

**TOWN OF PLATTSBURGH
TOWN BOARD MONTHLY MEETING
SEPTEMBER 4, 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	7:42M	

RESOLUTION NO. 07-212

Approve Minutes of the Previous Meeting

Motion by: John F. St Germain
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: Joe Akey of Morrisonville informed the board that he spoke with Peter Regarding the Restore NY Grant and they realize that the town will have to spend some money to apply for the grant. Mr. Akey and Mr. Elderman decided that if the Grant money does not come through they would pay half the cost of the grant resolution. As long as all legalities are there Mr. Akey feels it is the right thing to do. Supervisor Bassett added that if the resolution gets passed and the grant is awarded, the cost of the application will be written in the grant so there would be no cost.

Committee Reports
See Attached

RESOLUTION NO. 07-213

Abstract 9A-07

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

Seconded by: John F. St Germain
Nays 0

RESOLVED, that the abstract of audited claims **No 07-9A. (72056-72176)** in the amount of (\$ 1,025,554.52), be received as reviewed by the Audit Committee and the Supervisor is hereby authorized to pay said abstracts.

Discussion: Councilor St Germain said as he was going through the bills he came across a bill for 13, 095.00 to Laberge according to his notes he had a bill for the same amount in the August vouchers. Councilor St Germain wanted to make sure that it is not a duplicate bill. Supervisor Bassett said he spent some time with Diane and she could not find any record of payment in that amount. Supervisor Bassett said everything would be gone through one more time before that bill is paid out. Councilor St Germain also questioned PARC payments. Supervisor Bassett said there should be some sort of system that flags what bills are due and when.

RESOLUTION NO. 07-214**Receive Report from Codes/Zoning**

Motion by: Gerard A. Renadette
Carried by: Ayes 4
Absent: Thomas E. Wood

Seconded by: Sheila A. Brockway
Nays 0

RESOLVED, to receive and place on file a report from Don Lee Codes of the Codes and Zoning Department for July 2007.

Discussion: Don Lee gave an update on Hill Top trailer park and his communication with the owner. Supervisor Bassett said he received correspondence from the owner and will get together with Don to discuss the issues further.

RESOLUTION NO. 07-215**Receive Report from Water / Wastewater**

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

Seconded by: Sheila A. Brockway
Nays 0

RESOLVED, to receive and place on file a report from David Comfort of the Water and Wastewater Department for August 2007.

Discussion: Councilor Renadette said it appears that the Water/Wastewater Department had a very busy month, Dave comfort agreed. Dave informed the board of letters that will be sent to all Dental Offices notifying them of a mandatory law requiring a mercury removal system.

RESOLUTION NO. 07-216**Letter of Resignation**

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

Seconded by: Sheila A. Brockway
Nays 0

RESOLVED, to receive and place on file a letter of resignation from Bill Flynn Town of Plattsburgh Zoning Board of Appeals Alternate Member effective immediately; and, it is further

RESOLVED, that the Town Board of the Town of Plattsburgh does hereby wish to thank Mr. Flynn for his years of service as Zoning Board of Appeals member and that the supervisor will send a letter of appreciation.

Discussion: Councilor St Germain mentioned that he worked with Bill on the committee to update the zoning laws, and Bill did a tremendous amount of work. Councilor St Germain

feels it is unfortunate that Bill will be leaving although he understands. Councilor Brockway said Bill has been wealth of knowledge. Councilor Wood and councilor Renadette wish Bill the best. Supervisor Bassett said he would reflect everyone's thanks in a letter.

RESOLUTION NO. 07-217

Request For a Road Name Change

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

Seconded by: Thomas E. Wood
Nays 0

WHEREAS, Wayne Gonyea, Highway Superintendent has provided the Town Board of the Town of Plattsburgh with a letter outlining his support for a request from Clinton Community College in regard to the request of Bellarmine Drive name change and be it

RESOLVED, that the name change request would be Bob Bruno Way in the Town of Plattsburgh; therefore, be it

RESOLVED, that the Town Board of the Town of Plattsburgh hereby accepts the name change request from Clinton Community College and will contact Kelly Donahue, Assistant Director, Office of Emergency Services and the Clinton County Planning Board relative to the Bob Bruno Way as a Town of Plattsburgh approved road name.

RESOLUTION NO. 07-218

Mountain View 3% Site Plan Deposit

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 all requirements of the Mountain View Motors located on Route 22, Plattsburgh, New York 12901; and

WHEREAS, Mountain View Motors Site Plan has on file with the Town of Plattsburgh, a 3% deposit for construction to their project in the original amount of \$1,785.00 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, the 3% deposit in the amount of \$1785.00 plus accrued interest be returned; now, therefore be it

RESOLVED, that the Supervisor is hereby authorized and directed to release the said deposit in the amount of \$1,785.00 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 Mountain View Motors, 32 Archie Bordeaux Road, Plattsburgh, NY 12901.

RESOLUTION NO. 07-219

Notice to Proceed for Restore NY / North Country Plaza Redevelopment Project

T/B MONTHLY

SEPTEMBER 4, 2007

Motion by: Thomas E. Wood

Seconded by: Gerard A. Renadette

Carried by: Ayes 5

Nays 0

WHEREAS, the Town of Plattsburgh Town Board, after due consideration, has determined that it is desirable and in the public interest to submit an application to Empire State Development Corporation for a Round 2 Restore NY Communities Initiative Municipal Grant Program, and

WHEREAS, the proposed financing is appropriate for the specific project, and

WHEREAS, the proposed project facilitates effective and efficient use of existing and future public resources so as to promote both economic development and preservation of community resources, and

WHEREAS, and where applicable, the project develops and enhances infrastructure and other facilities in a manner that will attract, create, and sustain employment opportunities, and

WHEREAS, the Town's consulting engineering Laberge will implement services needed as expressed in the attached letter not to exceed \$5,800.00 including reimbursable expenses not to exceed \$250.00, and submit an application for financial assistance under Round 2 Restore NY Communities Initiative Municipal Grant Program, therefore be it

RESOLVED, that the Supervisor for the Town of Plattsburgh be given authorization to enter into an agreement with Laberge Group to proceed with said application, on behalf of the Town of Plattsburgh.

Discussion: Councilor Wood is in favor of the grant, and commented on how this grant program will enhance the community, Supervisor Bassett feels positive about the grant as well. Supervisor Bassett explained that this is a 90/10 grant as opposed to 50/50 grants; the developer will cover the 10% with no cost to the town. Councilor Renadette asked if the grant money would have to be specific to this project, Supervisor Bassett confirmed.

RESOLUTION NO.07-220

**P/ H for Round 2 Restore NY
Communities Initiative Municipal Grant
Program**

Motion by: Thomas E. Wood

Seconded by: Sheila A. Brockway

Carried by: Ayes 5

Nays 0

WHEREAS, the Town Board, after due consideration, has determined that it is desirable and in the public interest to submit an application to Empire State Development Corporation for a **Round 2** Restore NY Communities Initiative Municipal Grant Program and

WHEREAS, the proposed project is in accordance with Town and Regional Planning objectives; and

WHEREAS, the proposed financing is appropriate for the specific project; and

WHEREAS, the proposed project facilitates effective and efficient use of existing and future public resources so as to promote both economic development and preservation of community resources; and

WHEREAS, and where applicable, the project develops and enhances infrastructure and/or other facilities in a manner that will attract, create, and sustain employment opportunities; and

WHEREAS, the Town Board has authorized and directed the Supervisor to submit an application for financial assistance under Round 2 Restore NY Communities Initiative Municipal Grant Program; and

WHEREAS, it is desirable to conduct and hold a public hearing pursuant to the project; NOW, THEREFORE BE IT

RESOLVED That the Town Clerk is hereby authorized to publish a Notice of a Public Hearing to be held on September 10th at 6:50 P.M. at the Town Hall to provide an opportunity for the Town of Plattsburgh to provide comment on the property listed on the Property Assessment List that are in need of demolition, deconstruction, rehabilitation or reconstruction.

Discussion: Yes

RESOLUTION NO. 07-221

**Proposed EPA Compliance Order and
NYSDEC Underground Storage Tank
Requirements**

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

Seconded by: Gerard A. Renadette
Nays 0

WHEREAS, on August 21, 2007 the Town of Plattsburgh received Field Citation No. 241EC from the United States Environmental Protection Agency (USEPA) concerning the Town's Underground Storage Tanks (UST) in response to inspection performed on or about April 23, 2007 revealing violations of Federal UST regulations, and

WHEREAS, the USEPA has provided the Town with a Proposed Expedited Enforcement Compliance Order and Settlement Agreement which subjects the Town to certify that the Town has corrected the violations and to provide payment of penalties totaling \$800.00, and

WHEREAS, the Town must respond to the Proposed Expedited Enforcement Compliance Order and Settlement Agreement within 30 days, and

WHEREAS, after consultation with Russell B. Mulvey, P.E., with the New York State Department of Environmental Conservation (NYSDEC) and Mr. Von Bargen and Mr. Brault to identify the most effective manner to expedite the USEPA Compliance Order, maintain essential Town services and complete the process of compliance prior to inclement winter weather, therefore be it

RESOLVED, that the Town of Plattsburgh Town Board authorize the supervisor, in consultation with the Town Planning and Building & Grounds Departments and with coordination with Mr. Mulvey of the NYSDEC, to immediately seek appropriate engineering services to consult the Town on the best course of action and implementation to remove the existing UST units and install above ground storage tanks in accordance with all local, state and

