said section 1660, being published in the press Republican; and it is

FURTHER RESOLVED, that the Town Board does hereby authorize Highway Superintendent Wayne Gonyea to install said signs, and the Town Board does hereby authorize the Town Clerk Amy Duquette to cause said notice to be published in the Press Republican in accordance to Town Law.

Discussion: Attorney Coffey clarified with Wayne Gonyea that this resolution is a weight issue Wayne answered yes and added that this will not affect farmers, people making deliveries etc... there are exceptions in this section of the law.

RESOLUTION NO. 06-327

Association of Town Dues 2007

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

Seconded by: Sheila A. Brockway
Nays 0

RESOLVED, that the Town Board of the Town of Plattsburgh does hereby authorize payment of dues to the New York State Association of Towns in the amount not to exceed one-thousand, two-hundred ninety nine dollars (\$1,299.00.00) for the year 2007.

RESOLUTION NO. 06-328

Year-End Meeting

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

Seconded by: Sheila A. Brockway
Nays 0

RESOLVED, that the Town Board of the Town of Plattsburgh will hold the Year-End meeting on Thursday, December 28th, 2006 at 7:00 PM prevailing time; and it is further

RESOLVED, that the Town Clerk shall have notice of Year-End meeting published in the Press Republican in accordance to Town Law.

Discussion: Yes

RESOLUTION NO. 06-329

Organizational Meeting 2007

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

Seconded by: Sheila A. Brockway
Nays 0

RESOLVED, that the Town Board of the Town of Plattsburgh does hereby schedule the Organizational Meeting for the year 2007 on Wednesday, January 3rd, 2007 at 7:00 PM; and it is further

RESOLVED, that the Town Clerk is hereby authorized and directed to have a notice of said meeting published in the Press Republican in accordance with Town Law.

Discussion: Yes

RESOLUTION NO. 06-330

Champlain Park Archaeological Study

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

Seconded by: Sheila A. Brockway
Nays 0

WHEREAS, the Town’s consulting engineer has submitted the **Champlain Park Pump Station Project** to the State Historic Preservation Office (SHPO) and SHPO has indicated that a Phase 1 archaeological study is required for this project to proceed; and,

WHEREAS, a delay in starting the archaeological study may result in the study not being performed until the Spring of 2007 due to winter weather conditions; and,

WHEREAS, the Town’s consulting engineer has obtained proposals from qualified archeologists and has presented them to the Town via a letter dated October 31, 2006 wherein they recommend that the Town retain the services of Black Drake Associates; now, therefore be it

RESOLVED that the Supervisor is hereby authorized to enter into an agreement with Black Drake Associates for Phase 1A services at a cost of \$11,195.00 as presented in Black Drake Associate’s proposal.

Discussion: Yes

RESOLUTION NO. 06-331

Consolidated Water District Extension

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

Seconded by: Paul D. Lamoy
Nays 0

WHEREAS, the Town has met with residents of the Moffitt Road Community who desire Town water to meet their needs and improve the quality of their drinking water, and

WHEREAS, it will be necessary to extend the Consolidated Water District to include the Moffitt Road area as outlined in the preliminary engineering report prepared by the Town consulting engineer, Laberge Group, and

WHEREAS, the Town is wishing to consolidate the Pleasant Ridge Water District with the consolidated Water District now, therefore be it,

RESOLVED that upon approval by the Town attorney, the Supervisor be authorized to execute an agreement with Jack Tabner esq. of Tabner, Ryan and Keniry, LLP to prepare the appropriate documents and consult and advise the Supervisor and Town Board as to the appropriate proceedings and actions necessary to represent the Town in the extension of the Consolidated Water District to include the Moffitt Road area and the consolidation of the Pleasant Ridge Water District for a fee, excluding any litigation which may arise, that shall not exceed Five Thousand (\$5,000.00) dollars for each project.

Discussion: Yes

RESOLUTION NO. 06-332

Ed Garrow Payment Request #2

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

Seconded by: Sheila A. Brockway
Nays 0

WHEREAS, Ed Garrow and Sons, has submitted Periodic Estimate for Payment No. 2, in the amount of \$267,967.83 as payment for Archie Bordeau Water District; and

WHEREAS, Ronald J. Laberge Jr. PE Consulting Engineer has reviewed said Payment No. 2 dated October 25, 2006 and has acknowledged approval for said payment request; now, therefore, it is

RESOLVED, that the Supervisor is hereby authorized to make Payment No. 2 in the net amount of \$267,967.83 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.

Discussion: Yes

RESOLUTION NO. 06-333

Temporary C of O Agreement for Bldg # 16

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

Seconded by: Sheila A. Brockway
Nays 0

WHEREAS, as the Town Planning Board has by resolution dated November 14, 2006 recommended that the Town Board consider a Temporary Certificate of Occupancy Agreement for the new Building 16 Development Corporation Project on Banker Road; and

WHEREAS, the Town, and The Development Corporation (“TDC” herein) applicants for the “Building 16” site plan have agreed on the terms and provision of a Temporary Certificate of Occupancy Agreement (“Agreement” herein) for The Development Corp’s building 16 (“TDC Project” herein) on the Banker Road in the Town of Plattsburgh which Agreement covers on-site improvements not yet completed and will enable the Code Enforcement Officer to issue a Temporary Certificate of Occupancy for the Project provided The Development Corp complies fully with the terms and provisions thereof on the part of the TDC to be performed prior to the issuance of such Temporary Certificates of Occupancy; and

WHEREAS, the Agreement as prepared shall be reviewed and approved by the Town Attorney and the Town Board in accordance with Section 7.12 of the Town of Plattsburgh Zoning Ordinance and a Draft copy of said Agreement be made a part hereof; now, therefore it is

RESOLVED, that the Town Board hereby formally approves the Temporary Certificate of Occupancy Agreement for building 16 and authorizes the Supervisor to execute same for the Town; and, it is further

RESOLVED, that after the Agreement has been duly executed by the parties thereto and The Development Corp has deposited with the Town the \$101,490 security approved and acceptable to the Town Attorney in accordance with the provisions of the Agreement, the Town Board does hereby authorize the Code Enforcement Officer to issue a Temporary Certificate of Occupancy provided The Development Corp has completed to the satisfaction of the Code Enforcement Officer all of the requirements of the New York State Building Codes.

Discussion: Adore Kurtz updated the board as to the progress that is being made to Building 16. Adore explained that they are in a winter related business and they are excited to get going.

RESOLUTION NO. 06-334

Town Hall/ Highway Garage Re-Roofing

Periodical Estimate No. 2 from Monahan & Loughlin Inc.

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

Seconded by: Sheila A. Brockway
Nays 0

WHEREAS, the Town of Plattsburgh Town Board has reviewed and approved the Town Hall and Highway Garage Re-Roofing, and

WHEREAS, Brian M. Monahan, Vice President of Monahan & Loughlin has requested for this project a final payment of \$18,177.70; for the period of September 1, 2006 to October 31, 2006 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. 2 dated November 6, 2006 and has acknowledged approval for payment in the amount of \$18,177.70 as payment in full: now, therefore it is

RESOLVED, that the Supervisor is hereby authorized and directed to release payment in the amount of \$18,177.70 and it is further

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

MOTION TO TABLE RESOLUTION 06-334

Motion by: John F. St Germain

Seconded by: Thomas E. Wood

Discussion: All Councilors, the Supervisor and the Town Attorney are unclear if the 3% retainer can be paid at this time or if it should be kept for a year. Supervisor Bassett suggested that the resolution should be tabled and reviewed at Monday nights work session.

ADJOURNMENT

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

Seconded by: Sheila A. Brockway
Nays 0

RESOLVED, that this Town Board Meeting be adjourned at 8:30 PM.

Respectfully Submitted,

Amy Duquette , Town Clerk