

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

October 10, 2019

5:30 P.M.

AGENDA

Pledge of Allegiance

(RC)

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

Absent:

MAYOR'S COMMENTS:

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 _____; Seconded by Councilor _____
(All in Favor/opposed)

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

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 _____; Seconded by Councilor _____
(All in Favor/opposed)

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

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

City Infrastructure – Chair Councilor Moore

Finance and Budget – Chair Councilor Kelly

Public Safety – Chair Councilor Gibbs

Plattsburgh Public Library – Chair Councilor Ensel

MLD - MLD Board President Councilor McFarlin

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 _____; Seconded by Councilor _____

(All in Favor/opposed)

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

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 _____; Seconded by Councilor _____

(All in Favor/opposed)

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

6. PERSONS ADDRESSING COUNCIL ON AGENDA ITEMS ONLY:

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 _____; Seconded by Councilor _____

Discussion:

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

ACTION TAKEN: Adopted _____ Defeated _____ Withdrawn _____ Tabled _____

Follow up Action:

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.

By Councilor _____; Seconded by Councilor _____

Discussion:

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

ACTION TAKEN: Adopted _____ Defeated _____ Withdrawn _____ Tabled _____

Follow up Action:

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 _____; Seconded by Councilor _____

Discussion:

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

ACTION TAKEN: Adopted _____ Defeated _____ Withdrawn _____ Tabled _____

Follow up Action:

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 _____; Seconded by Councilor _____

Discussion:

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

ACTION TAKEN: Adopted _____ Defeated _____ Withdrawn _____ Tabled _____

Follow up Action:

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 _____; Seconded by Councilor _____

Discussion:

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

ACTION TAKEN: Adopted _____ Defeated _____ Withdrawn _____ Tabled _____

Follow up Action:

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 _____; Seconded by Councilor _____

Discussion:

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

ACTION TAKEN: Adopted _____ Defeated _____ Withdrawn _____ Tabled _____

Follow up Action:

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 _____; Seconded by Councilor _____

Discussion:

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

ACTION TAKEN: Adopted _____ Defeated _____ Withdrawn _____ Tabled _____

Follow up Action:

8. TRAVEL REQUEST: NONE

9. RESOLUTIONS FOR INITIAL CONSIDERATION: None

10. NEW BUSINESS AND COUNCILOR REPORTS:

11. CLOSING PUBLIC COMMENTS ON ANY TOPIC:

Motion to Adjourn by Councilor _____; Seconded by Councilor _____

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

MEETING ADJOURNED: _____