

**REGULAR MEETING OF THE COMMON COUNCIL
OF THE CITY OF PLATTSBURGH, NEW YORK
JANUARY 6, 2022
5:00 P.M.**

MINUTES

Present: Mayor Christopher Rosenquest, Councilors Jaime Canales (W1) Mike Kelly (W2), Elizabeth Gibbs (W3), Jennifer Tallon (W4), Caitlin Bopp (W5), Jeff Moore (W6)

Absent: None

1. MINUTES OF THE PREVIOUS MEETING:

RESOLVED: That the Minutes of the Regular Meeting of the Common Council held on December 16, 2021 are approved and placed on file among the public records of the City Clerk's Office.

By Councilor Bopp; Seconded by Councilor Canales
Roll call: Councilors Canales, Kelly, Gibbs, Tallon, Bopp, Moore
(All in Favor/opposed)
(All voted in the affirmative)

2. PUBLIC COMMENT ON ANY TOPIC: None

**3. REPORTS OF CITY OFFICES & COUNCILOR/DEPARTMENT CHAIR/LIAISON
COMMITTEE REPORTS: None**

4. CORRESPONDENCE OR RECOMMENDATIONS FROM BOARDS: None

5. PAYROLLS OF VARIOUS DEPARTMENTS:

RESOLVED: That the payrolls of the various Departments of the City of Plattsburgh for the week ending January 5, 2022 in the amount of \$ 59,370.98 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 Moore; Seconded by Councilor Bopp
Discussion: None
Roll call: Councilors Canales, Kelly, Gibbs, Tallon, Bopp, Moore
(All in Favor/opposed)
(All voted in the affirmative)

6. AUDIT OF CLAIMS:

RESOLVED: That the bills Audited by the Common Council for the week ending January 7, 2022 in the amount of \$ 144,165.06 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 Bopp

Discussion: None

Roll call: Councilors Canales, Kelly, Gibbs, Tallon, Bopp, Moore

(All in Favor/opposed)

(All voted in the affirmative)

7. OTHER ITEMS:

7.1 BUDGET TRANSFER – 2021 CLOSING ENTRY FOR GOVERNMENT FUNDS

By Councilor Bopp; Seconded by Councilor Kelly

Discussion: None

Roll call: Councilors Canales, Kelly, Gibbs, Tallon, Bopp, Moore

(All in Favor/opposed)

(All voted in the affirmative)

7.2 A RESOLUTION MAKING APPROPRIATIONS FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2022, AND ENDING DECEMBER 31, 2022, AND LEVYING THE PROPERTY TAX FOR THE FISCAL YEAR 2022, AND ADOPTING A CAPITAL PROGRAM FOR THE YEARS 2022 THROUGH 2026 AND FOR LEVYING SPECIAL ASSESSMENTS FOR THE MUNICIPAL PARKING LOT AND THE US OVAL PARKING DISTRICT FOR THE FISCAL YEAR 2022.

By Councilor Kelly; Seconded by Councilor Canales

Discussion: None

Roll call: Councilors Canales, Kelly, Gibbs, Tallon, Bopp, Moore

(Councilors Canales, Kelly, Gibbs, Tallon and Bopp voted in the affirmative. Councilor Moore voted in the negative *because he wished they could have given some money back to taxpayers*)

ACTION TAKEN: Adopted

Follow up Action: None

7.3 APPROVING 2022 CITY OF PLATTSBURGH OPERATING BUDGET, TAX WARRANT AND CAPITAL PLAN

By Councilor Bopp; Seconded by Councilor Canales

Discussion: None

Roll call: Councilors Canales, Kelly, Gibbs, Tallon, Bopp, Moore

(Councilors Canales, Kelly, Gibbs, Tallon and Bopp voted in the affirmative. Councilor Moore voted in the negative *because he wished they could have given some money back to taxpayers*)

ACTION TAKEN: Adopted

Follow up Action: None

7.4 ITEM WITHDRAWN

7.5 AUTHORIZE MAYOR TO ATTEND NYCOM WINTER LEGISLATIVE MEETING

By Councilor Canales; Seconded by Councilor Kelly

Discussion: None

Roll call: Councilors Canales, Kelly, Gibbs, Tallon, Bopp, Moore

(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

7.6 APPROVE CONTRACT WITH ELMORE SPCA FOR DOG CONTROL SERVICES FOR STRAY AND ABANDONED DOGS

By Councilor Bopp; Seconded by Councilor Kelly

Discussion: None

Roll call: Councilors Canales, Kelly, Gibbs, Tallon, Bopp, Moore

(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

7.7 AUTHORIZATION TO EXECUTE AN AGREEMENT REGARDING THE OPIOID LITIGATION AGAINST ALLERGAN

By Councilor Bopp; Seconded by Councilor Canales

Discussion: None

Roll call: Councilors Canales, Kelly, Gibbs, Tallon, Bopp, Moore

(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

7.8 AUTHORIZE THE CITY OF PLATTSBURGH OFFICE OF ASSESSMENT TO AUTOMATICALLY GRANT EXEMPTIONS FOR RPTL 459-C AND RPTL 467 AS WERE RECEIVED ON THE 2021 ASSESSMENT ROLL ONTO THE 2022 ASSESSMENT ROLL PER NEW YORK STATE GOVERNOR EXECUTIVE ORDER 11.1

By Councilor Canales; Seconded by Councilor Bopp

Discussion: Yes

Roll call: Councilors Canales, Kelly, Gibbs, Tallon, Bopp, Moore

(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

8. EXECUTIVE SESSION: (if applicable, on motion) None

9. NEW BUSINESS: None

10. ADJOURNMENT:

Motion to Adjourn by Councilor Bopp; Seconded by Councilor Moore

Roll call: Councilors Canales, Kelly, Gibbs, Tallon, Bopp, Moore

(All voted in the affirmative)

MEETING ADJOURNED: 5:14 pm

RESOLUTION – 01/06/2022

7.1 BUDGET TRANSFER – 2021 CLOSING ENTRY FOR GOVERNMENT FUNDS

WHEREAS, the following resolution was adopted on January 6th, 2022; and

WHEREAS, the 2021 City budget made appropriations for all government fund expenditures; and

WHEREAS, the City Chamberlain is requesting to close the over-budget account appropriations through transfer of surplus budget account appropriations for the fiscal year 2021 for all government funds;

NOW, THEREFORE, BE IT RESOLVED, the Common Council Authorizes the City Chamberlain to adjust the 2021 City budget for all government funds, as follows:

The attached Excel spreadsheet provides for all the over-budget accounts being adjusted to be in balance through budget transfers from accounts that are in a surplus position by government fund.

RESOLUTION – 01/06/2022

7.2 A RESOLUTION MAKING APPROPRIATIONS FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2022, AND ENDING DECEMBER 31, 2022, AND LEVYING THE PROPERTY TAX FOR THE FISCAL YEAR 2022, AND ADOPTING A CAPITAL PROGRAM FOR THE YEARS 2022 THROUGH 2026 AND FOR LEVYING SPECIAL ASSESSMENTS FOR THE MUNICIPAL PARKING LOT AND THE US OVAL PARKING DISTRICT FOR THE FISCAL YEAR 2022.

BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF PLATTSBURGH:

That the respective amounts set forth hereinafter, constituting the Annual Budget of the City of Plattsburgh for the fiscal year 2022, the pages of which are hereby made a part of this resolution, aggregating the sum of Fifty-eight Million, Nine Hundred Ninety-three Thousand, Three Hundred Seventy and 71/100 (\$58,993,370.71) Dollars for the General, Sewer, Park & Recreation Complex, Library, Municipal Parking Lot, US Oval Parking District, Water, Debt Service and Municipal Lighting Funds, are hereby appropriated, in the respective amounts shown for the separate appropriation accounts of each departmental budget, for the several departments of the Municipal Government, and as much of each of such appropriation accounts as may be necessary is hereby authorized to be expended by the several departments from their respective appropriations.

That the amounts hereinafter set forth in the above-mentioned budget document as estimated revenues of the several funds, to the extent of such respective estimates, are hereby appropriated towards the above described authorized expenditures.

That the amounts indicated hereinafter representing unencumbered surplus and/or cash balances at the close of the 2021 fiscal year, in the several funds are hereby appropriated within the respective funds towards the above described authorized expenditures.

That the sum of Eighteen Million, Seven Hundred Nineteen Thousand, Four Hundred Nineteen and 29/100 (\$18,719,419.29) Dollars, including Five Million, Six Hundred Twenty-five Thousand, Four Hundred Sixteen and 04/100 (\$5,625,416.04) Dollars for the City of Plattsburgh's Certified portion of the Clinton County Tax Levy, is hereby levied and assessed on the taxable Real and Special Franchise property in the City of Plattsburgh, New York, for the fiscal year beginning January 1, 2022, and ending December 31, 2022, according to the valuations placed upon the 2020 assessment roll approved and filed for such purpose; and the proceeds of such levy and assessment, to the extent fixed above, are hereby appropriated to the General Fund towards the above described authorized expenditures, and for remittance of the certified amount of the City of

Plattsburgh's portion of the Clinton County Tax Levy to the County Treasurer of Clinton County.

That the City Chamberlain shall cause the said taxes above to be levied and assessed, together with One Million, Two Hundred Sixty-four Thousand, Nine Hundred Five and 85/100 (\$1,264,905.85) Dollars of unpaid 2021-2022 Plattsburgh City School District taxes including such other delinquent charges as shall be deemed proper, to be inserted and extended against the several parcels of property on the Assessment and Tax Roll from the year 2020, and that upon completion of such extensions of the Tax Roll, the proceeds of such levy and assessment, to the extent fixed above, are hereby allocated to the General Fund for the City Tax Enforcer's authorized estimated revenue portion, and for remittance of the certified amount of the Plattsburgh City School District's return of unpaid taxes and penalties to the District Treasurer of the Plattsburgh City School District.

That the sum of Seventy-one Thousand, Five Hundred Nine and 96/100 (\$71,509.96) Dollars is hereby levied and assessed on the Special Benefit and Assessment District on the taxable real property for the fiscal year beginning January 1, 2022 and ending December 31, 2022, according to the valuations placed upon the Special Benefit and Assessment District, approved and filed for such purpose; and the proceeds of such levy and assessment, to the extent fixed above, are hereby appropriated to the Special Assessment District Fund.

That for the purpose of such levy and assessment, the rates appearing hereinafter as part of the Annual Budget Document are hereby established and declared on each square foot of building area appearing on the above mentioned assessment roll.

That the sum of Thirteen Thousand, Four Hundred Ninety-nine and 98/100 (\$13,499.98) Dollars is hereby levied and assessed on the US Oval Parking District on the benefited real property lots located within said District for the fiscal year beginning January 1, 2022, and ending December 31, 2022, according to the US Oval Parking District Benefit Allocation Schedule dated December 8th, 2015, approved and filed for such purpose as part of the Annual Budget Document; and the proceeds of such levy and assessment, to the extent fixed above, are hereby appropriated to the US Oval Parking District Special Assessment Fund.

That the City Chamberlain shall cause the said taxes above levied and assessed, together with Fifty-six Thousand, One Hundred Eight and 45/100 (\$56,108.45) Dollars of delinquent Special Benefit and Assessment District, water meter charges and such other delinquent charges as shall be deemed proper, to be inserted and extended against the several parcels of property on the Assessment and Tax Roll from the year 2021, and that upon completion of such extensions of

the Tax Roll, he shall be given a warrant for the collection thereof, pursuant to the provisions of the City Charter.

That current revenue receipts from sources other than those hereinafter set forth as sources of estimated revenues, and receipts in excess of the revenue estimates from the several sources hereinafter set forth, shall be deposited to the General Fund, or to the other funds of the General Account, as the source of revenue may determine and shall be credited to the respective revenue accounts; and that receipts of the Municipal Lighting Department shall be deposited to the Municipal Lighting Department Fund.

That the Capital Expenditure Program for 2022 through 2026, the pages of which are hereby made a part of this resolution, aggregating the sum of One Hundred Six Million, Three Hundred Fifty-eight Thousand Five Hundred and 00/100 (\$106,358,500.00) Dollars is hereby adopted, subject to the appropriation or appropriations of the necessary funds.

RESOLUTION – 01/06/2022

7.3 APPROVING 2022 CITY OF PLATTSBURGH OPERATING BUDGET, TAX WARRANT AND CAPITAL PLAN

RESOLVED: In accordance with the request therefore the Common Council approves the proposed 2022 Budget, last revised on January 6th, 2022, as evidenced by the attached 2022 Budget Resolution making appropriations for the fiscal year beginning January 1, 2022, and ending December 31, 2022, and levying the property tax for the fiscal year 2022, as further evidenced by the attached 2022 Tax Warrant for the City of Plattsburgh and the County of Clinton's 2022 tax warrant certifying the City of Plattsburgh share of the 2022 County tax levy. The City of Plattsburgh report of the Summary of 2022 Operating Budget by Fund is further attached, with the thirty one year tax assessment, tax rate, tax levy comparison report, the City Assessor's reports of the 2021 tax roll, omitted taxes and S495 Exemption Impact Report, and the complete Common Council Budget dated January 6th, 2022, along with the 2022 Capital Expenditure Plan.

RESOLUTION – 01/06/2022

7.4 WITHDRAWN

RESOLUTION – 01/06/2022

7.5 AUTHORIZE MAYOR TO ATTEND NYCOM WINTER LEGISLATIVE MEETING

RESOLVED: In accordance with the request therefore the Common Council approves Mayor Rosenquest to attend the “NYCOM Winter Legislative meeting” in Albany, NY from February 13-14, 2022 at a cost not to exceed \$655.

RESOLUTION – 01/06/2022

7.6 APPROVE CONTRACT WITH ELMORE SPCA FOR DOG CONTROL SERVICES FOR STRAY AND ABANDONED DOGS

In accordance with the request therefore the Common Council approves contract with ELMORE SPCA for Dog Control Services for stray and abandoned dogs within the City of Plattsburgh for 2022 for the total cost of \$11,000 and there is no increase in cost from 2021.

RESOLUTION – 01/06/2022

**7.7 AUTHORIZATION TO EXECUTE AN AGREEMENT REGARDING
THE OPIOID LITIGATION AGAINST ALLERGAN**

In accordance with the request therefore the Common Council approves that the Mayor, Corporation Counsel and/or Special Counsel are authorized to execute an agreement, in a form approved by Corporation Counsel, regarding the opioid litigation against Allergan

RESOLUTION – 01/06/2022

7.8 AUTHORIZE THE CITY OF PLATTSBURGH OFFICE OF ASSESSMENT TO AUTOMATICALLY GRANT EXEMPTIONS FOR RPTL 459-C AND RPTL 467 AS WERE RECEIVED ON THE 2021 ASSESSMENT ROLL ONTO THE 2022 ASSESSMENT ROLL PER NEW YORK STATE GOVERNOR EXECUTIVE ORDER 11.1

Whereas, on December 26, 2021, the Governor of New York issued Executive Order 11.1, and

Whereas, this Executive Order allows for the automatic renewal of the real property tax exemptions afforded in subdivisions 7, 7-a and 8 of Section 459-C of the Real Property Tax Law and subdivisions 5, 5-a, 5-b, 5-c and 6 of Section 467 of the Real Property Tax Law if the assessing unit adopts a resolution directing the assessor to grant exemptions pursuant to such section on the 2022 assessment roll to all property owners who received that exemption on the 2021 assessment roll, and

Whereas, this would allow the Low-Income Senior/Disabled property owner to not have to file an exemption application with the City of Plattsburgh Office of Assessment in order to continue their exemption on the 2022 Assessment Roll, and

Whereas, this law also allows the governing body of the assessing unit to put a local option for when the assessor might require a require a renewal application, now therefore let it be

Resolved, that the City of Plattsburgh Common Council, at the recommendation of the Assessor, allows the City of Plattsburgh Office of Assessment to automatically grant exemptions for RPTL 459-c and RPTL 467 as were received on the 2021 Assessment Roll onto the 2022 Assessment Roll, and be it further

Resolved, that the Office of Assessment can review the 2022 income for property owner's whose income may have dropped in 2020 to ensure that the largest exemption is granted to the property owner if the income is provided by the federal deadline to submit income taxes with an extension, and be it further

Resolved, that the Office of Assessment can require a renewal application to be filed by taxable status date, in instances where the Department has reason to believe that an owner who qualified for the exemption on the 2021 Assessment Roll may have since changed their primary residence, added another owner to the deed, transferred the property to a new owner, or died.