

RESOLUTION 07/20/2023

7.138 REVISING CAPITAL PROJECT H5110.87 REVISION - 2022 DOWNTOWN IMPROVEMENT PROJECT

WHEREAS, the following resolution was adopted on July 20th, 2023, and

WHEREAS, the Capital Expenditure Plan adopted January 6th, 2022, includes a Downtown Improvements category, and

WHEREAS, the Infrastructure Division desires to establish a 2022 Downtown Improvements project for an item included in the Downtown Improvements category of the Capital Expenditure Plan adopted January 6th, 2022, and

WHEREAS, the cost of the 2022 Downtown Improvements project has been estimated by the Infrastructure Division for the costs of the planned expenditures to purchase items to be added to the capital expenditure plan for 2023, and is being revised as follows:

	2022 Capital Plan	2022 Estimated Cost	2022 Revised Cost	2023 Revised Cost
Farmers' market improvements design	\$ 10,000	\$ 10,000	\$ 10,000	\$ 25,500
Construction costs	<u>-</u>	<u>-</u>	<u>34,127</u>	<u>34,127</u>
Total	<u>\$ 10,000</u>	<u>\$ 10,000</u>	<u>\$ 44,127</u>	<u>\$ 59,627</u>

Project Funding:

General Fund	<u>\$ 10,000</u>	<u>\$ 10,000</u>	<u>\$ 44,127</u>	<u>\$ 59,627</u>
Total	<u>\$ 10,000</u>	<u>\$ 10,000</u>	<u>\$ 44,127</u>	<u>\$ 59,627</u>

Now therefore,

BE IT RESOLVED, by the Common Council of the City of Plattsburgh, New York, this 20th day of July 2023, as follows:

- 1) That, the amount of Fifty-nine Thousand Six Hundred Twenty-seven and 00/100 (\$59,627.00) Dollars is hereby appropriated for the capital project **2022 Downtown Improvements (H5110.87)** for the cost of the items listed above and is hereby authorized to be expended for such purpose.
- 2) That, Fifty-nine Thousand Six Hundred Twenty-seven and 00/100 (\$59,627.00) Dollars of such appropriation will be provided by the General Fund.

RESOLUTION 07/20/2023

7.139 AUTHORIZE BUDGET ADJUSTMENT TO PROVIDE APPROPRIATIONS TO THE CITY'S ASSESSMENT SERVICES

It is being requested to adjust the 2023 General Fund Budget, as follows:

Increase: General Fund – Assessment	11355000-4440	\$12,678.50
Increase: General Fund – Appropriated Fund Balance	1-0599	\$12,678.50

To provide appropriations for under budgeted cost for updating of the City's assessment services. The budget adjustment provides for the increase in assessment services and the increase in appropriated fund balance for these under budgeted costs which will increase the total General Fund budget by \$12,678.50 for 2023.

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7.140 AUTHORIZATION TO APPROVE THE 2023 CONSOLIDATED FUNDING APPLICATION: CLIMATE SMART COMMUNITIES GRANT FOR BRINKERHOFF STREET AND COURT STREET IMPROVEMENTS

WHEREAS, the City of Plattsburgh hereby requests financial assistance from the New York State Climate Smart Communities Grant Program pursuant to Environmental Conservation Law Article 54, Title 15; and

WHEREAS, the City of Plattsburgh certifies that it has identified \$1,650,000 of matching funds from its general fund pursuant to the requirements of Environmental Conservation Law Article 54 Title 15; and

NOW, THEREFORE, BE IT RESOLVED, the Common Council hereby authorizes the Mayor to act on its behalf in submittal of an application through New York State's Consolidated Funding Application process for \$1,650,000 to be used for the Brinkerhoff and Court Streets Complete Streets project.

RESOLUTION 07/20/2023

7.141 AUTHORIZATION TO APPROVE THE 2023 CONSOLIDATED FUNDING APPLICATION: LWRP HARBORSIDE MASTER PLAN IMPLEMENTATION PHASE 1 GRANT

WHEREAS, the City of Plattsburgh is applying to the New York State Department of State's Local Waterfront Revitalization Program for a project entitled "Harborside Master Plan Implementation Phase 1" to be located in the vicinity of Green Street and Dock Street in the City of Plattsburgh; and

WHEREAS, Harborside Master Plan Implementation Phase 1 is to include, among other improvements, a destination playground, shoreline pedestrian pathways, access to the water, and signage; and

WHEREAS, the applicant municipality must obtain the approval/endorsement of the governing body of the municipality or municipalities in which the project will be located; and

WHEREAS, the Department of State, pursuant to the Local Waterfront Revitalization Planning Grant regulations, requires an applicant to fund up to twenty-five percent (25%) of the total project cost; and

WHEREAS, the Common Council will commit to a local match contribution of cash and in-kind services not to exceed either twenty-five percent (25%) of the total project cost or \$500,000, whichever is lower; and

NOW, THEREFORE, BE IT RESOLVED that the Common Council hereby does approve and endorse the application for a grant application under the Local Waterfront Revitalization Planning Grant program for a project known as Harborside Master Plan Implementation Phase 1 to be located within the City of Plattsburgh.

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7.142 AUTHORIZATION TO APPROVE THE 2023 CONSOLIDATED FUNDING APPLICATION: NEW YORK MAIN STREET TECHNICAL ASSISTANCE PROGRAM GRANT FOR DOWNTOWN PROPERTY IMPROVEMENTS

WHEREAS, the City of Plattsburgh desires to apply for \$20,000 in financial assistance through the 2023 Consolidated Funding Application (CFA) process under the New York Main Street Technical Assistance Program; and

WHEREAS, the application proposes funding to assist property owners to complete building renovations to downtown buildings on Margaret St. and Clinton St.; and

WHEREAS, the proposed funding will contribute to ongoing community revitalization efforts; and

WHEREAS, the grant application requires that the applicant obtain the approval and endorsement of the governing body of the municipality in which the project will be located.

NOW, THEREFORE, BE IT RESOLVED, that the Common Council of the City of Plattsburgh approves and endorses the application for funding assistance to the 2023 New York Main Street Technical Assistance Program to be prepared and submitted by the City of Plattsburgh.

RESOLUTION 07/20/2023

**7.143 AUTHORIZE AGREEMENT FOR DESIGN, BID & CONSTRUCTION
MANAGEMENT SERVICES FOR IMPROVEMENTS TO THE FARMERS
MARKET ROOF**

WHEREAS, repeated attempts via various methods to address the persistent roof leaks observed within the renovated farmers' market building have been unsuccessful; and

WHEREAS, discussions w/ the consulting engineer for the prior renovation work led to the conclusion that the current roof cannot be made sufficiently watertight and that a new roof must be designed.

NOW, THEREFORE, BE IT RESOLVED, the Common Council authorizes the Mayor to execute a design, bid, and construction management services agreement with Architectural & Engineering Design Associates, P.C. (AEDA) for redesign and construction of a new farmers' market roof in an amount not to exceed \$15,500. Funding is to be provided by capital project H5110.87 (2022 Downtown Improvements).

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7.144 AWARD THE FINAL DESIGN & BID MANAGEMENT SERVICE AGREEMENT FOR PHASE I IMPROVEMENTS TO CITY PARKS

WHEREAS, in May 2022 the City executed a conceptual design services agreement with Barton & Loguidice for improvements to five (5) City parks (US Oval, Melissa Penfield, Peter Blumette, South Acres, and South Platt); and

WHEREAS, after an extensive public outreach campaign, a draft report was submitted to the City in June 2022 detailing proposed improvements to each park; and

WHEREAS, based on the draft report and selection of a subset of the proposed improvements to be fully designed and bid for construction during the first phase of physical improvements to the parks, the City sought multiple proposals for final design and bid management services.

NOW, THEREFORE, BE IT RESOLVED, the Common Council authorizes the Mayor to execute a final design and bid management services agreement with Architectural & Engineering Design Associates, P.C. for selected improvements to five (5) City parks in an amount not to exceed \$291,500. Funding will be provided from capital project H5110.88 (2022 Parks Maintenance & Upgrades).

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7.145 APPROVAL OF THE “FIVE YEAR PROJECT” AS REVISED

RESOLUTION 07/20/2023

7.146 HARBORSIDE HOTEL DEVELOPMENT AGREEMENT – SEQRA LEAD AGENCY DECLARATION

WHEREAS, in order to accomplish the goals of the City’s Harborside Master Plan, the City of Plattsburgh’s Common Council (the “Common Council”) executed on March 16, 2023 a subdivision of three (3) former tax parcels (Tax Map Nos. 207.20-1-2.32, 207.20-1-2.31, and 207.20-1-1) to create four (4) new tax parcels (Tax Map Nos. for the new parcels have not yet been assigned); and

WHEREAS, a map/subdivision plat detailing that subdivision titled “Harborside Subdivision 2021” prepared by Robert M. Sutherland P.C. and dated June 9, 2021 (the “RMS Survey”) was filed with the Clinton County Clerk’s Office on April 12, 2023 as instrument # 2023-00330782; and

WHEREAS, the new parcels on the RMS Survey are identified as “Lot B”, “Lot C”, “Lot 2”, and “Lot 1, Lot 3, & Tax Parcel: 207.20-1-2.32 To be Merged with Lot A” (collectively, these parcels are referred to as the “Harborside Area”); and

WHEREAS, the City has been in negotiations with GP Manager PLF, LLC (the “Developer”) for several years regarding the construction of a hotel in the Harborside Area (the “proposed Hotel Development”); and

WHEREAS, a development agreement detailing the terms of the proposed Hotel Development to be constructed within Lot B as identified on the RMS Survey and the respective responsibilities of both the City and the Developer (the “Development Agreement”) has been drafted; and

WHEREAS, pursuant to the State Environmental Quality Review Act and the regulations promulgated thereunder (“SEQRA”), the Common Council is required to make a determination with respect to the environmental impact of any “action” (as defined by SEQRA) to be taken by the Common Council and approval of the Development Agreement constitutes such an action; and

WHEREAS, to aid the Common Council in determining whether approval of the Development Agreement may have a significant impact on the environment, the Developer has prepared and submitted to the Common Council a completed Part 1 of a Full Environmental Assessment Form with addendum (the “EAF”) with respect to the Development Agreement, a copy of which is both attached hereto as Exhibit “A” and on file at the office of the Common Council; and

WHEREAS, the Common Council has reviewed the EAF with respect to the Development Agreement.

NOW THEREFORE IT IS HEREBY RESOLVED, that based upon a review of the EAF, the criteria contained in 6 NYCRR §617.4(b) and 617.6, and based further upon the Common

Council's knowledge of the Development Agreement and such further investigation of the Development Agreement and its environmental impacts as the Common Council has deemed appropriate, the Common Council makes the following findings and determinations with respect to the Development Agreement pursuant to SEQRA:

1. That all of the aforementioned "WHEREAS" clauses are hereby incorporated by reference as if fully re-stated herein; and
2. Approval of the Development Agreement constitutes a "Type 1 Action" (as said quoted term is defined in SEQRA 6 New York Compilation of Codes, Rules, and Regulations ("NYCRR") §617.4(b)); and
3. No other "Involved Agencies" (as said quoted term is defined in SEQRA 6 NYCRR §617.2(t)) for the Development Agreement have been identified.
4. As a consequence of the foregoing, the Common Council hereby declares its intent to act as "Lead Agency" (as said quoted term is defined in SEQRA 6 NYCRR §617.2(v)) for the Development Agreement.
5. The Common Council authorizes and directs the Mayor, City Clerk, Director of Community Development, City Attorney and/or Special Legal Counsel to take such further actions as may be necessary to effectuate the intent of this Resolution.

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7.147 AUTHORIZE RENTAL AGREEMENT - 79 MARGARET STREET

RESOLVED: In accordance with the request therefore the Common Council approves that the Police Chief is authorized to sign an extension to rental agreement with Robert Garrand to rent the first floor of 79 Margaret Street for the Plattsburgh Police Department sub-station/community policing center with an effective date of July 1, 2023 through June 30, 2024 for a monthly rent of \$1,400 which will be paid out of the Community Center Fund.

RESOLUTION 07/20/2023

7.148 APPROVAL FOR STREET CLOSURE ON KELVIN LANE FROM JERRY DRIVE TO AUTUMN DRIVE

Approval for Street Closure on Kelvin Lane from Jerry Drive to Autumn Drive on Sunday July 30th from 10AM to 9PM (including set up and take down) for a neighborhood block party.

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7.149 TRAVEL REQUEST - CITY CLERK

RESOLVED: In accordance with the request therefore the Common Council approves City Clerk Sylvia Parrotte to attend the “NYCOM Fall Training School” in Lake Placid, NY from September 19-21, 2023 at a cost not to exceed \$1000.

RESOLUTION 07/20/2023

**7.150 AUTHORIZE MEMORANDUM OF AGREEMENT PLATTSBURGH
PERMANENT FIREMAN'S ASSOCIATION LOCAL 2412 AND CITY OF
PLATTSBURGH**

RESOLVED: In accordance with the request therefore the Mayor is authorized to sign a Memorandum of Agreement (“Agreement”) with the Plattsburgh Permanent Fireman’s Association, Local 2412, which Agreement was executed by the Association’s President on July 13, 2023.