

**TOWN OF PLATTSBURGH  
TOWN BOARD SEMI-MONTHLY MEETING  
November 18, 2013**

The meeting was called to order at 7:00 p.m. by the presiding officer at the Town Hall on the Banker Road.

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

**STAFF:**  
Pat Bowen, Diane Miller

**Public:**  
Mike Cashman, Deb Blake, Alice Church, Tom Metz, Bill Brudvig

**Resolution No.013-333**

**Approve Minutes of the Previous Meeting**

**RESOLVED**, that the minutes of November 7, 2013 be approved and the reading of the minutes be dispensed with.

**Motion by: Thomas E. Wood**

**Seconded by: Gerard A. Renadette**

**Discussion:**

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

x

**Resolution No. 013-334**

**Abstract 11 B**

**RESOLVED**, that the abstract of audited claims **No.11B-13(2475-2548)** for \$209,530.03, **Abstract 11B-13 (419-438)** prepays for the amount \$367,709.25 be received as reviewed by the Audit Committee and the Supervisor is hereby authorized to pay said abstracts.

**Motion: Gerard A. Renadette**

**Seconded by: Paul D. Lamoy**

**Discussion:**

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

**Resolution No.013-335**

**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 October 2013.

**Motion: Martin D. Mannix**

**Seconded by: Thomas E. Wood**

**Discussion:**

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

**Resolution No.013-336**

**Historian's Monthly Report**

**RESOLVED**, to receive and place on file the Historian's Monthly Report for the month of October 2013.

**Motion: Thomas E. Wood**

**Seconded by: Paul D. Lamoy**

**Discussion:**

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

**Resolution No.013-337**

**Supervisor's Monthly Financial Report**

**RESOLVED**, to receive and place on file the Supervisor's Financial Report for the month of October 2013.

**Motion: Martin D. Mannix**

**Seconded by: Gerard A. Renadette**

**Discussion:**

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

**Resolution No. 013-338**

**Authorizing Adoption of Local Law No.3  
of the Year 2013 Tax Levy Limit Override**

**WHEREAS**, Resolution No. 013-285 was duly adopted on September 30,2013 by the Town Board of the Town of Plattsburgh to set a public hearing on October 15, 2013 to hear all interested parties on a proposed Local Law entitled, "A Local Law Authorizing a Tax Levy Limit Override", pursuant to Section 3-c(5) of the New York State General Municipal Law, authorizing Towns to adopt said law; and

**WHEREAS**, notice of a public hearing was duly advertised on October 8, 2013 in the Press Republican, the official paper of the Town of Plattsburgh, and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said proposed Local Law, or any part hereof to override the limit on the amount of real property taxes that may be levied by the Town of Plattsburgh pursuant to General Municipal Law § 3-c, and to allow the Town of Plattsburgh to adopt a budget for the fiscal year 2014 that requires a real property tax levy in excess of the "tax levy limit" as defined by General Municipal Law § 3-c; and

**WHEREAS**, General Municipal Law § 3-c, which expressly authorizes the Town Board to override the tax cap by the adoption of a local law approved by vote of sixty percent (60%) of the Town Board The Town Board; and

**WHEREAS**, the Town Board of the Town of Plattsburgh, after due deliberation, finds it in the best interest of the Town to adopt said local law.

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board, of the Town of Plattsburgh, hereby adopts said Local Law No. 3 of the year 2013, entitled “A Local Law Authorizing a Tax Levy Limit Override”, a copy of which is attached hereto and made a part of this Resolution; and be it further

**RESOLVED**, that the Town Clerk be and he hereby is directed to enter said Local Law in the minutes of this meeting and in the Local Law Book of the Town of Plattsburgh, and to give due notice of the adoption of said Local Law to the Secretary of State of New York, and that a copy of this Resolution be given to the Assessor, Budget Officer and Finance Manager

**Motion: Thomas E. Wood**

**Seconded by: Gerard A. Renadette**

**Discussion: Yes**

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

**Resolution No. 013-339**

**Adoption of The 2014 Budget**

**WHEREAS**, the Town Board of the Town of Plattsburgh has met at the time and place specified in the notice of public hearing to review the entire 2014 Preliminary Budget and heard all persons desiring to be heard thereon; now, therefore, it is

**RESOLVED**, that after the public hearing and meeting with Department Heads the Preliminary Budget was amended and hereby is adopted as the Final Budget for the Town of Plattsburgh for the fiscal year beginning the first day of January 2014 and that the Budget, as adopted, be entered in detail in the minutes of the proceedings of the Town Board; and, it is further

**RESOLVED**, that the Supervisor of the Town of Plattsburgh shall prepare and certify in duplicate, copies of said annual budget as adopted by this Town Board, together with the assessment rolls for benefit improvements, adopted pursuant to Sections 116 and 202A, Subdivision 2 of the Town Law and deliver one copy thereof to the Clinton County Board of Legislators; and be it further

**RESOLVED**, that a copy of this Resolution be given to the Finance Manager.

**Motion: Martin D. Mannix**

**Seconded by: Gerard A. Renadette**

**Discussion: Yes**

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

**Resolution No. 013-340**

**DELINQUENT WATER AND SEWER CHARGES**  
**RELIEVED**

**RESOLVED**, that the list of delinquent water and sewer charges in the respective district for 2013, submitted by the Water and Sewer Department, be accepted and placed on file and that a copy be forwarded to the Clinton County Board of Legislators to be added to the 2014 tax roll and a copy be given to the Town Clerk pursuant to Section 198(3) of the Town Law; and be it further

**RESOLVED**, that a copy of this Resolution be given to the Budget Officer and Finance Manager.

**Motion: Gerard A. Renadette**

**Seconded by: Martin D. Mannix**

**Discussion: Yes**

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

**Resolution No.013- 341**

**Completed Assessment Rolls for 2014**

**WHEREAS**, the Town Board of the Town of Plattsburgh has met at the time and place specified in the notice of public hearing to review the completed Assessment Rolls for the ambulance, water, sewer, storm water management, lighting and highway districts and heard all persons desiring to be heard thereon; now, therefore, it is

**RESOLVED**, that the completed Assessment Rolls be and hereby are adopted as the Annual Assessment Roll for the Town of Plattsburgh; and be it further

**RESOLVED**, that the Supervisor, of the Town of Plattsburgh shall prepare and certify in duplicate copies of the assessment rolls for benefit improvements, adopted pursuant to Sections 116 and 202A, Subdivision 2 of the Town Law and deliver one copy thereof to the Clinton County Board of Legislators; and, be it further

**RESOLVED**, that the Budget Officer and Finance Manager be given a copy of this Resolution.

**Motion: Thomas E. Wood**

**Seconded by: Gerard A. Renadette**

**Discussion: Yes**

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

**Resolution No. 013-342**

**JCEO Services And Financial Assistance  
Agreement – 2013-2014**

**WHEREAS**, the Town Board of the Town of Plattsburgh is in receipt of the 2013-2014 annual agreement between the Town of Plattsburgh and the Joint Council for Economic Opportunity of Plattsburgh and Clinton County, Inc., which states the services and financial assistance rendered by both parties for the operation of the Community Outreach Program in the Town of Plattsburgh for the period commencing December 1, 2013 and ending November 30, 2014;

**WHEREAS**, a request of \$20,329.00 was made, an increase over last year's charge of \$18,920.00 that was paid in for 2013; and

**WHEREAS**, the Town Board has give consideration to the request but with the economic environment and significant increases in the past six years has decided to keep the contribution for the Outreach program at its previous level; therefore be it

**RESOLVED** that the Supervisor is hereby authorized to make payment in the net amount of eighteen thousand nine hundred twenty dollars (\$18,920) to JCEO; and, it is further

**RESOLVED** that payment be made payable from the Town of Plattsburgh General Fund and that the Town Board does hereby authorize the Supervisor to sign and execute said Agreement upon approval to form by the Town Attorney; and it is further

**RESOLVED**, that an executed copy of this Agreement is returned to J.C.E.O for their files and that the Budget Officer and Finance Manager also is given a copy.

**Motion: Thomas E. Wood**

**Seconded by: Gerard A. Renadette**

**Discussion: Yes**

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

**Resolution No. 13-343**

**Playground Capital Project Closure**

**WHEREAS**, the Capital Project titled “Playground Capital Project” opened in 2000 and all work has been completed; and

**WHEREAS**, it has been determined that all debt related to the project has been paid in full and there remains \$184.31 plus interest, the Playground Capital Project; and

**WHEREAS**, a portion of the expenditures were paid from the General Fund; therefore, be it

**RESOLVED**, that the Town Board does hereby authorize the closure of the “Playground Capital Project” and, said funds be reimbursed to the General Fund in the amount of \$184.31 plus interest, and be it further

**RESOLVED**, that a copy of this Resolution be given to the Budget Officer and the Finance Manager.

**Motion: Martin D. Mannix**

**Seconded by: Gerard A. Renadette**

**Discussion:**

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

**Resolution No. 13-344**

**Cadyville Water, Cumberland Head Water, Moffitt Rd Water and Archie Bordeau Water Capital Project Closure**

**WHEREAS**, the Capital Projects titled “Cadyville Water Capital Project, Cumberland Head Water Capital Project, Moffitt Road Water Capital Project and Archie Bordeau Water Capital Project” were opened as outlined below:

- Cadyville Water Capital Project opened in 1992
- Cumberland Head Water Capital Project opened in 1999
- Archie Bordeau Water Capital Project opened in 2006
- Moffitt Road Water Capital Project opened in 2008
- and all work has been completed; and

**WHEREAS**, it has been determined that all cash balances have been applied to the applicable debt related to each project and there remains a \$0.00 cash balance in each capital project fund, therefore, be it

**RESOLVED**, that the Town Board does hereby authorize the closure of the “Cadyville Water Capital Project, Cumberland Head Water Capital Project, Moffitt Road Water Capital Project and Archie Bordeau Water Capital Project”, and be it further

**RESOLVED**, that a copy of this Resolution be given to the Budget Officer, Finance Manager and Director of Water and Wastewater.

**Motion: Gerard A. Renadette**

**Seconded by: Martin D. Mannix**

**Discussion:**

<b>Roll Call:</b>	<u>Yes</u>	<u>No</u>	<u>Absent</u>	<u>Carried</u>	<u>Tabled</u>
				x	

<b>Thomas E. Wood</b>	<b>x</b>
<b>Martin D. Mannix</b>	<b>x</b>
<b>Paul D. Lamoy</b>	<b>x</b>
<b>Gerard A. Renadette</b>	<b>x</b>
<b>Bernard C. Bassett</b>	<b>x</b>

**Resolution No. 13-345**

**Route 3 Sewer Capital Project Closure**

**WHEREAS**, the Capital Project titled “Route 3 Sewer Capital Project” was opened in early 1980s and all work has been completed; and

**WHEREAS**, it has been determined that all debt related to the project has been paid in full and there remains \$56,004.85 plus interest in the Capital Project accounts; and

**WHEREAS**, the Director of Water and Wastewater Department requested that \$45,000 be transferred to the Sorrell Lift Station capital project and the remaining \$11,004.85 plus interest be transferred to the Route 3 Lift Station Capital Project of to offset expenditures; therefore, be it

**RESOLVED**, that the Town Board does hereby authorize the closure of the “Route 3 Sewer Capital Project” and the reimbursement to the capital projects as noted; and be it further

**RESOLVED**, that a copy of this Resolution be given to the Budget Officer, Finance Manager and Director of Water and Wastewater Department.

**Motion: Martin D. Mannix**

**Seconded by: Thomas E. Wood**

**Discussion: Yes**

<b>Roll Call:</b>	<b><u>Yes</u></b>	<b><u>No</u></b>	<b><u>Absent</u></b>	<b><u>Carried</u></b>	<b><u>Tabled</u></b>
				<b>x</b>	

<b>Thomas E. Wood</b>	<b>x</b>
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<b>Thomas E. Wood</b>	<b>x</b>
<b>Martin D. Mannix</b>	<b>x</b>
<b>Paul D. Lamoy</b>	<b>x</b>
<b>Gerard A. Renadette</b>	<b>x</b>
<b>Bernard C. Bassett</b>	<b>x</b>

**Resolution No. 13-347**

**2013 Water & Sewer Admin, Water & Sewer Fund Budget Amendments**

**WHEREAS**, certain lines items have been overspent in the Water & Sewer Admin, Water and Sewer Fund Budgets during the 2013 fiscal year; and

**WHEREAS**, the Budget amendments will be offset from existing budgeted line items or additional revenue for the 2013 Budget; therefore, be it

**RESOLVED**, that the Town Board of the Town of Plattsburgh authorize the following Budget amendments:

Increase revenues SS5.2710 Premium & Accrued Interest on Obligations	\$38,000.00
Increase appropriation SS5.9710.7000 Bond Interest	
\$38,000.00	

Increase appropriation SW6.8320.2000 Equipment Repair & Service	\$ 15,000.00
Decrease appropriation SW6.8320.4200 Equipment & Capital Outlay	
\$15,000.00	

Increase appropriation WS.1610.4500 Equipment Repair & Service	\$ 15,000.00
Decrease appropriation WS.1610.2000 Equipment & Capital Outlay	
\$15,000.00	

and be it further

**RESOLVED**, that a copy of this Resolution be given to the Budget Officer, Finance Manager and the Water & Wastewater Director.

**Motion: Thomas E. Wood**

**Seconded by: Gerard A. Renadette**

**Discussion: Yes**

<b>Roll Call:</b>	<b><u>Yes</u></b>	<b><u>No</u></b>	<b><u>Absent</u></b>	<b><u>Carried</u></b>	<b><u>Tabled</u></b>
				<b>x</b>	
<b>Thomas E. Wood</b>	<b>x</b>				
<b>Martin D. Mannix</b>	<b>x</b>				



**Local Law No 3 of the year 2013**  
**Town of Plattsburgh, County of Clinton**

**A local law to override the tax levy limit established in General Municipal Law 3-c**

Be it enacted by the Town Board of the Town of Plattsburgh as follows:

Section 1. Legislative Intent

It is the intent of this local law to override the limit on the amount of real property taxes that may be levied by the Town of Plattsburgh pursuant to General Municipal Law § 3-c, and to allow the Town of Plattsburgh to adopt a budget for the fiscal year 2013 that requires a real property tax levy in excess of the “tax levy limit” as defined by General Municipal Law § 3-c.

Section 2. Authority

This local law is adopted pursuant to subdivision 5 of General Municipal Law § 3-c, which expressly authorizes the Town Board to override the tax cap by the adoption of a local law approved by vote of sixty percent (60%) of the Town Board.

Section 3. Tax Levy Limit Override

The Town Board of the Town of Plattsburgh, County of Clinton is hereby authorized to adopt a budget for the fiscal year 2014 that requires a real property tax levy in excess of the amount otherwise proscribed in General Municipal Law, §3-c.

Section 4. Severability.

If any clause, sentence, paragraph, subdivision, or part of this Local Law or the application thereof to any person, firm or corporation, or circumstance, shall be adjusted by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this Local Law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

Section 5. Effective date.

This local law shall take effect immediately upon filing with the Secretary of State.

Adopted by the Town Board on this 18th day of November, 2013.

**RESOLVED**, that this Town Board meeting be adjourned at 7:54 PM.

**Motion by: Gerard A. Renadette**

**Seconded by: Martin D. Mannix**

**Discussion:**

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

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**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**

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**Rickey J. Collins, Town Clerk**

