

TOWN OF PLATTSBURGH
TOWN BOARD SEMI- MONTHLY MEETING
JULY 21, 2008

The meeting was called to order at 6:08p.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	
Martin D. Mannix, 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. 08-227 **Approve Minutes of the Previous Meeting**

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

RESOLVED, that the minutes of July 7, 2008 be approved and the reading of the minutes be dispensed with.

PUBLIC RECOGNITION

Present: See Attached

Comments: None

Committee Reports

See Attached

RESOLUTION NO. 08-228 **Abstract 7B**

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

RESOLVED, that the abstract of audited claims **No7B. (00081695-00081846)** in the amount of (\$1,931,890.52), be received as reviewed by the Audit Committee and the Supervisor is hereby authorized to pay said abstracts.

RESOLUTION NO. 08-229 **Supervisor's Financial Report**

Motion by:	Martin D. Mannix	Seconded by:	Sheila A. Brockway
Carried by:	Ayes 5	Nays	0

RESOLVED, to receive and place on file the Supervisor's Financial Report for the month of June 2008.

Discussion: Supervisor Bassett noted that Sales Tax is up a bit from last year.

RESOLUTION NO. 08-230 **Monthly Report Codes/ Zoning**

Motion by:	Thomas E. Wood	Seconded by:	Gerard A. Renadette
Carried by:	Ayes 5	Nays	0

RESOLVED, to receive and place on file a report from Don Lee, Codes Enforcement Officer June for 2008.

RESOLUTION NO. 08-231**Monthly Report Highway**

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 Fred Lavene Superintendent of Highways for June 2008.

Discussion: Councilor Renadette commented on the savings seen due to the Highway Department doing maintenance on the fleet.

RESOLUTION NO. 08-232**EMT of CVPH, INC. Ambulance Contract Extension**

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

Seconded by: Sheila A. Brockway
Nays 0

WHEREAS, discussion to finalize an Agreement for Ambulance service between the Town of Plattsburgh and EMT of CVPH, Inc. has not been finalized; and

WHEREAS, the Town of Plattsburgh, on behalf of the Town of Beekmantown and the Town of Schuyler Falls, wishes to extend the existing Agreement while discussions continue; now therefore be it

RESOLVED, that the Town Board continue discussion to finalize the Agreement with EMT of CVPH and that the existing Agreement be extended to December 31, 2008.

Discussion: Councilor Renadette commented that progress is being made and there has been very good cooperation with the Ambulance Service.

RESOLUTION NO. 08-233**Morrisonville VAS Contract Extension**

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

Seconded by: Martin D. Mannix
Nays 0

WHEREAS, there is an Ambulance Service Contract dated January 1, 2007 between Town of Plattsburgh, acting for Town of Plattsburgh Ambulance District No. 1, and Town of Schuyler Falls acting for Town of Schuyler Falls Ambulance District No. 1, ("Towns" herein) and the Morrisonville Schuyler Falls Volunteer Ambulance Service, Inc. ("Morrisonville VAS" herein) providing for ambulance service as described in said agreement, and said contract needs to be renewed for the calendar year 2008; and

WHEREAS, discussion to finalize an Agreement for Ambulance service between the Town of Plattsburgh and Morrisonville VAS, has not been finalized; and the parties wish to extend the existing Agreement while discussions continue; now therefore be it

RESOLVED, that the Town Board extend the existing contract until September 30, 2008.

Discussion: Councilor Mannix is hopeful that within the next 60 days or so this can be resolved.

RESOLUTION NO. 08-234**Indian Bay Way Request Rd**

Motion by: Gerard A. Renadette

Seconded by: Sheila A. Brockway

Carried by: Ayes 4

Nays 1

Thomas E. Wood

WHEREAS, Fred Lavene, Highway Superintendent, has provided the Town of Plattsburgh Town Board with a letter outlining his support for a request from Roger Kennedy that the name of Day Drive, a private road in Town of Plattsburgh, be changed and renamed Indian Bay Way; therefore be it

RESOLVED, that the Town Board hereby accepts and approves the name change request from Roger Kennedy and the Highway Superintendent is authorized to contact Kelly Donahue, Assistant Director, Office of Emergency Services and the Clinton County Planning Board relative to said name change, and be it further

RESOLVED, that the Town of Plattsburgh, by acceptance of this request, will assumes no obligation for maintenance or signage for Indian Bay Way.

Discussion: Councilor Wood questioned the reason for the name change. Councilor Wood is not in favor of changing road names. Councilor Renadette explained that the only reason the town gets involved is because a town board resolution is required.

RESOLUTION NO. 08-235

2008 Paving Program

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

Seconded by: Gerard A. Renadette
Nays 0

WHEREAS, the Town of Plattsburgh has appropriated a total of \$319,840.00 in the 2008 Highway Budget for the 2008 Road Paving Program as follows:

\$160,000.00	CHIPS Program
\$ 50,000.00	Paving Material/Patching
\$ 70,000.00	Road Paving – Improvements
\$ 27,840.00	Road Materials – Improvements
\$12,000.00	Road Materials - Repair

and

WHEREAS, the Highway Superintendent and the Highway Committee have submitted the 2008 Highway Road Paving Program (see attached listing) in the amount of \$319,840.00; now, therefore it is

RESOLVED, that the Town Board of the Town of Plattsburgh does hereby authorize the Highway Superintendent to spend the 2008 funds to perform the aforementioned 2008 Road Paving Program.

RESOLUTION NO. 08-236

Service Agreement for the TOP Consolidation Water District

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

Seconded by: Thomas E. Wood
Nays 0

WHEREAS, it is beneficial for residents of the Archie Bordeau Water District to join the Greater Plattsburgh Consolidated Water District and the Town Board also agrees that consolidation is beneficial to all members of the Consolidated District; and

WHEREAS, the consolidation process requires expert legal advice and Jack Tabner, esq. of Tabner, Ryan and Keniry of 18 Corporate Woods Boulevard, Albany, New York 12211, has in the past provided similar service to assist the Town regarding such matters; and

WHEREAS, the firm of Tabner, Ryan and Keniry has offered to provide said services as described in the Attorney’s proposed attached Agreement; and

WHEREAS, The Town of Plattsburgh Town Board now desires to retain said Attorneys to perform services relating to consolidation; now therefore be it

RESOLVED, that after review of the Agreement by the Town Attorney, the Supervisor be authorized to enter into an Agreement with Mr. Tabner, of Tabner, Ryan and Keniry, 18 Corporate Woods Boulevard, Albany, New York 12211 to prepare for said consolidation, on behalf of the Town of Plattsburgh.

RESOLUTION NO. 08-237

**SET PUBLIC HEARING ON
CONSOLIDATION OF THE TOWN OF
PLATTSBURGH CONSOLIDATED
WATER DISTRICT AND ARCHIE
BORDEAU WATER DISTRICT**

Motion by: Martin D. Mannix
Carried by: Ayes 5

Seconded by: Thomas E. Wood
Nays 0

WHEREAS, there exists within The Town of Plattsburgh, The Town of Plattsburgh Consolidated Water District, and the Archie Bordeau Water District including extensions thereof; and

WHEREAS, the aforesaid Water Districts have been created for a similar purpose; and

WHEREAS, the Town Board is desirous of conducting a Public Hearing pursuant to the provisions of Section 206, Subdivision 3 of The Town Law of the State of New York for the purpose of hearing all persons upon the question of consolidating the Town of Plattsburgh Consolidated Water District and the Archie Bordeau Water District into a single Consolidated Water District and in the event of Consolidation, the Town Board would pursuant to Section 206, Subdivision 11 of the Town Law have The Town of Plattsburgh Water Consolidated District become the owner of all property and assets in the stated Water Districts, and

WHEREAS, in the event of Consolidation, all expenses of operation and maintenance of the Consolidated District shall be distributed among the existing Water Districts in accordance with the existing Resolution of the Town Board for financing, operation and maintenance of Water Districts and as hereafter amended by the Town Board, that all existing indebtedness of the aforesaid Districts shall be the obligation of the Consolidated District for payment of all principal and interest payments and all funds for the payment of such debt shall be levied on an ad valorem basis on properties within the Consolidated District;

NOW, THEREFORE, it is ORDERED that the Town Board of the Town of Plattsburgh shall meet and hold a Public Hearing at the Town Hall, 151 Banker Road, Town of Plattsburgh, New York, at 6:30 o’clock p.m. on the 4th day of August, 2008 to consider the consolidation of The Town of Plattsburgh Consolidated Water District and Archie Bordeau Water District including all extensions thereof into a single Consolidated Water District, known as The Town of Plattsburgh Consolidated Water District and to hear all persons interested in the subject thereof concerning the same and to take such action thereon as shall be required or authorized by law, and

IT IS FURTHER RESOLVED AND DETERMINED that the Town Board of the Town of Plattsburgh is established as Lead Agency for all SEQRA Review pursuant to 6 NYCRR 617.6

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

Seconded by: Sheila A. Brockway
Nays 0

WHEREAS, Section 458-b of the Real Property Tax Law authorizes a limited exemption from real property taxes for residential real property owned by veterans who rendered military service to the United States during the “Cold War:” and

WHEREAS, Section 458-b of the Real Property Tax Law authorizes municipalities to establish maximum amounts; and

WHEREAS, in regard to “Cold War” veterans, as that term is defined under Sections 458-b (1) (a) if the Real Property Tax Law, who owned qualified residential real property within Clinton County, it is the desire of the Town of Plattsburgh’s Town Board to authorize the “Cold War” veterans’ exemption and establish maximum amounts; and

SECTION 1. In accordance with the provisions of Section 458-b of the Real Property Tax Law of the State of New York, qualified residential real property owned by veterans military service to the United States during the “Cold War” shall be exempt from County taxation as set forth within.

SECTION 2. The maximum exemptions allowable from County real property taxation pursuant to Section 458-b of the Real Property Tax Law shall be 10 percent of the assessed value of the qualifying residential real property; however, that such exemption shall not exceed eight thousand dollars (8,000.00) of the product of eight thousand dollars multiplied by the latest State equalization rate of the assessing unit, whichever is less; and, in addition, where the “Cold War” veteran received a compensation rating because of a service-connected disability, that property shall be exempt from taxation to the extent of the product of 50 percent of the assessed value of the property multiplied by the disability rating, not to exceed forty thousand dollars, (\$40,000) or forty thousand dollars multiplied by the latest State equalization rate for the assessing unit, whichever is less and

WHEREAS, the Town Board desires to hold a public hearing with respects to the adoption of said Local Law; now therefore be it

RESOLVED, that a public hearing be held by the Town Board with respect to the adoption of the aforesaid Local Law at 6:40 pm on 4th August 2008 and be it further

RESOLVED, that the Town Clerk is hereby authorized and directed to cause public notice of said hearing to be given as provided by law.

Discussion: Councilor Renadette questioned where this request was generated from; Supervisor Bassett confirmed the request came from the County.

RESOLUTION NO.08-239

Change Order #1 Moffit Rd Water Project

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

Seconded by: Martin D. Mannix
Nays 0

WHEREAS, the Town Board has awarded the Moffit Road Water Project to Luck Bros. Inc. in the amount of \$ 1,135,955; and

WHEREAS, the Consulting Engineers, Laberge Engineering and Consulting Group Ltd. Have negotiated the contract price to \$ 968,820 per their correspondence of July 9, 2008; and,

WHEREAS, the Director of Water and Wastewater Utilities has reviewed the proposed changes and concurs with the Consulting Engineer’s recommendations, now be it hereby

RESOLVED, that the Town Board does concur with the Consulting Engineer’s recommendations and that the Supervisor is hereby authorized to execute CHANGE ORDER NO. 1 reducing the contract price to \$968,820.00 in accordance with the recommendations set forth in the Consulting Engineers letter of July 16, 2008

RESOLUTION NO. 08-240

Heating Permit Fee Waiver

Motion by: Martin D. Mannix
Carried by: Ayes 5

Seconded by: Sheila A. Brockway
Nays 0

WHEREAS, the Town of Plattsburgh Town Board recognizes the challenges many residents will face this winter to meet historic increased heating costs for their homes; and

WHEREAS, current economic conditions are creating a crises for many families to meet their basic needs and to improve or upgrade heating systems; and

WHEREAS, installation of alternative heating methods requires inspection by code enforcement officers to insure safe and compliant installation; and

WHEREAS, permits are required from the Codes and Zoning office to allow for an approved inspection from the Town Codes Officer to take place; therefore, be it

RESOLVED, that permit fees to install alternative and or new heating systems and natural gas hook-ups, for residential homes in the Town of Plattsburgh, be waived until January 1, 2009; and be it further

RESOLVED, that while the Town Board wishes to waive the permitting fee permits are required and a necessary part of compliance with Town Ordinance.

Discussion: Supervisor Bassett spoke of alternative methods of heating. Supervisor Bassett also spoke of the Alternative Heating and Energy Fair the town is holding on August 2nd. Steve Imhoff said the fees for the permits will be waived until January 1, 2009, although the inspection is still required.

RESOLUTION NO.08-241

Promotion Dan Gray W/W Maintenance Worker 11

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

Seconded by: Thomas E. Wood
Nays 0

WHEREAS, the Town of Plattsburgh encourages its employees to strive to achieve their highest level of accomplishment and to continue to improve their skills and training, and

WHEREAS, the Town Board has received a letter dated April 22, 2008 from Paul Wright, Water Wastewater Supervisor, requesting Dan Gray be promoted to the position of Water and Wastewater Maintenance Worker II, effective June 1, 2008, and

WHEREAS this matter has come before the Board at this time and date; therefore be it

RESOLVED, that Dan Gray be promoted to the position of Water and Wastewater Maintenance Worker II, effective June 1, 2008, and upon adoption a certified copy of this resolution be forwarded to the Clinton County Department of Personnel for civil service final approval and filing.

Discussion: Councilor Renadette noted that the letter from Paul was accompanied by a letter from Dave Comfort.

**TOWN OF PLATTSBURGH
TOWN BOARD PUBLIC HEARING
July 21, 2008**

Members:		<u>Present</u>	<u>Absent</u>
	Bernard C. Bassett, Supervisor	X	
	Martin D. Mannix, 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 Town 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 Matter of the additional costs of Champlain Park Pump Station, an Improvement to the Town of Plattsburgh Consolidated Sewer District, in the County of Clinton, New York.

Present: See Attached

Comments: Debbie Blake of Cumberland Head questioned the increase from \$2,000,000.00 to \$2,500,000.00. Supervisor Bassett explained the details to Mrs. Blake. Mrs. Blake agreed that if it ends up being \$2,200,000.00 that opening it up to \$2,500,000.00 would be wise.

The public hearing closed at 6:39 PM.

**TOWN OF PLATTSBURGH
TOWN BOARD PUBLIC HEARING
July 21, 2008**

Members:		<u>Present</u>	<u>Absent</u>
	Bernard C. Bassett, Supervisor	X	
	Martin D. Mannix, 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 Town 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:

Concerning the passage of {Introductory} Local Law No. 1 of the year 2008 entitled:

“A LOCAL LAW PROVIDING FOR THE CONTROL OF EXCESSIVE, UNNECESSARY AND UNREASONABLE NOISE.”

Present:See Attached

Comments: Bev Costin of 11 Shirley Ave. spoke of the excessive noise in her neighborhood. Supervisor Bassett explained the details of the proposed Local Law to Mrs. Costin.

Mrs. Blake questioned how loud 61 decibals is. Attorney Coffey assured Mrs. Blake that 61 decibels is a reasonable range.

Mr. St Germain is bothered by the hours set in the ordinance and feels they should be eliminated and stated he personally does not feel that law will stop any violations from occurring.

The public hearing closed at 6:49 PM.

**TOWN OF PLATTSBURGH
TOWN BOARD PUBLIC HEARING
July 21, 2008**

Members:	<u>Present</u>	<u>Absent</u>
Bernard C. Bassett, Supervisor	X	
Martin D. Mannix, 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 Town Clerk for the record.

The Public Hearing was called to order at 6:50 p.m., prevailing time at the Town Hall on the Banker Road, Plattsburgh, New York to hear all interested persons relative to:

Notice of Public Hearing on Proposed Local Law # 2 Of 2008

Concerning the passage of proposed Introductory Local Law No. 2 of 2008, entitled:
"Outdoor Wood Boiler Moratorium".

Present:See Attached

Comments: Scott Mischler of Morrisonville feels the moratorium is premature and many people will be looking into different ways to heat their homes.

John St Germain of Cadyville feels that a year to establish regulations is too long, and that it could be done in a few months

The public hearing closed at 7:00PM.

Promotion Jayson Ashline W/W Maintenance
Worker II

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

Seconded by: Thomas E. Wood
Nays 0

WHEREAS, the Town of Plattsburgh encourages its employees to strive to achieve their highest level of accomplishment and to continue to improve their skills and training, and

WHEREAS, the Town Board has received a letter dated April 22, 2008 from Paul Wright, Water Wastewater Supervisor, requesting Jayson Ashline be promoted to the position of Water and Wastewater Maintenance Worker II, effective June 1, 2008, and

WHEREAS this matter has come before the Board at this time and date; therefore be it

RESOLVED, that Jayson Ashline be promoted to the position of Water and Wastewater Maintenance Worker II, effective June 1, 2008, and upon adoption a certified copy of this resolution be forwarded to the Clinton County Department of Personnel for civil service final approval and filing.

Discussion: Councilor Brockway and Supervisor Bassett mentioned that Jason has performed in the top of his class and his test scores were very high.

RESOLUTION NO. 08-243

Promotion Jason Hendrie W/
W Maintenance Worker 1

Motion by: Martin D. Mannix
Carried by: Ayes 5

Seconded by: Thomas E. Wood
Nays 0

WHEREAS, the Town of Plattsburgh encourages its employees to strive to achieve their highest level of accomplishment and to continue to improve their skills and training, and

WHEREAS, the Town Board has received a letter dated April 22, 2008 from Paul Wright, Water Wastewater Supervisor, requesting Jason Hendrie be promoted to the position of Water and Wastewater Maintenance Worker I, effective June 1, 2008, and

WHEREAS this matter has come before the Board at this time and date; therefore be it

RESOLVED, that Jason Hendrie be promoted to the position of Water and Wastewater Maintenance Worker I, effective June 1, 2008, and upon adoption, a certified copy of this resolution be forwarded to the Clinton County Department of Personnel for Civil Service final approval and filing.

Discussion: Councilor Renadette noted that the letters from Mr. Wright were to the point and directly relate to each employee. Councilor Renadette said that there is a lot of effort that went into making sure the board knew each of the employees had significant qualifications. Councilor Mannix said Jason is a good example of an employee who has had upward mobility opportunities being able to move from one department to another.

RESOLUTION NO. 08-244

Water Rate Adjustment Effective
September 1, 2008

Motion by: Martin D. Mannix
Carried by: Ayes 5

Seconded by: Sheila A. Brockway
Nays 0

WHEREAS, the Greater Town of Plattsburgh Consolidated Water District, PARC and Archie Bordeau Water District, as duly established water districts, have appropriated expenditures for operation and maintenance of its water system; and

WHEREAS, there is a need to provide sufficient revenue to offset expenditures and rates have not been adjusted since 2004 to accommodate increase cost of operation and maintenance; and

WHEREAS, the proposed rate adjustment shall be fully effective September 1, 2008 and be retroactive to the date of the previous billing period with water rates, including any and all outside users, to be set as follows:

The metered rate will be: \$1.23 per 1000 gallons, with a minimum per month of \$5.33 or \$16.00 per quarter based on customer’s billing frequency;

and therefore be it

RESOLVED, that these new rates shall be in place and effective September 1, 2008, and retroactive as noted.

Discussion: Councilor Mannix pointed out that the resolution deals separately with the Consolidated Water District and the Archie Bordeau Water District even though a public hearing was set for merging them. At this time we are moving forward to establish new rates for the two entities even if they do become one entity.

RESOLUTION NO. 08-245

W/W Department Service Charges Update

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

Seconded by: Thomas E. Wood
Nays 0

WHEREAS, there is a need to provide sufficient revenue to offset expenditures in all established water districts, and have appropriated expenditures for operation and maintenance of its water system; and

WHEREAS, the fees for permits and various activities and services of the Water and Wastewater Department have a need to be updated; and

WHEREAS, the Water Director and the Water and Wastewater Committee have reviewed the Charges for Services Rendered (see attached listing) now, therefore it is

RESOLVED, that the charge of services be effective September 1, 2008.

Discussion: Councilor Mannix would like resolution 08-244 to be changed due to the September 1st date. This is a quarterly rate and September does not coincide with the quarter.

MOTION TO BRING BACK RESOLUTION 08-244 AND TO AMMEND RESOLUTION 08-244 TO READ AS FOLLOWS:

Motion by: Martin D. Mannix
Carried by: Ayes 5

Seconded by: Sheila A. Brockway
Nays 0

WHEREAS, the Greater Town of Plattsburgh Consolidated Water District, PARC and Archie Bordeau Water District, as duly established water districts, have appropriated expenditures for operation and maintenance of its water system; and

WHEREAS, there is a need to provide sufficient revenue to offset expenditures and rates have not been adjusted since 2004 to accommodate increase cost of operation and maintenance; and

WHEREAS, the proposed rate adjustment shall be fully effective September 1, 2008 and be retroactive to the date of the previous billing period with water rates, including any and all outside users, to be set as follows:

The metered rate will be: \$1.23 per 1000 gallons, with a minimum per month of \$5.33 or \$16.00 per quarter based on customer’s billing frequency;

And therefore be it

RESOLVED, that these new rates shall be in place and effective the first full day of the **next first full quarterly billing cycle**.

RESOLUTION NO. 08-246

Sally Sears- Mack LDC, Inc. Board Appointment

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

Seconded by: Sheila A. Brockway
Nays 0

WHEREAS, the Town of Plattsburgh LDC, Inc. Board of Directors recently met to discuss and reauthorize the Local Development Corporation; and

WHEREAS, the existing LDC Charter allows for up to 6 Board members and the LDC Board and Town of Plattsburgh Town Board are desirous of expanding Board membership; now therefore be it

RESOLVED, that Sally Sears - Mack from 220 Champlain Drive Plattsburgh, NY 12901 be appointed as Board Member to the LDC, Inc. for a term to expire December 31, 2009.

RESOLUTION NO.08-247

Phillip Corell LDC, Inc. Board Appointment

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

Seconded by: Thomas E. Wood
Nays 0

WHEREAS, the Town of Plattsburgh LDC, Inc. Board of Directors recently met to discuss and reauthorize the Local Development Corporation; and

WHEREAS, the existing LDC Charter allows for up to 6 Board members and LDC Board members and Town of Plattsburgh Town Board members are desirous of expanding Board membership; now therefore be it

RESOLVED, that Phillip Corell from 43 Bittersweet Lane Cadyville, NY 12901 be appointed as Board Member to the LDC, Inc. for a term to expire December 31, 2010.

RESOLUTION NO. 08-248

James Patterson LDC, Inc. Board Appointment

Motion by: Martin D. Mannix
Carried by: Ayes 5

Seconded by: Sheila A. Brockway
Nays 0

WHEREAS, the Town of Plattsburgh LDC, Inc. Board of Directors recently met to discuss and reauthorize the Local Development Corporation; and

WHEREAS, the existing LDC Charter allows for up to 6 Board members and LDC Board members and Town of Plattsburgh Town Board members are desirous of expanding Board membership; now therefore be it

RESOLVED, that James Patterson from Morrisonville, NY 12962 be appointed as Board Member to the LDC, Inc. for a term to expire December 31, 2011.

Discussion: Councilor Wood said it is nice to have people willing to serve. Supervisor Bassett agreed and feels we have been very fortunate.

RESOLUTION NO. 08-249

General Bond Council Services from Squire Sanders & Dempsey L.L.P.

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

Seconded by: Martin D. Mannix
Nays: 0

RESOLVED, that the attached retainer agreement between the Town of Plattsburgh and Squire, Sanders & Dempsey L.L.P. as bond counsel for the Town of Plattsburgh, is hereby approved and the Supervisor is authorized and directed to execute and deliver same.

Discussion: The town attorney has reviewed the agreement.

RESOLUTION NO. 08-250

Local Law #1 of 2008 Providing for Control of Excessive Unnecessary and Unreasonable Noise

Motion by: Martin D. Mannix
Carried by: Ayes 5

Seconded by: Gerard A. Renadette
Nays: 0

WHEREAS, the Town Board of the Town of PLATTSBURGH has considered the proposed Local Law No.1 {introductory} of 2008, a local law providing for the moratorium on Excessive Unnecessary Noise entitled Providing for Control of Excessive Unnecessary and Unreasonable Noise (the "Local Law"); and

WHEREAS, said Local Law No. 1 (introductory) of the year 2008 was duly introduced at the Meeting of the Town Board as [Introductory] Local Law No. 1 of 2008; and

WHEREAS, the required public hearing on said proposed local law was duly held prior to this meeting of the Town Board; and

WHEREAS, the Town Board has considered all comments from all persons, regarding this proposed local law, both as submitted in writing and as presented orally at the Public Hearing and comments at the meeting, now therefore it is,

RESOLVED, that the Town Board of the Town of Plattsburgh after review of the said proposed Local Law #1 of 2008, review and consideration of comments made at the public hearing, and further after consideration adopts the local law as Local Law #1 for the year 2008, and it is further,

RESOLVED, that the Attorney for the Town, acting for the Town Clerk, be and he hereby is directed to cause said Local Law No. 1 of the year 2008 to be duly filed with the Department of State of the State of New York, as required by Section 27, subdivision 1, of the Municipal Home Rule Law. This resolution shall be effective immediately.

Discussion: Councilor Wood feels that there are a lot of legitimate complaints that are made and he feels that working with Law Enforcement will be beneficial. Councilor Renadette spoke in response to the comments Mr. St Germain's made. Councilor Renadette said they are trying to be considerate of the seventy five percent of the population that do not work nights and base the law around them. Councilor Mannix said it is unfortunate that everyone cannot respect their neighbors and feels that we cannot continue to hide our heads in the sand and hide behind the excuse of we do not have a way to do it.

RESOLUTION NO. 08-251**Local Law #2 of 2008 Providing for a
Moratorium on Outdoor Wood Boilers**

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

Seconded by: Thomas E. Wood
Nays 0

WHEREAS, the Town Board of the Town of Plattsburgh has considered the proposed Local Law No.2 {introductory} of 2008, a local law providing for the moratorium on Wood Boilers entitled Moratorium on Outdoor Wood Boilers, and

WHEREAS, said Local Law No. 2 (introductory) of the year 2008 was duly introduced at the Meeting of the Town Board as [Introductory] Local Law No. 2 of 2008; and

WHEREAS, the required public hearing on said proposed local law was duly held prior to this meeting of the Town Board; and

WHEREAS, the Town Board has considered all comments from all persons, regarding this proposed local law, both as submitted in writing (none) and as presented orally at the Public Hearing and comments at the meeting, and now therefore it is

RESOLVED, that the Town Board of the Town of Plattsburgh after review of the said proposed Local Law #2 of 2008, review and consideration of comments made at the public hearing on local Law #2 of 2008, and further after consideration adopts the local law as Local Law #2 for the year 2008, and it is further,

RESOLVED, that the Attorney for the Town, acting for the Town Clerk, be and he hereby is directed to cause said Local Law No. 2 of the year 2008 to be duly filed with the Department of State of the State of New York, as required by Section 27, subdivision 1, of the Municipal Home Rule Law. This resolution shall be effective immediately.

Discussion: Councilor Renadette considers this a pro-active stance rather than reactive. It is not the town's intention to outlaw wood boilers, but simply to regulate them. Councilor Renadette understands the need for alternative heat sources, and feels that there are a lot of other opportunities for this heating season and hopes that this moratorium will not last the full year. Councilor Renadette feels it is upon the board to take action to insure that the neighbors are protected. Councilor Mannix added that he would like to see this fast tracked and made it clear that we are not talking wood stoves only outdoor wood boilers. Councilor Mannix spoke of a situation that was brought to his attention regarding an individual who had an outdoor wood boiler that made a deal with contractors to burn debris in their community and there were no regulations to go by. Councilor Mannix feels that the town needs protect people especially in the congested areas.

RESOLUTION NO. 08-252**Housing Coalition NYSEG Natural Gas
Request**

Motion by: Martin D. Mannix
Carried by: Ayes 5

Seconded by: Thomas E. Wood
Nays 0

WHEREAS, the coming winter season will bring serious consequences for many North Country residents; and

WHEREAS, Natural Gas is a more economical means of meeting heating and energy needs; and

WHEREAS, senior citizens and those on fixed incomes are most likely to face significant hardships this winter; now, therefore be it

RESOLVED that the Town of Plattsburgh Town Board encourages NYSEG to respond favorably to a letter dated July 2, 2008 from the Town of Plattsburgh Housing Development Fund Co., Inc. requesting Natural Gas service be extended to the Arthur LeFevre senior apartments at 173 Rand Hill Road, Morrisonville, New York 12962 to help meet this season's heating needs.

Discussion: Councilor Mannix said that there is not much of an operational cushion at the senior housing and with the rising cost of fuel he feels that bringing this resolution forward will be beneficial.

ADJOURNMENT

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

RESOLVED, that this Town Board Meeting be adjourned at 8:13 PM.

Respectfully Submitted,

Amy Duquette, Town Clerk