

RESOLUTION 3.1 – 05/13/21

RESOLUTION TITLE: AUTHORIZING THE DEPARTMENT OF PUBLIC WORKS TO SUBMIT AN APPLICATION FOR THE 2021 BRIDGE NY GRANT PROGRAM.

Resolution to approve the Department of Public Works to submit an application for the 2021 BridgeNY Grant Program for the Cumberland Avenue Bridge and naming Andrew Durrin as the Responsible Local Official (RLO) for the project.

Contractor: N/A

Service: Grant Application

Rate: N/A

Mileage: N/A

Contract Amount: Estimated Costs associated with the project \$4,892,110(95% BridgeNY Funding / 5% Local Match)

City Cost: Estimated Cost to the City \$244,606

Period: Final Design – Nov 2022 Construction - 2023

New/Renewal: New

Previous Years Cost: N/A

Previous Years Cost to the City: N/A

Approved by the **Finance/CDO Committee** at its meeting on **MAY 13th, 2021**

“Yes”

“No”

Absent

RESOLUTION 4.1 – 05/13/21

RESOLUTION TITLE: AUTHORIZING REVISING CAPITAL PROJECT H5110.73 - 2019 FARMERS' MARKET IMPROVEMENTS

WHEREAS, the following resolution was adopted on May 20th, 2021, and

WHEREAS, the Capital Expenditure Plan adopted January 10th, 2019, includes a Downtown Improvements category, and

WHEREAS, the Infrastructure Division established a 2019 Farmers' Market Improvements project for items not included in the Downtown Improvements category of the Capital Expenditure Plan adopted January 10th, 2019, and

WHEREAS, the cost of the 2019 Farmers' Market Improvements project was estimated by the Infrastructure Division for the costs to implement the unplanned improvements through revising the Downtown Improvements section of the Capital Expenditure Plan during 2019 and twice again in 2021, for change orders, as follows:

Revised	2019 Capital Plan	2019 Estimated Cost	2021 Revised Cost	2021 Cost
Farmers' Market Improve	\$ -	\$ 250,000	\$ 276,600	\$ 287,002
Arch, Engr. & Environmental	<u>-</u>	<u>-</u>	<u>53,127</u>	<u>53,127</u>
Total	<u>\$ -</u>	<u>\$ 250,000</u>	<u>\$ 329,727</u>	<u>\$ 340,129</u>

Project Funding:

Downtown Grant Prog. (DRI)	\$ -	\$ 250,000	\$ 302,067	\$ 303,127
General Fund	<u>-</u>	<u>-</u>	<u>27,660</u>	<u>37,002</u>
Total	<u>\$ -</u>	<u>\$ 250,000</u>	<u>\$ 329,727</u>	<u>\$ 340,129</u>

Now therefore,

BE IT RESOLVED, by the Common Council of the City of Plattsburgh, New York, this 20th day of May 2021, as follows:

- 1) That, the amount of Three Hundred Forty Thousand One Hundred Twenty-nine and 00/100 (\$340,129.00) Dollars is hereby appropriated for the capital project **2019 Farmers' Market Improvements (H5110.73)** for the revised cost of the project items listed above and is hereby authorized to be expended for such purpose.
- 2) That, the amount of Three Hundred Three Thousand One Hundred Twenty-seven and 00/100 (\$303,127.00) Dollars of such appropriation will be provided by an advance from the General Fund, but that such advance is to be repaid to the General Fund from funding under the Downtown Grant Program (DGP) segment of the Downtown Revitalization Initiative (DRI) grant sponsored by the New York State Department of State.
- 3) That, the amount of Thirty-seven Thousand Two and 00/100 (\$37,002.00) Dollars of such appropriation will be provided from the General Fund.
- 4) That, this resolution takes effect immediately.

Approved by the **FINANCE AND COMMUNITY DEVELOPMENT COMMITTEE** at its meeting on **MAY 13, 2021**.

“Yes”

“No”

Absent

RESOLUTION 4.2 – 05/13/21

**RESOLUTION TITLE: AUTHORIZE BUDGET TRANSFER FOR LEGAL FEES
(ZONING BOARD OF APPEALS)**

WHEREAS, the following resolution was adopted on May 20th, 2021; and

WHEREAS, the 2021 General Fund budget does not make appropriations for the Zoning Department legal fees incurred by the Zoning Board chairman; and

WHEREAS, the City Chamberlain is requesting to appropriate for the unbudgeted costs through an additional General Fund transfer to fund the Zoning Department 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:

Increase: General Fund – Zoning Contract Services	18010000-4430	\$12,000.00
Increase: General Fund – Appropriated Fund Balance	1-0599	\$12,000.00

To provide for unbudgeted appropriations in the Zoning Department in the General Fund for legal fees incurred from December of 2020 through January 2021 by the Zoning Board Chairman engaging an outside counsel for legal opinions and reviews related to questions regarding the Durkee St. development under the City’s DRI Funding project. The budget adjustment increases the General Fund budget by \$12,000 for appropriations in 2021 in the Zoning Department Contract Services and is provided for by appropriating \$12,000 of the unappropriated fund balance in the General Fund.

Approved by the **FINANCE AND COMMUNITY DEVELOPMENT COMMITTEE** at its meeting on **MAY 13, 2021**.

“Yes”

“No”

Absent

RESOLUTION 5.1 – 05/13/21

RESOLUTION TITLE: AUTHORIZING THE MAYOR TO SIGN SURVEY & SUBDIVISION SERVICES AGREEMENT FOR CRETE/BEACH PROPERTY

BY: Matthew Miller, Director of Community Development

WHEREAS, the City is pursuing major improvements to the City’s beach and Crete Center complex; and

WHEREAS, a portion of this complex occupies property that is suitable for private development; and

WHEREAS, the effective marketing of this property requires subdivision of the property and resolution of issues related to parkland alienation for which a detailed survey of the property is necessary.

NOW, THEREFORE, BE IT RESOLVED, the Common Council authorizes the Mayor to sign an agreement for survey and subdivision services involving tax parcel #194.17-1-1 with Robert M. Sutherland P.C. in an amount not to exceed \$7,600.

Contractor:	Robert M. Sutherland P.C.
Service:	Survey and subdivision services
Rate:	n/a
Mileage:	n/a
Contract Amount:	\$7,600 (New)
City Cost:	\$7,600
Period:	TBD based on resolution of parkland alienation process
New/Renewal:	New
Previous Year’s Cost:	n/a
Previous Year’s City Cost:	n/a

Approved by the **FINANCE & COMMUNITY DEVELOPMENT COMMITTEE** at its meeting on **MAY 13, 2021**.

“Yes”
“No”
Absent

RESOLUTION 5.2 – 05/13/21

RESOLUTION TITLE: APPROVAL OF AMERICAN RED CROSS LICENSED TRAINING PROVIDER AGREEMENT

BY: Matthew Miller, Director of Community Development

WHEREAS, safe operation of the City beach requires trained lifeguard personnel; and

WHEREAS, the American Red Cross provides training materials, courses, and trainers for lifeguards.

NOW, THEREFORE, BE IT RESOLVED, the Common Council authorizes the Director of Community Development to sign a Licensed Training Provider Agreement with the American Red Cross to facilitate training of lifeguard personnel for the City beach.

Contractor:	American Red Cross
Service:	Licensing for Training Courses & Materials
Rate:	n/a
Mileage:	n/a
Contract Amount:	n/a
City Cost:	n/a
Period:	3 years
New/Renewal:	Renewal
Previous Year's Cost:	n/a
Previous Year's City Cost:	n/a

Approved by the **FINANCE & COMMUNITY DEVELOPMENT COMMITTEE** at its meeting on **MAY 13, 2021**.

“Yes”

“No”

Absent

RESOLUTION 5.3 – 05/13/21

RESOLUTION TITLE: APPROVING AMENDED AND RESTATED DEVELOPMENT AGREEMENT FOR THE DURKEE LOT MIXED-USE DEVELOPMENT PORTION OF DOWNTOWN AREA IMPROVEMENT PROJECTS

By: Matthew Miller, Director of Community Development

WHEREAS, the City of Plattsburgh revitalization efforts will involve several downtown area improvement projects known as the Downtown Area Improvement Projects (DAIP); and

WHEREAS, the City of Plattsburgh Common Council determined to conduct comprehensive review of the DAIP through preparation of a Generic Environmental Impact Statement (GEIS) pursuant to the State Environmental Quality Review Act (SEQRA) and Section 617.10 of Title 6 of the New York Compilation of Codes, Rules and Regulations; and

WHEREAS, the Common Council, as duly designated Lead Agency pursuant to SEQRA, conducted a thorough SEQRA review of the DAIP, including conducting scoping, preparing Draft and Final Generic Environmental Impact Statements (EIS), conducting a Public Hearing and adopting a SEQRA Findings Statement; and

WHEREAS, the Findings Statement determined, among other things, that given the demonstrated public need and benefit of the DAIP, its lack of significant adverse environmental impacts and its avoidance of such impacts by project design, location and mitigation, the decision to proceed with the Project as proposed gave due consideration to and represented a reasonable and proper balancing of environmental considerations with social, economic and other relevant considerations; and

WHEREAS, the Findings Statement further determined and certified that, consistent with social, economic and other essential considerations from among the reasonable alternatives available, the DAIP avoids or minimizes adverse environmental impacts to the maximum extent practicable and incorporates as conditions to the Board's decision those mitigation measures that were identified as practicable; and

WHEREAS, approval from the Common Council is now needed for an Amended and Restated Development Agreement between the City of Plattsburgh and Prime Plattsburgh, LLC, which is required to enable the Durkee Lot Mixed-Use Development to proceed;

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The Common Council has reviewed the proposed Amended and Restated Development Agreement and finds that it constitutes an integral component of the Durkee Lot Mixed-Use Development portion of the DAIP which was thoroughly reviewed under SEQRA.
2. The potential environmental impacts of the Amended and Restated Development Agreement were adequately addressed as an essential component of the Durkee

Lot Mixed-Use Development portion of the DAIP in the GEIS, the Statement of Findings, and the Amendment to the Statement of Findings and the proposed Amended and Restated Development Agreement is not likely to result in any new or different environmental impacts than those previously considered during SEQRA review of the DAIP. Therefore, no further SEQRA review is necessary.

3. The Common Council authorizes and directs the Mayor to execute the Amended and Restated Development Agreement and further authorizes and directs the Mayor, City Clerk, Director of Community Development, City Attorney and/or Special Legal Counsel to take such further actions as may be necessary to effectuate the intent of this Resolution.

Approved by the **FINANCE AND COMMUNITY DEVELOPMENT COMMITTEE** at its meeting on **MAY 13, 2021**.

“Yes”

“No”

Absent

RESOLUTION 5.4 – 05/13/21

RESOLUTION TITLE: APPROVING PARKING OPERATING AGREEMENT FOR DURKEE LOT MIXED-USE DEVELOPMENT PORTION OF DOWNTOWN AREA IMPROVEMENT PROJECTS

By: Matthew Miller, Director of Community Development

WHEREAS, the City of Plattsburgh revitalization efforts will involve several downtown area improvement projects known as the Downtown Area Improvement Projects (DAIP); and

WHEREAS, the City of Plattsburgh Common Council determined to conduct comprehensive review of the DAIP through preparation of a Generic Environmental Impact Statement (GEIS) pursuant to the State Environmental Quality Review Act (SEQRA) and Section 617.10 of Title 6 of the New York Compilation of Codes, Rules and Regulations; and

WHEREAS, the Common Council, as duly designated Lead Agency pursuant to SEQRA, conducted a thorough SEQRA review of the DAIP, including conducting scoping, preparing Draft and Final Generic Environmental Impact Statements (EIS), conducting a Public Hearing and adopting a SEQRA Findings Statement; and

WHEREAS, the Findings Statement determined, among other things, that given the demonstrated public need and benefit of the DAIP, its lack of significant adverse environmental impacts and its avoidance of such impacts by project design, location and mitigation, the decision to proceed with the Project as proposed gave due consideration to and represented a reasonable and proper balancing of environmental considerations with social, economic and other relevant considerations; and

WHEREAS, the Findings Statement further determined and certified that, consistent with social, economic and other essential considerations from among the reasonable alternatives available, the DAIP avoids or minimizes adverse environmental impacts to the maximum extent practicable and incorporates as conditions to the Board's decision those mitigation measures that were identified as practicable; and

WHEREAS, approval from the Common Council is now needed for a Parking Operating Agreement between the City of Plattsburgh and Prime Plattsburgh, LLC, which is required to enable the Durkee Lot Mixed-Use Development to proceed;

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The Common Council has reviewed the proposed Parking Operating Agreement and finds that it constitutes an integral component of the Durkee Lot Mixed-Use Development portion of the DAIP which was thoroughly reviewed under SEQRA.
2. The potential environmental impacts of the Parking Operating Agreement were adequately addressed as an essential component of the Durkee Lot Mixed-Use Development portion of the DAIP in the GEIS, the Statement of Findings, and the Amendment to the Statement of Findings and the proposed Parking Operating Agreement is not likely to result in any new or different environmental impacts than those previously considered during SEQRA review of the DAIP. Therefore, no further SEQRA review is necessary.

3. The Common Council authorizes and directs the Mayor to execute the Parking Operating Agreement and further authorizes and directs the Mayor, City Clerk, Director of Community Development, City Attorney and/or Special Legal Counsel to take such further actions as may be necessary to effectuate the intent of this Resolution.

Approved by the **FINANCE AND COMMUNITY DEVELOPMENT COMMITTEE** at its meeting on **MAY 13, 2021**.

“Yes”

“No”

Absent

RESOLUTION 5.5 – 05/13/21

RESOLUTION TITLE: AWARD OF GRANT WRITING AND GRANT ADMINISTRATION SERVICES AGREEMENT

BY: Matthew Miller, Director of Community Development

WHEREAS, the City issued a Request for Proposals on April 1, 2021 for grant writing and/or grant administration services; and

WHEREAS, eight (8) proposals were received in response to the RFP; and

WHEREAS, a proposal review committee has completed an exhaustive evaluation of the received proposals including an initial round of independent review and subsequent interviews with multiple firms in accordance with the terms of the RFP.

NOW, THEREFORE, BE IT RESOLVED, the Common Council authorizes the Mayor to sign a three (3) year agreement for grant writing and grant administration services with **Barton & Loguidice** in an amount not to exceed \$56,580 per year of the agreement. **Funding for these services is to be provided by the General Fund.**

Contractor:	Barton & Loguidice
Service:	Grant writing and grant administration services
Rate:	Max. \$56,580 per year (\$36,580 grant writing, \$20,000 admin)
Mileage:	n/a
Contract Amount:	\$169,740 (New)
City Cost:	\$169,740
Period:	Three (3) years with two (2) one-year options to renew
New/Renewal:	New
Previous Year's Cost:	n/a
Previous Year's City Cost:	n/a

Approved by the **FINANCE & COMMUNITY DEVELOPMENT COMMITTEE** at its meeting on **MAY 13, 2021**.

“Yes”

“No”

Absent