

**REGULAR MEETING OF THE COMMON COUNCIL
OF THE CITY OF PLATTSBURGH, NEW YORK
MARCH 18, 2021
5:00 P.M.**

MINUTES

Present: Mayor Christopher Rosenquest, Councilors Jaime Canales (W1) Mike Kelly (W2), Elizabeth Gibbs (W3), Jennifer Tallon (W4), Patrick McFarlin (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 March 4, 2021 are approved and placed on file among the public records of the City Clerk’s Office

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

2. PUBLIC COMMENT ON ANY TOPIC:

Thomas O’Keefe spoke about outside recreation areas ready for kids to play outside, changed his opinion Cogan Ave does need sidewalks, feels vehicles go too fast on Cogan and spoke about City Hall building and does feel it is ADA compliant.

Mayor Rosenquest appreciated Mr. O’Keefe’s comments, there are some out of date concerns with City Hall building, looking forward to future Capital Projects at City Hall to improve accessibility and general upkeep of the building. Do not have a Cogan Avenue update at this time, waiting for a contractor estimate and then will have pricing and schedule. Spoke about parks and this week have completed a city wide inventory of parks, to gauge quality, improvements and any concerns and will have that report and plans provided to council and public shortly.

3. REPORTS OF CITY OFFICES & COUNCILOR/DEPARTMENT CHAIR/LIAISON COMMITTEE REPORTS:

City Operations – Chair Councilor McFarlin indicated nothing to report, met at beginning of month.

Finance and Community Development – Chair Mayor Rosenquest number of resolutions on today’s agenda fund transfers address a number of projects. Next committee meeting is April 8th

City Infrastructure – Chair Councilor Moore indicated nothing to report. There has been a water main break on North Catherine.

Public Safety – Chair Councilor Gibbs indicated met Monday, number of things happening, nice

article in today's paper updating public on Public Safety Review panels progress, public comment encourage and ends on March 23rd, Rental Registry will be in full swing in April and still working on a management package.

Plattsburgh Public Library – Liaison Councilor McFarlin indicated Library is now open for browsing, contactless pickup and go is continuing and they have federal and state tax forms if anyone needs access to those. The Library will also be participating in the National Library giving day, April 7th, a day that encourages people to donate to their local library.

MLD - MLD Board President Councilor Kelly indicated first meeting will be April 29th.

Corporation Counsel – Dean Schneller indicated nothing to report and does not anticipate the need for an Executive Session.

Traffic Order by City Planner Establishing Traffic Zone Designation No. 972

4. CORRESPONDENCE OR RECOMMENDATIONS FROM BOARDS:

5. PAYROLLS OF VARIOUS DEPARTMENTS:

RESOLVED: That the payrolls of the various Departments of the City of Plattsburgh for the week ending March 17, 2021 in the amount of \$ 53,529.70 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 Kelly
Roll call: Councilors Canales, Kelly, Gibbs, Tallon, McFarlin, 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 March 19, 2021 in the amount of \$ 1,406,522.95 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 Gibbs; Seconded by Councilor Moore
Roll call: Councilors Canales, Kelly, Gibbs, Tallon, McFarlin, Moore
(All in Favor/opposed)
(All voted in the affirmative)

7. OTHER ITEMS:

The City Operations Committee requested Resolutions #7.25-7.27 be placed on the agenda.

7.25 Authorizing the Mayor to sign East Coast Watercross agreement

RESOLVED: In accordance with the request therefore the Common Council approves

that the Mayor is authorized to sign an agreement with East Coast Watercross LLC and Adirondack Coast Visitors Bureau to hold an event July 31-1, 2021. Adirondack Coast Visitors Bureau will reimburse the City Fire Department for the overtime cost of approximately \$1800 for Ambulance and EMT staff.

By Councilor Gibbs; Seconded by Councilor McFarlin

Discussion: None

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

(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

7.26 Authorizing the Mayor or his designee to sign a Dependent Eligibility Verification agreement

WHEREAS, The City (the Plan Sponsor) maintains a group health program (the Plan); and

WHEREAS, The Plan Sponsor has established specific eligibility criteria for participation in the Plan; and

WHEREAS, The Plan Sponsor wishes to engage Part D Advisors (PDA) in verifying dependents and the associated eligibility criteria of the Plan; and

WHEREAS, The Plan Sponsor (or its designee(s) other than PDA) shall serve as the administrator, fiduciary and primary decision maker for the Plan, with all of the rights and responsibilities for administering the Plan, and PDA shall have no such authority or responsibility except as may be specifically provided herein.

NOW THEREFORE, in consideration of the request therefore, the Mayor or his designee is authorized to sign a Service Agreement for Dependent Eligibility Verification with PDA to allow PDA to conduct a Dependent Eligibility Verification on behalf of the Plan Sponsor as per the contractual conditions specified in the agreement, which is to be made part of the minutes for this meeting.

By Councilor Gibbs; Seconded by Councilor McFarlin

Discussion: None

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

(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

7.27 Authorizing the Mayor to sign an addendum for grandfathered groups without preventative in BlueShield of Northeastern New York

WHEREAS, the inforce traditional health plan has “grandfathered” status which excludes preventive care type services from being covered; and

WHEREAS, the COVID vaccine is ultimately billed under a preventive care type visit; and

WHEREAS, if authorized by the City, the traditional plan can cover the COVID vaccine; and

WHEREAS, the federal government pays for the COVID vaccine at 100% and the plan only pays for the administration which typically runs from \$20 to \$44 per vaccine administered.

NOW THEREFORE, in consideration of the request, the Mayor is authorized to sign an Addendum For COVID-19 Vaccinations For Grandfathered Groups Without Preventative with BlueShield of Northeastern New York, a copy of which is made a part of the minutes of this meeting.

By Councilor Gibbs; Seconded by Councilor McFarlin

Discussion: None

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

(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

The Finance and Community Development Committee requested Resolutions #7.28-7.34 be placed on the agenda.

7.28 Authorizing the Chamberlain to transfer for Fire Department Personnel Clothing/Equipment

WHEREAS, the following resolution was adopted on March 18th, 2021; and

WHEREAS, the 2021 General Fund budget does not make sufficient appropriations for Fire Personal Clothing and Equipment; and

WHEREAS, the Fire Chief has requested to purchase required structural and EMS gear for the City fire and ambulance services for fiscal year 2021;

NOW, THEREFORE, BE IT RESOLVED, the Common Council Authorizes the City Chamberlain to adjust the General Fund budget, as follows:

Increase: General Fund – Fire Personal Clothing	13410000-4360	\$18,650.00
Decrease: General Fund – Fire Contract Services	13410000-4430	\$18,650.00

To provide for unbudgeted appropriation for the purchase of required structural and EMS gear in the Fire budget of the General Fund. The budget adjustment does not increase the General Fund budget for appropriations in 2021.

By Councilor Gibbs; Seconded by Councilor Canales

Discussion: None

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

(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

7.29 Authorizing the Chamberlain to transfer fund for Municipal Buildings Capital Outlay (City Hall HVAC)

WHEREAS, the following resolution was adopted on March 18th, 2021; and

WHEREAS, the 2021 General Fund budget has not made appropriations for the upgrade of the HVAC equipment servicing the City Hall second floor offices; and

WHEREAS, DPW is asking to increase the municipal buildings capital outlay appropriations for 2021 by the same amount to be received from the Independent Energy Efficiency Program (IEEP) funding provided by the City’s monthly utility invoice payments;

NOW, THEREFORE, BE IT RESOLVED, the Common Council Authorizes the City Chamberlain to adjust the General Fund budget, as follows:

Increase: General Fund – Municipal Buildings Capital Outlay	11620000-3000	\$22,100.00
Increase: General Fund – Recovered Expense	00001127-2701	\$22,100.00

To provide for the purchase of HVAC equipment for City Hall second floor offices from the proceeds received from the Independent Energy Efficiency Program (IEEP) funding provided by the City’s monthly utility invoice payments. The budget adjustment provides for the increase in appropriations and the increase in estimated revenues that will increase the total General Fund budget by \$22,100.00 for 2021.

By Councilor Gibbs; Seconded by Councilor Canales

Discussion: None

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

ACTION TAKEN: Adopted

Follow up Action: None

7.30 Authorizing the Chamberlain to transfer funds for Building Inspector Contract Services

WHEREAS, the following resolution was adopted on March 18th, 2021; and

WHEREAS, the 2021 General Fund budget has not made appropriations for removal of an unsafe chimney under building code violations at 66 Court Street; and

WHEREAS, the Building Inspector is asking to increase the department contract services appropriations for 2021 by the same amount to be received from the property owner or pre-foreclosure agent for the cost of the chimney removal to be invoiced in the utility billing to the property;

NOW, THEREFORE, BE IT RESOLVED, the Common Council Authorizes the City Chamberlain to adjust the General Fund budget, as follows:

Increase: General Fund – Building Inspector Contract Services	13620000-4430	\$4,000.00
Increase: General Fund – Building Code Civil Compromise	00001126-2614	\$4,000.00

To provide for the timely removal of an unsafe chimney at 66 Court Street under building code violations where the owner and the pre-foreclosure agent have not been able to provide funding to perform the work. The budget adjustment provides for the increase in appropriations and the increase in estimated revenues that will increase the total General Fund budget by \$4,000.00 for 2021. The cost to

remove the chimney will be recovered through direct invoicing to the property owner on the City's utility billing once the work is performed and this charge will follow the property as a delinquent property tax in the event the owner or the pre-foreclosure agent fail to pay the utility bill.

By Councilor Gibbs; Seconded by Councilor Moore

Discussion: None

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

(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

7.31 Authorize the Chamberlain to transfer funds for Water and Sewer Administration (Multi-Modal Facilities)

WHEREAS, the following resolution was adopted on March 18th, 2021; and

WHEREAS, the 2021 General Fund budget has not made appropriations for the cost of the water supply agreement with the Town of Plattsburgh; and

NOW, THEREFORE, BE IT RESOLVED, the Common Council Authorizes the City Chamberlain to adjust the General Fund budget, as follows:

Increase: Sewer Fund – Sewer Administration Sewer	58110000-4413	\$ 950.00
Increase: Water Fund – Water Administration Water	48310000-4412	\$1,575.00
Increase: Sewer Fund – Sewer Public Revenue	00005121-2120	\$ 950.00
Increase: Water Fund – Water Public Revenue	00004121-2140	\$1,575.00

To provide for the unbudgeted appropriations requirement to pay the annual cost of the water supply agreement costs from the Town of Plattsburgh per the City contract dated October 11th, 2018. The budget adjustment provides for the increase in appropriations and the increase in estimated revenues that will increase the total Water & Sewer Funds budgets by \$2,525.00 for 2021. The cost to pay for the water supply agreement with the town will be recovered through direct, monthly invoicing to the Plattsburgh International Airport property for water and sewer usage.

By Councilor Canales; Seconded by Councilor Moore

Discussion: None

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

(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

7.32 Authorize the Chamberlain to transfer funds for Finance Print Services Contract (Finance)

WHEREAS, the following resolution was adopted on March 8th, 2021; and

WHEREAS, the 2021 General Fund budget does not make appropriations for Finance Office costs for County website shared cost and increased costs for property tax billings; and

WHEREAS, the City Chamberlain is requesting to appropriate for the unbudgeted costs in the Finance Office department costs for the fiscal year 2021;

NOW, THEREFORE, BE IT RESOLVED, the Common Council Authorizes the City Chamberlain to adjust the General Fund budget, as follows:

Increase: General Fund – Finance Contract Services	11310000-4430	\$ 1,500.00
Decrease: General Fund – Finance Print & Copy	11310000-4431	\$ 1,500.00

To provide for unbudgeted appropriations for the Finance Department in the General Fund to provide for the allocation of County website hosting services and the increased cost of property tax bill preparation without County contract pricing for 2021. The budget adjustment does not increase the General Fund budget for appropriations in 2021.

By Councilor Gibbs; Seconded by Councilor Kelly

Discussion: None

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

(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

7.33 Approval of change order #2 for the Saranac River Trail phase 2

WHEREAS, the City executed a construction contract with Luck Brothers, Inc. (Luck) in October 2020 to complete Phase 2 of the Saranac River Trail (SRT 2); and

WHEREAS, updated design guidelines from the American Association of State Highway and Transportation Officials (AASHTO) required minor changes be made to the design of the railing for the new Saranac Street Bridge in order to meet safety standards; and

WHEREAS, the changes to the design of the bridge railing resulted in additional labor and materials costs; and

WHEREAS, the change order in the amount of \$11,674.80 will be paid from the Field Change Payment line which was budgeted in the previously approved construction contract;

NOW, THEREFORE, BE IT RESOLVED, the Common Council authorizes the Mayor to sign Change Order #2 to the SRT 2 construction contract with Luck Brothers, Inc. to accommodate updated design guidelines outlined by AASHTO.

By Councilor Gibbs; Seconded by Councilor Canales

Discussion: None

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

(Councilors Canales, Kelly, Gibbs, Tallon and Moore voted in the affirmative. Councilor McFarlin voted in the negative)

ACTION TAKEN: Adopted

Follow up Action: None

7.34 Approval of temporary closure of 29 parking spots for the Betty Little Arts Park

construction staging

WHEREAS, the City executed a construction contract with Luck Brothers, Inc. (Luck) to complete improvements to the Betty Little Arts Park; and

WHEREAS, the construction of the park requires a significant amount of machinery, material, and work to complete; and

WHEREAS, a construction and staging area for equipment and supplies is needed close to the construction site; and

WHEREAS, twenty-nine (29) parking spots constitute approximately three (3) percent of the total available public parking supply in the Downtown Parking District and their temporary closure will not have a significant negative impact to the available parking in the Downtown Parking District during the time they are unavailable; and

WHEREAS, the length of the construction will be limited in time and location.

NOW, THEREFORE, BE IT RESOLVED, the Common Council approves the temporary closure from April 12 to September 10, 2021 of twenty-nine (29) parking spaces in the northwest corner of the southern subdivision of the Durkee St. public parking lot to be used as a temporary staging area for construction of the Betty Little Arts Park.

By Councilor Gibbs; Seconded by Councilor McFarlin

Discussion: None

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

(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

The Infrastructure Committee was polled on Resolution #7.35 on March 11, 2021

7.35 Approval of travel requests for Municipal Lighting Department

BE IT RESOLVED, in accordance with the request therefore the Common Council approves the following MLD travel requests for April 2021:

1. Line Helper Apprentices John Corrow and Kellen Clukey to attend the required 1st year of Lineman Training to be held in Fairport, NY at an estimated cost of \$1,590 for the following travel date; April 12-16, 2021.
2. Line Helper Apprentices Tony Bushey and Michael Rushford to attend the required 2nd year of Lineman Training to be held in Fairport, NY at an estimated cost of \$1,590 for the following travel date; April 19-23, 2021.

The money is funded out of line item M7852100 4461 Employee Safety Training in the MLD Budget. This line item currently has a \$55,204.72 balance.

By Councilor Canales; Seconded by Councilor Kelly

Discussion: None

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

(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

The Public Safety Committee requested Resolutions #7.36-7.37 be placed on the agenda.

7.36 Approving Parklets for the 2021 season

WHEREAS, In previous years the use of “Parklets” and outdoor dining have created a positive quality of life for downtown residents, visitors, and businesses; and

WHEREAS, the continued use of Parklets will help expand restaurant capacity and encourage patronage in the time of COVID-19

NOW, THEREFORE, BE IT RESOLVED, The Common Council approves City of Plattsburgh restaurants and other food service establishments to use parking spaces in front of their establishment for outdoor dining seating, subject to appropriate licensing by NYS Liquor authority and the appropriate City permits issued by Building Inspector pursuant to Article VII of Chapter 295 of the City Code; and

BE IT FURTHER RESOLVED, The Building Inspector or his/her designee is authorized to issue permits based on the date of submission, space availability, and conformance with the City Code; and

BE IT FURTHER RESOLVED, All permits must be received prior to barrier placement and in the event a permit application diagram exceeds the boundaries immediately in front of the applicant’s property, the minor extension can be approved by Building Inspector so long as adjacent property owners don’t object; and

BE IT FURTHER RESOLVED, The maximum number of parking spaces that may be utilized for parklets is 21 and the Sidewalk Table Fee will be \$20/table; and the Parking Space Use Fee will be \$300/space; and

BE IT FURTHER RESOLVED, The fee for installing or removing concrete or other barriers at the beginning and end of the season are borne entirely by the application in the amount of \$1,418.00 if performed by the City’s Department of Public Works. If the applicant chooses to hire a private service provider all barriers need to be installed in conformance with the City Code and cannot obstruct or conflict with traffic; and

BE IT FURTHER RESOLVED, That the approved parklet utilization dates are from April 1, 2021 – October 17, 2021.

By Councilor McFarlin; Seconded by Councilor Gibbs

Discussion: Yes

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

(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

7.37 Approval of 2021 Animal shelter agreement with Eagle’s Nest Veterinary Hospital

RESOLVED: In accordance with the request therefore the Common Council approves a year contract with Eagle’s Nest Veterinary Hospital for 2020 Animal Shelter Services for fees outlined in the agreement.

By Councilor Gibbs; Seconded by Councilor Canales

Discussion: Yes

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

(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

The Public Safety Committee was polled on Resolution #7.38 on March 16, 2021

7.38 Approval of 2021 Police Academy Director/Training Director Services

RESOLVED: In accordance with the request therefore the Common Council approves an agreement with Ron Santor for 2021 Police Academy Director/Training Director Services. The total cost is \$20,000 no increase in cost from 2020.

By Councilor Gibbs; Seconded by Councilor Canales

Discussion: Yes

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

(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

The Finance and Community Development Committee was polled on Resolution #7.39 on March 16, 2021

7.39 Approval of Access Agreement with NYSEG for use of 42 City Hall Place and 53 Green Street to facilitate remediation work within Saranac River

WHEREAS, remediation of the Saranac River by New York State Electric and Gas (NYSEG) is ongoing; and

WHEREAS, certain sections of the Saranac River can only be readily accessed via properties owned by the City of Plattsburgh; and

WHEREAS, NYSEG desires to both install a temporary safety fence along the Saranac River within MacDonough Park and utilize a portion of the City’s property located at 53 Green Street for storage, staging, and river access during the next phase of NYSEG’s river remediation work; and

WHEREAS, NYSEG has offered fair value to the City in exchange for NYSEG’s use of and access to these City properties in the form of reconstruction of sections of Green Street and site improvements to the former Municipal Lighting Department complex.

NOW, THEREFORE, BE IT RESOLVED, the Common Council authorizes the Mayor to sign an access agreement with NYSEG to allow NYSEG's use of and access to portions of 42 City Hall Place and 53 Green Street.

By Councilor Gibbs; Seconded by Councilor Canales

Discussion: Yes

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

(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

7.40 INTRODUCE LOCAL LAW P-1 OF 2021: A local law re-naming, amending and re-stating Chapter 254 "Peddling and Soliciting" of the City Code of the City of Plattsburgh. Once re-named, Chapter 254 will be entitled "Food Trucks".

By Mayor Rosenquest

Corporation Counsel Dean Schneller noted that a copy of the proposed Local Law will be sent via email to all Councilors immediately after adjournment of this Council meeting.

Public Hearing Date set by Mayor: **Wednesday, March 31, 2021 at 5:00pm**

7.41 *WITHDRAWN*

8. NEW BUSINESS: None

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

10. ADJOURNMENT:

Motion to Adjourn by Councilor Canales; Seconded by Councilor Moore

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

(All voted in the affirmative)

MEETING ADJOURNED: 5:42 pm