

**TOWN OF PLATTSBURGH TOWN BOARD
WORK SESSION AGENDA
August 26, 2021**

The meeting was called to order at 6:00 PM by the presiding officer at the Town of Plattsburgh Town Hall, 151 Banker Road.

	<u>Present</u>	<u>Absent</u>
MEMBERS: Michael S. Cashman, Supervisor	x	
Thomas E. Wood, Councilor	x	
Meg E. Bobbin, Councilor		x
Barbara E. Hebert, Councilor	x	
Charles A. Kostyk, Councilor	x	
Kathryn B. Kalluche, Town Clerk	x	
James J. Coffey, Town Attorney	x	

Public Comments none

Supervisor's Report

Public Hearing

Draft Resolutions

021-xxx Minutes

021-0149 Reeves Lane Annexation Findings

021-0150 Sharron Avenue Annexation Findings

021-151 Lead Agent and SEQRA – Unlisted Action- Sharron Avenue

021-xxx recommendation of Twin Bridges Dedication to Trooper Falb

021-xxx 3% site Plan Return Deposit for TDC Industrial Blvd, Site Plan 2020

Committee Reports -

Executive Session –

Motion to go into Executive Session
session

Motion to come out of Executive

to discuss medical, financial, credit or employment history
of eight particular persons/corp.. or matters leading to said

dismissal, removal, promotion, appointment,
employment, discipline, demotion, or suspension

Motion by: Charles A. Kostyk
Seconded by: Barbara E. Hebert
Time: 6:10

Motion by: Barbara E. Hebert
Seconded by: Charles A. Kostyk
Time: 7:37

Roll Call:	<u>YES</u>	<u>NO</u>
Thomas E. Wood	x	
Meg E. Bobbin	absent	
Barbara E. Hebert	x	
Charles A. Kostyk	x	
Michael S. Cashman	x	

Roll Call:	<u>YES</u>	<u>NO</u>	<u>ABSENT</u>
Thomas E. Wood	x		
Meg E. Bobbin			x
Barbara E. Hebert	x		
Charles A. Kostyk	x		
Michael S. Cashman	x		

Town Board meeting be adjourned at 7:37 PM.

Handwritten signature
9/23/21

**TOWN OF PLATTSBURGH TOWN BOARD
WORK SESSION AGENDA
August 26, 2021**

The meeting was called to order at 6:00 PM by the presiding officer at the Town of Plattsburgh Town Hall, 151 Banker Road.

	<u>Present</u>	<u>Absent</u>
MEMBERS: Michael S. Cashman, Supervisor	x	
Thomas E. Wood, Councilor	x	
Meg E. Bobbin, Councilor		x
Barbara E. Hebert, Councilor	x	
Charles A. Kostyk, Councilor	x	
Kathryn B. Kalluche, Town Clerk	x	
James J. Coffey, Town Attorney	x	

Public Comments none

Supervisor's Report

Public Hearing

Draft Resolutions

021-xxx Minutes

021-0149 Reeves Lane Annexation Findings

021-0150 Sharron Avenue Annexation Findings

021-151 Lead Agent and SEQRA – Unlisted Action- Sharron Avenue

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Committee Reports -

Executive Session –

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

to discuss medical, financial, credit or employment history
of eight particular persons/corp.. or matters leading to said

Kalluche
8/27/21

dismissal, removal, promotion, appointment,
employment, discipline, demotion, or suspension

Motion by: Charles A. Kostyk
Seconded by: Barbara E. Hebert
Time: 6:10

Motion by: Barbara E. Hebert
Seconded by: Charles A. Kostyk
Time: 7:37

Roll Call:	<u>YES</u>	<u>NO</u>
Thomas E. Wood	x	
Meg E. Bobbin	absent	
Barbara E. Hebert	x	
Charles A. Kostyk	x	
Michael S. Cashman	x	

Roll Call:	<u>YES</u>	<u>NO</u>	<u>ABSENT</u>
Thomas E. Wood	x		
Meg E. Bobbin			x
Barbara E. Hebert	x		
Charles A. Kostyk	x		
Michael S. Cashman	x		

Town Board meeting be adjourned at 7:37 PM.

Handwritten signature
8/27/21

**TOWN OF PLATTSBURGH
TOWN BOARD MONTHLY MEETING
PUBLIC HEARING
August 26, 2021**

**No written comment were received and/or comment from the public
at the meeting held on above date.**

The meeting was called to order at _____ p.m. by the presiding officer at the Town Hall on the Banker Road.

FURTHER NOTICE is hereby given that the Town Board of the Town of Plattsburgh will meet and hold public hearings thereon at the Town Hall located on the Banker Road, in the Town of Plattsburgh, Clinton County, New York on Thursday at _____ p.m. prevailing time in relation to the Town, in accordance with Section 7 of the General Municipal Law, to the following parties that will be impacted by the annexation by the City of Plattsburgh of two parcels of land located in the Town of Plattsburgh (Sharron Avenue parcel and Reeves Lane parcel): Beekmantown Central School District, Peru Central School District, EMT of CVPH, Town of Plattsburgh District #3 Fire Department and South Plattsburgh Fire District

1. Acceptance of Written Comments into the Record of the Hearing

2. Open Public Hearing to the Floor for Public Comment

Motion to OPEN Public Hearings

Motion to CLOSE Public Hearings

Motion by:

Motion by:

Seconded by:

Seconded by:

Discussion:

Time: PM

Time: PM

Roll Call: Yes No Absent

Yes No Absent

Thomas E. Wood

Thomas E. Wood

Meg E. Bobbin

Meg E. Bobbin

Barbara E. Hebert

Barbara E. Hebert

Charles A. Kostyk

Charles A. Kostyk

Michael S. Cashman

Michael S. Cashman

Katlynn Keill
8/27/21

dismissal, removal, promotion, appointment,
employment, discipline, demotion, or suspension

Motion by: Charles A. Kostyk
Seconded by: Barbara E. Hebert
Time: 6:10

Motion by: Barbara E. Hebert
Seconded by: Charles A. Kostyk
Time: 7:37

Roll Call:	<u>YES</u>	<u>NO</u>
Thomas E. Wood	x	
Meg E. Bobbin	absent	
Barbara E. Hebert	x	
Charles A. Kostyk	x	
Michael S. Cashman	x	

Roll Call:	<u>YES</u>	<u>NO</u>	<u>ABSENT</u>
Thomas E. Wood	x		
Meg E. Bobbin			x
Barbara E. Hebert	x		
Charles A. Kostyk	x		
Michael S. Cashman	x		

Town Board meeting be adjourned at 7:37 PM.

Pat B. Keller
8/27/21

**TOWN OF PLATTSBURGH
TOWN BOARD WORK SESSION MEETING
August 26, 2020**

Resolution No. 021-149

**Lead Agent and SEQRA – UNLISTED
ACTION Sharron Avenue**

WHEREAS, This action is taken pursuant to 6 N.Y.C.R.R. Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review) of the Environmental Conservation Law of the State of New York ("SEQRA"), with regard to the following Project.

**RESOLUTION CLASSIFYING A CERTAIN PROJECT AS AN
UNLISTED ACTION PURSUANT TO THE STATE
ENVIRONMENTAL QUALITY REVIEW ACT, DECLARING
THE TOWN LEAD AGENCY FOR PURPOSES OF AN
UNCOORDINATED REVIEW THEREUNDER AND
DETERMINING THAT THE ACTION WILL NOT HAVE A
SIGNIFICANT EFFECT ON THE ENVIRONMENT**

WHEREAS, on April 20, 2021, in furtherance of that certain Plattsburgh Compact between the City of Plattsburgh (the "City") and the Town of Plattsburgh (the "Town") and Settlement Agreement between the City and the Town, the City, at the request of Mayor Christopher C. Rosenquest, requested the annexation of land located on Sharron Avenue, situated within the Town of Plattsburgh (the "Town") into the City (the "Sharron Avenue Annexation"); and

WHEREAS, the parcel to be annexed is described as follows: an approximately 2.8 acre parcel on Sharron Avenue, situated in the Town of Plattsburgh, identified therein as Clinton County Tax Map Parcel No. 233.7-1-14 (the "Property"); and

WHEREAS, as the Property is uninhabited and wholly owned by the City, the request for annexation is made pursuant to Section 706 of the New York General Municipal Law; and

WHEREAS, pursuant to Article 8 of the Environmental Conservation Law of the State of New York, as amended, and the regulations of the Department of Environmental Conservation of the State of New York promulgated thereunder (collectively referred to hereinafter as "**SEQRA**"), the Town is required to make a determination with respect to the environmental impact of any "action" (as defined by SEQRA) to be taken by the Town and the determination on the request for the Sharron Avenue Annexation constitutes such an action; and

WHEREAS, to aid the Town in determining whether the action described above may have a significant adverse impact upon the environment, an Environmental Assessment Form (the "**EAF**") was prepared by the City, a copy of which is on file at the office of the Town; and

WHEREAS, the Town has examined and reviewed the EAF in order to classify the action and make a determination as to the potential significance of the action pursuant to SEQRA; and

NOW THEREFORE BE IT RESOLVED THAT the Town adopts the following resolution with regard to consideration of the potential significant adverse environmental impacts of the Sharron Avenue Annexation pursuant to SEQRA:

(1) Based upon an examination of the materials provided by the City in furtherance of the Sharron Avenue Annexation, the representations of the City therein, the criteria contained in 6 NYCRR §617.7(c), the Town's knowledge of the area surrounding the area to be annexed and such further investigation of the Sharron Avenue Annexation and its environmental effects as the Town has deemed appropriate, the Town makes the following findings and determinations pursuant to SEQRA:

(a) The action constitutes an "Unlisted Action" (as said quoted term is defined in SEQRA);

(b) The Town declares itself "Lead Agency" (as said quoted term is defined in SEQRA) with respect to an uncoordinated review pursuant to SEQRA;

(c) (c) The action will not have a significant adverse effect on the environment, and the Town hereby issues a negative declaration pursuant to SEQRA, attached hereto as Exhibit "A", which shall be filed in the office of the Town in a file that is readily accessible to the public.

(2) A copy of this Resolution, together with the attachments hereto, shall be placed on file in the office of the Town where the same shall be available for public inspection during business hours.

(3) This Resolution shall take effect immediately. The Town Clerk is hereby authorized and directed to distribute copies of this Resolution and do such further things or perform such acts as may be necessary or convenient to implement the provisions of this Resolution.

(4) The Town hereby authorizes Town representatives to take all further actions deemed necessary and appropriate to fulfill the Town's responsibilities under SEQRA.

Motion to waive the reading and go straight to vote; Barbara E. Hebert
Seconded: Charles A. Kostyk

The question of the adoption of the foregoing Resolution was duly put to a vote on roll call, which resulted as follows:

	Yea	Nay	Absent	Abstain
Michael S. Cashman	[x]	[]	[]	[]
Barbara E. Hebert	[x]	[]	[]	[]
Charles A. Kostyk	[x]	[]	[]	[]
Meg Bobbin	[]	[]	[x]	[]
Tom Wood	[x]	[]	[]	[]

The Resolution was thereupon duly adopted this 26th day of August, 2021.

Karl B. Kallen
8/27/21

TOWN OF PLATTSBURGH
TOWN BOARD WORK SESSION MEETING
August 26, 2021

**RES. 021-150 FINDINGS, RESOLUTIONS AND ORDER OF
THE TOWN OF PLATTSBURGH PURSUANT
TO ARTICLE 17 OF THE NEW YORK
GENERAL MUNICIPAL LAW REGARDING
THE PROPOSED ANNEXATION OF
PROPERTY LOCATED ON SHARRON
AVENUE.**

WHEREAS, pursuant to “The Plattsburgh Compact Between the City and the Town” dated as of April 16, 2021 (the “Compact”), the City of Plattsburgh Common Council, and the Town of Plattsburgh Town Board, made a commitment to resolve the conflicts of past administrations, and to focus on mutually beneficial solutions, shared goals, and regional successes to establish a strong foundational bedrock that will last far into the future, by adopting a specific framework to accomplish numerous goals, including: the resolution of all pending litigation between the municipalities; a binding path to resourcefully and efficiently adjusting the boundaries of the City of Plattsburgh (“the City”) and the Town of Plattsburgh (the “Town”) so that both municipalities mutually benefit; a joint planning initiative for areas where the communities intersect; and a joint infrastructure initiative, which includes the water and wastewater systems and the Plattsburgh Organics Recycling Plant; and

WHEREAS, pursuant to that certain Settlement Agreement dated as of April 16, 2021 between the City and Town (the “Settlement Agreement”); the parties agreed to a binding Settlement Agreement in which the City and Town agreed, in consideration of each component of the Settlement Agreement, to mutually discontinue certain litigation between the parties, and the City and Town agreed to commit to, among other things, commence and facilitate the legal process allowing the City to expeditiously adjust its boundaries to include the City-owned parcels located at 205 Reeves Lane (Tax Map No. 220.-4-32) and 217 Sharron Avenue (Tax Map No. 233.7-1-14), while providing payments established in a 5-year District Protection Program; and

TOWN OF PLATTSBURGH
TOWN BOARD WORK SESSION MEETING
August 26, 2021

WHEREAS, a request pursuant to Section 706 of Article 17 of the New York General Municipal Law (the “Municipal Annexation Law”) having been filed with the Town Board of the Town on April 20, 2021 by the City (the “Sharron Avenue Annexation Request”), as owner of certain real property in the Town consisting of an approximately 2.8 acre parcel of uninhabited land on Sharron Avenue, identified as Clinton County Tax Map Parcel No. 233.7-1-14 (the “Property”), for the annexation of the Property to the City (the “Sharron Avenue Annexation”); and

WHEREAS, on July 20, 2021, a Notice of Public Meeting On the Matter of Annexation of certain Territory From the Town of Plattsburgh to the City of Plattsburgh (the “Notice”) was made to members of the public, with a copy of such Notice sent: to Beekmantown Central School District, Peru Central School District, EMT of CVPH on July 20, 2021; to the Town of Plattsburgh District No. 3 Fire Department on July 22, 2021, and to the South Plattsburgh Fire Department on July 23, 2021; and

WHEREAS, the Notice stated, in part, that the members of the governing board of the Town shall meet on August 26, 2021 to receive evidence and information concerning the Sharron Avenue Annexation Request; and

WHEREAS, a meeting of the governing Board of the Town having been held on August 26, 2021, in accordance with Section 706 of the Municipal Annexation Law, the Town Board of the Town hereby makes the following findings and thereupon adopts the following resolutions and order based upon such findings, all in accordance with Section 706 of the General Municipal Law of the State of New York:

FINDINGS

- A. The Property is uninhabited and contiguous to the municipal boundaries of the City, allowing for annexation pursuant to Section 706 of the General Municipal Law of the State of New York (hereinafter the "General Municipal Law" or "GML").
- B. The Sharron Avenue Annexation Request was delivered by representatives of the City to the Town Board on April 20, 2021. A copy of the April 20, 2021 request is attached hereto as **Exhibit A**.

TOWN OF PLATTSBURGH
TOWN BOARD WORK SESSION MEETING

August 26, 2021

- C. Pursuant to the provisions of Section 706(2) of the GML, the Town caused a written copy of the required Notice to be provided to Beekmantown Central School District, Peru Central School District, EMT of CVPH, Town of Plattsburgh District No. 3 Fire Department and South Plattsburgh Fire Department. A copy of the Notice is attached hereto as **Exhibit B.**
- D. Notice of the August 26, 2021 public meeting was duly posted by the Town.
- E. A public meeting was held by the Town on August 26, 2021 to consider, in part, the Sharron Avenue Annexation Request. Comments were received from various members of the public in attendance at the public meeting. Officials of both the City and Town offered comment as well.
- F. The Town Board, as the lead agency for the unlisted, uncoordinated environmental review of this action, and in accordance with Article 8 of the New York State Environmental Conservation Law - the State environmental Quality Review Act ("SEQR"), reviewed the potential adverse environmental effects, if any, related to the Sharron Avenue Annexation and on even date herewith, the Town Board adopted a negative determination of environmental significance ("Negative Declaration") in accordance with SEQRA for the Sharron Avenue Annexation.
- G. In considering whether to consent to the Sharron Avenue Annexation Request, the Town must determine whether the proposed annexation is in the over-all public interest. GML § 706(2). In light of the foregoing, and all of the information duly provided and considered, the Town Board hereby makes the following specific findings and determination in accordance with Sections 706 and 711 of the GML that the Sharron Avenue Annexation is in the overall public interest:
1. The City of Plattsburgh operates and maintains, at its sole expense, a Municipal Lighting District facility within the proposed area to be annexed.
 2. Sharron Avenue is a City-maintained street, with public connections to sewer, water, and electricity on Sharron Ave, which will not be impacted by the proposed annexation.

TOWN OF PLATTSBURGH
TOWN BOARD WORK SESSION MEETING

August 26, 2021

3. If annexed, the City would be able to readily provide emergency services, including professional police, fire and EMS services, to the Property.
4. The Property is accessed by a City-owned street.
5. The Property is not currently part of a cohesive community. Specifically, the City of Plattsburgh Public Housing Authority owns dense, multi-family housing units across Sharron Avenue, and there are numerous industrial buildings on the same side of Property. Notwithstanding the foregoing, the area of the Property is small in size, and current industrial use of the Property is compatible with the existing zoning district in the Town and use of adjacent properties in the area.
6. Annexation will result in a minimal loss of tax revenue to the Town in the amount of \$ 9,037.72 (based on 2021 tax rates), and will reduce the overall area of the Town by less than .05%. Conversely, the equivalent tax revenue that will be reduced from the Town's perspective will be a direct savings to the City and its ratepayers.
7. Upon annexation, the Property will potentially have access to more affordable energy rates, thereby reducing overall energy costs within the Property and promoting reliance on renewable energy, which is in conformance with the City's 100% renewable energy policy.
8. The Sharron Avenue Annexation will not result in baroque or unnatural boundaries.
9. As contemplated in the Town's environmental review, the Property is currently developed and operational, with no new projects subject to approval and no additional adverse environmental impacts anticipated.

Based upon the foregoing and upon careful review and evaluation, it is hereby determined that the potential benefits of the Sharron Avenue Annexation as provided herein are likely to outweigh any potential detriments to the City and the Town. The Town also finds the approval of the Sharron Avenue Annexation, can and very likely will achieve the benefits of

TOWN OF PLATTSBURGH
TOWN BOARD WORK SESSION MEETING

August 26, 2021

annexation while at the same time accomplishing the requisite unity of purpose and facilities to constitute a community and maintaining the core nature of the City and Town.

RESOLUTIONS

NOW, THEREFORE, based upon all of the foregoing findings, upon motion of Councilor Charles A. Kostyk as seconded by Councilor Thomas E. Wood, it is hereby:

RESOLVED, that City's request for the Town's consent to the proposed Sharron Avenue Annexation substantially complies with Section 706 of the General Municipal Law; and it is further

RESOLVED, that the Sharron Avenue Annexation is hereby deemed to be in the overall public interest; and it is further

RESOLVED, that the Sharron Avenue Annexation is hereby approved by the Town.

Motion to waive the reading and go straight to vote: Charles A. Kostyk

Seconded by: Thomas E. Wood

The question of the adoption of the foregoing Resolutions was duly put to a vote on roll call, which resulted as follows:

	Yea	Nay	Absent	Abstain
Michael S. Cashman	[x]	[]	[]	[]
Barbara E. Hebert	[x]	[]	[]	[]
Charles A. Kostyk	[x]	[]	[]	[]
Meg Bobbin	[]	[]	[x]	[]
Tom Wood	[x]	[]	[]	[]

The Resolution was thereupon duly adopted this 26th day of August, 2021.

IT IS HEREBY ORDERED, that copies of the foregoing findings, resolutions and

TOWN OF PLATTSBURGH
TOWN BOARD WORK SESSION MEETING

August 26, 2021

determinations set forth therein, all of which are hereby incorporated by reference into this Order, together with the Annexation Request, Meeting Notice, written objections, if any, and testimony and minutes of proceedings taken and kept on the matter of the Reeves Lane Annexation, be filed in the offices of the clerks of the City and Town as the affected local governments.

Dated: August 26, 2021

Kathy B. Kull
8/27/21

TOWN OF PLATTSBURGH
TOWN BOARD WORK SESSION MEETING
August 26, 2021

EXHIBIT A



Christopher C. Rosenquest, Mayor

41 City Hall Place
Plattsburgh, NY 12901
518 563-7701
518 561-7367 fax
mayor@cityofplattsburgh-ny.gov

April 20, 2021

Plattsburgh Town Board
c/o Michael S. Cashman, Supervisor
151 Banker Road
Plattsburgh, NY 12901

Re: Annexation of Lands Located on Sharron Avenue

Dear Supervisor Cashman and Town Board Members:

In furtherance of the Plattsburgh Compact between the City and Town and the Settlement Agreement both executed April 16th, the City of Plattsburgh hereby requests to annex from the Town property known as the Sharron Avenue property. This property, identified by Clinton County tax map parcel number 233.7-1-14, is 2.8 acres in size and is adjacent to the City. As this property is uninhabited and wholly owned by the City, Section 706 of the Municipal Annexation Law permits the Town to consider this proposed annexation without a formal Annexation Petition.

While Municipal Annexation Law 706 does not require a formal Public Hearing, it does require that 30 days' notice of the requested annexation be given to "any school district, fire district or other district corporation, public benefit corporation, and town improvement district operated by a separate board of commissioners, situated wholly or partly in the territory to be annexed and which would be affected by such annexation." Only those entities have the ability to raise objections to annexation if they wish to do so. The purpose of this letter is to initiate this annexation process.

As this annexation constitutes an Unlisted Action pursuant to the State Environmental Quality Review Act, enclosed is a SEQRA Short Environmental Assessment Form. Part 1 has been filled out and signed on behalf of the City. Parts 2 and 3 are provided for Town Board use. Thank you.

Sincerely,

Christopher C. Rosenquest
Mayor, City of Plattsburgh

TOWN OF PLATTSBURGH
TOWN BOARD WORK SESSION MEETING
August 26, 2021

EXHIBIT B

Dear _____

Enclosed is a notice of a Public Meeting to be held at the Town Hall of the Town of Plattsburgh regarding the annexation of two parcels of land (Reeves Lane 224 acres +/- and Sharron Avenue 2.8 acres +/-) currently located in the Town of Plattsburgh by the City of Plattsburgh.

You are receiving this notice because the annexation of one or both of these parcels will impact your school, fire district or ambulance district. If you have any questions regarding this matter, feel free to contact me. Sincerely yours,

TOWN OF PLATTSBURGH

NOTICE OF PUBLIC MEETING

ON THE MATTER OF ANNEXATION OF CERTAIN TERRITORY FROM THE TOWN OF PLATTSBURGH TO THE CITY OF PLATTSBURGH

PLEASE TAKE NOTICE that a Public Meeting of the Town Board of the Town of Plattsburgh (the "Town") will be held on **August 26, 2021**, for the purpose of reviewing the following agenda items, and hearing all those for and against the following proposals; and

NOTICE IS FURTHER GIVEN, pursuant to General Municipal Law §706(2), that a written request by the City of Plattsburgh, New York (the "City") for annexation to the City, of certain territory situated in the Town, has been received by the Town Board of the Town. The property described in the request for annexation (the "City Annexation Request") is more particularly described as follows: approximately 224+/- acres of real property located in the Town, Clinton County Tax Map Nos. 220.-4-31.2 and 220.-4-32 ("Reeves Lane Property"); and an approximately 2.8 acre parcel of real property located in the Town, identified by Clinton County Tax Map No.233.7-1-14 ("Sharron Avenue Property"). (collectively, the Reeves Lane Property and the Sharron Avenue Property is referred to herein as the "Premises"); and

NOTICE IS FURTHER GIVEN, that on **July __, 2021** a copy of this Notice has been provided in writing to the Beekmantown Central School District, Peru Central School District, EMT of CVPH, Town of Plattsburgh District No.3 Fire Department and South Plattsburgh Fire Department, and

NOTICE IS FURTHER GIVEN, members of the aforesaid governing board of the Town shall meet on **August 26, 2021, at 6:00 pm** and will receive evidence and information which may be presented concerning the City Annexation Request and the question of whether the annexation is in the overall public interest, whereupon the Town Board of the Town will make a determination as to whether:

The City Annexation Request is or is not in the over-all public interest

- 1) of the Premises proposed to annexed; or
- 2) of the local government or governments to which the Premises is proposed to be annexed; or
- 3) of the remaining area of the local government or governments in which such Premises is situated; or
- 4) of any school district, fire district or other district corporation, public benefit corporation, fire protection district, fire alarm district or town or county

improvement district, situated wholly or partly in the Premises proposed to be annexed.

**TOWN OF PLATTSBURGH
TOWN BOARD MEETING
AGENDA**

August 26, 2021

- ITEM #1 CONSENT TO ANNEXATION OF REEVES LANE PROPERTY** - Request for consent to the annexation by the City of Plattsburgh of certain territory in the Town of Plattsburgh identified as Clinton County Tax Map Parcel Nos. 220.-4-31.2 and 220.-4-32, approximately 224+/- acres. **PUBLIC COMMENT, SEQRA DETERMINATION & ANNEXATION FINDINGS AND DETERMINATION.**
- ITEM #2 CONSENT TO ANNEXATIO OF SHARRON AVENUE PROPERTY** - Request for consent to the annexation by the City of Plattsburgh of certain territory in the Town of Plattsburgh identified as Clinton County Tax Map Parcel No. 233.7-1-14, approximately 2.8 acres. **PUBLIC COMMENT, SEQRA DETERMINATION & ANNEXATION FINDINGS AND DETERMINATION.**

Dated: July __, 2021

In compliance with the American with Disabilities Act, special accommodations, within reason and upon request at least 48 hours in advance of the meeting will be provided to persons with disabilities in accordance with Section 276 of Town Law.

/s/ Hon. Michael S. Cashman, Supervisor, Town of Plattsburgh

**TOWN OF PLATTSBURGH
TOWN BOARD WORK SESSION
AUGUST 26, 2021**

Res. 021- 151

**FINDINGS, RESOLUTIONS AND
ORDER OF THE TOWN OF
PLATTSBURGH PURSUANT TO
ARTICLE 17 OF THE NEW YORK
GENERAL MUNICIPAL LAW
REGARDING THE PROPOSED
ANNEXATION OF PROPERTY
LOCATED ON REEVES LANE.**

WHEREAS, pursuant to “The Plattsburgh Compact Between the City and the Town” dated as of April 16, 2021 (the “Compact”), the City of Plattsburgh Common Council, and the Town of Plattsburgh Town Board, made a commitment to resolve the conflicts of past administrations, and to focus on mutually beneficial solutions, shared goals, and regional successes to establish a strong foundational bedrock that will last far into the future, by adopting a specific framework to accomplish numerous goals, including: the resolution of all pending litigation between the municipalities; a binding path to resourcefully and efficiently adjusting the boundaries of the City of Plattsburgh (“the City”) and the Town of Plattsburgh (the “Town”) so that both municipalities mutually benefit; a joint planning initiative for areas where the communities intersect; and a joint infrastructure initiative, which includes the water and wastewater systems and the Plattsburgh Organics Recycling Plant; and

WHEREAS, pursuant to that certain Settlement Agreement dated as of April 16, 2021 between the City and Town (the “Settlement Agreement”); the parties agreed to a binding Settlement Agreement in which the City and Town agreed, in consideration of each component of the Settlement Agreement, to mutually discontinue certain litigation between the parties, and the City and Town agreed to commit to, among other things, commence and facilitate the legal process allowing the City to expeditiously adjust its boundaries to include the City-owned parcels located at 205 Reeves Lane (Tax Map No. 220.-4-32) and 217 Sharron Avenue (Tax Map No. 233.7-1-14), while providing payments established in a 5-year District Protection Program; and

WHEREAS, a request pursuant to Section 706 of Article 17 of the New York General
Municipal

**TOWN OF PLATTSBURGH
TOWN BOARD WORK SESSION
AUGUST 26, 2021**

Law (the "Municipal Annexation Law") having been filed with the Town Board of the Town on April 20, 2021 by the City (the "Reeves Lane Annexation Request"), as owner of certain real property in the Town consisting of an approximately 224+/-acre parcel of uninhabited land on Reeves Lane in the Town, identified as Clinton County Tax Map Parcel Nos. 220.-4-31.2 and 220.-4-32 (collectively, the "Property"), for the annexation of the Property to the City (the "Reeves Lane Annexation"); and

WHEREAS, on July 20, 2021, a Notice of Public Meeting On the Matter of Annexation of certain Territory From the Town of Plattsburgh to the City of Plattsburgh (the "Notice") was made to members of the public, with a copy of such Notice sent: to Beekmantown Central School District, Peru Central School District, EMT of CVPH on July 20, 2021; to the Town of Plattsburgh District No. 3 Fire Department on July 22, 2021, and to the South Plattsburgh Fire Department on July 23, 2021; and

WHEREAS, the Notice stated, in part, that the members of the governing board of the Town shall meet on August 26, 2021 to receive evidence and information concerning the Reeves Lane Annexation Request; and

WHEREAS, a meeting of the governing Board of the Town having been held on August 26, 2021, in accordance with Section 706 of the Municipal Annexation Law, the Town Board of the Town hereby makes the following findings and thereupon adopts the following resolutions and order based upon such findings, all in accordance with Section 706 of the General Municipal Law of the State of New York:

FINDINGS

- A. The Property is uninhabited and contiguous to the municipal boundaries of the City, allowing for annexation pursuant to Section 706 of the General Municipal Law of the State of New York (hereinafter the "General Municipal Law" or "GML").
- B. The Reeves Lane Annexation Request was delivered by representatives of the City to the Town Board on April 20, 2021. A copy of the April 20, 2021 request is attached hereto as **Exhibit A**.

TOWN OF PLATTSBURGH
TOWN BOARD WORK SESSION
AUGUST 26, 2021

- C. Pursuant to the provisions of Section 706(2) of the GML, the Town caused a written copy of the required Notice to be provided to Beekmantown Central School District, Peru Central School District, EMT of CVPH, Town of Plattsburgh District No. 3 Fire Department and South Plattsburgh Fire Department. A copy of the Notice is attached hereto as **Exhibit B**.
- D. Notice of the August 26, 2021 public meeting was duly posted by the Town.
- E. A public meeting was held by the Town on August 26, 2021 to consider, in part, the Reeves Lane Annexation Request. Comments were received from various members of the public in attendance at the public meeting. Officials of both the City and Town offered comment as well.
- F. The City Council, as the lead agency for the Type I, coordinated environmental review of this action, and in accordance with Article 8 of the New York State Environmental Conservation Law - the State environmental Quality Review Act ("SEQR"), reviewed the potential adverse environmental effects, if any, related to the Reeves Lane Annexation and on August 9th, 2021, the City Council readopted and reaffirmed its previous negative determination of environmental significance ("Negative Declaration") for the Reeves Lane Annexation. A copy of the City's August 9th SEQRA resolution is attached hereto as **Exhibit C**. As an involved agency, the Town Board hereby adopts the City's Negative Declaration.
- G. In considering whether to consent to the Reeves Lane Annexation Request, the Town must determine whether the proposed annexation is in the over-all public interest. GML § 706(2). In light of the foregoing, and all of the information duly provided and considered, the Town Board hereby makes the following specific findings and determination in accordance with Sections 706 and 711 of the GML that the Reeves Lane Annexation is in the overall public interest:
1. In accordance with the terms of the Compact, the Settlement Agreement, and related documents thereto, the Town will receive a five-year District Protection Program payment in lieu of reduced tax revenue resulting from approval of the Reeves Lane Annexation. Notwithstanding the offsetting District Protection Program payment, the tax revenue estimated to be lost

**TOWN OF PLATTSBURGH
TOWN BOARD WORK SESSION
AUGUST 26, 2021**

due to the Reeves Lane Annexation is deemed relatively modest, in the amount of \$40,327.77 total over 5 years.

2. The City and Town have entered into a Memorandum of Understanding to coordinate review of projects that are substantially contiguous to the Town/City boundary or could in some way be impactful.
3. The Town and City have entered into a Memorandum of Understanding to jointly develop a citizens advisory panel for a former Compost Facility located on the Property, and as part of such agreement, the City will coordinate with the Town and provide certain information and a minimum of 90 days' prior notice to resume operation at such facility.
4. The City has stated in good faith that it will adopt zoning that is compatible with the Town's new Smart Growth Zoning.
5. If annexed, the City would be able to readily provide emergency services, including professional police, fire and EMS services, to the Property.
6. Upon annexation, the Property will potentially have access to more affordable energy rates, thereby reducing overall energy costs within the Property and promoting reliance on renewable energy, which is in conformance with the City's 100% renewable energy policy.
7. The Reeves Lane Annexation will not result in baroque or unnatural boundaries.

Based upon the foregoing and upon careful review and evaluation, it is hereby determined that the potential benefits of the Reeves Lane Annexation as provided herein are likely to outweigh any potential detriments to the City and the Town. The Town also finds the approval of the Reeves Lane Annexation, can and very likely will achieve the benefits of annexation while at the same time accomplishing the requisite unity of purpose and facilities to constitute a community and maintaining the core nature of the City and Town.

RESOLUTIONS

NOW, THEREFORE, based upon all of the foregoing findings, upon motion of Councilor Barbara E. Hebert as seconded by Councilor Charles A. Kostyk , it is hereby:

**TOWN OF PLATTSBURGH
TOWN BOARD WORK SESSION
AUGUST 26, 2021**

RESOLVED, that City's request for the Town's consent to the proposed Reeves Lane Annexation substantially complies with Section 706 of the General Municipal Law; and it is further

RESOLVED, that the Reeves Lane Annexation is hereby deemed to be in the overall public interest; and it is further

RESOLVED, that the Reeves Lane Annexation is hereby approved by the Town.

Motion to waive the reading a go straight to vote: Barbara E. Hebert

Seconded by: Charles A. Kostyk

The question of the adoption of the foregoing Resolutions was duly put to a vote on roll call, which resulted as follows:

	Yea	Nay	Absent	Abstain
Michael S. Cashman	[x]	[]	[]	[]
Barbara E. Hebert	[x]	[]	[]	[]
Charles A. Kostyk	[x]	[]	[]	[]
Meg Bobbin	[]	[]	[x]	[]
Tom Wood	[x]	[]	[]	[]

The Resolution was thereupon duly adopted this 26th day of August, 2021.

IT IS HEREBY ORDERED, that copies of the foregoing findings, resolutions and determinations set forth therein, all of which are hereby incorporated by reference into this Order, together with the Annexation Request, Meeting Notice, written objections, if any, and testimony and minutes of proceedings taken and kept on the matter of the Reeves Lane Annexation, be filed in the offices of the clerks of the City and Town as the affected local governments.

Dated: August 26, 2021

Kelly Hall
8/27/21

**TOWN OF PLATTSBURGH
TOWN BOARD WORK SESSION
AUGUST 26, 2021**

EXHIBIT A



Christopher C. Rosenquest, Mayor

41 City Hall Place
Plattsburgh, NY 12901
518 563-7701
518 561-7367 fax
mayor@cityofplattsburgh-ny.gov

April 20, 2021

Plattsburgh Town Board
c/o Michael S. Cashman, Supervisor
151 Banker Road
Plattsburgh, NY 12901

Re: Annexation of Lands Located on Reeves Lane

Dear Supervisor Cashman and Town Board Members:

In furtherance of the Plattsburgh Compact between the City and Town and the Settlement Agreement both executed April 16th, the City of Plattsburgh hereby requests to annex from the Town property known as the Reeves Lane property. This property, identified by Clinton County tax map parcel numbers 220.-4-31.2 and 220.-4-32, is 224± acres in size and is adjacent to the City. As this property is uninhabited and wholly owned by the City, Section 706 of the Municipal Annexation Law permits the Town to consider this proposed annexation without a formal Annexation Petition.

While Municipal Annexation Law 706 does not require a formal Public Hearing, it does require that 30 days' notice of the requested annexation be given to "any school district, fire district or other district corporation, public benefit corporation, and town improvement district operated by a separate board of commissioners, situated wholly or partly in the territory to be annexed and which would be affected by such annexation." Only these entities have the ability to raise objections to annexation if they wish to do so.

This letter is intended to serve as the formal request to initiate this annexation. Thank you.

Sincerely,

Christopher Rosenquest
Mayor, City of Plattsburgh

**TOWN OF PLATTSBURGH
TOWN BOARD WORK SESSION
AUGUST 26, 2021**

EXHIBIT B

Dear _____

Enclosed is a notice of a Public Meeting to be held at the Town Hall of the Town of Plattsburgh regarding the annexation of two parcels of land (Reeves Lane 224 acres +/- and Sharron Avenue 2.8 acres +/-) currently located in the Town of Plattsburgh by the City of Plattsburgh.

You are receiving this notice because the annexation of one or both of these parcels will impact your school, fire district or ambulance district. If you have any questions regarding this matter, feel free to contact me.

Sincerely yours,

TOWN OF PLATTSBURGH

NOTICE OF PUBLIC MEETING

ON THE MATTER OF ANNEXATION OF CERTAIN TERRITORY FROM THE TOWN OF PLATTSBURGH TO THE CITY OF PLATTSBURGH

PLEASE TAKE NOTICE that a Public Meeting of the Town Board of the Town of Plattsburgh (the "Town") will be held on **August 26, 2021**, for the purpose of reviewing the following agenda items, and hearing all those for and against the following proposals; and

NOTICE IS FURTHER GIVEN, pursuant to General Municipal Law §706(2), that a written request by the City of Plattsburgh, New York (the "City") for annexation to the City, of certain territory situated in the Town, has been received by the Town Board of the Town. The property described in the request for annexation (the "City Annexation Request") is more particularly described as follows: approximately 224+/- acres of real property located in the Town, Clinton County Tax Map Nos. 220.-4-31.2 and 220.-4-32 ("Reeves Lane Property"); and an approximately 2.8 acre parcel of real property located in the Town, identified by Clinton County Tax Map No.233.7-1-14 ("Sharron Avenue Property"), (collectively, the Reeves Lane Property and the Sharron Avenue Property is referred to herein as the "Premises"); and

NOTICE IS FURTHER GIVEN, that on **July __, 2021** a copy of this Notice has been provided in writing to the Beekmantown Central School District, Peru Central School District, EMT of CVPH, Town of Plattsburgh District No.3 Fire Department and South Plattsburgh Fire Department, and

NOTICE IS FURTHER GIVEN, members of the aforesaid governing board of the Town shall meet on **August 26, 2021, at 6:00 pm** and will receive evidence and information which may be presented concerning the City Annexation Request and the question of whether the annexation is in the overall public interest, whereupon the Town Board of the Town will make a determination as to whether:

The City Annexation Request is or is not in the over-all public interest

- 1) of the Premises proposed to annexed; or
- 2) of the local government or governments to which the Premises is proposed to be annexed; or
- 3) of the remaining area of the local government or governments in which such Premises is situated; or
- 4) of any school district, fire district or other district corporation, public benefit corporation, fire protection district, fire alarm district or town or county

improvement district, situated wholly or partly in the Premises proposed to be annexed.

**TOWN OF PLATTSBURGH
TOWN BOARD MEETING
AGENDA
August 26, 2021**

- ITEM #1 CONSENT TO ANNEXATION OF REEVES LANE PROPERTY -** Request for consent to the annexation by the City of Plattsburgh of certain territory in the Town of Plattsburgh identified as Clinton County Tax Map Parcel Nos. 220.-4-31.2 and 220.-4-32, approximately 224+/- acres. **PUBLIC COMMENT, SEQRA DETERMINATION & ANNEXATION FINDINGS AND DETERMINATION.**
- ITEM #2 CONSENT TO ANNEXATIO OF SHARRON AVENUE PROPERTY -** Request for consent to the annexation by the City of Plattsburgh of certain territory in the Town of Plattsburgh identified as Clinton County Tax Map Parcel No. 233.7-1-14, approximately 2.8 acres. **PUBLIC COMMENT, SEQRA DETERMINATION & ANNEXATION FINDINGS AND DETERMINATION.**

Dated: July __, 2021

In compliance with the American with Disabilities Act, special accommodations, within reason and upon request at least 48 hours in advance of the meeting will be provided to persons with disabilities in accordance with Section 276 of Town Law.

/s/ Hon. Michael S. Cashman, Supervisor, Town of Plattsburgh

**TOWN OF PLATTSBURGH
TOWN BOARD WORK SESSION
AUGUST 26, 2021**

EXHIBIT C

**TOWN OF PLATTSBURGH
TOWN BOARD WORK SESSION
AUGUST 26, 2021**



Christopher C. Rosenquest, Mayor

41 City Hall Place
Plattsburgh, NY 12901
518 563-7701
518 561-7367 fax
mayor@cityofplattsburgh-nv.gov

August 9, 2021

At the Regular meeting of the Common Council of the City of Plattsburgh, New York held August 5, 2021, the following was approved:

**7.192 RESOLUTION: FURTHER AFFIRMING NEGATIVE DECLARATION FOR
ANNEXATION PURSUANT TO THE STATE ENVIRONMENTAL QUALITY REVIEW ACT**

WHEREAS, the City of Plattsburgh seeks to annex an approximately 224-acre parcel (the "Subject Parcel") which is located in the Town of Plattsburgh but is owned by and situated adjacent to the City (the "Action"); and

WHEREAS, the City was duly designated as SEQRA Lead Agency by Determination of the Commissioner of the Department of Environmental Conservation pursuant to 6 NYCRR 617.6; and

WHEREAS, the Common Council's consultant prepared Part 1 of a SEQRA Full Environmental Assessment Form (FEAF) for the Action together with an Addendum which supplemented the information provided in Part 1 and provided additional information to enable the Common Council to take a hard look at any potential adverse environmental impacts of the Action; and

WHEREAS, the Common Council, as Lead Agency, reviewed and fully considered the proposed Action, Part 1 of the FEAF and the Addendum, including referenced studies and reports, and completed Part 2 of the FEAF after consideration of each item during the Council's May 7, 2020 meeting; and

WHEREAS, the Common Council identified potential impacts of the proposed Action as "Moderate to Large" in Part 2 whenever it appeared at all possible that an EAF threshold might be met in order to provide an opportunity to further clarify these hypothetical impacts in FEAF Part 3; and

WHEREAS, after careful evaluation in accordance with applicable SEQRA review regulations and guidelines, the Common Council found that none of the potential impacts are significant enough to require preparation of an environmental impact statement; and

WHEREAS, the Common Council therefore adopted a SEQRA Negative Declaration for the Action by Resolution dated May 28, 2020; and

WHEREAS, after receiving additional comments and information including an Addendum to FEAF Part 3, by Resolution dated December 3, 2020, the Common Council reaffirmed its SEQRA Negative Declaration; and

WHEREAS, the Town and Common Council likewise anticipate that annexation of a separate parcel currently located within the City may be the subject of annexation by the Town.

NOW, THEREFORE, BE IT RESOLVED, that the Common Council hereby finds that SEQRA review of the Action has been completed; and be it further

RESOLVED, that any other annexation proceedings that may potentially be pursued now or in the future will be subject to SEQRA review and do not constitute a part of this Action for SEQRA purposes, as each such potential future proceeding is entirely independent of any other; and be it further

RESOLVED, that even if the foregoing were not the case, the Common Council finds that it would not be in a position to undertake cumulative impact assessment as the uses that may occur upon annexation of other lands are purely speculative and unknown at this time; and be it further

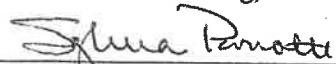
RESOLVED, that during SEQRA review of other potential annexation proceedings, the SEQRA reviewing Agencies may consider all impacts, including cumulative impacts, that they find relevant and appropriate to consider at that time; and be it further

RESOLVED, that the Common Council hereby readopts and reaffirms its previous SEQRA determination in relation to this Action.

By Councilor Canales; Seconded by Councilor Kelly
Roll call: Councilors Canales, Kelly, Gibbs, Tallon, Bopp, Moore
(All voted in the affirmative)
Absent: None

August 9, 2021

I, Sylvia Parrotte, City Clerk of the City of Plattsburgh, do hereby certify that the preceding resolution was adopted at the Regular meeting of the Common Council of the City of Plattsburgh held on August 6, 2021, and is incorporated in the original minutes of said meeting, and that said resolution has not been altered, amended or revoked and is in full force and effect.


Sylvia Parrotte, City Clerk

September 30, 2021

VIA MAIL & EMAIL

Scott Stoddard, Director
Water and Wastewater Utilities
Town of Plattsburgh
Town Hall
151 Banker Road
Plattsburgh, New York 12901

Re: **Proposal for Professional Services**
NYWIIA Grant Application
Cliff Haven Wastewater Improvements
Town of Plattsburgh, New York

Dear Mr. Stoddard:

As you are aware, the State has announced that applications for the New York Water Infrastructure Improvement Act grant funding will be accepted up until November 22, 2021. We recommend that the Town use this opportunity to apply for funding for the Cliff Haven Sewer Improvements outlined in the draft report previously forwarded to you. The program provides up to 25 percent of the project cost as a grant. Based upon the current preliminary opinion of cost of \$4.4 M for the project, the maximum grant that can be awarded to is \$1.1 M.

Our fee to prepare the application is \$5,000. Attached is a contract addendum for the Supervisor's signature should the Town wish to have us prepare the application.

Please do not hesitate to call if you should have any questions.

Very truly yours,
LABERGE GROUP

By:

Ronald J. Laberge, P.E.
Executive Vice President

RJL: cjb
Enc.

C: Michael s. Cashman, Supervisor w/enc.

I:\Mktg\Business Development\Government Organizations\Plattsburgh- Town\Proposals\2021 Cliff Haven Sewer\2021 Cliff Haven Report NYWIIA 9-30-2021.doc

CONTRACT ADDENDUM NO. 2018-05

(2021 NY WATER GRANT APPLICATION)

DATED: September 30, 2021

TO
Agreement for Professional Services
(Original Agreement: General Services Agreement, Dated: April 17, 2017)

The original Agreement, between Town of Plattsburgh, Clinton County, New York, the OWNER and Laberge Engineering & Consulting Group, LTD., the ENGINEER is hereby amended as follows:

The contract amount shall be increased by \$5,000 plus reimbursable expenses for provision of additional services related to the development of a 2021 NY Water Grant Application for improvements to the Cliff Haven area sewer system.

OWNER:

Town of Plattsburgh

151 Banker Road

Plattsburgh New York 12901
City State Zip

BY: _____

Print Name: Michael S. Cashman Title: Supervisor

ATTEST: _____

ENGINEER:

LABERGE ENGINEERING & CONSULTING GROUP, LTD.

4 Computer Drive, West

Albany New York 12205
City State Zip

BY: _____

Richard F. Laberge, P.E., President

ATTEST: Carol J. Baronetto

CONTRACT ADDENDUM NO. 2018-05

(2021 NY WATER GRANT APPLICATION)

DATED: September 30, 2021

TO
Agreement for Professional Services
(Original Agreement: General Services Agreement, Dated: April 17, 2017)

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OWNER:

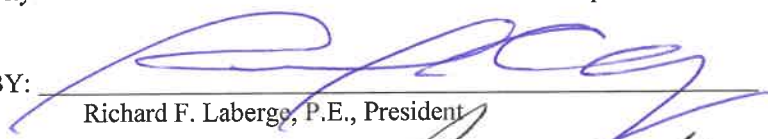
Town of Plattsburgh
151 Banker Road
Plattsburgh New York 12901
City State Zip

BY: _____
Print Name: Michael S. Cashman Title: Supervisor

ATTEST: _____

ENGINEER:

LABERGE ENGINEERING & CONSULTING GROUP, LTD.
4 Computer Drive, West
Albany New York 12205
City State Zip

BY:  _____
Richard F. Laberge, P.E., President

ATTEST:  _____

September 20, 2021

Scott Stoddard, Director
Water and Wastewater Utilities
Town of Plattsburgh
Town Hall
151 Banker Road
Plattsburgh, New York 12901

Re: **Proposal for Professional Services**
Cliff Haven Wastewater Improvements
Town of Plattsburgh, New York

Dear Mr. Stoddard:

As requested, please accept this letter as our proposal to provide professional services related to the proposed sewer improvements in the Cliff Haven neighborhood. This proposal is based upon the Draft Cliff Haven Sewer Improvements Preliminary Engineering Report prepared by Laberge Group and dated August 2021.

Due the various nature of the work, two construction contracts are recommended. At this time, we anticipate, and have based this proposal on, the preparation of the following contracts:

- Sewer and Manhole Lining – It is assumed this will only include minor spot repairs. A determination of what repairs will be made once the line is cleaned and inspected.
- Pump Station and Forcemain Improvements

Based upon our understanding of the project, we have developed the following proposed Scope of Services:

1. Survey and Mapping

a. Pump Station and Forcemains

- Prepare mapping that will define planimetric and topographic features of each pump station as well as to determine the various property lines that will affect the design of each station.
- Prepare corridor mapping for the forcemain routes including planimetric and topographic features and relevant boundary information.
- Verify the internal dimensions of the existing pump stations including the layout of all existing equipment, conduits etc. The intent of the detailed measurements is to provide enough information to design improvements around the existing equipment to keep the station operational as long as possible until such time as the new equipment can be energized.
- The location of underground utilities will be based upon field mark-outs by the Town for water and sewer and from information provided by other utilities that may have facilities in the area.

b. Sewer/Manhole Lining and Repairs

- Mapping for the sewer lining and manhole lining will be generalized mapping taken from the Town's sewer utility GIS data. Accurate survey data is not required for this work.
- Depending upon the results of the CCTV work to be performed on the sewer, additional relevant survey will be collected in areas where spot repairs to the collection system are warranted. It is assumed that there is no need to replace entire runs of sewer mains that would otherwise require detailed mapping for main replacement. If it is determined that large sections of sewer do indeed require replacement we will provide an estimate of additional cost for the required survey work.

2. Sewer and Manhole Preliminary Evaluation

- a. Town personnel will perform the inspection of sanitary sewer manholes (approximately 55) for the purpose of identifying if the manhole is a candidate for lining and to determine what additional work may be required at each manhole location. Laberge Group will provide appropriate inspection forms for use by the Town.
- b. Provide cleaning and CCTV recording of the existing sanitary sewer mains in the project area. This work will be performed by Arold Construction Co. Inc. as a subcontractor to Laberge Group. In order to provide for quality recordings and to maximize the benefit of the work for using in bidding documents, Arold will clean the sewers to a sufficient extent to provide quality recordings. The recordings will be used to determine the suitability of lining for the various sections of sewer and what spot repairs will be required. The recordings will also be included in the contract documents for use by potential bidders.

3. Pump Station Preliminary Evaluation

- a. Evaluate each pump station for the best method of replacement.
- b. Identify if a station, such as Beach Station can be completely eliminated.

4. Preliminary Plans

a. Sewer/Manhole Lining and Repairs

Prepare preliminary plan of improvements to the sewer main and manholes.

- i. Preliminary layout and listing of improvements. It is anticipated that the work for this aspect of the project will be identified on a general plan of the area with the required work presented in a tabular format.
- ii. Review of design issues and alternatives with the Town.
- iii. Preparation of preliminary opinion of probable construction costs.

b. Pump Station Improvements

Prepare preliminary plan of improvements to each pump station including:

- i. Preliminary layout and listing of improvements. Review of design issues and alternatives with the Town.
- ii. Preparation of preliminary opinion of probable construction costs

- c. **Forcemain Improvements**
Prepare preliminary plan of improvements for the common forcemain including:
 - i. Preliminary layout and listing of improvements. Review of design issues and alternatives with the Town.
 - ii. Identify if any land acquisition or easements are required.
 - iii. Preparation of preliminary opinion of probable construction costs
- 5. **Final Design**
 - a. Completed plans and detail sheets as required.
 - b. Erosion and Sediment control plans and details.
 - c. Updated preliminary opinion of probable construction cost.
- 6. **Permits/Approvals**
Submit final plans for permits and approvals to regulatory agencies. The permits anticipated for this project include:
 - a. New York State Department of Environmental Conservation – Pump Station and Forcemain Improvements
 - b. New York State Department of Transportation – Sewer lining and manhole work in the NYS Route 9 ROW.
- 7. **Contract Documents**
Prepare contract documents ready for bidding.
- 8. **Bidding Services**
 - a. Forward contract documents to contractor plan rooms such as Eastern Contractor's Association and Dodge Reports.
 - b. Contact potential bidders to "market" the project.
 - c. Attend a pre-bid meeting if required for the project.
 - d. Prepare addenda to the Contract Documents as may be necessary to clarify contract requirements based upon requests for information from plan holders.
 - e. Attend bid opening.
 - f. Tabulate bid results.
 - g. Review low bidder's qualifications.
 - h. Recommend award of bid.
- 9. **Contract Administration**
 - a. Prepare contract documents for execution and distribution.
 - b. Review contractor submittals.
 - c. Attend monthly progress meetings.
 - d. Review contractor payment requests.
 - e. Issue change orders as necessary.
 - f. Prepare Statement of Substantial Completion.
 - g. Prepare contract and permit close out materials as may be required.
 - h. Receive record data from the contractor and prepare Record Drawings from that data.
 - i. Submit record drawings to the Town.
 - j. Perform pre-guarantee review.

FEE

The following lump sum fees for the activities identified above are as follows:

Survey	\$ 75,000
Sewer and Manhole Evaluation	
Clean and CCTV	\$ 42,000 (See Assumption 1&3)
Prelim Pump Station evaluation	\$ 5,000
Preliminary/Final Plans	\$150,000
Permits/Approvals	\$ 5,000
Contract Documents	\$ 15,000
Bidding Services	\$ 10,000
Construction Observation	\$120,000
<u>Contract Administration</u>	<u>\$ 60,000</u>
Total	\$482,000

Reimbursable expenses are in addition to the above listed fees.

Assumptions/Conditions

1. This cost is based on 14,000 lf of sewer main at \$3.00/LF. Final cost will be based on actual length of sewer cleaned and CCTV'd.
2. Bidding and Construction Administration services assumes all construction contracts will be bid and contracted at the same time.
3. In regard to sewer cleaning and CCTV the following conditions apply:
 - a. Town to provide nearby hydrant & water/soils dumpsite at no charge.
 - b. Laberge Group will not be responsible for any restoration of surfaces due to equipment damage.
 - c. Pricing is based on light to moderate cleaning. Heavy cleaning will be at an additional cost.

Additional Services

As identified in the report, there are potential wetland and cultural resource issues that are yet undefined. In the event that wetland delineation and/or cultural resource evaluation is required for any of the work, Laberge Group will obtain proposals for qualified individuals and/or firms to provide the requisite services. The Preliminary Opinion of Cost in the Cliff Haven report includes \$7,5000 for wetland delineation and \$20,000 for cultural resource evaluation.

The report also includes \$15,000 for geotechnical services should they be required. Since the pump stations will not require any significant excavation, geotechnical investigations are not proposed at this time. Some probes may be warranted along forcemain routing to determine depth to rock. Once identified we will provide the Town a cost for the required geotechnical services.

Should any of the above additional services be required and subsequently authorized by the Town they will be invoiced as reimbursable expenses.

If the above is acceptable please have Supervisor Cashman execute the attached contract addendum. Please do not hesitate to call if you should have any questions.

Very truly yours,
LABERGE GROUP

By: 

Ronald J. Laberge, P.E.
Executive Vice President

RJL:

c: Michael Cashman, Supervisor w/enc.



CONTRACT ADDENDUM NO. 2018-04

DATED: September 21, 2021

TO
Agreement for Professional Services
(Original agreement date: April 17, 2017)

The original Agreement, between Town of Plattsburgh, Clinton County, New York, the OWNER and Laberge Group, the ENGINEER is hereby amended as follows:

The engineer is hereby authorized to provide engineering services related to design and construction phases of the Cliff Haven Sewer Improvements contained in the Town of Plattsburgh's Water and Wastewater Capital Plan and as further described in the Draft Cliff Haven Sewer Improvements Preliminary Engineering Report dated August 2021 prepared by Laberge Group.

All fees shown are plus reimbursable expenses.

Survey	\$ 75,000
Sewer and Manhole Evaluation	
Clean and CCTV	\$ 42,000 (See Assumption 1&3)
Prelim Pump Station evaluation	\$ 5,000
Preliminary/Final Plans	\$150,000
Permits/Approvals	\$ 5,000
Contract Documents	\$ 15,000
Bidding Services	\$ 10,000
Construction Observation	\$120,000
Contract Administration	\$ 60,000
Total	\$482,000

OWNER:

Town of Plattsburgh

151 Banker Road

Plattsburgh New York 12901
City State Zip

BY: _____

Print Name: Michael Cashman Title: Supervisor

ATTEST: _____

ENGINEER:

LABERGE GROUP

4 Computer Drive, West

Albany New York 12205
City State Zip

BY: _____

Ronald J. Laberge, P.E., Vice President

ATTEST: _____

CONTRACT ADDENDUM NO. 2018-04

DATED: September 21, 2021

TO
 Agreement for Professional Services
 (Original agreement date: April 17, 2017)

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Total	\$482,000

OWNER:

Town of Plattsburgh

151 Banker Road

Plattsburgh New York 12901
 City State Zip

BY: _____

Print Name: Michael Cashman Title: Supervisor

ATTEST: _____

ENGINEER:

LABERGE GROUP

4 Computer Drive, West

Albany New York 12205
 City State Zip

BY: _____

Ronald J. Laberge, P.E., Vice President

ATTEST: _____

September 30, 2021

VIA MAIL & EMAIL

Scott Stoddard, Director
Water and Wastewater Utilities
Town of Plattsburgh
Town Hall
151 Banker Road
Plattsburgh, New York 12901

Re: **Proposal for Professional Services**
NYWIIA Grant Application
Cliff Haven Wastewater Improvements
Town of Plattsburgh, New York

Dear Mr. Stoddard:


As you are aware, the State has announced that applications for the New York Water Infrastructure Improvement Act grant funding will be accepted up until November 22, 2021. We recommend that the Town use this opportunity to apply for funding for the Cliff Haven Sewer Improvements outlined in the draft report previously forwarded to you. The program provides up to 25 percent of the project cost as a grant. Based upon the current preliminary opinion of cost of \$4.4 M for the project, the maximum grant that can be awarded to is \$1.1 M.

Our fee to prepare the application is \$5,000. Attached is a contract addendum for the Supervisor's signature should the Town wish to have us prepare the application.

Please do not hesitate to call if you should have any questions.

Very truly yours,
LABERGE GROUP

By: _____


Ronald J. Laberge, P.E.
Executive Vice President

RJL: cjb
Enc.

C: Michael s. Cashman, Supervisor w/enc.

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CONTRACT ADDENDUM NO. 2018-05

(2021 NY WATER GRANT APPLICATION)

DATED: September 30, 2021

TO
Agreement for Professional Services
(Original Agreement: General Services Agreement, Dated: April 17, 2017)

The original Agreement, between Town of Plattsburgh, Clinton County, New York, the OWNER and Laberge Engineering & Consulting Group, LTD., the ENGINEER is hereby amended as follows:

The contract amount shall be increased by \$5,000 plus reimbursable expenses for provision of additional services related to the development of a 2021 NY Water Grant Application for improvements to the Cliff Haven area sewer system.

OWNER:

Town of Plattsburgh

151 Banker Road

<u>Plattsburgh</u>	<u>New York</u>	<u>12901</u>
City	State	Zip

BY: _____

Print Name: Michael S. Cashman Title: Supervisor

ATTEST: _____

ENGINEER:

LABERGE ENGINEERING & CONSULTING GROUP, LTD.

4 Computer Drive, West

<u>Albany</u>	<u>New York</u>	<u>12205</u>
City	State	Zip

BY: _____

Richard F. Laberge, P.E., President

ATTEST: _____

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151 Banker Road

Plattsburgh New York 12901
City State Zip

BY: _____

Print Name: Michael S. Cashman Title: Supervisor

ATTEST:

ENGINEER:

LABERGE ENGINEERING & CONSULTING GROUP, LTD.

4 Computer Drive, West

Albany New York 12205
City State Zip

BY: _____

Richard F. Laberge, P.E., President

ATTEST: