

**REGULAR MEETING OF THE COMMON COUNCIL
OF THE CITY OF PLATTSBURGH, NEW YORK**

January 9, 2020

5:30 P.M.

MINUTES

Pledge of Allegiance

(RC)

Present: Mayor Colin Read, Councilors Ira Barbell (W1), Mike Kelly (W2), Elizabeth Gibbs (W3), Paul DeDominicas (W4), Patrick McFarlin (W5), Jeff Moore (W6)

Absent: None

MAYOR'S COMMENTS: Spoke about attending Governor Cuomo's State of the State address in Albany yesterday.

1. MINUTES OF THE PREVIOUS MEETING:

RESOLVED: That the Minutes of the Regular Meeting and the Organizational Meeting of the Common Council held on January 2, 2020 are approved and placed on file among the public records of the City Clerk's Office

By Councilor Gibbs; Seconded by Councilor DeDominicas
(All in Favor/opposed)

Roll call: Councilors Barbell, Kelly, Gibbs, DeDominicas, McFarlin, Moore
(All voted in the affirmative)

2. PAYROLLS OF VARIOUS DEPARTMENTS:

RESOLVED: That the payrolls of the various Departments of the City of Plattsburgh for the week ending January 8, 2020 in the amount of \$ 57,346.20 are authorized and allowed and the Mayor and the City Clerk are hereby empowered and directed to sign warrants drawn on the City Chamberlain for the payment thereof.

By Councilor Kelly; Seconded by Councilor Moore
(All in Favor/opposed)

Roll call: Councilors Barbell, Kelly, Gibbs, DeDominicas, McFarlin, Moore
(All voted in the affirmative)

3. REPORTS OF CITY OFFICES & COMMITTEE REPORTS:

- Report of Fire and Ambulance Responses for the week of December 31, 2019 - January 6, 2020
- Report from the Building Inspector's office for the week of December 31, 2019 – January 7, 2020
- Reports from the Police Department dated January 6, 2020
- Minutes from the Governance, Strategy and City Operations Committee meeting held on January 2, 2020

- Report from the City Clerk’s Office of all monies received during the month of December 2019 in the total amount of \$7,230.82

- **COUNCILOR/DEPARTMENT CHAIR COMMITTEE REPORTS:**

[meeting reports provided during work session]

Governance, Strategy, and City Operations- Chair Councilor Barbell indicated no report.

City Infrastructure – Chair Councilor Moore met tonight, asked Chamberlain Marks about delinquent properties. [further discussion ensued by all]

Finance and Budget – Chair Councilor Kelly will be out of town next week, asked Councilor Moore to Chair committee meeting. He hopes to Skype in to meeting.

Public Safety – Chair Councilor Gibbs indicated she and Councilor Barbell are meeting will set goals and objectives for Police, Fire and Building Inspector departments.

Plattsburgh Public Library – Chair Councilor DeDominicas indicated nothing to report. Will reach out to Library Director Anne de la Chapelle.

MLD - MLD Board President Councilor McFarlin indicated no new updates. There will be an MLD Board Meeting on January 30, 2020. **Mayor Read** mentioned he is going to speak to Manager Bill Treacy about the pole on the corner of Green and Bridge Street to see if that pole can be cleaned up a bit.

RESOLVED: That the reports as listed are hereby ordered received and any written reports are placed on file among the public records of the City Clerk’s Office.

By Councilor Gibbs; Seconded by Councilor Moore

(All in Favor/opposed)

Roll call: Councilors Barbell, Kelly, Gibbs, DeDominicas, McFarlin, Moore

(All voted in the affirmative)

4. CORRESPONDENCE OR RECOMMENDATIONS FROM BOARDS: None

5. AUDIT OF CLAIMS:

RESOLVED: That the bills Audited by the Common Council for the week ending January 10, 2020 in the amount of \$ 997,147.86 are authorized and allowed and the Mayor and City Clerk are hereby authorized and directed to sign warrants drawn on the City Chamberlain for the payment thereof.

By Councilor Kelly; Seconded by Councilor Gibbs

(All in Favor/opposed)

Roll call: Councilors Barbell, Kelly, Gibbs, DeDominicas, McFarlin, Moore

(All voted in the affirmative)

6. PERSONS ADDRESSING COUNCIL ON AGENDA ITEMS ONLY: None

7. OTHER ITEMS:

A. RESOLVED: In accordance with the request therefore the Common Council approves the City Chamberlain to carry-out the attached resolution authorizing levying the property tax for the fiscal year 2020, as further evidenced by the attached 2020 Tax Warrant for the City of Plattsburgh and the attached County of Clinton’s 2020 tax warrant, certifying the City of Plattsburgh share of the 2020 County tax levy, and for re-levying the return of unpaid 2019-2020 Plattsburgh City School Tax with other such omitted property taxes and delinquent charges as shall be deemed appropriate to collect.

By Councilor Gibbs; Seconded by Councilor Kelly
Discussion: None
Roll call: Councilors Barbell, Kelly, Gibbs, DeDominicas, McFarlin, Moore
(All voted in the affirmative)
ACTION TAKEN: Adopted
Follow up Action: None

B. RESOLVED: In accordance with the request therefore the Common Council approves the City Chamberlain to adjust the 2020 budget adjustment for the under-budgeted estimated revenue for an assessment change in the 2020 Omitted Real Property Taxes related to the Vilas Home for the 2019 property tax year. The additional revenue was authorized by an order from the court related to a change in real property assessment of the property, and this increase in appropriations will increase the General Fund budgeted estimated revenues by \$2,440.64 in 2020.

By Councilor Gibbs; Seconded by Councilor Moore
Discussion: None
Roll call: Councilors Barbell, Kelly, Gibbs, DeDominicas, McFarlin, Moore
(All voted in the affirmative)
ACTION TAKEN: Adopted
Follow up Action: None

C. RESOLVED: In accordance with the request therefore the Common Council approves extending Contract # 2019-01 “Sodium Hypochlorite for Water Pollution Control Plant and Water Filtration Plant” with Surpass Chemical until February 14, 2021 without any changes to existing contract.

Motion to waive reading and move Resolutions 7C and 7D

By Councilor McFarlin; Seconded by Councilor DeDominicas
(All voted in favor of waiving reading and move Resolutions 7C and 7D)
Discussion: None
Roll call: Councilors Barbell, Kelly, Gibbs, DeDominicas, McFarlin, Moore
(All voted in the affirmative)
ACTION TAKEN: Adopted
Follow up Action: None

D. RESOLVED: In accordance with the request therefore the Common Council approves extending Contract # 2019-02 “Liquid Alum for the Water Resource Recovery Facility” with Chemtrade

Chemicals U.S. LLC until March 13, 2021 for the estimated sum of \$23,668.

[See details under Item 7C]

ACTION TAKEN: Adopted
Follow up Action: None

E. RESOLVED: In accordance with the request therefore the Common Council approves the City Chamberlain to create capital project H8320.80, 2020 Water System Improvements, for the items included in the 2020 Capital Expenditure Plan under the category Water Distribution System at a cost of \$819,000.

By Councilor Gibbs; Seconded by Councilor Barbell
Discussion: None
Roll call: Councilors Barbell, Kelly, Gibbs, DeDominicas, McFarlin, Moore
(All voted in the affirmative)
ACTION TAKEN: Adopted
Follow up Action: None

F. RESOLVED: In accordance with the request therefore the Common Council approves that the Mayor is authorized to sign an Engineering Design Agreement with Robert M. Sutherland, P.C. for a total not to exceed \$13,940 for the Riley Avenue Water Line Replacement & Reconstruction Project.

Motion to waive reading and move Resolutions 7F and 7G

By Councilor McFarlin; Seconded by Councilor Barbell
(All voted in favor of waiving reading and move Resolutions 7F and 7G)
Discussion: None
Roll call: Councilors Barbell, Kelly, Gibbs, DeDominicas, McFarlin, Moore
(All voted in the affirmative)
ACTION TAKEN: Adopted
Follow up Action: None

G. RESOLVED: In accordance with the request therefore the Common Council approves that the Mayor is authorized to sign an Engineering Design Agreement with Robert M. Sutherland, P.C. for a total not to exceed \$12,940 for the Ohio Avenue Water Line Replacement & Reconstruction Project.

[See details under Item 7F]

ACTION TAKEN: Adopted
Follow up Action: None

H. RESOLVED: In accordance with the request therefore the Common Council approves that the Mayor is authorized to sign the Acknowledgment and Acceptance form for the \$3,000,000 Water Infrastructure Improvement Act grant award per the December 23, 2019 letter from Environmental Facilities Corporation.

By Councilor Moore; Seconded by Councilor Gibbs
Discussion: Yes
Roll call: Councilors Barbell, Kelly, Gibbs, DeDominicas, McFarlin, Moore
(All voted in the affirmative)
ACTION TAKEN: Adopted
Follow up Action: None

Items I, J and K were added during Committee Meeting:

I. MEMORANDUM OF UNDERSTANDING WITH THE TOWN OF PLATTSBURGH

WHEREAS, the City of Plattsburgh owns and maintains approximately 2 miles of trail at the former Plattsburgh Airforce Base known as the Terry Gordon bike path; and

WHEREAS, the Terry Gordon bike path is scheduled for upgrades in 2020 which coincides with the Town of Plattsburgh’s plans to develop the Battlefields Memorial Gateway (BMG), located at the terminus of the Terry Gordon bike path; and

WHEREAS, The BMG plan includes a multi-use path which will connect to the Terry Gordon bike path and will provide an opportunity for further extension of the Empire State Trail and offer additional amenities along an already picturesque path.

NOW THEREFORE, the City of Plattsburgh Common Council duly convened does hereby:

RESOLVE, that the City of Plattsburgh enter into a Memorandum of Understanding with the Town of Plattsburgh to collaborate and provide recreational and cultural benefits to City & Town residents along with multitudes of visitors; and further be it

RESOLVED, that the Common Council authorizes the Mayor to sign the Memorandum of Understanding.

By Councilor Barbell; Seconded by Councilor McFarlin
Discussion: Yes
Roll call: Councilors Barbell, Kelly, Gibbs, DeDominicas, McFarlin, Moore
(All voted in the affirmative)
ACTION TAKEN: Adopted
Follow up Action: None

J. THE MAYOR HANDS DOWN THE RE- APPOINTMENT OF ZONING BOARD CHAIR TO RONALD NOLLAND FOR A FIVE YEAR TERM TO BEGIN ON JANUARY 10, 2020 AND EXPIRING DECEMBER 31, 2024.

Roll call: Councilors Barbell, Kelly, Gibbs, DeDominicas, McFarlin, Moore
(Councilors Barbell, Kelly, Gibbs, McFarlin and Moore voted in the affirmative. Councilor DeDominicas recused himself)
ACTION TAKEN: Adopted

Follow up Action: None

K. THE MAYOR HANDS DOWN THE RE- APPOINTMENT OF ZONING BOARD REGULAR MEMBER TO KATHLEEN INSLEY FOR A FIVE YEAR TERM TO BEGIN ON JANUARY 10, 2020 AND EXPIRING DECEMBER 31, 2024.

Roll call: Councilors Barbell, Kelly, Gibbs, DeDominicas, McFarlin, Moore
(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

8. TRAVEL REQUEST: None

9. RESOLUTIONS FOR INITIAL CONSIDERATION: None

10. NEW BUSINESS AND COUNCILOR REPORTS:

Councilor McFarlin received a constituent complaint about lack of enforcement of smoking ban.

Mayor Read mentioned maybe Parking Enforcement officer could be used to help with enforcement.

Councilor Kelly thanked all of the students for attending tonight's meeting.

11. CLOSING PUBLIC COMMENTS ON ANY TOPIC: None

Motion to Adjourn by Councilor Gibbs; Seconded by Councilor McFarlin

Councilors Barbell, Kelly, Gibbs, DeDominicas, McFarlin, Moore

(All voted in the affirmative)

MEETING ADJOURNED: 5:44pm

**Memorandum of Agreement
Between
City of Plattsburgh and Town of Plattsburgh**

This Memorandum of Agreement (MOA) is made and entered between the City of Plattsburgh and the Town of Plattsburgh hereinafter referred to as “City” and “Town”, respectively.

Purpose

The purpose of this MOA is to establish a framework of cooperation upon which the City & Town may work collaboratively to connect the existing Terry Gordon Recreation Path to the proposed Battlefields Memorial Gateway waterfront area and multi-use path (See Exhibits I & II). Further it is the intention of both City & Town to promote the extension of the Empire State Trail from the terminus of the City path, through the Town property, returning to NYS RT. 9.

Introduction

In January 2017, Governor Cuomo announced the Empire State Trail, a new initiative placing New York State at the forefront of national efforts to enhance outdoor recreation, community vitality, and tourism development. When completed by the end of 2020, the Empire State Trail will be a continuous 750-mile route spanning the state from New York City to Canada and Buffalo to Albany, creating the longest multi-use state trail in the nation. Approximately 400 miles of the Trail already exists in discrete, disconnected segments, among them, the Terry Gordon Recreation Path.

The Terry Gordon path is scheduled for upgrades in 2020 which coincides with the Town of Plattsburgh’s plans to develop the Battlefields Memorial Gateway (BMG), located at the terminus of the Terry Gordon path. The BMG plan includes a multi-use path which will connect to the Terry Gordon path and will provide an opportunity for further extension of the Empire State Trail and offer additional amenities along an already picturesque path. This collaboration will provide recreational and cultural benefits to City & Town residents along with multitudes of visitors.

In consideration of the above premises, the parties agree as follows:

The City of Plattsburgh will:

- Own & Maintain respective portions of the City’s trail system in accordance with existing provisions.
- Collaborate and coordinate with the Town to ensure the beneficial connection of the trail system by informing the Town about associated construction plans, timelines, and opportunities to share services.
- Promote and encourage future trail connections and collaboration where feasible.
- Explore the development of the City-owned 40 acre beachfront property running from the Town’s Battlefields memorial Gateway site to Sailor’s Point Park to create a cohesive infrastructure from which all can explore Plattsburgh’s rich history.

- Work to provide access to the public along a loop that includes the Terry Gordon Bike Path, through the Town's Battlefields Memorial Gateway site, along the beach to Sailor's Park, and returning through the Historic Old Base to the Terry Gordon Bike Path. This path will circumscribe the Museum Complex, the Historic Old Base and Oval, the site of the Plattsburgers' training Ground, and the Historic Plattsburgh Barracks Post Cemetery, with its first-in-the-nation Tomb of the Unknown Soldier.

Town of Plattsburgh will:

- Own & maintain respective portions of the Town's trail system in accordance with existing provisions.
- Collaborate and coordinate with the City to ensure the beneficial connection of the trail systems by informing the City about associated construction plans, timelines, and opportunities to share services.
- Collaborate with the City of Plattsburgh to create a cohesive infrastructure from which all can explore Plattsburgh's rich history.
- Promote and encourage future trail connections and collaboration where feasible.

It is mutually agreed and understood by and between the said parties that:

This MOU is neither a fiscal nor a funds obligation document. Any endeavor involving reimbursement or contribution of funds between the parties of this MOU will be handled in accordance with applicable laws, regulations, and procedures. Such endeavors will be outlined in separate agreements that shall be made in writing by representatives of the parties.

This MOU in no way assumes either party liable for risks or injuries incurred on any part of the property identified in this document.

This MOU may be modified or amended upon written consent of both parties or may be terminated with 30-day written notice of either party. Unless terminated, this MOU will remain in force and effect.

The principal contacts for this agreement are:

Colin Read, Mayor of the City of Plattsburgh
41 City Hall Place
Plattsburgh, NY 12901
Phone: (518) 563-7702
Email: mayor@cityofplattsburgh-ny.gov

**Michael Cashman, Town of Plattsburgh 151 Banker Rd
Plattsburgh, NY 12901
Phone: (518)562-6800
Email: michaelc@townofplattsburgh.org**

IN WITNESS WHEREOF the undersigned have executed this Agreement as of the day and year first written above.

Date:

City of Plattsburgh

By: _____
Title: Mayor

Date:

Town of Plattsburgh

By: _____
Title: Town Supervisor