

**THE COMMON COUNCIL
OF THE CITY OF PLATTSBURGH, NEW YORK
FINANCE AND COMMUNITY DEVELOPMENT**

FEBRUARY 11, 2021, 5:00pm

Chairperson: Mayor Rosenquest

Members: Councilors Canales, Gibbs, Kelly, Moore, Tallon, McFarlin

MINUTES

Present: Mayor Rosenquest, Councilors Canales, Gibbs, Kelly, Tallon and McFarlin

Absent: Councilor Moore

1. **Approval of minutes of the January 14, 2021 Finance and Community Development Committee**
By Councilor Gibbs; Seconded by Councilor Canales
(All voted in the affirmative)

2. **Assessor**
 - 2.1. **Draft resolution:** “Authorizing the Assessor to grant Limited Income Exemptions pursuant to New York State Real Property Tax Law Section 459-C and Section 467 to seniors and individuals with disabilities on the 2021 assessment roll pursuant to the Covid-19 Emergency Eviction and Foreclosure Prevention Act of 2020 ”

3. **Community Development**
 - 3.1. **Draft resolution:** “Approving agreement for architectural and engineering design services from AEDA, P.C. related to the City Hall windows replacement project”(pages 1-5)
 - 3.2. **Draft resolution:** “Approving a professional services agreement with Robert M. Sutherland P.C. to provide subdivision services for Clinton County tax parcels 207.20-1-1 and 207.20-1-2.31” (pages 6-10)
 - 3.3. **Draft resolution:** “Approval of change order #1 Saranac River Trail phase 2 construction project (pages 11-22)
 - 3.4. **Draft resolution:** “Approving Parking Lot Management and Enforcement Supplemental Agreement with Clinton County.” (pages 23-31)
 - ITEM 3.5 WITHDRAWN**
 - 3.5. **Draft resolution:** Approving Amendment #2 to DRI Marketing, Signage, and Branding project contract” (page 32)
 - ITEM 3.6 REMOVED**
 - 3.6. **Discussion:** “Authorizes the Mayor to sign a letter of intent with the Plattsburgh Farmers’ and Crafters’ Market detailing City’s plans for 2021.(pages 33-34)
 - 3.7. **Discussion:** “ Approval of Traffic Zone Designation No. 971.(pages 35-36)

4. **Mayor**
 - 4.1. **Draft resolution:** “Authorizing Retainer Agreement with Stafford, Owens, Piller, Murnane, Kelleher & Trombley, PLLC” (pages 37-42)

5. Finance:

5.1. Draft Resolution: “Resolution rescinding September 10th, 2020 resolution to close the City of Plattsburgh Finance window.”

6. Legal:

6.1. Discussion: Sale of real property

Corporation Counsel Dean Schneller gave summary/options. Would have to release a Request for Proposals for Real estate services. Further discussion by all. **Mayor Rosenquest** will work on, etc.

7. New Business

Community Development Matthew Miller gave updates on Farmers Market development.

Mayor Rosenquest mentioned Health Care Task Force to meet. Made up of a representative from Burnham Financial, city union leaders and some city staff. Discuss health care plans, cost savings, etc. Also, there will be a Dependent Verification review to update/verify dependent information.

At 5:56 pm Motion to enter Executive Session to discuss current litigation and a personnel matter.

By Councilor Gibbs; Seconded by Councilor Canales
(All voted in the affirmative)

At 6:20 pm Motion to return from Executive Session. No action taken.

By Councilor Canales; Seconded by Councilor McFarlin
(All voted in the affirmative)

8. Adjournment

Motion to Adjourn by Councilor Gibbs; Seconded by Councilor Kelly
(All voted in the affirmative)

MEETING ADJOURNED: 6:21 pm

RESOLUTION 2.1 – 02/11/21

RESOLUTION TITLE: A RESOLUTION AUTHORIZING THE ASSESSOR TO GRANT LIMITED INCOME EXEMPTIONS PURSUANT TO NEW YORK STATE REAL PROPERTY TAX LAW SECTION 459-C AND SECTION 467 TO SENIORS AND INDIVIDUALS WITH DISABILITIES ON THE 2021 ASSESSMENT ROLL PURSUANT TO THE COVID-19 EMERGENCY EVICTION AND FORECLOSURE PREVENTION ACT OF 2020

WHEREAS, on March 7, 2020, Governor Andrew M. Cuomo issued Executive Order Number 202, declaring a State disaster emergency for the entire State of New York, and

WHEREAS, the State disaster emergency has resulted in limited hours in municipal offices and rendered many seniors and individuals with disabilities homebound; and

WHEREAS, many seniors and individuals with disabilities are unable to file their real property tax exemption applications in person due to health and safety restrictions and lack the ability to file said exemption application on-line; and

WHEREAS, on December 18, 2020, Governor Cuomo issued Executive Order 202.83 to include the suspension and modification of 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, authorizing the governing body of an assessing unit to adopt a resolution directing the assessor to grant exemptions pursuant to such sections on the 2021 assessment roll to all property owners who received that exemption on the 2020 assessment roll, thereby dispensing with the need for renewal applications from such persons, and further dispensing with the requirement for assessors to mail renewal applications to such persons; and

WHEREAS, on December 24, 2020, Executive Order 202.83 was codified in the COVID-19 Emergency Eviction and Foreclosure Prevention Act of 2020, and further provides that local assessors make renewal applications for property tax exemptions available to eligible recipients through postal mail or electronic means if such recipients determine their income has changed in a manner that would grant them a greater exemption than that was present on the 2020 assessment roll and that any eligible recipient need not appear in person should they choose to file a renewal application; and

WHEREAS, the Common Council of the City of Plattsburgh finds that adopting a Resolution consistent with the provisions the COVID-19 Emergency Eviction and Foreclosure Prevention Act of 2020 is in the best interests of the City of Plattsburgh and its residents;

NOW THEREFORE, BE IT RESOLVED, by the Common Council of the City of Plattsburgh, New York, that pursuant to the authority granted by the “COVID-19 Emergency Eviction and Foreclosure Prevention Act of 2020” and by Executive Order No. 202.83, issued by the Governor of the State of New York, that the Assessor for the City of Plattsburgh be and hereby is directed as follows:

1. Grant exemptions on the 2021 assessment roll to all individuals who received the senior exemption on the 2020 assessment roll and all individuals who received an exemption on the 2020 assessment roll because they were recognized as a person with disabilities and limited income, at the same amount received on the 2020 assessment roll and dispense with the need for any such individuals to file renewal applications for such exemptions, except that
2. Any such individual may file a renewal application, which the Assessor must make available by postal mail or electronic means, if they determine their income has changed in a manner that would grant them a greater exemption than what was present on the 2020 assessment roll; and
3. The Assessor may, in their sole discretion, require a renewal application to be timely filed if they have reason to believe that any such individual, who qualified for the aforementioned exemption on the 2020

assessment roll, may have since changed their primary residence, added another owner to the deed for the relevant property, transferred such property to a new owner, or died; and

4. If the Assessor requires such renewal application be filed or if any eligible individual wishes to file a renewal application, the Assessor shall provide a copy of the application, with written instructions on how to file same, by regular mail without requiring anyone to file in person, which shall include instructions for contacting the Assessor's office to accomplish filing by alternate means, which may be by mail or by making an appointment to drop same off at City Assessor, located at Clinton County Real Property Office, 137 Margaret St. Suite 210, Plattsburgh, NY 12901; Phone number: (518)-565-4760.
Email: cityassessor@clintoncountygov.com.

Approved by the **FINANCE AND COMMUNITY DEVELOPMENT COMMITTEE** at its meeting on **FEBRUARY 11, 2021**.

Motion by Councilor Canales; Seconded by Councilor Gibbs

Discussion: Yes

Roll Call: All voted in the affirmative

Absent: None

Motion carried

RESOLUTION 3.1 – 02/11/21

RESOLUTION TITLE: AUTHORIZING AGREEMENT WITH ARCHITECTURAL & ENGINEERING DESIGN ASSOCIATES (AEDA) FOR SERVICES TO COMPLETE THE CITY HALL WINDOWS REPLACEMENT PROJECT (pages 1-5)

BY: Matthew Miller, Director of Community Development

WHEREAS, the City of Plattsburgh City Hall windows are in a state of disrepair; and

WHEREAS, the City was awarded a \$300,000 State and Municipal Facilities Program (SAM) grant by the Dormitory Authority of the State of New York (DASNY) to assist with the costs of replacing City Hall’s windows; and

WHEREAS, a feasibility study was conducted by AEDA in 2017 to evaluate the feasibility of rehabilitation or replacement of City Hall windows. Cost estimates and coordination with the City’s Planning Board and the New York State Historic Preservation Office (SHPO) concluded that rehabilitation of the windows was the most appropriate option; and

WHEREAS, the City explored rehabilitation of the windows of City Hall and found that rehabilitation was cost prohibitive; and

WHEREAS, the City is prepared to move forward with replacement of City Hall windows and is pursuing a new scope of work with AEDA to manage the coordination and construction process to replace windows in a phased plan; and

NOW, THEREFORE, BE IT RESOLVED, the Common Council authorizes the Mayor to sign a proposal for architectural and engineering design services from AEDA, P.C. related to the City Hall windows replacement project in an amount not to exceed \$55,700. Funding to be provided by a grant from DASHY.

Contractor:	AEDA, P.C.
Service:	Architectural and engineering design services including Planning Board and SHPO consultation related to replacement of City Hall windows.
Rate:	N/A
Mileage:	N/A
Contract Amount:	\$55,700 (ORIGINAL)
City Cost:	\$0 (100% grant funded)
Period:	February 2021 through April 2022
New/Renewal:	NEW
Previous Year’s Cost:	N/A
Previous Year’s City Cost:	N/A

Approved by the **FINANCE AND ECONOMIC DEVELOPMENT COMMITTEE** at its meeting on **FEBRUARY 11th, 2020 at 5pm**

Motion by Councilor Canales; Seconded by Councilor Gibbs

Discussion: Yes

Roll Call: All voted in the affirmative

Absent: None

Motion carried

RESOLUTION 3.2 – 02/11/21

RESOLUTION TITLE: AGREEMENT FOR SUBDIVISION SERVICES FOR CITY'S HARBORSIDE AREA (pages 6-10)

BY: Matthew Miller, Director of Community Development

WHEREAS, the City's Harborside area represents one of the most promising opportunities for development within the City; and

WHEREAS, the current tax parcel boundaries within the Harborside area are an impediment to future development; and

WHEREAS, the City intends to subdivide the existing Harborside tax parcels to prepare the area for future development.

NOW, THEREFORE, BE IT RESOLVED, the Common Council authorizes the Mayor to execute a professional services agreement with Robert M. Sutherland P.C. to provide subdivision services for Clinton County tax parcels 207.20-1-1 and 207.20-1-2.31 in an amount not to exceed \$18,300. Funding is to be provided via the Community Development Office's Contracted Services budget appropriation.

Contractor:	Robert M. Sutherland P.C.
Service:	Subdivision services for Harborside tax parcels.
Rate:	N/A
Mileage:	N/A
Contract Amount:	\$18,300 (ORIGINAL)
City Cost:	\$18,300
Period:	February 2021 through May 2021
New/Renewal:	NEW
Previous Year's Cost:	N/A
Previous Year's City Cost:	N/A

Approved by the **FINANCE AND COMMUNITY DEVELOPMENT COMMITTEE** at its meeting on **FEBRUARY 11, 2021**.

Motion by Councilor Gibbs; Seconded by Councilor Canales

Discussion: Yes

Roll Call: All voted in the affirmative

Absent: None

Motion carried

RESOLUTION 3.3 – 02/11/21

RESOLUTION TITLE: SARANAC RIVER TRAIL PHASE 2 CHANGE ORDER #1 TO LUCK BROTHERS CONSTRUCTION CONTRACT (pages 11-22)

BY: Matthew Miller, Director of Community Development

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

WHEREAS, on February 26, 2016, the City accepted a \$500,000 grant award from the NYS Office of Parks, Recreation, and Historic Preservation (NYS OPRHP) to assist with the completion of SRT 2; and

WHEREAS, only specific costs associated with SRT 2, consisting primarily of costs related to replacement of the Saranac Street Bridge and the installation of interactive Science, Technology, Engineering, and Mathematics (STEM) stations, are eligible for reimbursement under the terms of the City's NYS OPRHP grant; and

WHEREAS, it is necessary to create separate funds within SRT 2's project management and expense tracking system, known as Appia, to account for costs that are eligible for reimbursement via the NYS OPRHP grant.

NOW, THEREFORE, BE IT RESOLVED, the Common Council authorizes the Mayor to sign Change Order #1 to the SRT 2 construction contract with Luck Brothers, Inc. to create separate cost tracking funds within the Appia system for the interactive STEM stations and the Saranac Street Bridge to facilitate reimbursement of those costs via the City's NYS OPRHP grant. Change Order #1 does not change the total amount of the contract or its scope of work.

Contractor:	Luck Brothers, Inc.
Service:	Construction of Saranac River Trail Phase 2
Rate:	N/A
Mileage:	N/A
Contract Amount:	\$3,098,501.31 (ORIGINAL) / \$3,098,501.31 (NEW)
City Cost:	\$1,154,635.31
Period:	Project scheduled for completion in fall of 2021
New/Renewal:	RENEWAL
Previous Year's Cost:	N/A
Previous Year's City Cost:	N/A

Approved by the **FINANCE AND COMMUNITY DEVELOPMENT COMMITTEE** at its meeting on **FEBRUARY 11, 2021**.

Motion by Councilor Gibbs; Seconded by Councilor McFarlin

Discussion: Yes

Roll Call: All voted in the affirmative

Absent: None

Motion carried

RESOLUTION 3.4 – 02/11/21

RESOLUTION TITLE: MANAGEMENT & ENFORCEMENT SUPPLEMENTAL AGREEMENT FOR CLINTON COUNTY GOVERNMENT CENTER PARKING LOT (pages 23-31)

BY: Matthew Miller, Director of Community Development

WHEREAS, the City of Plattsburgh (City) and Clinton County (County) executed a Professional Services and Parking Lot Management Agreement (Initial Agreement) on October 3, 2019 that included provisions detailing the sharing of costs for the proposed expansion of the County’s Government Center Parking Lot and the management of that lot once the expansion was completed; and

WHEREAS, the Initial Agreement required both the City and County to execute “a mutually satisfactory Supplemental Agreement detailing regulations to be enforced in those areas of the Government Center Parking Lot designated for use by the public and those areas designated for employee parking” and included specific provisions to be included in that Supplemental Agreement.

NOW, THEREFORE, BE IT RESOLVED, the Common Council authorizes the Mayor to sign a Parking Lot Management and Enforcement Supplemental Agreement with Clinton County.

Contractor:	Clinton County
Service:	Management and enforcement of parking regulations.
Rate:	N/A
Mileage:	N/A
Contract Amount:	N/A
City Cost:	Parking enforcement staff payroll expenses
Period:	March 2021 through February 2026
New/Renewal:	RENEWAL (Supplemental)
Previous Year’s Cost:	N/A
Previous Year’s City Cost:	N/A

Approved by the **FINANCE AND COMMUNITY DEVELOPMENT COMMITTEE** at its meeting on **FEBRUARY 11, 2021**.

Motion by Councilor Canales; Seconded by Councilor McFarlin

Discussion: Yes

Roll Call: All voted in the affirmative

Absent: None

Motion carried

RESOLUTION 3.5 WITHDRAWN DURING COMMITTEE MEETING

RESOLUTION 3.5 – 02/11/21

RESOLUTION TITLE: AMENDMENT #2 TO BOIRE BENNER GROUP’S DRI MARKETING, SIGNAGE, AND BRANDING PROJECT CONTRACT (page 32)

BY: Matthew Miller, Director of Community Development

WHEREAS, the City and NYS Department of State (NYSDOS) executed a grant contract in 2018 for the City’s Downtown Revitalization Initiative (DRI) award related to marketing, branding, and signage strategy; and

WHEREAS, the City’s contract with NYSDOS included provisions for “contractual services for the development of a marketing and branding program including an online interactive map...”; and

WHEREAS, the City and Boire Benner Group executed an agreement on September 11, 2018 for marketing, branding, and signage strategy and implementation services associated with the City’s DRI award.

NOW, THEREFORE, BE IT RESOLVED, the Common Council authorizes the Mayor to sign a second amendment to the City’s DRI Marketing, Signage, and Branding project contract with Boire Benner Group to include three (3) years of maintenance services and updates to the City’s online interactive map. The total amount of the contract will not change and funding is to be provided via the DRI grant.

Contractor:	Boire Benner Group Inc.
Service:	Management of interactive City map
Rate:	N/A
Mileage:	N/A
Contract Amount:	\$237,500 (ORIGINAL – NO CHANGE)
City Cost:	N/A
Period:	MARCH 2021 THROUGH FEBRUARY 2024
New/Renewal:	RENEWAL
Previous Year’s Cost:	N/A
Previous Year’s City Cost:	N/A

WITHDRAWN by the **FINANCE AND COMMUNITY DEVELOPMENT COMMITTEE** at its meeting on **FEBRUARY 11, 2021**.

DISCUSSION: 3.6 – 02/11/21

DISCUSSION ITEM: LETTER OF INTENT FOR PLATTSBURGH FARMERS' AND CRAFTERS' MARKET DETAILING CITY'S PLANS FOR 2021 (pages 33-34)

BY: Matthew Miller, Director of Community Development

WHEREAS, the City has entered into a development agreement, subject to necessary permitting and approvals, with Prime Plattsburgh, LLC (hereinafter "Prime") to construct a mixed-use development (hereinafter the "Development") on the Durkee Street Municipal Parking Lot (hereinafter "DSMPL") subsequent to conveyance of the DSMPL from the City to Prime; and

WHEREAS, the Plattsburgh Farmers' and Crafters' Market has operated from a City-owned building on the DSMPL (the "Market Building") between May and October for several years under a license agreement renewed annually by the City; and

WHEREAS, the City is currently completing improvements to the City-owned, former Plattsburgh Municipal Lighting Department Building 4 located at 26 Green Street (hereinafter "Building 4"); and

WHEREAS, the improvements to Building 4 are scheduled for completion no later than May 1, 2021, it is the City's intention to enter into a license agreement with the PFCM for the use of Building 4 between May and October on an annual basis; and

WHEREAS, should the improvements to Building 4 not be completed prior to the commencement of the PFCM's season in May of 2021, the PFCM wishes to continue to operate from the Market Building while the City maintains ownership of the DSMPL.

NOW, THEREFORE, BE IT RESOLVED, the Common Council authorizes the Mayor to sign a letter of intent with the PFCM setting forth the City's intentions with respect to the PFCM's use of City facilities.

Contractor:	Plattsburgh Farmers' and Crafters' Market
Service:	Provision of City property for PFCM's operations
Rate:	N/A
Mileage:	N/A
Contract Amount:	N/A
City Cost:	N/A
Period:	May 2021 through October 2021
New/Renewal:	RENEWAL
Previous Year's Cost:	N/A
Previous Year's City Cost:	N/A

DISCUSSION ITEM ONLY by the **FINANCE AND COMMUNITY DEVELOPMENT COMMITTEE** at its meeting on **FEBRUARY 11, 2021**.

DISCUSSION 3.7 – 02/11/21

DISCUSSION ITEM: TRAFFIC ZONE DESIGNATION No. 971 (pages 35-36)

BY: Matthew Miller, Director of Community Development

In accordance with Article 39 Section 1640 of the New York State Vehicle and Traffic Law and Chapter 340 of the Code of the City of Plattsburgh, the following traffic control zone(s) are hereby established and/or amended:

“No Parking” signage and red painted curbing along the northern side of Court St between the eastern most vehicular parking lot entrance and the western end of the Clinton County Parking lot with tax map parcel ID # 207.19-2-9. Please see Exhibit A for recommended signage placement.

The Public Works Department will install the necessary signing in accordance with the NYS Manual of Uniform Traffic Control Devices for the establishment of the above traffic zone.

The establishment of this zone shall become effective upon the erection of the proper signs designating the zone.

All traffic zone designations previously established that are inconsistent with this traffic zone designation are hereby repealed and superseded by this traffic zone designation. All traffic Zones established for other purposes that are consistent with this traffic zone designation shall remain in effect.

DISCUSSION ITEM ONLY by the **FINANCE AND COMMUNITY DEVELOPMENT COMMITTEE** at its meeting on **FEBRUARY 11, 2021**.

RESOLUTION 4.1 – 02/11/21

RESOLUTION TITLE: “Authorizing Retainer Agreement with Stafford, Owens, Piller, Murnane, Kelleher & Trombley, PLLC” (pages 37-42)

RESOLVED, in accordance with the request therefore, the Mayor is authorized to sign a Retainer Agreement with Stafford, Owens, Piller, Murnane, Kelleher & Trombley, PLLC for Labor and Employment matters.

Approved by the **FINANCE AND COMMUNITY DEVELOPMENT COMMITTEE** at its meeting on **FEBRUARY 11, 2021.**

Motion by Councilor Kelly; Seconded by Councilor Canales

Discussion: Yes

Roll Call: Councilors Kelly, Canales, Tallon and Mayor Rosenquest voted in the affirmative. Councilor McFarlin recused himself. Councilor Gibbs voted in the negative.

Absent: Councilor Moore

Motion carried

RESOLUTION 5.1 - 02/11/2020

**RESOLUTION TITLE: RESOLUTION RESCINDING SEPTEMBER 10TH, 2020
RESOLUTION TO CLOSE THE CITY OF PLATTSBURGH FINANCE WINDOW**

WHEREAS, by resolution dated September 10, 2020, the Common Council described the processes utilized by the Plattsburgh Finance Department with respect to their collection of City Utility Service payments for both the Municipal Lighting and the Water and Sewer and Refuse Departments; and

WHEREAS, in light of the various electronic and mail-in payment options, as well as the Covid-19 pandemic, the September 10, 2020 resolution committed to a closure of the Drop Box on Trinity Park and the in-person payment option at the finance department no later than January 1, 2021; and

WHEREAS, after further reflection by the Common Council, which includes information received by the public and various City officials, the Common Council seeks to retain the electronic and mail-in payment options but also modify the in-person payment options described in the resolution dated September 10, 2020.

NOW THEREFORE, it is hereby **RESOLVED**, the Drop Box on Trinity Park will remain in place to allow for the deposit of City Utility Service payments and the finance department office will allow for the in-person payment options for City Utility Service payments.

IT IS FURTHER RESOLVED that the electronic and mail-in payment options will remain in place as alternative methods of making City Utility Service payments.

Approved by the **FINANCE AND COMMUNITY DEVELOPMENT COMMITTEE** at its meeting on **February 11th, 2021**

Motion by Councilor Gibbs; Seconded by Councilor McFarlin

Discussion: Yes

Roll Call: All voted in the affirmative

Absent: None

Motion carried