

At 5:01pm: Motion to enter Executive Session to discuss an Article 7 matter regarding Switcho vs City of Plattsburgh and an internal personnel issue.

By Councilor Armstrong; Seconded by Councilor Ensel

Roll call: Councilors Armstrong, Kelly, Dowdle, Ensel, Kasper, Kretser

(All voted in the affirmative)

ADJOURNED: 5:19 pm

Mayor Read stated action will be taken on both matters discussed in executive session during the meeting.

**REGULAR MEETING OF THE COMMON COUNCIL
OF THE CITY OF PLATTSBURGH, NEW YORK**

March 9, 2017

5:30 P.M.

MINUTES

Pledge of Allegiance

(RC)

Present: Mayor Colin Read, Councilors Rachelle Armstrong (W1), Mike Kelly (W2), Dale Dowdle (W3), Peter Ensel (W4), Becky Kasper (W5), Joshua Kretser (W6)

Absent: None

1. MINUTES OF THE PREVIOUS MEETING:

RESOLVED: That the Minutes of the Regular Meeting of the Common Council held on March 2, 2017 are approved and placed on file among the public records of the City Clerk’s Office.

By Councilor Kasper; Seconded by Councilor Ensel

(All in Favor/opposed)

Roll call: Councilors Armstrong, Kelly, Dowdle, Ensel, Kasper, Kretser

(All voted in the affirmative)

2. PAYROLLS OF VARIOUS DEPARTMENTS:

RESOLVED: That the payrolls of the various Departments of the City of Plattsburgh for the week ending March 8, 2017 in the amount of **\$ 96,618.75** are authorized and allowed and the Mayor and the City Clerk are hereby empowered and directed to sign warrants drawn on the City Chamberlain for the payment thereof.

By Councilor Dowdle; Seconded by Councilor Kelly
(All in Favor/opposed)
Roll call: Councilors Armstrong, Kelly, Dowdle, Ensel, Kasper, Kretser
(All voted in the affirmative)

3. REPORTS OF CITY OFFICES & COMMITTEE REPORTS:

- Report of Fire and Ambulance Responses for the weeks of March 2 - 8, 2017
- Report from the Building Inspector’s office February 27 – March 3, 2017
- Statement from the City Clerk’s Office of all monies received during the month February 2017 in the total amount of \$10,587.00
- Report from the Parking Violations Bureau for February 2017

RESOLVED: That the reports as listed are hereby ordered received and placed on file among the public records of the City Clerk’s Office.

By Councilor Kretser; Seconded by Councilor Armstrong
(All in Favor/opposed)
Roll call: Councilors Armstrong, Kelly, Dowdle, Ensel, Kasper, Kretser
(All voted in the affirmative)

4. CORRESPONDENCE OR RECOMMENDATIONS FROM BOARDS: None

5. AUDIT OF CLAIMS:

RESOLVED: That the bills Audited by the Common Council for the week ending March 10, 2017 in the amount of **\$ 1,132,855.94** are authorized and allowed and the Mayor and City Clerk are hereby authorized and directed to sign warrants drawn on the City Chamberlain for the payment thereof.

By Councilor Kelly; Seconded by Councilor Dowdle
(All in Favor/opposed)
Roll call: Councilors Armstrong, Kelly, Dowdle, Ensel, Kasper, Kretser
(All voted in the affirmative)

6. PERSONS ADDRESSING COUNCIL ON AGENDA ITEMS ONLY: None

7. OTHER ITEMS:

A. RESOLUTION: SEQR FINDING AND NEGATIVE DECLARATION HIGHWAY OIL DEMOLITION PROJECT CITY OF PLATTSBURGH

Whereas, the City of Plattsburgh intends to demolish the abandoned former Highway Oil gas station building located at 40 Bridge Street; and

Whereas, the Common Council has determined this demolition to be an unlisted action pursuant to SEQRA for which an uncoordinated review has been conducted; and

Whereas, the Common Council has received and reviewed:

- a) A Short Environmental Assessment Form (EAF) Part 1 – Project Information dated March 3, 2017.
- b) A Short EAF Part 2 – Impact Assessment for the above action.

Now, therefore, be it resolved, the Common Council has determined, based on the information and analysis provided in EAF Parts 1 and 2 that the proposed action will not result in any significant adverse environmental impacts.

By Councilor Dowdle; Seconded by Councilor Kretser

Discussion: None

(RC) Roll call: Councilors Armstrong, Kelly, Dowdle, Ensel, Kasper, Kretser

(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

B. MAYOR READ EXPECTS TO HAND DOWN THE APPOINTMENT OF POLICE CHIEF AFTER AN ANTICIPATED MEETING IN EXECUTIVE SESSION WITH THE COMMON COUNCIL.

THE MAYOR HANDS DOWN THE PROVISIONAL PROMOTION OF KENNETH PARKINSON FOR THE POSITION OF POLICE CHIEF EFFECTIVE IMMEDIATELY PENDING THE SUCCESSFUL COMPLETION OF THE CIVIL SERVICE EXAMINATION.

(RC) Roll call: Councilors Armstrong, Kelly, Dowdle, Ensel, Kasper, Kretser

(All voted in the affirmative)

Mayor Read congratulated new Police Chief Ken Parkinson.

Police Chief Ken Parkinson thanked the Mayor and Council for appointing him to this position and it's an honor to serve the citizens of Plattsburgh. It's a great department with dedicated men and women. Thank you very much.

ACTION TAKEN: Adopted

Follow up Action: None

8. TRAVEL REQUEST:

A. RESOLVED: In accordance with the request therefore the Common Council approves for Evan McDonald to attend (2) one week courses to earn his 1a Water Treatment Plant Operator

Certification. Course 1: June 12 – 16, 2017 in Tonawanda, NY at an n approximate cost of \$1,909.
Course 2: June 27 – 30, 2017 in Morrisville, NY at an approximate cost of \$1,265.50.

By Councilor Kelly; Seconded by Councilor Dowdle

Discussion: None

(RC) Roll call: Councilors Armstrong, Kelly, Dowdle, Ensel, Kasper, Kretser

(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

9. RESOLUTIONS FOR INITIAL CONSIDERATION:

Mayor Read added the following resolution:

A. RESOLUTION AUTHORIZING SETTLEMENT OF PENDING ARTICLE 7 REAL PROPERTY ASSESSMENT CASES FILED BY GERARD P. NUDI AND SWITCHCO, LLC

WHEREAS, Gerard P. Nudi and Switchco, LLC (“Petitioners”), filed Article 7 Real Property Assessment Review Petitions against the City for assessment years 2012 through 2016 challenging the assessment on their property located at 327 Cornelia Street in the City of Plattsburgh, more specifically identified as Tax Map Parcel No. 207.17-2-10; and

WHEREAS, it appears to be in the best interests of the City to avoid the costs that would result if the litigation continues and goes to Trial; and

WHEREAS, terms of a proposed settlement have been negotiated with Petitioners and the Assessor recommends settling under the proposed terms; and

NOW, THEREFORE, BE IT

RESOLVED, that the City of Plattsburgh Common Council hereby approves the proposed settlement of the real property assessment cases filed by Gerard P. Nudi and Switchco, LLC for the years 2012 through 2016 for its property at 327 Cornelia Street in the City of Plattsburgh, more specifically identified as Tax Map Parcel No. 207.17-2-10, as follows:

- 1) The Proceedings for assessment years 2012 through 2015 shall be discontinued without assessment reductions or refunds; and
- 2) The 2016 assessed value shall be reduced from \$1,330,000 to \$1,100,000 with refunds to be paid accordingly, but no interest shall be payable on such refunds if they are paid within sixty (60) days of the City’s receipt of a filed Stipulation of Settlement and Order and a Demand for Payment from Petitioners; and

- 3) Real Property Tax Law Section 727 shall apply setting the AV at \$1,100,000 for 2017, 2018 and 2019, unless one of the exceptions to Section 727 applies; and

BE IT FURTHER, RESOLVED, that approval of this Settlement Agreement is contingent upon the City's Special Counsel, Miller, Mannix, Schachner & Hafner, LLC, reviewing and approving the terms of the final Stipulation of Settlement and Order; and

BE IT FURTHER, RESOLVED, that the Common Council further authorizes and directs the City Mayor and/or its Special Counsel to execute settlement documents and take any additional steps necessary to effectuate the proposed settlement in accordance with the terms of this Resolution.

Duly adopted this 9th day of March, 2017, by the following vote:

By Councilor Armstrong; Seconded by Councilor Ensel

Discussion: None

(RC) Roll call: Councilors Armstrong, Kelly, Dowdle, Ensel, Kasper, Kretser

(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

10. NEW BUSINESS AND COUNCILOR REPORTS:

Mayor Read indicated that committees are meeting and asked for updates from councilors.

Councilor Kretser gave an overview of the Strategic Planning committee.

Councilor Armstrong gave an update on the Snow Removal committee.

Mayor Read indicated that one result was seen tonight as a result of the Police Chief search committee and that committee is very excited to continue on and having discussions on how to knit together all kinds of Public Safety in our city as well. And will work with Police Chief, Code Enforcement and Fire Chief. Tomorrow Mayor will be meeting with Department Heads for their monthly meeting

Councilor Kelly announced there will be a Monthly Budget Hearing after meeting. Public Services Departments.

Mayor Read also excited to create a committee on the 100th Anniversary of City Hall. City Hall was begun in April 1917 and completed April 1918. Any help or ideas from the public are welcomed on how we can restore this building in its true glory that it deserves. City Engineer Kevin Farrington and Community Development Director Paul Dedominicas have been working on raising funds to help us accomplish this. This will be an exciting year of improvements to City Hall and it's an honor to be housed in this building.

Councilor Ensel indicated on March 20th he along with Bill Treacy and Steve Peters will be meeting with representatives from Plattsburgh Little League and National Little League official regarding plans for Little League field in Penfield Park.

Mayor Read indicated the campus is renewing a relationship with a semi professional baseball in Plattsburgh beginning this summer.

Promotions and Special Events Coordinator Sandra Geddes spoke about this weekend's Irish Festival on Saturday, March 11th in the Durkee Street parking lot.

11. CLOSING PUBLIC COMMENTS ON ANY TOPIC: None _

Motion to Adjourn by Councilor Kretser; Seconded by Councilor Ensel
(RC) Roll call Councilors Armstrong, Kelly, Dowdle, Ensel, Kasper, Kretser
(All voted in the affirmative)

MEETING ADJOURNED: 5:48 pm