

**TOWN OF PLATTSBURGH
TOWN SEMI-MONTHLY MEETING
July 19, 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.010-239

Approve Minutes of the Previous Meeting

RESOLVED, that the minutes of July 6, 2010 and July 12, 2010 be approved and the reading of the minutes be dispensed with.

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

Discussion:

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

Carried:

PUBLIC RECOGNITION

Present: Debbie Blake read a written statement regarding the rifle law on Cumberland Head. **Counselor Mannix** made a corrective statement for the record. **Attorney Jim Coffey** clarified that the current law applies only to the use of firearms, not hunting.

Comments:

Resolution No. 010-240

Abstract 7B-10

RESOLVED, that the abstract of audited claims **No.7B-10 (1614- 1747)** for \$1,539,232.37, and **Abstract 7B-10 (295-314)** prepays for the amount \$244,096.56 be received as reviewed by the Audit Committee and the Supervisor is hereby authorized to pay said abstracts.

Motion: Paul D. Lamoy

Seconded by: Gerard A. Renadette

Discussion:

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

Carried:

Resolution No. 010-241

**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 June 2010.

Motion: Thomas E. Wood

Seconded by: Gerard A. Renadette

Discussion:

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

Resolution No.010-242

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, 2010.

Motion: Paul D. Lamoy

Seconded by: Martin D. Mannix

Discussion: Supervisor Bassett pointed out that there has been steady activity within the Town, even amidst hard economic times.

Roll Call:

YES

NO

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

Carried:

Resolution No. 010-243

Highway Superintendent’s Monthly Report

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

Motion: Gerard A. Renadette

Seconded by: Thomas E. Wood

Discussion: Counselor Renadette spoke with Mr. Lavene about the work done on the lowboy trailer, which was cost effective, and another example of the Highway Department’s efficiency in keeping their equipment in good working order and watching out for the tax payer’s dollar.

Roll Call:

Yes

No

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

Resolution No.010-244

Historian’s Monthly Report

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

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

Discussion: Supervisor Bassett commented on the recent activity in the Historian’s Office, including the successful float in the City parade.

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

Resolution No.010-245

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, 2010.

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

Discussion:

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

Carried:

Resolution No.010-246

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, 2010.

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

Discussion: There was discussion between Supervisor Bassett and the counselors regarding many of the new plans for Route 3 and Tom Miller Road development.

Roll Call: YES NO

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

Resolution No.010-247

SUPERVISOR'S MONTHLY FINANCIAL REPORT

RESOLVED, to receive and place on file the Supervisor's Financial Report for the month of June 2010

Motion: Gerard A. Renadette

Seconded by: Paul D. Lamoy

Discussion:

Roll Call: YES NO

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

Carried:

Resolution No. 010-248

Town Clerk's Monthly Report

RESOLVED, to receive a report from Rickey Collins, Town Clerk, for the month of June 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	x	
Martin D. Mannix	x	
Paul D. Lamoy	x	
Bernard C. Bassett	x	

Carried:

Resolution No. 010-249

Water WasteWater Department's Monthly Report

RESOLVED, to receive and place on file a report from David Comfort, Director of the Water and Wastewater Department, for June 2010.

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

Discussion:

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

Carried: Counselor Renadette commended Mr. Comfort and the Water/Wastewater Department for providing the Town with consistently safe drinking water. There was also discussion among Supervisor Bassett and the counselors regarding the reasonable water rates.

Resolution No. 010-250

Promotion of Jason Hendrie as Water & Wastewater Maintenance Supervisor In the Water Wastewater Department

WHEREAS, a vacancy exists for the position of Water and Wastewater Maintenance Supervisor in the Water and Wastewater Department; and

WHEREAS, Jason Hendrie has been employed in the Town of Plattsburgh since 1997 W/WW Department since 2007 and has held the position of Water & Wastewater Maintenance Worker II since June 2009, and

WHEREAS, Assistant Water and Wastewater Superintendent Paul Wright recommends Mr. Hendrie; therefore, be it

RESOLVED, that the Town Board, of the Town of Plattsburgh, does hereby authorize the appointment of Jason Hendrie to fill the vacant position of Water & Wastewater Maintenance Supervisor at an hourly rate of \$21.54, as indicated by the current negotiated pay scale, and on the second year off step, the same as his current position; and, be it further

RESOLVED, that this appointment become effective the first full pay period following final Civil Service approval and that the Supervisor is hereby authorized to sign all necessary documents for the permanent appointment of Jason Hendrie to the position of Water & Wastewater Maintenance Supervisor with a probation period not to exceed six months; and, it is further

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

Motion: Thomas E. Wood

Seconded by: Gerard A. Renadette

Discussion: Counselor Wood questioned the Civil Service timeline for review and approval—discussion on this topic ensued between Supervisor Bassett and the counselors.

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

Resolution No. 010-251

Site Plan Deposit and Escrow Account Return for JCEO/ White Pines Commons

WHEREAS, the Town of Plattsburgh has received the attached letter dated July 8, 2010, from Mr. Bruce Garcia, Chief Executive Officer for JCEO, requesting the release of funds held in escrow by the Town of Plattsburgh and funds in their construction deposit account; and

WHEREAS, all required work has been completed and inspected by the Town's Water Waste Water Director and the Town's Highway Superintendent who report all requirements have been met; and

WHEREAS, Mr. Garcia, has requested that all funds be released from the Sewer Escrow Account, held by the Key Bank at 2 Brinkerhoff Street, Plattsburgh, NY, 12901, with the exception of \$10,000.00 to be retained by the Town as their contribution towards a generator, to be purchased and owned by the Town of Plattsburgh, for use at White Pine Commons in cases of emergency and other locations as the Town may need; now, therefore be it

RESOLVED, that the Supervisor is hereby authorized and directed to release the construction deposit, plus accrued interest to date, as well as all funds in the Key Bank Sewer Escrow account; and it is further

RESOLVED, that a certified copy of this Resolution be forwarded to the Budget Officer, with the return of deposit to be given to, JCEO, 54 Margaret Street, Plattsburgh, New York 12901 to the attention of Mr. Garcia.

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

Discussion: Counselor Lamoy followed up on this issue and said it has been resolved.

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

Resolution No. 010-252 **Independent Contractor for Assessor's Office**

WHEREAS, The Town of Plattsburgh has accepted the Retirement of Effa Sullivan effective July 31, 2010 leaving a vacancy in that position; and

WHEREAS, Ms. Sullivan wishes to enter into an Agreement to provide services as needed to meet the Town's needs and is willing to serve as an Independent Contractor; therefore be it

RESOLVED, that the Town of Plattsburgh, a municipal corporation organized and existing under and by virtue of the laws of the State of New York with offices and principal place of business at 151 Banker Road, Plattsburgh, New York, party of the first part, and Effa Sullivan (the "Contractor"), now residing at 2391 State Route 3, Cadyville, NY 12918, party of the second part, in consideration of the promises, mutual covenants wishes to enter into an agreement for services ; and, be it further

RESOLVED, that Ms. Sullivan is an independent contractor and shall not be considered an employee or agent for the Town and as Contractor is hereby prohibited from assigning, transferring, conveying, subletting or otherwise disposing of this Agreement or her right, title or interest herein; and, be it further

RESOLVED, that, after review by the Town Attorney, the Supervisor is duly authorized and empowered to execute the attached Agreement on behalf of the Town of Plattsburgh and a copy of said Agreement be given to the Budget Officer.

Motion: Gerard A. Renadette

Seconded by: Paul D. Lamoy

Discussion: Supervisor Bassett finds it prudent to have Ms. Sullivan available for the assessing department in the Town, as needed, in the interim, while the Town fills the position. Ms. Sullivan is also assisting with the writing of the job description.

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

RESOLUTION No. 010-253 **Authorizing Adoption Of Local Law No. 1 Of The Year 2010**

WHEREAS, a Resolution was duly adopted by the Town Board of the Town of Plattsburgh for a public hearing to be held on July 6, 2010 at the Town Hall located at 151 Banker Road, Plattsburgh, New York, 12901 to hear all interested parties on a proposed Local Law entitled "Local Law Prohibiting the Use of Rifles in the Cumberland Area of The Town of Plattsburgh; and

WHEREAS, notice of said public hearing was advertised in the Press Republican, the official paper of the Town of Plattsburgh, on June 30, 2010; and

WHEREAS, said public hearing was duly held on July 6, 2010 and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said proposed Local Law, or any part hereto; and

WHEREAS, the Town Board, after due deliberation, finds it in the best interest of the Town to adopt said Local Law; now, therefore be it

RESOLVED, that the Town Board, of the Town of Plattsburgh hereby adopts Local Law No. 1 entitled “**Local Law Prohibiting The Use Of Rifles In The Cumberland Head Area Of The Town of Plattsburgh**”, a copy of which is attached hereto and made a part of this Resolution, and be it further

RESOLVED, that the Town Clerk be and he hereby is directed file Local Law No. 1 of the year 2010 with the Department of State, of the State of New York, as required by Section 27, subdivision 1 of the Municipal Home Rule Law and that this Resolution shall be effective immediately.

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

Discussion: Counselor Renadette stated for the record, that this law is *not* an attempt to ban hunting on Cumberland Head, nor is it an attempt to ban the use of shotguns, black powder, or muzzleloaders. Based on requests from citizens of Cumberland Head, the intent of this law is to restrict the type of firearms that can be used in that area. Counselor Mannix noted that the law is *not* denying one the right to own weapons of his or her choice; it simply prohibits the use of rifles on Cumberland Head. This law is to protect the people of Cumberland Head. Attorney Coffey added that the Town should make a greater effort to put up notice in the area.

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

ADJOURNMENT

RESOLVED, that this Town Board meeting be adjourned at 8:49 PM

Motion by: Paul D. Lamoy
Seconded by: Gerard A. Renadette

Discussion:

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

Motion to go into Executive Session **Motion to come out** of Executive Session

To discuss employment history of two employees.

Motion by: Paul D. Lamoy
Seconded by: Thomas E. Wood
Time: 8:02

Motion by: Gerard A. Renadette
Seconded by: Martin D. Mannix
Time: 8:48

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