

**TOWN OF PLATTSBURGH
TOWN BOARD SEMI-MONTHLY MEETING
March 20, 2025**

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 | |
| Charles A. Kostyk, Councilor | x | |
| Dana M. Isabella, Councilor | | x |
| Daniel A. Bosley, Councilor | x | |
| Kathryn B. Kalluche, Town Clerk | x | |
| James J. Coffey, Town Attorney | x | |

Resolution No. 025-087

Accept Minutes of the Previous Meeting

RESOLVED, that the minutes of **February 6, 2025** be accepted, and the reading of the minutes be dispensed with.

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 | | | | |
| Charles A. Kostyk | x | | | | |
| Dana M. Isabella | | | x | | |
| Daniel A. Bosley | x | | | | |
| Michael S. Cashman | x | | | | |

Public Comment - None

**TOWN OF PLATTSBURGH
TOWN BOARD SEMI-MONTHLY MEETING
PUBLIC HEARING
March 20, 2025**

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, March 20, 2025 at 6:05 p.m. prevailing time in relation to Proposed Local Law No. 1 of 2025 a Local Law imposing a twelve-month moratorium on applications for Battery-Based Energy Storage Systems.

1. Acceptance of Written Comments into the Record of the Hearing: None

2. Open Public Hearing to the Floor for Public Comment: None

Motion to OPEN Public Hearings

Motion by: **Thomas E. Wood**

Seconded by: **Charles A. Kostyk**

Discussion: **None**

Motion to CLOSE Public Hearings

Motion by: **Charles A. Kostyk**

Seconded by: **Thomas E. Wood**

Discussion: **None**

| | <u>Yes</u> | <u>No</u> |
|---------------------------|------------|-----------|
| Thomas E. Wood | x | |
| Charles A. Kostyk | x | |
| Dana M. Isabella | Absent | |
| Daniel A. Bosley | x | |
| Michael S. Cashman | x | |

Time: **6:05 PM**

| | <u>Yes</u> | <u>No</u> |
|---------------------------|------------|-----------|
| Thomas E. Wood | x | |
| Charles A. Kostyk | x | |
| Dana M. Isabella | Absent | |
| Daniel A. Bosley | x | |
| Michael S. Cashman | x | |

Time: **6:15 PM**

**TOWN OF PLATTSBURGH
TOWN BOARD SEMI-MONTHLY MEETING
March 20, 2025**

Resolution No. 025-088

Abstract 3B-2025

RESOLVED, that the abstract of audited claims No. **3B-2025** for \$309,848.12 **Abstract 3B-2025** prepays for the amount \$176,639.10 be received as reviewed by the Audit Committee and the Supervisor is hereby authorized to pay said abstracts.

Motion: Thomas E. Wood

Seconded by: Charles A. Kostyk

Discussion: None

| | <u>Yes</u> | <u>No</u> | <u>Absent</u> | <u>Carried</u> x | <u>Tabled</u> |
|---------------------------|------------|-----------|---------------|---------------------|---------------|
| Thomas E. Wood | x | | | | |
| Charles A. Kostyk | x | | | | |
| Dana M. Isabella | | | x | | |
| Daniel A. Bosley | x | | | | |
| Michael S. Cashman | x | | | | |

**TOWN OF PLATTSBURGH
TOWN BOARD SEMI-MONTHLY MEETING
March 20, 2025**

Resolution No. 025-089

**Agreement with Troy & Banks, Inc.
- Utility and Telecommunications**

WHEREAS, it is important to determine the accuracy of the utility and telecommunications remitted to the Town of Plattsburgh; and

WHEREAS, the firm Troy & Banks, Inc. would like to enter into an agreement to examine the records of the Town of Plattsburgh gas, electric, telecommunications, and water/sewer utility service accounts for the purpose of securing refunds, credits and cost reductions resulting from discovery of charges or costs in excess of those permitted or allowed by applicable contracts, tariffs, statutes, rules and regulations and/or from overcharges or billing errors; therefore, be it

RESOLVED, that the Town Board approve the retaining of the firm Troy & Banks, Inc. to examine said records and that the Supervisor is authorized to execute the attached agreement on behalf of the Town of Plattsburgh; and be it further

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

Motion: Daniel A. Bosley

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 | | | | |
| Charles A. Kostyk | x | | | | |
| Dana M. Isabella | | | x | | |
| Daniel A. Bosley | x | | | | |
| Michael S. Cashman | x | | | | |

**TOWN OF PLATTSBURGH
TOWN BOARD SEMI-MONTHLY MEETING
March 20, 2025**

Resolution No. 025-090

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 in Syracuse, NY at Syracuse Marriot Downtown Syracuse from April 27-30th, 2025; and

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

RESOLVED, that Town Clerk be approved to attend the annual conference and training and that an amount not to exceed \$1,309.22 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 Town Clerk, the Finance Manager, and one for her personnel file.

Motion: Thomas E. Wood

Seconded by: Daniel A. Bosley

Discussion: None

| | <u>Yes</u> | <u>No</u> | <u>Absent</u> | <u>Carried</u> | <u>Tabled</u> |
|---------------------------|------------|-----------|---------------|----------------|---------------|
| | | | | x | |
| Thomas E. Wood | x | | | | |
| Charles A. Kostyk | x | | | | |
| Dana M. Isabella | | | x | | |
| Daniel A. Bosley | x | | | | |
| Michael S. Cashman | x | | | | |

**TOWN OF PLATTSBURGH
TOWN BOARD SEMI-MONTHLY MEETING
March 20, 2025**

Resolution No. 025-091

**Appointment of Adam Stickle as MEO II
in the Highway Department**

WHEREAS, the Highway Department has a vacancy and there is a need to add another staff member to that Department; and

WHEREAS, all applications for said position have been reviewed and the job has been posted by Greg Burnell, Highway Superintendent, as per union contract; and

WHEREAS, the Highway Superintendent recommends that Adam Stickle be appointed to said position; now, therefore be it

RESOLVED, that the Town Board of the Town of Plattsburgh does hereby authorize the hiring and appointment of Mr. Stickle to the vacant position of MEO II at an hourly rate of \$25.64 as indicated by the current Teamster’s Agreement, and a copy be given to Civil Service for their final review and approval; and be it further

RESOLVED, that this appointment will become effective March 24, 2025, and following Civil Service final approval, the Supervisor is hereby authorized to sign all necessary documents for the appointment of Mr. Stickle to the position of MEO II in the Highway Department with a probation period not to exceed twelve months; and, it is further

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

Motion: Thomas E. Wood

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 | | | | |
| Charles A. Kostyk | x | | | | |
| Dana M. Isabella | | | x | | |
| Daniel A. Bosley | x | | | | |
| Michael S. Cashman | x | | | | |

**TOWN OF PLATTSBURGH
TOWN BOARD SEMI-MONTHLY MEETING
March 20, 2025**

Resolution No. 025-092

Travel Policy Revision

WHEREAS, the Town of Plattsburgh had adopted a Travel Policy last updated in 2022 and wishes to update the current policy to comply with current law and regulation; therefore, be it

RESOLVED, that effective immediately the revised Town of Plattsburgh Travel Policy be enacted; and, be it further

RESOLVED, that a copy of this Resolution and the attached revised Travel Policy be provided to all Department Heads and filed with the Business Office.

Motion: Charles A. Kostyk

Seconded by: Daniel A. Bosley

Discussion: None

| | <u>Yes</u> | <u>No</u> | <u>Absent</u> | <u>Carried</u> | <u>Tabled</u> |
|---------------------------|------------|-----------|---------------|----------------|---------------|
| | | | | x | |
| Thomas E. Wood | x | | | | |
| Charles A. Kostyk | x | | | | |
| Dana M. Isabella | | | x | | |
| Daniel A. Bosley | x | | | | |
| Michael S. Cashman | x | | | | |

TOWN OF PLATTSBURGH
TRAVEL POLICY
2025

1. Travel Policy Statement

The purpose of this Travel Policy is to help employees and Town Officials understand and apply The Town's travel rules and regulations and to provide instructions regarding reimbursement for expenses while in travel status. The Town Board sets rules and regulations for travel expenditures and reimbursement of expenses incurred while travelling on official town business. These rules and regulations are also included by reference in collective bargaining agreements. Whenever possible, it is preferred to use a Town credit card or Town check to pay for reasonable business expenses that follow the guidelines as follow. When travelling on official Town business, only actual, necessary, and reasonable business expenses will be reimbursed.

2. General Guidelines and Responsibilities

The Town Offices are used to determine allowable travel expense reimbursement. Employees are in travel status when they are more than 35 miles from both the office and their home. The Town Offices are generally considered your place of work; however, if you do leave from your residence, mileage can be charged.

Employees will not be allowed meals or lodging within 35 miles of the employee's official station or place of residence.

Travel between the employee's home and The Town Offices is considered commuting and is not reimbursable.

Town employees and officials should check OGS contracts for the type of travel related services needed. Currently OGS has contracts for car rentals, airfare, and centralized travel agent services, both state-wide and regional. Travel agents may charge a transaction fee for various services. You can get more information on these contracts through the OGS web site at <http://www.OGS.state.ny.us>.

3. Town Responsibility

Ensure that;

- a) all authorized travel is in the best interest of the Town
- b) all charges are actual, reasonable, and necessary
- c) all expenses comply with travel rules and regulations
- d) the most economical method of travel is used in the best interest of the Town
- e) compliance with IRS regulations
- f) the official work location of each employee is designated in the best interest of the Town
- g) employees obtain appropriate approvals prior to travelling, and exceptions or waivers are justified and necessary
- h) adequate funds are available for travel

4. Travel Approved by Budget

During budget development, Department Heads should provide in writing a list of known conferences and trainings with a total of anticipated costs for each training.

5. Authorization to Travel

An "Authorization to Travel" form must be submitted, preferably at least a week in advance but no less than 24 hours so it may be approved by the Department Head, the Business Office and the Town Supervisor for any day travel or any prior approved budgeted overnight travel prior to the actual day(s) of travel. Any overnight travel, not approved specifically in the budget, must be approved by the Department Head, reviewed by the business office and approved by the Town Board via Resolution.

On ALL travel vouchers, the dates of the trip, lodging, mileage, etc., and the place of the conference or meeting must be noted on the voucher. It is not sufficient to submit a voucher for payment without noting where, when and why these expenses were incurred. Receipts must be provided for all expenses to be paid for by the Town. For any overnight travel requiring a Resolution from the Town Board, a copy of the Resolution must be attached to any vouchers for reimbursement/payment.

7. Unreceipted Meal Method

Employees will be paid a per diem meal allowance as listed below:

**Use the Per Diem Rates tool:*

<https://www.gsa.gov/travel/plan-book/per-diem-rates>

- Breakfast
- Dinner

Day of return – Eligible if returning to the area 2 or more hours after their normal end of work time or after 6pm whichever is later.

Employees are not required to submit meal receipts and will be paid the meal per diem after completion of the travel.

8. Mileage Rates

Employees are encouraged to use a Town vehicle if they work in a department that has vehicles, but will be reimbursed at the current IRS rate for the use of personally owned vehicles authorized by the Town Supervisor. A statement must be attached to the travel voucher to support all claims for mileage reimbursement such as a printout from an online source showing the calculated mileage for the shortest and most direct route. When using a Town vehicle for travel, employees are not authorized to conduct personal business.

9. Lodging

If employees are attending meetings, seminars, or conferences where the lodging is not included, then they must make every effort to reserve lodging at government rates. Travel requests will be screened for compliance.

The Town provides reimbursement of actual lodging costs based on federal reimbursement rates for the county of lodging. The per diem rates for locations within the continental United States are revised annually and can be found at <https://www.gsa.gov/travel/plan-book/per-diem-rates>. Since rates are based on location of lodging, the county and city must be indicated on the travel voucher. Receipts are required for lodging.

Each day the traveler is in overnight travel status, the traveler is eligible for reimbursement for lodging up to a maximum lodging per diem and a per diem allowance for meals (as outlined in Section 6) The meal per diem is for dinner the first night and breakfast the following day.

For travel within New York State, a Tax Exemption Certificate (ST-129) should be used. A current New York State Tax Exemption Certificate (ST-129) can be obtained from the Business Office. For travel outside of New York State, state and local taxes are not included in the maximum lodging amount and will be reimbursed in addition to the per diem amount.

Finally, on occasion, travelers may be unable to find a hotel at a rate that does not exceed the maximum federal lodging per diem rate for the location of travel. If that occurs, the traveler must obtain prior approval to exceed the federal rate from the Business Office.

10. IRS Requirements

The Internal Revenue Service generally requires withholding and W-2 reporting for the following types of travel reimbursements:

Per Diem amounts paid in excess of the rates allowed by the federal government which are not supported by receipts

Meal allowances paid for non-overnight travel or day trips

Mileage reimbursements in excess of the maximum federal rate

11. Procedures, Forms, and Instructions

Authorization to Travel

An Authorization to Travel Form (see attached) **must** be completed prior to the beginning of each trip as described in Section 2 and 3 and must have all necessary backup documents including but not limited to Conference/Training agenda, Conference/Training cost, meals included in cost, mileage calculations based on shortest route, airfare cost, and any/all incidental expenditures. Please note that if a form is not on file for a trip, either in or out of State, the Business Office will be

unable to process the travel voucher. Please follow the instructions listed below for proper submission of the forms:

ALL TRAVEL:

Department Head/Supervisor \implies Business Office \implies Town Supervisor

ADDITIONAL PROCESS FOR UNBUDGETED OVERNIGHT TRAVEL

Town Board Resolution \implies Town Supervisor

12. Rental Cars

Commercially rented vehicles should be used only when other means of transportation are not more advantageous. An explanation for the use of a rented automobile is required for reimbursement. The receipt and the justification must be submitted with the travel voucher. The Town will set up a corporate account with the car rental company and provide for payment with the applicable credit card. The Town will also provide the rental company with a valid Certificate of Insurance.

13. Foreign Travel

Please note that travel to any foreign country involving foreign currency should be converted to U.S. dollars on the travel voucher. A local bank will provide the conversion rate on the date of travel. Please indicate, on a separate form, the conversion rate used for each day and the name of the bank that provided the conversion rate. This form should then be attached to the travel voucher.

14. Reimbursement On A Travel Voucher

When submitting a travel voucher, the registration fee paid for the conference should be indicated, including a copy of the registration fee receipt or brochure that would explain what the registration fee includes. Some registration fees include meals, and the traveler should not obtain any meals that were prepaid in the registration. If the registration receipt is not available and the registration fee is paid by personal check, enclose a copy of the front and back of the canceled check.

Receipts are required for any parking, tolls, taxi fares, airfare, and lodging. Please make sure to staple all receipts onto an 8 1/2" X 11" sheet of paper behind the travel voucher.

Travel vouchers should always be submitted promptly after the completion of a trip. If a travel voucher is received in the Business Office, audited and errors found, the voucher will be returned to the appropriate department for correction before being processed for payment. Reimbursement and meal per diems will be processed after the completion of the travel.

15. Forms and Instructions

Travel-related forms are available through the Business Office. The forms that the Town will be using are :

1. Authorization to Travel
2. Tax Exempt Certificate

Instructions

Please type or print clearly. Do not use abbreviations. If additional space is needed, please attach a separate sheet. Please fill in all the information that applies to a particular trip. The Department Head's original signature and title are required. Please also remember to enter beside the department account number, the expense account from which this trip will be expensed.

Exceptions to this travel guide will be handled on an individual basis by the Town Supervisor or his designee. Prior approval for exceptions is necessary.

The Town's policy has been and continues to be: "alcoholic beverages are not a reimbursable expense nor shall an employee drive a Town vehicle if they have consumed alcohol."

**TOWN OF PLATTSBURGH
AUTHORIZATION TO TRAVEL**

A. Name & Title _____ Date _____
of Persons Traveling Together _____ Department Account _____
Departure Point _____ Destination _____
Departure Date _____ Return Date _____
Departure Time _____ Return Time _____
Meeting Starting Time _____ Meeting Ending Time _____
Purpose of Trip _____
Method of Travel: _____ Train _____ Bus _____ Airline _____
_____ Town Vehicle _____ Personal Vehicle

B. Estimated Expenditures:

Mileage _____ Miles _____ times IRS rate _____
Hotel _____
Meals _____
Registration _____
Other _____
TOTAL _____

Please attach brochure or other literature as back-up for estimated costs.

The reimbursement of Travel Expenses must be within the established rates and is subject to the availability of funds in the Department Budget.

Traveler's Signature Date _____

Approved: _____ Date _____
Department Head

Reviewed: _____ Date _____
Business Office

Approved: _____ Date _____
Town Supervisor

**TOWN OF PLATTSBURGH
TOWN BOARD SEMI-MONTHLY MEETING
March 20, 2025**

Resolution No. 025-093

Credit Card Use Policy Revision

WHEREAS, the Town of Plattsburgh had adopted a Credit Card Use Policy in 2012 and wishes to update the current policy to comply with current law and regulation; therefore, be it

RESOLVED, that effective immediately the revised Town of Plattsburgh Credit Card Use Policy be enacted; and, be it further

RESOLVED, that a copy of this Resolution and the attached revised Credit Card Use Policy be provided to all Department Heads and filed with the Business Office.

Motion: Daniel A. Bosley

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 | | | | |
| Charles A. Kostyk | x | | | | |
| Dana M. Isabella | | | x | | |
| Daniel A. Bosley | x | | | | |
| Michael S. Cashman | x | | | | |

TOWN OF PLATTSBURGH
CREDIT CARD POLICY AND PROCEDURES
Updated 3/11/2025

Purpose

The Town of Plattsburgh's Town Board recognizes the advantage for certain Departments in the Town to use credit cards for purchases with vendors that the Town does minimal business with, internet purchases, or does not have an established credit line with that business. The use of a Town authorized Credit Card should be to enhance productivity, reduce paperwork, improve internal controls and reduce the overall cost associated with approved purchases. This policy is to be considered as supplemental to and consistent with other Town of Plattsburgh Policies and Procedures concerning municipal purchases. The use of the credit card is not intended to circumvent The Town's policy on purchasing.

The following are the guidelines and procedures for using a Town issued Credit Card:

Procedures

Credit Cards will be issued in the Department's name and the Department Head will be responsible for the use of their Department's card.

Highway Department
Recreation Department
Planning Department
Water/Wastewater Department
Business Office – General

1. All cards must be kept in a secure location and must be returned as soon as the purchase is complete.
2. Town issued Credit Cards are prohibited for personal use, cash advances, cash back from purchases or any other personal benefit that may be given as a result of a Town purchase. Use of Credit Cards for personal purchases or expenses with the intention of reimbursing the Town is prohibited. Any incentive program benefits that may be derived by the use of a Town Credit

Card will be the property of the Town. The Town Board will determine the use of any such incentive program benefit.

3. All cards will have a credit limit of \$5,000.00 except the Business Office which will have a credit limit of \$20,000 for 2025 due to impending retirement of the Finance Manager and reducing to \$10,000 for future years.
4. Cards may be used for internet purchases only on secure websites.
5. Purchases on the Credit Card statement that do not have a signed receiving slip will be deemed as an inappropriate purchase and may be subject to repayment by purchaser.
6. Reimbursement for any inappropriate purchase will be expected immediately and disciplinary action may be taken.
7. Department Heads are required to authorize payment of the charge on their receipt. This includes charges made by any designated individual.
8. All cardholders should take all measures necessary to ensure the security of the Credit Cards and the card number.
9. Misuse of a Town Credit Card by an authorized employee may result in loss of the Credit Card and/or disciplinary action against the employee, up to and including termination of employment.
10. Each authorized cardholder must sign an Agreement to Accept A Town Credit Card prior to issuance of the Credit Card. Forms will be kept on file in the Business Office.
11. Authorized individuals must inform the merchant that the purchase is tax exempt and must review the receipt before making a payment and request a credit if taxes were charged in error.
12. All receipts related to a Town purchase will be approved by the Department Head and forwarded to the Business Office within (3) three days of the purchase. If the cardholder does not have a receipt or proper documentation to submit, a reconciliation statement that includes a description of the item, date of purchase, merchant's name and an explanation for the missing support documents shall be submitted within (3) three days of the purchase. Frequent instances of missing documentation may result in the cardholder's privileges being revoked.

13. The Business Office will reconcile the Credit Card statement to the receipts forwarded by the Departments making purchases. Exceptions will be forwarded to the Department involved for resolution. The Business Office will verify the general ledger code designated for the transactions and will adjust, if necessary.
14. It is the cardholder's responsibility to submit the receipts and other documentation within the time frame stated above. If the information is not submitted in a timely manner, the Department that has not submitted the information will be responsible for the interest and/or late charges.
15. If a Credit Card is lost, damaged or stolen it shall be reported to the Business

Office immediately after discovery. Failure to take proper care of the credit card or failure to report loss, damage or theft may subject the employee to disciplinary actions. Upon involuntary termination of employment, cardholders shall surrender their Town Credit Card to the Business Office immediately. Otherwise, cardholders shall surrender their Town Credit Card upon providing notice of resignation/retirement and **prior** to issuance of final compensation to the cardholder.

**TOWN OF PLATTSBURGH
TOWN BOARD SEMI-MONTHLY MEETING
March 20, 2025**

Resolution No. 025-094

**Appointment of William Plympton
to the Assessment Board of Review**

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

WHEREAS, Mr. William (Bill) Plympton, 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. Plympton to the Assessment Board of Review for a term to expire 9/30/2029; 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. Plympton and the Assessment Department.

Motion: Thomas E. Wood

Seconded by: Charles A. Kostyk

Discussion: Michael S. Cashman

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

**TOWN OF PLATTSBURGH
TOWN BOARD SEMI-MONTHLY MEETING
March 20, 2025**

Resolution No. 025-095

AARCH Use of BMG Boat Launch

WHEREAS, The Town of Plattsburgh is the owner of tax map parcel 233.-1-32.2 located on Battlefield Lane; and

WHEREAS, Adirondack Architectural Heritage (AARCH), a non-profit architectural preservation organization located in Keeseville, NY has requested authorization to use tax map parcel 233.-1-32.2 as the site of a temporary boat launch for the purposes of providing educational boat tours to Crab Island; and

WHEREAS, the event is scheduled to occur on July 1, with a rain date of July 17, 2025; and

WHEREAS, AARCH will provide its own boat and licensed captain to conduct the tours, and has provided the Town with a Certificate of Liability Insurance Coverage; now, therefore be it

RESOLVED, that Town Board hereby authorizes the temporary use of tax parcel 233.-1-32.2 by AARCH for the specific purposes requested; and be it further

RESOLVED, that a copy of this resolution and the Certificate of Liability Insurance Coverage will be provided to the Town Finance Officer.

Motion: Daniel A. Bosley

Seconded by: Charles A. Kostyk

Discussion: Michael S. Cashman

| | <u>Yes</u> | <u>No</u> | <u>Absent</u> | <u>Carried</u> | <u>Tabled</u> |
|---------------------------|------------|-----------|---------------|----------------|---------------|
| Thomas E. Wood | x | | | x | |
| Charles A. Kostyk | x | | | | |
| Dana M. Isabella | | | x | | |
| Daniel A. Bosley | x | | | | |
| Michael S. Cashman | x | | | | |

TOWN OF PLATTSBURGH
TOWN BOARD SEMI- MONTHLY MEETING
March 20, 2025

Resolution No. 025-096

**Creating Housing Acceleration Measures
for Plattsburgh (CHAMP) 2025**

WHEREAS, The Town of Plattsburgh has been designated as a Pro Housing Community by New York State; and

WHEREAS, the Town Board acknowledges the housing data provided by the Lake George-Lake Champlain Regional Planning Board indicating the need for over 4000 units of housing in the Plattsburgh region; and

WHEREAS, the Town of Plattsburgh intends to be a leader in the development of new, high quality, affordable housing; and

WHEREAS, the Town has studied national best practices and has audited the Town zoning ordinance to determine if unnecessary restrictions exist or if barriers to residential development are impeding the construction of residential units; and

WHEREAS, The Town Board has identified and asserts that the following specific changes to the Town Zoning Ordinance regulating residential development are likely to result in the increased development of housing:

- Multifamily housing development shall be permitted in the A2 zoning district, subject to site plan review by the Planning Board
- Multifamily housing development shall be permitted in the SC zoning district, subject to site plan review by the Planning Board
- The conversion of single-family homes to duplexes (two family dwelling) shall be permitted in the T4 & T5 districts (within the same footprint) via the building permit process
- Duplexes (two family dwellings) shall be permitted in the MDR district subject to the minimum lot density requirements proposed, with multiple duplexes on one lot considered as multifamily dwellings, requiring site plan review by the Planning Board
- The allowable density of multifamily residential development in the MDR district shall be a minimum of 1 Unit/5000sf of lot/plot/parcel area; and

WHEREAS, the same has been placed on the desk of the all the members of the Town Board this date, together with a Full Environmental Assessment Form (“EAF”) Part I, as having been prepared for such a public hearing on such proposed Local Law is necessary;

NOW, THEREFORE, BE IT RESOLVED, the Town Board acknowledging receipt of the proposed Local Law No. 2 the Year 2025 entitled, Creating Housing Acceleration Measures for Plattsburgh (CHAMP), the accompanying Full EAF part 1, and after review of same finds

that the effect of such regulation would be town wide and finds that such action be a Type 1 action and hereby does declare itself as Lead Agency in connection with the proposed Local Law and having further found that no other agency is involved in the adoption of such regulation; and be it further

RESOLVED, that the Town Clerk is hereby authorized and directed to cause notice of a public hearing on the proposed CHAMP Law to be published in the Press Republican, in accordance with Town Law; and it is further

RESOLVED, that a public hearing be held on April 3rd, 2025 at 6:05 p.m. for the purpose of hearing all persons for and against this proposed Local Law to be held at Town of Plattsburgh Town Hall Offices, 151 Banker Road, Plattsburgh, New York 12901; and be it further

RESOLVED, that the Town Clerk is hereby directed to post, publish and mail notice of the public hearing as required, to adjacent municipalities, any involved or interested agencies, and the Clinton County Planning Board pursuant to NYS GML 239M.

Motion: Charles A. Kostyk

Seconded by: Daniel A. Bosley

Discussion: Michael S. Cashman

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

TOWN OF PLATTSBURGH
TOWN BOARD SEMI-MONTHLY MEETING
March 20, 2025

Resolution No. 025-097

Resolution Authorizing Adoption of Local Law
No. 1 of 2025 – 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 March 20th, 2025 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 2025 – 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 12, 2025; and

WHEREAS, said public hearing was duly held on March 20th, 2025 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 2025 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: Daniel A. Bosley

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 | | | | |
| Charles A. Kostyk | x | | | | |
| Dana M. Isabella | | | x | | |
| Daniel A. Bosley | x | | | | |
| Michael S. Cashman | x | | | | |

LOCAL LAW NO. 1 of 2025

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 steadily 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 received letters from District #3 Fire Department, Morrisonville Fire Department, Cadyville Fire Department, and South Plattsburgh Fire Department requesting that the Town adopt another 12-month moratorium for BESS due to concerns related to battery-related fires across New York State and the lack of protocol and training provided to local fire departments for responding to these fires.

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. The Town would also like to see a greater effort on the part of New York State to ensure the safety and fire protection of these systems.

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 March 20th, 2025 until March 20th, 2026.

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.

**TOWN OF PLATTSBURGH
TOWN BOARD SEMI-MONTHLY MEETING
March 20, 2025**

RESOLVED, that this Town Board meeting be adjourned at 6:18 PM.

Motion by: Charles A. Kostyk

Seconded by: Daniel A. Bosley

Discussion: None

| | <u>Yes</u> | <u>No</u> | <u>Carried</u> |
|---------------------------|------------|---------------|----------------|
| | | | x |
| Thomas E. Wood | x | | |
| Charles A. Kostyk | x | | |
| Dana M. Isabella | | Absent | |
| Daniel A. Bosley | x | | |
| Michael S. Cashman | x | | |

Minutes Respectfully Submitted by:

Katie Kalluche, Town Clerk