

**TOWN OF PLATTSBURGH
TOWN BOARD SEMI-MONTHLY MEETING
JULY 20, 2009**

The meeting was called to order at 6:30 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 | |
| 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. 09-229

Approve Minutes of the Previous Meeting

RESOLVED, that the minutes of July 6, 2009 be approved and the reading of the minutes be dispensed with.

Motion by: Sheila A. Brockway

Seconded by: Gerard A. Renadette

Discussion:

Roll Call:

YES

NO

| | |
|----------------------------|---------------|
| Thomas E. Wood | absent |
| Sheila A. Brockway | x |
| Gerard A. Renadette | x |
| Martin D. Mannix | x |
| Bernard C. Bassett | x |

Carried:

RESOLUTION NO. 09-230

Abstract 7B -09

RESOLVED, that the abstract of audited claims **No.7B-09 (91550-91707)** in the amount of (\$1,716,667.17), be received as reviewed by the Audit Committee and the Supervisor is hereby authorized to pay said abstracts.

Motion: Gerard A. Renadette

Seconded by: Martin D. Mannix

Discussion:

Roll Call: Yes No

| | |
|----------------------------|---------------|
| Thomas E. Wood | Absent |
| Sheila A. Brockway | x |
| Gerard A. Renadette | x |
| Martin D. Mannix | x |
| Bernard C. Bassett | x |

Carried:

RESOLUTION NO. 09-231

Building Maintenance Monthly Report

RESOLVED, to receive and place on file a report from Art Brault, Building Maintenance Supervisor, for the month of June 2009.

Motion: Sheila A. Brockway

Seconded by: Martin D. Mannix

Discussion: Bernard C. Bassett pointed out that security cameras are installed for the exterior of the court entrance. Art Brault is completing the JCAP grant application to purchase infrared cameras for the entrance of the building. Bernard C. Bassett and Art Brault observed that the steps on the South entrance of the building are in need of repair- Mr. Brault has a product to repair them as soon as possible. Gerard A. Renadette commented that the painting being done on the exterior of the building is noticeable and attractive.

Roll Call: Yes No

| | |
|----------------------------|---------------|
| Thomas E. Wood | Absent |
| Sheila A. Brockway | x |
| Gerard A. Renadette | x |
| Martin D. Mannix | x |
| Bernard C. Bassett | x |

Carried:

RESOLUTION NO. 09-232

Codes and Zoning Department Monthly Report

RESOLVED, to receive and place on file a report from Stephen Imhoff, Codes Enforcement Officer, for the month of June 2009.

Motion: Gerard A. Renadette

Seconded by: Sheila A. Brockway

Discussion:

Roll Call: YES NO

| | |
|----------------------------|---------------|
| Thomas E. Wood | Absent |
| Sheila A. Brockway | x |
| Gerard A. Renadette | x |
| Martin D. Mannix | x |
| Bernard C. Bassett | x |

RESOLUTION NO. 09-233

Highway Superintendent Monthly Report

RESOLVED, to receive and place on file a report from Fred Lavene, Superintendent of Highways, for the month of June 2009.

Motion: Sheila A. Brockway
Seconded by: Gerard A. Renadette

Discussion:

Roll Call: Yes No

| | |
|----------------------------|---------------|
| Thomas E. Wood | Absent |
| Sheila A. Brockway | x |
| Gerard A. Renadette | x |
| Martin D. Mannix | x |
| Bernard C. Bassett | x |

RESOLUTION NO. 09-234

Parks And Recreation Department Monthly Report

RESOLVED, to receive and place on file a report from Melanie Defayette, Recreation and Youth Services Director, for the month of June 2009.

Motion; Martin D. Mannix
Seconded by: Sheila A. Brockway

Discussion: Bernard C. Bassett commented that the installation of the Route 3 sign is complete. He would like see an appropriate comment on the East side of Route 3, "Thank you for visiting the Town of Plattsburgh" for example, to address people exiting the Town. Bernard C. Bassett also commented on the success of the recent senior trip to Shelburne and the kayak activity. Martin D. Mannix commented on the success of the weekly Fun Run at Cadyville park.

Roll Call: YES NO

| | |
|----------------------------|---------------|
| Thomas E. Wood | Absent |
| Sheila A. Brockway | x |
| Gerard A. Renadette | x |
| Martin D. Mannix | x |
| Bernard C. Bassett | x |

Carried:

RESOLUTION NO. 09-235

Planning Department Monthly Report

RESOLVED, to receive and place on file a report from Phil VonBargen, Planning and Engineering Department Head, for the month of July 2009.

Motion: Gerard A. Renadette
Seconded by: Sheila A. Brockway

Discussion: Bernard C. Bassett would like have a report from Phil VonBargen regarding his recent trip to the Health and Wellness Conference in Virginia.

Roll Call: YES NO

| | |
|----------------------------|---------------|
| Thomas E. Wood | Absent |
| Sheila A. Brockway | x |
| Gerard A. Renadette | x |
| Martin D. Mannix | x |
| Bernard C. Bassett | x |

Carried:

RESOLUTION NO. 09-236

SUPERVISOR'S MONTHLY FINANCIAL REPORT

RESOLVED, to receive and place on file the Supervisor's Financial Report for the month of June 2009.

Motion: Sheila A. Brockway
Seconded by: Martin D. Mannix

Discussion: Bernard C. Bassett would like to see a spreadsheet for level of activity in the Town Clerk's office for state/county/local revenue.

Roll Call: YES NO

| | |
|----------------------------|---------------|
| Thomas E. Wood | Absent |
| Sheila A. Brockway | x |
| Gerard A. Renadette | x |
| Martin D. Mannix | x |
| Bernard C. Bassett | x |

Carried:

RESOLUTION NO. 09-237

Town Clerk's Monthly Report

RESOLVED, to receive and place on file a report from Rickey J. Collins, Town Clerk, for the month of June 2009.

Motion: Sheila A. Brockway
Seconded by: Gerard A. Renadette

Discussion:

Roll Call: Yes No

| | |
|----------------------------|---------------|
| Thomas E. Wood | Absent |
| Sheila A. Brockway | x |
| Gerard A. Renadette | x |
| Martin D. Mannix | x |
| Bernard C. Bassett | x |

Carried:

RESOLUTION NO. 09-238

Water WasteWater Monthly Report

RESOLVED, to receive and place on file a report from David Comfort, Director of the Water and Wastewater Department, for the month of June 2009.

Motion: Sheila A. Brockway
Seconded by: Gerard A. Renadette

Discussion: Bernard C. Bassett commented that the Cadyville/Morrisonville connector project is near completion; Moffit Road project is still in process; the DOT has been cooperative with the Town on the Tom Miller Road project. Bernard C. Bassett also commented on the GPS mapping being done by James Bosely of the planning department and Kevin Keane from the water/sewer department. The system is on loan from NYSEG and Bernard C. Bassett thinks a GPS system could be a permanent asset to the Town in the future. Ron Laberge and David Comfort met with NYSEG regarding the shared trench at Cumberland Head. Martin D. Mannix would like to see an agreement with NYSEG (if and when it is reached) written into the specifications for that job.

Roll Call: Yes No

| | |
|----------------------------|---------------|
| Thomas E. Wood | Absent |
| Sheila A. Brockway | x |
| Gerard A. Renadette | x |
| Martin D. Mannix | x |
| Bernard C. Bassett | x |

Carried:

RESOLUTION NO.09-239

LOCAL LAW

ENTIRETY

NO. 3

LOCAL

SCHEDULING PUBLIC HEARING ON PROPOSED LOCAL LAW NO. 3 OF THE YEAR 2009 ENTITLED "A

REGULATING THE CONTROL OF DOGS IN THE TOWN OF PLATTSBURGH AND REVOKING IN THEIR

THE FOLLOWING LOCAL LAWS: (1) LOCAL LAW

FOR 1985, (2) LOCAL LAW NO. 3 FOR 1992 AND (3)

LAW NO. 4 FOR 1992"

WHEREAS, the Town of Plattsburgh has determined that dogs running at large, and other uncontrolled behavior by dogs, has at times caused physical harm to individuals, damage to property and created nuisances within the Town making it necessary to institute a local law relating to dog control that will protect the health, safety and well-being of individuals and property within the Town; and

WHEREAS, Supervisor Bassett has introduced proposed Local Law No. 3 of the year 2009 entitled "A Local Law Regulating the Control of Dogs in the Town of Plattsburgh and Revoking in their Entirety the Following Local Laws: (1) Local Law No. 3 for 1985, (2) Local Law No. 3 for 1992, and (3) Local Law No. 4 for 1992." Now, therefore, be it

RESOLVED, that a Public Hearing will be held on said proposed Town of Plattsburgh Local Law No. 3 of the year 2009 on August 3, 2009, at 6:15 p.m. at the Town Hall, 151 Banker Road, Town of Plattsburgh, New York; and it is further

RESOLVED, that the Town Clerk is hereby authorized and directed to have said Public Hearing Notice published in the local newspaper, The Press Republican , as provided by law.

Motion: Martin D. Mannix

Seconded by: Sheila A. Brockway

Discussion:

Roll Call:

Yes No

| | |
|----------------------------|---------------|
| Thomas E. Wood | Absent |
| Sheila A. Brockway | x |
| Gerard A. Renadette | x |
| Martin D. Mannix | x |
| Bernard C. Bassett | x |

RESOLUTION NO.09-240

SCHEDULING PUBLIC HEARING ON

PROPOSED LOCAL LAW NO. 4 OF THE YEAR 2009 ENTITLED "A LOCAL LAW REGULATING THE SHELTERING OF DOGS IN THE TOWN OF PLATTSBURGH"

WHEREAS, there is a need to provide appropriate shelter to protect the health and safety of dogs within the Town; and

WHEREAS, Supervisor Bassett has introduced proposed Local Law No. 4 of the year 2009 entitled “A Local Law Regulating the Sheltering of Dogs in the Town of Plattsburgh.” now, therefore, be it

RESOLVED, that a Public Hearing will be held on said proposed Town of Plattsburgh Local Law No. 4 of the year 2009 on August 3, 2009, at 6:30 p.m. at the Town Hall, 151 Banker Road, Town of Plattsburgh, New York; and it is further

RESOLVED, that the Town Clerk is hereby authorized and directed to have said Public Hearing Notice published in the local newspaper, the Press Republican, as provided by law.

Motion: Gerard A. Renadette
Seconded by: Martin D. Mannix

Discussion: Gerard A. Renadette referenced Law Law No. 3, questioning expenses for impoundment separate from any fines or other penalties- is the amount sufficient to cover the dog’s shelter, food, and medicine? In response to Gerard A. Renadette’s question, James J. Coffey stated that minor changes can be made within seven days of a public hearing. Bernard C. Bassett reiterated Gerard A. Renadette’s concern.

Roll Call: Yes No

| | |
|----------------------------|---------------|
| Thomas E. Wood | Absent |
| Sheila A. Brockway | x |
| Gerard A. Renadette | x |
| Martin D. Mannix | x |
| Bernard C. Bassett | x |

RESOLUTION NO. 09-241

Authorization To Make Application To The Justice Court Assistance Program (JCAP) 2009

WHEREAS, the Town was recently notified that applications are now being accepted by the Justice Court Assistance Program (JCAP) for 2009 funding cycle; and

WHEREAS, last year’s JCAP program was able to fund noise meters to help enforce the Town’s Noise Ordinance, infrared capable cameras for surveillance of outside parking areas, and supplies to install the units; and

WHEREAS, Mr. Corell and Mr. Brault have worked together with the Town court to assess their needs and have submitted the attached report on funding for needed improvements; therefore be it

RESOLVED, that the Supervisor be authorized to apply for funding from the Justice Court Assistance Program (JCAP) requesting funds to improve court security by purchasing one 16 channel IT DVR with connection for remote viewing, four legal fireproof filing cabinets and supplies for court room modifications ; and be it further

RESOLVED, that Phil Corel as grants manager receive a certified copy to be added to the application file.

Motion:Gerard A. Renadette
Seconded by:Martin D. Mannix

Discussion:

| | | |
|---------------------|-------------------|------------------|
| Roll Call: | <u>YES</u> | <u>NO</u> |
| Thomas E. Wood | Absent | |
| Sheila A. Brockway | x | |
| Gerard A. Renadette | x | |
| Martin D. Mannix | x | |
| Bernard C. Bassett | x | |

Carried:

| | |
|-------------------------------------|---|
| <u>RESOLUTION NO. 09-242</u> | <u>Authorize Highway Superintendent to Start 2009 Paving Program</u> |
|-------------------------------------|---|

WHEREAS, the Town of Plattsburgh has appropriated a total of \$304,000.00 in the 2009 Highway Budget for the 2009 Road Paving Program; and

WHEREAS, the Highway Superintendent and the Highway Committee have submitted the 2009 Highway Road Paving Program (see attached listing) in the amount of \$292,936.00;and

WHEREAS, funding for the 2009 road paving, repair and improvement program are to be taken from the DA-5110-4200 and DA-5112-4200 accounts; therefore it is

RESOLVED, that the Town Board of the Town of Plattsburgh does hereby authorize the Highway Superintendent to spend the appropriated funds to implement the aforementioned 2009 Road Paving Program and that a certified copy be given to the Budget Officer.

Motion by: Martin D. Mannix
Seconded by: Sheila A. Brockway

Discussion:

| | | |
|---------------------|-------------------|------------------|
| Roll Call: | <u>Yes</u> | <u>No</u> |
| Thomas E. Wood | Absent | |
| Sheila A. Brockway | x | |
| Gerard A. Renadette | x | |
| Martin D. Mannix | x | |
| Bernard C. Bassett | x | |

Carried:

WHEREAS, Dan Courneene, from Mountain Lake Electrical Inc., has submitted Periodic Estimate for Payment No.3 covering the Period of May 26, 2009 to June 25, 2009, in the amount of \$140,678.73, less 5% retained (\$7,033.94); and

WHEREAS, Ronald J. Laberge, PE Consulting Engineer for the Town of Plattsburgh, has reviewed said Payment No. 3 dated June 29, 2009, and has acknowledged his approval for said payment request; now, therefore, it is

RESOLVED, that the Supervisor is hereby authorized to make Payment No.3 in the net amount of \$4,001.40 to Mountain Lake Electrical Inc., 102 Trade Road Plattsburgh, New York; and, it is further

RESOLVED, that said payment is to be made payable from the Champlain Park Pump Station Account and that a copy of this resolution be given to the Budget Officer.

Motion: Gerard A. Renadette
Seconded by: Martin D. Mannix

Discussion:

Roll Call: Yes No

| | |
|----------------------------|------------------|
| Thomas E. Wood | Absent |
| Sheila A. Brockway | Abstained |
| Gerard A. Renadette | x |
| Martin D. Mannix | x |
| Bernard C. Bassett | x |

RESOLUTION NO.09-244

**Request For Payment Periodic Estimate No. 3 for
Champlain Park Pump Station**

WHEREAS, Luck Brothers Inc. has submitted request for payment, request number 3, for work done from April 30, 2009 to June 16, 2009 for Champlain Park Pump Station; and

WHEREAS, Laberge Group has reviewed and verified said work; now, therefore, be it

RESOLVED, that the Supervisor is hereby authorized to make Payment No.3 for Voucher dated June 26, 2009 in the amount of \$224,675.00 as periodic Estimate No .3 payment to Luck Brothers, Inc.; and, it is further

RESOLVED, that said payment is to be made payable` to Luck Brothers Inc. 73 Trade Road, Plattsburgh, New York, from the Champlain Park Pump Station District Improvement Capital Project and that a copy of this resolution be given to the Budget Officer.

Motion: Sheila A. Brockway
Seconded by: Martin D. Mannix

Discussion:

Roll Call: Yes No

| | |
|----------------------------|---------------|
| Thomas E. Wood | Absent |
| Sheila A. Brockway | x |
| Gerard A. Renadette | x |
| Martin D. Mannix | x |
| Bernard C. Bassett | x |

Carried:

RESOLUTION NO. 09-245

Cumberland Head Sewer District SEQRA

And Lead Agent Determination

WHEREAS, the Town Board’s considering an action entitled “Cumberland Head Sewer District”, and,

WHEREAS, it is required that the proposed project comply with the New York State Environmental Quality Review Act;(SEQRA) which includes a determination of significance in regard to the environmental impacts that may be associated with the project by the “Lead Agency”; and,

WHEREAS, the Town of Plattsburgh desires to be the Lead Agency for the purposes of SEQRA review, therefore be it

RESOLVED, that the Town Board, of the Town of Plattsburgh, intends to request Lead Agency status for the purpose of the required environmental review for this project and shall conduct a coordinated review in accordance with said SEQRA regulations.

Motion: Gerard A. Renadette
Seconded by: Martin D. Mannix

Discussion:

Roll Call: Yes No

| | |
|----------------------------|---------------|
| Thomas E. Wood | Absent |
| Sheila A. Brockway | x |
| Gerard A. Renadette | x |
| Martin D. Mannix | x |
| Bernard C. Bassett | x |

Carried:

WHEREAS, the Town of Plattsburgh Planning Board has reviewed and approved all requirements of DHC of Plattsburgh, LLC. Site Plan 2007 – located on Rte 22, Plattsburgh, NY; and

WHEREAS, DHC of Plattsburgh, LLC. Site Plan 2007 has on file with the Town of Plattsburgh, a 3% deposit for construction to their project in the original amount of \$12,151.50 plus accrued interest; and

WHEREAS, the Planning Department has coordinated inspection of said project and reports all requirements have been met and that the 3% deposit in the amount of \$12,151.50, plus accrued interest be returned; now, therefore be it

RESOLVED, that the Supervisor is hereby authorized and directed to release the said 3% deposit in the amount of \$12,151.50, plus accrued interest to date be returned; 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 DHC of Plattsburgh, LLC, P.O. Box 3372, Saratoga Springs, NY 12866 and a copy of this be given to the Budget Officer.

Motion: Sheila A. Brockway
Seconded by: Gerard A. Renadette

Discussion:

| Roll Call: | <u>Yes</u> | <u>NO</u> |
|----------------------------|-------------------|------------------|
| Thomas E. Wood | Absent | |
| Sheila A. Brockway | x | |
| Gerard A. Renadette | x | |
| Martin D. Mannix | x | |
| Bernard C. Bassett | x | |

ADJOURNMENT

RESOLVED, that this Town Board meeting be adjourned at 7:37 PM.

Motion by: Martin D. Mannix
Seconded by: Sheila A. Brockway

Discussion:

| Roll Call: | <u>YES</u> | <u>NO</u> |
|----------------------------|-------------------|------------------|
| Thomas E. Wood | Absent | |
| Sheila A. Brockway | x | |
| Gerard A. Renadette | x | |
| Martin D. Mannix | x | |
| Bernard C. Bassett | x | |

Carried:

Motion to go into Executive Session
Motion by :Gerard A. Renadette
Seconded by: Martin D. Mannix
Time: 7:07

Motion to come out of Executive Session
Motion by: Gerard A. Renadette
Seconded by: Martin D. Mannix
Time: 7:35

| Roll Call: | <u>YES</u> | <u>NO</u> | Roll Call: | <u>YES</u> | <u>NO</u> |
|----------------------------|-------------------|------------------|----------------------------|-------------------|------------------|
| Thomas E. Wood | Absent | | Thomas E. Wood | Absent | |
| Sheila A. Brockway | x | | Sheila A. Brockway | x | |
| Gerard A. Renadette | x | | Gerard A. Renadette | x | |
| Martin D. Mannix | x | | Martin D. Mannix | x | |
| Bernard C. Bassett | x | | Bernard C. Bassett | x | |

Carried:
Motion by:
Carried by: Ayes **4**

Carried:
Nays **0**

RESOLVED, that this Town Board Meeting be adjourned at 7:37 PM.

Respectfully Submitted,

Rickey J. Collins, Town Clerk