

**TOWN OF PLATTSBURGH
TOWN BOARD PUBLIC HEARING
AUGUST 13, 2007**

	<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	
Gerard A. Renadette, Councilperson	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 Town Clerk was directed to publish the notice in the official Town newspaper and to post, or cause to be posted, on the bulletin board contained in the office of the Town Clerk, a copy of such notice to set forth the date of Public Hearing

The Public Hearing is called to order at 6:48 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
JCEO (WHITE PINE COMMONS) Extension of Town of Plattsburgh Consolidated Sewer
District**

Present: See Attached

Discussion: Margo Burnell of the Military Turnpike asked Supervisor Bassett to excuse himself from voting due to being a former member of the board for JCEO. Roldon Brown of the Military Turnpike asked for details of the extension and stated he feels the residents in that district should be allowed to vote on the proposed extension. Mike Peryea of the Tom Miller Road asked Supervisor Bassett to comply with Local Law #1 of 1970. A lengthy discussion followed.

Motion to close Public Hearing at 7:17 PM

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

**TOWN OF PLATTSBURGH
TOWN BOARD WORKSESSION
AUGUST 13, 2007**

P/H

AUGUST 13, 2007

During the regularly scheduled work session resolutions No 07-199, 07-200, and 07-201 were brought to the table for further discussing and action as noted by the minutes.

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

PUBLIC RECOGNITION

Present: See Attached

RESOLUTION NO. 07-199

**A RESOLUTION AS TO SEQRA
DETERMINATION RELATIVE
TO ESTABLISHMENT OF JCEO
EXTENSION TO THE TOWN
OF PLATTSBURGH
CONSOLIDATED SEWER
DISTRICT COUNTY OF
CLINTON STATE OF NEW
YORK,**

Motion by:	Sheila A. Brockway	Seconded by:	Thomas E. Wood
Carried by:	Ayes 3	Nays 2	John F. St Germain Gerard A. Renadette

A RESOLUTION AS TO SEQRA DETERMINATION RELATIVE TO ESTABLISHMENT OF JCEO EXTENSION TO THE TOWN OF PLATTSBURGH CONSOLIDATED SEWER DISTRICT COUNTY OF CLINTON STATE OF NEW YORK,

BE IT RESOLVED, by the Town Board of the Town of Plattsburgh, Clinton County, New York as follows:

Section 1. The Town Planning Board of the Town of Plattsburgh, having declared itself to be the Lead Agency under the SEQRA regulations of the State of New York for the purpose of determining the environmental impact of the project described in Section 3 hereof.

Section 2. Based upon the report of Architectural & Engineering Design Associates, P.C., and by the Town of Plattsburgh Planning Board designated lead agency, it is hereby determined that the project described in Section 3 hereof is an:

UNLISTED ACTION

under the SEQRA regulations of the State of New York which will not have significant impact upon the environment and that therefore, no further action is required under the aforesaid regulations with respect to such project.

Section 3. The Project which is the subject of this resolution is described as follows: Establishment of JCEO Extension to the Town of Plattsburgh Consolidated Sewer District.

Section 4. The total project cost shall be financed through funds supplied by the applicant for the extension and without any financial contributions by the Town. The period usefulness of the aforesaid specific object or purpose set forth in Section 3 is forty (40) years, pursuant to subdivision 1 of paragraph a of Section 11.00 of the Local Finance Law.

Section 5. This resolution shall take effect immediately. The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

Discussion: Councilor Renadette is opposes the resolution based on the fact that the Planning Board may have been influenced by Mr. Abdallah.

RESOLUTION NO. 07-200

23218-C Resolution approving JCEO Extension to the Town of Plattsburgh Consolidated Sewer District

Motion by: Sheila A. Brockway
Carried by: Ayes 3

Seconded by: Thomas E. Wood
Nays 2 John F. St Germain
Gerard A. Renadette

RESOLUTION APPROVING ESTABLISHMENT OF JCEO EXTENSION TO THE TOWN OF PLATTSBURGH CONSOLIDATED SEWER DISTRICT COUNTY OF CLINTON STATE OF NEW YORK,

A Petition for the creation of a Sewer District in the Town of Plattsburgh, County of Clinton, State of New York, has been presented to this Town Board with the necessary map and plan attached to it.

The map and plan was submitted to the State Department of Health and was approved by it and filed in the Office of the State Department of Health and of the Town Clerk.

On June 11, 2007, the Town Board adopted an Order which recited the filing of the Petition, the proposed improvements, the boundaries and a description of the district, and the estimated costs of these proposals.

The order set August 13, 2007 at 6:45 p.m. at the Town Hall in the Town of Plattsburgh, as the time and place for a public hearing before all interested persons on the Petition.

The order was posted and published as required by law.

The hearing on the Petition was held on August 13, 2007 and all interested parties both for and against the petition were heard.

Supporting evidence was given at the hearing and a motion was made and seconded as follows.

IT IS HEREBY RESOLVED, that

- (a) The Petition is signed and acknowledged or proved as required by law, it complies with the requirements of Town Law §191 as to sufficiency of signers and is otherwise sufficient;
- (b) All the property and property owners within the proposed extension are benefited by the proposal;
- (c) All the property and property owners benefited are included within the limits of the proposed extension; and
- (d) It is in the public interest to granted the relief sought in the petition.

IT IS FURTHER RESOLVED, that the establishment of Sewer District Extension as proposed in the Petition be approved; that the improvements be constructed when the required funds become available; and the Extension shall be called the JCEO Extension to the Town of Plattsburgh Consolidated Sewer District of the Town of Plattsburgh and shall be bounded and described as set forth on Exhibit A attached hereto

The boundaries described are intended to fall within the present boundaries of the Town of Plattsburgh, County of Clinton and State of New York.

IT IS FURTHER RESOLVED that the proposed improvement shall be financed as follows by payment of all costs by the developer of the following project to be served by the sanitary sewer system.

IT IS FURTHER RESOLVED, that the Town Clerk of the Town of Plattsburgh within ten days after the adoption of this resolution, shall file copies of the Resolution in duplicate in the office of the State Department of Audit and Control, Albany, New York.

The adoption of the foregoing order was duly put to a vote, and upon roll call, the vote was as follows:

Discussion: Councilor Renadette asked Supervisor Bassett to reconsider not abstaining from voting on this resolution . Supervisor Bassett responded by saying that it would be an easy way out, but Supervisor Bassett feels he had to take the advise legal council has given. Councilors Renadette and St Germain both gave the reasons they are against the project. Councilor Wood supports the Project because in his opinion the project will improve the town’s infrastructure as well as the possibility of making sewer available to others.

RESOLUTION NO.07-201

Fonze Rushford Return To Employment

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

Seconded by: Thomas E. Wood
Nays 0

WHEREAS, Fonze Rushford, of the Water & Wastewater Utilities Department, had submitted a letter of resignation effective August 6, 2007 and has now indicated in a letter dated August 12, 2007 his desire to rescind the former letter of resignation and remain a Town employee, therefore be it

RESOLVED to rescind Resolution 07-197 and reinstate Mr. Rushford after meeting with the director of the Water & Wastewater Utilities Department and with the director's approval.

Discussion: Yes

Respectfully Submitted,

Amy Duquette, Town Clerk