

**TOWN OF PLATTSBURGH
TOWN BOARD MONTHLY MEETING
April 5, 2010**

The meeting was called to order at 6:35 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	
Gerard A. Renadette, Councilor		X
Martin D. Mannix , Councilor	X	
Paul D. Lamoy, Councilor	X	
Rickey J. Collins, Town Clerk	X	
James J. Coffey, Town Attorney	X	

Resolution No.010-131

Approve Minutes of the Previous Meeting

RESOLVED, that the minutes of March 15, 2010 and March 22, 2010 be approved and the reading of the minutes be dispensed with.

Motion by: Martin D. Mannix

Seconded by: Paul D. Lamoy

Discussion:

Roll Call:

YES

NO

Thomas E. Wood	x
Gerard A. Renadette	absent
Martin D. Mannix	x
Paul D. Lamoy	x
Bernard C. Bassett	x

Carried:

PUBLIC RECOGNITION

Present: Dan Heath

Comments:

Resolution No. 010-132

Abstract 4A

RESOLVED, that the abstract of audited claims **No.4A-10 (678-813)** for \$414,825.06 **Abstract 4A-10 (141-171)** prepays for the amount \$691,959.04 and be received as reviewed by the Audit Committee and the Supervisor is hereby authorized to pay said abstracts.

Motion: Paul D. Lamoy
Seconded by: Thomas E. Wood

Discussion:

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

Carried:

Resolution No. 010-133

Building Maintenance and Safety Committee
Monthly Report

RESOLVED, to receive and place on file reports from Art Brault, Building Maintenance Supervisor, for the month of March 2010.

Motion: Thomas E. Wood
Seconded by: Paul D. Lamoy

Discussion:

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

Carried:

Resolution NO. 010-134

Highway Superintendent Monthly Report

RESOLVED, to receive and place on file a report from Fred Lavene, Superintendent of Highways, for the month of March 2010.

Motion: Martin D. Mannix
Seconded by: Paul D. Lamoy

Discussion:

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

Resolution No.010-135

Historian's Monthly Report

RESOLVED, to receive and place on file the Historian's Monthly Report for the month of March 2010.

Motion: Paul D. Lamoy
Seconded by: Thomas E. Wood

Discussion:

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

Resolution No.010-136

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 March 2010.

Motion: Martin D. Mannix
Seconded by: Paul D. Lamoy

Discussion: There has been positive feedback on the new recreation brochure.

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

Carried:

Resolution No. 010-137

Janet Sosnicki's Letter of Resignation & Retirement

WHEREAS Sosnick, of the Youth Services and Recreation Department, has submitted a letter of resignation announcing her intent to retire effective April 30, 2010; therefore, be it

RESOLVED, that the Town Board, with appreciation for the years of service to the Town of Plattsburgh, accept this resignation and place on file Ms. Sosnicki's confirmation letter of retirement with the New York State Retirement Board; and be it further

RESOLVED, that the Supervisor send a letter of appreciation on behalf of the Town Board thanking Ms. Sosnicki for her dedication and years of service to the Town.

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

Discussion:

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

Carried:

Resolution No. 010-138

Northern New York Veterans Memorial Cemetery

WHEREAS, the Clinton County Veterans Affairs Office has duly supported the development of a State or National Veterans Cemetery in the North Country; and

WHEREAS, the Town of Plattsburgh recognizes the dedication of service many North Country veterans have made and, with due respect, wishes to support the request of the local Veterans Office to develop an appropriate site in the North Country; and

WHEREAS, the North Country, and within the Town of Plattsburgh, there is a long military history with many decisive battles having been fought on our soils; and

WHEREAS, the Town of Plattsburgh is the center for commercial and economic development as well as host to most visits by tourist and able to provide appropriate lodging and other accommodations needed by visitors; and

WHEREAS, there is sufficient property within the Town of Plattsburgh to accommodate the location of a Veterans Memorial Cemetery; therefore be it

RESOLVED, that the Town Board of the Town of Plattsburgh supports the development of a State or National Veterans Cemetery in the North Country; and be it further

RESOLVED, that the Town Board supports the location of said Cemetery on a site that would be appropriate for a memorial cemetery with consideration of accessibility for visitors, respect for veterans and their families and complying with all codes and ordinances relevant to the creation of a Veterans Memorial Cemetery within our municipality.

Motion: Paul D. Lamoy
Seconded by: Thomas E. Wood

Discussion: Supervisor Bassett said it would be a great honor to support the efforts of this project.

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

Resolution No. 010-139 **Authorizing the Supervisor To Execute a Stipulated Order And Judgment Between the Town of Plattsburgh and Apple Valley Hydraulics**

WHEREAS, The Town of Plattsburgh and Apple Valley Hydraulics are in agreement with a stipulation to resolve issues of concern with the scope of repair work performed by the Town on certain backflow prevention devices and said stipulation has been placed on the record; and

WHEREAS, in the absence of a bona fide emergency the Town of Plattsburgh shall hereafter be enjoined from repairing backflow prevention devices; and

WHEREAS, the State of New York Supreme Court has stipulated that the Town of Plattsburgh shall not knowingly allow its employees to take or use Town equipment or materials, as indicated by the attached Stipulated Order and Judgment, to test and or repair certain backflow devices but shall be allowed to clean and/or lubricate, without limitation and without additional payment for such cleaning or lubrication, any and all backflow prevention devices, which, in its sole discretion and judgment, require such cleaning and/or lubrication provided that such occurs in conjunction with a mandated test of the device; therefore be it

RESOLVED, that after review by the Town Attorney and Director of Waste Water Utilities the Supervisor, for the Town of Plattsburgh, is authorized to execute the attached Stipulated Order and Judgment as indicated.

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

Discussion: TABLED

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

Resolution No. 10-140

Setting A Public Hearing To Review Proposed Amendments To The Town Zoning Ordinance

WHEREAS, the Zoning Ordinance provides that amendments to Ordinances may be initiated by Town Board appointment of a committee for the purpose of amending the ordinance, and

WHEREAS, a committee authorized by the Town Board was established and is comprised of two Town Councilors, town citizens and Town staff officials (herein referred to as the “committee”) to review the Town of Plattsburgh 1999 Comprehensive Master Plan and make recommendations for changes, additions or modifications to the 1999 Master Plan including consideration for rezoning the former Clinton County Airport; and

WHEREAS, said committee, chaired by Dr. Colin Read, having met since July 2008, did submit a draft recommended zoning amendment for the Town Board to consider amending the Town of Plattsburgh November 2007 Zoning Ordinance regarding the former Clinton County Airport located south of route 3, west of Military Turnpike and north of the Saranac River, comprising an area of approximately 600 acres, which is proposed for sale by the Clinton County Legislature; and

WHEREAS, the Town Board desires after discussing the draft recommended amendment submitted by the committee to distribute a draft March 2010 amendment for the Zoning Ordinance to the appropriate agencies in accordance with Article XIII, Section 13.3 and 13.4 of the Town Zoning Ordinance and Section 264 and 265 of New York Town Law as follows:

1. Town Planning Board; and
2. Clinton County Planning Board; and
3. Adjacent municipalities bordering within 500 feet of the area affected by the proposed amendment;

WHEREAS, NY Town law and the zoning ordinance requires a public hearing on proposed amendments be held to consider the advisability of rezoning a portion of the Clinton County Airport District by amendment to the Zoning Ordinance of the Town of Plattsburgh; and

WHEREAS, Part 617 of the Environmental Conservation Law - "State Environmental Quality Review Act", Section 8-0113 (SEQRA herein) provides for the review of any "ACTION" to determine the effect of said Action on the environment, along with any related administrative procedures for the implementation, authorization or approval of said Action; and

WHEREAS, Part 617.12 (b)-(2) of SEQRA, provides that “the adoption of changes in the allowable uses within any zoning districts affecting 25 or more acres,” mandates the proposed amendments to said Zoning Ordinance and said Zone Map Amendment as a TYPE I ACTION which requires specific acts by the Town of Plattsburgh prior to the adoption or rejection of said proposed amendments; and

WHEREAS, said determination of the effect of said action on the environment will be necessary to determine whether a Draft Environmental Impact Statement (DEIS) is required; and

WHEREAS, the Town Board is considered an involved agency in accordance with SEQRA for the purpose of assessing the effect of this "Zoning amendment" on the environment and whether or not said effect is significant enough to warrant the preparation of a Draft Environmental Impact Statement (DEIS); and

WHEREAS, the Town Board shall direct and have prepared the required long environmental assessment form (EAF); and

WHEREAS, the Town of Plattsburgh, as the project sponsor, is required to review and use the EAF to determine the significance of said proposed amendments; and now, therefore be it

RESOLVED, the Town Board, does hereby determine that the proposed project is a TYPE I ACTION and a coordinated review under SEQRA will be conducted with the Town of Plattsburgh requesting to be Lead Agency; and

RESOLVED, that the Town of Plattsburgh Town Board does hereby receive and place on file the draft March 2010 amendment for the Zoning Ordinance; which changes are as set forth in the attached draft March 2010 Airport Development District Zoning Ordinance Amendment Article XV; and it is further

RESOLVED that the Town Board shall hold a public hearing in relation to the proposed amendment to the Zoning Ordinance for the Town of Plattsburgh at the Town Hall in the Town of Plattsburgh, at 151 Banker Road, Plattsburgh, Clinton County, New York 12901 on the *3rd day of May, 2010 at 6:35 o'clock* P.M., [Eastern Daylight Savings Time], and be it further

RESOLVED that pursuant to the provisions of Article XIII, Section 13.3 and 13.4 of the Town Zoning Ordinance, the Town Clerk shall cause a notice of the time and place of said public hearing to be published in The Press Republican, a paper of general circulation in the Town of Plattsburgh at least once on or before the *22nd day of April, 2010*; and such notice be posted in the Town Hall and such notice be given to necessary adjoining municipalities and the Clinton County Planning Board and such other agencies and parties as required by law.

Motion: Martin D. Mannix

Seconded by: Paul D. Lamoy

Discussion: Supervisor Bassett noted the meetings being held on April 17th and 22nd. April 17 will be a causal open house meeting, and April 22 will be a formal meeting of the committee to gather input on master plan; the community is invited to attend both meetings. Phil Vonbargen gave a presentation, and discussed the importance of rezoning and making amendments to town ordinances to ensure future development of the old county airport in a way that will compliment the vision of the Town’s master plan.

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

Resolution No.010-141

Junkyard License Renewal 24 Flanagan Drive

WHEREAS, the Town Clerk has received an application and fees for a license to operate a junkyard business from Ricky Lyman’s Auto 24 Flanagan Drive; and,

WHEREAS, Steve Imhoff, Code Enforcement Officer, has completed inspection of the junkyard the applicant is in compliance; now, therefore it is

RESOLVED, that the Town Board of the Town of Plattsburgh does hereby receive and place on file said application and authorize the Town Clerk to issue a junkyard license to the aforementioned applicant in compliance with the letter issued by Steve Imhoff, Code Enforcement Officer of the Town of Plattsburgh.

Motion by: Martin D. Mannix
Seconded by: Paul D. Lamoy

Discussion: Mr. Imhoff commented on the need for consistency with issuing junk yard licenses each year. Counselors discussed the definition of the term, “adequate barrier.”

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

Resolution No.010-142

Junkyard License Renewal for 55 Hammond Lane

WHEREAS, the Town Clerk has received an application and fees for a license to operate a junkyard business from Phyllis Parameter, 55 Hammond Lane; and,

WHEREAS, Steve Imhoff, Code Enforcement Officer, has completed inspection of the junkyard, and the applicant is in compliance; now, therefore it is

RESOLVED, that the Town Board of the Town of Plattsburgh does hereby receive and place on file said application and authorize the Town Clerk to issue a junkyard license to the aforementioned applicant in compliance with the letter issued by Steve Imhoff, Code Enforcement Officer of the Town of Plattsburgh.

Motion: Paul D. Lamoy
Seconded by: Martin D. Mannix

RESOLVED, that the Town Board, of the Town of Plattsburgh, does hereby receive and place on file said application and authorize the Town Clerk to issue a junk yard license to the aforementioned applicant in compliance with the letter issued by Steve Imhoff , Code Enforcement Officer of the Town of Plattsburgh.

Motion: Paul D. Lamoy

Seconded by: Martin D. Mannix

Discussion: Mr. Imhoff discussed the fenced in portion of the junkyard and the boundaries of Mr. Champagne’s property. The aesthetic value of tank barriers will be a concern in the future.

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

Carried:

Resolution No. 010-145 Authorizing The Purchase of 16 Hardwood Court Benches

WHEREAS, the Town of Plattsburgh Town Court has seen significant growth and activity that has added new demands on Court personal and the need to improve facilities; and

WHEREAS, the Town of Plattsburgh had successfully submitted a Justice Court Assistance Program (JCAP) Grant, that was awarded, to help fund Town Court improvements that included supplies and modifications to Court seating; now, therefore be it

RESOLVED, that the attached request by Arthur Brault, Building Maintenance Supervisor, to purchase sixteen (16) sixteen Hardwood Benches for the courtroom to replace folding metal chairs that are currently in use be approved; and be it further

RESOLVED, that after receiving quotes for said purchase Global Industrial Company of 11 Harbor Park Drive, Port Washington, New York 11050 has given the best price of \$502.95 each for a total cost of \$8,047.20 plus shipping; and be it also

RESOLVED, that an amount not to exceed \$8,500.00 be authorized to pay for said benches inclusive of \$8,000.00 that has been received from the JCAP Grant for the purchase and installation of the new court benches with the balance funded by building improvements; and be it further

RESOLVED, that a copy of this Resolution be given to the Building Maintenance Supervisor, Budget Officer and Bookkeeper.

Motion: Paul D. Lamoy

Seconded by: Martin D. Mannix

Discussion: The new benches will be anchored, which will alleviate any security issues involved with the folding chairs now used.

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

Resolution No. 010-146 **Request For Payment Periodic Estimate No. 2**
Champlain Park Manhole and Sewer Project

WHEREAS, Jan N. Chauvin of Ed Garrow and Sons, Inc. has submitted a request for payment, Request No. 1, for work done from January 2, 2010 to February 19, 2010 for Champlain Park Sewer and Manhole Project; and

WHEREAS, Ronald J. Laberge, PE Consulting Engineer for the Town of Plattsburgh, and Dave Comfort, Director of Water Wastewater Department for the Town of Plattsburgh have reviewed and verified said work and recommend payment as indicated in a letter dated March 8, 2010; now, therefore, be it

RESOLVED, that the Supervisor is hereby authorized to make Payment No.2 for Voucher dated in February 25, 2010 in the amount of \$64,564.34 as periodic Estimate No. 2 payment to Edward Garrow & Sons, Inc.; and, it is further

RESOLVED, that said payment be made payable to Ed Garrow and Sons Inc. 982 Military Turnpike, Plattsburgh, New York, from the Champlain Park Sewer Project (EFC) and that a copy of this Resolution be given to the Budget Officer.

Motion: Paul D. Lamoy
Seconded by: Martin D. Mannix

Discussion: Supervisor Bassett has followed up on this with Dave Comfort to ensure the accuracy of this payment.

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

Resolution No. 010-147

**Appointment of Erin Pangborn As
Recreation Program Coordinator**

WHEREAS, the resignation of Janet Sosnicki will create vacancy in the Town of Plattsburgh Parks and Recreation Department in the position of Recreation Program Coordinator; and

WHEREAS, Melanie Defayette, Recreation Director, recommends the position be filled to enable the Youth Service and Recreation Department to continue to provide programs and services to the community; and

WHEREAS, the Director has solicited applications and conducted interviews of interested and qualified applicants; therefore, be it

RESOLVED, that Erin Pangborn, an applicant qualified by Civil Service, be appointment provisionally to fill said vacancy pending her successful completion of the next Civil Service Exam; and be it further

RESOLVED, that the Town Board of the Town of Plattsburgh appoint Ms. Erin Pangborn as Recreation Program Coordinator Assistant effective April 15, 2010 on step 1 of the Administrative Agreement at the salary of \$36,057.00 pending the official resignation of Ms. Sosnicki and at the time be appointed Recreation Program Coordinator; and be it further

RESOLVED, that a copy of this Resolution be given to the Budget Officer, Recreation Director and a copy be forwarded to the Clinton County Department of Personnel for Civil Service final approval and filing.

**Motion: Martin D. Mannix
Seconded by: Paul D. Lamoy**

Discussion: Counselor Mannix fully supports this decision and sees Ms. Pangborn as an outstanding candidate for this position.

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

Resolution No. 010-148

**HOME Request # 12 as Payment For
DHCR Disbursement #16**

WHEREAS, all cost related to said project work has been inspected and approved by the designated Rehabilitation Specialist for said work, and he recommends that funds be allocated from the Housing Trust per the approved quotations for completed work; therefore be it

RESOLVED, that the Town Board, of the Town of Plattsburgh, does hereby grant and approve payments (see attached) in the total amount of \$400 as payment for DHCR Disbursement Request #16 for work related to the project listed as part of the Town of Plattsburgh's New York State HOME Program Grant Project No. 20083068; and, it is further

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

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

Motion: Paul D. Lamoy
Seconded by: Thomas E. Wood

Discussion:

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

ADJOURNMENT

RESOLVED, that this Town Board meeting be adjourned at 7:55 PM.

Motion by: Martin D. Mannix
Seconded by: Paul D. Lamoy

Discussion:

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

Respectfully Submitted,

Rickey J. Collins, Town Clerk