

**TOWN OF PLATTSBURGH
TOWN BOARD SEMI-MONTHLY MEETING
JULY 16, 2007**

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	
Gerard A. Renadette, Councilperson	X	
Amy L. Duquette, Town Clerk	X	
James J. Coffey, Town Attorney	X	

RESOLUTION NO. 07-178

Approve Minutes

Motion by:	Gerard A. Renadette	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: None

Committee Reports
See Attached

RESOLUTION NO. 07-179

Abstract 7B

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

RESOLVED, that the abstract of audited claims **No7B. (71542-71701)** In the amount of (\$1,355,900.05), be received as reviewed by the Audit Committee and the Supervisor is hereby authorized to pay said abstracts.

Discussion: Yes

RESOLUTION NO. 07-180

Supervisor's Financial Report

Motion by:	Sheila A. Brockway	Seconded by:	Gerard A. Renadette
Carried by:	Ayes 5	Nays 0	

RESOLVED, to receive and place on file the Supervisor’s Financial Report for the month of June 2007.

RESOLUTION NO. 07-181

**Patrick Akey- Salmon Run Development
3% Site Plan Return**

Motion by: Gerard A. Renadette
Carried by: Ayes 5

Seconded by: Thomas E. Wood
Nays 0

WHEREAS, the Town of Plattsburgh Planning Board has reviewed and approved all requirements of the Salmon Run Development, LLC Site Plan 2004 on Route 3; and

WHEREAS, Salmon Run Development, LLC Site Plan 2004 has on file with the Town of Plattsburgh, a 3% deposit for construction to their project in the original amount of \$5,472.00 plus accrued interest; and

WHEREAS, the Planning Department has coordinated inspection of said project and reports all requirements have been met and completed; and

WHEREAS, Patrick Akey has requested that the 3% deposit in the amount of \$plus accrued interest to date be returned; now, therefore be it

RESOLVED, that the Supervisor is hereby authorized and directed to release the said deposit in the amount of \$5,472.00 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 Patrick Akey, 24 Kennedy Avenue, Plattsburgh, NY 12901

Discussion: Yes

RESOLUTION NO. 07-182

**Site Plan Return of 3% for SUNY
Plattsburgh FCU**

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

Seconded by: John F. St Germain
Nays 0

WHEREAS, the Town of Plattsburgh Planning Board has reviewed and approved all requirements of the SUNY Plattsburgh FCU Site Plan 2006 on Rugar Street; and

WHEREAS, SUNY Plattsburgh FCU Site Plan 2006 has on file with the Town of Plattsburgh, a 3% deposit for construction to their project in the original amount of \$9,439.61 plus accrued interest; and

WHEREAS, the Planning Department has coordinated inspection of said project and reports all requirements have been met and completed; and

WHEREAS, Linda Bourgeois has requested that the 3% deposit in the amount of \$9,439.61 plus accrued interest to date be returned; now, therefore be it

RESOLVED, that the Supervisor is hereby authorized and directed to release the said deposit in the amount of \$9,439.61 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 Linda Bourgeois, CEO, UFIRST Federal Credit Union P.O. Box 473, Plattsburgh, NY, 12901.

RESOLUTION NO. 07-183

**Transfer Funds Cadyville/Morrisonville
Water District Connection and Champlain
Park Sewer Plant Closing**

Motion by: Gerard A. Renadette **Seconded by:** Sheila A. Brockway
Carried by: Ayes 5 **Nays** 0

WHEREAS, there is a need for front work to be done on both the Cadyville/Morrisonville Water Districts Connection Project and the closing of the Champlain Park Sewer Plant; and

WHEREAS, funding for both projects will not be available for some time; and

WHEREAS, both the Consolidated Sewer and the Consolidated Water Districts have surplus funds that could be transferred to these projects; therefore be it

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

(For the Cadyville/Morrisonville Water District Connection Project)
Decrease appropriation SW6 8320.2000 (Capital Outlay) in the Consolidated Water District by \$75,000.00 and increase the appropriation SW6 9950.9000 (Transfer to Capital Projects) by \$75,000.00

(For the Champlain Park Plant Closing Project)
Increase appropriation SS6 9950.9000 (Transfer to Capital Projects) in the Consolidated Sewer District by \$75,000.00 by using the unappropriated Fund Balance, which would increase account SS5 0599 by \$75,000.00

Discussion: There was a lengthy discussion between Councilor St Germain, Supervisor Bassett and Diane Miller regarding transfers.

RESOLUTION NO. 07-184

**Agreement To Provide
Town Welcome Signs**

Motion by: Gerard A. Renadette **Seconded by:** Sheila A. Brockway
Carried by: Ayes 4 **Nays** 1 **John F. St Germain**

WHEREAS, the Town of Plattsburgh Town Board is interested in promoting the community with welcome signs that reflect the community and regions, and

WHEREAS, the Town Supervisor, Councilors, Town Historian and Parks and Recreation Department have reviewed various proposals and designs, and

WHEREAS, KC Reiter, "The Art Works" 15 Pine Brook Drive, Morrisonville, NY 12962

has provided a project proposal to provide welcome signage for the Town that meets Town requirements, therefore be it

RESOLVED that the Town Supervisor, on behalf of the Town Board, enter into an agreement with “The Art Works” to provide welcome signs for the Town of Plattsburgh, as per specs, beginning with one sign to be installed this summer on the Cumberland Head Road at the ferry exit, and be it further

RESOLVED that before filing any notice of demand for arbitration, the parties shall make best efforts to resolve any dispute under this Agreement on an informal basis. Any controversy or claim arising out of or relating to this Agreement or breach thereof shall be settled by arbitration in accordance with the rules of the American Arbitration Association currently in effect, unless the parties mutually agree otherwise. The award rendered shall be final and judgment upon the award rendered by the arbitrator may be entered in any court having jurisdiction thereof. Notice of the demand for arbitration shall be filed in writing with the other party to this Agreement and with the American Arbitration Association and shall be made within a reasonable time after the dispute has arisen. Under the terms of this Agreement, no suit at law or in equity shall be instituted by either party except to enforce the award of the arbitrator.

The arbitrators, in their award, shall designate which party or parties, if any, are entitled to receive their costs necessarily incurred in the arbitration procedure, which shall be promptly paid to the secretary of the arbitration committee by the party or parties charged for them in the award.

The parties agree that all arbitration arising out of or under this Agreement shall be venued in Plattsburgh, New York.

Discussion: Attorney Coffey explained why the arbitration section of this resolution exists and also explained the benefit of including that portion the resolution. Councilor St Germain expressed concern regarding the materials being used to build the sign as well as electrical. Discussion Followed.

RESOLUTION NO. 07-185

Agricultural & Industrial Fair of Clinton County Inc.

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

Seconded by: Sheila A. Brockway
Nays 0

RESOLVED, to receive an application with fee for a license to conduct and operate a place of public amusement within the Town of Plattsburgh; namely, the Agricultural & Industrial Fair of Clinton County, Inc., at the Clinton County Fairgrounds; and, it is further

RESOLVED, that Donald F. Lee, Code Enforcement Officer for the Town of Plattsburgh did hereby, receive from the applicant, the required certificate of insurance, naming the Town of Plattsburgh as additional insured; and, it is further

RESOLVED, that said applicant receive the issuance of a New York State Certificate of Inspection by said Code Enforcement Officer indicating full compliance and a check in the amount of six hundred dollars (\$600) has been submitted to the Town Clerk’s office; and, be it further

RESOLVED, that the Town Clerk is hereby authorized to issue said license for the period of Tuesday, July 17th through Sunday, July 22nd upon receipt of the Certificate of Inspection for the year 2007.

Discussion; Yes

RESOLUTION NO. 07-186

Auburn Telstar Display Fireworks Inc.

Motion by: Gerard A. Renadette
Carried by: Ayes 5

Seconded by: Sheila A. Brockway
Nays 0

WHEREAS, Auburn Telstar Display Fireworks, Inc., has duly submitted to the Town Board of the Town of Plattsburgh ('Town herein) an application for a permit for the public display of fireworks on July 17, 2007 at the Clinton County Fairgrounds situated along Route 22B in the Town; and

WHEREAS, the Town is not required to collect a fee for the granting of such permit; and

WHEREAS, the Town Board has determined that in lieu of an adequate bond in the amount of one million dollars being provided by the applicant, a commercial general liability insurance policy in the minimum amount of one million dollars for each occurrence, and general aggregate coverage in the minimum amount of one million dollars, with the Town being named as insured's on said policy, be accepted and also be submitted to the Town Attorney for his review, and upon the Town Attorney approving the application and liability insurance coverage as to form, and the Clinton County Fairgrounds as the controlling agency of the land on which the public display of fireworks is to be held having also approved the granting of said application by the Town; now, therefore it is

RESOLVED, that the Town Clerk be and she hereby is authorized and directed to issue the required permit for the public display of fireworks by the applicant on Tuesday, July 17th 2007 at the Clinton County Fairgrounds situated along Route 22B in the Town upon the Town Attorney approving the said application as complying with the conditions and requirements of section 405.00 of the Penal Law.

RESOLUTION NO. 07-187

Naming A New Private Road
Dunning Way

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

Seconded by: Thomas E. Wood
Nays 0

WHEREAS, Wayne Gonyea has been working with the Clinton County Emergency Preparedness Office in naming a new road located off Route 22, and behind Jeffords Steel; and

WHEREAS, the new Town road's name must be approved by the Town Board; therefore be it

RESOLVED, that the Town Board of the Town of Plattsburgh hereby accepts the recommendation of Wayne Gonyea in naming the new road Dunning Way; and be it

