

**ORGANIZATIONAL MEETING AGENDA  
OF THE COMMON COUNCIL  
OF THE CITY OF PLATTSBURGH, NEW YORK  
JANUARY 3, 2019  
5:00 P.M.  
MINUTES**

**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

\*\*\*\*\*

**1. At this time the Chair will entertain nominations from the floor for the position of Mayor Pro Tem.**

Councilor Kelly; nominated by Councilor Moore

Seconded by Councilor Ensel

Discussion: None

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

(All voted in the affirmative)

\*\*\*\*\*

**2. At this time the Chair will entertain nominations from the floor for the position of Clerk of the Common Council.**

Councilor Gibbs; nominated by Councilor Kelly

Seconded by Councilor McFarlin

Discussion: None

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

(All voted in the affirmative)

\*\*\*\*\*

**3. ESTABLISHMENT AND COMPOSITION OF COUNCIL/DEPARTMENT LIAISON COMMITTEES:**

WHEREAS, the Common Council desires to establish a standing committee structure to improve communication, cooperation, efficiency and productivity between and amongst related departments, the Common Council and the Mayor's Office; and

WHEREAS, the purpose of the standing committees is to re-focus the efforts of the Common Council on related departments and policies and to re-shape the form of work sessions or informational sessions;

NOW THEREFORE, BE IT RESOLVED, that the Mayor, as member and presiding officer of the Common Council, shall appoint one Council member as committee chair and one other Council member as committee member for each committee and the respective committee chair shall preside over committee meetings and shall invite the Mayor, who shall also be a committee member, and relevant department heads, city employees, and, in their discretion, other interested parties, who shall not be committee members;

AND BE IT FURTHER RESOLVED that the Common Council hereby establishes the following standing committees for the 2019 calendar year, with the following council members as appointed by the Mayor, and per the following schedule:

## **Motion to waive reading except to add Chair and Member of each committee**

By Councilor Ensel; Seconded by Councilor Armstrong

(All voted in the affirmative “to waive reading except to add Chair and Member of each committee”)

Governance, Strategy, and City Operations - Chair: Councilor Armstrong; Member: Councilor McFarlin  
-Discusses, City Clerk, City Website, Information Dissemination, and Media, Community Events, Recreation and Strategic Planning

-Meets first Thursday of every month at 4:30 in Common Council Chambers, works with Special Events Coordinator, Legal Counsel, and City Clerk Department Heads

City Infrastructure - Chair: Councilor Moore; Member: Councilor Gibbs

-Discusses, Department of Public Works, Planning and Community Development, Environmental Services, Water and Sewer

-Meets second Thursday of every month at 4:30 in Common Council Chambers, works with Department of Public Works, Water Pollution Control Department, Water Filtration Department, Environmental Services Department Heads and Senior Planner.

Finance and Budget - Chair: Councilor Kelly; Member: Councilor Moore

-Discusses Finance Department, Assessments, Payroll, Procurement, Collective Bargaining Agreement Negotiations, New Positions, Revenue Sources

-Meets third Thursday of every month at 4:30 in Common Council Chambers, works with City Chamberlain

Public Safety - Chair: Councilor Gibbs; Member: Councilor Ensel

-Discusses Police, Fire Department, Code Enforcement

-Meets fourth Thursday of every month at 4:30 in Common Council Chambers, works with Police Chief, Fire Chief and Building Inspector.

Plattsburgh Public Library – Chair: Councilor Ensel; Member: Councilor Armstrong

-Discusses Library

-Meets at time and place in discretion of committee chair, works with Library Director

MLD - MLD Board President Councilor McFarlin; Member: Councilor Kelly

-Discusses Municipal Lighting Department.

-Meets immediately prior to Municipal Lighting Department Board Meetings in Common Council Chambers, works with Municipal Lighting Department Manager.

AND BE IT FURTHER RESOLVED that each committee shall be presided over by a chair, as identified above, who shall hold committee meetings per the above schedule to discuss and review, amongst other items, respective initiatives in their departments, future direction, travel requests, goals, strategies, budgeting concerns, and proposed resolutions and local laws;

AND BE IT FURTHER RESOLVED, that all petitions, communications, budget adjustments, reports, resolutions, motions, etc., requiring action of a committee, shall be referred by the Mayor, in the form of an agenda, without motion, to the appropriate committee, unless otherwise ordered by the Common Council;

AND BE IT FURTHER RESOLVED, that in order to conduct official business, a quorum, consisting of the majority of the members of the committee, shall be required and the Mayor shall fill vacancies in the memberships and chairpersonships of standing committees as they occur;

AND BE IT FURTHER RESOLVED that each standing committee shall refer specific resolutions to the main body of the Common Council for action at their next meeting and shall not have the power or authority to approve any specific resolution, ordinance, local law, or other Council action;

AND BE IT FURTHER RESOLVED, that in the event a specific resolution or action is not referred by a standing committee to the Common Council for action, the Common Council retains the authority, pursuant to Rule 4 of the Common Council Rules, to take action on the specific resolution or action;

AND BE IT FURTHER RESOLVED, that all standing committees shall be appointed for the current year, but shall hold over from the previous year until new committees have been appointed by the Mayor and affirmed by the Common Council, but no council member shall continue to serve after he/she has ceased to be a member of the Common Council;

AND BE IT FURTHER RESOLVED, that each standing committee shall be open to the public and conform to the requirements of the open meetings law.

**Motion to waive reading and move resolution:**

By Councilor Ensel; Seconded by Councilor McFarlin  
(All voted in the affirmative “to waive reading and move resolution”)

Discussion:

**Mayor Read** said it was suggested that you have informal meetings with department heads during the week. He will do whatever he can to facilitate that by arranging through the Mayor’s office.

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

\*\*\*\*\*

- 4. At this time the Chair recognizes that Dean Schneller is serving the third year of his four year appointment as Corporation Counsel for the period of February 1, 2019 through December 31, 2021 and said previous appointment is hereby confirmed.**

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

\*\*\*\*\*

**5. APPOINTMENT OF A FAIR HOUSING OFFICER**

**WHEREAS**, The Office of Fair Housing and Equal Opportunity administers federal laws and establishes national policies to assure that all Americans have equal access to the housing of their choice; and

**WHEREAS**, the City of Plattsburgh wishes to have an officer who will implement and enforce the Fair Housing Act; and

**WHEREAS**, The Mayor, on behalf of the City Council, recommends the appointment of Mark Hamilton as the Fair Housing Officer for the City of Plattsburgh; therefore be it

**RESOLVED**, that Mark Hamilton be assigned to oversee that fair housing regulations are followed and act as the primary point of contact for all fair housing related issues; and be it further

**RESOLVED**, that said officer shall serve so long as it is mutually agreeable to the parties; and be it further

**RESOLVED**, that Mark Hamilton take an oath of office within thirty days of his appointment and a copy of this Resolution be given to the Code Inspector's Officer, the City Clerk's Office and the New York State Office for Community Renewal.

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

\*\*\*\*\*

**PROPOSED RESOLUTIONS:**

- 1. Proposed resolution fixing the dates for all Regular Meetings of the Common Council to be held Thursdays at 5:30 PM in the Common Council Chambers for the period January 1, 2019 and terminating December 31, 2019, except when deemed necessary. Work sessions are to be held on Thursdays at 5:00 PM or whenever deemed necessary, in the Common Council Chambers. Executive Sessions will be held in the Mayor's Office. The 2019 schedule is attached and made part of the minutes of this meeting.**

**RESOLVED:** That the Regular Meetings of the Common Council to be held during the period of January 1, 2019 through December 31, 2019 be and the same are hereby fixed to be held Thursday of each week at 5:30 PM; in the case of an exception, the Regular Meeting of that week shall be held on the Tuesday evening preceding, unless such meeting is otherwise fixed by resolution of the Common Council adopted at a prior meeting to be held on other than the evening herein before designated, it being understood there shall be a work session held on Thursday evening at 5:00 PM or on Tuesday evening at 5:30 PM when deemed necessary, further that budget hearings be scheduled in the fall by the Mayor Pro-Tem.

**RESOLVED:** That in the event it may become necessary to call Special Meetings of the Common Council from time to time, the procedure as set forth in Article IV, Section 4-1, Charter Section of the Code of the City of Plattsburgh, New York shall be followed.

**Motion to waive reading and move resolution:**

By Councilor McFarlin Seconded by Councilor Ensel  
(All voted in the affirmative "to waive reading and move resolution")

Discussion: None

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

**ACTION TAKEN:** Adopted

Follow up Action: None

\*\*\*\*\*

**2. Proposed resolution designating the *Press Republican* as the official newspaper of the City of Plattsburgh.**

**RESOLVED:** That the *Press Republican* is hereby designated as the official newspaper of the City of Plattsburgh, New York for the purpose of publication of all legal and help wanted notices, ordinances, local laws, proposals, tax notices, etc., authorized by resolution of the Common Council from time to time throughout the period of one year, commencing January 1, 2019 and terminating December 31, 2019, at a fee which is to be determined;

**Press Republican**

First publication legal           \$.415/line  
Second publication legal       \$.325/line

**Motion to waive reading and move resolution:**

By Councilor Armstrong; Seconded by Councilor Ensel  
(All voted in the affirmative “to waive reading and move resolution”)

Discussion:   None

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

**ACTION TAKEN:**   Adopted

Follow up Action:   None

\*\*\*\*\*

**3. Proposed resolution designating the *Glens Falls National Bank, Margaret Street Branch*, as the official depository for all City of Plattsburgh funds.**

**RESOLVED:** That the *Glens Falls National Bank, Margaret Street Branch*, be and are hereby designated as the official depository for all funds of the City of Plattsburgh for calendar year 2019, the current year portion of their contract through September 2019.

By Councilor Kelly; Seconded by Councilor Gibbs

Discussion:   Yes

**Mayor Read** recused himself from voting if needed due to conflict of interest.

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

**ACTION TAKEN:**   Adopted

Follow up Action:   None

\*\*\*\*\*

**4. Proposed resolution adopting the present Investment Policy for the period January 1, 2019 ending December 31, 2019, unless otherwise amended.**

**RESOLVED:** That the investment policy as recommended by the Office of the State Comptroller establishing guidelines which comply with applicable State statutes and as adopted at a Regular Meeting of the Common Council held December 10, 1987, be and the same is to continue in effect for the period of January 1, 2019 through December 31, 2019 as amended.

By Councilor Armstrong; Seconded by Councilor Ensel

Discussion: Yes

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

(All voted in the affirmative)

**ACTION TAKEN:** Adopted

Follow up Action: None

\*\*\*\*\*

**5. RESOLVED: That the Rules for 2019 be, and the same are, hereby accepted and adopted by the Common Council as follows:**

1. The Council shall assemble promptly at 5:30 PM in regular session on Thursday of each week and at such other times as may be determined at a previous session.
2. All petitions and communications that out of their inherent necessity requires their being acted upon at the next regular meeting, and all other agenda items to be introduced at the next regular meeting (for action at a succeeding regular meeting) shall be presented to the Office of the Mayor not later than **NOON** on the Tuesday preceding the meeting. This rule is subject to exception in Rule 4 below.
3. The Office of the Mayor shall have available to each Councilor, the agenda to be acted upon on Wednesday afternoon preceding the regular Thursday meeting.
4. Rule 2 shall not prevent the Mayor and/or Councilors from submitting any matter or offering any motion which was not on the agenda, if in his/her opinion, the issue should be raised. However, if necessity does not require immediate action, the motion is introduced for action at the next regular meeting. A resolution must be adopted for specific resolutions to be brought forward under rule 4. Any resolution invoking Rule 4 shall include shall include an explanation for its urgency and a statement on the financial repercussions of the subsequent resolution, if any, to taxpayers.
5. Any member unable to attend a meeting must notify the Clerk prior to the meeting, giving the legitimate reason for non-attendance.
6. The Chair shall preserve order at the sessions and shall appoint all committees. Through a point of order, any procedural ruling by the Chair is subject to reversal by a majority vote of the Council.
7. All City Departments will be represented by the Department Head or his/her delegate, as long as they are management personnel, at the work session or Council meeting if requested by Mayor and Council. All City Departments having items for action on the Agenda shall be represented at the **Council Meeting**.
8. A member desiring to speak or present any subject matter to the Council shall address the Chair and shall not further proceed until recognized by the Chair and awarded the floor for such purpose. Through a point of order, time limits can be placed and extended by a majority vote of the Council.
9. A roll call vote shall be taken on any question, with the exception of procedural motions through points of order, which shall require only a hand vote, unless a roll call vote is requested by any member of the Council. A Councilor shall be allowed to explain his/her

vote at the time of casting said vote. The presiding officer of the Common Council may call roll in random order.

10. At each session, the business shall be:
  - a. Roll Call
  - b. Reading of the Minutes of the Previous Meeting
  - c. Approval of Payrolls – Various Departments
  - d. Reports of City Offices and Committees
  - e. Correspondence & Recommendations from Boards
  - f. Audit of Claims – Regular and Municipal Lighting
  - g. Public Comment on Agenda Items only
  - h. Weekly Agenda Items
  - i. Initial Consideration
  - j. New Business
  - k. Closing Public Comments any topic.
  - l. Adjournment
  
11. When a question shall be under consideration, no motion shall be received except as herein specified, which shall have precedence in the following order:
  - a. Point of Order for clarification, or to request reversal of ruling of the Chair, or limiting or extending discussion (by majority vote)
  - b. Recess such session
  - c. Amend
  - d. Refer to standing committee
  - e. Refer to select committee
  - f. Call the previous question
  - g. Table or postpone
  - h. Adjourn such session
  
12. All matters to be acted upon shall be entered at length upon the agenda.
  
13. In the event any question of procedure shall arise which is not provided for by these rules, then, in that event, Robert's Rules of Order shall be followed.
  
14. When the Councilors are notified of a Special Meeting of the Common Council, the news media shall also be notified.
  
15. At the Public Discussion portion of the regular meeting, the public will have the right to address the Common Council, subject to the Chair's discretion to rule discussants out of order. The rules for public comment are listed below (adapted from NYCOM – Handbook for city officials):
  1. The Public shall be allowed to speak only during the public comment period of the meeting. The public will have the right to comment, question, and answer in the discussion with the Council, subject to the Chair's discretion to rule discussants out of order.
  2. Speakers may, but are not required to, give their name, address and organization, if

- any.
3. Speakers must be recognized by the presiding officer.
  4. Speakers must limit their remarks to five minutes.
  5. Speakers may not yield any remaining time they may have to another speaker.
  6. Council members, with the permission of the presiding officer, may ask questions of a speaker during or after his remarks.
  7. When a meeting is attended by a group of people who share the same or opposing views on a public comment topic, the presiding officer may require that the group(s) designate not more than two spokespersons and limit the total time for public comment to 10 minutes for each point of view or side on an issue.
  8. All remarks shall be addressed to the council as a body and not to any member thereof.
  9. Speakers shall observe the commonly accepted rules of courtesy, decorum, dignity and good taste.
  10. Interested parties or their representatives may address the council at any time by written or electronic communications.
  11. The Common Council may by majority voice vote grant more time to a speaker or a topic.
  12. If a Common Council member objects to a ruling by the presiding officer, he shall raise his objection by a motion “appealing the ruling of the chair.” If the motion passes, the ruling is overruled.
  13. When a public comment topic is voted on by the Common Council, the topic may not be the subject of public comment for 6 months from the date of the vote unless the Common Council votes to allow public comment sooner.

**Motion to waive reading and move resolution:**

By Councilor McFarlin; Seconded by Councilor Ensel  
 (All voted in the affirmative “to waive reading and move resolution”)

Discussion: Yes

**Mayor Read** noted that rule 4 has been strengthened after looking at charter and should only be used when there is an issue of timeliness adding “shall include shall include an explanation for its urgency and a statement on the financial repercussions of the subsequent resolution, if any, to taxpayers” and rule 9 added “The presiding officer of the Common Council may call roll in random order.”

[further discussion ensued]

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

**ACTION TAKEN:** Adopted

Follow up Action: None:

\*\*\*\*\*

**6. Proposed resolution establishing the amount of a Blanket Bond or Undertaking for city employees at \$250,000 and for the City Chamberlain at \$500,000.**

**RESOLVED:** That in accordance with Section C-2-5 of the City Charter as amended, the Common Council of the City of Plattsburgh, as authorized by Section 11, Paragraph 2 of the Public Officer’s Law, consents and approves that a Blanket Bond or Undertaking be procured for all City employees in the amount of \$250,000 (per loss) for each position and \$500,000 for the



City Chamberlain, further

**RESOLVED:** That aforementioned Bond or Undertaking was executed for the period of one year, from July 6, 2018 to July 6, 2019, and said Bond or Undertaking shall be written by an approved Surety Company.

By Councilor Kelly; Seconded by Councilor Armstrong

Discussion: None

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

(All voted in the affirmative)

**ACTION TAKEN:** Adopted

Follow up Action: None:

\*\*\*\*\*

**7. RESOLVED:**

1. That in accordance with Section 6-15(f) of the City Charter, the Common Council sets forth the composition, function and duties of the Pre Audit Committee of the Common Council as follows:
2. The pre audit committee shall be composed of any three members of the Common Council, including the Mayor as a member thereof. Members who act as the pre audit committee are not required to be appointed or confirmed and such committee shall be deemed to consist of the three members who sign claim forms or tabulations of claims as set forth in section 4.
3. The pre audit committee shall review and recommend approval of claims for payment before approval by the common council as a whole.
4. Committee members shall indicate approval by signing or initialing claim forms or a tabulation of claims submitted for Council approval. Such forms or tabulation bearing the signatures or initials of committee members shall constitute the minutes of the committee. If a committee member objects to payment of a claim, he shall raise the objection at the time payment of the claim is presented to the Common Council for a vote.
5. The pre audit committee is not required to meet or act as a body. If the committee meets or acts as a body, such meeting shall be held at an open public meeting of the Common Council, or at a public meeting which has been duly noticed in accordance with the Open Meetings Law.
6. This resolution supersedes all previous resolutions, including the Common Council's resolution of 4/30/1998.

**Motion to waive reading and move resolution:**

By Councilor Armstrong; Seconded by Councilor Ensel

Discussion: Yes

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

(All voted in the affirmative)

**ACTION TAKEN:** Adopted

Follow up Action: None:

\*\*\*\*\*

Motion to Adjourn by Councilor Moore; Seconded by Councilor Kelly

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

(All voted in the affirmative)

**MEETING ADJOURNED: 5:29pm**

**City of Plattsburgh Common Council**  
**2019 Meeting Schedule**  
**Council Meetings begin at 5:30pm**

January 3 – ORGANIZATIONAL/COUNCIL MEETING

January 10 – COUNCIL MEETING

January 17 – COUNCIL MEETING

January 24 – COUNCIL MEETING

January 31 – COUNCIL MEETING

February 7 – COUNCIL MEETING

February 14 – COUNCIL MEETING

February 21 – COUNCIL MEETING

February 28 – COUNCIL MEETING

March 7 – COUNCIL MEETING

March 14 – COUNCIL MEETING

March 21 – COUNCIL MEETING

March 28 – COUNCIL MEETING

April 4 – COUNCIL MEETING

April 11 - COUNCIL MEETING

April 17 – **WEDNESDAY** - COUNCIL MEETING

April 25 – COUNCIL MEETING

May 2 – COUNCIL MEETING

May 9 – COUNCIL MEETING

May 16 – COUNCIL MEETING

May 23 – COUNCIL MEETING

May 30 – COUNCIL MEETING

June 6 – COUNCIL MEETING

June 13 – COUNCIL MEETING

June 20 – COUNCIL MEETING

June 27 – COUNCIL MEETING

July 3 – COUNCIL MEETING

July 11 – COUNCIL MEETING

July 18 – COUNCIL MEETING

July 25 – COUNCIL MEETING

August 1 – COUNCIL MEETING

August 8 – COUNCIL MEETING

August 15 – COUNCIL MEETING

Organizational Meeting Minutes 1/03/19

August 22 – COUNCIL MEETING

August 29 – COUNCIL MEETING

September 5 – COUNCIL MEETING

September 12 – COUNCIL MEETING

September 19 – COUNCIL MEETING

September 26 – COUNCIL MEETING

October 3 – COUNCIL MEETING

October 10 – COUNCIL MEETING

October 17 – COUNCIL MEETING

October 24 – COUNCIL MEETING

October 31 – COUNCIL MEETING

November 7 – COUNCIL MEETING

November 14 – COUNCIL MEETING

November 21 – COUNCIL MEETING

November 26 – **TUESDAY** - COUNCIL MEETING

December 5 – COUNCIL MEETING

December 12 – COUNCIL MEETING

December 19 – COUNCIL MEETING