

**TOWN OF PLATTSBURGH
TOWN BOARD MONTHLY MEETING
April 4, 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	

Resolution No. 024-080

Approve Minutes of the Previous Meeting

RESOLVED, that the minutes of **February 15, 2024** and **February 22, 2024** be approved, and the reading of the minutes be dispensed with.

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				

Public Comment - None

Resolution No. 024-081

Abstract 4A- 24

RESOLVED, that the abstract of audited claims **No. 4A-24** for \$1,250,934.90, **Abstract 4A-24** prepays for the amount \$196,939.02 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. 024-082

Monthly Department Reports

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

Building and Grounds – **February 2024**
 Codes and Zoning – **February 2024**
 Dog Control Officer – **February 2024**
 Historian –
 Highway Superintendent – **February 2024**
 Justice Court –
 Parks and Recreation – **February 2024**
 Planning and Community Development –
 Safety Committee –
 Supervisors Financial Report – **February 2024**
 Tax Receiver –
 Town Clerk – **February 2024**
 Water Wastewater – **February 2024**

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				

Resolution No. 024-083

**Authorization to Apply, and Commitment of Match,
 for Northern Border Regional Commission Catalyst
 Program 2024**

WHEREAS, the Town of Plattsburgh recently completed Phase 1 of the Battlefield Memorial Gateway (BMG) project which included site remediation and preparation which was completed in Fall of 2023; and

WHEREAS, the Town has identified project components for Phase 2 implementation including site interior amenities and the rehabilitation and upgrade of the existing at-grade rail crossing ; and

WHEREAS, the Northern Border Regional Commission has an open application for the 2024 Catalyst Program which funds public infrastructure projects, specifically Basic Public Infrastructure such as parks as well as Transportation Infrastructure; and

WHEREAS, a maximum award for this program is \$3,000,000.00 with a minimum 20% match, and the Town has identified a Phase 2 project scope of \$3,724,380.54; now therefore be it

RESOLVED, that Michael Cashman as Supervisor of the Town of Plattsburgh is hereby authorized to apply for the NBRC Catalyst Program 2024; and, be it further

RESOLVED, that the Town Board does authorize the commitment of \$1,000,000 in total matching funds to include direct construction costs as well as in-kind personnel match; and, be it further

RESOLVED, that a copy of this Resolution be forwarded to the Planning & Community Development Department, and Finance Manager.

Motion: Barbara E. Hebert
Seconded by: Charles A. Kostyk
Discussion: Michael S. Cashman

	<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. 024-084

Agreement with The Precision Group for the Cleaning and Servicing of the Oil Water Separator

WHEREAS, it is necessary to continue maintenance and improvements of buildings and grounds within the Town of Plattsburgh; and

WHEREAS, Mike Drew, Superintendent of Building and Grounds, is requesting for the Town to enter into an agreement with The Precision Group for the cleaning and serving of the Oil Water Separator; therefore, be it

RESOLVED, that the Town Board authorizes the Supervisor to enter into an agreement with The Precision Group, with its principal place of business at 1710 Erie Boulevard, Schenectady, NY 12308, to provide services as indicated in the Agreement; and, be it further

RESOLVED, that, after the Town Attorney's review, the Supervisor be authorized to sign the Agreement between the Town of Plattsburgh and The Precision Group for the cleaning and servicing of the Oil Water Separator for the amount of \$12,829.00; and, it is further

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

Motion by: 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				

Resolution No. 024-085

Request to Purchase Carpet Tile for Town Hall Building

WHEREAS, the Town of Plattsburgh Building and Grounds Department Superintendent, Michael Drew, has submitted a request to purchase the following materials to replace all carpeted areas on the upper floor (to include the hallway and conference room) for the Town Hall building:

188 – Shaw Flex Tile 00530/Curve (1,002.66 SY)
9 – 4 gal. pails LokWorx Carpet Tile Pressure Sensitive Adhesive

; and

WHEREAS, Mr. Drew has received a quote from Shaw Integrated Solutions, using Sourcewell Contract Pricing, the total price for materials would be \$27,445.87, which includes shipping; now, be it

RESOLVED that the Town Board approve the purchase as recommended by the Building and Grounds Superintendent and the Supervisor is authorized to sign any and all related documents required for the purchase of said carpet and adhesive materials; and, be it further

RESOLVED, that said purchase be made payable from the 2024 Building Repairs Budget Account #AAA.1620.4510 and that a copy of this Resolution be given to the Building and Grounds Superintendent and the Finance Manager.

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				

Resolution No. 024-086

Request for Greg Burnell to Attend the 2024 Highway School

WHEREAS, it is in the best interest of the Town Highway Superintendent to remain current and informed concerning changes in regulations; therefore be it

RESOLVED, that Greg Burnell, Highway Superintendent, be allowed to attend The Annual School for Highway Superintendents, co-sponsored by the Town and County Officers Training School and The Association of Towns of the State of New York held from June 2-5, 2024 at Ithaca College in Ithaca, NY; and it is further

RESOLVED, that \$755.00 for conference fees, lodging, and meals be charged to the Highway Superintendent Account AAA.5010.4410; and, be it further

RESOLVED, that a copy of this Resolution be given to the Finance Manager and a copy be placed in Mr. Burnell’s personnel file.

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. 024-087

Request to Attend NYSTCA Annual Conference

WHEREAS, it is in the best interest of the Town that the Town Clerk’s Office remain current and informed concerning all aspects of the Town Clerk’s responsibilities and any changes in regulations; and

WHEREAS, training through the New York State Town Clerks Association (NYSTCA) is being offered Albany, NY at The Desmond Hotel from April 21-24th, 2024; and

WHEARAS, the Town Clerk Katie Kalluche has this educational opportunity within her budget for herself to attend this year; therefore be it

RESOLVED, that Town Clerk be approved to attend the annual conference and training and that an amount not to exceed \$800.00 for lodging, transportation, meals and registration for the conference be charged to the Town Clerk’s budget; and be it further

RESOLVED, that copies of this Resolution be given to the Finance Director, the Town Clerk and one be placed in her personnel file.

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

	<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. 024-088 **Request to Attend PERMA Annual Member Conference**

WHEREAS, it is in the best interest of the Town that the Business Office Associates remain current and informed concerning the areas of Worker’s Compensation and Safety Coordinator; and

WHEREAS, training through the Public Employer Risk Management Association (PERMA) is being offered in Bolton Landing, New York at The Sagamore Resort from May 9-10, 2024; therefore, be it

RESOLVED, that Senior Account Clerk/Typists, Karen Provost and Jodie Seymour be approved to attend the Annual PERMA Member Conference and that conference fees are not to exceed \$200.00; and be it further

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

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. 024-089

Gift Agreement Between The Foundation of CVPH Medical Center, Inc. and the Town of Plattsburgh

WHEREAS, a Gift Agreement, to establish a framework of collaboration between The Foundation of CVPH Medical Center, Inc. and the Town of Plattsburgh, is necessary; and

WHEREAS, the Town of Plattsburgh Parks and Recreation Department will receive a gift of an accessible wheelchair to be used by any community member for pickleball recreation from The Foundation of CVPH Medical Center, Inc.; therefore, be it

RESOLVED, that the Town Board does hereby authorize the Town Supervisor to sign said Gift Agreement with The Foundation of CVPH Medical Center, Inc. in acceptance of the accessible wheelchair; and, be it further

RESOLVED, that a copy of this Resolution be given to The Foundation of CVPH Medical Center, Inc., the Parks and Recreation Department and the Finance Manager.

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

	<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. 024-090

Community Partnership Between Town of Plattsburgh Recreation Program and Clinton County Youth Bureau

WHEREAS, the Town of Plattsburgh Parks and Recreation Department would like to continue its community partnership with the Clinton County Youth Bureau in order to strengthen existing cooperation and further develop activities focused on recreational opportunities for the residents in the Town of Plattsburgh; and

WHEREAS, the Clinton County Youth Bureau has recently made changes to their fiscal year, and it is necessary to maintain authorization to allow the Supervisor to sign materials associated with continuing our community partnership throughout the year; therefore, be it

RESOLVED, that the Town Board, does hereby authorize the Supervisor to sign any materials associated with the community partnership agreement for Recreation Service Program on behalf of the Town of Plattsburgh and the Clinton County Youth Bureau for services throughout 2024; and, it is further

RESOLVED, that a copy of this Resolution be given to the Clinton County Youth Bureau, Finance Manager, and Parks and Recreation Department.

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				

Resolution No. 024-091

Permanent Appointment of Jordanne Manney as Recreation Program Coordinator

WHEREAS, the Civil Service examination for the position of Recreation Program Coordinator was held and Jordanne Manney, provisional Recreation Program Coordinator, has successfully completed said examination; now, therefore be it

RESOLVED, that Ms. Manney's appointment as Recreation Program Coordinator for the Town of Plattsburgh Parks and Recreation Department be made permanent and a copy of this Resolution be given to the Finance Manager, a copy to Civil Service and a copy be placed in her personnel file.

Motion: Thomas E. Wood
Seconded by: Dana M. Isabella
Discission: Michael S. Cashman, Charles A. Kostyk, 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. 024-092

One-Year Contract with Casella Waste Management of N.Y., Inc.

WHEREAS, Casella Waste Management of N.Y., Inc. has submitted a proposed waste refuse New York Service Contract to the Town of Plattsburgh for the term of one-year effective May 26, 2024; and

WHEREAS, the Town Attorney has reviewed said service contract and is satisfied that it is legally sufficient; therefore be it

RESOLVED, the Supervisor is hereby authorized to execute any and all documents necessary to contract services with Casella Waste Management of N.Y., Inc.; and be it further

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

Motion: Barbara E. Hebert

Seconded by: Dana M. Isabella

Discussion: Thomas E. Wood, Michael S. Cashman

	<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. 024-093

Abandoned/Condemned Property – 450 Route 3

WHEREAS, the Town Board has received correspondence and photographs depicting the recent condition of the subject property from Stephen M. Imhoff, Code Enforcement Officer regarding abandoned, unsafe and unsanitary conditions around and in the dwelling located at 450 Route 3, Tax Map Parcel #206.4-2-3 owned by Betty Lou LaJoy and William LaJoy; and

WHEREAS, Mr. Imhoff has requested that the Town Board take action under Local Law #1 of the year 1983, regarding unsafe buildings; therefore it be

RESOLVED, that the Town Board does hereby authorize the Code Enforcement Officer to take the necessary actions to abate the unsafe conditions as required in aforementioned Local Law; and, it is further

RESOLVED, that by order of this resolution, demolition and removal of the structure and cleanup and removal of the brush, junk and debris from the parcel with the cost thereof to be levied upon the taxes of this property in accordance with Local Law No. 1 of the Year 1983 entitled, "Unsafe Buildings Law", and it is further

RESOLVED, that Mr. Imhoff report to the Town Board with actions taken and timetables for compliance and completion date of such action.

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

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

Resolution No. 024-094

Cumberland 12 Cinemas License Application

WHEREAS, to comply with the Town of Plattsburgh Codes and Zoning Laws, Cumberland 12 Cinemas has applied for a license to conduct and operate a cinema, known as Cumberland 12 Cinemas, located in the Town of Plattsburgh at 18 North Bowl Lane, Route 9; 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 Cumberland 12 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 Cumberland 12 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: 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. 024-095

Resolution Authorizing Adoption by the Town Board of the Town of Plattsburgh of Local Law No. 1 of 2024 – Imposing a Twelve-Month Moratorium of Applications for Battery-Based Energy Storage Systems

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 April 4th, 2024 at 6:05pm at the Town of Plattsburgh, 151 Banker Road, Plattsburgh New York to hear all interested parties on a proposed Local Law entitled Local Law No. 1 of 2024 – Imposing a Twelve-month Moratorium of Applications for Battery-Based Energy Storage Systems; and

WHEREAS, notice of said public hearing was duly advertised in the Press Republican, the official newspaper of said Town, on March 29, 2024; and

WHEREAS, said public hearing was duly held on April 4th, 2024 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, 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 said Local Law; therefore, be it

RESOLVED, that the Town Board of the Town of Plattsburgh hereby adopts said Local Law No. 1 of 2024 entitled a Local Law Imposing a Twelve-month Moratorium of Applications for Battery-Based Energy Storage Systems, 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: Charles A. Kostyk
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. 1 of 2024

A Local Law imposing a moratorium on new applications for Battery Energy Storage Systems.

Section 1. Title

This Local Law shall be referred to as the “Local Law Imposing a Twelve-Month Moratorium of Applications for Battery-Based Energy Storage Systems”

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 declares a twelve-month moratorium on applications for Battery-Based Energy Storage Systems (BESS), also known as “Battery Farms”, and includes any Battery-Based Energy Storage System proposed as part of, or appurtenant to, a proposed or existing energy generation facility.

The Town of Plattsburgh has recently received a significant number of applications for the construction of Tier 3 Solar Energy Facilities. Research into related developments in other areas of New York State has shown that battery-based energy storage facilities are often located near or within solar projects. The Town currently has no regulation for battery based energy storage facilities.

The Integration of these commercial facilities, specifically within R2 Residential & R5 Residential zones within the Town emphasizes the need for suitable siting, land use and zoning standards and controls to mitigate any potential negative impacts. Particularly, the Town would like to examine the siting of these facilities in areas where public water and sewer infrastructure are present but unutilized by such projects, thus decreasing the return on investment of this important public infrastructure.

The Town has also sought guidance from NYSERDA regarding Battery-Based Energy Storage Systems, however, due to complications at existing BESS sites, NYSERDA and New York State are reviewing their own policies and recommendations, and is not yet offering training to municipalities.

The Town of Plattsburgh desires to address, in a careful manner, the establishment, placement, or construction of Battery-Based Energy Storage Systems on a comprehensive Town-wide basis, rather than on an ad hoc basis, and to adopt provisions to specifically regulate the same.

Section 3. Scope of Controls

A. During the effective period of this Local Law:

1. The Town of Plattsburgh shall not grant any approvals that would have as the result the establishment, placement, construction, or erection of any new Battery-Based Energy Storage Systems within the Town of Plattsburgh.
2. The Town of Plattsburgh Planning Board shall not grant any preliminary or final approval to a subdivision plat, site plan, special use permit or other permit that would have as a result the establishment, placement, construction or erection of any new Battery-Based Energy Storage Systems within the Town of Plattsburgh.
3. The Town of Plattsburgh Zoning Board of Appeals shall not grant any variance or other permit for any use that would result in the establishment, placement, construction, or erection of any new Battery-Based Energy Storage Systems within the Town of Plattsburgh.
4. The Building Inspector/Code Enforcement Officer of the Town of Plattsburgh shall not issue any permit that would result in the establishment, placement, construction, or erection of any new Battery-Based Energy Storage Systems within the Town of Plattsburgh.

B. The Town of Plattsburgh reserves the right to direct the Town of Plattsburgh Building Inspector/Code Enforcement Officer to revoke or rescind any building permits or certifications or occupancy issued in violation of this Local Law.

Section 4. Consideration of New Applications

No applications for construction submitted after the adoption of this Local Law, affected by this Local Law or for approvals for a site plan, subdivision, variance, special use permit or other permits shall be considered by any board officer or agency of the Town of Plattsburgh while this moratorium imposed by this Local Law is in effect.

Section 5. Term

The moratorium imposed by this Local Law shall be in effect for a period of twelve months from the effective date of this Local Law April 4th, 2024 until April 4th, 2025.

Section 6. Penalties

Any person, firm or corporation that shall establish, place, construct, enlarge or erect any Battery-Based Energy Storage System in violation of the provisions of this Local Law or shall otherwise violate any of the provisions of this Local Law shall be subject to:

- A. Such penalties as may otherwise be provided by applicable local laws, ordinances, rules or regulations of the Town of Plattsburgh; and
- B. Injunctive relief in favor of the Town of Plattsburgh to cease any and all such actions which conflict with this Local Law and, if necessary, to remove any construction that may have taken place in violation of this Local Law.

Section 7. Validity

The invalidity of any provision of this Local Law shall not affect the validity of any other provision of this Local Law that can be given effect without such invalid provision.

Section 8. Hardship

- A. Should any owner of property affected by this Local Law suffer an unnecessary hardship in the way of carrying out the strict letter of this Local Law, then the owner of said property may apply to the Town of Plattsburgh in writing for a variation from strict compliance with this Local Law upon submission of proof of such unnecessary hardship. For the purposes of this Local Law, unnecessary hardship shall not be the mere delay in being permitted to make an application or waiting for a decision on the application for a variance, special permit, site plan, subdivision, or other permit during the term of the moratorium imposed by this Local Law.
- B. Procedure. Upon submission of a written application to the Town Clerk by the property owner seeking a variation of this Local Law, the Town of Plattsburgh shall,

within thirty (30) days of receipt of said application, schedule a Public Hearing on said application upon fifteen (15) days written notice in the official newspaper of the Town of Plattsburgh. At said Public Hearing, the property owner and any other parties wishing to present evidence with regard to the application shall have an opportunity to be heard, and the Town Board of the Town of Plattsburgh shall, within fifteen (15) days of the close of said Public Hearing, render its decision either granting or denying the application for a variation from the strict requirements of this Local Law. If the Town of Plattsburgh determines that a property owner will suffer an unnecessary hardship if this Local Law is strictly applied to a particular property, then the Town of Plattsburgh shall vary the application of this Local Law to the minimum extent necessary to provide the property owner relief from strict compliance with this Local Law.

Section 9. **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. Applications filed prior to the adoption of this Local Law by the Town Board shall not be affected by this Local Law.

Resolution No. 024-096

Appointment of Edward Kirby to the Assessment Board of Review

WHEREAS, a vacancy exists on the Assessment Board of Review; and

WHEREAS, Mr. Edward Kirby, a resident of the Town of Plattsburgh, is willing to serve as a member of the Assessment Board of Review; therefore, be it

RESOLVED, that the Town of Plattsburgh Town Board does hereby appoint Mr. Kirby to the Assessment Board of Review for a term to expire 9/30/2027; and, be it further

RESOLVED, that he take the oath of office within thirty days of this Resolution; and, it is further

RESOLVED, that a copy of this Resolution be given to Mr. Kirby and the Assessment Department.

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

	<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. 024-097

Appointment of Ilona Kelting to the Recreation Advisory Committee

WHEREAS, the Town Board passed resolution 020-117 establishing a Parks and Recreation Advisory Committee; and,

WHEREAS, Ilona Kelting possess skills, experience, willingness and enthusiasm to serve as a member of the Parks and Recreation Advisory Committee; therefore be it

RESOLVED, that the Town of Plattsburgh Town Board does hereby appoint Ms. Kelting to the Recreation Advisory Committee for a term to expire 12/31/2025; and, be it further

RESOLVED, that a copy of this Resolution be given to Ms. Kelting and the Parks and Recreation Department and that Ms. Kelting take the oath of office within thirty days of this Resolution.

Motion: Dana M. Isabella
Seconded by: Charles A. Kostyk
Discussion: Thank You.

	<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. 024-098

Resolution to Authorize a Contract with Laberge Group for Safety and Space Utilization Plan

WHEREAS, the Town of Plattsburgh recognizes the necessity to enhance safety measures as a public space, optimize space utilization, and engage in strategic capital planning for its municipal offices located at Banker Road; and

WHEREAS, Laberge Group has presented a comprehensive proposal to conduct a safety and space utilization analysis, aligning with the Town's objectives to efficiently utilize existing space and plan for future needs; and

WHEREAS, Laberge Group's proposal includes a detailed scope of work encompassing in-person interviews, facility assessments, concept planning, budget projections, and consultation meetings with Town officials, demonstrating their capability to address the Town's requirements effectively; and

WHEREAS, Laberge Group's proposal offers a reasonable lump sum fee of \$27,300 plus reimbursable expenses, ensuring cost-effectiveness for the Town; therefore, be it

RESOLVED, that the Town of Plattsburgh hereby authorizes the execution of a contract with Laberge Group for the provision of safety and space utilization analysis services for the Town offices at Banker Road, in accordance with the proposal submitted by Laberge Group; and be it further

RESOLVED, that the Town Supervisor is hereby authorized and directed to take all necessary actions to execute the contract with Laberge Group and to ensure the timely commencement and completion of the project; and, it is further

RESOLVED, that the Town Clerk is hereby directed to provide a copy of this resolution to Laberge Group and the Finance Manager.

Motion: Barbara E. Hebert
Seconded by: Charles A. Kostyk
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				

**TOWN OF PLATTSBURGH
TOWN BOARD MONTHLY MEETING
PUBLIC HEARING
April 4, 2024**

The meeting was called to order at 6:00 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, April 4th, 2024 at 6:05 p.m. prevailing time in relation to Proposed Local Law No. 1 of 2024 a Local Law imposing a twelve-month moratorium of applications for Battery-Based Energy Storage Systems.

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: Barbara E. Hebert

Motion by: Thomas E. Wood

Seconded by: Charles A. Kostyk

Seconded by: Charles A. Kostyk

Discussion: None

Time: 6:06 PM

Time: 6:21 PM

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

	<u>Yes</u>	<u>No</u>	<u>Absent</u>
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 6:28 PM.

Motion by: Barbara E. Hebert

Seconded by: Dana M. Isabella

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