

**TOWN OF PLATTSBURGH
TOWN BOARD WORK SESSION
FEBRUARY 9, 2009**

During the regularly scheduled work session resolutions 09-70- 09-73 were brought to the table for further discussing and action as noted by the minutes.

	<u>Present</u>	<u>Absent</u>
MEMBERS:	X	
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		

RESOLUTION NO.09-70

Section 75 Resolution between the Town of Plattsburgh and Leonard Duquette II

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

Seconded by: Sheila A. Brockway
Nays 0

WHEREAS, CSL Section 75 charges have been brought by the Town of Plattsburgh against Leonard Duquette II of the Water Waste/Water Department; and

WHEREAS, the Town wishes to resolve said charges and after lengthy discussions and meetings between the parties an agreeable settlement has been achieved; therefore be it

RESOLVED, that the termination and final date of employment for Mr. Duquette will be April 30th, 2009; and be it further

RESOLVED, that salary and such normal and customary benefits associated with full time employment be granted along therewith, through and including April 30, 2009; provided, however, Mr. Duquette as an express condition of the settlement, and as a condition thereof, waives any right he may have to any insurance benefit, where the provision of such benefit requires payment, in whole or in part, by the Town; and be it further

RESOLVED, that the Town will contribute to the NYS Retirement System such funds as to enable Mr. Duquette to purchase available credits for Mr. Duquette’s military service; and be it further

RESOLVED, that the execution of this Agreement is conditioned upon the drafting of a formal settlement Agreement, with full releases of the Town; and be it further

RESOLVED, that the Supervisor be authorized to sign any and all final settlement Agreements between the Town of Plattsburgh and Mr. Duquette and that a certified copy of this Resolution be given to the Budget Officer.

RESOLUTION NO. 09-71**Verizon Wireless at Bluff Point Water Tank**

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

Seconded by: Gerard A. Renadette
Nays 0

Whereas; New York RSA 2 Cellular Partnership d/b/a Verizon Wireless has applied to place a wireless facility on the land and water tank of the parcel, more commonly known at the Bluff Point Water Tank; and

Whereas; the application was reviewed for compliance with the Town's code; and

Whereas; the applicant has chosen the number one priority in the wireless code by collocating on an existing structure; and

Whereas; the Town Board has reviewed the proposed facility under SEQRA and determined that there will be no impact to the environment; and

Whereas; a Public Hearing was held on the application on December 15, 2008 therefore be it;

Resolved, that A Special Use Permit is granted to New York RSA 2 Cellular Partnership d/b/a Verizon Wireless for a wireless facility at the Bluff Point Water Tank with the following conditions to be completed prior to the issuance of the Building Permit and Start of Construction:

- 1., Verizon shall provide the Town with proof of the required insurance per Section 24 of the Wireless code and the Commercial General liability insurance policy shall specifically include the Town and its officers, boards, employees, committee members, attorneys, agents and consultants as additional named insured's.
2. As required per Section 21 of the Wireless Code a Performance Security bond in the amount of \$25,000.00 shall be in place with the Town
3. Verizon must acknowledge in writing to the Town that they shall indemnify and hold harmless the Town against any claim of liability or loss from personal injury or property damage resulting from or arising out of the use and occupancy of the land and water tank of the parcel, more commonly known at the Bluff Point Water Tank by Verizon, its servants or agents, excepting, however, such claims or damages as may be due to or caused by the acts or omissions of the Town or its servants or agents. The language of Paragraph 18 of the Communications Site Lease Agreement (Water Tower) executed by the Town on July 23, 2008 and by Verizon Wireless on July 16, 2008 shall be sufficient to document compliance with this requirement

RESOLUTION NO. 09-72**Harris Computer Systems Change Order**

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

Seconded by: Gerard A. Renadette
Nays 0

WHEREAS, the Town of Plattsburgh has been in the engaged in the process of purchasing new software, to meet billing and management needs of the various departments, from Harris Computer Systems; and

WHEREAS, Department Heads have been working with Cristian Balan, software consultant for the Town, and Harris staff and trainers to customize software programs to best meet Town needs now and in the future; now therefore be it

RESOLVED, that Change Orders No.1 in the amount of \$300.00 No.2 in the amount of \$1,025 and No.4 no charge (courtesy discount of \$1,200.00) be accepted as indicated by the attached copies; and be it further

RESOLVED, that the Supervisor is authorized to sign Change Orders No.1, No.2 and No.4. and a certified copy of this resolution be given to the Budget Officer.

RESOLUTION NO. 09-73

Authorization To Travel

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

Seconded by: Thomas E. Wood
Nays 0

WHEREAS, Dave Comfort, Water Waste/Water Director, has been asked to represent the Town of Plattsburgh as a member of the New York State Department of Health Water and Waste/Water Education Outreach Committee; therefore be it

RESOLVED that the Town Board Approve Mr. Comfort's participation at the NYS Department of Health Committee meeting in Albany on February 11 and 12, 2009 as per the Town's travel policy.

Respectfully Submitted,

Amy Duquette, Town Clerk