

TOWN OF PLATTSBURGH
TOWN BOARD SEMI-MONTHLY MEETING
December 17, 2012

The meeting was called to order at 6:39 p.m. by the presiding officer at the Town Hall on the Banker Road.

MEMBERS:	<u>Present</u>	<u>Absent</u>
Bernard C. Bassett, Supervisor	X	
Thomas E. Wood, Councilor	X	
Martin D. Mannix, Councilor	X	
Paul D. Lamoy, Councilor	X	
Gerard A. Renadette, Councilor	X	
Rickey J. Collins, Town Clerk		X
James J. Coffey, Town Attorney	X	
Danielle M. Scholl, Deputy Town Clerk	X	

Resolution No.012-239

Approving the Minutes of the Previous Meeting

RESOLVED, that the minutes of December 3, 2012 be approved and the reading of the minutes be dispensed with.

Motion by: Gerard Renadette

Seconded by: Martin Mannix

Discussion: Yes

Roll Call:

	<u>Yes</u>	<u>No</u>	<u>Absent</u>	<u>Carried</u>	<u>Tabled</u>
Thomas E. Wood	x				
Martin D. Mannix	x				
Paul D. Lamoy	x				
Gerard A. Renadette	x				
Bernard C. Bassett	x				

PUBLIC RECOGNITION

Present: Jenny Jenkins, Katelyn Jenkins, A. Chandler Robinson, John Andrus, Richard Mudd, Judy Mudd, Holly Sims

Comments: Yes, Mr. Mudd

Resolution No. 012-240

Abstract 1A

RESOLVED, that the abstract of audited claims **No.12B-12(2690-2817)** for \$338,373.22, **Abstract 12B-12 (505-522)** prepays for the amount \$292,779.77 be received as reviewed by the Audit Committee and the Supervisor is hereby authorized to pay said abstracts.

Motion: Paul D. Lamoy

Seconded by: Gerard A. Renadette

Discussion:

Roll Call:	<u>Yes</u>	<u>No</u>	<u>Absent</u>	<u>Carried</u>	<u>Tabled</u>
				x	
Thomas E. Wood	x				
Martin D. Mannix	x				
Paul D. Lamoy	x				
Gerard A. Renadette	x				
Bernard C. Bassett	x				

Resolution No. 012-241

Codes and Zoning Department Monthly Report

RESOLVED, to receive and place on file a report from Stephen Imhoff, Codes Enforcement Officer, for the month of November 2012

Motion: Martin D. Mannix

Seconded by: Thomas E. Wood

Discussion: Yes

Roll Call:	<u>Yes</u>	<u>No</u>	<u>Absent</u>	<u>Carried</u>	<u>Tabled</u>
				x	
Thomas E. Wood	x				
Martin D. Mannix	x				
Paul D. Lamoy	x				
Gerard A. Renadette	x				
Bernard C. Bassett	x				

Resolution No. 012-242

Town Clerk's Monthly Report

RESOLVED, to receive and place on file a report from Danielle Scholl, Deputy Town Clerk, for the month of November 2012.

Motion: Gerard A. Renadette

Seconded by: Paul D. Lamoy

Discussion: Yes

Roll Call:	<u>Yes</u>	<u>No</u>	<u>Absent</u>	<u>Carried</u>	<u>Tabled</u>
				x	
Thomas E. Wood	x				
Martin D. Mannix	x				
Paul D. Lamoy	x				
Gerard A. Renadette	x				
Bernard C. Bassett	x				

Resolution No.012-243

SUPERVISOR'S MONTHLY FINANCIAL REPORT

RESOLVED, to receive and place on file the Supervisor's Financial Report for the month of November 2012.

Motion: Gerard A. Renadette

Seconded by: Thomas E. Wood

Discussion: No

Roll Call:	<u>Yes</u>	<u>No</u>	<u>Absent</u>	<u>Carried</u>	<u>Tabled</u>
				x	
Thomas E. Wood	x				
Martin D. Mannix	x				
Paul D. Lamoy	x				
Gerard A. Renadette	x				
Bernard C. Bassett	x				

Resolution No. 012-244

Water Wastewater Department's Monthly Report

RESOLVED, to receive and place on file a report from Scott Stoddard, Water Wastewater Department Director, for November 2012.

Motion: Thomas E. Wood

Seconded by: Gerard A. Renadette

Discussion:

Roll Call: No	<u>Yes</u>	<u>No</u>	<u>Absent</u>	<u>Carried</u>	<u>Tabled</u>
				x	
Thomas E. Wood	x				
Martin D. Mannix	x				
Paul D. Lamoy	x				
Gerard A. Renadette	x				
Bernard C. Bassett	x				

Resolution No. 12-245

Corner Stone Telephone Company Agreement

WHEREAS, the Town is responsible to provide telephone service at the various Town Parks, Recreation sites, and water sites; and

WHEREAS, Corner Stone Telephone Company is willing to provide telephone service to support the needs of the Town at a rate lower than other service providers; and

WHEREAS, Corner Stone Telephone Company has submitted a Renewal Agreement to the Town for Service from January 1, 2013 to December 31, 2013; and

WHEREAS, the Town Board has provided for funding in the 2013 Budget for the renewal of its one-year contract with Corner Stone Telephone Company as stated in the Renewal Agreement; therefore be, it

RESOLVED, that the Supervisor is authorized to enter into a one year contract with the Corner Stone Telephone Company at 2 Third Street, Suite 303, Troy, New York 12180 to provide telephone service for the Town of Plattsburgh's various Recreation Parks and water sites; and be, it further

RESOLVED, that a copy of this Resolution be given to the Youth Services Director, Water Wastewater Director and Finance Manager.

Motion: Gerard A. Renadette

Motion to table: Paul D. Lamoy

Seconded by: Martin D. Mannix

Seconded by: Thomas E. Wood

Discussion: Yes

Roll Call:	<u>Yes</u>	<u>No</u>	<u>Absent</u>	<u>Carried</u>	<u>Tabled</u>
					x
Thomas E. Wood	x				
Martin D. Mannix	x				
Paul D. Lamoy	x				
Gerard A. Renadette	x				
Bernard C. Bassett	x				

Resolution No. 012-246

**Justice Court Contract With The Clinton
County Sheriff's Department**

WHEREAS, the Town of Plattsburgh Justice Court has requested authorization for the renewal of it's annual contract with the Clinton County Sheriff's Department to provide court security services to the Town's Justice Courts; and

WHEREAS, these services are necessary due to the volume and nature of cases handled within the Court system; now, therefore it is

RESOLVED, that the Town Board upon approval by the Town Attorney and insurance carrier, does hereby authorize the Supervisor to enter into a contract for services as attached; and, it is further

RESOLVED, that compensation be paid at an hourly rate of \$31.27 and a time and a half rate of \$46.90 to be made payable from the Justice Court Budget for 2013; and be it further

RESOLVED, that a copy of this Resolution be given to the Finance Manager and the Town Justices.

Motion: Thomas E. Wood

Motion to Table: Thomas E. Wood

Seconded by: Paul D. Lamoy

Seconded by: None

Discussion: Yes

Roll Call:	<u>Yes</u>	<u>No</u>	<u>Absent</u>	<u>Carried</u>	<u>Tabled</u>
				x	
Thomas E. Wood		x			
Martin D. Mannix	x				
Paul D. Lamoy	x				
Gerard A. Renadette	x				
Bernard C. Bassett	x				

Resolution No. 012-247

**Re-Appointment of Diane Drollette as an
Alternate to the Zoning Board of Appeals**

WHEREAS, Diane Drollette an Alternate member of the Zoning Board of Appeals is willing to continue serving in that capacity and her term will expire 12/31/2012; therefore be it

RESOLVED, that the Town of Plattsburgh Town Board does hereby re-appoint Diane Drollette to the Zoning Board of Appeals for a term to expire December 31, 2015; and be it further

RESOLVED, that Mrs. Drollette take an oath of office within thirty days of this Resolution; and, be it further

RESOLVED, that a copy of this Resolution be given to Board Chairperson Henry Hale and to Steve Imhoff, Department Head.

Motion: Martin D. Mannix

Seconded by: Paul D. Lamoy

Discussion: No

Roll Call:

	<u>Yes</u>	<u>No</u>	<u>Absent</u>	<u>Carried</u>	<u>Tabled</u>
Thomas E. Wood				x	
Martin D. Mannix	x				
Paul D. Lamoy	x				
Gerard A. Renadette	x				
Bernard C. Bassett	x				

Resolution No. 012-248

**Re-Appointment of Gerard Renadette to the
Town of Plattsburgh Board of Ethics**

WHEREAS, Councilor Renadette serves as representative Board member on the Town's Board of Ethics and his term that will expire on December 31, 2012; and

WHEREAS, Councilor Renadette is willing to continue serving as a member of the Board of Ethics; therefore, be it

RESOLVED, that the Town Board does hereby re-appoint Councilor Renadette to the Town of Plattsburgh Board of Ethics for a term to expire December 31, 2013; and, be it further

RESOLVED, that Councilor Renadette take an oath of office with thirty days of this Resolution; and, is it further

RESOLVED, that a copy of this Resolution placed in his personnel file and a copy be given to the Board of Ethics Chairperson.

Motion: Paul D. Lamoy

Seconded by: Martin D. Mannix

Discussion: Yes

Roll Call:	<u>Yes</u>	<u>No</u>	<u>Absent</u>	<u>Carried</u>	<u>Tabled</u>
				x	
Thomas E. Wood	x				
Martin D. Mannix	x				
Paul D. Lamoy	x				
Gerard A. Renadette	Abstained				
Bernard C. Bassett	x				

Resolution No. 012-249

**Re-Appointment of Margot Zeglis to the
Town of Plattsburgh Board of Ethics for 2013**

WHEREAS, Margot Zeglis serves as Board member on the Town's Board of Ethics and her term will expire on 12/31/2012; and

WHEREAS, the Town of Plattsburgh Board of Ethics has recommended the reappointment of Ms. Zeglis to serve on the Board of Ethics; therefore, be it

RESOLVED, that the Town Board does hereby re-appoint Ms. Zeglis to the Board of Ethics for a term to expire December 31, 2016; and, be it further

RESOLVED, that Ms. Zeglis take an oath of office with thirty days of this Resolution and a copy be given to the Ethics Chairperson.

Motion: Thomas E. Wood

Seconded by: Gerard A. Renadette

Discussion: Yes

Roll Call:	<u>Yes</u>	<u>No</u>	<u>Absent</u>	<u>Carried</u>	<u>Tabled</u>
				x	
Thomas E. Wood	x				
Martin D. Mannix	x				
Paul D. Lamoy	x				
Gerard A. Renadette	x				
Bernard C. Bassett	x				

Resolution No. 012-250

Planning Board Appointment

WHEREAS, a vacancy exist on the Planning Board for a Board Member; and

WHEREAS, Jeff Wagner has been an alternate on the Planning Board and is willing to serve as a regular Planning Board member; therefore, be it

RESOLVED, that the Town of Plattsburgh Town Board does hereby appoint Jeff Wagner to the Planning Board for a term to expire 12/31/2019; and be it further

RESOLVED, that a copy of this Resolution be given to the Planning Department Head, the Chairperson of the Planning Board and a certified copy also be given to Mr. Wagner.

Motion: Thomas E. Wood

Seconded by: Paul D. Lamoy

Discussion: Yes

Roll Call:

	<u>Yes</u>	<u>No</u>	<u>Absent</u>	<u>Carried</u>	<u>Tabled</u>
				x	
Thomas E. Wood	x				
Martin D. Mannix	x				
Paul D. Lamoy	x				
Gerard A. Renadette	x				
Bernard C. Bassett	x				

Resolution No. 012-251

**Eliminating the Title of Bingo Inspector
And Amending the 2013 Budget**

Whereas, the Clinton County Department of Personnel has informed the Town that as Deputy Town Clerk and Bingo Inspector Danielle Scholl has exceeded the weekly allowed work hours for her positions; and

Whereas, after discussions with the Clinton County Civil Service Department and the New York State Racing and Wagering Board Compliance Specialist, it has been determined that the duties of Bingo Inspector can be incorporated into the Civil Service exempt position of Deputy Town Clerk; therefore, be it

Resolved, effective January 1, 2013 the Town of Plattsburgh Town Board does hereby authorize the elimination of the Civil Service Title of Bingo Inspector and assigns the duties associated with that position to the Deputy Town Clerk; and, be it further

Resolved, that the Finance Manager transfer all funds allocated to the Bingo Inspector Department A3121 to the Town Clerk Department A1410 and said funds be posted to the Deputy Town Clerk line items of the 2013 General Fund Budget; and, be it further

Resolved, that a copy of this Resolution be given to the Town Clerk, Deputy Clerk and Finance Manager.

Motion: Thomas E. Wood

Seconded by: Gerard A. Renadette

Discussion: Yes

Roll Call:	<u>Yes</u>	<u>No</u>	<u>Absent</u>	<u>Carried</u>	<u>Tabled</u>
				x	
Thomas E. Wood	x				
Martin D. Mannix	x				
Paul D. Lamoy	x				
Gerard A. Renadette	x				
Bernard C. Bassett	x				

Resolution NO. 12-252

SEQR Determination for 2012 Zoning Ordinance and Map Amendment

WHEREAS, The Town of Plattsburgh Town Board adopted a Comprehensive Plan on January 18, 2011, which recommended that the Town consider a review and update of the Zoning Ordinance as part of its land protection, regulation and planning process; and

WHEREAS, The Town Board appointed a Zoning Committee and charged it with developing an update to the current Zoning Ordinance, last revised March 2008, for the Town; and

WHEREAS, The Zoning Committee held numerous meetings, including public workshops, and said committee did on June 18, 2012, submit a proposed draft Zoning Ordinance and map amendment to the Town Board for their adoption; and

WHEREAS, the Town Board did provide by Memorandum dated July 17, 2012, appropriate notice of the proposed draft Zoning Ordinance and map amendment to adjacent towns, County of Clinton Planning Board and the regional State Park Commission; and

WHEREAS, the Town Board has considered the comments of the Clinton County Planning Board made at its meeting of August 1, 2012, at which time the County Planning Board recommended unanimous approval of the draft Zoning Ordinance and map amendment; and

WHEREAS, the Town Board had previously declared the project to be a Type 1 action and conducted its review of the application pursuant to the State Environmental Quality Review Act (SEQRA); and

WHEREAS, the Town Board held a formal public hearing for the draft Zoning Ordinance and map amendment at the Town Hall on August 20, 2012; and

WHEREAS, the Town Board has carefully considered the draft Zoning Ordinance and map amendment, as well as the comments made by the public, including each and every interested citizen, and based on such consideration believes that the proposed **FINAL NOVEMBER 2012 ZONING ORDINANCE AND MAP AMENDMENT** provides an appropriate balance between development, environmental protection and maintenance and enhancement of community character; and

WHEREAS, Part 617 of the Environmental Conservation Law provides for a Lead Agency to review any action for the purpose of determining the effect of said action on the environment; and

WHEREAS, the Town Board is the Lead Agency in accordance with State Laws for the purpose of assessing the effect of this “Project” on the environment and whether or not said effect is significant enough to warrant the preparation of a Draft Environmental Impact Statement (DEIS); and

WHEREAS, the Town Board has identified the relevant areas of environmental concern, has taken a hard look at these areas, and has made a reasoned elaboration of the basis for its determination; and

WHEREAS, the Town Board has carefully considered a Long Environmental Assessment Form (EAF) parts 1, 2 and 3 prepared by the Town Planning Department; and **NOW, THEREFORE BE IT,**

RESOLVED, that the Town Board of the Plattsburgh after review of review of the proposed amendments to the Zoning Ordinance, review and consideration of comments made at the public hearing on the project, review of the completed EAF Long Form and related materials accordingly, the Town Board hereby issues the attached Negative Declaration under SEQRA for the **FINAL NOVEMBER 2012 ZONING ORDINANCE AND MAP AMENDMENT**, determining that the “Project” will NOT have a significant effect on the environment, and the preparation of a Draft Environmental Impact Statement (DEIS) is NOT required; and be it further

RESOLVED, that the Town Planning Board does hereby declare that the environmental review process considered for the Zoning Ordinance and Map Amendment does adequately and sufficiently satisfy the requirements of the State Environmental Quality Review Act for the Project; and be it further

RESOLVED, that the Town Board of the Town of Plattsburgh does hereby authorize and direct the Supervisor to have prepared and to execute a "Notice of No Significant Environmental Impact" (NEGATIVE DECLARATION) for the Zoning Ordinance and Map Amendment ; and, be it further

RESOLVED, that the "Notice of No Significant Environmental Impact" (**NEGATIVE DECLARATION**) shall be disseminated to those involved Agencies and Governmental Units as required by said Environmental Conservation Law and all related material shall be maintained on file at the Town Hall Offices of the Planning Department and available for Public Inspection.

Motion: Martin D. Mannix

Seconded by: Thomas E. Wood

Discussion: No

Roll Call:	<u>Yes</u>	<u>No</u>	<u>Absent</u>	<u>Carried</u>	<u>Tabled</u>
				x	
Thomas E. Wood	x				
Martin D. Mannix	x				
Paul D. Lamoy	x				
Gerard A. Renadette	x				
Bernard C. Bassett	x				

Resolution No. 12-253
Department

2012 Budget Amendment for Highway

WHEREAS, there is a lack of cash flow in the Highway Department to enable that Department to meet its payroll for the month of December; therefore, be it

RESOLVED, that the Town Board does hereby authorize the Supervisor to advance funds from the Highway Improvement Capital Project to the Highway Fund in an amount not to exceed a total of fifty thousand dollars (\$50,000.00) to provide monies for payrolls in the month of December 2012 until the CHIPS funding and first County sales tax revenue payment is received; and, it is further

RESOLVED, that upon receipt of said revenue in the Highway Fund the advance will be paid back to the Highway Improvement Capital Project fund; and be it further

RESOLVED, that a copy of this Resolution be given to the Finance Manager and Highway Superintendent.

Motion: Paul D. Lamoy

Seconded by: Thomas E. Wood

Discussion: Yes

Roll Call:	<u>Yes</u>	<u>No</u>	<u>Absent</u>	<u>Carried</u>	<u>Tabled</u>
				x	
Thomas E. Wood	x				
Martin D. Mannix	x				
Paul D. Lamoy	x				
Gerard A. Renadette	x				
Bernard C. Bassett	x				

Resolution No. 12-254

Application of License for Cumberland 12 Cinemas

WHEREAS, Cumberland 12 Cinema has applied for a license to conduct and operate a cinema, know as Cumberland 12 Cinemas, located on 812 North Bowl Lane, Route 9 within the Town of Plattsburgh; and

WHEREAS, the license fee of \$500.00 has been paid and the Codes Department has completed a positive inspection finding Cumberland 12 Cinemas to be in compliance with all Local Laws and New York State Regulations and Codes; therefore, be it

RESOLVED, that the Town Clerk is hereby authorized to issue said license for the period from January 1, 2013 through December 31, 2013; and it is further

RESOLVED, that a copy of this Resolution be given to the Town Clerk, Finance Manager and Codes Enforcement Officer.

Motion: Paul D. Lamoy

Seconded by: Gerard A. Renadette

Discussion: Yes

Roll Call:	<u>Yes</u>	<u>No</u>	<u>Absent</u>	<u>Carried</u>	<u>Tabled</u>
				x	
Thomas E. Wood	x				
Martin D. Mannix	x				
Paul D. Lamoy	x				
Gerard A. Renadette	x				
Bernard C. Bassett	x				

Resolution No. 12-255

**License Application For
Regal Cinemas**

WHEREAS, Regal Cinemas has applied for a license to conduct and operate a cinema, know as Regal Cinemas, located in Champlain Centre North in the Town of Plattsburgh; and

WHEREAS, said application was applied for and received with license fee of \$500.00 due by the applicant; and

WHEREAS, the Codes Department has completed a positive inspection and has found Regal Cinemas to be in compliance with all Local Laws and New York State Regulations and Codes; therefore, be it

RESOLVED, to receive and place on file an application for a license to conduct and operate Regal Cinemas; and, it is further

RESOLVED, that the Town Clerk is hereby authorized to issue said license for the period from January 1, 2013 through December 31, 2013 and that a letter be sent with the license to operate indicating payment is now past due and failure to make payment can and may result in revoking said license; and, be it further

RESOLVED, that a copy of this Resolution be given to the Town Clerk, Finance Manager and Codes Enforcement Officer.

**Motion: Gerard A. Renadette
Lamoy**

Motion to Table; Paul D.

Seconded by: Paul D. Lamoy

Seconded by: Thomas E. Wood

Discussion: Yes

Roll Call:	<u>Yes</u>	<u>No</u>	<u>Absent</u>	<u>Carried</u>	<u>Tabled</u>
				x	
Thomas E. Wood	x				
Martin D. Mannix	x				
Paul D. Lamoy	x				
Gerard A. Renadette	x				
Bernard C. Bassett	x				

RESOLVED, that this Town Board meeting be adjourned at 8:00 PM.

Motion by: Gerard A. Renadette

Seconded by: Paul D. Lamoy

Discussion: No

Roll Call:	<u>Yes</u>	<u>No</u>	<u>Carried</u>
			x
Thomas E. Wood	x		
Martin D. Mannix	x		
Paul D. Lamoy	x		
Gerard A. Renadette	x		
Bernard C. Bassett	x		

Motion to go into Executive Session to

Motion to come out of Executive Session

Motion by:
Seconded by:
Time:

Motion by:
Seconded by:
Time:

Roll Call: **YES** **NO**

Roll Call: **YES** **NO**

Thomas E. Wood
Martin D. Mannix
Paul D. Lamoy
Gerard A. Renadette
Bernard C. Bassett

Thomas E. Wood
Martin D. Mannix
Paul D. Lamoy
Gerard A. Renadette
Bernard C. Bassett

ADJOURNMENT

Respectfully Submitted,

Danielle M. Scholl, Deputy Town Clerk

