

RESOLUTION 7.154 – 07/01/21

**7.154 RESOLUTION: AUTHORIZE BUDGET TRANSFER GENERAL FUND
MAYOR’S OFFICE CONTRACT SERVICES**

WHEREAS, the following resolution was adopted on July 1st, 2021; and

WHEREAS, the 2021 General Fund budget does not make appropriations for the Mayor’s Office for fees incurred for a county wide EMS System study; and

WHEREAS, the City Chamberlain is requesting to appropriate for the unbudgeted costs through an additional General Fund transfer to fund the Mayor’s Office Contract Services for the additional costs 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:

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

Increase: General Fund – Mayor Contract Services	18010000-4430	\$ 5,000.00
Increase: General Fund – Appropriated Fund Balance	1-0599	\$ 5,000.00

To provide for unbudgeted appropriations in the Mayor’s Office in the General Fund for fees to support a county wide EMS system study. The budget adjustment increases the General Fund budget by \$5,000 for appropriations in 2021 in the Mayor’s office Contract Services and is provided for by appropriating \$5,000 of the unappropriated fund balance in the General Fund.

RESOLUTION 7.155 – 07/01/21

**7.155 RESOLUTION: AUTHORIZING MEMORANDUM OF AGREEMENT NYS
DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES OFFICE**

Memorandum of Agreement between NYS Division of Homeland Security and Emergency Services Office of Fire Prevention and Control and the City of Plattsburgh Fire Department for Temporary Loan of Fire Suppression Foam Equipment.

WHEREAS, on January 28, 2014, Governor Andrew Cuomo issued Executive Order 125 directive State agencies to conduct a review of safety procedures and emergency response preparedness related to the shipments of volatile crude from the Bakken Oil fields in North Dakota and other sources; and

WHEREAS, the State has formed the New York State Foam Task Force (Task Force), which is a state and local partnership, to support and supplement existing local foam capabilities to assure that trained personnel and the appropriate equipment is available at strategic locations throughout the State based on risk;

WHEREAS, as a result of the review, DHSES has acquired a quantity of foam trailers, equipment and supplies, and pre-positioned such equipment at strategic locations with participating agencies that herein agree to support the efforts of the Task Force;

WHEREAS, this Agreement establishes the responsibilities, guidelines and procedures for the assignment, deployment and use of the equipment to the Participating Agency by DHSES;
WHEREAS, the Participating Agency acknowledges receipt of said equipment;

NOW, THEREFORE, in consideration of the promises set forth herein, be it known that a DHSES hereby grants a temporary revocable permit to Participating Agency to use the Equipment designated in Section 3, and the Parties agree to the terms and conditions of agreement. No. DHS01-X200057-1160200. 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 agreement is made part of the minutes of this meeting.

RESOLUTION 7.156 – 07/01/21

7.156 RESOLUTION: VENDOR PERMITS ON CITY OWNED PROPERTY

WHEREAS, the City of Plattsburgh has received requests to allow for temporary vendors to sell and display their goods, services and/or programs on temporary tables/tents on City-owned property, particularly during special events; and

WHEREAS, the City Code allows for such vendors subject to permits and compliance with insurance requirements; and

WHEREAS, the City Clerk's office is knowledgeable of all permits and insurance requirements for such vendors;

NOW, THEREFORE, BE IT RESOLVED, The Common Council Authorizes the City Clerk's office to accept and approve miscellaneous temporary vendor applications and issue permits, subject to insurance requirements, on the form and provided through the City Clerk's Office.

RESOLUTION 7.157 – 07/01/21

**7.157 RESOLUTION: AUTHORIZING STREET CLOSURE –BRINKERHOFF
(MARION TO MARGARET)**

Request from Strand Center for the Arts to close Brinkerhoff Street (from Marion to Margaret Street) for an Artisan Market. The requested dates are Saturday, July 3 and July 10, 2021 from 9am to 2:30pm.

RESOLUTION 7.158 – 07/01/21

7.158 RESOLUTION: APPROVAL OF “BEER GARDEN” ON CITY PROPERTY FOR MAYORS CUP

In accordance with the request therefore, the Common Council approves Plattsburgh Sunrise Rotary to have a “Beer Garden” on July 10, 2021 as part of the Mayors Cup Festivities, from 11:30am to approximately 5:00pm at the City Beach. Insurance proof for the Mayor’s Cup event is required. Alcohol will be served, and is permitted by the Council per Section 129-4 of the Code, and accordingly, NYS Liquor Authority permit compliance and documentation is required.

RESOLUTION 7.159 – 07/01/21

7.159 RESOLUTION: APPROVAL OF ALCOHOL ON CITY PROPERTY FOR CVPH GALA EVENT

In accordance with the request therefore, the Common Council approves the Foundation at CVPH to serve alcohol on August 21, 2021 as part of their CVPH Gala fundraising event, from 5pm to 10:30p, at the US Oval Gazebo. Alcohol will be served, and is permitted by the Council per Section 129-4 of the Code, and accordingly, NYS Liquor Authority permit compliance and documentation is required.

RESOLUTION 7.160 – 07/01/21

**7.160 APPOINTMENT OF CHRIS DEANGELO TO PART TIME ASSISTANT
FIRE CHIEF**

THE MAYOR HANDS DOWN THE PROVISIONAL APPOINTMENT OF PART TIME ASSISTANT FIRE CHIEF TO CHRIS DEANGELO EFFECTIVE JULY 2, 2021 AT A SALARY OF \$35,000 MAXIMUM ALLOWABLE WITH NYS RETIREMENT SYSTEM AND NO BENEFITS.

RESOLUTION 7.161 – 07/01/21

7.161 RESOLUTION: AUTHORIZE NYSEG ACCESS AGREEMENT FOR SOIL AND GROUNDWATER TESTING, INVESTIGATIONS, ASSESSMENTS, AND WORK

WHEREAS, New York State Electric & Gas Corporation (NYSEG) requires access to City property located at 25 Caroline St. (Premises) to conduct soil and groundwater testing, investigations, and work including, but not limited to, the installation of new groundwater monitoring wells and the decommissioning of existing monitoring wells as part of NYSEG's ongoing remediation work of its former manufactured gas plant site and the Saranac River; and

WHEREAS, the work to be completed by NYSEG is required per a work plan approved by the New York State Department of Environmental Conservation (NYSDEC).

NOW, THEREFORE, BE IT RESOLVED, the Common Council authorizes the Mayor to execute an access agreement with NYSEG for soil and groundwater testing, investigations, and work on City property located at 25 Caroline St. for a period to begin on the date of the agreement's execution and to terminate one hundred eighty (180) days after notice, as received, outlined, and determined from NYSDEC, defining the completion of remediation, testing, and monitoring activities on the Premises.

RESOLUTION 7.162 – 07/01/21

7.162 RESOLUTION: AUTHORIZE BUDGET TRANSFER GENERAL FUND – OLD BASE MARINA BUILDING DEMOLITION AND DISPOSAL

WHEREAS, the following resolution was adopted on July 1st, 2021; and

WHEREAS, the 2021 General Fund budget does not make sufficient appropriations for demolition and disposal of the old base marina building (the Coast Guard Building); and

WHEREAS, Community Development has requested to provide for the additional costs for demolishing and disposing of the hazardous building in 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. Capital Outlay	16330000-3000	\$39,365.00
Decrease: General Fund – Appropriated Fund Balance	1-0599	\$39,365.00

This entry is to provide appropriations in the General Fund for the unbudgeted costs to demolish and dispose of the old base marina building (the Coast Guard Building). The budget adjustment increases the General Fund Budget for 2021 by \$39,365.00 for the increase in appropriations will decrease the General Fund unassigned unappropriated portion of the fund balance in 2021 by \$39,365.00.

RESOLUTION 7.163 – 07/01/21

**7.163 RESOLUTION: AUTHORIZE BUDGET TRANSFER GENERAL FUND
REC COMPLEX TRANSFER – OLD BATHHOUSE DEMOLITION**

WHEREAS, the following resolution was adopted on July 1st, 2021; and

WHEREAS, the 2021 Rec Complex Fund budget does not make sufficient appropriations for the demolition and disposal of the old bathhouse; and

WHEREAS, the City Chamberlain is requesting to appropriate for the unbudgeted costs in the Rec Complex Fund budget 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 – Transfer Rec Complex	19151000-9000	\$55,815.00
Decrease: General Fund – Appropriated Fund Balance	1-0599	\$55,815.00
Increase: Rec Complex Fund – Crete Capital Outlay	27220000-3000	\$55,815.00
Increase: Rec Complex Fund – Inter-fund Revenues General	00002228-2810	\$55,815.00

This entry is to provide appropriations for the Rec Complex Fund for unbudgeted costs to demolish and dispose of the old bathhouse. The budget adjustment increases the General Fund Budget for 2021 by \$55,815.00 for transfers to the Rec Complex Fund and the Rec Complex Fund budget for estimated revenues and appropriations will both increase in 2021 by \$55,815.00.

RESOLUTION 7.164 – 07/01/21

7.164 RESOLUTION: APPROVAL OF THIRD PARTY AIR MONITORING AGREEMENT FOR DEMOLITION OF NORTHERN BEACH BATHHOUSE & OLD BASE MARINA BUILDING

WHEREAS, both the northern bathhouse at the City beach and the old base marina building have been condemned by the City's Building Inspector upon a recognition that both buildings present an imminent public danger to the extent that the buildings are structurally unsound/unsafe and the City is unable to completely prevent public access to the buildings – despite reasonable measures being taken – and the situation requires expeditious action which cannot await public bidding; and

WHEREAS, NYS regulations mandate third party air monitoring for all demolition activities involving structures that have been found to include asbestos containing materials; and

WHEREAS, KAS, Inc. has extensive experience with third party air monitoring during demolition activities and has performed well under previous agreements with the City.

NOW, THEREFORE, BE IT RESOLVED, the Common Council authorizes the Mayor to execute an agreement with KAS, Inc. for third party air monitoring activities required by the demolition of both the northern beach bathhouse and the old base marina building in an amount not to exceed \$6,970.

RESOLUTION 7.165 – 07/01/21

**7.165 RESOLUTION: APPROVAL OF DEMOLITION PROPOSALS FOR
NORTHERN BEACH BATHHOUSE AND OLD BASE MARINA BUILDING**

WHEREAS, on May 21, 2021, the City’s Building and Zoning Department issued a letter addressing the current state of both the northern beach bathhouse and the old base marina building that condemned both structures and concluded that, “...the buildings in question are structurally unsound and unsafe.”; and

WHEREAS, an imminent public danger is created by the unsafe condition of these structures, their comparatively remote locations, and the practical difficulties involved with ensuring no members of the public can access either building; and

WHEREAS, the City’s procurement policy allows for an exception to the prescribed public bidding requirements for public works projects in “emergencies where time is a crucial factor” and this situation requires expeditious action which cannot await public bidding.

NOW, THEREFORE, BE IT RESOLVED, the Common Council authorizes the Mayor to execute two proposals with JEDA Environmental Services for the demolition of the northern beach bathhouse and the old base marina building in a total amount not to exceed \$88,120.

RESOLUTION 7.166 – 07/01/21

7.166 RESOLUTION: APPROVAL OF CONSULTING AGREEMENT WITH MALANA TAMER

WHEREAS, the Community Development Office (CDO) is currently responsible for managing the City's Planning Board and numerous complex projects; and

WHEREAS, Malana Tamer's prior management of the City's Planning Board was exemplary and her knowledge of projects managed by the CDO is unique; and

WHEREAS, the CDO requires assistance with management of both the City's Planning Board and other projects until a more permanent staffing structure can be put in place to manage those responsibilities.

NOW, THEREFORE, BE IT RESOLVED, the Common Council authorizes the Mayor to execute a consulting agreement with Malana Tamer for Planning Board management and other planning services in an amount not to exceed \$7,500.

RESOLUTION 7.167– 07/01/21

7.167 Whereas, on June 10, 2021 Councilor McFarlin introduced Local Law P-4 of 2021 and a public hearing on said Local Law was completed on July 1, 2021 in City Hall; and

Whereas, pursuant to SEQRA, the Common Council has determined the proposed action of Local Law P-4 of 2021 to be an Unlisted Action; and

Whereas, the Common Council desires to serve as Lead Agency for the purpose of conducting an environmental review of the proposed action in accordance with SEQRA regulations; and

Whereas, the City intends to prepare a short Environment Assessment Form to evaluate the potential impacts of the proposed action; and

Whereas, pursuant to GML 239-m, the Common Council has determined that the proposed action requires a referral to the Clinton County Planning Department;

Now, therefore, be it resolved, that the Common Council authorizes the City Attorney to prepare a short Environmental Assessment Form and further to submit a GML 239-m referral packet to the Clinton County Planning Department for this proposed local law.