

RESOLUTION– 08/19/21

7.196 RESOLUTION: AUTHORIZING THE MAYOR TO SIGN A CHANGE ORDER TO MANAGED SECURITY SERVICES AGREEMENT.

WHEREAS, the City executed an IT managed service contract with SymQuest to address a number of network and user IT concerns; and

NOW, THEREFORE, BE IT RESOLVED, the Common Council authorizes the Mayor to sign a change order for SymQuest to add Network Switch Upgrades to Managed Security Services for an additional \$1,964 per month.

RESOLUTION– 08/19/21

7.197 RESOLUTION: AUTHORIZE BUDGET TRANSFER – GENERAL AND REC COMPLEX FUNDS OVERTIME

WHEREAS, the following resolution was adopted on August 19th, 2021; and

WHEREAS, the 2021 General and Rec Complex Fund budgets do not make sufficient appropriations for overtime payroll line items; and

WHEREAS, the City Chamberlain is requesting to appropriate for the under-budgeted costs through budget transfers within the corresponding budgets and through an additional General Fund transfer to fund the Rec Complex Fund for the \$2,000 of increased cost for the fiscal year 2021;

NOW, THEREFORE, BE IT RESOLVED, the Common Council Authorizes the City Chamberlain to adjust the General Fund budget, as follows:

Increase: General Fund – Community Dev. Overtime	16330000-1200	\$ 4,000.00
Increase: General Fund – Rec Complex Transfers	19515000-9000	\$ 2,000.00
Decrease: General Fund – Community Dev. Payroll	16330000-1100	\$ 4,000.00
Decrease: General Fund – City Parks Temporary Payroll	17140000-1300	\$ 2,000.00
Increase: Rec Complex Fund – Admin. Overtime	27210000-1200	\$ 4,000.00
Decrease: Rec Complex Fund – Beach Temporary Payroll	27215000-1300	\$ 2,000.00
Increase: Rec Complex Fund – General Inter-fund Revenue	00002228-2810	\$ 2,000.00

To provide for under-budgeted appropriations in the General Fund for Community Development Overtime Payroll and the Rec Complex Fund for Administrative Overtime Payroll. The budget adjustment increases the General Fund transfer of cash to the Rec Complex Fund by \$2,000 but leaves the General Fund budget unchanged in total and increases the Rec Complex Fund budget \$2,000 in total.

RESOLUTION– 08/19/21

7.198 RESOLUTION: AUTHORIZE BUDGET TRANSFER – GENERAL AND REC COMPLEX FUNDS GYM REPAIRS

WHEREAS, the following resolution was adopted on August 19th, 2021; and

WHEREAS, the 2021 Rec Complex Fund budget does not make sufficient appropriations for repairing the windows in the Gym facility; and

WHEREAS, the City Chamberlain is requesting to appropriate for the unbudgeted costs through an additional General Fund transfer to fund the Rec Complex Fund for the \$6,000 of increased cost for the fiscal year 2021;

NOW, THEREFORE, BE IT RESOLVED, the Common Council Authorizes the City Chamberlain to adjust the General Fund budget, as follows:

Increase: General Fund – Rec Complex Transfers	19515000-9000	\$ 6,000.00
Increase: General Fund – Appropriated Fund Balance	1-0599	\$ 6,000.00
Increase: Rec Complex Fund – Gym Building Repairs	27221000-4451	\$ 6,000.00
Increase: Rec Complex Fund – General Inter-fund Revenue	00002228-2810	\$ 6,000.00

To provide for unbudgeted appropriations in the Rec Complex Fund for window repairs in the Gym facility. The budget adjustment increases the General Fund transfer of cash to the Rec Complex Fund by \$6,000 and increases the General Fund and the Rec Complex Fund budgets \$6,000 in total.

RESOLUTION- 08/19/21

7.199 RESOLUTION: AUTHORIZE REVISION TO THE CAPITAL EXPENDITURE PLAN ADOPTED DECEMBER 23RD, 2014

WHEREAS, the Capital Expenditure Plan adopted December 23rd, 2014, included a Public Service Buildings category, and

WHEREAS, the Infrastructure Division has revised the 2015 Building Improvements project for items not included in the Public Service Buildings category of the Capital Expenditure Plan adopted December 23rd, 2014, and

WHEREAS, the cost of the 2015 Building Improvements project had been estimated and revised by the Engineering and Planning Department for the costs to implement the improvements during 2015, and it was requested to again be revised by the Infrastructure Division in 2019, and to again be revised for the third time in 2021, as follows:

	2015 Capital Plan	2015 Estimated Cost	2015 Revised Cost	2019 Revised Cost	2021 Revised Cost	2021 Revised Cost	2021 Revised Cost
City Hall – roof, drainage & exterior	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 1,617	\$ 1,617	\$ 1,617
City Hall – floors, finishes & painting	100,000	100,000	100,000	100,000	113,279	113,279	113,279
City Hall – energy, lights & windows	100,000	100,000	100,000	400,000	502,568	646,717	736,834
Plant Building Improvements (DPW)	-	-	50,000	50,000	32,536	32,536	32,536
Total	\$ 300,000	\$ 350,000	\$ 350,000	\$ 650,000	\$ 650,000	\$ 794,149	\$ 884,266

Project Funding:

General Fund Serial Bonds	300,000	350,000	350,000	350,000	350,000	244,149	334,266
IEEP FUNDING	-	-	-	-	-	250,000	250,000
DASNY SAM Grant				300,000	300,000	300,000	300,000
Total	\$ 300,000	\$ 300,000	\$ 350,000	\$ 650,000	\$ 650,000	\$ 794,149	\$ 884,266

NOW THEREFORE IT BE RESOLVED, The Common Council of the City of Plattsburgh, Authorizes the City Chamberlain to adjust the 2015 Buildings Improvements capital budget as follows:

- 1) That, the amount of Eight Hundred Eighty-four Thousand Two Hundred Sixty-six and 00/100 (\$884,266.00) Dollars is hereby appropriated for the revised capital project **2015 Building Improvements (H5110.51)** for the cost of the improvements revised above and is hereby authorized to be expended for such purpose.
- 2) That, the amount of Three Hundred Fifty Thousand and 00/100 (\$350,000.00) Dollars of such appropriation was provided by an advance from the General Fund, and that such advance was repaid through funding of this portion of the project with General Fund Serial Bonds, and through the above revised funding amount of Three Hundred Thirty-four Thousand Two Hundred Sixty-six and 00/100 (\$334,266.00) Dollars for this portion of the project, the amount of Fifteen

Thousand Seven Hundred Thirty-four and 00/100 (\$15,734.00) has been over-funded by the issuance of those General Fund Serial Bonds and therefore, that amount is to be transferred from the capital project funding to the Debt Service Reserve Fund by year end 2021.

3) That, the amount of Two Hundred Fifty Thousand and 00/100 (\$250,000.00) Dollars of such appropriation be provided by a grant from the Independent Energy Efficiency Program of New York (IEEP) secured through the City's Municipal Lighting Department and funded by the City through the payment of utility billings for electricity.

4) That, the amount of Three Hundred Thousand and 00/100 (\$300,000.00) Dollars of such appropriation be provided by a grant from the Dormitory Authority of the State of New York (DASNY) under the State and Municipal Facilities Program (SAM) secured by the City on April 18th, 2018, and expiring on April 18th, 2021.

5) That, this resolution takes effect immediately.

RESOLUTION- 08/19/21

7.200 RESOLUTION: AUTHORIZE CONSULTANT CONTRACT FOR REVIVAL OF CITY'S REVOLVING LOAN FUND PROGRAMS PHASE 2

WHEREAS, on January 21, 2021, the Common Council approved execution of an agreement with Ann Ruzow Holland for consulting services related to the assessment and revival of the City's various Revolving Loan Programs (RLPs); and

WHEREAS, on June 16, 2021, Ms. Holland delivered to the City a comprehensive report detailing the results of her investigation into the origins of these programs which included a detailed forensic analysis and audit of all three RLPs spanning a period of over 25 years, conclusions as to both the original source of the loan funding and the City's current/future obligations to both NYS and US federal government, and recommendations for revival of the RLPs; and

WHEREAS, implementation of several recommendations for revival of the RLPs included in Ms. Holland's report will require specialized knowledge and expertise not currently possessed or easily acquired by City staff.

NOW, THEREFORE, BE IT RESOLVED, the Common Council authorizes the Mayor of Plattsburgh to sign an agreement with Ann Ruzow Holland for consulting services related to the revival of the City's revolving loan programs in an amount not to exceed \$15,125. Funding to be provided from the Community Development Special Revenue account.

RESOLUTION– 08/19/21

7.201 RESOLUTION: AUTHORIZE EXTENSION OF NEGOTIATING PERIOD WITH SKYWARD HOSPITALITY FOR HARBORSIDE DEVELOPMENT

WHEREAS, in December 2019, the City received a grant award via the Consolidated Funding Application process for the completion of a master planning document for the City's Harborside area including the Dock St. development site; and

WHEREAS, on June 11, 2020, the Common Council authorized the Director of Community Development to commence negotiations with Skyward Hospitality for the purpose of pursuing a mixed-use development on Dock St. development site; and

WHEREAS, while the aforementioned discussions between the City with Skyward have proceeded in good faith since June 2020, the complexities engendered by the drafting of a master planning document and the contemporaneous negotiation of an agreement for the development of a significant portion of said planning document's study area have caused the City to reassess the timeline for the conclusion of its negotiations with Skyward; and

WHEREAS, the City wishes to reassure Skyward of its commitment to the pursuit of a mixed-use development on the Dock St. site in partnership with Skyward.

NOW, THEREFORE, BE IT RESOLVED, the Common Council authorizes an extension of the negotiations with Skyward Hospitality for a period not to exceed six (6) months beyond the date on which the Council formally accepts the completed Harborside Master Plan; and

BE IT FURTHER RESOLVED, the Common Council agrees that, during the extended negotiating period with Skyward, the City shall not enter into negotiations with any other developer for development of the approximately ten (10) acre development site described in the City's Request for Proposals issued on May 19, 2020 for a "Public Private Partnership for Waterfront Development". This assurance is subject to Skyward's continued expression of interest in development of the Dock St. site.

RESOLUTION- 08/19/21

7.202 RESOLUTION: APPROVAL OF VISUAL CLEARANCE INSPECTION SERVICES FOR CITY HALL WINDOWS ASBESTOS ABATEMENT

NOW, THEREFORE, BE IT RESOLVED, the Common Council authorizes the Mayor to sign an agreement with KAS, Inc. in an amount not to exceed \$4,600 to provide visual clearance inspection services for the asbestos abatement project involving the removal of City Hall's exterior windows prior to their replacement.

RESOLUTION– 08/19/21

7.203 RESOLUTION: APPROVAL OF CONTRACT FOR ABATEMENT AND REPLACEMENT OF CITY HALL WINDOWS

WHEREAS, Fenetres MQ Inc. (MQ) has been deemed by the Community Development Office, in consultation with both Corporation Counsel and the City’s Chamberlain, to be a sole source supplier for the new set of City Hall windows owing to MQ’s specialization in high-profile historic buildings and the lack of responses to the City’s RFP for the single City Hall window restoration project completed in 2020; and

WHEREAS, based on the MQ cost proposal dated August 6, 2021, the total window replacement cost for 56 windows equals \$609,214 indicating an average per window cost of \$10,879 while the total cost of the single window restoration project was \$14,317.

NOW, THEREFORE, BE IT RESOLVED, the Common Council agrees that Fenetres MQ Inc. is a sole source supplier for replacement City Hall windows and authorizes the Mayor to sign an agreement with Fenetres MQ Inc. in a form acceptable to Corporation Counsel and in an amount not to exceed \$609,214 for abatement of hazardous materials present in City Hall’s current windows and for fabrication and installation of 56 replacement windows.

RESOLUTION– 08/19/21

7.204 RESOLUTION: APPROVAL OF ARTWORK INSTALLATIONS FROM THE CITY MARINA TO BETTY LITTLE ARTS PARK, FORMING THE “BASSBURGH ART TRAIL

WHEREAS, Outside Art: Plattsburgh Public Art Project is a community organization that produces and creates public art for Plattsburgh. Outside Art works with local, regional, and national artists to animate public space with the goal of building community and making Plattsburgh a destination for art and a place for artists to settle and create.

WHEREAS, the City has received a request from Outside Art to install stenciled curbside paintings to form a trail connecting the City’s Harborside to the Arts Corridor.

NOW, THEREFORE, BE IT RESOLVED, the Common Council approves Outside Art to install the artwork from the City Marina to the Betty Little Arts Park, pursuant to a Memorandum of Understanding, which is also approved, in a form acceptable to Corporation Counsel.

RESOLUTION– 08/19/21

7.205 RESOLUTION: APPROVAL OF THE CREATION OF THE CITY OF PLATTSBURGH HOUSING ADVISORY COMMITTEE

WHEREAS, citizen advisory committees are a valuable means of enhancing the exchange of ideas between City residents and the City of Plattsburgh Common Council; and

WHEREAS, advisory committees are able to focus on a single issue, and are able to provide, through research, recommendations to the Common Council in a timely fashion; and

WHEREAS, in late January of 2020, a Landlord/Tenant Advisory Committee was formed by the Common Council and was tasked with studying issues and problems with rental housing within the City and to identify potential solutions to those issues and problems within a three month period; and

WHEREAS, due to the COVID pandemic the Landlord/Tenant Advisory Committee was unable to meet regularly or complete their work within this three month period; and

WHEREAS, in January of 2021, the Landlord/Tenant Advisory Committee was reestablished with a limited scope to compile a list of potential solutions that could enhance the safety, aesthetics, economics, and livability in the ownership, regulation and residence within commercial rental properties within the City based upon the prior work of the Committee; and to research and recommend a fee structure for the Common Council’s consideration with respect to rental registry certification fees, rental inspection fees, re-inspection fees, and penalty fees as described in Local Law P-3 of 2020; and

WHEREAS, in February of 2021, the Landlord/Tenant Advisory Committee made its final recommendations to the Common Council including a recommendation to conduct a broader study of issues and problems relating to housing within the City including but not limited to affordability, accessibility, and habitability.

NOW, THEREFORE, BE IT RESOLVED, the Common Council hereby establishes the City of Plattsburgh Housing Committee (“Committee”); and it is further

RESOLVED that the Common Council endorses the goals and objectives established in Exhibit A; and it is further

RESOLVED that the members of the Committee, per the nominations and selections below, will be approved by the Common Council. Each Committee member will be appointed for a three-month term and will serve without compensation; and it is further

RESOLVED that the Committee will follow the approximate schedule identified in Exhibit B and will sunset on November 19th, 2021 and be automatically disbanded, unless reauthorized by the Common Council; and it is further

RESOLVED, that the Committee shall comply with the New York Open Meetings Law and the New York Freedom of Information Act; and it is further

RESOLVED, that at the conclusion of the three-month period, or sooner if appropriate, the Committee will present their findings and recommendations to the Common Council.

THE MEMBERS LISTED BELOW HAVE BEEN CHOSEN TO SERVE A 3 MONTH TERM ON THE CITY OF PLATTSBURGH HOUSING COMMITTEE TO BEGIN ON AUGUST 19TH, 2021 AND EXPIRE THREE MONTHS FROM THIS DATE:

Jeff Moore, Council Member (Ward 6)

James Welch, City Employee (Building Inspector/Code Enforcement)

Shelise Marbut, City Employee (Community Development)

Mark Hamilton, Fair Housing Officer/Executive Director (Plattsburgh Housing Authority)

Tara Glynn, Managing Attorney (Legal Aid Society of Northeastern New York)

Dr. Liou Xie, Associate Professor of Geography & Environmental Studies (SUNY Plattsburgh)

EXHIBIT A

CITY OF PLATTSBURGH HOUSING COMMITTEE GOALS AND OBJECTIVES

Goal:

- To identify factors impairing access to safe, adequate, affordable, and secure housing in the City of Plattsburgh and to recommend solutions to address such barriers.

Issues Identified:

- Deterioration of Housing Stock/Habitability Concerns
 - Absentee property owners
 - Restrictive Preservation Standards within Historic Districts
 - Cost barriers
- Lack of Housing/Affordable Housing Supply (Rental + Owner-Occupied)
 - Demand exceeds supply
 - Property owners refusing to accept Housing Vouchers/Raising rents to circumvent laws related to housing vouchers (leads to artificial inflation of prices)
 - Lack of housing supply for vulnerable populations, i.e. seniors, Domestic Violence survivors, etc...
 - General affordability/pricing concerns
- Practices in Rental Housing
 - Lack of Community Education on Tenant Rights and Landlord Obligations
 - Source of Income Discrimination
 - Family Status Discrimination
 - Student Housing/Conversion of Single Family Homes
 - Retaliatory Practices/Fear of Retaliation Preventing Complaints

Objectives:

- Provide a report of findings and solution-based recommendations to the Common Council.

EXHIBIT B

CITY OF PLATTSBURGH HOUSING COMMITTEE PROPOSED MEETING SCHEDULE

July 29th Pre-Committee Kick Off: Identification of Issues & Goals

- Outcome: Information gathering stage.

August 20th, 2:00pm: Formal Kick-Off

- Review issues and goals identified during 7/29 pre-meeting.
- Presentation of information and discussion of further information needed.
- Agreement on potential solutions and recommendations.
- Delegate research/recommendation development assignments to committee members.
- Identify next steps to formulate proposed recommendations and/or findings to Council.

August 31st, 5:00pm: Community Session #1

- Receive community feedback on concerns relating to housing availability, access, affordability, conditions, etc...

September 14th, 2:00pm: Committee Meeting #2

- Status Update of proposed recommendations/research.
- Discussion of 8/31 Community Feedback session.
- Identify next steps for finalizing recommendations & continue working on any reports/findings.

September 28th, 2:00pm: Committee Meeting #3

- Status Update of proposed recommendations/research.
- Continued discussion.
- Begin draft of final report of findings and recommendations to Council.

October 12th, 2:00pm: Committee Meeting #4

- Committee review of draft report of findings and recommendations.
- Note any revisions to be made. Circulate via email, and publish recommendations on City Website within one week.

October 26th, 5:00pm: Community Meeting #2

- Second community meeting to receive feedback on recommendations.
- Incorporate feedback into final recommendations.
- Prepare final report for Committee Review at next meeting.

November 2nd, 2:00pm: Committee Meeting #5 (Final Committee Meeting)

- Final committee review of report to Council.
- Ensure collective agreement on final report and deliver to Common Council.

November 10th, 5:00pm: Common Council Finance/CDO Committee Meeting

- Council discussion of report.

November 18th, 5:00pm: Common Council Meeting

- Council resolves to accept/reject the report.
- Conclusion of Housing Committee.

RESOLUTION– 08/19/21

7.206 RESOLUTION: APPROVAL TO AUTHORIZE CONTRACT FOR YOUTH SAFETY ADVOCATE (PCSD)

RESOLVED: In accordance with the request therefore the Common Council approves the Mayor to sign a contract with Plattsburgh City School District for “Youth Safety Advocate” for the 2021-2022 school year.

RESOLUTION- 08/19/21

7.207 RESOLUTION: APPOINTMENT OF JUSTIN STEARNS TO ZONING BOARD OF APPEALS

THE MAYOR HANDS DOWN THE APPOINTMENT OF JUSTIN STEARNS AS AN ALTERNATE MEMBER OF THE ZONING BOARD EFFECTIVE AUGUST 20, 2021 EXPIRING DECEMBER 31, 2022.

RESOLUTION– 08/19/21

**7.208 RESOLUTION: AUTHORIZE BUDGET TRANSFER – GENERAL FUND
POLICE COPIER LEASES AND MOTOR VEHICLE ACCOUNTING
CORRECTION**

WHEREAS, the following resolution was adopted on August 19th, 2021; and

WHEREAS, the 2021 General Fund budget does not make appropriations for leased copier replacements in the police department and an accounting correction has left the budget line under-funded for motor vehicles in 2021 which must be corrected; and

WHEREAS, the police are asking to provide for appropriations for 2021 for the remainder of the year copier lease payments and to correct the motor vehicle budget line error;

NOW, THEREFORE, BE IT RESOLVED, the Common Council Authorizes the City Chamberlain to adjust the General Fund budget, as follows:

Increase: General Fund – Police Printing & Copying	13120000-4431	\$1,186.25
Decrease: General Fund – Police Tech & Spec Equipment	13120000-2400	\$1,186.25
Increase: General Fund – Police Motor Vehicles	13120000-2300	\$91,508.80
Increase: General Fund – Appropriated Fund Balance	1-0599	\$91,508.80

The first entry is to provide for the transfer of the unbudgeted appropriations for the replacement of the Police copiers/printers providing for leasing costs of new equipment for the remainder of the 2021 budget year. The budget adjustment for the lease costs leaves the total General Fund budget unchanged for 2021.

The second entry is to correct a 2020 year-end accounting error that negatively affects the Police Motor Vehicle budget line in 2021 by \$91,508.80. The error was made when two police cars that were received and paid for in January of 2021, were accounted for as purchases in a 2020 A/P batch since they were related to a 2020 purchase order. The 2020 encumbrance for that purchase order amount related to the January 2021 receipt and payment of the cars was eliminated from rolling-forward to the 2021 budget line due to the accounting for the January purchase being recognized incorrectly in 2020. The correcting journal entries made in both periods incorrectly show the Police Motor Vehicle budget line in 2021 as over-budget while in effect the budget amount that should have rolled-forward from the open purchase order was closed to the 2020 General Fund Unappropriated Unassigned Fund Balance.

RESOLUTION– 08/19/21

7.209 RESOLUTION: BUDGET TRANSFER – GENERAL FUND POLICE ASSET SEIZURE SPENDING

WHEREAS, the following resolution was adopted on August 19th, 2021; and

WHEREAS, the 2021 General Fund budget makes appropriations for asset seizure fund spending from the Asset Seizure reserve in the police department; and

WHEREAS, the police are asking to adjust the budgeted asset seizure spending appropriations for 2021 to provide for the purchase of a camera and live scan system;

NOW, THEREFORE, BE IT RESOLVED, the Common Council Authorizes the City Chamberlain to adjust the General Fund budget, as follows:

Increase: General Fund – Asset Seizure Tech. & Spec. Equip 13121000-2400 \$34,010.20
Decrease: General Fund – Asset Seizure Vehicle Parts 13121000-4321 \$ 9,100.00
Decrease: General Fund – Asset Seizure Training & Education 13121000-4461 \$ 7,000.00
Decrease: General Fund – Asset Seizure Bldgs. & Grounds 13121000-4452 \$ 5,450.00
Decrease: General Fund – Asset Seizure Vehicle Repair 13121000-4452 \$ 8,000.00
Decrease: General Fund – Asset Seizure Tech. & Spec. Equip 13121000-4330 \$1,500.00
Decrease: General Fund – Asset Seizure Contracted Services 13121000-4430 \$2960.20

To provide for un-budgeted appropriations for the Police Department in the General Fund Asset Seizure Reserve budget to provide for the purchase of a camera system and a live scan system each partially funded by Clinton County and the NYS Division of Criminal Justice Services, respectively. The budget adjustment will not increase the General Fund budget for appropriations in 2021, either for the transfer of appropriations to increase the above asset seizure accounts or for the increase in estimated asset seizure revenue. The asset seizure reserve accounting in the General Fund does not affect the General Fund operating results and consequently the available fund balance.

RESOLUTION- 08/19/21

7.210 RESOLUTION: AUTHORIZE TWO POLICE DEPARTMENT EMPLOYEES TO TRAVEL TO NEW ORLEANS FOR THE “INTERNATIONAL ASSOCIATION OF CHIEFS OF POLICE” CONFERENCE

RESOLVED: In accordance with the request therefore the Common Council approves two Police Department employees to attend the “International Association of Chiefs of Police Conference” from September 11-14, 2021, in New Orleans, LA The total cost will not exceed \$3,485.52 and it will be expensed out of the Asset Forfeiture Fund.

This conference is beneficial for the ongoing growth of the Police Department as Police Departments all over the country face new challenges. The conference demonstrates new technology, equipment, cost savings, grant opportunities, officer mental health and wellness as well as training and education.

RESOLUTION– 08/19/21

7.211 RESOLUTION: BUDGET TRANSFER – GENERAL FUND POLICE FEES FOR SERVICES – INSURANCE DEDUCTIBLE

WHEREAS, the 2021 General Fund budget does not makes appropriations for insurance deductible cost in settlement of a claim for misconduct in the police department; and

WHEREAS, the request is to provide for appropriations for 2021 pursuant to the settlement agreement to pay the insurance carrier for the claim deductible amount;

NOW, THEREFORE, BE IT RESOLVED, the Common Council Authorizes the City Chamberlain to adjust the General Fund budget, as follows:

Increase: General Fund – Police Fees for Services	13120000-4440	\$100,000.00
Increase: General Fund – Appropriated Fund Balance	1-0590	\$100,000.00

To provide appropriations for unbudgeted cost for the insurance deductible expense for the settlement of the claim against the City for police misconduct. The budget adjustment provides for the increase in appropriations and the increase in appropriated fund balance for these unbudgeted costs which will increase the total General Fund budget by \$100,000.00 for 2021.

RESOLUTION– 08/19/21

7.212 RESOLUTION: AUTHORIZING REVISING CAPITAL PROJECT H5110.78 – 2021 PUBLIC SERVICE BUILDINGS

WHEREAS, the Capital Expenditure Plan adopted January 7th, 2021, includes a Public Service Buildings category, and

WHEREAS, the Infrastructure Division desires to establish a 2021 Public Service Buildings project for items included in the Public Service Buildings category of the Capital Expenditure Plan adopted January 7th, 2021, and

WHEREAS, the cost of the 2021 Public Service Buildings project has been estimated by the Infrastructure Division for the costs of the planned expenditures to purchase items included in the expenditure plan for 2021, and is being further revised to include additional items from the capital expenditure plan, as follows:

	2021 Capital Cost	2021 Estimated Cost	2021 Revised Cost	2021 Revised Cost
DPW boiler system replacement	\$ 200,000	\$ 200,000	\$ 380,000	\$ 380,000
Fire Station1 – ramp	-	-	-	60,000
Fire Station 2 – ramp	-	-	-	40,000
	<u> </u>	<u> </u>	<u> </u>	<u> </u>
Total	<u>\$ 200,000</u>	<u>\$ 200,000</u>	<u>\$ 380,000</u>	<u>\$ 480,000</u>

Project Funding:

Water Fund	\$ 66,667	\$ 66,667	\$ 126,666	\$ 126,666
Sewer Fund	66,667	66,667	126,667	126,667
General Fund	<u>66,666</u>	<u>66,666</u>	<u>126,667</u>	<u>226,667</u>
	<u> </u>	<u> </u>	<u> </u>	<u> </u>
Total	<u>\$ 200,000</u>	<u>\$ 200,000</u>	<u>\$ 380,000</u>	<u>\$ 480,000</u>

Now therefore,

BE IT RESOLVED, by the Common Council of the City of Plattsburgh, New York, this 19th day of August 2021, as follows:

- 1) That, the amount of Four Hundred Eighty Thousand and 00/100 (\$480,000.00) Dollars is hereby appropriated for the capital project **2021 Public Service Buildings (H5110.78)** for the revised cost of the equipment listed above and is hereby authorized to be expended for such purpose.
- 2) That, One Hundred Twenty-six Thousand Six Hundred Sixty-six and 00/100 (\$126,666.00) Dollars of such appropriation be provided by the Water Fund.
- 3) That, One Hundred Twenty-six Thousand Six Hundred Sixty-seven and 00/100 (\$126,667.00) Dollars of such appropriation be provided by the Sewer Fund.
- 4) That, Two Hundred Twenty-six Thousand Six Hundred Sixty-seven and 00/100 (\$226,667.00) Dollars of such appropriation will be provided by the General Fund.
- 5) That, this resolution takes effect immediately.

RESOLUTION– 08/19/21

**7.213 RESOLUTION: AUTHORIZE BUDGET TRANSFER – GENERAL FUND
FIRE DEPARTMENT TRAINING AND GEAR EXPENSES**

WHEREAS, the following resolution was adopted on August 19th, 2021; and

WHEREAS, the 2021 General Fund budget does not make sufficient appropriations for Fire training and gear expenses; and

WHEREAS, the Fire Chief has requested a budget adjustment to cover these costs for fiscal year 2021;

NOW, THEREFORE, BE IT RESOLVED, the Common Council Authorizes the City Chamberlain to adjust the General Fund budget, as follows:

It is being requested to adjust the 2021 General Fund Budget, as follows:

Increase: General Fund – Fire Training & Education	13410000-4461	\$ 9,700.00
Increase: General Fund – Fire Personal Clothing & Equip	13410000-4360	\$ 6,500.00
Decrease: General Fund – Fire Tech & Spec Equipment	13410000-2400	\$ 2,000.00
Decrease: General Fund – Fire Office Equipment	13410000-2200	\$ 3,000.00
Decrease: General Fund – Fire Vehicle Parts	13410000-4321	\$ 3,200.00
Decrease: General Fund – Fire Buildings & Grounds	13410000-4340	\$ 8,000.00

To provide for unbudgeted appropriation for training and personnel gear costs not included in the Fire budget in the General Fund. The budget adjustment does not increase the General Fund budget for appropriations in 2021.

RESOLUTION– 08/19/21

7.214 ADOPTION OF LOCAL LAW P-5 OF 2021

Local Law No. P-5 of the year 2021.

Introduced by Councilor Gibbs on August 5, 2021 at a Regular meeting of the Common Council.

Public Hearing to be held on Thursday, August 19, 2021 at 5:00pm in the Council Chambers, 41 City Hall Place, Plattsburgh, NY 12901.

A local law amending Chapter 230, Sections 1, 2 and 3 of the City Code of the City of Plattsburgh.

Be it enacted by the Common Council of the City of Plattsburgh as follows:

1. Chapter 230 of the City Code of the City of Plattsburgh shall be re-named: “Regulating Open Fires and Small Recreational Fires”.
2. City Code § 230-1, definitions of “Open Fire” and “Small Recreational Fire” are amended in their entirety to read as follows:

Open Fire. All outside and uncontained burning of wood, cardboard, garbage, rubbish, rubbish for salvage, refuse and other waste or combustible materials (including, but not limited to, incinerator residue, street sweepings, dead animals, offal, leaves, branches, bushes, stumps, and grass) where any flame or embers are exposed to the open air and the fire is not contained within any controlled area.

Small Recreational Fire. Outside burning of wood, cardboard, paper, brush, leaves or any other combustible material in some type of controlled area, firepit, fire ring, chimenea, or screened enclosure. A barbecue grill, meat “smoker”, propane patio heater, or a gas or propane fueled fire pit is not included within the definition of Small Recreational Fire.

3. City Code § 230-2, is amended and restated in its entirety to read as follows:

§ 230-2 Open Fires and Small Recreational Fires Prohibited, Generally;

- A. Open fires are prohibited, except that an open fire for the clearing of land is permitted if a permit for the same is obtained as herein provided.
- B. Small Recreational Fires are prohibited.
- C. Notwithstanding any open fire permit, if the City Police Department, City Fire Department, Code Enforcement Officer, or any other peace officer receives a complaint that the smoke from a permitted open fire has become offensive, objectionable or a nuisance, the responding City official shall attempt to find a solution to mitigate the offensive smoke or fire. If the attempted solution does not reasonably resolve the issue, the fire must be extinguished and the permit shall be immediately revoked.

4. City Code § 230-3, is amended and restated in its entirety to read as follows:
 - A. Open Fire Permit. A permit for an open fire permitted in accordance with § 230-2(A) and/or state law regulations in 6 NYCRR Part 215 must first be obtained from the New York State Department of Environmental Conservation. Upon obtaining such permit, an application for an open fire permit shall be made to the Chief of the Fire Department. The application shall include information about the date, time, place and reason for the fire, and such other information as the Chief may deem relevant to assessing the risk to property or persons posed by the open fire, the applicant's fire and liability insurance coverage, the safety plan and measures to be taken while the fire is burning.
5. This Local Law shall take effect immediately upon approval by the Mayor and filing with the New York Secretary of State.