

At 5:17pm a Motion to enter Executive Session to discuss a matter of litigation between the City of Plattsburgh and Plattsburgh Professional Firefighters Association.

By Councilor Ensel; Seconded by Councilor McFarlin

Roll call: Councilors Armstrong [*participated via Skype*], Gibbs, Ensel, McFarlin, Moore
(All voted in the affirmative)

Returned at 5:27pm

Mayor Read stated returned from Executive Session discussed a matter of litigation between the City of Plattsburgh and Plattsburgh Professional Firefighters Association. No action was taken during Executive Session.

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

January 24, 2019

5:30 P.M.

MINUTES

Pledge of Allegiance

(RC)

Present: Mayor Colin Read, Councilors Rachele Armstrong (W1) [*participated via Skype*], Elizabeth Gibbs (W3), Peter Ensel (W4), Patrick McFarlin (W5), Jeff Moore (W6)

Absent: Councilor Mike Kelly (W2)

MAYOR’S COMMENTS: made a statement that today we received the results of an appeal that the city had been litigating with the Plattsburgh Professional Firefighters Union. The members of the Common Council discussed that the conclusion of this recent appeal by the city of the firefighters contract for arbitration for the years 2012, 2013. As you know, you have already put the award aside in your budget last year and it still is there to be disbursed with interest by the way and after conferring with the council I shall authorize the release of the award to firefighters based on a ruling from the appellate division that they are unwilling to second guess the application criteria used by the arbitration panel. We appealed because there was some confusion whether the city was considered fiscally stressed community as you know. With that resolved, I’m authorizing disbursing the funds that you’ve set a side with interest as soon as practical and ill instruct the Chamberlain to do those calculations.

1. MINUTES OF THE PREVIOUS MEETING:

RESOLVED: That the Minutes of the Regular Meeting of the Common Council held on January 17, 2019 are approved and placed on file among the public records of the City Clerk’s Office.

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

Roll call: Councilors Armstrong, Gibbs, Ensel, 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 23, 2019 in the amount of \$ 98,305.23 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 Ensel; Seconded by Councilor Gibbs
(All in Favor/opposed)

Roll call: Councilors Armstrong, Gibbs, Ensel, McFarlin, Moore
(All voted in the affirmative)

3. REPORTS OF CITY OFFICES & COMMITTEE REPORTS:

- Minutes from the Finance and Budget Committee held on January 17, 2019
- Report from the Parking Violations Bureau for December 2018

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

Governance, Strategy, and City Operations- Chair Councilor Armstrong indicated based on presentation from group last week about placing interpretative panels at Champlain Monument she is working on a resolution. Mayor Read asked her to confer with the Department of Public Works to see what kind of requirements it would be of their resources.

City Infrastructure – Chair Councilor Moore indicated nothing to report, may have a possible name to move to Parking Advisory Committee.

Finance and Budget – Chair Councilor Kelly absent. Councilor Moore indicated nothing to report.

Public Safety – Chair Councilor Gibbs met earlier tonight, she and Councilor Ensel toured Public Safety Departments which they appreciated and was impressive. Hopes to have meetings with Departments about business before next meeting.

Plattsburgh Public Library – Chair Councilor Ensel indicated last meeting postponed due to weather.

MLD - MLD Board President Councilor McFarlin indicated MLD Board meeting next week, and we have one month in to see how “Rider-A” is working and should be getting some information on that pretty soon.

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 Armstrong, Gibbs, Ensel, 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 25, 2019 in the amount of \$ 927,559.81 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 Ensel; Seconded by Councilor Gibbs

(All in Favor/opposed)

Roll call: Councilors Armstrong, Gibbs, Ensel, McFarlin, Moore

(All voted in the affirmative)

6. PERSONS ADDRESSING COUNCIL ON AGENDA ITEMS ONLY:

Jessica Garrand and Nick Pope presented signed petition to council asking that new parking lot to be built across from Arnie’s Restaurant be named “Arnold Pavone Square” for his service to our community for nearly 70 years.

Virginia Brady spoke about moratorium and asked Council to continue moratorium.

7. OTHER ITEMS:

A. WHEREAS, pursuant to the authority and provisions of Section 10 of the Municipal Home Rule Law of the State of New York and the statutory powers vested in the Common Council of the City of Plattsburgh (“Common Council”) to regulate and control land use and to protect the health, safety and welfare of its residents, pursuant to Local Law P-3 of 2018, which was adopted on March 15, 2018, the Common Council declared an eighteen (18) month moratorium on all applications or proceedings for applications, for the issuance of approvals or permits for the commercial cryptocurrency mining operations in the City of Plattsburgh (“City”); and

WHEREAS, pursuant to Local Law P-3 of 2018, the aforementioned moratorium may be terminated earlier than eighteen (18) months if the Common Council determines by resolution that the purpose of the local law have been fulfilled;

WHEREAS, the City formed a cryptocurrency zoning committee to study the matter; and

WHEREAS, on March 19, 2018, the New York State Public Service Commission adopted an Order Approving Tariff Amendments with Modifications (“Rider-A”) impacting High Density Load Customers to mitigate/minimize any utility surcharges experienced by residential customers as a result of incremental purchase power costs; and

WHEREAS, on October 25, 2018, the Common Council adopted Local Law P-6 of 2018, which established zoning regulations, fire suppression requirements, heat controls, noise limits, and nuisance abatement provisions for commercial cryptocurrency mining operations in the City.

NOW THEREFORE IT IS HEREBY RESOLVED that the Common Council determines that the purpose of the Commercial Cryptocurrency Mining Operation Moratorium established by Local Law P-3 of 2018 have been fulfilled and the Moratorium is hereby terminated, effective the date this resolution is approved.

Motion to waive reading and move Resolution

By Councilor McFarlin; Seconded by Councilor Ensel
(All voted in the affirmative to “waive reading and move resolution”)
Discussion: Yes

Motion to Table

By Councilor Armstrong; Seconded by Councilor Moore

Roll call: Councilors Armstrong, Gibbs, Ensel, McFarlin, Moore
(All voted in the affirmative)
ACTION TAKEN: Tabled
Follow up Action: None

B. RESOLVED: In accordance with the request therefore the Common Council approves extending the 2018 contract with James Burgess as the Nuisance Animal Control Officer for 3 months with the same terms as 2018 and direct Police Chief to issue Request for Proposals for 2019 Nuisance Animal Control officer.

By Councilor Ensel; Seconded by Councilor Gibbs
Discussion: None
Roll call: Councilors Armstrong, Gibbs, Ensel, 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 determines that the “WPCP Upgrades” CWSRF Project No. C5-5502-01-00 is a Type II Action under SEQR and no further action is required.

By Councilor Armstrong; Seconded by Councilor McFarlin
Discussion: Yes
Roll call: Councilors Armstrong, Gibbs, Ensel, 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 authorizes the

retention of GAR Associates, LLC to perform certain real estate appraisal services for the assessment litigation involving Georgia Pacific v. City of Plattsburgh, per the terms as set forth in their engagement proposal, dated June 27, 2018, which was sent to the City’s special counsel.

By Councilor McFarlin; Seconded by Councilor Gibbs

Discussion: None

Roll call: Councilors Armstrong, Gibbs, Ensel, McFarlin, Moore

(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

8. TRAVEL REQUEST:

A. RESOLVED: In accordance with the request therefore the Common Council approves Building Inspector Joseph McMahan, Housing Inspector Kyle Burdo and Municipal Code Inspector James Welch to attend the 24th Annual Northern Adirondack Continuing Education Conference promoting the Code Officials Role as a First Preventer” in Lake Placid, New York from March 3-7, 2019 at a cost not to exceed \$915. This codes education conference provides mandatory training hours to retain Code Enforcement Certification.

By Councilor McFarlin; Seconded by Councilor Gibbs

Discussion: Yes

Roll call: Councilors Armstrong, Gibbs, Ensel, 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 for two Police Department employees to attend “Homeland Security Initial Response to Active Shooters Training” from January 28-29, 2019 in Oriskany, NY. The total cost will not exceed \$276 and will be expensed out of the Asset Forfeiture Fund. The registration and the lodging will be paid for by the Department of Homeland Security.

By Councilor McFarlin; Seconded by Councilor Ensel

Discussion: None

Roll call: Councilors Armstrong, Gibbs, Ensel, McFarlin, Moore

(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

9. RESOLUTIONS FOR INITIAL CONSIDERATION: None

10. NEW BUSINESS AND COUNCILOR REPORTS: None

11. CLOSING PUBLIC COMMENTS ON ANY TOPIC:

Russell Puschak 169 Broad Street, spoke about the pedestrian bridge, concerned it’s not going forward. Feels it

is an issue of public safety. He states students are walking across ice or on top of bridge. Hopes city takes action to repair or put in new bridge. Spoke about parking thinks city should give 2 hours of free parking like other cities do.

Jamie Schwartz, Vice President of Plattsburgh Professional Firefighters Local 2421, thanked Mayor, the Council, Chief Lawliss and everyone else for their hard work in being able to put these arbitrations behind us and hopefully we can go forward now. Also, thanked Councilor Gibbs and Councilor Ensel for coming by the station and seeing what we live in and what we deal with and just taking an interest in it all together. Again, thanked Mayor and Council for all the work they did.

Carol Klepper spoke about Webb Island Bridge, thinks a new engineering report should be done. Had ideas and suggestions about paid parking and Durkee Street development.

Motion to Adjourn by Councilor McFarlin; Seconded by Councilor Gibbs

Roll call: Councilors Armstrong, Gibbs, Ensel, McFarlin, Moore

(All voted in the affirmative)

MEETING ADJOURNED: 6:03pm