

Local Law Filing

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

County City Town Village
(Select one:)

of Plattsburgh

Local Law No. 4 of the year 2021

A local law officially annexing a certain parcel of property located on Reeves Lane in the Town of
(Insert Title)
Plattsburgh and identified on the 2021 tax map no. 220.-4-32 and 220.-4-31.2

Be it enacted by the Common Council of the
(Name of Legislative Body)

County City Town Village
(Select one:)

of Plattsburgh

as follows:

Be it enacted by the Common Council of the City of Plattsburgh as follows:

Section 1. Prior Proceedings

The Common Council of the City of Plattsburgh submitted a request pursuant to Section 706 of Article 17 of the New York General Municipal Law with the Town Board of the Town of Plattsburgh on April 20, 2021, as owner of certain real property in the Town consisting of an approximately 224+/-acre parcel of uninhabited land on Reeves Lane in the Town, identified as Clinton County Tax Map Parcel Nos. 220.-4-31.2 and 220.-4-32, for the annexation of the Property to the City (" Reeves Lane Property ").

The City Common Council, as the lead agency for the Type I, coordinated environmental review of this action, and in accordance with SEQR, reviewed the potential adverse environmental effects, if any, related to the Reeves Lane Property Annexation and on August 9th, 2021, the City Council readopted and reaffirmed its previous negative determination of environmental significance for the Reeves Lane Annexation.

(If additional space is needed, attach pages the same size as this sheet, and number each.)

On or about July 20, 2021, a Notice of Public Meeting on the Matter of Annexation of certain territory from the Town of Plattsburgh to the City of Plattsburgh was made to members of the public, with a copy of such Notice sent the impacted school districts, EMS and volunteer fire departments.

A meeting of the Town Board was held on August 26, 2021, in accordance with Section 706 of Article 17 of the New York General Municipal Law, and the Town Board of the Town made certain findings and thereupon adopted certain resolutions and orders based upon such findings, which such findings and Order determined that the requested annexation was made in conformance with Section 706 of the Municipal Annexation Law, that the Reeves Lane Annexation Request was in the overall public interest, and that the Town approved the Reeves Lane Annexation Request. A certified resolution of the Town Board resolution was then filed with the Town Clerk of the Town Board as well as the City Clerk of the City of Plattsburgh.

A meeting of the Common Council was held on September 16, 2021, in accordance with Section 706 of Article 17 of the New York General Municipal Law, and the Common Council of the City of Plattsburgh made certain findings and thereupon adopted certain resolutions and orders based upon such findings, which such findings and Order determined that the requested annexation was made in conformance with Section 706 of the Municipal Annexation Law, that the Reeves Lane Annexation Request was in the overall public interest, and that the City approved the Reeves Lane Annexation Request. A certified resolution of the Common Council resolution was then filed with the Town Clerk of the Town Board as well as the City Clerk of the City of Plattsburgh.

The Common Council of the City of Plattsburgh wishes to complete the annexation process of the Reeves Lane Parcel by the adoption of a local law pursuant to § 714 of the General Municipal Law.

Section 2. Findings

The Common Council finds that on or about August 9, 2021, the Common Council (as Lead Agency) readopted and reaffirmed its previous Negative Declaration pursuant to SEQRA. The Common Council also finds that on or about August 26, 2021 the Town Board, and then again on September 16, 2021 the Common Council adopted its Resolution, Findings and Order approving the proposed annexation of the Reeves Lane Parcel into the City pursuant to General Municipal Law § 706.

The Common Council also finds that for all the reasons set forth in the aforementioned Resolutions, Findings and Orders, as well as the Negative Declaration, that it is in the public interest to annex the Reeves Lane Property into the City.

Section 3. Annexation of Parcel

The Common Council of the City of Plattsburgh does hereby annex the Reeves Lane Property described as follows:

ALL THAT CERTAIN PIECE OR PARCEL OF LAND, situate, lying and being in the Town of Plattsburgh, Clinton County, New York, bounded and described as follows:

COMMENCING at the point where the easterly bounds of Interstate Route 87 intersects the southerly bounds of Rugar Street;

THENCE PROCEEDING southerly in the easterly bounds of Interstate Route 87 a distance of 4,457± feet to a corner in said Route 87 easterly bounds;

THENCE PROCEEDING easterly in an east/west jog in said Interstate Route 87 easterly bounds a distance of 340± feet to a corner in said easterly bounds;

THENCE PROCEEDING southerly, still in said Interstate Route 87 easterly bounds, a distance of 791± feet to a corner in said easterly bounds;

THENCE PROCEEDING northeasterly in a northeast/southwest jog in said Route 87 easterly bounds a distance of 133± feet to the most westerly corner of a parcel now or formerly owned by New York State Electric & Gas Corporation by virtue of a Certificate of Merger recorded in Book 168 of Deeds at Page 356 in the office of the Clinton County Clerk;

THENCE PROCEEDING northeasterly in the northwesterly line of said New York State Electric & Gas Corporation parcel, a distance of 690± feet to the most northerly corner of said New York State Electric & Gas Corporation parcel;

THENCE PROCEEDING southeasterly in the northeasterly line of said New York State Electric & Gas Corporation parcel a distance of 100± feet to a point in the northerly line of the Saranac River;

THENCE PROCEEDING in the same course a further distance of 120± feet to a point in the centerline of the Saranac River;

THENCE PROCEEDING northeasterly, easterly, and southeasterly in the centerline of the Saranac River a distance of 3,000± feet to a point in the line between the Plattsburgh City School District on the east and the Beekmantown Central School District on the west which line is also the current westerly bounds of the City of Plattsburgh;

THENCE PROCEEDING northerly in said school district line a distance of 120± feet to a point in the northerly line of the Saranac River;

THENCE CONTINUING northerly in said school district line, being said current City of Plattsburgh westerly line, a further distance of 1,210± feet to a point in the southerly line of a parcel now or formerly owned by Ed Garrow & Sons, Inc. by virtue of a deed recorded as Instrument Number: 2015-00275139 in the office of the Clinton County Clerk;

THENCE PROCEEDING westerly in Ed Garrow & Sons' southerly line, and in the southerly line of a parcel now or formerly owned by Edward Champagne by virtue of a deed recorded in Book 571 of Deeds at Page 1050 in the office of the Clinton County Clerk, a total distance of 1,260 +- feet to Champagne's southwest corner;

THENCE PROCEEDING northerly in Champagne's westerly line a distance of 2,150+-: feet to another parcel now or formerly owned by Edward Champagne by virtue of the aforesaid deed recorded in Book 571 of Deeds at Page 1050;

THENCE PROCEEDING northerly in the westerly line of said second parcel now or formerly owned by Champagne, a distance of 125± feet to the point where said line is intersected at an acute angle by the westerly line of a parcel now or formerly owned by Edward Champagne and Ralph Joseph Bleau by virtue of a deed recorded as Instrument Number: 147003 in the office of the Clinton County Clerk;

THENCE PROCEEDING northwesterly and northerly in Champagne and Bleau's westerly line a distance of 1,131.36 feet to a point in the southerly bounds of Rugar Street;

THENCE PROCEEDING westerly in the southerly bounds of Rugar Street a distance of 420+-: feet to a point in the easterly line of a parcel now or formerly owned by Joseph and Lori Provost by virtue of a deed recorded in book 923 of Deeds at Page 338 in the office of the Clinton County Clerk;

THENCE PROCEEDING southerly in Provosts' easterly line a distance of 119 feet to Provosts' southeast corner;

THENCE PROCEEDING westerly in Provosts' southerly line a distance of 200 feet to Provosts' southwest corner;

THENCE PROCEEDING northerly in Provosts' westerly line a distance of 119.32 feet to a point in the southerly bounds of Rugar Street;

THENCE PROCEEDING westerly in the southerly bounds of Rugar Street a distance of 650.96 feet to the point or place of commencement.

The aforementioned description includes all of that uninhabited land on Reeves Lane identified as Clinton County Tax Map Parcel Nos. 220.-4-31.2 and 220.- 4-32.

The annexation shall be effective immediately upon the filing of this local law in the office of the Secretary of State. The effective date of the annexation has been determined after giving due regard to the taxable status dates of the City and the Town, as well as the fiscal years of both municipalities.

This annexed territory shall be designated as Ward 3.

Section 4. Authority

This Local Law is enacted pursuant to General Municipal Law Section 714 .

Section 5. Rules and Regulations

The Common Council is authorized to adopt rules and regulations, by resolution, to further implement the provisions of this Local Law.

Section 6. Separability

If any part or provision of this Local Law or the application thereof to any person or circumstance be adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part or provision or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of this Local Law or the application thereof to other persons or circumstances, and the Common Council hereby declares that it would have passed this Local Law or the remainder thereof had such invalid application or invalid provision been apparent.

Section 7. Repeal

All ordinances, local laws and parts thereof inconsistent with this Local Law are hereby repealed.

Section 8. Effective Date

This Local Law shall take effect immediately upon filing in the office of the New York State Secretary of State.

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, in accordance with the applicable provisions of law.
(Name of Legislative Body)

2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer*.)

I hereby certify that the local law annexed hereto, designated as local law No. 4 _____ of 20 21 of the ~~(County)(City)(Town)(Village)~~ of Plattsburgh _____ was duly passed by the _____ on October 21 20 21, and was (approved)(~~not approved~~) Common Council _____ (Name of Legislative Body) (repassed after disapproval) by the Mayor _____ and was deemed duly adopted (Elective Chief Executive Officer*) on October 21 20

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, in accordance with the applicable provisions of law.

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) (Name of Legislative Body) (repassed after disapproval) by the _____ on _____ 20____. (Elective Chief Executive Officer*)

Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on _____ 20____, in accordance with the applicable provisions of law.

4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) (Name of Legislative Body) (repassed after disapproval) by the _____ on _____ 20____. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 20____, in accordance with the applicable provisions of law.

* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

5. (City local law concerning Charter revision proposed by petition.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on _____ 20____, became operative.

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the County of _____ State of New York, having been submitted to the electors at the General Election of November _____ 20____, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph 2 above.

Shirley Panatto

Clerk of the county legislative body, City, Town or Village Clerk or officer designated by local legislative body

Date: 10/22/2021

(Seal)