

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

April 11, 2019

**5:30 P.M.**

**MINUTES**

**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:** None

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**MAYOR'S COMMENTS:** None

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**1. MINUTES OF THE PREVIOUS MEETING:**

**RESOLVED:** That the Minutes of the Regular Meeting of the Common Council held on April 4, 2019 are approved and placed on file among the public records of the City Clerk's Office

By Councilor Armstrong; Seconded by Councilor Moore  
(All in Favor/opposed)

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

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**2. PAYROLLS OF VARIOUS DEPARTMENTS:**

**RESOLVED:** That the payrolls of the various Departments of the City of Plattsburgh for the week ending April 10, 2019 in the amount of \$ 434,626.65 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 Kelly; Seconded by Councilor Ensel  
(All in Favor/opposed)

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

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**3. REPORTS OF CITY OFFICES & COMMITTEE REPORTS:**

- Report of Fire and Ambulance Responses for the week of April 2-8, 2019

- **COUNCILOR/DEPARTMENT CHAIR COMMITTEE REPORTS:**

**Governance, Strategy, and City Operations-** Chair Councilor Armstrong plans to introduce under Initial Consideration resolution pledge for Climate Smart Community next week.

**City Infrastructure** – Chair Councilor Moore indicated met tonight nothing new to report.

**Finance and Budget** – Chair Councilor Kelly mentioned he attended Department Head meeting a few weeks ago and Chamberlain Marks gave thorough analysis, asked if he could do that at next week’s Finance and Budget Committee meeting.

**Public Safety** – Chair Councilor Gibbs indicated no updates. Indicated she and Councilor Ensel want to discuss Animal Control contract.

**Plattsburgh Public Library** – Chair Councilor Ensel indicated no updates.

**MLD - MLD Board President Councilor McFarlin** indicated no updates.

**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 Gibbs; Seconded by Councilor Ensel  
(All in Favor/opposed)  
Roll call: Councilors Armstrong, Kelly, Gibbs, Ensel, McFarlin, Moore  
(All voted in the affirmative)

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**4. CORRESPONDENCE OR RECOMMENDATIONS FROM BOARDS: None**

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**5. AUDIT OF CLAIMS:**

**RESOLVED:** That the bills Audited by the Common Council for the week ending April 12, 2019 in the amount of \$ 1,386,986.66 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 Gibbs  
(All in Favor/opposed)  
Roll call: Councilors Armstrong, Kelly, Gibbs, Ensel, McFarlin, Moore  
(All voted in the affirmative)

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**6. PERSONS ADDRESSING COUNCIL ON AGENDA ITEMS ONLY:**

**Councilor Ensel** asked Matt Spiegel of Olive Ridleys to come forward to discuss the request to use parking spaces on Court Street and possible construction in that area this summer could affect this location. Asked Director of Community Development Matthew Miller to explain.

**Director of Community Development Matthew Miller** explained possible construction in that area later in summer would Olive Ridley’s want to change request for spaces to Marion Street.

**Matt Spiegel - Olive Ridleys** indicated Marion Street would make it difficult to serve from as no door way from the restaurant to that area. Prefers to keep request as is for now and if it becomes necessary to move in late summer look at options.

[further discussion ensued]

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**7. OTHER ITEMS:**

**A. COMPENSATION AND BENEFIT POLICY FOR LEVEL IV MANAGERS OF THE CITY OF PLATTSBURGH**

This Compensation and Benefit Policy for Managers shall replace and supersede all prior resolutions, policies, procedures, salary schedules, promises and agreements containing the terms and conditions of employment of Managers who were hired by the City on or after April 11, 2019 (hereafter referred to as “Level IV Managers”). No City representative shall have the authority to offer any Level IV Manager any benefit not consistent with this policy. This policy may be modified or revoked at any time.

APPLICATION OF THIS POLICY

This Compensation and Benefit Policy for Level IV Managers shall apply to all full time employees of the City of Plattsburgh occupying titles not represented by a recognized or certified employee organization as that term is defined in NYS Civil Service Law Article 14, but only where such Managers were hired as “managers” by the City on or after April 11, 2019. Such persons are referred to herein as “Level IV Managers.” This Compensation and Benefit Policy shall not apply to part time, seasonal and temporary employees or elected officials or any Manager hired prior to April 11, 2019.

WAGES

There shall be no salary schedule for Level IV Managers and the salary of each Level IV Manager shall be set by the City every year. At the time of a hire of a Level IV Manager, the Mayor shall recommend a specific salary which must be confirmed by the Common Council. Annually, the Mayor shall recommend a salary for each Manager for the following year in his proposed budget. The Common Council shall set the salary of each Manager as part of the budget approval process. There shall be no salary schedule for Level IV Managers and Level IV Managers shall not receive any longevity payments.

OTHER BENEFITS

Other than the Wages section described above, Level IV Managers shall receive the same benefits currently provided to “Level III” Managers as described in the Resolution of the Common Council approved on or about November 29, 2019, including any amendments thereto.

EFFECTIVE DATES

This policy shall be effective immediately for any person who begins serving as a Manager on or after April 11, 2019.

**Motion to waive reading and move Resolution**

By Councilor McFarlin; Seconded by Councilor Ensel  
Roll call: Councilors Armstrong, Kelly, Gibbs, Ensel, McFarlin, Moore  
(All voted in the affirmative to “waive reading and move resolution”)  
Discussion: Yes

**Motion to Table**

By Councilor Ensel; Seconded by Councilor Armstrong

Roll call: Councilors Armstrong, Kelly, Gibbs, Ensel, McFarlin, Moore  
(Councilors Armstrong, Gibbs, Ensel and McFarlin voted in the affirmative. Councilor Kelly and Moore voted in the negative)

**ACTION TAKEN:** Tabled

Follow up Action: None

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**B. RESOLVED:** In accordance with the request therefore the Common Council approves request from Aviation Technical Support LLC Restoration group to remove trees in the Clyde A Lewis Memorial Park near the USAF Aircraft static display. There will be no costs incurred by the City of Plattsburgh and a certificate of insurance will be required.

By Councilor Armstrong; Seconded by Councilor Ensel

Discussion: Yes

Roll call: Councilors Armstrong, Kelly, Gibbs, Ensel, McFarlin, Moore  
(All voted in the negative)

**ACTION TAKEN:** Defeated

Follow up Action: None

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**C. RESOLVED:** In accordance with the request therefore the Common Council approves an Agreement between the New York State Office of Parks, Recreation, and Historic Preservation, hereinafter referred to as “OPRHP,” the New York State Department of Transportation, hereinafter referred to as “NYSDOT” (OPRHP and NYSDOT are hereinafter collectively referred to as “State”), and the City of Plattsburgh, New York hereinafter referred to as "Municipality" to enter into an Agreement for the construction, ownership, and maintenance of the Empire State Trail (“Trail”) work on the Municipality’s property. The entire text of the agreement has been distributed to and read by the members of the Common Council, is hereby enacted without the reading thereof and a copy of said agreement is made part of the minutes of this meeting.

**Motion to waive reading and move Resolution**

By Councilor Armstrong; Seconded by Councilor McFarlin

Roll call: Councilors Armstrong, Kelly, Gibbs, Ensel, McFarlin, Moore  
(All voted in the affirmative to “waive reading and move resolution”)

Discussion: Yes

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

**ACTION TAKEN:** Adopted

Follow up Action: None

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**D. RESOLVED:** In accordance with the request therefore, the Common Council approves the request from Clinton County Emergency Services and TRB Development to accept the private road names, as set forth below, for 911 purposes only. The Developer will be responsible for the manufacture, installation and maintenance of all signs and the subject roads will be private rights-of-way. The road names are approved as follows: Lennox Way (Creek roadway side-existing building - North side of property) and Edison Way (closest to the business Eyecare of the Adirondacks - South side of subject property).

**Motion to waive reading and move Resolution**

By Councilor Ensel; Seconded by Councilor Gibbs  
Roll call: Councilors Armstrong, Kelly, Gibbs, Ensel, McFarlin, Moore  
(All voted in the affirmative to “waive reading and move resolution”)

Discussion: Yes  
Roll call: Councilors Armstrong, Kelly, Gibbs, Ensel, McFarlin, Moore  
(All voted in the affirmative)

**ACTION TAKEN:** Adopted

Follow up Action: None

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**E. RESOLVED:** In accordance with the request therefore the Common Council approves Aleka’s Restaurant LLC located at 103 Margaret Street to use **two** parking spaces in front of their establishment for outdoor dining, seating subject to appropriate licensing by NYS Liquor authority, and subject to City permits issued by Building Inspector. All permits must be received prior to barrier placement.

The City is asked to permit the licensee to use concrete barricades with the City installing and removing at the beginning and end of the season. The City will be reimbursed for these services and the cost shall be determined by the Department of Public Works. The requested dates are May 1, 2019 – September 30, 2019.

**Motion to waive reading and move Resolutions E, F, G, H and I**

By Councilor Armstrong; Seconded by Councilor Ensel  
Roll call: Councilors Armstrong, Kelly, Gibbs, Ensel, McFarlin, Moore  
(All voted in the affirmative to “waive reading and move resolutions E, F, G, H and I”)

Discussion:

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

**ACTION TAKEN:** Adopted \_\_\_\_\_ Defeated \_\_\_\_\_ Withdrawn \_\_\_\_\_ Tabled \_\_\_\_\_

Follow up Action:

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**F. RESOLVED:** In accordance with the request therefore the Common Council approves The Pepper located at 13 City Hall Place to use **two** parking spaces in front of their establishment for outdoor dining

seating, subject to appropriate licensing by NYS Liquor authority, and subject to City permits issued by Building Inspector. All permits must be received prior to barrier placement.

The City is asked to permit the licensee to use concrete barricades. The requested dates are from May 1, 2019 – September 30, 2019.

**[See details under Item 7E]**

**ACTION TAKEN:** Adopted  
Follow up Action: None

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**G. RESOLVED:** In accordance with the request therefore the Common Council approves Hobie’s Sports Den located at 68 Margaret Street to use **two** parking spaces in front of their establishment for outdoor dining seating, subject to appropriate licensing by NYS Liquor authority, and subject to City permits issued by Building Inspector. All permits must be received prior to barrier placement.

The owners will contact Concrete Supply or similar and are prepared to purchase concrete barriers. The City is asked to permit the licensee to use concrete barricades with the City installing and removing at the beginning and end of the season. The City will be reimbursed for these services and the cost shall be determined by the Department of Public Works. The requested dates are from May 1, 2019 – September 30, 2019.

**[See details under Item 7E]**

**ACTION TAKEN:** Adopted  
Follow up Action: None

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**H. RESOLVED:** In accordance with the request therefore the Common Council approves Irises Café & Wine Bar located at 20-22 City Hall Place to use **four** parking spaces in front of their establishment for outdoor dining seating, subject to appropriate licensing by NYS Liquor authority, and subject to City permits issued by Building Inspector. All permits must be received prior to barrier placement.

The City is asked to permit the licensee to use concrete barricades with the City installing and removing at the beginning and end of the season. The City will be reimbursed for these services and the cost shall be determined by the Department of Public Works. The requested dates are from May 1, 2019 – September 30, 2019.

**[See details under Item 7E]**

**ACTION TAKEN:** Adopted  
Follow up Action: None

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**I. RESOLVED:** In accordance with the request therefore the Common Council approves Olive Ridley’s located at 37 Court Street to use **two** parking spaces in front of their establishment for outdoor dining seating, subject to appropriate licensing by NYS Liquor authority, and subject to City permits issued by Building Inspector. All permits must be received prior to barrier placement.

The City is asked to permit the licensee to use concrete barricades with the City installing and removing at the beginning and end of the season. The City will be reimbursed for these services and the cost shall be determined by the Department of Public Works. The requested dates are from May 1, 2019 – September 30, 2019.

[See details under Item 7E]

**ACTION TAKEN:** Adopted

Follow up Action: None

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**J. RESOLVED:** In accordance with the request therefore the Common Council approves North Country Food Co-op located at 25 Bridge Street to use **one** parking space in front of their establishment for outdoor dining, seating subject to appropriate licensing by NYS Liquor authority, and subject to City permits issued by Building Inspector. All permits must be received prior to barrier placement.

The City is asked to permit the licensee to install a wooden parklet structure. The requested dates are from May 1, 2019 – September 30, 2019.

**Motion to Table** [Council needs more information from North Country Food Co-op on safety concerns]

By Councilor Ensel; Seconded by Councilor Armstrong

Discussion:

**Council** needs more information from North Country Food Co-op regarding safety concerns of the location of the parklet structure.

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

(All voted in the affirmative to Table)

**ACTION TAKEN:** Tabled

Follow up Action: None

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**K. RESOLVED:** In accordance with the request therefore the Common Council approves that the Mayor is authorized to execute an agreement with Schnable Engineering for “Drinking Water Valve Rehabilitation Project” on a time and expense basis not to exceed \$55,000. The source of funds will be Capital Project H8320.68.

By Councilor Ensel; Seconded by Councilor Kelly

Discussion: None

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

(All voted in the affirmative)

**ACTION TAKEN:** Adopted

Follow up Action: None

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**Item added during City Infrastructure Committee:**

**L. THE INFRASTRUCTURE COMMITTEE OF THE COMMON COUNCIL SELECTS AMBER DESJARDINS TO SERVE A TWO YEAR TERM ON THE PLATTSBURGH PARKING ADVISORY COMMITTEE TO BEGIN ON APRIL 12, 2019 AND EXPIRING JANUARY 31, 2021 DUE TO A RESIGNATION**

By Councilor Gibbs; Seconded by Councilor Moore

Discussion: Yes

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

(All voted in the affirmative)

**ACTION TAKEN:** Adopted

Follow up Action: None

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**8. TRAVEL REQUEST: None**

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**9. RESOLUTIONS FOR INITIAL CONSIDERATION: None**

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**10. NEW BUSINESS AND COUNCILOR REPORTS:**

**Mayor Read issued the following Proclamation:**

*RESOLVED*, That I, Colin L. Read, Mayor of the City of Plattsburgh, proclaim this week to be Dedicated Employee Week in Honor of Sylvia Parrotte for her excellent work over the past two years in bringing our City Codes up the 21st Century Standards.

The City thanks and honors City Clerk Sylvia Parrotte.

Done in the City of Plattsburgh, New York this  
eleventh day of April in the year Two-Thousand  
Nineteen  
Mayor Colin L. Read

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**Councilor Gibbs** made a statement about Webb Island Bridge.

**Councilor Moore** concerned about exposed foundation on corner of North Catherine and Brinkerhoff filled with water and feels unsafe.

**Councilor Kelly** spoke about a pot hole on corner of Pine Street and feels Spring is here.

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**11. CLOSING PUBLIC COMMENTS ON ANY TOPIC:**

**Sue Moore** spoke about negative comments from School Board on Webb Island against Council doesn't feel they deserved to be treated that way.

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Motion to Adjourn by Councilor Gibbs; Seconded by Councilor Ensel  
Roll call: Councilors Armstrong, Kelly, Gibbs, Ensel, McFarlin, Moore  
(All voted in the affirmative)  
**MEETING ADJOURNED: 6:04pm**