

**TOWN OF PLATTSBURGH
TOWN BOARD SEMI-MONTHLY MEETING
November 16, 2009**

The meeting was called to order at 6:30 p.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	
Thomas E. Wood, Councilor	X	
Shelia A. Brockway, Councilor		X
Gerard A. Renadette, Councilor		
Martin D. Mannix, Councilor	X	
Rickey J. Collins, Town Clerk	X	
James J. Coffey, Town Attorney	X	
	X	
<u>Resolution No.09-340 Approve Minutes of the Previous Meeting</u>	X	

RESOLVED, that the minutes of November 5, 2009 be approved and the reading of the minutes be dispensed with.

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

Discussion: Counselor Wood brought up questions concerning resolutions 09-372 and 09-328.

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

Carried:

PUBLIC RECOGNITION

Present: Nyla Bacon, Swiesz Family, Dan Heath, Carol Hack, Kristi Cranford, Amy Ambrosio, David Comfort

Comments:

Resolution No. 09-341

Abstract 11B -09

RESOLVED, that the abstract of audited claims **No.11B-(0992705-93827)** in the amount of (\$660,334.93), 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:	<u>Yes</u>	<u>No</u>
Thomas E. Wood	x	
Sheila A. Brockway	absent	
Gerard A. Renadette	x	
Martin D. Mannix	x	
Bernard C. Bassett	x	

Resolution NO. 09-342

Highway Superintendent’s Monthly Report

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

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

Discussion: Mr. Lavene has used the funds balance from this year’s budget to purchase extra salt at this year’s price. Thomas Wood noted the importance of keeping salt usage down due to the environmental effects.

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

Resolution No.09-343

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 November, 2009.

Motion: Gerard A. Renadette
Seconded by: Thomas E. Wood

Discussion: Supervisor Bassett is encouraged to see continuing development within the Town.

Roll Call: YES NO

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

Carried:

Resolution No.09-344

SUPERVISOR'S MONTHLY FINANCIAL REPORT

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

Motion: Thomas E. Wood

Seconded by: Gerard A. Renadette

Discussion: Thomas Wood pointed out "totals do not balance" section on page 8 of the report. Supervisor Bassett commented that the new software is accurate to the day with funds receivable and transferred, etc. He intends to speak with the budget officer to get clarity on this matter.

Roll Call: YES NO

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

Carried:

Resolution No. 09-345

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 October 2009.

Motion: Martin D. Mannix

Seconded by: Thomas E. Wood

Discussion: There will be a phone conference with EFC concerned with \$2.5 million in funding to help pay for water/waste water projects that will pull some of the Town's capital funding back into the budget, it will also provide better long-term funding on existing accounts with lower interest rates.

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

Carried:

Resolution No. 09-346

Town Clerk's Monthly Report

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

Motion: Gerard A. Renadette
Seconded by: Thomas E. Wood

Discussion:

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

Carried:

Resolution No.09-347

DELINQUENT WATER AND SEWER CHARGES RELIEVES

RESOLVED, that the list of delinquent water and sewer charges in the respective Districts for 2009, submitted by the Water and Sewer Department, be accepted and placed on file and that a copy be forwarded to the Clinton County Board of Legislators to be added to the 2010 tax roll and a copy also be given to the Budget Officer and Town Clerk pursuant to Section 198(3) of the Town Law.

Motion by: Gerard A. Renadette
Seconded by: Thomas E. Wood

Discussion:

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

Carried:

Resolution No. 09-348

**Request for Additional Salt Purchase
For 2009-2010**

WHEREAS, the Highway Department has funds left in the Salt Account for 2009; therefore be it

RESOLVED, to receive a letter dated November 6, 2009 from Fred Lavene, Highway Superintendent, requesting permission to purchase an additional 400 tons of highway road salt by the Town of Plattsburgh Highway Department; and it is further

RESOLVED, that the Town Board does hereby grant permission to Fred Lavene to order said salt and the Supervisor is hereby authorized to sign all related documents required for its purchase; and it is further

RESOLVED, that the payment for said purchase will be made payable from the 2009-2010 Highway Budget account DA 5142-4200 and that a copy of this Resolution be given to the Budget Officer.

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

Discussion: Counselor Mannix wants to be sure that the new purchase agreement is under this year's price rather than the higher price from the previous County negotiations.

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

Resolution No. 09-349

**Request For Payment Periodic Estimate No. 1 for
Wastewater Flow Metering and Telemetry
Improvements- Electrical**

WHEREAS, Mountain Lake Electrical Inc. has submitted request for payment, Request Number 1, for work done from October 1, 2009 to October 25, 2009 for Champlain Park Pump Station ;and

WHEREAS, Laberge Group has reviewed and verified said work as indicated in a letter dated November 3, 2009; now, therefore, be it

RESOLVED, that the Supervisor is hereby authorized to make payment for Periodic Estimate No. 1, dated November 3, 2009, in the amount of \$81,305.56 as payment to Mountain Lake Electrical Inc. of 102 Trade Road, Plattsburgh, New York, 12901; and, it is further

RESOLVED, that a copy of this Resolution be given to the Budget Officer.

Motion: Thomas E. Wood
Seconded by: Gerard A. Renadette

Discussion:

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

Resolution NO. 09-350

**Return 3% Site Plan Deposit for Demers
Site Plan 2008**

WHEREAS, the Town of Plattsburgh Planning Board has reviewed and approved all requirements of the Demers Site Plan 2008; and

WHEREAS, The Demers Site Plan 2008 has on file with the Town of Plattsburgh, a 3% deposit for construction of their project in the original amount of \$1,897.55 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, Chris Demers has requested that the 3% deposit in the amount of \$1,897.55 plus accrued interest to date be returned; now, therefore be it

RESOLVED, that the Supervisor is hereby authorized and directed to release the said deposit in the amount of \$1,897.55, 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 Chris Demers, 256 Trim Road, Morrisonville, NY 12962.

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

Discussion:

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

Resolution No. 09-351

Eaglefeather Subdivision New Road Name of Feathers Drive

WHEREAS, Fred Lavene, Highway Superintendent, has been working with the Clinton County Emergency Preparedness Office in naming a new Town road and has provided the Town of Plattsburgh Town Board with a letter outlining his support for the naming of a new road in the Eaglefeather Subdivision; and

WHEREAS, the name to be considered is Feathers Drive and must be accepted by the Town Board; therefore be it,

RESOLVED, that the Town Board of the Town of Plattsburgh hereby accepts and approves the recommendation of Feathers Drive as indicated by Mr. Lavene’s letter; and be it further

RESOLVED, that the Town of Plattsburgh Planning Office, the Budget Officer and Emergency Preparedness Office shall receive a certified Resolution indicating acceptance of Mr. Lavene’s recommendation.

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

Discussion: Mr. Renadette expressed concern about the length of this road and the prospect of further construction causing damage to it during the spring. Mr. Mannix noted that the county is working to reduce cuts in the main road.

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

Resolution No. 09-352

Request For Evergreen Townhouse Community Road Name Changes

WHEREAS, The Town of Plattsburgh received a letter from Fred Lavene, Town of Plattsburgh Highway Superintendent, in regard to a request from Emergency Services to make a road name change; and

WHEREAS, Evergreen Townhouse Community has two roads, one named Tara Drive and the other ETC Circle, and County Emergency Services would like the road name ETC Circle removed from the active road list; and

WHEREAS, the two names shall be combined into one, named Tara Drive; therefore be it

RESOLVED, that ETC Circle be taken off the County list as a road name in the Town of Plattsburgh and that section of highway be included as a continuation of Tara Drive; and be it further

RESOLVED, that the Town Board of the Town of Plattsburgh hereby accepts the name change request from Fred Lavene and a certified copy of this Resolution be given to the Clinton County Emergency Preparedness Office and the Clinton County Planning Board.

Motion: Thomas E. Wood

Seconded by: Martin D. Mannix

Discussion: Mr. Mannix would like to present name options before the Board at a future work session.

Motion to Table Martin D. Mannix 2nd Gerard A. Renadette

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

Resolution No. 09-353

Promotion For Bruce Barber, Auto Mechanic

WHEREAS, the Town Board recently passed Resolution 09-320 authorizing the Budget Officer to create the position of Auto Mechanic adding the position to the current Teamster's salary schedule with the appropriate steps as computed and indicated by the attachment to this Resolution; and

WHREREAS, Mr. Fred Lavene, Highway Superintendent, has request, in the attached letter, that Mr. Bruce Barber, Auto Mechanic, be moved from step six of the salary schedule to step eight; now, therefore be it

RESOLVED, that Mr. Lavene's request be granted and, beginning the first pay period, following final approval of this Resolution, Mr. Barber be placed on step 8, for 2009, of the Auto Mechanic salary schedule, and that a copy of this Resolution be given to the Budget Officer.

Motion: Gerard A. Renadette

Seconded by: Martin D. Mannix

Discussion: Mr. Renadette commented on the amount work Mr. Barber has done and the amount of money his work has saved the Town by maintaining the fleet, in addition to the savings which will be incurred by bringing on a full-time mechanic.

Roll Call: YES NO

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

Resolution No. 09-354

Planning Board Appointment of David Kimmel

WHEREAS, a vacancy exist on the Planning Board; and

WHEREAS, David Kimmel is an alternate in good standing and is willing to serve on the Planning Board as a full member of the Planning Board, filling the unexpired term of Larry Duquette; therefore be it

RESOLVED, that the Town Board of the Town of Plattsburgh does hereby appoint David Kimmel, a resident of the Town of Plattsburgh, to the Planning Board for a term to expire December 31, 2015 and be it further

RESOLVED, that a copy of this Resolution be give to Phil Von Bergen, Department Head for Planning and Robert Pearl Chairperson for the Planning Board .

Motion: Thomas E. Wood

Seconded by: Gerard A. Renadette

Discussion: Mr. Renadette noted the importance of having knowledgeable individuals on the board. Mr. Mannix mentioned that Dave Kimmel has been a valuable alternate on the Planning Board and a member of the Comprehensive Land Reuse Committee. Mr. Kimmel also chairs the Airport Committee as well as maintaining the website. Mr. Wood noted that Mr. Kimmel's prior experience on the committee will be valuable.

Roll Call: YES NO

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

Resolution No. 09-355

Planning Board Re-Appointment-
Ann Brandell

WHEREAS, Ann Brandell is willing continue serving as a Planning Board Member and her term will expire 12/31/2009; therefore be it

RESOLVED, that the Town Board of the Town of Plattsburgh does hereby re-appoint Ann Brandell, a resident of the Town of Plattsburgh, to the Planning Board for a term to expire December 31, 2016; and be it further.

RESOLVED, that a copy of this Resolution be given to Board Chairperson Robert Pearl and to Philip Von Bargen Department Head

Motion: Martin Mannix
Seconded by: Thomas Wood

Discussion: Mrs. Brandell's length of service as a member of the Planning Board is a testament to the dedicated volunteerism within the Town. In recognition of this, Mr. Renadette would like to go on record stating he believes the Town should consider giving all volunteers the opportunity to go to the annual training seminars in NYC. Supervisor Bassett said it is worth looking into policies and budget issues to find out if it is financially and logistically feasible to send more members of the Planning Board.

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

Resolution No. 09-356

Board Of Assessment Review Re-Appointment
of Kevin Cosgrove

WHEREAS, Kevin Cosgrove is willing to continue serving as an Assessment Review Board Member and his term has expired; therefore be it

RESOLVED, that the Town Board of the Town of Plattsburgh does hereby re-appoint Kevin Cosgrove, a resident of the Town of Plattsburgh, to the Board of Assessment Review Board for a term to expire December 30, 2014; and be it further.

RESOLVED, that a copy of this Resolution be given to Board Chairperson Ted Luck and Effa Sullivan Town Assessor

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

Discussion:

Roll Call: YES NO

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

Resolution No. 09-357

Henry Hale's Appointment To The Zoning Board of Appeals

WHEREAS, a vacancy exist on the Zoning Board of Appeals; and

WHEREAS, Henry Hale is an alternate in good standing and would like to serve as a full member of the Zoning Board of Appeals, filling the unexpired term of Jay White; therefore be it,

RESOLVED, that the Town Board of the Town of Plattsburgh does hereby appoint Henry Hale, a resident of the Town of Plattsburgh, to the Planning Board Of Appeals for a term to expire December 31, 2012 ;and be it further

RESOLVED, that a copy of this Resolution be given to Steve Imhoff, Department Head for Codes and Zoning and Wally Day Chairperson for the Codes and Zoning Board.

Motion: Martin D. Mannix
Seconded by: Thomas E. Wood

Discussion:

Roll Call: YES NO

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

Resolution No.09-358

HOME Grant Payment Request # 3

RESOLVED, that, upon receipt of funds from the New York State Housing Trust, the Town Board of the Town of Plattsburgh does hereby grant and approve payment as indicated in the estimated total amount of \$22,425.00 for work related to the project listed as part of the Town of Plattsburgh's New York State HOME Program Grant Project No. 20083068 for HOME Rehabilitation,; and, it is further

RESOLVED, that all cost related to said projects have been approved by the designated Rehabilitation Specialist and the funds be allocated from the Housing Trust per the approved quotations to complete said work; and, it is further

RESOLVED, that the Town Supervisor be hereby authorized to make said approved payment for the project in accordance with the Agreement; and be it further

RESOLVED, that a certified copy of this Resolution be given to the Budget Officer and CEO of the LDC.

Motion: Martin D. Mannix

Seconded by: Gerard A. Renadette

Discussion: Thomas Wood would like to see a breakdown of the bill, in a different form, perhaps more clearly laid out, showing the amount of money paid out to the contractor and engineer.

Motion to Table: Thomas E. Wood Seconded by: Gerard A. Renadette ; all- yes

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

Resolution No. 09-359

Adoption of The 2010 Budget

WHEREAS, the Town Board of the Town of Plattsburgh has met at the time and place specified in the notice of public hearing to review the entire 2010 Preliminary Budget to hear all persons desiring to be heard thereon; now, therefore, be it

RESOLVED, that the Preliminary Budget be and hereby is adopted as the Final Budget for the Town of Plattsburgh for the fiscal year beginning the first day of January 2010 and that the Budget, as adopted, be entered in detail in the minutes of the proceedings of the Town Board; and, it is further

RESOLVED, that the Supervisor of the Town of Plattsburgh shall prepare and certify in duplicate, copies of said annual budget, as adopted by this Town Board, together with the Assessment Rolls for benefit improvements, adopted pursuant to Sections 116 and 202A, Subdivision 2 of the Town Law, and deliver one copy thereof to the Clinton County Board of Legislators.

Motion: Martin D. Mannix

Seconded by: Gerard A. Renadette

Discussion:

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

Resolution No. 09-360

**Amending Resolution 09-347 Request For Payment
Periodic Estimate No. 5 for Champlain Park Pump
Station, General**

WHEREAS, Luck Brothers Inc. has submitted request for payment, Request Number 4, for work done from August 19, 2009 to October 14, 2009 for Champlain Park Pump Station; and

WHEREAS, further review of the Request For Payment identified an error in section 4, item (h) "Less; Amount of previous payments" originally reported as \$1,089,110.20 but should have been reported as \$1,089,190.20 making the actual payment for Estimate No. 5, \$52,830.89 vs. \$52,911.03 as indicated in Resolution 09-347, therefore, be it

RESOLVED, that the Supervisor is hereby authorized to amend Resolution 09-339 adjusting payment for Periodic Estimate No. 5, dated October 20, 2009, to be in the amount of \$52,830.89 as payment to Luck Brothers, Inc. of 73 Trade Road, Plattsburgh, New York, 12901; and, it is further

RESOLVED, that said payment be made payable from the Champlain Park Pump Station District Improvement Capital Project and that a copy of this Resolution be given to the Budget Officer.

Motion: Martin D. Mannix

Seconded by: Gerard A. Renadette

Discussion: Amended motion to pay amount not to exceed \$52,901.03.

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

Carried:

Resolution No. 09-361

Plattsburgh Empire Zone Amendment

WHEREAS, New York State has created the Empire Zones Program to encourage industrial and commercial development in selected municipalities across the State; and

WHEREAS, The City of Plattsburgh, as an eligible municipality, received designation of an Empire Zone made up of sub-zones; and

WHEREAS, The City of Plattsburgh intends to revise the Plattsburgh Empire Zone boundaries to encourage industrial and commercial development in the Town of Plattsburgh; and

WHEREAS, the Town of Plattsburgh is committed to the development of new business within the proposed boundary revision acreage; and

WHEREAS, the Town of Plattsburgh wishes to support and concur with the Empire Zone boundary revision application; now, therefore be it

RESOLVED, that the Town of Plattsburgh Town Board, in its capacity as governing body of the Town of Plattsburgh, does hereby support and concur with the City of Plattsburgh Local Law No 5 of 2009 to amend the boundaries of the Plattsburgh Empire Zone.

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

Discussion:

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

Carried:

Resolution No. 09-362

Mike Cashman Appointment to the Zoning Board of Appeals

WHEREAS, a vacancy exist on the Zoning Board of Appeals as an alternate; and

WHEREAS, Mike Cashman is willing to serve on the Zoning Board of Appeals as an alternate member filling the unexpired term of Henry Hale; therefore be it,

RESOLVED, that the Town Board of the Town of Plattsburgh does hereby appoint Mike Cashman, a resident of the Town of Plattsburgh, as an alternate to the Zoning Board of Appeals for a term to expire December 31, 2010.

Motion: Thomas E. Wood
Seconded by: Martin D. Mannix

Discussion:

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

ADJOURNMENT

RESOLVED, that this Town Board meeting be adjourned at 8:10 PM.

Motion by: Thomas E. Wood
Seconded by: Gerard A. Renadette

Discussion:

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

Carried:

Motion to go into Executive Session:
to discuss work history of certain individuals

Motion to come out of Executive Session

Motion by: Thomas E. Wood
Second by: Gerard A. Renadette
Time: 7:50

Motion by: Marrantin D. Mannix
Second by: Gerard A. Renadette
Time: 8:09

Roll Call:	<u>YES</u>	<u>NO</u>	Roll Call:	<u>YES</u>	<u>NO</u>
Thomas E. Wood	x		Thomas E. Wood	x	
Sheila A. Brockway	absent		Sheila A. Brockway	absent	
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:

Carried:

Respectfully Submitted,

Rickey J. Collins, Town Clerk