

**TOWN OF PLATTSBURGH
TOWN BOARD MONTHLY MEETING
October 3, 2011**

The presiding officer at the Town Hall on the Banker Road called the meeting to order at 6:35 P.M.

MEMBERS:	<u>Present</u>	<u>Absent</u>
Bernard C. Bassett, Supervisor	X	
Thomas E. Wood, Councilor	X	
Martin D. Mannix, Councilor	X	
Paul D. Lamoy, Councilor	X	
Gerard A. Renadette, Councilor	X	
Rickey J. Collins, Town Clerk	X	
James J. Coffey, Town Attorney	X	

Resolution No.011-306

Approve Minutes of the Previous Meetings

RESOLVED, that the minutes of August 15, 22, and September 6, 12,19, 2011 be approved and the reading of the minutes be dispensed with.

Motion by: Thomas E. Wood

Seconded by: Paul D. Lamoy

Discussion:

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

PUBLIC RECOGNITION

Present: Tom Metz, Dan Heath, Katherine Kline, Debbie Blake

Comments: No comments made

Resolution No. 011-307

Abstract 10A-11

RESOLVED, that the abstract of audited claims **No.10A-11 (2124-2232)** for \$212,324.36 **Abstract 10A-11 (360-377)** prepays for the amount \$448,341.51 and be received as reviewed by the Audit Committee and the Supervisor is hereby authorized to pay said abstracts.

Motion: Gerard A. Renadette

Seconded by: Thomas E. Wood

Discussion: No

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

Motion Carried	<u>(Yes)</u>	<u>No</u>	<u>Tabled</u>
	X		

Resolution NO. 011-308

Highway Superintendent’s Monthly Report

RESOLVED, to receive and place on file a report from Fred Lavene, Superintendent of Highways, for the month of September 2011.

Motion: Paul D. Lamoy

Seconded by: Martin D. Mannix

Discussion: Yes

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

Motion Carried:	<u>(Yes)</u>	<u>No</u>	<u>Tabled</u>
	X		

Resolution No.011-309

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 October 2011.

Motion: Gerard A. Renadette

Seconded by: Thomas E. Wood

Discussion: Yes

Roll Call:	<u>Yes</u>	<u>No</u>	<u>Absent</u>
Thomas E. Wood	X		
Martin D. Mannix	X		
Paul D. Lamoy	X		
Gerard A. Renadette	X		
Bernard C. Bassett	X		
Motion Carried	<u>(Yes)</u> X	<u>No</u>	<u>Tabled</u>

Resolution No. 011-310

**Town of Plattsburgh Web Site Management
Independent Contractor/Consultant Agreement**

WHEREAS, the consulting firm Kimmel Technology Integration Services located at 15 Duke Ave, Cadyville New York, has prepared and submitted a proposal between the Town of Plattsburgh and David Kimmel to provide website development and management on a contractual basis for 2011; 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 David Kimmel (the "Contractor"), now residing at 15 Duke Ave, Cadyville, NY 12918, party of the second part, in consideration of the promises, mutual covenants and Agreement attached, do hereby mutually agree; and, be it further

RESOLVED, that Mr. Kimmel 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 his 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 and that this Resolution become effective immediately.

Motion: Martin D. Mannix

Seconded by: Thomas E. Wood

Discussion: Yes

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

Motion Carried:	<u>(Yes)</u>	<u>No</u>	<u>Tabled</u>
	X		

Resolution No. 011-311

North Country Life Flight

WHEREAS, North Country LIFE FLIGHT, Inc. is a not-for-profit, tax exempt Corporation which is responsible for all aspects of patient care by providing medical equipment, training medical personnel and administering the medical portion utilizing the New York State Police helicopter based in Saranac Lake and private fixed-wing aviation resources; and

WHEREAS, the New York State Police and private fixed-wing aviation resources do not provide a medically trained team or medical equipment for patient transports; and

WHEREAS, the people of Clinton, Essex, Franklin, Hamilton and St. Lawrence Counties receive a vital emergency medical service, which is free of charge to critically ill and seriously injured patients and therefore municipal governments are asked to pledge monies for this worthwhile program; now, therefore, be it

RESOLVED, that the Town Board of the Town of Plattsburgh hereby authorizes the Supervisor to enter into a contract with North Country LIFE FLIGHT, Inc., for the purpose of operation the medical component of the medivac program which will serve its residents and visitors, for the amount of \$1,500.00, which represents the Town's share for 2012; and be it further

RESOLVED, that the sum of \$1,500.00 shall be charged to the Community Services Fund Account for the 2012 budget and be it further

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

Motion: Paul D. Lamoy

Seconded by: Thomas E. Wood

Discussion: Yes

Roll Call:	<u>Yes</u>	<u>No</u>	<u>Absent</u>
Thomas E. Wood	X		
Martin D. Mannix	X		
Paul D. Lamoy	X		

	Gerard A. Renadette	X		
	Bernard C. Bassett	X		
Motion Carried:		(Yes)	No	<u>Tabled</u>
		X		

Resolution No. 011-312 **Authorize Highway Superintendent to Rent, Borrow Lease or Exchange Equipment in Shared Service Agreement**

WHEREAS, all municipalities, including the Town of Plattsburgh, have the power and authority to contract for the purpose of renting, leasing, exchanging, borrowing or maintaining of machinery and equipment, with or without operators, with other municipalities; and,

WHEREAS, it is hereby determined that the Town of Plattsburgh and other municipalities have machinery, equipment, materials and supplies which are not used during certain periods; and

WHEREAS, it is hereby determined that by renting, borrowing, lending, exchanging, leasing or maintaining highway machinery equipment materials and supplies the Town of Plattsburgh and other municipalities may avoid the necessity of purchasing certain needed highway machinery and equipment and the purchasing of or storing a large inventory of certain extra materials and supplies, thereby saving the taxpayers money; and,

WHEREAS, it is incumbent upon each municipality to design a simple method whereby materials, supplies, equipment and machinery, including the operators thereof, may be obtained or maintained with a minimum of paperwork and inconvenience and with a swift process; and,

WHEREAS, it is the intent of the Town of Plattsburgh Town Board to give the Highway Superintendent the authority to enter into renting, exchanging, borrowing, lending or maintaining arrangements with the persons serving in similar capacities in other municipalities without the necessity of obtaining approval of the Town Board prior to the making of each individual arrangements; and

WHEREAS, a standard contract has been prepared which is expected to be adopted and placed into effect in other municipalities, and will grant the person holding the position comparable to that of the Highway Superintendent, authority to make similar arrangements; and

WHEREAS, it is hereby determined that it will be in the best interest of the Town of Plattsburgh to be a party to such shared services arrangements; now, therefore be it

RESOLVED that the chief executive officer of the Town of Plattsburgh is hereby authorized to sign, on behalf of the Town of Plattsburgh, a shared services agreement with the noted municipalities upon the Town Attorney approving said contract; and, be it further

RESOLVED, that this Resolution become effective immediately and a copy of this Resolution and final executed agreement be given to the Budget Officer, Highway Superintendent and given to the Bookkeeper for placement in the policy handbook and; be it further

RESOLVED, that the Town Clerk and the Highway Superintendent execute this Agreement between the Town of Plattsburgh and other Municipalities as indicated by the attached agreement.

Motion: Gerard A. Renadette

Seconded by: Thomas E. Wood

Discussion: Yed

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

Motion Carried:	<u>(Yes)</u>	<u>No</u>	<u>Tabled</u>
	X		

Resolution No. 011-313

**Advertisement for Bids Designed for
Garage Main Heating Units**

WHEREAS, the Town Board has previously authorized the improvements required for the Garage Gas Main Heating Units projects; and

WHEREAS, the consulting Engineers, Laberge Engineering & Consulting Group Ltd. is preparing bid sheets for the remaining materials, equipment, machinery, and apparatus to facilitate completion of these projects; therefore be it

RESOLVED, that the Town Clerk is hereby authorized to advertise for bids for the project entitled **Gas Main Heating Units** and that said advertisement shall be placed in the official newspaper of the Town as soon as possible and, it is further

RESOLVED, on Monday, October 17, 2011, at 2:00 PM, prevailing time, at the Town Hall, Office Complex, Town Clerk, will publicly open sealed bids, and be it further

RESOLVED, that the Town of Plattsburgh Town Board does reserve the right to reject any or all bids offered and request that a non collusion bid certificated be included with each offer; and be it further

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

Motion: Gerard A. Renadette

Seconded by: Martin D. Mannix

Discussion: Yes

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

Motion Carried:	<u>(Yes)</u>	<u>No</u>	<u>Tabled</u>
	X		

Resolution No. 011-314

**Authorization to Advertisement for Bid
Request for Natural Gas Piping**

WHEREAS, the Town Board has previously authorized the improvements required for the Garage Gas Main Heating Units projects; and

WHEREAS, an advertisement for bids for Natural Gas Piping is needed to assist in advance the project; and

WHEREAS, the consulting Engineers, Laberge Engineering & Consulting Group Ltd. is preparing RFP's for the remaining materials, equipment, machinery and apparatus to facilitate completion of these projects; therefore be it

RESOLVED, that the Town Clerk is hereby authorized to advertise for bids for the project entitled **Natural Gas Piping** and that said advertisement shall be placed in the official newspaper of the Town as soon as possible; and, it is further

RESOLVED, on Monday, October 17, 2011, at 2:15 PM, prevailing time, at the Town Hall, Office Complex, 151 Banker Road, Plattsburgh, NY 12901 the Town Clerk, will publicly open sealed bids; and, be it further

RESOLVED, that the Town of Plattsburgh Town Board does reserve the right to reject any or all bids offered; and be it further

RESOLVED, a copy of this Resolution is to be given to the Budget Officer and the Town Clerk.

Motion: Thomas E. Wood

Seconded by: Martin D. Mannix

Discussion: Yes

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

Motion Carried:	<u>(Yes)</u>	<u>No</u>	<u>Tabled</u>
	X		

Resolution No. 011- 315 **New York Rural Water Association (NYRWA) & Water & Wastewater Department Agreement for Sanitary Sewer Leak Smoke Test in Champlain Park**

WHEREAS the Water & Wastewater Department is responsible for the maintenance of the Sanitary Sewer Main system in the Town of Plattsburgh; and

WHEREAS, it is the intention of the W & WW Department to locate and identify the source of inflow or infiltration, determine repair and/or replacement needs and institute a future maintenance schedule; and

WHEREAS, NYRWA has agreed to assist the W & WW Dept., AT NO COST to the TOP or the W & WW Dept., in conducting smoke leak test in the Champlain Park sewer district; therefore be it

RESOLVED, to receive and place on file the agreement with NYRWA; and, it is further

RESOLVED, that the Town Board of the Town of Plattsburgh does hereby authorize the previously mentioned testing with the assistance of NYRWA; and, it is further

RESOLVED, that the Supervisor be and he hereby is authorized to sign all related documents relative to said testing; and, it is further

RESOLVED, that a copy of this Resolution be given to Mr. Scott Stoddard, Water & Wastewater Director.

Motion: Paul D. Lamoy

Seconded by: Martin D. Mannix

Discussion: Yes

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

Motion Carried: (Yes) No Tabled
X

Resolution No. 011-316 **Transfer of Funds from General to Consolidated Ambulance**

RESOLVED, that the Town Board does hereby authorize the Supervisor to make an advance, as needed, from the General Fund to the Consolidated Ambulance Fund in an amount not to exceed a total of one hundred sixty one thousand dollars (\$161,000.00) to provide monies for contract payments until the third quarter receivables are received from both ambulance service providers which is due mid October; and it is further

RESOLVED, that upon receipt of said revenue in the Consolidated Ambulance District, the advance will be paid back to the General fund and, it is further.

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

Motion: Gerard A. Renadette

Seconded by: Martin D. Mannix

Discussion: No

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

Motion Carried: (Yes) No Tabled
X

Resolution No. 011-317 **Memorandum Of Understanding Between The Town of Plattsburgh and Teamsters Local 687**

WHEREAS, Russell Heath, an employee in the Highway Department, was hired on July 23, 2007 and the negotiated Agreement in effect at that time enabled him to be eligible for health care coverage in his retirement, after 10 years of employment, with the Town of Plattsburgh; and

WHEREAS, Article 26 Section 6 of the current negotiated Agreement, effective 1/1/11 to 12/31/13, identifies cut-off dates for eligibility for a 10 year retirement health benefit as July 31, 2006 with employees hired on or after August 1, 2006 required to have 20 years of employment before being eligible for a retirement health insurance benefit; and

WHEREAS, it was not the intent of either party to have Mr. Heath, the only Teamster employee hired in 2007, to be placed in a new retirement health insurance benefit program requiring 20 years of employment prior to retirement to receive a health benefit; therefore, be it

RESOLVED, that, after approval by the Town Attorney and Labor Consultant, the Supervisor is authorized to sign the attached Memorandum Of Understanding to enable Mr. Heath, in the event that he would request to do so, to access health benefits upon retirement after 10 years of employment; and, be it further

RESOLVED, that it is the intent of both parties to address this situation during the next round of contract negotiations and a copy of this Resolution and the MOU be given to the Budget Officer, Shop Stewards and placed in Mr. Heath's personnel file.

Motion: Paul D. Lamoy

Seconded by: Gerard A. Renadette

Discussion: Yes

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

Motion Carried:	<u>(Yes)</u>	<u>No</u>	<u>Tabled</u>
	X		

Resolution No. 011-318 **Request to Attend ORPTS Training on Farm Appraisal Conference**

WHEREAS, it is in the best interest of the Town to remain current and informed concerning changes in regulation and is appropriate for training requirements for local assessors; therefore it is

RESOLVED, that Brian Dowling, Town Assessor, be allowed to attend the ORPTS conference held from October 17-October 21, 2011, in Canton New York at the Public Safety Building at 49 Court Street, Canton; and, it is further

RESOLVED, \$ 533.60 lodging and meals, be charged to the Assessor's Budget; and, be it further

RESOLVED, that a copy of this Resolution be given to the Budget Officer and also be placed in Mr. Dowling's personnel file.

Motion: Martin D. Mannix

Seconded by: Thomas E. Wood

Discussion: Yes

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

Motion Carried:	<u>(Yes)</u>	<u>No</u>	<u>Tabled</u>
	X		

Resolution No. 011-319

Uniform Justice Court Act Annual Examination of Court Records

WHEREAS, the Uniform Justice Court Act, Section 2019-a, requires town and village justices to annually provide their court records and dockets to their respective town and village auditing boards for examination; and

WHEREAS, in an effort to improve accountability and controls over Justice Court finances and records, the Town of Plattsburgh Auditing Committee has met with Town Court Clerks and reviewed the Town Court records as per regulation; and

WHEREAS, after a careful review of Town court records the attached “Annual Audit Checklist” has been prepared and is hereby presented to the Town Board for their review and approval; now, therefore be it

RESOLVED, that the attached “Annual Audit Checklist” as prepared and submitted by the Town of Plattsburgh Auditing Committee be accepted and placed on file as per regulation; and be it further

RESOLVED, that the “Annual Audit Checklist” be shared with the Town’s independent auditors, the firm of Abbott, Frenyea, Russell, and Coffey P.C., as part of their process of audit, examination and review of the Town of Plattsburgh Town Courts and a copy of the “Annual Audit Checklist” and this Resolution be forwarded to Dennis W. Donnelly, Director of Internal Audit, NYS Office of Court Administration, 98 Niver Street, Cohoes, NY 12047.

Motion: Gerard A. Renadette

Seconded by: Paul D. Lamoy

Discussion: Yes

Roll Call:	<u>Yes</u>	<u>No</u>	<u>Absent</u>
Thomas E. Wood	X		

Martin D. Mannix	X
Paul D. Lamoy	X
Gerard A. Renadette	X
Bernard C. Bassett	X

Motion Carried: (Yes) No Tabled

X

Resolution No. 011-320 **Tentative Budgets Filed for 2012**

WHEREAS, the 2012 Tentative Budget for the Town of Plattsburgh was duly filed in the Town Clerk's Office; now therefore be it

RESOLVED, that the Town Board of the Town of Plattsburgh does hereby receive and place on file the 2012 Tentative Budget per Town Law, section 106 (3); and, be it further

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

Motion: Martin D. Mannix

Seconded by: Paul D. Lamoy

Discussion: Yes

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

Motion Carried: (Yes) No Tabled

X

Resolution No. 011-321 **Advertise for Budget Work Sessions**

WHEREAS, the Tentative Budget has been filed with the Town Clerk; and

WHEREAS, the Town Board does have to meet and discuss Budgets with Town Departments; therefore, it is

RESOLVED, that the Town Board will hold Budget work sessions on October 19 and 20, 2011 between the hours of 8 am to 4pm at the Town Hall complex; and be it further

RESOLVED, that the Town Clerk publish this in the Press Republican; and a copy of this Resolution be given to the Budget Officer.

Motion: Martin D. Mannix

Seconded by: Gerard A. Renadette

Discussion: Yes

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

Motion Carried:	<u>(Yes)</u>	<u>No</u>	<u>Tabled</u>
	X		

RESOLVED, that this Town Board meeting be adjourned at 7:40 PM.

Motion by: Gerard A. Renadette

Seconded by: Thomas E. Wood

Discussion: No

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

Motion to go into Executive Session to <i>discuss the work history of a certain employees.</i>	Motion to come out of Executive Session
--	--

Motion by:
Seconded by:
Time:

Motion by:
Seconded by:
Time:

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

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

Bernard C. Bassett

Bernard C. Bassett

ADJOURNMENT

Respectfully Submitted,

Rickey J. Collins, Town Clerk