

**TOWN OF PLATTSBURGH
TOWN BOARD MONTHLY MEETING
October 3, 2024**

The meeting was called to order at 6:00 p.m. by the presiding officer at the Town Hall on Banker Road. Pledge.

MEMBERS:	<u>PRESENT</u>	<u>ABSENT</u>
Michael S. Cashman, Supervisor	x	
Thomas E. Wood, Councilor		x
Barbara E. Hebert, Councilor	x	
Charles A. Kostyk, Councilor	x	
Dana M. Isabella, Councilor	x	
Kathryn B. Kalluche, Town Clerk	x	
James J. Coffey, Town Attorney	x	

Resolution No. 024-217

Accept Minutes of the Previous Meeting

RESOLVED, that the minutes of **August 8, 2024** and **August 15, 2024** be accepted, and the reading of the minutes be dispensed with.

Motion: Charles A. Kostyk
Seconded by: Barbara E. Hebert
Discussion: None

	<u>Yes</u>	<u>No</u>	<u>Absent</u>	<u>Carried</u>	<u>Tabled</u>
				x	
Thomas E. Wood			x		
Barbara E. Hebert	x				
Charles A. Kostyk	x				
Dana M. Isabella	x				
Michael S. Cashman	x				

Public Comment – None

Resolution No. 024-218

Abstract 10A- 24

RESOLVED, that the abstract of audited claims **No. 10A-24** for \$466,255.10, **Abstract 10A-24** prepays for the amount \$196,056.55 be received as reviewed by the Audit Committee and the Supervisor is hereby authorized to pay said abstracts.

Motion: Barbara E. Hebert
Seconded by: Dana M. Isabella
Discussion: None

	<u>Yes</u>	<u>No</u>	<u>Absent</u>	<u>Carried</u>	<u>Tabled</u>
Thomas E. Wood			x	x	
Barbara E. Hebert	x				
Charles A. Kostyk	x				
Dana M. Isabella	x				
Michael S. Cashman	x				

Resolution No. 024-219

Monthly Department Reports

RESOLVED, to receive and place on file Monthly Department Head Reports.

Building and Grounds – August 2024
 Codes and Zoning – August 2024
 Dog Control Officer –
 Historian –
 Highway Superintendent –
 Justice Court –
 Parks and Recreation – August 2024
 Planning and Community Development – August 2024
 Safety Committee –
 Supervisors Financial Report – August 2024
 Tax Receiver –
 Town Clerk – August 2024
 Water Wastewater –

Motion: Charles A. Kostyk
Seconded by: Dana M. Isabella
Discussion: None

	<u>Yes</u>	<u>No</u>	<u>Absent</u>	<u>Carried</u>	<u>Tabled</u>
Thomas E. Wood			x	x	
Barbara E. Hebert	x				
Charles A. Kostyk	x				
Dana M. Isabella	x				
Michael S. Cashman	x				

Resolution No. 024-220

Request for NRC East Environmental Services/Republic Services for the collection of Hazardous Waste Materials for the Town of Plattsburgh

WHEREAS, NRC East Environmental Services (NRC), a subsidiary of Republic Services, provided the Town of Plattsburgh with a proposal for services related to the collection of hazardous waste materials located at 151 Banker Road, Plattsburgh, NY, 12901; and

WHEREAS, Republic Services will facilitate the collection, packaging, categorizing, transportation, and disposal of Hazardous Waste Materials at Republic Services disposal facility in Williston, VT for \$17,126.60; therefore, be it

RESOLVED, that the Town Board approve the cost of said service with Republic Services as recommended and that the Superintendent of Building and Grounds is hereby authorized to make arrangements to schedule said service; and be it further

RESOLVED, that cost of services be split among the budgets of the following departments: Building and Grounds, Water and Wastewater, and Highway; be it further

RESOLVED, that a copy of this Resolution be given to the Finance Manager and the Superintendent of Building and Grounds, Mike Drew.

Motion: Dana M. Isabella
Seconded By: Charles A. Kostyk
Discussion: None

	<u>Yes</u>	<u>No</u>	<u>Absent</u>	<u>Carried</u>	<u>Tabled</u>
Thomas E. Wood				x	
Barbara E. Hebert	x				
Charles A. Kostyk	x				
Dana M. Isabella	x				
Michael S. Cashman	x				

Resolution No. 024-221

Investing in Local Infrastructure Through Hotel Room Occupancy Tax Authorization Act

WHEREAS, the Town of Plattsburgh is committed to promoting fiscal responsibility, fostering economic growth, and maintaining a high quality of life for its residents; and

WHEREAS, the Town of Plattsburgh does not currently impose a property tax on property owners, yet seeks additional revenue sources to support necessary infrastructure projects and community development initiatives; and

WHEREAS, the Town Board seeks to introduce of a modest 5% room occupancy tax on hotel, motel, and vacation rental stays within the town limits; and

WHEREAS, similar municipalities, including the Town and Village of Skaneateles, have successfully implemented room occupancy taxes, there is a precedent for local governments to introduce this revenue-generating mechanism; and

WHEREAS, the proposed room occupancy tax in the Town of Plattsburgh could generate an estimated \$1 Million annually, contributing directly to essential infrastructure improvements and economic development initiatives in the town center; and

WHEREAS, the Town of Plattsburgh's proposed tax, when combined with the existing 3% tax levied by Clinton County, remains competitive and below the rates charged by surrounding areas, ensuring the town remains attractive to visitors and tourists; and

WHEREAS, Town of Plattsburgh understand that robust infrastructure is required for the health and safety, sustainability and economic development of the municipality; and

WHEREAS, the additional revenue generated through the room occupancy tax will not only support infrastructure projects but will also help stimulate tourism, improve local amenities, increase housing supply, and promote long-term sustainable growth within the town as a mixed economy; and

WHEREAS, it is in the best interest of the Town of Plattsburgh to retain local control and decision-making authority over the implementation and use of this tax revenue to meet the town's specific needs;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Plattsburgh formally requests that Senator Stec and Assemblyman Jones introduce bipartisan legislation in the New York State Senate and Assembly, respectively, granting Home Rule Authority to the Town of Plattsburgh to enact a local room occupancy tax of 5%; and

BE IT FURTHER RESOLVED, that the Town Board seeks the New York State Legislature to support this legislation request, enabling the Town of Plattsburgh to implement this measure and begin accruing the necessary funds to advance its economic development and infrastructure goals, supporting the Town of Plattsburgh's good works to remain a vibrant community in the North Country, known as great place to live, work, play, stay and invest in and

BE IT FINALLY RESOLVED, that a certified copy of this Resolution be sent to NYS Assemblyman Jones (115th District) NYS Senator Stec (45th District), Clinton County officials, affirming the Town of Plattsburgh's commitment to responsible fiscal management, planning and sustainable community development.

Motion: Barbara E. Hebert

Seconded by: Charles A. Kostyk

Discussion: Michael S. Cashman

Roll Call:	<u>Yes</u>	<u>No</u>	<u>Absent</u>	<u>Carried</u>	<u>Tabled</u>
				x	
Thomas E. Wood			x		
Barbara E. Hebert	x				
Charles A. Kostyk	x				
Dana M. Isabella	x				
Michael S. Cashman	x				

Resolution No. 024-222

Kemp Lane Extension – U.S. Airforce Agreement

WHEREAS, Perfluorooctane sulfonate (“PFOS”), perfluorooctanoic acid (“PFOA”), and other per- and polyfluoroalkyl substances (PFOS, PFOA and the other per-and polyfluoroalkyl substances are collectively referred to herein as “PFAS”) were detected in samples from three drinking water wells belonging to and serving private residences located along Kemp Lane in the Town of Plattsburgh; and

WHEREAS, the Department of the Air Force is authorized to respond to releases of pollutants or contaminants from Federal facilities that have migrated from those facilities under certain circumstances; and

WHEREAS, the Department of the Air Force, Air Force Civil Engineering Center and the Town of Plattsburgh are desirous of entering into an Agreement and Bill of Sale to remedy the aforementioned situation regarding “PFSA” in the drinking water, a copy of said Agreement and Bill of Sale are attached hereto and made a part hereof; and

WHEREAS, said Agreement and Bill of Sale have been reviewed by the Town Attorney, Director of the Water and Wastewater Department and the Town’s consulting engineer, Ronald Laberge of Laberge Group and it is the collective opinion that this Agreement and Bill of Sale are in the best interests of the Town and the property owners where “PFAS” were detected in their drinking water wells; and now therefore

BE IT RESOLVED, that the Supervisor is hereby authorized to sign any and all documents related to this matter

Motion: Charles A. Kostyk
Seconded by: Barbara E. Hebert
Discussion: Charles A. Kostyk

Roll Call:	<u>Yes</u>	<u>No</u>	<u>Absent</u>	<u>Carried</u>	<u>Tabled</u>
				x	
Thomas E. Wood			x		
Barbara E. Hebert	x				
Charles A. Kostyk	x				
Dana M. Isabella	x				
Michael S. Cashman	x				

Resolution No. 024-223

HVAC RFP Proposal Awarded to E.T. Harris & Son

WHEREAS, the Town of Plattsburgh issued a request for proposals from qualified firms in New York State to provide labor and materials to replace four (4) existing rooftop HVAC units on September 12th, 2024; and

WHEREAS, the Town of Plattsburgh received one sealed bid from a qualified firm in New York State to provide these professional services in connection with the needs of the Town; and

WHEREAS, it was determined that E.T. Harris & Son Commercial Refrigeration & Air Condition Sales and Service’s proposal was of high quality, and reasonable in the scope and cost of services provided and that it is in the best interest of the Town and the public, to hire E.T. Harris & Son; now, therefore be it

RESOLVED, the Town of Plattsburgh Town Board, upon approval and recommendation of the Town Attorney, does hereby accept the proposal as submitted by E.T. Harris & Son, 490 State Route 3, Plattsburgh, NY 12901; and it is further

RESOLVED, that the Supervisor is hereby authorized and directed to sign any and all documents associated with the purchase and installation for said professional services, not to exceed \$59,8000; and be it further

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

Motion: Charles A. Kostyk
Seconded by: Dana M. Isabella
Discussion: Charles A. Kostyk

	<u>Yes</u>	<u>No</u>	<u>Absent</u>	<u>Carried</u>	<u>Tabled</u>
Thomas E. Wood				x	
Barbara E. Hebert	x				
Charles A. Kostyk	x				
Dana M. Isabella	x				
Michael S. Cashman	x				

Resolution No. 024-224

Adoption by the Town Board of the Town of Plattsburgh of Local Law No. 2 of 2024 a Local Law to Establish the Residency Requirements for the Appointed Office of Deputy Receiver of Taxes and Assessments for the Town of Plattsburgh

**MUNICIPAL WATERLINE AGREEMENT
BETWEEN THE
DEPARTMENT OF THE AIR FORCE, AIR FORCE CIVIL ENGINEER CENTER
AND
THE TOWN OF PLATTSBURGH, NEW YORK**

1. PURPOSE

This MUNICIPAL WATERLINE AGREEMENT (“**Agreement**”) is executed as of September 30, 2024 (the “**Effective Date**”) and sets forth the agreements between the United States Air Force, acting by and through the Air Force Civil Engineer Center (together with its contractors, referred to herein as “**AFCEC**”), and the Town of Plattsburgh, a New York municipal corporation (the “**Town**”) to facilitate the design, construction and transfer of possession and ownership of the Town watermain extension along Kemp Lane. The Town and USAF are sometimes referred to herein individually as a “**Party**” or collectively as the “**Parties.**”

2. AUTHORITY

CERCLA § 104, 42 U.S.C. § 9604;

DoDM 4715.20, Defense Environmental Restoration Program (DERP) Management (Incorporating Change 1, 31 Aug 2018);

DoD 4165.66M, Base Redevelopment and Realignment Manual (1 Mar 2006); and

Department of the Air Force Instruction 32-7020, Environmental Restoration Program (incorporating Guidance Memo to DAFI 32-7020, 02 Feb 2023).

3. BACKGROUND.

3.1 Perfluorooctane sulfonate (“**PFOS**”), perfluorooctanoic acid (“**PFOA**”), and other per- and polyfluoroalkyl substances (PFOS, PFOA and the other per-and polyfluoroalkyl substances are collectively referred to herein as “**PFAS**”) were detected in samples from three drinking water wells belonging to and serving private residences located along Kemp Lane, as depicted in Attachment 1 at levels exceeding the 70 parts per trillion (ppt) action level established by Department of Defense policy for drinking water (collectively, the “**Affected Residences**”).

3.2 Section 9604 of the Comprehensive Environmental Response, Compensation and Liability Act, 42 U.S.C. §§ 9601-9675 (“**CERCLA**”), and Executive Order 12580 authorize the Department of Defense, by and through the Department of the Air Force, to respond to releases of pollutants or contaminants from Federal facilities that have migrated from those facilities under certain circumstances.

3.3 PFAS are CERCLA pollutants or contaminants.

3.4 Pursuant to the Action Memorandum for a Non-Time-Critical Removal Action Perfluorooctane Sulfonate and Perfluorooctanoic Acid Contaminated Drinking Water on Kemp Lane dated September

2023, AFCEC identified and evaluated potential long-term drinking water alternatives for the Affected Residences and determined the recommended alternative for preventing exposure to PFAS to be connection to the drinking water supply provided by the Town (the “**Town Water Distribution System**”).

3.5 The Affected Residences are within the Town Water Distribution System service area but the water main required to facilitate a lateral connection of the Affected Residences to Town Water Distribution System currently does not extend to the Affected Residences.

3.6 AFCEC cannot carry out the proposed CERCLA response unless the Town Water Distribution System is extended along Kemp Lane.

3.7 Pursuant to 42 U.S.C. § 9604, AFCEC is authorized to conduct an environmental restoration project, to include the construction or extension of infrastructure, in direct support of a response.

4. ROLES AND RESPONSIBILITIES OF THE PARTIES

4.1 AFCEC shall:

4.1.1 Contract with a contractor (“**Contractor**”) and cause Contractor to develop plans and specifications, in accordance with all federal, state and local requirements for the extension of the Town Water Distribution System along the Kemp Lane route, as generally depicted in Attachment 2, (hereinafter, the “**Project**”); and submit such plans and specifications to the Town design engineer, the Clinton County Health Department and all other authorities having permitting authority, for approval (hereinafter, the “**Approved Plans**”).

4.1.3 Cause its Contractor to construct the Project in accordance with the Approved Plans and obtain certification by the Town’s design engineer that the Project was constructed in substantial conformance with the Approved Plans (the “**Certification**”).

4.1.4 Upon Certification of the Project, cause its Contractor to transfer possession and ownership of the Project to the Town pursuant to a no cost bill of sale substantially similar to Attachment 2 (the “**Project Bill of Sale**”). The Project Bill of Sale shall include a standard 12 month warranty, plus a 6 month extended warranty, to include all installed infrastructure from the tap on the existing water main to the curb stops at each of the Affected Residences for a period of 12 months from the Project Bill of Sale Effective Date (defined below), by Contractor to the Town in form substantially similar to Attachment 4 (Sample Warranty Letter).

4.1.5 Require that the Contractor shall maintain liability coverage for the term of this agreement in the amounts and types as stated in Federal Acquisition Regulation (FAR) 28.307-2 and include the Town of Plattsburgh, the Town’s Engineer and his consultants, and each of their officers, agents and employees as Additional Insured. Additionally, the Contractor shall hold harmless, indemnify and defend the Town of Plattsburgh, their consultants, each of their officers and employees and agents,

and Additional Insured on a primary and noncontributory basis including a waiver of subrogation from any and all liability claims, losses or damages arising or alleged to arise from the work described herein, but not including the negligence of the Town of Plattsburgh. Copies of all coverage policies shall be provided to the Town for verification prior to any work being performed on the Project site.

4.1.6 Pay Town fees charged to connect owners of private wells with PFAS contamination exceeding DoD action levels to the Municipal Water distribution system.

4.2 The Town shall:

4.2.1 Provide to AFCEC basic information pertaining to pipe, hydrant, valve and service lateral materials to be incorporated into the Project.

4.2.2 Provide AFCEC with access to and documentation of Town rights which allow installation of water main outside of existing Town owned highway rights of way.

4.2.3 Upon Certification of the Project in accordance with the Project Plans by the design engineer, receipt of Health Department approval to put the improvements into service, and the Town's Director of Water and Wastewater Utilities approval, provided such approval by the Town's Director of Water and Wastewater Utilities shall not be unreasonably withheld upon receipt of the Project's Certification and health Department's approval, accept transfer and ownership of the Project pursuant to the Project Bill of Sale. Such Bill of Sale shall include a warranty for all work performed for a period of 1-year.

4.2.4 Allow AFCEC to connect the Affected Residences to the Town Water Distribution System provided: (1) there is no cost to the Town; (2) the connections are made pursuant to Town specifications and requirements; and (3) the required approvals have been obtained from Affected Property owners, the Town of Plattsburgh, and any regulatory authorities.

5. LIMITATIONS AND LIABILITY

This Agreement is not intended to and does not create any right, benefit or trust obligation, substantive or procedural, enforceable at law or in equity by any third party against the United States, its departments, agencies, instrumentalities, or entities, its officers, employees, or agents, or any other person or against the Town.

6. DAMAGES

The Government shall be responsible for damages to Town Property which may arise from or be directly attributable or incidental to the Project other than damages to the Town Property caused by the negligence or wrongful act or omission of the Town's officers, partners, agents, employees, licensees, and invitees who may be on the Property. When the Government is responsible for damages it may, at its option, either repair such damage to the reasonable satisfaction of the Town or make an appropriate settlement with the Town. Nothing contained in this Agreement is intended to limit or waive the

Government's protections or defenses under the Federal Torts Claims Act, 28 U.S.C. 2671-2680. The provisions of the Section 6 shall survive the expiration or earlier termination of this Agreement.

7. GENERAL PROVISIONS

7.1 POINTS OF CONTACT (POCs) AND NOTICE.

The AFCEC POCs for this Agreement are:

Primary: Gregory G. Gangnuss, Chief, BRAC Program Management Division
Air Force Civil Engineer Center (AFCEC)/Installations Directorate (CI)
AFCEC/CIB
210-395-9428
Gregory.Gangnuss@us.af.mil

Alternate: Val de la Fuente, Chief, Program Execution Branch
BRAC Program Management Division
AFCEC/CIBE
210-395-9465
val.delafuente.1@us.af.mil

The Town POCs for this Agreement are:

Primary: Scott Stoddard, Director, Water and Wastewater
Town of Plattsburgh
151 Banker Road
Plattsburgh, New York 12901
518-562-6890
scotts@townofplattsburgh.org

7.2 MODIFICATION OF AGREEMENT. This Agreement may only be modified by the written agreement of the Parties, duly signed by their authorized representatives.

7.3 TERMINATION OF AGREEMENT. This Agreement may be terminated by either Party prior to commencement of the Project by giving at least 30 days written notice to the other Party. This Agreement may also be terminated at any time upon the mutual written agreement of the Parties.

7.4 TRANSFERABILITY. This Agreement is not transferable except with the written consent of the Parties.

7.5 ENTIRE AGREEMENT. It is expressly understood and agreed that this Agreement embodies the entire agreement between the Parties regarding the Agreement's subject matter, thereby merging and superseding all prior agreements and representations by the Parties with respect to such subject matter.

7.6 EFFECTIVE DATE. This Agreement is effective as of the Effective Date stated in the preamble.

7.7 NO THIRD PARTY BENEFICIARIES. Nothing in this agreement, express or implied, is intended to give to, or will be construed to confer upon, any person or entity other than the Parties any remedy or claim under or by reason of this Agreement and this Agreement is for the sole and exclusive benefit of the Parties.

7.8 SEVERABILITY. If any provision of this Agreement is held invalid by a court, the remainder of this Agreement shall continue in full force and effect to the extent not inconsistent with such holding.

8. TERM

This Agreement shall commence as of the Effective Date and shall terminate upon the expiration of the warranty period, unless otherwise extended or terminated by mutual written agreement of the Parties ("**Term**").

9. LIST OF ATTACHMENTS.

Attachment 1: Affected Residences Depiction

Attachment 2: Kemp Lane Route Depiction

Attachment 3: Project Bill of Sale

Attachment 4: Sample Warranty Letter

IN WITNESS WHEREOF, I have hereunto signed this Agreement this 3rd day of October, 2024,
to be effective as of Effective Date.

TOWN OF PLATTSBURGH

By: 
[NAME] _____
[Title] Plattsburgh Town Supervisor

By: _____
[NAME]
[Title]

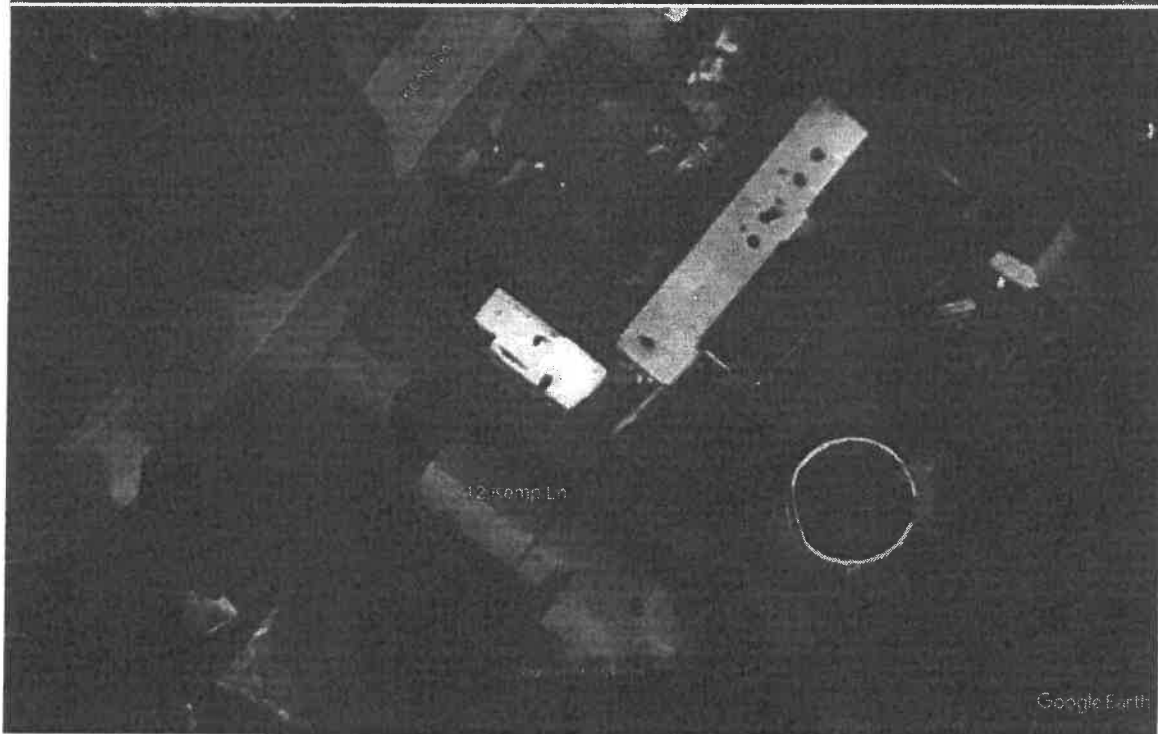
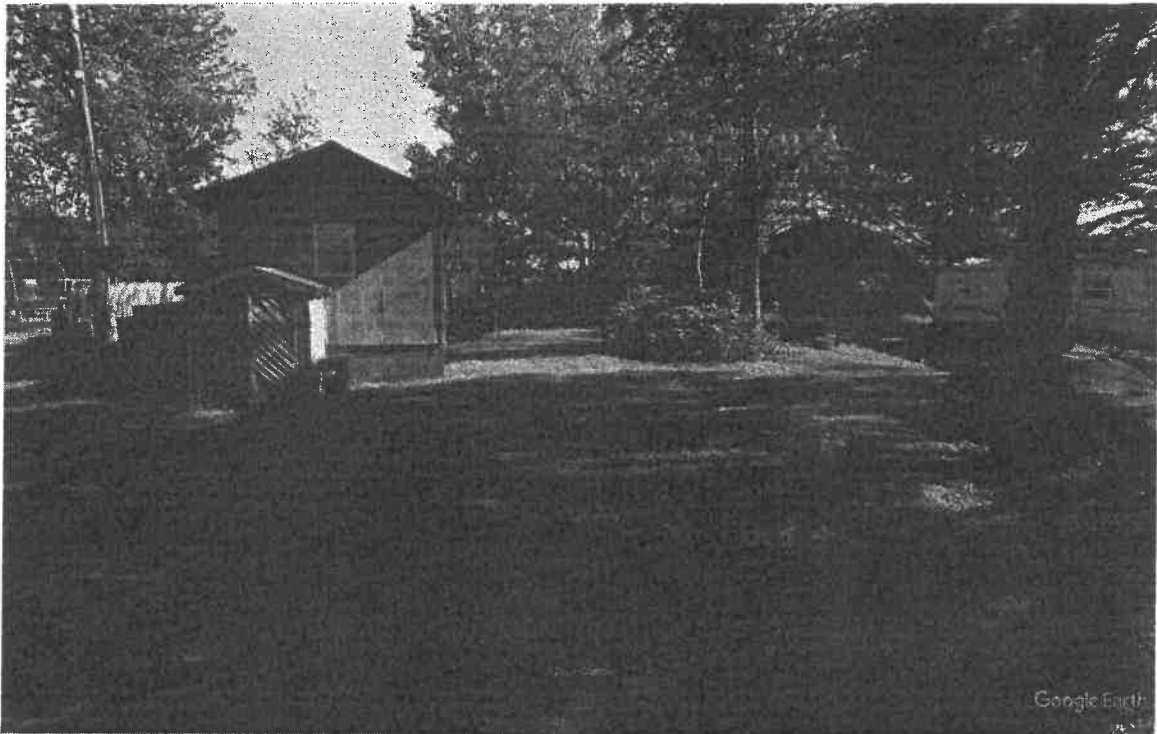
IN WITNESS WHEREOF, I have hereunto signed this Agreement this _____ day of _____, 2024, to be effective as of the Effective Date.

UNITED STATES AIR FORCE, acting by and through the
Air Force Civil Engineer Center

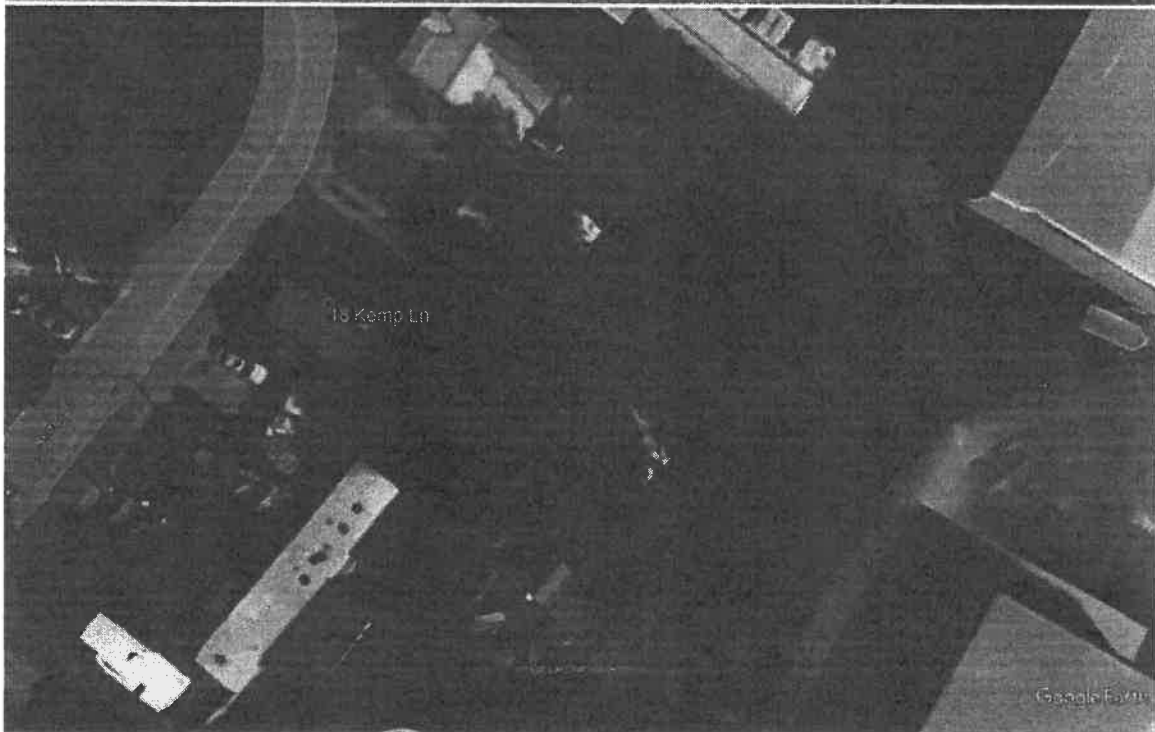
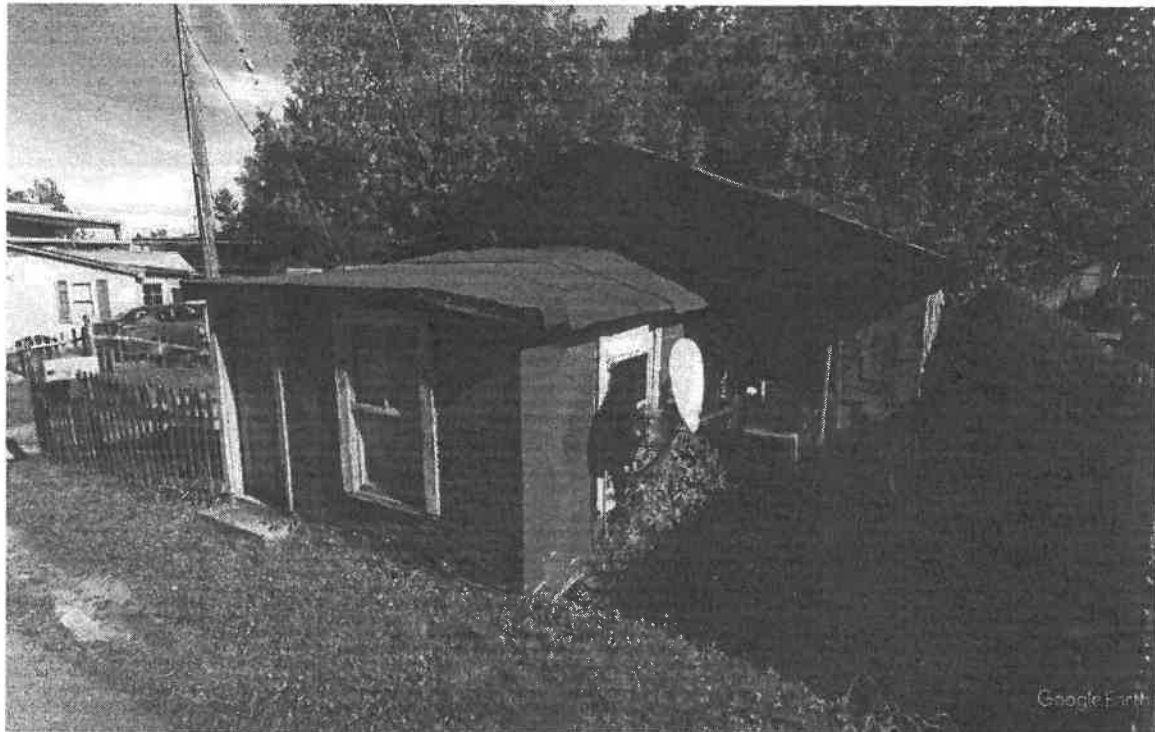
BRENDA L. ROESCH
Acting Director, Installations Directorate
Air Force Civil Engineer Center

Attachment 1
Affected Residences Depiction

12 Kemp Lane, Plattsburgh NY



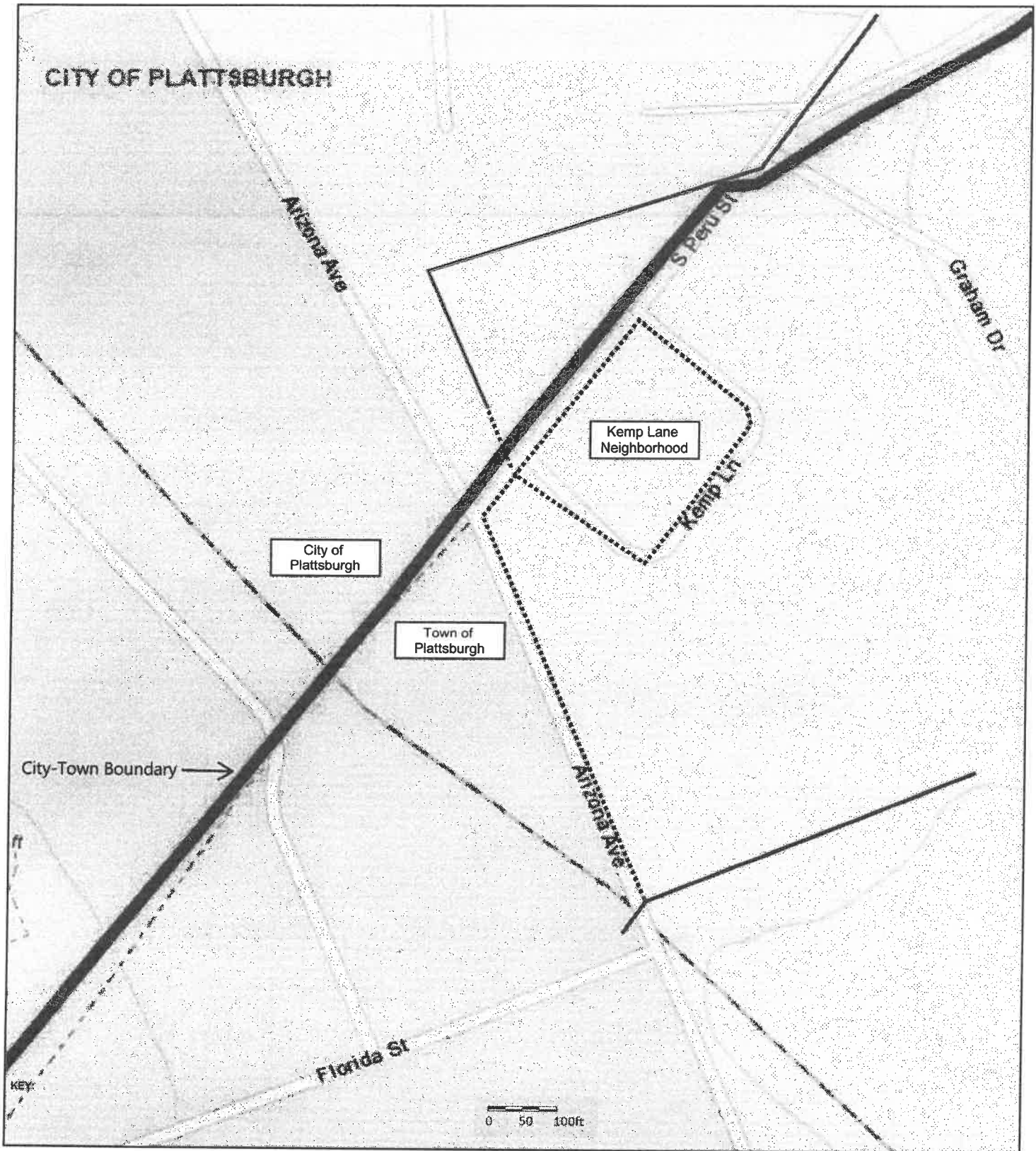
18 Kemp Lane Plattsburgh, NY



20 Kemp Lane Plattsburgh, NY



Attachment 2
Kemp Lane Route Depiction



Air Force Civil Engineer Center

2261 Hughes Avenue
 Building 171, Ste 155
 JBSA Lackland, Texas 78236



**Figure 4.0-1
 Kemp Lane Water Line Extension Options**

Engineering Evaluation/Cost Analysis for Alternate Water Supply
 Former Plattsburgh Air Force Base, Plattsburgh, New York

KEY: City of Plattsburgh Water Main (extension option dashed) Town of Plattsburgh Water Main (extension option dashed) Proposed water line extension in Kemp Lane Neighborhood	08/19/2022	Installation_Location_KempLn	
	PROJ: 775303102	Drawn: BRP	Chk: DTC

**Attachment 3
Project Bill of Sale**

BILL OF SALE

EQUIPMENT, FIXTURES, AND OTHER IMPROVEMENTS

WATERMAIN INFRASTRUCTURE

AT

TOWN OF PLATTSBURGH, NEW YORK

This Bill Of Sale (“**Bill of Sale**”) is made by and between the United States of America, acting by and through the Secretary of the Air Force (“**Air Force**”), to The Town of Plattsburgh, a New York Municipal Corporation, having a business address of 151 Banker Road, Plattsburgh, New York 12901 (“**Town**”), to be effective as of 12:01 am, _____, 2024 (the “**Effective Date**”). Air Force and the Town sometimes may be referred to herein as the “**Parties.**”

RECITALS

A. Air Force and the Town executed a Municipal Waterline Agreement effective as of _____, 2024 (“**Agreement**”), which provides for the transfer to the Town by Air Force of all of its right, title and interest in and to all mains, valves, hydrants, shut offs, meter pits and other related appurtenances associated therewith, grates, covers, pipes cutouts, appurtenances and other components of the Kemp Lane watermain extension line (the “**Kemp Lane System**”) located within the Kemp Lane right of way in the town of Plattsburgh, County of Clinton, State of New York depicted on **Exhibit A** to this Bill of Sale;

B. The Kemp Lane System was installed in the Kemp Lane right of way pursuant to Kemp Lane Water Line Extension As-Built Construction Drawings attached hereto as **Exhibit A**, and approved by the Town;

C. The components of the Kemp Lane System are listed on Kemp Lane Water Line Extension Component List, attached hereto as **Exhibit B**, and depicted on the Kemp Lane Water Line Extension Component List, attached hereto as **Exhibit C** to this Bill of Sale; and

D. The Town is ready to assume ownership and full responsibility for all operations and maintenance of the Kemp Lane System, as provided in the Agreement.

AGREEMENTS

NOW, THEREFORE, in consideration of the Agreement and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Air Force hereby sells, transfers, sets over, and delivers to the Town, all right, title, and interest of Air Force in and to the Kemp Street System, comprised of all equipment, fixtures, structures, and other improvements more specifically described and depicted in **Exhibits B** and **C** to this Bill of Sale, together with a one-year warranty from [its date of completion][the Effective Date], (the “**Warranty**”), as committed to in the Warranty Letter attached hereto as **Exhibit D**, that the Kemp

Lane System shall be free of any defect in equipment, material or workmanship performed by the Air Force contractor.

List of Exhibits. Exhibits are attached hereto and made a part of this Bill of Sale:

Exhibit A – Kemp Lane Water Line Extension As-Build Construction Drawings

Exhibit B – Kemp Lane Water Line Extension Component List

Exhibit C – Kemp Lane Water Line Extension Component Details as Build Construction Drawing

Exhibit D – Warranty Letter

IN WITNESS WHEREOF, the Parties have executed this Bill of Sale as of the Effective Date.

[Signature Pages for Air Force and Town follow]

TOWN SIGNATURE PAGE TO BILL OF SALE

Agreed to and accepted by the Town this _____ day of _____, 2024, to be effective on the Effective Date.

THE TOWN OF PLATTSBURGH,
a New York Municipal Corporation

By: _____
Name: _____
Title: _____

USAF SIGNATURE PAGE TO BILL OF SALE

This BILL OF SALE is executed by the United States of America, acting by and through the Secretary of the Air Force this _____ day of _____, 20__, to be effective on the Effective Date.

THE UNITED STATES OF AMERICA,
acting by and through the Secretary of the Air Force

By: _____

Acting Director, Installations Directorate
Air Force Civil Engineer Center

Exhibit A

Kemp Lane Water Line Extension As-Build Construction Drawings

Exhibit B

Kemp Lane Water Line Extension Component List

Exhibit C

Kemp Lane Water Line Extension Component Details as Build Construction Drawing

Exhibit D

Warranty

Bill of Sale – Exhibit D

**TOWN OF PLATTSBURGH
TOWN BOARD MONTHLY MEETING
PUBLIC HEARING
October 3, 2024**

The meeting was called to order at 6:00 p.m. by the presiding officer at the Town Hall on the Banker Road.

FURTHER NOTICE is hereby given that the Town Board of the Town of Plattsburgh will meet and hold public hearings thereon at the Town Hall located on the Banker Road, in the Town of Plattsburgh, Clinton County, New York on Thursday, October 3, 2024 at 6:05 p.m. prevailing time in relation to Proposed Local Law No. 2 of 2024 a Local Law to Establish the Residency Requirements for the Appointed Office of Deputy Receiver of Taxes and Assessments for the Town of Plattsburgh.

1. Acceptance of Written Comments into the Record of the Hearing: None

2. Open Public Hearing to the Floor for Public Comment: None

Motion to OPEN Public Hearings

Motion to CLOSE Public Hearings

Motion by: Charles A. Kostyk

Motion by: Barbara E. Hebert

Seconded by: Dana M. Isabella

Seconded by: Dana M. Isabella

Discussion: None

Time: 6:08 PM

Time: 6:16 PM

	<u>Yes</u>	<u>No</u>	<u>Absent</u>
Thomas E. Wood			x
Barbara E. Hebert	x		
Charles A. Kostyk	x		
Dana M. Isabella	x		
Michael S. Cashman	x		

	<u>Yes</u>	<u>No</u>	<u>Absent</u>
Thomas E. Wood			x
Barbara E. Hebert	x		
Charles A. Kostyk	x		
Dana M. Isabella	x		
Michael S. Cashman	x		

LOCAL LAW NO. 2 OF 2024

A LOCAL LAW TO ESTABLISH THE RESIDENCY REQUIREMENTS FOR THE APPOINTED OFFICE OF DEPUTY RECEIVER OF TAXES AND ASSESSMENTS FOR THE TOWN OF PLATTSBURGH

BE IT ENACTED by the Town Board of the Town of Plattsburgh as follows:

SECTION I. Title: A Local Law to establish the residency requirements for the appointed office of deputy receiver of taxes and assessments for the Town of Plattsburgh.

SECTION II. Authority: This local law is adopted pursuant to Municipal Home Rule Law, §10[1][ii][a][1] that grants to local governments the authority to enact local laws regarding the qualifications of local officers.

SECTION III. Supersession: This local law shall supersede Town Law, §23(1) in its application to the office of deputy receiver of taxes and assessments for the Town of Plattsburgh.

SECTION IV. Residency: Residency requirements for the position of the deputy receiver of taxes and assessments for the Town of Plattsburgh: The person holding the office of deputy receiver of taxes and assessments in the Town of Plattsburgh need not be a resident nor an elector of the Town of Plattsburgh, provided, however, that such person shall reside in Clinton County, New York.

SECTION V. Inconsistency: All other local laws and ordinances of the Town of Plattsburgh that are inconsistent with the provisions of this local law are hereby repealed; provided however, that such repeal shall only be to the extent of such inconsistency and in all other respects this local law shall be in addition to such other local law or ordinances regulating and governing the subject matter covered by this local law.

SECTION VI. Savings Clause: If any clause, sentence, paragraph, word, section or part of this local law shall be adjudged by any court of competent jurisdiction to be unconstitutional, illegal or invalid, such judgment shall not affect, impair or invalidate the remainder, thereof, but shall be confined in its operation of the clause, sentence, paragraph, worked section or part thereof directly involved in the controversy in which such judgement shall have been rendered.

SECTION VII. Effective Date: This local law shall take effect upon filing with the Secretary of State.

intentionally left blank

KBK

WHEREAS, a Resolution was duly adopted by the Town Board of the Town of Plattsburgh for a Public Hearing to be held by said Governing Body on October 3, 2024 at 6:05 P.M. at the Town of Plattsburgh, 151 Banker Road, Plattsburgh, New York to hear all interested parties on proposed Local Law No. 2 of 2024 a Local Law to Establish the Residency Requirements for the Appointed Office of Deputy Receiver of Taxes and Assessments for the Town of Plattsburgh; and

WHEREAS, notice of said Public Hearing was duly advertised in the Press Republican, the official newspaper of said Town, on September 24, 2024; and

WHEREAS, said Public Hearing was duly held on October 3, 2024 at 6:05 P.M. at 151 Banker Road, Plattsburgh, New York 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 thereof; and

WHEREAS, pursuant to part 617 of the implementing regulations pertaining to article 8 State Environmental Quality Review Act (SEQRA) it has been determined by the Town Board of the Town of Plattsburgh that this is a Type II action and no further review will be conducted and could be processed by other applicable governmental agencies without further regard to SEQRA; and

WHEREAS, the Town Board of the Town of Plattsburgh, after due deliberation, finds it in the best interest of said Town to adopt said Local Law; therefore, be it

RESOLVED, that the Town Board of the Town of Plattsburgh hereby adopts said Local Law No. 2 of 2024 entitled a Local Law to Establish the Residency Requirements for the Appointed Office of Deputy Receiver of Taxes and Assessments for the Town of Plattsburgh; and be it further

RESOLVED, that the Town Clerk be, and she 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 the State of New York.

Motion: Charles A. Kostyk

Seconded by: Barbara E. Hebert

Discussion: Michael S. Cashman

Roll Call:	<u>Yes</u>	<u>No</u>	<u>Absent</u>	<u>Carried</u>	<u>Tabled</u>
				x	
Thomas E. Wood			x		
Barbara E. Hebert	x				
Charles A. Kostyk	x				
Dana M. Isabella	x				
Michael S. Cashman	x				

RESOLVED, that this Town Board meeting be adjourned at 6:19 PM.

Motion by: Dana M. Isabella

Seconded by: Barbara E. Hebert

Discussion: None

	<u>Yes</u>	<u>No</u>	<u>Carried</u>
Thomas E. Wood		Absent	x
Barbara E. Hebert	x		
Charles A. Kostyk	x		
Dana M. Isabella	x		
Michael S. Cashman	x		

Minutes Respectfully Submitted by:

Katie Kalluche, Town Clerk