

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

JUNE 10, 2021, 5:00pm

Chairperson: Mayor Rosenquest

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

MINUTES

Present: Mayor Rosenquest, Councilors Canales, Gibbs, Kelly, Moore, Tallon and McFarlin [*arrived after roll call*]

Absent: None

1. **Approval of minutes of the MAY 13, 2021 Finance and Community Development Committee**
By Councilor Gibbs; Seconded by Councilor Moore
(All voted in the affirmative)

2. **Community Development**
 - 2.1. **Draft Resolution: “Authorizing Subordination agreement with Champlain National Bank”**
 - 2.2. **Draft Resolution: “Authorizing New Planning Board Fee Schedule”**
 - 2.3. **Draft Resolution: “Updated City Beach Entry Fee Schedule”**
 - 2.4. **Presentation: Bike infrastructure plan**

3. **Finance:**
 - 3.1. **Draft Resolution: “Authorize Budget Transfer General Fund City Recreation Parks”**
 - 3.2. **Draft Resolution: “Authorize Budget Transfer General Fund for Striping Contract Services”**

4. **Mayor’s office:**
 - 4.1. **Draft Resolution: “Approval of SEQR findings for the Proposed Purchase of Real Property**
 - 4.2. **Draft Resolution: “Authorize the Mayor to sign Purchase Agreement for Real Property (PBB)”**

Discussion on items 4.1 and 4.2:

Councilor Moore feels sales agreement premature need to do due diligence before the agreement.

Councilor Gibbs feels not enough information to make this decision doesn’t think 2 months is enough time to get answers they need.

Mayor Rosenquest explained process further.

Councilor Canales states 2 months is enough time to get information they need.

Councilor Kelly suggest Council should vote no, let Mayor do his review and bring back to Council.

Councilor Moore says it is very complicated no rush.

Councilor Gibbs agrees no rush.

Mayor Rosenquest indicated 2 months is enough time to get information they need.

Councilor Gibbs indicated she is in favor of development, intrigued by idea but they don't know enough to do this and not willing to take this risk.

Councilor Canales spoke further in support and feels it is a good decision.

Councilor Moore spoke of concerns from residents, removing taxable property from tax rolls, city maintaining with infrastructure and city not equipped to run a business like this.

Councilor Kelly doesn't believe this is time to take risks, city going to spend 7 million and only help a few hundred boaters part of the year.

Councilor McFarlin spoke in support of purchase because if it will bring in more revenue for city than it is worth it.

Councilor Kelly stated until he has more assurance that this will work he cannot support.

Mayor Rosenquest spoke of concerns, things city does well, benefits of doing this, opportunity to generate revenue. This is first step to do due diligence to see if good investment and will generate revenue, get financials, all work together on details. Then as a team make decision.

Councilor McFarlin asked if we go forward and purchase property what do we plan do to with it.

Mayor Rosenquest indicated part of this process is determine grand plan for this property.

Councilor McFarlin asked further specific questions about agreement and 2 month time frame.

Mayor Rosenquest further explained.

5. Public Comment:

Matt Tolosky, via email June 10, 2021 at 12:45pm to Mayor and all Councilors, wrote in opposition of the purchase of Plattsburgh Boat Basin property.

Kim Manion, not city resident owns property on Durkee Street, spoke in support of the purchase of Plattsburgh Boat Basin property.

Denise Nephew, resident of Ward 2, spoke in opposition of the purchase of Plattsburgh Boat Basin property.

6. New Business:

Councilor McFarlin introduced Local Law P-4 of 2021. A local law amending chapter 360 "Zoning" of the City Code of the City of Plattsburgh by amending and restating Section 360-26(A) "Off-street parking requirements" in its entirety, as well as amending any other Code references

thereto.

Public Hearing set: Thursday, July 1, 2021 at 5:00pm in the Council Chambers, 41 City Hall Place, Plattsburgh, NY 12901.

7. Adjournment

Motion to Adjourn by Councilor Gibbs; Seconded by Councilor Canales

(All voted in the affirmative)

MEETING ADJOURNED: 6:37 pm

RESOLUTION 2.1 – 06/10/21

RESOLUTION TITLE: AUTHORIZING SUBORDINATION AGREEMENT WITH CHAMPLAIN NATIONAL BANK

RESOLVED: In accordance with the request therefore, the Mayor is authorized to sign a Subordination Agreement with Champlain National Bank with respect to Kevin O'Hara's property located at 21 Bridge Street.

Approved by the **Finance/CDO Committee** at its meeting on **June 10, 2021**

Motion by Councilor Canales; Seconded by Councilor Gibbs

Discussion: Yes

Roll Call: All voted in the affirmative

Absent: None

Motion carried

RESOLUTION 2.2 – 06/10/21

RESOLUTION TITLE: AUTHORIZING NEW PLANNING BOARD FEE SCHEDULE

BY: Matthew Miller, Director of Community Development

WHEREAS, the City of Plattsburgh Community Development Department is proposing a new Planning Board fee schedule to support and enhance the development review process; and WHEREAS, the City has conducted a comprehensive study of the existing fee schedule and has found that it is not in line with current standards; and

WHEREAS, the City has developed a new fee schedule based on comparable municipalities fees, industry standards, and best practices.

NOW, THEREFORE, BE IT RESOLVED, the Common Council supports and adopts the below Planning Board fee schedule with immediate effect; and

BE IF FURTHER RESOLVED, that the new Planning Board fee schedule adopted per this resolution shall apply only to applications submitted after the approval date of this resolution and not to any applications currently before the Planning Board or to any applications previously submitted and approved by the Planning Board.

[FEE SCHEDULE ATTACHED]

Contractor:	N/A
Service:	New Planning Board fee schedule
Rate:	N/A
Mileage:	N/A
Contract Amount:	N/A
City Cost:	\$0
Period:	N/A
New/Renewal:	NEW
Previous Year's Cost:	N/A
Previous Year's City Cost:	N/A

Approved by the **Finance/CDO Committee** at its meeting on **June 10, 2021**

Motion by Councilor Gibbs; Seconded by Councilor Canales

Discussion: Yes

Roll Call: All voted in the affirmative

Absent: None

Motion carried

RESOLUTION 2.3 – 06/10/21

RESOLUTION TITLE: UPDATED CITY BEACH ENTRY FEE SCHEDULE

BY: Matthew Miller, Director of Community Development

WHEREAS, in late 2019, the Common Council requested updated usage fee schedules for the City Beach, Crete Center, and Recreation Center with the goal of increasing revenue generated by the City’s Recreation Complex (RCX) and reducing the RCX’s structural deficit; and

WHEREAS, in consultation with the Mayor’s Office and the Common Council, the Community Development Office and RCX staff drafted updated usage fee schedules to that effect for consideration by the Council in November 2019; and

WHEREAS, the updated fee schedule for the City Beach has not yet been approved due, in part, to the cancellation of the 2020 City Beach season that resulted from restrictions associated with the COVID-19 pandemic.

NOW, THEREFORE, BE IT RESOLVED, the Common Council approves the following fee schedule be implemented on June 18, 2021 for all entry fees to the City of Plattsburgh’s Municipal Beach; and

ENTRANT TYPE	2019 RATE	PROPOSED RATE
MONDAY-FRIDAY AMERICAN VEHICLE	\$9	\$11
MONDAY-FRIDAY NON-USA VEHICLE	\$11	\$13
SATURDAY/SUNDAY AMERICAN VEHICLE	\$10	\$11
SATURDAY/SUNDAY NON-USA VEHICLE	\$12	\$14
MOTORCYCLE	\$5	\$7
WALK-ON	\$3	FREE
AMERICAN BUS LOAD	\$30	\$50
NON-USA BUS LOAD	\$37	\$65
SEASONAL PASS (does not apply to City/Town residents)	\$75	\$110

BE IT FURTHER RESOLVED, the Common Council approves that admission to the beach shall remain free of charge to all residents of the City of Plattsburgh and the Town of Plattsburgh. To obtain a seasonal beach pass, City residents must present proof of residency at

the City Clerk's Office and Town residents must present proof of residency at the Town Clerk's Office; and

BE IT FURTHER RESOLVED, the beach's official operating hours for the 2021 season shall be 9:00 a.m. through 8:00 p.m. seven days a week. Official dates of operation shall be subject to both prevailing environmental conditions and seasonal staff availability and shall be set at the discretion of the Mayor. These dates shall be in compliance with the City's beach safety plan submitted to the Clinton County Health Department.

Approved by the **FINANCE & COMMUNITY DEVELOPMENT COMMITTEE** at its meeting on **June 10, 2021**.

Motion by Councilor Gibbs; Seconded by Councilor Moore

Discussion: Yes

Roll Call: All voted in the affirmative

Absent: None

Motion carried

RESOLUTION 3.1 – 06/10/21

RESOLUTION TITLE: Budget Transfer – General Fund City Recreation Parks

BY: Richard Marks

WHEREAS, the following resolution was adopted on June 17th, 2021; and

WHEREAS, the 2021 General Fund budget does not make appropriations for the City Recreation Parks Department for deferred maintenance items; and

WHEREAS, the City Chamberlain is requesting to appropriate for the unbudgeted costs through an additional General Fund transfer to fund the City Recreation Parks Department for the additional 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:

It is being requested to adjust the 2021 General Fund Budget, as follows:

Increase: General Fund – Parks Materials & Supplies	17140000-4330	\$ 7,000.00
Increase: General Fund – Parks Bldgs./Grounds Supplies	17140000-4340	\$ 7,000.00
Increase: General Fund – Parks Contract Services	17140000-4430	\$ 7,000.00
Increase: General Fund – Parks Repairs to Equipment	17140000-4450	\$ 1,000.00
Increase: General Fund – Parks Repairs to Buildings	17140000-4451	\$ 3,000.00
Increase: General Fund – Appropriated Fund Balance	1-0599	\$25,000.00

To provide for unbudgeted appropriations in the City Recreation Parks Department in the General Fund for deferred maintenance issues present in the City’s four major parks. The budget adjustment increases the General Fund budget by \$25,000 for appropriations in 2021 in the City Recreation Parks Department budget items and is provided for by appropriating \$25,000 of the unappropriated fund balance in the General Fund.

Approved by the **Finance/CDO Committee** at its meeting on **June 10, 2021**

Motion by Councilor Canales; Seconded by Councilor Gibbs

Discussion: Yes

Roll Call: All voted in the affirmative

Absent: None

Motion carried

RESOLUTION 3.2 – 06/10/21

RESOLUTION TITLE: Budget Adjustment – General Fund for Striping Contract Services

BY: Richard Marks

WHEREAS, the following resolution was adopted on June 17th, 2021; and

WHEREAS, the 2021 General Fund budget does not make sufficient appropriations for DPW striping contract expenses; and

WHEREAS, DPW has requested to provide for the additional striping costs for the increased road resurfacing schedule in 2021;

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

Increase: General Fund – Scrap Sales	00001127-2650	\$ 14,985.00
Increase: General Fund – Street Maint. Cont. Svce.	15110000-4430	\$ 32,201.00
Decrease: General Fund – Street Maint. Regular Payroll	15110000-1100	\$ 17,216.00

To provide for unbudgeted appropriations for contract services in the Public Works Street Maintenance Department for the increased striping requirements being creating as a consequence of an increased road resurfacing program in 2021. The budget adjustment increases the General Fund budget for 2021 by \$14,985 for the increased revenue from auction proceeds being recorded as additional Scrap Sales and for the increased appropriations by \$14,985 for the additional striping requirements contract services in 2021. The balance of the additional Contact Services is being transferred Street Admin Regular Payroll, leaving a cushion for year-end of \$35,333 to meet any emergencies.

Approved by the **Finance/CDO Committee** at its meeting on **June 10, 2021**

Motion by Councilor Kelly; Seconded by Councilor Gibbs

Discussion: None

Roll Call: All voted in the affirmative

Absent: None

Motion carried

RESOLUTION 4.1 – 06/10/21

RESOLUTION TITLE: APPROVAL OF SEQR FINDINGS FOR THE PROPOSED PURCHASE OF REAL PROPERTY

BY: Mayor Christopher C. Rosenquest, Mayor's Office

WHEREAS, the City of Plattsburgh and Spiegel International, Inc., and Plattsburgh Boat Basin, Inc. (PBB) have discussed a number of options regarding the sale and purchase of real property (Tax Id: 207.20-1-3) and all business assets of PBB which discussions have culminated in a proposed Purchase and Sale Agreement (hereafter the "Project"); and

WHEREAS, the Project is an Unlisted Action pursuant to Article 8 of the New York Environmental Conservation Law and Title 6 of the New York Code of Rules and Regulations, Part 617, known as the New York State Environmental Quality Review (SEQR) Act (collectively, the "Regulations"); and

WHEREAS, the City has completed a Short Environmental Assessment Form for the Project in compliance the Regulations; and

WHEREAS, said review has resulted in a reasoned determination that the proposed action will NOT result in any large and important impact(s) and, therefore, is one which will not have a significant negative impact on the environment.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Plattsburgh, as lead agency in this Unlisted action, that a NEGATIVE DECLARATION for the proposed City of Plattsburgh purchase of real property identified as Tax Id. 207.20-1-3 located on Dock Street Plattsburgh, New York, be issued in full compliance with the Regulations.

Approved by the **Finance/CDO Committee** at its meeting on **June 10, 2021**

Motion by Councilor Canales; Seconded by Councilor Gibbs

Discussion: Yes

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

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

Absent: None

Motion carried item moved to Council Meeting to be held June 17, 2021

RESOLUTION 4.2 – 06/10/21

RESOLUTION TITLE: AUTHORIZE THE MAYOR TO SIGN PURCHASE AGREEMENT FOR REAL PROPERTY (PBB)

BY: Mayor Christopher C. Rosenquest, Mayor's Office

WHEREAS, the City of Plattsburgh, Plattsburgh Boat Basin, Inc. (PBB), and Spiegel International, Inc has discussed a number of options regarding the sale and purchase of real property (Tax Id: 207.20-1-3) and all business assets of PBB; and

WHEREAS, it's in the best interest of the City of Plattsburgh to reclaim 11.86 acres of centralized waterfront property in our downtown district as well as expand its own city owned marina facilities for residents and visitors in a fiscally responsible and sustainable way; and

WHEREAS, any agreement to purchase real property must include standard protections for city taxpayers including, but not limited to, third-party valuations, property inspections, in-depth financial analysis, and sound financial projections.

NOW, THEREFORE, BE IT RESOLVED, the Common Council authorizes the Mayor to sign an agreement and any subsequent property conveyance documents, all in a form approved by the Corporation Counsel, to purchase real property for parcel with Tax Id 207.20-1-3 and all assets associated with the operation of PBB, Inc. as outlined in the attached document titled, "AGREEMENT OF PURCHASE AND SALE."

Approved by the **Finance/CDO Committee** at its meeting on **June 10, 2021**

Motion by Councilor Gibbs; Seconded by Councilor Canales

Discussion: Yes and Public Comment

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

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

Absent: None

Motion carried item moved to Council Meeting to be held June 17, 2021

Carlin, Beth

From: Matt Tolosky <mtolosky8934@charter.net>
Sent: Thursday, June 10, 2021 9:58 AM
To: Carlin, Beth
Subject: Fwd: Naked Turtle Property

Hi Beth,

Here is a forwarded copy of an e-mail I sent to the Mayor and City Council. Just wanted to make sure it gets to be part of the official record of information regarding this issue. On June 5th I emailed my Ward 4 Councilor, Jen Tallon, and asked for a good number to reach her at and a good time to call, but NO RESPONSE. I also left my cell number where I could be reached, but nothing.

I'm hoping that my e-mail reached the Mayor and all Councilors, hoping that all addresses are up to date and correct. I just sent it yesterday afternoon, but would expect some sort of acknowledgement of receipt and reply.

Please file for the record or advise.

Thanks.

Matt T.

Begin forwarded message:

From: Matt Tolosky <mtolosky8934@charter.net>
Subject: Naked Turtle Property
Date: June 9, 2021 at 12:45:18 PM GMT-4
To: RosenquestC@cityofplattsburgh-ny.gov
Cc: CanalesJ@cityofplattsburgh-ny.gov, Kellym@cityofplattsburgh-ny.gov,
gibbse@cityofplattsburgh-ny.gov, tallonj@cityofplattsburgh-ny.gov,
mcfarlinp@cityofplattsburgh-ny.gov, moorej@cityofplattsburgh-ny.gov

Dear Mayor Rosenquest and City Councilors,

I am writing this e-mail to express my opposition to the City of Plattsburgh purchasing the eleven plus acres of the Naked Turtle property and marina. I have been a City resident for 30 years and believe this purchase to be a bad idea. I understand you have good intentions and those "good intentions" of the Mayor and Councilors in favor of purchasing this property are noble, but the "unintended consequences" of making this purchase will far outweigh them and will have a negative impact for GENERATIONS to come. Here are some reasons why I am opposed to the idea.

The chief business of Plattsburgh is business, and not more government ownership of land especially waterfront. How much more evidence is required to prove that the City of Plattsburgh Government just ISN'T capable of such an endeavor.

WHY IT'S A BAD IDEA FOR THE CITY TO BUY THIS PROPERTY:

- * The City buying this property will take 11 plus acres off the City Tax Rolls and put it in the hands of city government politicians instead of developers. Government by its own nature isn't able to nurture such an endeavor into quality development and profitability. Private business can run things much better because they "MUST" in order to succeed, it is their own money at risk, and not the tax payers. There is much more accountability in private enterprise than in government politics.
- * THE LAST THING the City of Plattsburgh needs is more nontaxable property.
- * Mayors come and go, Councils come and go, political interests come and go, plus political corruption is the nature of all politics, thus government lacks the required consistency and planning to develop such a project efficiently and effectively. If the City Government makes this purchase it actually gets in the way of properly developing it to its potential.
- * Look at the City's track record and history regarding success, or a lack of it. We call ourselves the Lake City and have virtually nothing lucrative to show for it, and there are reasons for that. The City planners dating way back have missed many GOLDEN OPPORTUNITIES to develop the land from the City Beach all the way to Georgia Pacific. They have approved things like Eye Care for the Adirondacks, McDonald's, modest outdated motels, commercial office space, and the list goes on. Could you imagine the destination summer resort Plattsburgh would have become if that area had become a boardwalk of some kind? Even a modest boardwalk with just a few bar/restaurants, hotels, music venues, etc.? It would have led to the further development of the waterfront property in a more appropriate manner than what is there now. Have any of you ever been to Ogunquit Maine? They built a very beautiful and successful resort town on waterfront that is all stone and rocks. Plattsburgh has an amazing sandy beach that spans a very long distance, but sits virtually untapped which makes the Naked Turtle property even more important for proper development.
- * Not too long ago the City scratched its Parks and Recreation Department due to its own government inability to make it work. City government can find 11 thousand dollars for dogs in park use, but that money would have served a much better purpose to refurbish the bath house at the City Beach.
- * The Crete Center "WAS GIVEN" (a gift) to the City, but under the direction of City Government sits as a heap of unusable concrete and has been in decline for twenty plus years. Please sell it to private developers in order to help our waterfront thrive and increase the tax base.
- * The Plattsburgh City Marina has proven to be unprofitable according to the Press Republican. More nontaxable property.
- * Community and Government partisan politics combined with a lack of government leadership leaves the Durkee Street project in a continuous state of limbo.....And the list goes on!
- * The City needs to seek legitimate private enterprise to purchase and develop the 11 plus acres of the Naked Turtle property in order to get it appropriately developed into lucrative waterfront property. Putting this extremely valuable piece of lake front property into the hands of City Government for development is again asking for more of the same regarding the past, present,

and even future. The development of Plattsburgh's shoreline over the many years has been full of missed opportunities of it's GREATEST asset, the Lake Champlain waterfront.

I appreciate your service and efforts, and I do respect and understand that some of you believe that this should be the role of City Government, making this land purchase, those are your beliefs. However, I stand completely opposed. I do not believe it will be beneficial to the taxpayers of our community, nor do I believe that the City's purchase of this property will lead to "effective development" of our waterfront.....for all the reasons listed above and more.

Thank you.

Matt Tolosky
Ward 4 Resident

Local Law P-4 of the year 2021

Introduced by Councilor McFarlin on June 10, 2021 at a Finance and Community Development Committee meeting of the Common Council.

Public Hearing to be held on Thursday, July 1, 2021 at 5:00pm in the Council Chambers, 41 City Hall Place, Plattsburgh, NY 12901.

A local law amending chapter 360 "Zoning" of the City Code of the City of Plattsburgh by amending and restating Section 360-26(A) "Off-street parking requirements" in its entirety, as well as amending any other Code references thereto.

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

1. The City Code of the City of Plattsburgh (hereafter "City Code") at Section 360-26(A) "Off-street parking requirements" is amended and restated in its entirety to read as follows:
 - § 360-26 (A) Off-Street parking requirements. Parcels of real property within the City of Plattsburgh shall not be required to establish a minimum number of off-street parking spaces.
2. The City Code is amended by removing Section 360-26(B)(2) in its entirety.
3. The City Code is amended by removing Section 360-21(D)(5)(d)(2) in its entirety.
4. The City Code is amended by removing Section 360-29(A)(1)(c) in its entirety.
5. This Local Law shall take effect immediately upon approval by the Mayor and filing with the New York Secretary of State.