

**REGULAR MEETING OF THE COMMON COUNCIL
OF THE CITY OF PLATTSBURGH, NEW YORK
OCTOBER 21, 2021
5:00 P.M.**

MINUTES

Present: Mayor Christopher Rosenquest, Councilors Jaime Canales (W1), Elizabeth Gibbs (W3), Jennifer Tallon (W4), Caitlin Bopp (W5), Jeff Moore (W6)

Absent: Councilor Mike Kelly (W2) *excused*

1. MINUTES OF THE PREVIOUS MEETING:

RESOLVED: That the Minutes of the Regular Meeting of the Common Council held on October 7, 2021 are approved and placed on file among the public records of the City Clerk’s Office.

By Councilor Bopp; Seconded by Councilor Gibbs
Roll call: Councilors Canales, Gibbs, Tallon, Bopp, Moore
(All in Favor/opposed)
(All voted in the affirmative)

2. PUBLIC COMMENT ON ANY TOPIC:

Margaret Lynn Sponable spoke about concerns about Underwood Mobile Home Park.

Joanne Eagle spoke about concerns about Underwood Mobile Home Park.

Sherry Provost spoke about concerns about Underwood Mobile Home Park.

Nancy Olsen spoke about Arnie Pavone parking lot and it is full of weeds.

Steve Krieg suggested meeting time be changed to 6pm feels 5pm is too early.

Kathleen Kasprzak asked about “Columbus Day” name changed to “Indigenous Peoples’ Day. How did it get changed and feels public should have had input.

Denise Nephew spoke about concerns about Underwood Mobile Home Park and absentee landlords.

3. REPORTS OF CITY OFFICES & COUNCILOR/DEPARTMENT CHAIR/LIAISON COMMITTEE REPORTS:

City Operations – Chair Councilor Canales indicated nothing to report.

Finance and Community Development – Chair Mayor Rosenquest indicated met on October 14, 2021, items moved to agenda.

City Infrastructure – Chair Councilor Moore indicated nothing to report.

Public Safety – Chair Councilor Gibbs indicated met on October 18, 2021, discussed several items and spoke about Mobile Home Parks. Requested meeting with Building Inspector to ask Zoning questions. **Mayor Rosenquest** explained roles of City and Health Department with regard to Mobile Home Parks.

Plattsburgh Public Library – Liaison Councilor Bopp gave updates on various projects at Library.

MLD - MLD Board President Councilor Kelly excused from meeting no report.

Corporation Counsel – Dean Schneller indicated no updates and no need for executive session.

4. CORRESPONDENCE OR RECOMMENDATIONS FROM BOARDS:

5. PAYROLLS OF VARIOUS DEPARTMENTS:

RESOLVED: That the payrolls of the various Departments of the City of Plattsburgh for the week ending October 20, 2021 in the amount of \$ 480,913.39 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 Bopp; Seconded by Councilor Canales
Roll call: Councilors Canales, Gibbs, Tallon, Bopp, Moore
(All in Favor/opposed)
(All voted in the affirmative)

6. AUDIT OF CLAIMS:

RESOLVED: That the bills Audited by the Common Council for the week ending October 22, 2021 in the amount of \$ 386,383.77 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 Bopp; Seconded by Councilor Canales
Roll call: Councilors Canales, Gibbs, Tallon, Bopp, Moore
(All in Favor/opposed)
(All voted in the affirmative)

7. OTHER ITEMS:

The Finance and Community Development Committee requested Resolutions #7.259- 7.262 be placed on the agenda

7.259 APPROVAL OF PARKING EQUIPMENT PURCHASE AND RELATED SERVICES FROM IPS GROUP, INC.

By Councilor Canales; Seconded by Councilor Gibbs
Discussion: None
Roll call: Councilors Canales, Gibbs, Tallon, Bopp, Moore
(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

7.260 AUTHORIZE BUDGET TRANSFER – REC COMPLEX FUND GYM BUILDING REPAIRS

By Councilor Canales; Seconded by Councilor Bopp

Discussion: None

Roll call: Councilors Canales, Gibbs, Tallon, Bopp, Moore

(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

7.261 AUTHORIZE BUDGET TRANSFER – GENERAL FUND JUDGMENTS & CLAIMS

By Councilor Gibbs; Seconded by Councilor Canales

Discussion: None

Roll call: Councilors Canales, Gibbs, Tallon, Bopp, Moore

(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

7.262 AUTHORIZE BUDGET ADJUSTMENT – GENERAL FUND – MUNICIPAL BUILDINGS REPAIR

By Councilor Canales; Seconded by Councilor Gibbs

Discussion: None

Roll call: Councilors Canales, Gibbs, Tallon, Bopp, Moore

(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

The Public Safety Committee requested Resolutions #7.263- 7.266 be placed on the agenda

7.263 APPROVE ADDITIONAL EXPENSE INCURRED FOR TRAVEL

By Councilor Gibbs; Seconded by Councilor Bopp

Discussion: None

Roll call: Councilors Canales, Gibbs, Tallon, Bopp, Moore

(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

7.264 AUTHORIZE PLATTSBURGH HOUSING CONTRACT – SUPPLEMENTAL POLICE SERVICES

By Councilor Gibbs; Seconded by Councilor Canales

Discussion: None

Roll call: Councilors Canales, Gibbs, Tallon, Bopp, Moore

(All voted in the affirmative)
ACTION TAKEN: Adopted
Follow up Action: None

7.265 AUTHORIZE BUDGET TRANSFER – GENERAL FUND REC COMPLEX TRANSFER

By Councilor Canales; Seconded by Councilor Bopp
Discussion: None
Roll call: Councilors Canales, Gibbs, Tallon, Bopp, Moore
(All voted in the affirmative)
ACTION TAKEN: Adopted
Follow up Action: None

7.266 AUTHORIZE ADDITIONAL POLICE OFFICERS UNFUNDED IN 2021 BUDGET

By Councilor Canales; Seconded by Councilor Gibbs
Discussion: Yes
Roll call: Councilors Canales, Gibbs, Tallon, Bopp, Moore
(All voted in the affirmative)
ACTION TAKEN: Adopted
Follow up Action: None

7.267 AUTHORIZE CITY CHAMBERLAIN TO SIGN SETTLEMENT AGREEMENT NYSEG GRT

By Councilor Canales; Seconded by Councilor Gibbs
Discussion: None
Roll call: Councilors Canales, Gibbs, Tallon, Bopp, Moore
(All voted in the affirmative)
ACTION TAKEN: Adopted
Follow up Action: None

7.268 ADOPTION OF LOCAL LAW P-6 OF 2021: A local law officially annexing a certain parcel of property located on Reeves Lane in the Town of Plattsburgh and identified on the 2021 tax map no. 220.-4-32 and 220.-4-31.2

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.

By Councilor Gibbs; Seconded by Councilor Canales
Discussion: Yes
Roll call: Councilors Canales, Gibbs, Tallon, Bopp, Moore
(All voted in the affirmative)
ACTION TAKEN: Adopted
Follow up Action: None

7.269 ADOPTION OF LOCAL LAW P-7 OF 2021: A local law officially annexing a certain parcel of property located on Sharron Avenue in the Town of Plattsburgh and identified on the 2021 tax map as no. 233.7-1-14

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.

By Councilor Canales; Seconded by Councilor Bopp

Discussion: None

Roll call: Councilors Canales, Gibbs, Tallon, Bopp, Moore

(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

8. EXECUTIVE SESSION: (if applicable, on motion) None

9. NEW BUSINESS: None

10. ADJOURNMENT:

Motion to Adjourn by Councilor Canales; Seconded by Councilor Gibbs

Roll call: Councilors Canales, Gibbs, Tallon, Bopp, Moore

(All voted in the affirmative)

MEETING ADJOURNED: 5:49 pm

RESOLUTION– 10/21/21

7.259 RESOLUTION: APPROVAL OF PARKING EQUIPMENT PURCHASE AND RELATED SERVICES FROM IPS GROUP, INC

WHEREAS, on September 16, 2021, the Common Council authorized the creation of capital project H5110.81 – 2021 Parking Equipment Purchase with an estimated cost of \$149,918 to be provided from the Parking Fund; and

NOW, THEREFORE, BE IT RESOLVED, the Common Council authorizes the Mayor to execute an agreement to purchase parking meter equipment and related services with IPS Group, Inc. (IPS) in an amount not to exceed \$149,918; and

BE IT FURTHER RESOLVED, the Common Council authorizes and directs the Mayor, Director of Community Development, the City's Police Department, City Clerk, Chamberlain, and Superintendent of Public Works to take such further actions as may be necessary to effectuate the intent of this resolution and the agreement with IPS.

RESOLUTION– 10/21/21

**7.260 RESOLUTION: AUTHORIZE BUDGET TRANSFER – REC COMPLEX
FUND GYM BUILDING REPAIRS**

WHEREAS, the 2021 Rec Complex Fund budget does not make appropriations for Gym building repairs; and

WHEREAS, the City Chamberlain is requesting to appropriate for the unbudgeted costs in the Rec Complex Fund Gym department costs for the fiscal year 2021;

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

Increase: Rec Complex Fund – Gym Contract Services	27221000-4430	\$ 7,000.00
Increase: Rec Complex Fund – Gym Building Repairs	27221000-4451	\$15,000.00
Decrease: Rec Complex Fund – Beach Building Repairs	27215000-4451	\$ 3,000.00
Decrease: Rec Complex Fund – Beach Contract Services	27215000-4430	\$ 3,000.00
Decrease: Rec Complex Fund – Crete Capital Outlay	27220000-3000	\$ 6,000.00
Decrease: Rec Complex Fund – Beach Temporary Payroll	27215000-1300	\$10,000.00

To provide for unbudgeted appropriations for the Rec Complex Gym building repair expenses in 2021. The budget adjustment does not increase the Rec Complex Fund budget for appropriations in 2021.

RESOLUTION – 10/21/2021

**7.261 RESOLUTION: AUTHORIZE BUDGET TRANSFER – GENERAL FUND
JUDGMENTS & CLAIMS**

WHEREAS, the 2021 General Fund budget does not make appropriations for the settlement of a claim against the City for costs brought through suit; and

WHEREAS, the City Chamberlain is requesting to appropriate for the unbudgeted costs through an additional appropriation for the unassigned, unappropriated fund balance in the General Fund 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 – Judgments & Claims	11930000-4430	\$25,000.00
Increase: General Fund – Appropriated Fund Balance	1-0599	\$25,000.00

To provide for unbudgeted appropriations for the General Fund to provide for a settlement approved by the Common Council at the October 7th, 2021, meeting with an Executive Session convened to approve this decision. The budget adjustment increases the General Fund budget for appropriations in 2021 by \$25,000.00 with a corresponding appropriation of \$25,000.00 of the Fund Balance.

RESOLUTION – 10/21/2021

7.262 RESOLUTION: AUTHORIZE BUDGET ADJUSTMENT – GENERAL FUND – MUNICIPAL BUILDINGS REPAIR

WHEREAS, the 2021 General Fund budget does not make sufficient appropriations for repairs to the City Hall roof and repairs to the information booth doors; and

WHEREAS, City Clerk has requested to provide for the additional costs for performing the repairs to the City Hall roof and the information booth doors 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 – Municipal Buildings Repairs	11620000-4451	\$ 2,700.00
Decrease: General Fund – Appropriated Fund Balance	1-0599	\$ 2,700.00

This entry is to provide appropriations in the General Fund for the unbudgeted costs to repair the City Hall roof and the information booth doors. The budget adjustment increases the General Fund Budget for 2021 by \$2,700.00 for the increase in appropriations and will decrease the General Fund unassigned unappropriated portion of the fund balance in 2021 by \$2,700.00.

RESOLUTION– 10/21/21

7.263 RESOLUTION: APPROVE ADDITIONAL EXPENSE INCURRED FOR TRAVEL

Request additional \$40 expense incurred due to parking and gas fees for one Police Department employee attendance at the “Courtroom Training for Certified Drug Recognition Experts” from September 29-30, 2021, in Albany, NY. Council previously approved this request for the total cost not to exceed \$227.50, at a Regular Meeting of the Common Council held on September 16, 2021 and this will be expensed out of the Asset Forfeiture Fund.

RESOLUTION– 10/21/21

**7.264 RESOLUTION: AUTHORIZE PLATTSBURGH HOUSING CONTRACT –
SUPPLEMENTAL POLICE SERVICES**

RESOLVED: That the Mayor be authorized to sign a contract with Plattsburgh Housing Authority for the provision of Supplemental Police Services by a Plattsburgh Police Officer (September 1, 2021 – August 31, 2022). The total revenue for the City is billed on a monthly basis per the contract.

RESOLUTION– 10/21/21

**7.265 RESOLUTION: AUTHORIZE BUDGET TRANSFER – GENERAL FUND
REC COMPLEX TRANSFER**

WHEREAS, the 2021 Rec Complex Fund budget does not make appropriations for the expansion of the dog park at the City beach site; 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	\$1,300.00
Decrease: General Fund – Appropriated Fund Balance	1-0599	\$1,300.00
Increase: Rec Complex Fund – Crete Capital Outlay	27220000-3000	\$ 1,300.00
Increase: Rec Complex Fund – Inter-fund Revenues General	00002228-2810	\$1,300.00

To provide for unbudgeted appropriations for the Rec Complex Fund in 2021 for expanding the dog park at the City Beach which will be partially funded by contributions made through the CCBR. The budget adjustment is a supplement to the May 6th, 2021, approved budget adjustment to bring the total City contribution to the dog park expansion to \$12,000. The adjustment increases the General Fund Budget for 2021 by \$1,300.00 for transfers to the Rec Complex Fund and the Rec Complex Fund budget for estimated revenues and appropriations will both increase in 2021 by \$1,300.00.

RESOLUTION– 10/21/21

7.266 RESOLUTION: AUTHORIZE ADDITIONAL POLICE OFFICERS UNFUNDED IN 2021 BUDGET

WHEREAS, the passing of this resolution permits authorization to the Plattsburgh Police Department to hire additional members to replace retirements and open vacancies from the 2021 budget; and

WHEREAS, further authorization is given to make additional hires unfunded in 2021 budget; and

WHEREAS; these combined total appointments are not to exceed 10 at this time

NOW, THEREFORE, BE IT RESOLVED, the Common Council Authorizes the Mayor of Plattsburgh to execute all necessary documents.

RESOLUTION– 10/21/21

7.267 RESOLUTION: AUTHORIZE CITY CHAMBERLAIN TO SIGN SETTLEMENT AGREEMENT NYSEG GRT

RESOLVED: In accordance with the request therefore, the City Chamberlain is authorized to sign the Settlement and Release Agreement, incorporated herein by reference, between NYSEG and the City of Plattsburgh resolving a claim for prior Gross Receipt Tax payments and future tax payments.

RESOLUTION– 10/21/21

7.268 ADOPTION OF LOCAL LAW P-6 OF 2021

LOCAL LAW NO. P-6 OF 2021

Introduced by Mayor Rosenquest on October 7, 2021 at a Regular meeting of the Common Council.

Public Hearing to be held on Thursday, October 21, 2021 at 5:15pm in the Council Chambers, 41 City Hall Place, Plattsburgh, NY 12901.

A LOCAL LAW OFFICIALLY ANNEXING A CERTAIN PARCEL OF PROPERTY LOCATED ON REEVES LANE IN THE TOWN OF PLATTSBURGH AND IDENTIFIED ON THE 2021 TAX MAP NO. 220.-4-32 and 220.-4-31.2

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

Section 1. Prior Proceedings

The Common Council of the City of Plattsburgh submitted a request pursuant to Section 706 of Article 17 of the New York General Municipal Law with the Town Board of the Town of Plattsburgh on April 20, 2021, as owner of certain real property in the Town consisting of an approximately 224+/-acre parcel of uninhabited land on Reeves Lane in the Town, identified as Clinton County Tax Map Parcel Nos. 220.-4-31.2 and 220.-4-32, for the annexation of the Property to the City (“Reeves Lane Property”).

The City Common Council, as the lead agency for the Type I, coordinated environmental review of this action, and in accordance with SEQR, reviewed the potential adverse environmental effects, if any, related to the Reeves Lane Property Annexation and on August 9th, 2021, the City Council readopted and reaffirmed its previous negative determination of environmental significance for the Reeves Lane Annexation.

On or about July 20, 2021, a Notice of Public Meeting on the Matter of Annexation of certain territory from the Town of Plattsburgh to the City of Plattsburgh was made to members of the public, with a copy of such Notice sent the impacted school districts, EMS and volunteer fire departments.

A meeting of the Town Board was held on August 26, 2021, in accordance with Section 706 of Article 17 of the New York General Municipal Law, and the Town Board of the Town made certain findings and thereupon adopted certain resolutions and orders based upon such findings, which such findings and Order determined that the requested annexation was made in conformance with Section 706 of the Municipal Annexation Law, that the Reeves Lane Annexation Request was in the overall public interest, and that the Town approved the Reeves Lane Annexation Request. A certified resolution of the Town Board resolution was then filed with the Town Clerk of the Town Board as well as the City Clerk of the City of Plattsburgh.

A meeting of the Common Council was held on September 16, 2021, in accordance with Section 706 of Article 17 of the New York General Municipal Law, and the Common Council of the City of Plattsburgh made certain findings and thereupon adopted certain resolutions and orders based upon such findings, which such findings and Order determined that the requested annexation was made in conformance with Section 706 of the Municipal Annexation Law, that the Reeves Lane Annexation Request was in the overall public interest, and that the City approved the Reeves Lane Annexation Request. A certified

resolution of the Common Council resolution was then filed with the Town Clerk of the Town Board as well as the City Clerk of the City of Plattsburgh.

The Common Council of the City of Plattsburgh wishes to complete the annexation process of the Reeves Lane Parcel by the adoption of a local law pursuant to § 714 of the General Municipal Law.

Section 2. Findings

The Common Council finds that on or about August 9, 2021, the Common Council (as Lead Agency) readopted and reaffirmed its previous Negative Declaration pursuant to SEQRA. The Common Council also finds that on or about August 26, 2021 the Town Board, and then again on September 16, 2021 the Common Council adopted its Resolution, Findings and Order approving the proposed annexation of the Reeves Lane Parcel into the City pursuant to General Municipal Law § 706.

The Common Council also finds that for all the reasons set forth in the aforementioned Resolutions, Findings and Orders, as well as the Negative Declaration, that it is in the public interest to annex the Reeves Lane Property into the City.

Section 3. Annexation of Parcel

The Common Council of the City of Plattsburgh does hereby annex the Reeves Lane Property described as follows:

ALL THAT CERTAIN PIECE OR PARCEL OF LAND, situate, lying and being in the Town of Plattsburgh, Clinton County, New York, bounded and described as follows:

COMMENCING at the point where the easterly bounds of Interstate Route 87 intersects the southerly bounds of Rugar Street;

THENCE PROCEEDING southerly in the easterly bounds of Interstate Route 87 a distance of 4,457± feet to a corner in said Route 87 easterly bounds;

THENCE PROCEEDING easterly in an east/west jog in said Interstate Route 87 easterly bounds a distance of 340± feet to a corner in said easterly bounds;

THENCE PROCEEDING southerly, still in said Interstate Route 87 easterly bounds, a distance of 791± feet to a corner in said easterly bounds;

THENCE PROCEEDING northeasterly in a northeast/southwest jog in said Route 87 easterly bounds a distance of 133± feet to the most westerly corner of a parcel now or formerly owned by New York State Electric & Gas Corporation by virtue of a Certificate of Merger recorded in Book 168 of Deeds at Page 356 in the office of the Clinton County Clerk;

THENCE PROCEEDING northeasterly in the northwesterly line of said New York State Electric & Gas Corporation parcel, a distance of 690± feet to the most northerly corner of said New York State Electric & Gas Corporation parcel;

THENCE PROCEEDING southeasterly in the northeasterly line of said New York State Electric & Gas Corporation parcel a distance of 100± feet to a point in the northerly line of the Saranac River;

THENCE PROCEEDING in the same course a further distance of 120± feet to a point in the centerline of the Saranac River;

THENCE PROCEEDING northeasterly, easterly, and southeasterly in the centerline of the Saranac River a distance of 3,000± feet to a point in the line between the Plattsburgh City School District on the east and the Beekmantown Central School District on the west which line is also the current westerly bounds of the City of Plattsburgh;

THENCE PROCEEDING northerly in said school district line a distance of 120± feet to a point in the northerly line of the Saranac River;

THENCE CONTINUING northerly in said school district line, being said current City of Plattsburgh westerly line, a further distance of 1,210± feet to a point in the southerly line of a parcel now or formerly owned by Ed Garrow & Sons, Inc. by virtue of a deed recorded as Instrument Number: 2015-00275139 in the office of the Clinton County Clerk;

THENCE PROCEEDING westerly in Ed Garrow & Sons' southerly line, and in the southerly line of a parcel now or formerly owned by Edward Champagne by virtue of a deed recorded in Book 571 of Deeds at Page 1050 in the office of the Clinton County Clerk, a total distance of 1,260 +- feet to Champagne's southwest corner;

THENCE PROCEEDING northerly in Champagne's westerly line a distance of 2,150+-: feet to another parcel now or formerly owned by Edward Champagne by virtue of the aforesaid deed recorded in Book 571 of Deeds at Page 1050;

THENCE PROCEEDING northerly in the westerly line of said second parcel now or formerly owned by Champagne, a distance of 125± feet to the point where said line is intersected at an acute angle by the westerly line of a parcel now or formerly owned by Edward Champagne and Ralph Joseph Bleau by virtue of a deed recorded as Instrument Number: 147003 in the office of the Clinton County Clerk;

THENCE PROCEEDING northwesterly and northerly in Champagne and Bleau's westerly line a distance of 1,131.36 feet to a point in the southerly bounds of Rugar Street;

THENCE PROCEEDING westerly in the southerly bounds of Rugar Street a distance of 420:+-: feet to a point in the easterly line of a parcel now or formerly owned by Joseph and Lori Provost by virtue of a deed recorded in book 923 of Deeds at Page 338 in the office of the Clinton County Clerk;

THENCE PROCEEDING southerly in Provosts' easterly line a distance of 119 feet to Provosts' southeast corner;

THENCE PROCEEDING westerly in Provosts' southerly line a distance of 200 feet to Provosts' southwest corner;

THENCE PROCEEDING northerly in Provosts' westerly line a distance of 119.32 feet to a point in the southerly bounds of Rugar Street;

THENCE PROCEEDING westerly in the southerly bounds of Rugar Street a distance of 650.96 feet to the point or place of commencement.

The aforementioned description includes all of that uninhabited land on Reeves Lane identified as Clinton County Tax Map Parcel Nos. 220.-4-31.2 and 220.- 4-32.

The annexation shall be effective immediately upon the filing of this local law in the office of the Secretary of State. The effective date of the annexation has been determined after giving due regard to the taxable status dates of the City and the Town, as well as the fiscal years of both municipalities.

This annexed territory shall be designated as Ward 3.

Section 4. Authority

This Local Law is enacted pursuant to General Municipal Law Section 714 .

Section 5. Rules and Regulations

The Common Council is authorized to adopt rules and regulations, by resolution, to further implement the provisions of this Local Law.

Section 6. Separability

If any part or provision of this Local Law or the application thereof to any person or circumstance be adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part or provision or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of this Local Law or the application thereof to other persons or circumstances, and the Common Council hereby declares that it would have passed this Local Law or the remainder thereof had such invalid application or invalid provision been apparent.

Section 7. Repeal

All ordinances, local laws and parts thereof inconsistent with this Local Law are hereby repealed.

Section 8. Effective Date

This Local Law shall take effect immediately upon filing in the office of the New York State Secretary of State.

RESOLUTION– 10/21/21

7.269 ADOPTION OF LOCAL LAW P-7 OF 2021

LOCAL LAW NO. P-7 OF 2021

Introduced by Mayor Rosenquest on October 7, 2021 at a Regular meeting of the Common Council.

Public Hearing to be held on Thursday, October 21, 2021 at 5:16pm in the Council Chambers, 41 City Hall Place, Plattsburgh, NY 12901.

A LOCAL LAW OFFICIALLY ANNEXING A CERTAIN PARCEL OF PROPERTY LOCATED ON SHARRON AVENUE IN THE TOWN OF PLATTSBURGH AND IDENTIFIED ON THE 2021 TAX MAP AS NO. 233.7-1-14

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

Section 1. Prior Proceedings

The Common Council of the City of Plattsburgh submitted a request pursuant to Section 706 of Article 17 of the New York General Municipal Law with the Town Board of the Town of Plattsburgh on April 20, 2021, as owner of certain real property in the Town consisting of an approximately 2.8 acre parcel of uninhabited land on Sharron Avenue, identified as Clinton County Tax Map Parcel No. 233.7-1- 14 (the "Sharron Avenue Property"), for the annexation of the Property to the City.

The Town Board, as the lead agency for the unlisted, uncoordinated environmental review of this action, and in accordance with SEQR, reviewed the potential adverse environmental effects, if any, related to the Sharron Avenue Property Annexation and on August 26, 2021 the Town Board adopted a negative determination of environmental significance in accordance with SEQRA for the Sharron Avenue Property Annexation.

On or about July 20, 2021, a Notice of Public Meeting on the Matter of Annexation of certain territory from the Town of Plattsburgh to the City of Plattsburgh was made to members of the public, with a copy of such Notice sent the impacted school districts, EMS and volunteer fire departments.

A meeting of the Town Board was held on August 26, 2021, in accordance with Section 706 of Article 17 of the New York General Municipal Law, the Town Board of the Town made certain findings and thereupon adopted certain resolutions and orders based upon such findings, which such findings and Order determined that the requested annexation was made in conformance with Section 706 of the Municipal Annexation Law, that the Sharron Avenue Annexation Request was in the overall public interest, and that the Town approved the Sharron Avenue Annexation Request. A certified resolution of the Town Board resolution was then filed with the Town Clerk of the Town Board as well as the City Clerk of the City of Plattsburgh.

A meeting of the Common Council was held on September 16, 2021, and in accordance with Section 706 of Article 17 of the New York General Municipal Law, the Common Council of the City of Plattsburgh made certain findings and thereupon adopted certain resolutions and orders based upon such findings, which such findings and Order determined that the requested annexation was made in conformance with Section 706 of the Municipal Annexation Law, that the Sharron Avenue Annexation Request was in the overall public interest, and that the City approved the Sharron Avenue Annexation Request. A certified resolution of the Common Council resolution was then filed with the Town Clerk of the Town Board as well as the City Clerk of the City of Plattsburgh.

The Common Council of the City of Plattsburgh wishes to complete the annexation process of the Sharron Avenue Parcel by the adoption of a local law pursuant to § 714 of the General Municipal Law.

Section 2. Findings

The Common Council finds that the Town Board adopted a Negative Declaration pursuant to SEQRA on August 26, 2021. The Common Council also finds that on or about August 26, 2021 the Town Board, and then again on September 16, 2021 the Common Council adopted its Resolution, Findings and Order approving the proposed annexation of the Sharron Avenue Parcel into the City pursuant to General Municipal Law § 706.

The Common Council also finds that for all the reasons set forth in the aforementioned Resolutions, Findings and Orders, as well as the Negative Declaration, that it is in the public interest to annex the Sharron Avenue Property into the City.

Section 3. Annexation of Parcel

The Common Council of the City of Plattsburgh does hereby annex the Sharron Avenue Property described as follows:

ALL THAT CERTAIN PIECE OR PARCEL OF LAND, situate, lying and being in the Town of Plattsburgh, Clinton County, New York, bounded and described as follows:

BEGINNING at an iron pipe found on the assumed southerly bounds of Sharron Avenue, said iron pipe marking the northwesterly corner of Plattsburgh Distributing Co., Inc., as described in Volume 546 of Deeds at Page 024, the parcel herein being described, and, said iron pipe also marks the northeasterly corner of lands of Catfish Enterprises, Ltd., as described in Volume 597 of Deeds at Page 073;

THENCE TURNING AND RUNNING S 27° 30' 00" E, along the easterly bounds of said Catfish Enterprises, and also being along the westerly bounds of Plattsburgh Distributing, a distance of 517.82 feet to an iron pipe found marking the common corner of said Catfish Enterprises and Plattsburgh Distributing, said iron pipe also being located on the northerly bounds of lands now or formerly of Plattsburgh Air Force Base;

THENCE TURNING AND RUNNING N 48° 47' 13" E, along the northerly bounds of said Plattsburgh Air Force Base and also being along the southerly bounds of the aforesaid Plattsburgh Distributing, and also being along additional lands of Plattsburgh Distributing Co., Inc. as described in Deed Instrument No. 148661, a total distance of 256.90 feet to an iron pipe found marking the common corner of said Plattsburgh Distributing and Francis Duquette, as described in Deed Instrument No. 118317;

THENCE TURNING AND RUNNING N 27° 27' 05" W, along the westerly bounds of said Duquette and also being along the easterly bounds of said Plattsburgh Distributing, a distance of 423.37 feet to an iron pin set;

THENCE CONTINUING on the same bearing an additional distance of 16.19 feet, for a total distance of 439.56 feet to a point marking the northeasterly corner of said Plattsburgh Distributing and the northwesterly corner of said Duquette;

THENCE TURNING AND RUNNING S 65° 02' 32" W, along the assumed southerly bounds of said Sharron Avenue, a distance of 200.20 feet to an iron pipe found marking the common corners of lands of

Plattsburgh Distributing as described in Volume 546 of Deeds at Page 024 and Deed Instrument No. 148661;

THENCE TURNING AND RUNNING S 72° 08' 10" W, continuing along the assumed southerly bounds of said Sharron Avenue, a distance of 50.67 feet to the point of beginning and containing 2.73+- acres of land.

The aforementioned description includes all of that uninhabited land on Sharron Avenue identified as Clinton County Tax Map Parcel No. 233.7-1-14.

The annexation shall be effective immediately upon the filing of this local law in the office of the Secretary of State. The effective date of the annexation has been determined after giving due regard to the taxable status dates of the City and the Town, as well as the fiscal years of both municipalities.

This annexed territory shall be designated as Ward 1.

Section 4. Authority

This Local Law is enacted pursuant to General Municipal Law Section 714 .

Section 5. Rules and Regulations

The Common Council is authorized to adopt rules and regulations, by resolution, to further implement the provisions of this Local Law.

Section 6. Separability

If any part or provision of this Local Law or the application thereof to any person or circumstance be adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part or provision or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of this Local Law or the application thereof to other persons or circumstances, and the Common Council hereby declares that it would have passed this Local Law or the remainder thereof had such invalid application or invalid provision been apparent.

Section 7. Repeal

All ordinances, local laws and parts thereof inconsistent with this Local Law are hereby repealed.

Section 8. Effective Date

This Local Law shall take effect immediately upon filing in the office of the New York State Secretary of State.