TOWN OF PLATTSBURGH TOWN BOARD MONTHLY MEETING November 2, 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:	PRESENT	ABSENT
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	

Additional attendees: Jessica Kogut, Michael Drew, Patrick Bowen

Resolution No. 023-238

Accept Minutes of the Previous Meeting

RESOLVED, that the minutes of **September 7, 2023** and **September 14, 2023** be accepted and the reading of the minutes be dispensed with.

Motion: Charles A. Kostyk Seconded by: Dana M. Isabella

Discussion: None

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

Public Comment - None

Resolution No. 023-239

Abstract 11A-23

RESOLVED, that the abstract of audited claims **No. 11A-23** for \$214,073.77, **Abstract 11A-23** prepays for the amount \$377,174.39 be received as reviewed by the Audit Committee and the Supervisor is hereby authorized to pay said abstracts.

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

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

Resolution No. 023-240

Monthly Department Reports

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

Building and Grounds – September 2023

Codes and Zoning -

Dog Control Officer - September 2023

Historian -

Highway Superintendent – September 2023

Justice Court -

Parks and Recreation – September 2023

Planning and Community Development -

Safety Committee -

Supervisors Financial Report – September 2023

Tax Receiver -

Town Clerk – September 2023

Water Wastewater - September 2023

Motion: Thomas E. Wood

Seconded by: Charles A. Kostyk

Discussion: None

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

Resolution No. 023-241

Appointment of Michael Drew as Superintendent of Buildings and Grounds

WHEREAS, a vacancy exists in the Town of Plattsburgh Buildings and Grounds Department for a Superintendent; and

WHEREAS, interviews for the aforementioned position were held which consisted of the eligible candidates provided by Clinton County Department of Personnel; and

WHEREAS, it is of the recommendation of the Town Supervisor that Mr. Michael Drew be appointed to the vacant Buildings and Grounds position; therefore, be it

RESOLVED, that the Town of Plattsburgh Town Board does hereby authorize the hiring and appointment of Mr. Drew as Superintendent of Buildings and Grounds at a salary of \$66,643.20 (grade 9, step 1) effective December 11, 2023; and be it further

RESOLVED, that the Supervisor is hereby authorized to sign all necessary documents to appoint Mr. Drew to the position of Superintendent of Buildings and Grounds, with a probationary period of 12 months; and be it further

RESOLVED, that a certified copy of this Resolution be given to the Finance Manager, one be forwarded to the Clinton County Department of Personnel, and a copy be placed in Mr. Drew's personnel file.

Motion: Thomas E. Wood

Seconded by: Charles A. Kostyk Discussion: Michael S. Cashman

Michael S. Cashman

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

 \mathbf{X}

Resolution No. 023-242

Resolution to Hold a Public Hearing for Local Law No. 6 of 2023 a Local Law, Amending Local Law No. 2 of the Year 2007, Redefining Income for Property Owned by Persons 65 Years of age or Older who Meet Certain Income Limitations and Other Requirements as set Forth in Section 467 of the Real Property Tax Law.

WHEREAS, proposed Local Law No. 6 of 2023 a Local Law, Amending Local Law No. 2 of the Year 2007, Redefining Income for Property Owned by Persons 65 Years of age or Older who Meet Certain Income Limitations and Other Requirements as set Forth in Section 467 of the Real Property Tax Law; and

WHEREAS, due consideration has been given to the adoption of Proposed Local Law No. 6 of 2023 by all members of the Town Board who were present; and

WHEREAS, it was the considered opinion of all members of the Town Board who were present that a public hearing should be held on the 16th day of November, 2023 at 6:05 P.M., at the Plattsburgh Town Hall, 151 Banker Road, Plattsburgh, New York, to consider the adoption of Proposed Local Law No. 6 of 2023;

NOW, on motion duly made and seconded, it was

RESOLVED, that a public hearing be held on the 16th day of November, 2023 at 6:05 P.M., at the Plattsburgh Town Hall, 151 Banker Road, Plattsburgh, New York, on the question of the enactment of Proposed Local Law No. 6 of 2023; and be it further

RESOLVED, that a Notice of Hearing on Proposed Local Law No. 6 of 2023 shall be published in the Press Republican not less than five (5) days prior to that hearing; and be it further

RESOLVED, that the Town Clerk shall post that Notice on the bulletin board maintained by the Town Clerk pursuant to Town Law 30(6), and on the Town of Plattsburgh website, for a period of not less than five (5) days prior to that public hearing.

Motion to Waive the Reading: Charles A. Kostyk

Seconded by: Dana M. Isabella

Discussion: None

D,	ш	Co	.11	۱.
HC 4		•		

<u>Y es</u>	<u>No</u>	<u>Absent</u>	<u>Carried</u>	<u>Tabled</u>
			X	
X				
		X		
X				
X				
X				
	x x x	x x x	x x x	X X X X

Resolution No. 023-243

Resolution to Hold a Public Hearing for Local Law No. 7 of 2023 a Local Law, Amending Local Law No. 2 of the Year 2007, Redefining Income for Partial Real Property Tax Exemption for Property Owned by Disabled Persons who Meet Certain Income Limitations and Other Requirements as set Forth in Section 459-C of the Real Property Tax Law.

WHEREAS, proposed Local Law No. 7 of 2023 a Local Law, Amending Local Law No. 2 of the Year 2007, Redefining Income for Partial Real Property Tax Exemption for Property Owned by Disabled Persons who Meet Certain Income Limitations and Other Requirements as set Forth in Section 459-C of the Real Property Tax Law; and

WHEREAS, due consideration has been given to the adoption of Proposed Local Law No. 7 of 2023 by all members of the Town Board who were present; and

WHEREAS, it was the considered opinion of all members of the Town Board who were present that a public hearing should be held on the 16th day of November, 2023 at 6:10 P.M., at the Plattsburgh Town Hall, 151 Banker Road, Plattsburgh, New York, to consider the adoption of Proposed Local Law No. 7 of 2023;

NOW, on motion duly made and seconded, it was

RESOLVED, that a public hearing be held on the 16th day of November, 2023 at 6:10 P.M., at the Plattsburgh Town Hall, 151 Banker Road, Plattsburgh, New York, on the question of the enactment of Proposed Local Law No. 7 of 2023; and be it further

RESOLVED, that a Notice of Hearing on Proposed Local Law No. 7 of 2023 shall be published in the Press Republican not less than five (5) days prior to that hearing; and be it further

RESOLVED, that the Town Clerk shall post that Notice on the bulletin board maintained by the Town Clerk pursuant to Town Law 30(6), and on the Town of Plattsburgh website, for a period of not less than five (5) days prior to that public hearing.

Motion to Waive the Reading: Dana M. Isabella

Seconded by: Charles A. Kostyk

Discussion: None

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

Resolution No. 023-244

Adoption of Subdivision Regulation
Amendments for the Town of Plattsburgh 2023

WHEREAS, the Town of Plattsburgh Town Board (hereafter referred to as the "Town Board") adopted a Town Comprehensive Plan in 2010 and Town Center Smart Growth Plan on November 21, 2019, which necessitated a review and update of currently adopted Subdivision Regulations for the Town, as last revised on June 19, 1978; and

WHEREAS, the Town Board, received a draft of the proposed Subdivision Regulations for the Town of Plattsburgh (herein referred to as the "Proposed Subdivision Regulations") for review dated last revised July 14, 2023, which would replace the existing Subdivision Regulations for the Town of Plattsburgh in its entirety; and

WHEREAS, the application was referred to the Town of Plattsburgh Planning Board and Clinton County Planning as required by Local and State Law; and

WHEREAS, the Town Board, as the only involved agency pursuant to the State Environmental Quality Review Act (hereinafter "SEQRA") with respect to environmental review of the recension and of the current Town of Plattsburgh Subdivision Law last revised, June 19, 1978 and adoption of the of the Proposed Subdivision Regulations, declared itself SEQRA lead agency for this action on October 5, 2023 and conducted a full review of the Proposed Subdivision Regulations using Part I, Part II, and Part III FEAF forms; and

WHEREAS, the Town Board also held a public hearing on October 19, 2023 for the Proposed Subdivision Regulations, where all interested and concerned parties were afforded an opportunity to be heard, and their comments were considered by the Board prior to the adoption of this resolution;

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Plattsburgh in regular session duly convened as follows:

- 1. The Town Board considered all the reasonably related long-term, short-term, direct, indirect, and cumulative environmental effects associated with the proposed action including other simultaneous or subsequent actions.
- 2. Town Board has compared the proposed action with the criteria for Determining Significance in 6 NYCCR 617.7 (c) and determined that the proposed action will not have a significant adverse impact on the environment.
- 3. The Town Board issues a Negative Declaration of Significance for this action.
- 4. The Town Board hereby rescinds the existing Subdivision Regulations, Town of Plattsburgh, as last revised June 19, 1978 and adopts the Town of Plattsburgh Subdivision Regulations, as last revised July 14, 2023, which shall effective this date.

Motion to Waive the Reading: Charles A. Kostyk

Seconded by: Dana M. Isabella Discussion: Michael S. Cashman

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

WHEREAS, the Town of Plattsburgh issued a request for proposals from qualified firms in New York State to provide professional branding services on September 7th, 2023; and

WHEREAS, the Town of Plattsburgh did receive proposals from qualified firms in New York State to provide these professional services in connection with the needs of the Town; and

WHEREAS, it was determined that the Sidekick Creative proposal was of high quality, and reasonable in the scope and cost of services provided and that it is in the best interest of the Town and the public, to hire Sidekick Creative; now, therefore be it

RESOLVED, the Town of Plattsburgh Town Board, upon approval and recommendation of the Town Attorney, does hereby accept the proposal as submitted by Sidekick Creative, 284 Glen Street, Glens Falls, NY 12801; and it is further

RESOLVED, that the Supervisor is hereby authorized and directed to execute the Agreement for said professional services not to exceed \$20,950; and be it further

RESOLVED, that a copy of this Resolution be given to the Finance Manager, Planning Department Head, and the Town Clerk.

Motion: Dana M. Isabella

Seconded by: Charles A. Kostyk

Discussion: None

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

Resolution No. 023-246

3% Site Plan Return Deposit for Adams Glass Site Plan 2021

WHEREAS, the Town of Plattsburgh Planning Board has reviewed and approved all requirements of the Adams Glass Site Plan 2021; and

WHEREAS, the Planning and 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 said deposit in the amount of \$500.00, 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 Adams Glass.

Motion to Waive the Reading: Charles A. Kostyk

Seconded by: Thomas E. Wood

Discussion: None

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

Resolution No. 023-247

3% Site Plan Return Deposit for UMS
Properties LLC Lab Parking Site Plan 2023

WHEREAS, the Town of Plattsburgh Planning Board has reviewed and approved all requirements of the UMS Properties LLC Lab Parking Site Plan 2023; 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 said deposit in the amount of \$1,884.06 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 UMS Properties LLC.

Motion to Waive the Reading: Dana M. Isabella

Seconded by: Charles A. Kostyk

Discussion: None

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

3% Site Plan Return Deposit for UMS Properties LLC Site Plan 2022

WHEREAS, the Town of Plattsburgh Planning Board has reviewed and approved all requirements of the UMS Properties LLC Site Plan 2022; and

WHEREAS, the Planning and 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 said deposit in the amount of \$8,070.88 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 UMS Properties LLC.

Motion to Waive the Reading: Charles A. Kostyk

Seconded by: Dana M. Isabella

Discussion: None

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

Resolution No. 023-249

Resignation of Mr. Alexander Forster as Alternate Member of Zoning Board of Appeals

WHEREAS, Mr. Alexander Forster was appointed to the Zoning Board of Appeals in November 2017; and

WHEREAS, Mr. Forster has submitted his resignation from the Town of Plattsburgh Zoning Board of Appeals effective October 25, 2023; therefore, be it

RESOLVED, that the Town Board does hereby wish to thank him for his years of service and wish Mr. Forster well with his future endeavors; and, it is further

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

Motion: Charles A. Kostyk Seconded by: Dana M. Isabella

Discussion: Michael S. Cashman, Thomas E. Wood

	<u>Yes</u>	$\underline{\mathbf{No}}$	Absent	Carried	Tabled
				X	
Thomas E. Wood	X				
Barbara E. Hebert			X		
Charles A. Kostyk	X				
Dana M. Isabella	X				
Michael S. Cashman	X				

Resolution No. 023-250

Adoption of the 2024 Budget

WHEREAS, the Town Board of the Town of Plattsburgh has met at the time and place specified in the notice of public hearing to review the entire 2024 Preliminary Budget and heard all persons desiring to be heard thereon; now, therefore, it is

RESOLVED, that after meeting with Department Heads and having the public hearing, the Preliminary Budget was amended and hereby is adopted as the Final Budget for the Town of Plattsburgh for the fiscal year beginning the first day of January 2024 and that the attached Budget, as adopted, be entered in detail in the minutes of the proceedings of the Town Board; and, it is further

RESOLVED, that the Supervisor shall prepare and certify in duplicate, copies of said Annual Budget as adopted by this Town Board, together with the Assessment Rolls for benefit improvements, adopted pursuant to Sections 116 and 202A, Subdivision 2 of the Town Law and deliver one copy thereof to the Clinton County Board of Legislators; and be it further

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

Motion: Thomas E. Wood Seconded by: Dana M. Isabella

Discussion: None

Ro		Ca	I	:
----	--	----	---	---

	<u>Yes</u>	No	<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. 023-251

Completed Assessment Rolls for 2024

WHEREAS, the Town Board of the Town of Plattsburgh has met at the time and place specified in the notice of public hearing to review the completed Assessment Rolls for the ambulance, water, sewer, storm water management, lighting and highway districts and heard all persons desiring to be heard thereon; now, therefore, it is

RESOLVED, that the completed Assessment Rolls be and hereby are adopted as the Annual Assessment Rolls for the Town of Plattsburgh; and, be it further

RESOLVED, that the Supervisor, shall prepare and certify in duplicate copies of the Assessment Rolls for benefit improvements, adopted pursuant to Sections 116 and 202A, Subdivision 2 of the Town Law and deliver one copy thereof to the Clinton County Board of Legislators; and, be it further

RESOLVED, that the Assessor and Finance Manager be given a copy of this Resolution.

Motion: Charles A. Kostyk Seconded by: Dana M. Isabella

Discussion: None

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

Resolution No. 023-252

Clinton County Contract for Assisted Assessment Services with Town of Plattsburgh 2024-2026

WHEREAS, the Town continues to experience dramatic growth, both in terms of commercial and residential construction; and

WHEREAS, to properly assess new and improved properties in the Town requires the extensive collection of data regarding these properties; and

WHEREAS, Clinton County has agreed to provide services to assist the Town in the collection of said data; and

WHEREAS, a copy of said proposed contract between the Town and Clinton County is attached hereto and made a part hereof; and

WHEREAS, the Town Attorney has reviewed said contract and has discussed its operation with the Town Assessor and it is the opinion of the Town Attorney that entering into said contract is in the best interests of the Town; now therefore be it

RESOLVED, that the Supervisor is hereby authorized by the Town Board to execute this contract and all related documents necessary for its implementation.

Motion: Dana M. Isabella Seconded by: Thomas E. Wood

Discussion: Yes

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

Resolution No. 023-253

Renewal Agreement with
Constellation NewEnergy, Inc.

WHEREAS, Constellation NewEnergy, Inc. has submitted a proposed Electricity Supply Agreement to the Town and the Town Attorney has reviewed the Agreement as well as communicating with representatives of Constellation NewEnergy, Inc. and the Town Attorney is satisfied that the Agreement is legally sufficient; and

WHEREAS, resolution 017-259 was passed, and a new service agreement has been received, the new Agreement has been received with the dates of the agreement beginning November 1, 2023 to October 31, 2026; now, therefore be it

RESOLVED, that the Supervisor of the Town is hereby authorized to execute any and all documents necessary to contract with Constellation NewEnergy, Inc. to supply electricity to the Town.

Motion: Charles A. Kostyk Seconded by: Dana M. Isabella

Discussion: Yes

Roll Call:		Yes	No	Absent	Carried	Tabled
					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: Charles A. Kostyk Seconded by: Dana M. Isabella

Discussion: None

Yes No Carried x

Thomas E. Wood x
Barbara E. Hebert Absent
Charles A. Kostyk x
Dana M. Isabella x
Michael S. Cashman x

Minutes Respectfully Submitted by:

Katie Kalluche, Town Clerk

TOWNN OF PLATTSBURGH TOWN BOARD MEETING PUBLIC HEARING

November 2, 2023

NOTICE is hereby given that the Town of Plattsburgh Town Board 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, November 2, 2023 at 6:05 p.m. prevailing time in relation to the Preliminary Budget for 2024 and Elected Official's Salaries.

- 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: **Thomas E. Wood**Motion by: **Charles A. Kostyk**

Seconded by: Charles A. Kostyk Seconded by: Dana M. Isabella

Discussion: None Discussion: None

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

Time: **6:06 PM** Time: **6:14 PM**

TOWN OF PLATTSBURGH TOWN BOARD MEETING PUBLIC HEARING

November 2, 2023

NOTICE is hereby given that the Town of Plattsburgh Town Board 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, November 2, 2023 at 6:10 p.m. prevailing time in relation to:

Town of Plattsburgh Consolidated Water District
Town of Plattsburgh Consolidated Sewer District
Base Water District
Base Sewer District
Base Storm Water Management District
Base Highway Maintenance Improvement District
Highway (Town Wide)
Town of Plattsburgh Lighting Districts
Consolidated Ambulance and, it is further

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: Charles A. Kostyk

Motion by: Charles A. Kostyk

Seconded by: Dana M. Isabella Seconded by: Dana M. Isabella

Discussion: None Discussion: None

Yes No		Yes	No
x	Thomas E. Wood	X	
Absent	Barbara E. Hebert	Absent	
X	Charles A. Kostyk	X	
X	Dana M. Isabella	X	
X	Michael S. Cashman	X	
	x Absent x	x Thomas E. Wood Absent Barbara E. Hebert x Charles A. Kostyk x Dana M. Isabella	x Thomas E. Wood x Absent Barbara E. Hebert Absent x Charles A. Kostyk x x Dana M. Isabella x

Time: **6:10 PM** Time: **6:17 PM**