

**TOWN OF PLATTSBURGH
TOWN BOARD SEMI-MONTHLY MEETING
March 21, 2024**

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

Also in attendance: Robin Burgess

Resolution No. 024-072

Approve Minutes of the Previous Meeting

RESOLVED, that the minutes of **February 1, 2024** and **February 8, 2024** be approved, and the reading of the minutes be dispensed with.

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

Public Comment - None

Resolution No. 024-073

Abstract 3B-2024

RESOLVED, that the abstract of audited claims **No. 3B-24** for \$408,938.66, **Abstract 3B-24** prepays for the amount \$236,878.82 be received as reviewed by the Audit Committee and the Supervisor is hereby authorized to pay said abstracts.

Motion: Barbara E. Hebert
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. 024-074

**Resolution to Hold a Public Hearing and Type
 SEQRA Action for Local Law #1 of 2024**

WHEREAS, proposed Local Law No. 1 of 2024 of the Town of Plattsburgh which imposes a twelve-month moratorium on applications for Battery-Based Energy Storage Systems; and

WHEREAS, due consideration has been given to the adoption of Proposed Local Law No. 1 of 2024 by all members of the Town Board who were present; and

WHEREAS, Part 617 of the Environmental Conservation Law - "State Environmental Quality Review Act" (SEQRA), provides for the review of any "ACTION" to determine the effect of the action on the environment, along with any related administrative procedures for the implementation, authorization or approval of the action; and

WHEREAS, the adoption of a moratorium on land development or construction is a Type II action under 6NYCRR Part 617 requiring no further environmental review; 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 4th day of April, 2024 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. 1 of 2024;

NOW, on motion duly made and seconded, it was

RESOLVED, that the Town of Plattsburgh’s Planning Board after a review of proposed Local Law #1 of 2024 does hereby determine that the proposed project is a Type II action requiring no further environmental review; and be it further

RESOLVED, that a public hearing be held on the 4th day of April, 2024 at 6:05 P.M. EST, at the Plattsburgh Town Hall, 151 Banker Road, Plattsburgh, New York, on the question of the enactment of Proposed Local Law No. 1 of 2024; and be it further

RESOLVED, that a Notice of Hearing on Proposed Local Law No. 1 of 2024 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; and be it further

RESOLVED, that the Town Clerk shall provide a certified copy of this resolution to the Planning & Community Development Department, and the Codes and Zoning Department.

Motion: Barbara E. Hebert
Seconded by: Thomas E. Wood
Discussion: None

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

Resolution No. 024-075

Engineered Wood Fiber Purchase for Town of Plattsburgh Playgrounds

WHEREAS, to maintain safety, each playground requires twelves inches of engineered wood fiber in all playground use zones; and

WHEREAS, due to compaction over time, every spring/summer new engineered wood fiber needs to be added to all playground locations; and

WHEREAS, the Parks & Recreation Department has determined that 200 cubic yards of engineered wood fiber is needed and is recommending the acceptance of the quote from Jeffrey Associates for ordering and delivering said Zeager engineered wood fiber in the amount of \$7,166; therefore be it

RESOLVED, that the Town Board does hereby grant permission to Ms. Pangborn to order said engineered wood fiber from Jeffrey Associates, 897 Route 910 Indianola, Pa 15051-0335 and the Supervisor is hereby authorized to sign any related documents required for the purchase; and it is further

RESOLVED, that said purchase be made payable from the Park Field Maintenance Account A1620.4116.1000 for 2024; and, it is further

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

Motion: Charles A. Kostyk
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. 024-076

Request to Purchase Rubber Plow Edge Blades for Highway Department from Northern Supply, Inc.

WHEREAS, the following Resolution supersedes Resolution No. 024-059, based on the letter provided by the Highway Superintendent, Greg Burnell, Chemung Supply Corp. is unable to provide blades that meet the exact specifications the Town of Plattsburgh needs, and we are unable to order said blades from the previous Resolution; therefore, be it

RESOLVED, that the Town Board approve the purchase of 20 Rubber Plow Edge Blades from Northern Supply, Inc. for the price of \$9,478.75, as per the attached quote, and that the Highway Superintendent is hereby authorized to make said purchase; and be it further

RESOLVED, that payment be made payable from the 2024 Highway Budget Repairs Account #DAA.5130.4200.0000 and that a copy of this Resolution be given to the Finance Manager and the Highway Superintendent.

Motion by: 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. 024-077

Regal Cinemas License Application

WHEREAS, to comply with the Town of Plattsburgh Codes and Zoning Laws, Regal Cinemas has applied for a license to conduct and operate a cinema, known as Regal Cinemas, located in Champlain Centre North in the Town of Plattsburgh; and

WHEREAS, said application was applied for and received with license fee of \$500.00; and

WHEREAS, the Codes Department has completed their inspection and has found Regal Cinemas to be in compliance with all Local Laws and New York State Regulations and Codes; therefore, be it

RESOLVED, to receive and place on file an application for a license to conduct and operate Regal Cinemas; and, it is further

RESOLVED, that the Town Clerk is hereby authorized to issue said license for the period from January 1, 2024 through December 31, 2024.

Motion: Barbara E. Hebert
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. 024-078

Setting a Public Hearing to Review Proposed Amendments to The Town Zoning Map

TOWN ZONING MAP AMENDMENT- Consideration of a zoning amendment for parcels 245.-4-22.11, 245.-4-40.1, 245.-4-41, and 245.-4-16.2 located on Route 22, Salmon River Road, and Superior Drive, changing the existing zone classification of said parcels from Residential (R2) to Industrial (I); and

WHEREAS, at its regularly scheduled meeting on March 16, 2023 the Town Board of the Town of Plattsburgh (the “Town Board”) received and placed on file a zoning map amendment petition from Schluter Systems Inc. requesting an amendment of the existing zone classification of the previously said parcels from Residential (R2) to Industrial (I) (the “Zoning Amendment”); and

WHEREAS, pursuant to Article XIII, Section 13.3, all proposed zoning amendments originating by petition or by motion shall be referred to the Town of Plattsburgh Planning Board (the “Planning Board”) for a report and recommendation thereon; and

WHEREAS, the Planning Board did submit its report to the Town Board within forty five (45) days of receipt of such referral in accordance with the provisions of said Zoning Ordinance; and

WHEREAS, the Town board has considered the Zoning Amendment and the recommendations contained in the report of the Planning Board; and

WHEREAS, the Town Board finds merit in the consideration of a zoning map amendment; and

WHEREAS, pursuant to the New York State Environmental Quality Review Act, Article 8 of the Environmental Conservation Law and the regulations promulgated thereto at 6 NYCRR Part 617 (collectively referred to as “SEQRA”), the Town Board is required to conduct a review of the Zoning Amendment in order to determine if it presents a potential significant adverse environmental impact; and

WHEREAS, the Town Board has received a Part 1 of a Full Environmental Assessment Form (“EAF”) for the Zoning Amendment as required by SEQRA; ; and

WHEREAS, the Town Board, upon receipt of the EAF, declared intent to act as Lead Agency for the purpose of conducting a review of the Zoning Amendment pursuant to SEQRA; and

WHEREAS, the Zoning Amendment proposes to affect more than 25 acres of land and is therefore considered a Type I action pursuant to Section 617.4 of the SEQRA regulations requiring that a coordinated review with all involved agencies be conducted; and

WHEREAS, the Town Board will coordinate with involved and interested agencies as appropriate and necessary for the review of potential adverse environmental impacts posed by the Zoning Amendment; and

WHEREAS, New York State Law and the Town’s Zoning Ordinance requires that a public hearing on proposed amendments be held to consider the advisability of amendment to the Town of Plattsburgh Zoning Ordinance; and

WHEREAS, Part 617 of the Environmental Conservation Law - "State Environmental Quality Review Act", Section 8-0113 (SEQRA herein) provides for the review of any "ACTION" to determine the effect of said Action on the environment, along with any related administrative procedures for the implementation, authorization or approval of said Action; now therefore be it,

RESOLVED, the Town Board hereby declares itself as Lead Agency for the Revisions and Amendment to Zoning Ordinance and Map, and does hereby determine that the proposed Project is a TYPE I ACTION and a coordinated review under SEQRA shall be conducted; now be it further

RESOLVED, pursuant to Article XVII, Section 17.4 of the Town Zoning Ordinance and Section 264 and 265 of New York Town Law the Town Clerk shall transmit a full statement of the proposed amendment and map to the Clinton County Planning Board prior to the April 3, 2024 County Planning Board meeting deadline; and be it further

RESOLVED that the Town Board shall hold a public hearing in relation to the proposed amendment to the Zoning Ordinance at the Town Hall, at 151 Banker Road, Plattsburgh, New York 12901 on **April 4, 2024 at 6:05 P.M.**, [Eastern Daylight Savings Time]; and, be it further

RESOLVED that pursuant to the provisions of Article XVII, Section 17.4 of the Town Zoning Ordinance, the Town Clerk shall cause a notice of the time and place of said public hearing to be published in The Press Republican, a paper of general circulation in the Town of Plattsburgh, at least once, 10 days before **April 4, 2024** meeting with such notice also being posted in the Town Hall and given to necessary adjoining municipalities and the Clinton County Planning Board and such other agencies and parties as required by law; and, be it further

RESOLVED, that notice of said Public Hearing and a copy of full statement of the proposed zoning ordinance amendment shall also be posted on the Town's Website; and, be it further

RESOLVED, that a copy of this Resolution and attachments be given to the Town Clerk, Planning and Zoning Departments and the Clinton County Planning Board.

Motion: Barbara E. Hebert
Seconded by: Charles A. Kostyk
Discussion: Thomas E. Wood

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				

Motion to go into Executive Session to discuss the work history of three specific individuals.

Motion to come out of Executive Session

Motion by: **Charles A. Kostyk**
Seconded by: **Barbara E. Hebert**
Time: **6:16 PM**

Motion by: **Barbara E. Hebert**
Seconded by: **Thomas E. Wood**
Time: **6:32 PM**

	<u>YES</u>	<u>NO</u>
Thomas E. Wood	x	
Barbara E. Hebert	x	
Charles A. Kostyk	x	
Dana M. Isabella	Absent	
Michael S. Cashman	x	

	<u>YES</u>	<u>NO</u>
Thomas E. Wood	x	
Barbara E. Hebert	x	
Charles A. Kostyk	x	
Dana M. Isabella	Absent	
Michael S. Cashman	x	

RESOLVED, that this Town Board meeting be adjourned at 6:32 PM.

Motion by: **Barbara E. Hebert**
Seconded by: **Thomas E. Wood**
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	Absent		
Michael S. Cashman	x		

Minutes Respectfully Submitted by:

Katie Kalluche, Town Clerk