

**TOWN OF PLATTSBURGH
TOWN BOARD PUBLIC HEARING
DECEMBER 8, 2008**

The notice of public hearing was read by the Supervisor for the record.

The Public Hearing was called to order at 6:05 p.m., prevailing time at the Town Hall on the Banker Road, Plattsburgh, New York to hear all interested persons relative to:

The Town Board of the Town of Plattsburgh, Clinton County, New York is considering the adoption of Local Law #4 of 2008, to regulate the use of Outdoor Wood Boilers in the Town of Plattsburgh.

The public hearing closed at 6:26 PM.

Present: John St Germain, Debbie Blake, CJ Madonna, Steve Imhoff, Phil VonBargen, Bill Lacount, and Patrick Jacquet.

Comments: There was lengthy conversation between John St Germain, CJ Madonna and Steve Imhoff regarding wood pellets and corn, as well as what types of materials are acceptable to burn.

**TOWN OF PLATTSBURGH
TOWN BOARD WORK SESSION
DECEMBER 8, 2008**

During the regularly scheduled work session resolutions 08-371 and 08-372 were brought to the table for further discussing and action as noted by the minutes.

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

PUBLIC RECOGNITION

Present: John St Germain, Debbie Blake, CJ Madonna, Steve Imhoff, Phil VonBargen, Bill Lacount, and Patrick Jacquet.

**Authorizing the Supervisor to Enter Into
an Amended PILOT Agreement with
Saranac Power Partners**

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

Seconded by: Sheila A. Brockway
Nays 0

WHEREAS, Saranac Power Partners (“Project Company”) has requested the existing 1992 PILOT Agreement be renegotiated as their current power purchase agreement is to expire and the Company has entered into negotiations with a new 3rd party marketer; and

WHEREAS, for a period of several weeks negotiations have occurred between the Project Company, the IDA and the taxing jurisdiction, being the Town of Plattsburgh, The Beekmantown Central School District and Clinton County; and

WHEREAS, the Project Company is of the opinion that the existing facility will be utilized as a “tolling” plant and that a study by the IDA and CRA confirmed the rationale for this approach based on changes in the market; and

WHEREAS, the Project Company has proposed an amendment to the existing Pilot Agreement that will be limited to the term of any initial Tolling Agreement, having a 2009 PILOT payment to be \$1,700,000.00 and subsequent years with payments of \$700,000.00, with the period of any agreement subject to the term the Tolling Agreement (3 – 5 years) and with said payments exclusive of special district taxes; and

WHEREAS, a companion agreement will also be negotiated to resolve the Project Company pending Article 7 lawsuit concerning the facility assessment of the plant being reduced from \$200,000,000.00 to \$32,000,000.00, commencing with the tax year 2010, which request appears to be supported by their unaudited and non reviewed discounted cash flow analysis based upon a proposed toll price of \$2.60 per kw-month, however any reassessment shall commence in 2010 and is subject to further analysis, and will be an amount not greater than \$60,000,000.00 subject to being provided with a copy of the final negotiated tolling agreement that supports the need for a change in the assessment as contemplated hereby; therefore be it

RESOLVED, that the Town Supervisor be authorized to enter into an amendment of the Pilot Agreement with the Project Company to amend the current Agreement, made in 1992, for a period not to exceed the term of five (5) years or the term of the Tolling Agreement whichever is less and thereafter the terms of the existing Pilot Agreement shall control; and be it further

RESOLVED that the Town Attorney will review the Amended PILOT Agreement as to terms and conditions and make recommendation to the Supervisor.

RESOLUTION NO. 08-372

Candace Mallernee W/WW Clerk/Typist

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

Seconded by: Gerard A. Renadette
Nays 0

WHEREAS, there is a need to increase the existing part time Clerk/Typist position in the Water and Sewer Department to full time; and

WHEREAS, the Deputy Supervisor and Members of the Water and Wastewater Department made prior recommendations as to the selection of the aforementioned position; therefore be it

RESOLVED, that Candace Mallernee be hired as a Full-time permanent employee of the Town of Plattsburgh in the Water and Waste Water Department as a Clerk/Typist at the hourly rate of pay for step one of \$15.34, effective January 1, 2009; and it is further

RESOLVED, that the Supervisor is hereby authorized to sign all necessary documents for the full time appointment of Candace Mallernee to the position of Clerk/Typist; and, it is further

RESOLVED, that a certified copy of this resolution be forwarded to the Clinton County Department of Personnel for civil service final approval and filing.

Respectfully Submitted,

Amy Duquette, Town Clerk