

**ORGANIZATIONAL MEETING AND REGULAR MEETING
OF THE COMMON COUNCIL
OF THE CITY OF PLATTSBURGH, NEW YORK
JANUARY 7, 2021
5:00 P.M.
AGENDA**

Pledge of Allegiance

Present: Mayor Christopher Rosenquest, Councilors Jaime Canales (W1), Mike Kelly (W2), Elizabeth Gibbs (W3), Jennifer Tallon (W4), Patrick McFarlin (W5), Jeff Moore (W6)

Absent:

- 1. At this time the Chair will entertain nominations from the floor for the position of Mayor Pro Tem.**

Councilor _____; nominated by Councilor _____
Seconded by Councilor _____
Discussion:

Roll call: Councilors Canales, Kelly, Gibbs, Tallon, McFarlin, Moore

- 2. At this time the Chair will entertain nominations from the floor for the position of Clerk of the Common Council.**

Councilor _____; nominated by Councilor _____
Seconded by Councilor _____
Discussion:

Roll call: Councilors Canales, Kelly, Gibbs, Tallon, McFarlin, Moore

- 3. ESTABLISHMENT AND COMPOSITION OF COUNCIL/DEPARTMENT LIAISON COMMITTEES:**

WHEREAS, the Common Council desires to establish a standing committee structure to improve communication, cooperation, efficiency and productivity between and amongst related departments, the Common Council and the Mayor's Office; and

WHEREAS, the purpose of the standing committees is to re-focus the efforts of the Common Council on related departments and policies and to re-shape the form of work sessions or informational sessions;

NOW THEREFORE, BE IT RESOLVED, that the Mayor, as member and presiding officer of the Common Council, shall appoint one Council member as committee chair and shall appoint the remaining Council members as committee member for each committee and the respective committee chair shall preside over committee meetings and shall invite the Mayor, who shall also be a committee member, and relevant department heads, city employees, and, in their discretion, other interested parties, who shall not be committee members;

AND BE IT FURTHER RESOLVED that the Common Council hereby establishes the following standing committees for the 2021 calendar year, with the following council members as appointed by the Mayor, and per the following schedule:

City Infrastructure - Chair: Moore; Members: Canales, Kelly, Rosenquest

-Discusses, Department of Public Works, Planning, Environmental Services, Water and Sewer

-Meets **first Monday** of every month at 5:00 P.M. in Common Council Chambers, works with relevant Department Heads, and Legal Counsel.

City Operations - Chair: McFarlin; Members: Canales, Gibbs, Rosenquest

-Discusses, City Clerk, Information Technology, Media/Communications, and Community Events

-Meets **second Monday** of every month at 5:00 P.M. in Common Council Chambers, works with relevant Department Heads, and Legal Counsel.

Public Safety - Chair: Gibbs; Members: Tallon, Moore, Rosenquest

-Discusses Police, Fire Department, Code Enforcement

-Meets **third Monday** of every month at 5:00 P.M. in Common Council Chambers, works with relevant Department Heads, and Legal Counsel.

Finance and Community Development - Chair: Rosenquest; Members: Kelly, Gibbs, Moore, McFarlin, Canales, Tallon

-Discusses Finance Department, Assessments, Budget, Payroll, Procurement, Collective Bargaining Agreement Negotiations, New Positions, Revenue Sources, Community Development

-Meets **second Thursday** of every month at 5:00 P.M. in Common Council Chambers, works with relevant Department Heads, and Legal Counsel.

Plattsburgh Public Library – Liaison: McFarlin

-Discusses Library

-Meets at time and place in discretion of the Library Board of Trustees, works with Library Director

MLD - MLD Board President Kelly

-Discusses Municipal Lighting Department.

-Meets on the **fifth Thursday** at 5:00 P.M. of any month with five Thursdays in Common Council Chambers, works with Municipal Lighting Department Manager.

AND BE IT FURTHER RESOLVED that each committee shall be presided over by a chair, as identified above, who shall hold committee meetings per the above schedule to discuss and review, amongst other items, respective initiatives in their departments, future direction, travel requests, goals, strategies, budgeting concerns, and proposed resolutions and local laws;

AND BE IT FURTHER RESOLVED, that all petitions, communications, budget adjustments, reports, resolutions, motions, etc., requiring action of a committee, shall be referred by the Mayor, in the form of an agenda, without motion, to the appropriate committee, unless otherwise ordered by the Common Council;

AND BE IT FURTHER RESOLVED, that in order to conduct official business, a quorum, consisting of the majority of the members of the committee, shall be required and the Mayor shall fill vacancies in the memberships and chairpersonships of standing committees as they occur;

AND BE IT FURTHER RESOLVED that each standing committee shall refer specific resolutions to the main body of the Common Council for action at their next meeting and shall not have the power or authority to approve any specific resolution, ordinance, local law, or other Council action;

AND BE IT FURTHER RESOLVED, that in the event a specific resolution or action is not referred by a standing committee to the Common Council for action, the Common Council retains the authority, pursuant to Rule 4 of the Common Council Rules, to take action on the specific resolution or action;

AND BE IT FURTHER RESOLVED, that all standing committees shall be appointed for the current year, but shall hold over from the previous year until new committees have been appointed by the Mayor and affirmed by the Common Council, but no council member shall continue to serve after he/she has ceased to be a member of the Common Council;

AND BE IT FURTHER RESOLVED, that each standing committee shall be open to the public and conform to the requirements of the open meetings law.

By Councilor _____; Seconded by Councilor _____

Discussion:

Roll call: Councilors Canales, Kelly, Gibbs, Tallon, McFarlin, Moore

4. At this time the Chair appoints Dean Schneller as Corporation Counsel for the period of February 1, 2021 through January 31, 2025, and authorizes the Mayor to enter into an agreement to establish the terms of appointment.

Roll call: Councilors Canales, Kelly, Gibbs, Tallon, McFarlin, Moore

5. APPOINTMENT OF A FAIR HOUSING OFFICER

WHEREAS, The Office of Fair Housing and Equal Opportunity administers federal laws and establishes national policies to assure that all Americans have equal access to the housing of their choice; and

WHEREAS, the City of Plattsburgh wishes to have an officer who will implement and enforce the Fair Housing Act; and

WHEREAS, The Mayor, on behalf of the City Council, recommends the appointment of Mark Hamilton as the Fair Housing Officer for the City of Plattsburgh; therefore be it

RESOLVED, that Mark Hamilton be assigned to oversee that fair housing regulations are followed and act as the primary point of contact for all fair housing related issues; and be it further

RESOLVED, that said officer shall serve so long as it is mutually agreeable to the parties; and be it further

RESOLVED, that Mark Hamilton take an oath of office within thirty days of his appointment and a copy of this Resolution be given to the Code Inspector's Office, the City Clerk's Office and the New York State Office for Community Renewal.

By Councilor _____; Seconded by Councilor _____

Roll call: Councilors Canales, Kelly, Gibbs, Tallon, McFarlin, Moore

PROPOSED RESOLUTIONS:

- 1. **Fixing the dates for all Regular Meetings of the Common Council to be held the first and third Thursday of every month at 5:00 PM in the Common Council Chambers for the period January 1, 2021 and terminating December 31, 2021, except when deemed necessary. Executive Sessions will be held in the Mayor’s Office. The 2021 schedule is attached and made part of the minutes of this meeting.**

RESOLVED: That the Regular Meetings of the Common Council to be held during the period of January 1, 2021 through December 31, 2021 be and the same are hereby fixed to be held the first and third Thursday of every month at 5:00 PM; but in the case of an exception, the Regular Meeting of that week, if applicable, shall be held on the Tuesday evening preceding, unless such meeting is otherwise fixed by resolution of the Common Council adopted at a prior meeting to be held on other than the evening herein before designated.

RESOLVED: That in the event it may become necessary to call Special Meetings of the Common Council from time to time, the procedure as set forth in Article III, Section 3-6, Charter Section of the Code of the City of Plattsburgh, New York shall be followed.

By Councilor _____; Seconded by Councilor _____

Discussion:

Roll call: Councilors Canales, Kelly, Gibbs, Tallon, McFarlin, Moore

ACTION TAKEN: Adopted _____ Defeated _____ Tabled _____ Withdrawn _____

Follow up Action:

- 2. **Proposed resolution designating the *Press Republican* as the official newspaper of the City of Plattsburgh.**

RESOLVED: That the *Press Republican* is hereby designated as the official newspaper of the City of Plattsburgh, New York for the purpose of publication of all legal and help wanted notices, ordinances, local laws, proposals, tax notices, etc., authorized by resolution of the Common Council from time to time throughout the period of one year, commencing January 1, 2021 and terminating December 31, 2021, at a fee which is to be determined;

Press Republican

First publication legal	\$.415/line
Second publication legal	\$.325/line

By Councilor _____; Seconded by Councilor _____

Discussion:

Roll call: Councilors Canales, Kelly, Gibbs, Tallon, McFarlin, Moore

ACTION TAKEN: Adopted _____ Defeated _____ Tabled _____ Withdrawn _____

Follow up Action:

3. Proposed resolution designating the *Glens Falls National Bank, Durkee Street Branch*, as the official depository for all City of Plattsburgh funds.

RESOLVED: That the *Glens Falls National Bank, Durkee Street Branch*, be and are hereby designated as the official depository for all funds of the City of Plattsburgh for calendar year 2021, the current year portion of their contract through December 31st, 2024.

By Councilor _____; Seconded by Councilor _____
Discussion:

Roll call: Councilors Canales, Kelly, Gibbs, Tallon, McFarlin, Moore

ACTION TAKEN: Adopted _____ Defeated _____ Tabled _____ Withdrawn _____

Follow up Action:

4. Proposed resolution adopting the present Investment Policy for the period January 1, 2021 ending December 31, 2021, unless otherwise amended.

RESOLVED: That the investment policy as recommended by the Office of the State Comptroller establishing guidelines, which comply with applicable State statutes and as adopted at a Regular Meeting of the Common Council held December 10, 1987, be and the same is to continue in effect for the period of January 1, 2021 through December 31, 2021 as amended.

By Councilor _____; Seconded by Councilor _____
Discussion:

Roll call: Councilors Canales, Kelly, Gibbs, Tallon, McFarlin, Moore

ACTION TAKEN: Adopted _____ Defeated _____ Tabled _____ Withdrawn _____

Follow up Action:

5. RESOLVED: That the Rules for 2021 be, and are, hereby accepted and adopted by the Common Council as follows:

1. The Council shall assemble promptly at 5:00 PM in regular session on the first and third Thursdays of each month and at such other times as may be determined at a previous session.
2. All petitions and communications that out of their inherent necessity requires their being acted upon at the next regular meeting, and all other agenda items to be introduced at the next regular meeting (for action at a succeeding regular meeting) shall be presented to the Office of the Mayor not later than **NOON** on the Tuesday preceding the meeting. This rule is subject to exception in Rule 4 below.
3. The Office of the Mayor shall have available to each Councilor, the agenda to be acted upon on Wednesday afternoon preceding the regular Thursday meeting.
4. Rule 2 shall not prevent the Mayor and/or Councilors from submitting any matter or offering any motion which was not on the agenda, if in his/her opinion, the issue should

be raised. However, if necessity does not require immediate action, the motion is introduced for action at the next regular meeting. A resolution must be adopted for specific resolutions to be brought forward under rule 4. Any resolution invoking Rule 4 shall include an explanation for its urgency and a statement on the financial repercussions of the subsequent resolution, if any, to taxpayers.

5. Any member unable to attend a meeting must notify the Clerk prior to the meeting, giving the legitimate reason for non-attendance.
6. The Chair shall preserve order at the sessions and shall appoint all committees. Through a point of order, any procedural ruling by the Chair is subject to reversal by a majority vote of the Council.
7. All City Departments will be represented by the Department Head or his/her delegate, as long as they are management personnel, at the Committee Meeting or Regular Council meeting if requested by Mayor and Council. All City Departments having items for action on the Agenda shall be represented at the Committee Meeting and Council Meeting.
8. A member desiring to speak or present any subject matter to the Council shall address the Chair and shall not further proceed until recognized by the Chair and awarded the floor for such purpose. Through a point of order, time limits can be placed and extended by a majority vote of the Council.
9. Absent a motion to read the entire text of the agenda item, which text shall be provided to Councilors in their meeting packet, reading only the title of agenda items is adequate. A roll call vote shall be taken on any question, with the exception of procedural motions and the receipt of reports and correspondence, and through points of order, which shall require only a hand vote, unless a roll call vote is requested by any member of the Council. A Councilor shall be allowed to explain his/her vote at the time of casting said vote.
10. At each session, the business shall be:
 - a. Roll Call
 - b. Approval of the Minutes of the Previous Meeting
 - c. Public Comment on any topic
 - d. Reports of City Offices, Liaison and Committees
 - e. Correspondence & Recommendations from Boards
 - f. Approval of Payrolls - Various Departments
 - g. Audit of Claims – Regular and Municipal Lighting
 - g. Weekly Agenda Items
 - h. Initial Consideration
 - i. New Business
 - j. Executive Session (if applicable, on motion)
 - k. Adjournment
11. When a question shall be under consideration, no motion shall be received except as herein specified, which shall have precedence in the following order:

- a. Point of Order for clarification, or to request reversal of ruling of the Chair, or limiting or extending discussion (by majority vote)
 - b. Recess such session
 - c. Amend
 - d. Refer to standing committee
 - e. Call the previous question
 - f. Table or postpone
 - g. Adjourn such session

12. All matters to be acted upon shall be entered at length upon the agenda.

13. In the event any question of procedure shall arise which is not provided for by these rules, then, in that event, Robert's Rules of Order shall be followed.

14. When the Councilors are notified of a Special Meeting of the Common Council, the news media shall also be notified. In addition, notice shall be provided via social media.

15. At the Public Discussion portion of the regular meeting, the public will have the right to address the Common Council, subject to the Chair's discretion to rule discussants out of order. The rules for public comment are listed below (adapted from NYCOM – Handbook for city officials):
 1. The Public shall be allowed to speak only during the public comment period of the meeting. The public will have the right to comment in the discussion with the Council, subject to the Presiding Officer's or designee's discretion to rule discussants out of order.
 2. Speakers shall sign-in and are requested to provide their address and organization, if any.
 3. Speakers must be recognized by the presiding officer or designee.
 4. Speakers must limit their remarks to five minutes.
 5. Speakers may not yield any remaining time they may have to another speaker.
 6. Council members, with the permission of the presiding officer, may ask questions of a speaker during or after his remarks.
 7. When a meeting is attended by a group of people who share the same or opposing views on a public comment topic, the presiding officer or designee may require that the group(s) designate not more than two spokespersons and limit the total time for public comment to 10 minutes for each point of view or side on an issue.
 8. All remarks shall be addressed to the council as a body and not to any member thereof.
 9. Speakers shall observe the commonly accepted rules of courtesy, decorum, dignity and good taste.
 10. Interested parties or their representatives may address the council at any time by written or electronic communications.
 11. The Common Council may by majority voice vote grant more time to a speaker or a topic.
 12. If a Common Council member objects to a ruling by the presiding officer, he shall raise his objection by a motion "appealing the ruling of the chair." If the motion passes, the ruling is overruled.
 13. At the Public Comment portion of a Public Hearing:

- a. Speakers shall sign-in at the beginning of the public hearing and are requested to provide their address and organization, if any.
- b. Speakers must be recognized by the presiding officer.
- c. Speakers must limit their remarks to five minutes.

By Councilor _____; Seconded by Councilor _____
 Discussion:

Roll call: Councilors Canales, Kelly, Gibbs, Tallon, McFarlin, Moore

ACTION TAKEN: Adopted _____ Defeated _____ Tabled _____ Withdrawn _____
 Follow up Action:

6. Proposed resolution establishing the amount of a Blanket Bond or Undertaking for city employees at \$250,000 and for the City Chamberlain at \$500,000.

RESOLVED: That in accordance with Section C-2-5 of the City Charter as amended, the Common Council of the City of Plattsburgh, as authorized by Section 11, Paragraph 2 of the Public Officer’s Law, consents and approves that a Blanket Bond or Undertaking be procured for all City employees in the amount of \$250,000 (per loss) for each position and \$500,000 for the City Chamberlain, further

RESOLVED: That aforementioned Bond or Undertaking was executed for the period of one year, from July 6, 2020 to July 6, 2021, and said Bond or Undertaking shall be written by an approved Surety Company.

By Councilor _____; Seconded by Councilor _____
 Discussion:

Roll call: Councilors Canales, Kelly, Gibbs, Tallon, McFarlin, Moore

ACTION TAKEN: Adopted _____ Defeated _____ Tabled _____ Withdrawn _____
 Follow up Action:

7. RESOLVED:

1. That in accordance with Section C6-15(f) of the City Charter, the Common Council sets forth the composition, function and duties of the Pre Audit Committee of the Common Council as follows:
2. The pre audit committee shall be composed of any three members of the Common Council, including the Mayor as a member thereof. Members who act as the pre audit committee are not required to be appointed or confirmed and such committee shall be deemed to consist of the three members who sign claim forms or tabulations of claims as set forth in section 4.
3. The pre audit committee shall review and recommend approval of claims for payment before approval by the common council as a whole.
4. Committee members shall indicate approval by signing or initialing claim forms or a tabulation of claims submitted for Council approval. Such forms or tabulation bearing the signatures or initials of committee members shall constitute the minutes of the committee. If a committee member objects to payment of a claim, he shall raise the objection at the time payment of the claim is presented to the Common Council for a vote.

5. The pre audit committee is not required to meet or act as a body. If the committee meets or acts as a body, such meeting shall be held at an open public meeting of the Common Council, or at a public meeting which has been duly noticed in accordance with the Open Meetings Law.
6. This resolution supersedes all previous resolutions, including the Common Council's resolution of 4/30/1998.

By Councilor _____; Seconded by Councilor _____
Discussion:

Roll call: Councilors Canales, Kelly, Gibbs, Tallon, McFarlin, Moore

ACTION TAKEN: Adopted _____ Defeated _____ Tabled _____ Withdrawn _____

Follow up Action:

Motion to Adjourn by Councilor _____; Seconded by Councilor _____

Roll call: Councilors Canales, Kelly, Gibbs, Tallon, McFarlin, Moore

MEETING ADJOURNED: _____

2021 Meeting Schedule - All meetings begin at 5pm
Regular Meetings 1st & 3rd Thursday of each month-Committee Meetings Monday or Thursday

January 7 – ORGANIZATIONAL/COUNCIL MEETING

January 11 - CITY OPERATIONS COMMITTEE

January 14 – FINANCE/CDO COMMITTEE

January 19 – **TUESDAY**-PUBLIC SAFETY COMMITTEE

January 21 – COUNCIL MEETING

February 1 – INFRASTRUCTURE COMMITTEE

February 4 – COUNCIL MEETING

February 8 - CITY OPERATIONS COMMITTEE

February 11 – FINANCE/CDO COMMITTEE

February 16- **TUESDAY**-PUBLIC SAFETY COMMITTEE

February 18 – COUNCIL MEETING

March 1 – INFRASTRUCTURE COMMITTEE

March 4 – COUNCIL MEETING

March 8- CITY OPERATIONS COMMITTEE

March 11 – FINANCE/CDO COMMITTEE

March 15 - PUBLIC SAFETY COMMITTEE

March 18 – COUNCIL MEETING

March 31 - **WEDNESDAY** -COUNCIL MEETING

April 5 - INFRASTRUCTURE COMMITTEE

April 8 - FINANCE/CDO COMMITTEE

April 12 - CITY OPERATIONS COMMITTEE

April 15 – COUNCIL MEETING

April 19 – PUBLIC SAFETY COMMITTEE

April 29 - MLD BOARD MEETING

May 3 – INFRASTRUCTURE COMMITTEE

May 6 – COUNCIL MEETING

May 10- CITY OPERATIONS COMMITTEE

May 13 – FINANCE/CDO COMMITTEE

May 17 – PUBLIC SAFETY COMMITTEE

May 20 – COUNCIL MEETING

June 3 – COUNCIL MEETING

June 7- INFRASTRUCTURE COMMITTEE

June 10 – FINANCE/CDO COMMITTEE

June 14- CITY OPERATIONS COMMITTEE

June 17 – COUNCIL MEETING

June 21 – PUBLIC SAFETY COMMITTEE

July 1 – COUNCIL MEETING

July 6-**TUESDAY**- INFRASTRUCTURE COMMITTEE

July 8 – FINANCE/CDO COMMITTEE

July 12- CITY OPERATIONS COMMITTEE

July 15 – COUNCIL MEETING

July 19 – PUBLIC SAFETY COMMITTEE

July 29 - MLD BOARD MEETING

August 2 – INFRASTRUCTURE COMMITTEE

August 5 – COUNCIL MEETING

August 9- CITY OPERATIONS COMMITTEE

August 12 – FINANCE/CDO COMMITTEE

August 16- PUBLIC SAFETY COMMITTEE

August 19 – COUNCIL MEETING

September 2 – COUNCIL MEETING

September 7- **TUESDAY**- INFRASTRUCTURE COMM

September 9 – FINANCE/CDO COMMITTEE

September 13- CITY OPERATIONS COMMITTEE

September 16 – COUNCIL MEETING

September 20 – PUBLIC SAFETY COMMITTEE

September 30 - MLD BOARD MEETING

October 4 – INFRASTRUCTURE COMMITTEE

October 7 – COUNCIL MEETING

October 12- **TUESDAY**- CITY OPERATIONS COMM

October 14 – FINANCE/CDO COMMITTEE

October 25 – PUBLIC SAFETY COMMITTEE

October 28 – COUNCIL MEETING

November 1- INFRASTRUCTURE COMMITTEE

November 4 – COUNCIL MEETING

November 8- CITY OPERATIONS COMMITTEE

November 10 – **WEDNESDAY** - FINANCE/CDO COMM

November 15 – PUBLIC SAFETY COMMITTEE

November 18 –COUNCIL MEETING

December 2 – COUNCIL MEETING

December 6- INFRASTRUCTURE COMMITTEE

December 9 – FINANCE/CDO COMMITTEE

December 13- CITY OPERATIONS COMMITTEE

December 16 – COUNCIL MEETING

December 20 – PUBLIC SAFETY COMMITTEE

December 30 - MLD BOARD MEETING