

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

October 10, 2019

5:30 P.M.

MINUTES

Pledge of Allegiance

(RC)

Present: Mayor Colin Read, Councilors Rachelle Armstrong (W1), Mike Kelly (W2), Elizabeth Gibbs (W3), Peter Ensel (W4), Patrick McFarlin (W5) (*arrived after Roll call at 5:32pm*), Jeff Moore (W6)

Absent: None

MAYOR'S COMMENTS: mentioned the Jean Arthur mural it is absolutely beautiful. Also, appreciates all the work that MLD and DPW are doing it is going to turn one of our nastiest streets into one of our finest streets and really excited about the completion of the project. The artist that painted the mural is from out of the area, but, is the grandson of former SUNY Plattsburgh President George Angell.

1. MINUTES OF THE PREVIOUS MEETING:

RESOLVED: That the Minutes of the Regular Meeting of the Common Council held on October 3, 2019 are approved and placed on file among the public records of the City Clerk's Office

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

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

Note: Councilor Armstrong was absent for this resolution only

2. PAYROLLS OF VARIOUS DEPARTMENTS:

RESOLVED: That the payrolls of the various Departments of the City of Plattsburgh for the week ending October 9, 2019 in the amount of **\$ 479,720.39** 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 Gibbs
(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 October 1-7, 2019
- Report from the Building Inspector's office for the week of October 2-8, 2019

- Minutes from the Governance, Strategy & City Operations Committee meeting held on October 3, 2019
- Report from Eagle’s Nest Veterinary Hospital Dangerous Dog dated October 9, 2019

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

Governance, Strategy, and City Operations- Chair Councilor Armstrong indicated met with Councilor Moore, Mayor, Community Development Director Miller regard Rec Complex, Plattsburgh Sustainability Task Force will meet Wednesday, October 16th at 4pm and mentioned Climate Action Coalition willing to work on Climate Smart Community certifications.

City Infrastructure – Chair Councilor Moore indicated met tonight had budget discussion if any more questions next week.

Finance and Budget – Chair Councilor Kelly indicated Budget season has begun, held Rec Complex last week, Infrastructure this week on schedule to pass budget on November 21, 2019.

Public Safety – Chair Councilor Gibbs asked if they could have budget narratives from departments by Wednesday each week.

Plattsburgh Public Library – Chair Councilor Ensel indicated he will be meeting with Director de la Chapelle to go over next week.

MLD - MLD Board President Councilor McFarlin indicated MLD mostly moved in to Sharron Avenue, Green Street by next week and Miller Street by Thanksgiving.

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 Ensel
(All in Favor/opposed)

Roll call: Councilors Armstrong, Kelly, 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 October 11, 2019 in the amount of \$ 661,862.20 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:** **None**

7. **OTHER ITEMS:**

A. RESOLVED: In accordance with the request therefore the Common Council approves the City Chamberlain to adjust the 2019 General Fund Budget by a combined \$46,000 in appropriations for under-budgeted Temporary Pay and Repairs to Motor Vehicles to be funded through a transfer of \$46,000 from Separation Pay within the Fire Department budget.

By Councilor Ensel; Seconded by Councilor Moore

Discussion: None

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

(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

B. WHEREAS, in accordance with the New York State Environmental Quality Review regulations (SEQR), the Common Council of the City of Plattsburgh announced its intent to serve as Lead Agency on or about August 19, 2019, to conduct an environmental review of a Type I project to complete abatement and demolition of surplus Plattsburgh Municipal Lighting Department structures located at 26 Green Street (hereinafter the “MLD Abatement and Demolition Project”); and

WHEREAS, the Common Council circulated its intent to serve as Lead Agency on or about October 1, 2019, with requisite environmental assessment forms, to other involved and/or interested agencies to review the MLD abatement and Demolition Project and has not received any objections thereto; and

WHEREAS, the Common Council, in its capacity as Lead Agency, has caused to be prepared an environmental assessment of the significance of and potential environmental impact of the action described above; and

WHEREAS, the Common Council has considered the environmental assessment forms, project description, including any comments received from the Involved Agencies, and the proposed Part 2 and 3 and proposed Negative Declaration.

NOW THEREFORE BE IT RESOLVED, that the Common Council, as the established Lead Agency for the MLD Abatement and Demolition Project, which is a Type I action under SEQR per 6 NYCRR Part 617.4(b)(9) and as required for funding purposes, declares that, based on the record which has been prepared, including a review and completion of Part 2 of the Full EAF, a Negative Declaration is hereby adopted for the MLD Abatement and Demolition Project as it will result in no major adverse environmental impacts. The filing of this Negative Declaration is hereby ordered in accordance with 6 NYCRR Part 617.11 and this resolution will take effect immediately.

Motion to waive reading and move Resolution

By Councilor Armstrong; Seconded by Councilor Ensel
(All voted in the affirmative to waive reading and move Resolution)

Discussion: Yes
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 authorizes entering in to a Wastewater Treatment Plant Operation Agreement with “The Point” in Saranac Lake subject to the final contract approval of the Mayor and City of Plattsburgh Corporation Counsel.

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

D. WHEREAS, by resolution dated August 6, 2015, the Common Council of the City of Plattsburgh resolved to encourage city departments and city residents to refrain from the use of GMO seeds and to refrain from the use of pesticides in the practice of lawn care and beautification, in part, to protect pollinating insects; and

WHEREAS, human contact with glyphosate, a prominent herbicide, has been linked to certain cancers and there has been national media coverage regarding litigation against the manufacturers of glyphosate; and

WHEREAS, in early September of 2019, the Press Republican reported about the application of an herbicide, which likely contained glyphosate, on City property located between Lake Champlain and the Terry Gordon Bike Path.

NOW THEREFORE, IT IS HEREBY RESOLVED, that the Common Council of the City of Plattsburgh re-affirms its resolution dated August 6, 2015 in whole, and in particular, with respect to encouraging city departments and city residents to refrain from the use of pesticides and herbicides in the practice of lawn care and beautification; and

IT IS FURTHER RESOLVED, that City Departments shall refrain from any use of pesticides and herbicides in the maintenance of City Property, absent written approval from the City Mayor; and

IT IS FURTHER RESOLVED, that no pesticide or herbicide may be used by private parties on City Property, absent written approval from the City Mayor.

This Resolution will take effect immediately upon approval by the Common Council.

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

(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

E. WHEREAS, the Imperial Dam, located on the Saranac River in Plattsburgh NY, is a Class “C” or “High Hazard” dam; its failure may result in serious damage to residences and infrastructure such that the loss of human life or widespread substantial economic loss is likely; and

WHEREAS, the masonry portion of Imperial Dam is owned by Main Mill Investments and the earthen embankment is owned by the NYSDEC; and

WHEREAS, Imperial Dam has a long history of serious uncorrected safety and habitat deficiencies; and

WHEREAS, the impounded water behind Imperial Dam allows for thick ice to develop, which exacerbates ice jams downstream—most recently and notably, the ice jams which impacted City infrastructure and the Underwood Mobile Home Park; and

WHEREAS, the impounded water behind Imperial Dam is not used for any hydropower electrical generation or industrial use; and

WHEREAS, in addition to these safety deficiencies, Imperial Dam presents an absolute impediment to fish spawning and fish passage on the Saranac River; and

WHEREAS, improved fish passage and improved health of the landlocked salmon fishery in the Saranac would likely increase tourism and recreational opportunities within Plattsburgh;

WHEREAS, New York State has entered into a Consent Order with the owners of Imperial Dam to correct these safety deficiencies and improve fish passage and included in these corrective actions was a proposal to lower and/or breach Imperial Dam; and

WHEREAS, the City of Plattsburgh is willing to facilitate these safety and fish passage goals by allowing for the use of adjacent City-owned property for sediment treatment and storage; improved recreational access; and improved community connections to the Saranac River; and

WHEREAS, the City of Plattsburgh’s Common Council received a presentation by the Lake Champlain Chapter of Trout Unlimited in September of 2019 regarding these issues.

NOW THEREFORE, IT IS HEREBY RESOLVED, that the City of Plattsburgh Common Council supports the removal of Imperial Dam so that these safety deficiencies with the high-hazard dam will be resolved, salmon will re-gain their historic spawning grounds and ice-jams in the future will be mitigated.

IT IS FURTHER RESOLVED, that the City of Plattsburgh joins and supports the efforts of the Lake Champlain Chapter of Trout Unlimited to petition New York State to remove Imperial Dam.

IT IS FURTHER RESOLVED, that the City of Plattsburgh has available adjacent City-owned property to facilitate the removal of Imperial Dam and any sediment upstream of the dam.

By Councilor Moore; Seconded by Councilor Gibbs

Discussion: Yes

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 authorizes entering in to an agreement with “Open Gov” subject to the final contract approval of the Mayor and City of Plattsburgh Corporation Counsel.

By Councilor Armstrong; Seconded by Councilor Gibbs

Discussion: Yes

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 Clinton County to close six parking spaces to public use on the south side of Cornelia Street between Oak Street and Margaret Street during construction activities on the County’s Government Center Parking Lot to accommodate the operations of Clinton County Public Transit. Construction activities are scheduled to begin on Monday, October 14 and are expected to last one month.

By Councilor Gibbs; Seconded by Councilor Ensel

Discussion: Yes

Roll call: Councilors Armstrong, Kelly, Gibbs, Ensel, 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 Gibbs mentioned an Art Show at the Strand Center of the Arts.

Councilor Armstrong mentioned beautiful Jean Arthur Mural, was on Terry Gordon Bike path and Empire Trail panels have been installed.

Councilor Moore spoke about rumors he heard about the City Marina to correct the misinformation and the marina is not a money maker even without the debt service, If you add in the debt service it is a big money loser.

Councilor Gibbs indicated she was contacted by a constituent in her Ward to clarify information on DRI that was incorrect.

Councilor Armstrong felt they had a wonderful turnout at last week's Rec Complex presentation. That's how good government works when there is civil dialogue and exchange of ideas.

Councilor Gibbs indicated she had received emails about the gym closure from residents of her Ward and grateful for that conversation so they can continue the dialogue.

Mayor Read mentioned in reference to Councilor Moore's comments in that same reference it was claimed that the city had given away part of our public marina to a competing marina. Of course, you all understand the city is not allowed to give away part of our public waterfront clearly that didn't occur. What we did do was agree to have space between our marina and the adjacent marina to allow our boats to get out and their boats as well and that's just a maritime law thing and you're obliged to create offsets so each entity can navigate around the other. But the notion that the city gave away some public marina is simply false.

Councilor Kelly indicated the RFP for Managed IT Security and Services will have technical questions to get answered.

Mayor Read indicted may need to hire consultant since current IT Services provider is bidding on the RFP.

Councilor Ensel agreed should hire private consultant to help.

Director of Community Development Miller mentioned per the RFP must answer all questions within 2 weeks.

Councilor McFarlin suggested installing a cross walk between Marion across Court Street.

Councilor Ensel mentioned that a college colleague asked about possibility of changing timing on Beekman/Broad Stop light.

11. CLOSING PUBLIC COMMENTS ON ANY TOPIC: None

Motion to Adjourn by Councilor Gibbs; Seconded by Councilor McFarlin

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

(All voted in the affirmative)

MEETING ADJOURNED: 6:14 pm