

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

October 25, 2018

**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), Patrick McFarlin (W5), Joshua Kretser (W6)

**Absent:** None

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**MAYOR'S COMMENTS:** Welcomed everyone we have a very full agenda.

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**1. MINUTES OF THE PREVIOUS MEETING:**

**RESOLVED:** That the Minutes of the Regular Meeting of the Common Council held on October 18, 2018 are approved 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, McFarlin, Kretser  
(All voted in the affirmative)

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**2. PAYROLLS OF VARIOUS DEPARTMENTS:**

**RESOLVED:** That the payrolls of the various Departments of the City of Plattsburgh for the week ending October 24, 2018 in the amount of \$ 445,865.99 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 Kelly; Seconded by Councilor Ensel  
(All in Favor/opposed)

Roll call: Councilors Armstrong, Kelly, Dowdle, Ensel, McFarlin, Kretser  
(All voted in the affirmative)

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**3. REPORTS OF CITY OFFICES & COMMITTEE REPORTS:**

- Report of Fire and Ambulance Responses for the week of October 16- 22, 2018
- Minutes from the Finance & Budget Committee held on October 18, 2018
- Report from the Parking Violations Bureau for September 2018

• **COUNCILOR/DEPARTMENT CHAIR COMMITTEE REPORTS:**

**Governance, Strategy, and City Operations-** Chair Councilor Kretser indicated no updates. **Mayor Read** mentioned that City Chamberlain Marks will be having conversation with software company Opengov.

**City Infrastructure** – Chair Councilor Ensel indicated Public Works has completed paving for the season.

**Finance and Budget** – Chair Councilor Kelly indicated continuing budget discussions.

**Public Safety** – Chair Councilor Dowdle indicated met this evening moved items to the agenda.

**Plattsburgh Public Library** – Chair Councilor Armstrong indicated no updates.

**MLD - MLD Board President Councilor McFarlin** indicated no updates.

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

By Councilor Armstrong; Seconded by Councilor McFarlin  
(All in Favor/opposed)

Roll call: Councilors Armstrong, Kelly, Dowdle, Ensel, McFarlin, Kretser  
(All voted in the affirmative)

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**4. CORRESPONDENCE OR RECOMMENDATIONS FROM BOARDS:**

- Correspondence received from the **City of Plattsburgh Zoning Board of Appeals** regarding two proposed local laws amending Zoning ordinances in the City of Plattsburgh.

**LOCAL LAW P-6 OF 2018:** Amending Zoning Regulations for Planned Unit Developments in the Central Business District in the City of Plattsburgh.

**LOCAL LAW P-7 OF 2018:** Providing Zoning Regulations for Commercial Cryptocurrency Mining Operations in the City of Plattsburgh.

- Correspondence received from the **City of Plattsburgh Planning Board** regarding two proposed local laws amending Zoning ordinances in the City of Plattsburgh.

**LOCAL LAW P-6 OF 2018:** Amending Zoning Regulations for Planned Unit Developments in the Central Business District in the City of Plattsburgh.

**LOCAL LAW P-7 OF 2018:** Providing Zoning Regulations for Commercial Cryptocurrency Mining Operations in the City of Plattsburgh.

- Correspondence received from the **Clinton County Planning Board** regarding two proposed local laws amending Zoning ordinances in the City of Plattsburgh.

**LOCAL LAW P-6 OF 2018:** Amending Zoning Regulations for Planned Unit Developments in the Central Business District in the City of Plattsburgh.

**LOCAL LAW P-7 OF 2018:** Providing Zoning Regulations for Commercial Cryptocurrency Mining Operations in the City of Plattsburgh.

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**5. AUDIT OF CLAIMS:**

**RESOLVED:** That the bills Audited by the Common Council for the week ending October 26, 2018 in the amount of \$ 2,858,090.00 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 Ensel  
(All in Favor/opposed)  
Roll call: Councilors Armstrong, Kelly, Dowdle, Ensel, McFarlin, Kretser  
(All voted in the affirmative)

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**6. PERSONS ADDRESSING COUNCIL ON AGENDA ITEMS ONLY: None**

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**7. OTHER ITEMS:**

**Motion to remove item 7A from the Table**

By Councilor \_\_\_\_\_; Seconded by Councilor \_\_\_\_\_

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

**ACTION TAKEN:** Adopted \_\_\_\_\_ Defeated \_\_\_\_\_ Withdrawn \_\_\_\_\_ Tabled \_\_\_\_\_

**A. RESOLVED:** In accordance with the request from Councilors Armstrong, Ensel and Dowdle that their Managers Compensation package be approved.

Discussion:

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

**ACTION TAKEN:** Adopted \_\_\_\_\_ Defeated \_\_\_\_\_ Withdrawn \_\_\_\_\_ Tabled \_\_\_\_\_

Follow up Action:

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**B. WHEREAS,** by resolution dated September 27, 2018, the City of Plattsburgh Common Council declared its intention to act as Lead Agency for the conduct of the State Environmental Quality Review (SEQR) process and to undertake a Coordinated Review for a proposed local law to reduce the minimum lot size for a Planned Unit Development within the Central Business District (hereafter, the "PUD Local Law"); and

WHEREAS, each involved agency was notified by letter of the City's intent to act as lead agency and provided with Part I of the Full Environmental Assessment Form (EAF); and

WHEREAS, no other agency has requested in writing to act as lead agency; NOW

A. RESOLVED: In accordance with the request therefore the Common Council approves the following:

1. The City of Plattsburgh Common Council is the lead agency for the environmental review of the PUD Local Law.
2. PUD Local Law is a Type I action under SEQRA per 6 NYCRR Part 617.4(b) and as required for funding purposes.
3. Review of Part II of the Full EAF results in the determination that PUD Local Law will not have a significant negative effect on the environment and therefore, a Negative Declaration is hereby adopted along with Part II and III of the Full EAF as documented in the narrative attached hereto and part hereof.
4. Filing of this Negative Declaration is hereby ordered in accordance with 6 NYCRR Part 617.11.
5. This resolution will take effect immediately

**Motion to waive reading and move Resolution**

By Councilor Kretser; Seconded by Councilor Ensel  
(All voted in the affirmative of “waiving reading and moving resolution”)

Discussion:

**Corporation Counsel Dean Schneller** further explained and Council completed Part II of the Full EAF.

Roll call: Councilors Armstrong, Kelly, Dowdle, Ensel, McFarlin, Kretser  
(All voted in the affirmative)

**ACTION TAKEN:** Adopted

Follow up Action: None

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**C. ADOPTION OF LOCAL LAW P-6 OF 2018**

**RESOLVED:** Amending Zoning Regulations for Planned Unit Developments in the Central Business District in the City of Plattsburgh. A local law amending Sections 270-20(1) and 270-20(3)(i) of the City Code of the City of Plattsburgh and amending Schedule I, Schedule of Permitted Uses Part B of Chapter 270 the City Code of the City of Plattsburgh. This Local Law shall take effect immediately upon approval by the Mayor and filing with the New York Secretary of State. The entire text of which has been distributed to and read by the members of the Common Council, is hereby enacted without the reading thereof and a copy of said local law is made part of the minutes of this meeting.

**Motion to waive reading and move Resolution**

By Councilor Kretser; Seconded by Councilor Dowdle  
(All voted in the affirmative of “waiving reading and moving resolution”)

Discussion: None

Roll call: Councilors Armstrong, Kelly, Dowdle, Ensel, McFarlin, Kretser  
(All voted in the affirmative)

**ACTION TAKEN:** Adopted

Follow up Action: None

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**D. WHEREAS**, by resolution dated August 16, 2018, the City of Plattsburgh Common Council declared its intention to act as Lead Agency for the conduct of the State Environmental Quality Review (SEQR) process and to undertake a Coordinated Review for a proposed local law to regulate commercial cryptocurrency mines (hereafter, the "Cryptocurrency Local Law "); and

WHEREAS, each involved agency was notified by letter of the City's intent to act as lead agency and provided with Part I of the Full Environmental Assessment Form (EAF); and

WHEREAS, no other agency has requested in writing to act as lead agency; NOW

A. **RESOLVED:** In accordance with the request therefore the Common Council approves the following:

1. The City of Plattsburgh Common Council is the lead agency for the environmental review of the Cryptocurrency Local Law.
2. The Cryptocurrency Local Law is a Type I action under SEQR per 6 NYCRR Part 617.4(b) and as required for funding purposes.
3. Review of Part II of the Full EAF results in the determination that the Cryptocurrency Local Law will not have a significant negative effect on the environment and therefore, a Negative Declaration is hereby adopted along with Part II and III of the Full EAF as documented in the narrative attached hereto and part hereof.
4. Filing of this Negative Declaration is hereby ordered in accordance with 6 NYCRR Part 617.11.
5. This resolution will take effect immediately

**Motion to waive reading and move Resolution**

By Councilor Kretser; Seconded by Councilor Armstrong  
(All voted in the affirmative of “waiving reading and moving resolution”)

Discussion:

**Corporation Counsel Dean Schneller** further explained and Council completed Part II of the Full EAF.

Roll call: Councilors Armstrong, Kelly, Dowdle, Ensel, McFarlin, Kretser  
(All voted in the affirmative)

**ACTION TAKEN:** Adopted

Follow up Action: None

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**E. ADOPTION OF LOCAL LAW P-7 OF 2018**

**RESOLVED:** Providing Zoning Regulations for Commercial Cryptocurrency Mining Operations in the City of Plattsburgh. A local law adding Subsection F to Section 270-24 of the City Code of the City of Plattsburgh and amending Schedule I, Schedule of Permitted Uses Part B of Chapter 270 the City Code of the City of Plattsburgh. This Local Law shall take effect immediately upon approval by the Mayor and filing with the New York Secretary of State. The entire text of which has been distributed to and read by the members of the Common Council, is hereby enacted without the reading thereof and a copy of said local law is made part of the minutes of this meeting.

**Motion to waive reading and move Resolution**

By Councilor Kretser; Seconded by Councilor Dowdle  
(All voted in the affirmative of “waiving reading and moving resolution”)

Discussion: Yes

Roll call: Councilors Armstrong, Kelly, Dowdle, Ensel, McFarlin, Kretser  
(All voted in the affirmative)

**ACTION TAKEN:** Adopted

Follow up Action: None

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**F. RESOLVED:** In accordance with the request therefore the Common Council approves that the Police Chief is authorized to sign a rental agreement with Robert Garrand to rent the first floor of 79 Margaret Street for the Plattsburgh Police Department sub-station with an effective date of November 1, 2018 through October 31<sup>st</sup>, 2019 for a monthly rent of \$1,200 which will be paid out of the Asset Forfeiture fund.

By Councilor Ensel; Seconded by Councilor Dowdle

Discussion: None

Roll call: Councilors Armstrong, Kelly, Dowdle, Ensel, McFarlin, Kretser  
(All voted in the affirmative)

**ACTION TAKEN:** Adopted

Follow up Action: None

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**G. RESOLVED:** In accordance with the request therefore the Common Council approves that the Mayor is authorized to enter a Memo of Understanding with the Clinton County Board of Realtors for proposed improvements to and sponsorship of the Dog Park located adjacent to the Crete Center.

By Councilor McFarlin; Seconded by Councilor Dowdle

Discussion: Yes

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

(All voted in the affirmative)

**ACTION TAKEN:** Adopted

Follow up Action: None

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**8. TRAVEL REQUEST:**

**A. RESOLVED:** In accordance with the request therefore the Common Council approves two Police Department employees to attend “State Preparedness Active Threat Integrated Response Course Training” from November 14-16, 2018 in Oriskany, NY. The total cost will not exceed \$452.50 and will be expensed out of the Asset Forfeiture Fund. The registration is free through NYS and the lodging will be paid for by the Department of Homeland Security.

By Councilor Kelly; Seconded by Councilor Dowdle

Discussion: None

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

(All voted in the affirmative)

**ACTION TAKEN:** Adopted

Follow up Action: None

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**9. RESOLUTIONS FOR INITIAL CONSIDERATION:**

- 1. Request from Mayor Read to adopt a City of Plattsburgh Employee Handbook.
- 2. Request from Councilor Armstrong to add for Initial Consideration:

**RESOLVED:** In accordance with the request therefore, the Common Council authorizes the City Chamberlain to sign a purchase and sale agreement, and associated conveyance documents, for the City’s purchase of the property identified as tax map no. 207.19-3-15 in the amount of \$500,000.

By Councilor Kretser; Seconded by Councilor Dowdle

Discussion:

**Mayor Read** recused himself due to conflict of interest.

**Motion to waive Rule 4 for Initial consideration “RESOLVED:** In accordance with the request therefore, the Common Council authorizes the City Chamberlain to sign a purchase and sale agreement, and associated conveyance documents, for the City’s purchase of the property identified as tax map no. 207.19-3-15 in the amount of \$500,000. “

By Councilor Kretser; Seconded by Councilor Armstrong

Roll call: Councilors Armstrong, Kelly, Dowdle, Ensel, McFarlin, Kretser  
(Councilors Armstrong, Kelly, Dowdle, Ensel and Kretser voted in the affirmative. Councilor McFarlin abstained)

**ACTION TAKEN:** Adopted

Follow up Action: None

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**10. NEW BUSINESS AND COUNCILOR REPORTS:**

**Councilor Armstrong** suggested to Council the establishment of green sustainability committee to look at how we can be more environmentally responsible as a city. I would like your feedback and your approval of the establishment of this committee. [Councilors gave approval]

**Corporation Counsel Dean Schneller** mentioned in the proposed Employee Handbook we actually took some initiative with the Procurement policy and added an environmental consideration to the purchases within the city.

**Councilor Kretser** mentioned was in attendance at a Plattsburgh Rotary meeting this week and Police Chief Ritter spoke about Police Sub-station. It was very informative and thanked him.

**Councilor Ensel** added that the overall consensus was “what a great idea.”

**Councilor Kelly** asked about the DRI process. An RFP went out last week for bids for the work at the Durkee Street parking lot. Has there been any interest expressed by any developers. And any local developers interested.

**Director of Community Development Matthew Miller** indicated yes there have 30 or so names placed in the “plan holders” function on the website Bid posting and he hasn’t had any conversations with any local developers.

**Mayor Read** mentioned we will start analysis of noise ordinances if any of you would like to participate in that.

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**11. CLOSING PUBLIC COMMENTS ON ANY TOPIC:**

**Tom Pillsworth** spoke about crypto mining Zoning change passed and found it interesting that it referenced working in an area where the heat reached 95 degrees.

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**At 6:22 pm a Motion to enter Executive Session to discuss potential litigation involving a particular individual.**

**By Councilor Armstrong; Seconded by Councilor Kelly**

**Roll call: Councilors Armstrong, Kelly, Dowdle, Ensel, McFarlin, Kretser**  
(All voted in the affirmative)

**Returned at 6:26pm**



**Mayor Read stated returned from Executive Session discussed potential litigation involving a particular individual. No action was taken during Executive Session.**

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**Councilor Budget discussion continued on 2019 Capital Plan.**

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

**MEETING ADJOURNED: 7:00 pm**