

**TOWN OF PLATTSBURGH
TOWN BOARD MONTHLY MEETING
July 6, 2023**

The meeting was called to order at 6:00 p.m. by the presiding officer at the Town Hall on the Banker Road. Pledge.

MEMBERS:	<u>PRESENT</u>	<u>ABSENT</u>
Michael S. Cashman, Supervisor	x	
Thomas E. Wood, Councilor	x	
Barbara E. Hebert, Councilor	x	
Charles A. Kostyk, Councilor	x	
Dana M. Isabella, Councilor	x	
Kathryn B. Kalluche, Town Clerk	x	
James J. Coffey, Town Attorney	x	

Resolution No. 023-152

Accept Minutes of the Previous Meeting

RESOLVED, that the minutes of **May 4, 2023** and **May 11, 2023** be accepted and the reading of the minutes be dispensed with.

Motion: Charles A. Kostyk
Seconded by: Dana M. Isabella
Discussion: None

	<u>Yes</u>	<u>No</u>	<u>Absent</u>	<u>Carried</u>	<u>Tabled</u>
				x	
Thomas E. Wood	x				
Barbara E. Hebert	x				
Charles A. Kostyk	x				
Dana M. Isabella	x				
Michael S. Cashman	x				

Public Comment – None

Resolution No. 023-153

Abstract 7A- 23

RESOLVED, that the abstract of audited claims **No. 7A-23** for \$315,989.18, **Abstract 7A-23** prepays for the amount \$328,383.07 be received as reviewed by the Audit Committee and the Supervisor is hereby authorized to pay said abstracts.

Motion: Barbara E. Hebert
Seconded by: Dana M. Isabella
Discussion: None

	<u>Yes</u>	<u>No</u>	<u>Absent</u>	<u>Carried</u>	<u>Tabled</u>
				x	
Thomas E. Wood	x				
Barbara E. Hebert	x				
Charles A. Kostyk	x				
Dana M. Isabella	x				
Michael S. Cashman	x				

Resolution No. 023-154

Monthly Department Reports

RESOLVED, to receive and place on file Monthly Department Head Reports.

- Building and Grounds – **May 2023**
- Codes and Zoning –
- Dog Control Officer – **May 2023**
- Historian –
- Highway Superintendent – **May 2023**
- Justice Court –
- Parks and Recreation – **May 2023**
- Planning and Community Development – **May/June 2023**
- Safety Committee –
- Supervisors Financial Report – **May 2023**
- Tax Receiver –
- Town Clerk – **May 2023**
- Water Wastewater – **May 2023**

Motion: Charles A. Kostyk
Seconded by: Barbara E. Hebert
Discussion: None

	<u>Yes</u>	<u>No</u>	<u>Absent</u>	<u>Carried</u>	<u>Tabled</u>
				x	
Thomas E. Wood	x				
Barbara E. Hebert	x				
Charles A. Kostyk	x				
Dana M. Isabella	x				
Michael S. Cashman	x				

Resolution No. 023-155

**The Agricultural and
Industrial Fair of
Clinton County, Inc.**

WHEREAS, the Town Clerk has received an application with the fee (a check, for the amount of six-hundred dollars) for a license to conduct and operate a place of public amusement within the Town of Plattsburgh, from the Agricultural & Industrial Fair of Clinton County, Inc., at the Clinton County Fairgrounds; and

WHEREAS, upon the applicant receiving the issuance of a New York State Certificate of Inspection by the Code Enforcement Officer indicating full compliance and it will be submitted to the Town Clerk’s office; therefore, be it

RESOLVED, that after review of the certificate of insurance naming the Town of Plattsburgh as additional insured, the Town Clerk is hereby authorized to issue said license for the period from Tuesday, July 25 through Sunday, July 29, 2023; and, be it further

RESOLVED, that a copy of this Resolution be given to the Finance Manager, Codes Enforcement Officer, and Cool Insurance.

Motion: Dana M. Isabella
Seconded by: Charles A. Kostyk
Discussion: None

	<u>Yes</u>	<u>No</u>	<u>Absent</u>	<u>Carried</u>	<u>Tabled</u>
				x	
Thomas E. Wood	x				
Barbara E. Hebert	x				
Charles A. Kostyk	x				
Dana M. Isabella	x				
Michael S. Cashman	x				

Resolution No. 023-156

Authorizing Highway Superintendent to Start the 2023 Paving Program

WHEREAS, Greg Burnell, Highway Superintendent has identified the Town Roads that are in greatest need of repair with a total estimated cost of \$450,063.75; and

WHEREAS, funding for the 2023 road paving, repair and improvement program is to be taken from the following accounts: DAA.5110.4200.0000, DAA.5112.2000.000 and DAA. 5112.4200.0000; therefore, be it

RESOLVED, that the Town Board does hereby authorize the Highway Superintendent to spend the appropriated funds to implement the aforementioned 2023 Road Paving Program with paving to take place on roads as recommended by the Highway Superintendent; and, it is further

RESOLVED, that a copy of this Resolution be given to the Finance Manager and the Highway Superintendent.

Motion: Dana M. Isabella
Seconded by: Thomas E. Wood
Discussion: None

	<u>Yes</u>	<u>No</u>	<u>Absent</u>	<u>Carried</u>	<u>Tabled</u>
				x	
Thomas E. Wood	x				
Barbara E. Hebert	x				
Charles A. Kostyk	x				
Dana M. Isabella	x				
Michael S. Cashman	x				

Resolution No. 023-157

**3% Site Plan Return
Deposit for Sherk
Enterprises Site Plan 2022**

WHEREAS, the Town of Plattsburgh Planning Board has reviewed and approved all requirements of the Sherk Enterprises Site Plan 2022; and

WHEREAS, the Planning & Community Development Department has coordinated inspection of said project and reports all requirements have been met and completed; now, therefore be it

RESOLVED, that the Supervisor is hereby authorized and directed to release the said deposit in the amount of \$4,129.40 plus accrued interest to date; and it is further

RESOLVED, that a certified copy of this Resolution be forwarded, by the Planning & Community Development Department Secretary, with the return of deposit to Sherk Enterprises LLC.

Motion: Charles A. Kostyk
Seconded by: Barbara E. Hebert
Discussion: None

	<u>Yes</u>	<u>No</u>	<u>Absent</u>	<u>Carried</u>	<u>Tabled</u>
				x	
Thomas E. Wood	x				
Barbara E. Hebert	x				
Charles A. Kostyk	x				
Dana M. Isabella	x				
Michael S. Cashman	x				

Resolution No. 023-158

**Basketball Unit
Purchase West
Plattsburgh Park**

WHEREAS, the Parks and Recreation Department in cooperation with the Building and Grounds Department is responsible for the maintenance of equipment for recreation programs in the Town of Plattsburgh; and

WHEREAS, to maintain the value and use of programs and equipment the Department must upgrade older units to keep equipment in proper working order; and

WHEREAS, Ms. Pangborn has obtained quotes for the purchase of two basketball units and were received and reviewed by Ms. Pangborn; therefore, be it

RESOLVED that the Town Board does hereby authorize the purchase of basketball units in the amount of \$5,992.00 from Baughman Bros. and, it is further

RESOLVED, that the Supervisor be and he hereby is authorized to sign all related documents relative to the purchase of basketball units to be made payable from the Park Equipment and Capital outlay Account A1620.2000.1000 for 2023; and, it is further

RESOLVED, that a copy of this Resolution be forwarded to Ms. Pangborn, Youth Service and Recreation Director.

Motion: Dana M. Isabella

Seconded by: Charles A. Kostyk

Discussion: None

	<u>Yes</u>	<u>No</u>	<u>Absent</u>	<u>Carried</u>	<u>Tabled</u>
				x	
Thomas E. Wood	x				
Barbara E. Hebert	x				
Charles A. Kostyk	x				
Dana M. Isabella	x				
Michael S. Cashman	x				

Resolution No. 023-159

Resolution Authorizing Adoption by the Town Board of the Town of Plattsburgh of Local Law No. 2 of 2023 – Repealing Local Law No. 2 of 2022 entitled a Local Law Imposing a Twelve-Month Moratorium of Applications for Self-Storage and Mini-Storage Units

WHEREAS, a resolution was duly adopted by the Town Board of the Town of Plattsburgh for a public hearing to be held by said Governing Body on July 6, 2023 at 6:05pm at the Town of Plattsburgh, 151 Banker Road, Plattsburgh New York to hear all interested parties on proposed Local Law No. 2 of 2023 – Repealing Local Law No. 2 of 2022 entitled a Local Law Imposing a Twelve-month Moratorium of Applications for Self-storage and Mini-storage Units; and

WHEREAS, notice of said public hearing was duly advertised in the Press Republican, the official newspaper of said Town, on June 23, 2023; and

WHEREAS, said public hearing was duly held on July 6, 2023 at 6:05pm at 151 Banker Road, Plattsburgh, New York 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 thereof; and

WHEREAS, the Planning & Community Development Department has provided a report titled “Report-Moratorium on New Applications for Self Service Storage Facilities” dated January 23, 2023 for Town Board review; and

WHEREAS, the Planning & Community Development Department provided a presentation of said report and proposed zoning ordinance amendments at the Town Board work session held on May 25, 2023; and

WHEREAS, the Town Board concurred with the proposed amendments that would address the concerns that had previously initiated the Self-storage and Mini-storage moratorium; and

WHEREAS, the Town Board held a public hearing and adopted amendments to the Town of Plattsburgh Zoning Ordinance on June 1, 2023 that incorporated the proposed changes for Self Service Storage as a land use; and

WHEREAS, the amended Zoning Ordinance became effective as of June 16, 2023; and

WHEREAS, pursuant to part 617 of the implementing regulations pertaining to article 8 State Environmental Quality Review Act (SEQRA) it has been determined by the Town Board of the Town of Plattsburgh that this is a Type II action and no further review will be and could be processed by other applicable governmental agencies without further regard to SEQRA; and

WHEREAS, the Town Board of the Town of Plattsburgh, after due deliberation, finds it in the best interest of said Town to adopt Local Law No. 2 of 2023; now therefore, be it

RESOLVED, that the Town Board of the Town of Plattsburgh hereby adopts said Local Law No. 2 of 2023-Repealing Local Law No. 2 of 2022 entitled a Local Law Imposing a Twelve-month Moratorium of Applications for Self-storage and Mini-storage Units, 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 she hereby is directed to enter said Local Law in the minutes of this meeting and in the Local Law Book of the Town of

Plattsburgh, and to give due notice of the adoption of said Local Law to the Secretary of State of New York.

Motion: Dana M. Isabella
Seconded by: Barbara E. Hebert
Discussion: Barbara E. Hebert

Roll Call:	<u>Yes</u>	<u>No</u>	<u>Absent</u>	<u>Carried</u>	<u>Tabled</u>
				x	
Thomas E. Wood	x				
Barbara E. Hebert	x				
Charles A. Kostyk	x				
Dana M. Isabella	x				
Michael S. Cashman	x				

LOCAL LAW NO. 2 of 2023 A Local Law repealing Local Law No. 2 of 2022 entitled a Local Law Imposing a Twelve-month Moratorium of Applications for Self-storage and Mini-storage Units.

Section 1. Title This Local Law shall be referred to as the “Local Law repealing Local Law No. 2 of 2022”

Section 2. Purpose and Intent Pursuant to the statutory powers vested in the Town of Plattsburgh to regulate and control land use and to protect the health, safety and welfare of its residents, the Town of Plattsburgh hereby repeals the twelve-month moratorium on applications for Self-storage and Mini-storage Units.

Section 3. Effective Date This Local Law shall take effect immediately when it is filed in the Office of the New York State Secretary of State in accordance with section 27 of the Municipal Home Rule Law

Resolution No. 023-160

**Resignation of Thomas P. Hamilton as
Alternate Member of the Zoning Board of
Appeals**

WHEREAS, Mr. Thomas P. Hamilton has submitted his letter of resignation from his position as an alternate member of the Zoning Board Appeals dated June, 21 2023; now, therefore, be it

RESOLVED, that the Town Board does hereby accept Mr. Hamilton’s letter of resignation effective July 6, 2023; and be it further

RESOLVED, that the Town Board does hereby wish to thank him for his service; and, it is further

RESOLVED, that the Supervisor send a letter on behalf of the Town Board, thanking Mr. Hamilton for his dedication of service to the Town of Plattsburgh ZBA board; and it is further

RESOLVED, that a copy of this Resolution be given to the Codes and Zoning Office, Chairperson of the Zoning Board of Appeals and Finance Manager.

Motion: Charles A. Kostyk

Seconded by: Barbara E. Hebert

Discussion: Michael S. Cashman, Barbara E. Hebert

Roll Call:	<u>Yes</u>	<u>No</u>	<u>Absent</u>	<u>Carried</u>	<u>Tabled</u>
				x	
Thomas E. Wood	x				
Barbara E. Hebert	x				
Charles A. Kostyk	x				
Dana M. Isabella	x				
Michael S. Cashman	x				

Resolution No. 023-161

Request for the NYSDOT to post section of NYS RTE 9 as “No-Parking”

WHEREAS, the Town Board has previously authorized the development and construction of the Battlefields Memorial Gateway Waterfront area located at Battlefields Lane; and

WHEREAS, the project involves work within the NYSDOT right of way which requires review and permit by the NYSDOT; and

WHEREAS, the NYSDOT in a letter dated May 18, 2023 has identified the need to limit parking along NYS RTE 9 in proximity to the project; and

WHEREAS, this action requires a request by resolution from the Town board to establish an official work order for the posting of “No-Parking“ signs along NYS RTE 9; now, therefore, be it

RESOLVED, that the Town Board does hereby request that the NYSDOT establish an official work order to install “No-Parking” signs along NYS RTE 9 as shown on the plan titled Town of Plattsburgh Battlefield Memorial Gateway Park – Site Development Phase I – No Parking Zone and Signage, and attached hereto; and be it further

RESOLVED, that a copy of this Resolution is to be given to the Town Clerk, and the Planning & Community Development Department.

Motion: Barbara E. Hebert
Seconded by: Dana M. Isabella
Discussion: None

Roll Call:	<u>Yes</u>	<u>No</u>	<u>Absent</u>	<u>Carried</u>	<u>Tabled</u>
				x	
Thomas E. Wood	x				
Barbara E. Hebert	x				
Charles A. Kostyk	x				
Dana M. Isabella	x				
Michael S. Cashman	x				

Resolution No. 023-162

Purchase of Kennedy Hydrants

WHEREAS, the Water & Wastewater Dept. has hydrants to be replaced to maintain the Town’s water system; and

WHEREAS, Kennedy Valve has submitted documentation stating VP Supply is the certified distributor for Kennedy Valve and is the exclusive supplier of Kennedy Valve products in the Upstate New York market area; and

WHEREAS, VP Supply as the authorized distributor for Kennedy Valve and the exclusive supplier of Kennedy Valve products in the Upstate New York market area has submitted a price quotation for 5 Kennedy Hydrants; therefore, be it

RESOLVED, the purchase of 5 Kennedy Hydrants be awarded to VP Supply, Plattsburgh, NY in the amount of \$19,000.00 be approved; and it is further

RESOLVED, that payment be made payable from the 2023 Water & Wastewater Budget Account # SW6.8340.2000 and that a copy of this Resolution be given to the Water & Wastewater Department and Budget Officer.

Motion: Charles A. Kostyk
Seconded by: Barbara E. Hebert
Discussion: None

	<u>Yes</u>	<u>No</u>	<u>Absent</u>	<u>Carried</u>	<u>Tabled</u>
				x	
Thomas E. Wood	x				
Barbara E. Hebert	x				
Charles A. Kostyk	x				
Dana M. Isabella	x				
Michael S. Cashman	x				

Resolution No. 023-163

**Proclamation in Recognition of 75 Years
for the Clinton County Agricultural and
Industrial Fair**

WHEREAS, the Town of Plattsburgh is the home of the Clinton County Agricultural and Industrial Fair; and

WHEREAS, the Clinton County Agricultural and Industrial Fair has been an integral part of our community since 1948; bringing joy, entertainment, and agricultural traditions to families in the greater Plattsburgh area; and

WHEREAS, the Clinton County Agricultural and Industrial Fair continues to be the center for education, providing valuable opportunities for youth and adults alike to learn about our region’s hard work and dedication to farming; showcasing the best local produce, livestock, crafts and entertainment, through exhibits, competitions, demonstrations, and interactive activities; and

WHEREAS, the Clinton County Agricultural and Industrial Fair gives visitors from all over our area the chance to experience new and exciting attractions, including rides, shows, live music and local cuisine; now be it

THEREFORE, WE, THE TOWN BOARD OF THE TOWN OF PLATTSBURGH, on behalf of our residents, present this special proclamation to:

The Clinton County Agricultural and Industrial Fair, Inc.

in recognition of celebrating their 75th year. Further congratulations to all who have contributed to this achievement. We wish continued success with this event for years to come.

Motion: Charles A. Kostyk
Seconded by: Dana M. Isabella
Discussion: None

	<u>Yes</u>	<u>No</u>	<u>Absent</u>	<u>Carried</u>	<u>Tabled</u>
				x	
Thomas E. Wood	x				
Barbara E. Hebert	x				
Charles A. Kostyk	x				
Dana M. Isabella	x				
Michael S. Cashman	x				

RESOLVED, that this Town Board meeting be adjourned at 6:21 PM.

Motion by: Dana M. Isabella

Seconded by: Charles A. Kostyk
Discussion: None

	<u>Yes</u>	<u>No</u>	<u>Carried</u>
			x
Thomas E. Wood	x		
Barbara E. Hebert	x		
Charles A. Kostyk	x		
Dana M. Isabella	x		
Michael S. Cashman	x		

Minutes Respectfully Submitted by:

Katie Kalluche, Town Clerk