

At 5:04 pm a Motion to enter Executive Session to discuss the potential acquisition of a particular piece of real property the public discussion of which would substantially affect the value there of and potential or threatened litigation with the Town of Plattsburgh. Mayor Read asked Council for approval to invite Municipal Lighting Department Manager Bill Treacy as well.

By Mayor Read; Seconded by Councilor Kelly

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

(All voted in the affirmative)

Returned at 5:25pm

Mayor Read stated returned from Executive Session discussed the potential acquisition of a particular piece of real property the public discussion of which would substantially affect the value there of and potential or threatened litigation with the Town of Plattsburgh regarding Annexation of the Rugar Street site. No action was taken during Executive Session.

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

January 31, 2019

5:30 P.M.

MINUTES

Pledge of Allegiance

(RC)

Present: Mayor Colin Read, Councilors Rachele Armstrong (W1), Mike Kelly (W2), Elizabeth Gibbs (W3), Peter Ensel (W4), Patrick McFarlin (W5), Jeff Moore (W6)

Absent: None

MAYOR'S COMMENTS: mentioned he had sent council information and we do need to have some kind of resolution on parking permits downtown and we have a report from the Planner and proposed resolution for the council's consideration. Asked Council to review all in a timely manner.

1. MINUTES OF THE PREVIOUS MEETING:

RESOLVED: That the Minutes of the Regular Meeting of the Common Council held on January 24, 2019 are approved and placed on file among the public records of the City Clerk's Office.

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

Roll call: Councilors Armstrong, Kelly, 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 30, 2019 in the amount of \$ 453,246.83 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 Armstrong; Seconded by Councilor Kelly
(All in Favor/opposed)

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

3. REPORTS OF CITY OFFICES & COMMITTEE REPORTS:

- Report of Fire and Ambulance Responses for the week of January 15 - 28, 2019
- Minutes from the Public Safety Committee held on January 24, 2019

• COUNCILOR/DEPARTMENT CHAIR COMMITTEE REPORTS:

Governance, Strategy, and City Operations- Chair Councilor Armstrong indicated the Sustainability committee will meet on Tuesday, February 5th at 5pm in the Old Council Chambers.

City Infrastructure – Chair Councilor Moore indicated one more name for Parking Advisory Committee, name to bring forward on agenda.

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

Public Safety – Chair Councilor Gibbs indicated nothing to report.

Plattsburgh Public Library – Chair Councilor Ensel indicated nothing to report meeting was cancelled due to weather.

MLD - MLD Board President Councilor McFarlin met tonight, moved items on to agenda.

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

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

4. CORRESPONDENCE OR RECOMMENDATIONS FROM BOARDS:

Mayor Read submitted letter from resident Deborah Wemette with her concerns about sidewalk shoveling ordinance.

5. AUDIT OF CLAIMS:

RESOLVED: That the bills Audited by the Common Council for the week ending February 1, 2019 in the amount of \$ 827,913.93 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 Armstrong, Kelly, Gibbs, Ensel, McFarlin, Moore
(All voted in the affirmative)

6. PERSONS ADDRESSING COUNCIL ON AGENDA ITEMS ONLY:

Rebecca King, Monty Street, spoke about the Animal Rescue and Welfare Services Initial item on agenda. Doesn't feel Feral Trap Neuter Release program works. She indicated the February 2017 contract signed by city with group stipulated the group needed to provide reports to council on how money is been spent and show that this program is working and there are no reports according to the FOIL request she submitted. Asked Council to get more data before making the decision to give money to the group.

Denise Nephew spoke on behalf of the Animal Rescue and Welfare Services volunteer group and support of their program and stated it is working, they have provided reports, was upset and made negative comments about speaker before her.

7. OTHER ITEMS:

Motion to remove Item 7A from the table

By Councilor McFarlin; Seconded by Councilor Kelly

Roll call: Councilors Armstrong, Kelly, Gibbs, Ensel, McFarlin, Moore
(Councilors Armstrong, Ensel and Moore voted in the negative. Councilors Kelly, Gibbs, McFarlin voted in the affirmative. Mayor Read voted broke the Tie in the affirmative)

ACTION TAKEN: Adopted

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.

Discussion: Yes

Motion to Table

By Councilor McFarlin; Seconded by Councilor Kelly

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

ACTION TAKEN: Tabled

Follow up Action: None

B. THE INFRASTRUCTURE COMMITTEE OF THE COMMON COUNCIL SELECTS JOHNNY JONES TO SERVE A TWO YEAR TERM ON THE PLATTSBURGH PARKING ADVISORY COMMITTEE TO BEGIN ON FEBRUARY 1, 2019 AND EXPIRING JANUARY 31, 2021.

Roll call: Councilors Armstrong, Kelly, 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 approves that Amendment No. 1 to the CDM Smith mitigation agreement be authorized and approved as described in the January 25, 2019 memo from Jonathan Ruff.

By Councilor Ensel; Seconded by Councilor Armstrong

Discussion: None

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

ACTION TAKEN: Adopted

Follow up Action:

D. RESOLVED: In accordance with the request therefore the Common Council approves that Amendment No. 2 to the CDM Smith Dewatering System Upgrades be authorized and approved as

described in the January 25, 2019 memo from Jonathan Ruff.

By Councilor Armstrong; Seconded by Councilor Gibbs

Discussion: None

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

ACTION TAKEN: Adopted

Follow up Action: None

E. RESOLVED: In accordance with the request therefore the Common Council approves that PMLD Bid #2018-12-1 "Utility Wood Poles" be awarded to Koppers Utility & Industrial Products, Orangeburg, SC in the amount of \$22,241.

By Councilor McFarlin; Seconded by Councilor Ensel

Discussion: None

Roll call: Councilors Armstrong, Kelly, Gibbs, Ensel, 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 PMLD Bid #2018-12-2 "Transformer Oil Liquid Screen and Gas Analysis Testing" be awarded to MVA Diagnostic Inc, Canton, OH in the amount of \$3,806 for 2019, 2020 and 2021.

Motion to waive reading and move Resolutions F & G

By Councilor McFarlin; Seconded by Councilor Gibbs

(All voted in the affirmative to "waive reading and move resolutions F & G")

Discussion: None

Roll call: Councilors Armstrong, Kelly, Gibbs, Ensel, 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 PMLD Bid #2018-12-3 "Two 1500 kva 4, 160V Padmount Transformers and 1- 15Kv Padmount Interrupter Switch" be awarded to IRBY Utilities, Liverpool, NY in the amount of \$ 125,942.

[See details under Item 7F]

ACTION TAKEN: Adopted

Follow up Action: None

Item 7H was defeated during the MLD Board meeting therefore removed from Agenda and no action take on this item.

H. RESOLVED: In accordance with the request therefore the Common Council approves that the

Mayor is authorized to sign the AEDA Contract for A/E services for the complete design of the MLD Compound NTE \$490,000.00 based on an estimated construction cost of \$7 million.

ACTION TAKEN: Withdrawn from agenda during MLD Board Meeting

Follow up Action: None

Item 7I was added during the MLD Board meeting:

I. Whereas, the City of Plattsburgh intends to file a petition for annexation with the Town of Plattsburgh for the properties identified as tax map parcel 220.-4-32 on the 2019 assessment roll; and

Whereas, pursuant to SEQR, the Common Council has determined the proposed action to be a Type 1 Action; and

Whereas, the proposed action requires the approval and/or involvement of several agencies, including but not necessarily limited to the Common Council, the Town Board of the Town of Plattsburgh, and the Beekmantown Central School District; and

Whereas, the Common Council desires to serve as Lead Agency for the purpose of conducting an environmental review of the proposed action in accordance with SEQR regulations; and

Whereas, the City intends to prepare and transmit a Notice of Intent to Serve as Lead Agency to all involved and interested agencies for the purpose of establishing itself as lead agency; and

Whereas, the City intends to prepare a full Environment Assessment Form to evaluate the potential impacts of the proposed action;

Now, therefore, be it resolved, that provided no other involved agency indicates a desire to serve as Lead Agency within thirty days of the date of this notice, the Common Council will serve in that capacity, for this Type I action, in accordance with SEQR regulations.

It is further resolved, that this resolution will be effective immediately.

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: None

Roll call: Councilors Armstrong, Kelly, 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 MLD Board approves MLD Travel Requests for 2019 (source of funding is Employee Safety training, line item – M7852100 4461):

1. Garrett Mastic and James Farrell to attend the required 4th year of Line Helper Training to be held in Fairport, NY at an estimated cost of \$1,590 for each of the following travel dates; May 13-17, 2019, June 10-14, 2019, September 23-27, 2019 and October 28- November 1, 2019. Total \$3,180.00.
2. Garrett Mastic to attend Battery Maintenance and Testing to be held at Valley Forge, PA from July 28- August 1, 2019, at \$1,455 for the class and travel expense of \$1,220.00. Total \$2,675.00.
3. Finance Officer to attend the Accounting & Finance Workshop in East Syracuse, NY from October 14-16, 2019. Total \$460.

4. Bill Treacy to attend the following meetings:

Semi-Annual MEUA Meeting	East Syracuse, NY	April 23-25, 2019	total \$ 460
Annual MEAU Meeting	Fairport, NY	September 10-13, 2019	total \$1000.00
IEEP Annual Meeting	East Syracuse, NY	October 21-22, 2019	total \$ 275
Engineering Workshop	East Syracuse, NY	November 6-8, 2019	total \$ 460
Semi-Annual NYMPA Mtg	East Syracuse, NY	May 20-22, 2019	total \$ 60
Annual NYMPA Meeting	East Syracuse, NY	October 22-23, 2019	total \$ 60
Monthly NYMPA Meeting	East Syracuse, NY	February, 2019	total \$ 60
Monthly NYMPA Meeting	East Syracuse, NY	March, 2019	total \$ 60
Monthly NYMPA Meeting	East Syracuse, NY	April, 2019	total \$ 60
Monthly NYMPA Meeting	East Syracuse, NY	May, 2019	total \$ 60
Monthly NYMPA Meeting	East Syracuse, NY	June, 2019	total \$ 60
Monthly NYMPA Meeting	East Syracuse, NY	July, 2019	total \$ 60
Monthly NYMPA Meeting	East Syracuse, NY	August, 2019	total \$ 60
Monthly NYMPA Meeting	East Syracuse, NY	September, 2019	total \$ 60
Monthly NYMPA Meeting	East Syracuse, NY	November, 2019	total \$ 60
Monthly NYMPA Meeting	East Syracuse, NY	December, 2019	total \$ 60

Total \$ 2,915.00

5. Bill Treacy to attend Certified Energy Manager Training Program in NY, NY from October 6-11, 2019. Training required to renew NY State Engineering License. Training and travel at no cost to the City.

Motion to waive reading and move Resolution

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

Discussion: None

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

ACTION TAKEN: Adopted

Follow up Action: None

9. RESOLUTIONS FOR INITIAL CONSIDERATION:

1. Request from Councilor Kelly to approve \$3,000 for Animal Rescue and Welfare Services to continue their services for feral cat control, rescue and adoption efforts in the City of Plattsburgh, it being understood that this money is left over from the 2018 Animal Control Budget (1351-4430).

Mayor Read, as Chair, allowed discussion of Initial item #1.

Councilor Armstrong indicated this is an emotional issue, no one wants to see cats suffer and applauds the efforts of those who try to meet a need and knows this group really feels like they are filling a void. However, doesn't feel we should disparage the professional opinions of a member of our veterinarian community. She and Councilor Ensel have had the opportunity to meet with the Animal Welfare group and a group of veterinarians and other interested parties and discussing not just feral cats but cats in general in our community. And as a result, did have the opportunity to hear some of the research that Dr. Eaglefeather and Dr. King have been studying for some time. Doesn't feel the request for documentation from the Animal Rescue and Welfare Services group is an unreasonable request. Encouraged council to be better informed about this issue.

[further discussion ensued]

Councilor Moore added the following for Initial Consideration:

2. Establish City of Plattsburgh Livable Community Advisory Committee

Whereas, citizen advisory committees are a valuable means of enhancing the exchange of ideas between the residents and the city;

Whereas, advisory bodies are able to focus on a single issue, and are able to provide, through research, recommendations to City Government in a timely fashion; therefore

Be it resolved, that the City of Plattsburgh Common Council authorizes the establishment of a Livable Community Advisory Committee charged with the task to research immediate and long range solutions that would provide a list of potential improvements that would enhance the livability of the Community for the benefit of all residents. The committee of up to ten individuals will be comprised of citizen stakeholders representing a variety of perspectives of City residents. Additionally two members of City Government will serve. Citizen stakeholders shall be selected from a list of volunteers who will register their interest with the Mayor's office by completing an application. The two members from City government shall select the committee from the list of volunteers.

10. NEW BUSINESS AND COUNCILOR REPORTS:

Councilor McFarlin announced that the second Parking Advisory Committee meeting will be held on Tuesday, February 12, 2019 at 6pm in the Common Council Chambers.

Councilor Armstrong wanted to acknowledge Sandy McNeil, recently passed away, served on the Snow Removal Committee.

Councilor Ensel mentioned that he, Councilor Moore and Chief Ritter will meet Monday morning with representatives from the college regarding some recent activity in center city.

11. CLOSING PUBLIC COMMENTS ON ANY TOPIC: None

Motion to Adjourn by Councilor Armstrong; Seconded by Councilor Ensel

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

(All voted in the affirmative)

MEETING ADJOURNED: 6:10pm

(Mayor added under Correspondence) January 25, 2019

To: Moore J.
City Councilor

From: Deborah Wemette

To Whom It May Concern,

As you are well aware there are no programs in Plattsburgh, NY that assist the aging, disabled, or people with severe illness in helping with snow removal. I personally called the office for the aging, JCEO, and the Mayors office, to no avail I was given the run around quite simply put. It is imperative that this be taken to the board and a plan put in place to rectify this problem. I know for a fact I am not the only person who has complained in the past. As you are well aware it is easy to find some individual to plow your driveway because that is easy money, however when it comes to shoveling sidewalks decks or porches there are no takers. It is unfair to expect your aging residents or the disabled to, let's face it this could lead to death or more severe injury. It is time to put a plan in place for the city residents who are in need. There are several solutions 1) Put a person on staff to plow the city sidewalks. 2) Utilize individuals that have to do community service 3) Start an angel network, but whatever you do don't give information out to people who are seeking it the run around. Address the problem and do something about the problem. The city has all this money for other projects but they neglect to take care of some of the city residents who truly need the answer to this problem. It would be a lot of lost revenue to the city if your seniors started moving to other states for lack of assistance with snow removal. Thank you for listening to my concerns and other city residents.

Respectfully,



#2 Add Initial Consideration
Moore

**City of Plattsburgh
Livable Community Advisory Committee**

Whereas citizen advisory committees are a valuable means of enhancing the exchange of ideas between the residents and the city,

Whereas advisory bodies are able to focus on a single issue, and are able to provide, through research, recommendations to City Government in a timely fashion; therefore

Be it resolved that the City of Plattsburgh Common Council authorizes the establishment of a Livable Community Advisory Committee charged with the task to research immediate and long range solutions that would provide a list of potential improvements that would enhance the livability of the Community for the benefit of all residents. The committee of up to ten individuals will be comprised of citizen stakeholders representing a variety of perspectives of City residents. Additionally two members of City Government will serve. Citizen stakeholders shall be selected from a list of volunteers who will register their interest with the Mayor's office by completing an application. The two members from City government shall select the committee from the list of volunteers.