

At 5:12pm a Motion to enter Executive Session to discuss pending Article 7 litigation with GP, proposed acquisition of particular piece of real property the public discussion of which would substantially affect the value there of and potential litigation with Town regarding Annexation.

By Councilor Ensel; Seconded by Councilor McFarlin

Roll call: Councilors Armstrong, Kelly, Gibbs, Ensel, McFarlin, Moore

(All voted in the affirmative)

Returned at 5:59pm

Mayor Read stated returned from Executive Session discussed a matter of real property the public discussion of which would affect the value, discussion on potential litigation with regard to annexation and a potential tax challenge on behalf of Georgia Pacific.

No action was taken during Executive Session.

**REGULAR MEETING OF THE COMMON COUNCIL
OF THE CITY OF PLATTSBURGH, NEW YORK**

January 17, 2019

5:30 P.M.

Meeting began at 5:59pm

MINUTES

Pledge of Allegiance

(RC)

Present: Mayor Colin Read, Councilors Rachelle Armstrong (W1), Mike Kelly (W2), Elizabeth Gibbs (W3), Peter Ensel (W4), Patrick McFarlin (W5), Jeff Moore (W6) *arrived after roll call at 6:00pm*

Absent: None

MAYOR’S COMMENTS: None

1. MINUTES OF THE PREVIOUS MEETING:

RESOLVED: That the Minutes of the Regular Meeting of the Common Council held on January 10, 2019 are approved and placed on file among the public records of the City Clerk’s Office.

By Councilor Armstrong; Seconded by Councilor Ensel

(All in Favor/opposed)

Roll call: Councilors Armstrong, Kelly, Gibbs, Ensel, McFarlin

(All voted in the affirmative)

2. PAYROLLS OF VARIOUS DEPARTMENTS:

RESOLVED: That the payrolls of the various Departments of the City of Plattsburgh for the week ending January 16, 2019 in the amount of \$ 468,730.65 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 Kelly; Seconded by Councilor Gibbs

(All in Favor/opposed)

Roll call: Councilors Armstrong, Kelly, Gibbs, Ensel, McFarlin, Moore

(All voted in the affirmative)

3. REPORTS OF CITY OFFICES & COMMITTEE REPORTS:

- Report of Fire and Ambulance Responses for the week of January 8-14, 2019
- Minutes from the City Infrastructure Committee held on January 10, 2019

• **COUNCILOR/DEPARTMENT CHAIR COMMITTEE REPORTS:**

Governance, Strategy, and City Operations- Chair Councilor Armstrong indicated no updates.

City Infrastructure – Chair Councilor Moore indicated no updates.

Finance and Budget – Chair Councilor Kelly indicated met tonight and moved items to the agenda.

Public Safety – Chair Councilor Gibbs indicated no updates, however she has visited/toured the Building Inspectors Office and will be visiting/touring Fire Department on Monday and Police Department on Wednesday.

Plattsburgh Public Library – Chair Councilor Ensel indicated no updates.

MLD - MLD Board President Councilor McFarlin indicated no updates.

RESOLVED: That the reports as listed are hereby ordered received and any written reports are placed on file among the public records of the City Clerk’s Office.

By Councilor McFarlin; Seconded by Councilor Gibbs

(All in Favor/opposed)

Roll call: Councilors Armstrong, Kelly, Gibbs, Ensel, McFarlin, Moore

(All voted in the affirmative)

4. CORRESPONDENCE OR RECOMMENDATIONS FROM BOARDS: None

5. AUDIT OF CLAIMS:

RESOLVED: That the bills Audited by the Common Council for the week ending January 18, 2019 in the amount of \$ 1,629,069.34 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 Kelly; Seconded by Councilor Gibbs

(All in Favor/opposed)

Roll call: Councilors Armstrong, Kelly, Gibbs, Ensel, McFarlin, Moore

(All voted in the affirmative)

6. PERSONS ADDRESSING COUNCIL ON AGENDA ITEMS ONLY: None

7. OTHER ITEMS:

A. RESOLVED: In accordance with the request therefore the Common Council approves the City Chamberlain to transfer 11.96% of all budgeted over-time payroll appropriations from all funds in the 2019 budget requiring a total budget transfer of \$144,833.00 of over-time payroll appropriations to contingency appropriations in all funds, as well as, requiring the creation of a contingency appropriations budget line item in each fund without such a budget line, that is all for all funds except the General Fund.

Motion to waive reading and move Resolution

By Councilor Ensel; Seconded by Councilor Kelly
(All voted in the affirmative to “waive reading and move resolution”)

Discussion: Yes

Roll call: Councilors Armstrong, Kelly, Gibbs, Ensel, McFarlin, Moore
(Councilors Armstrong, Kelly, Gibbs, Ensel and Moore voted in the affirmative. Councilor McFarlin voted in the negative)

ACTION TAKEN: Adopted

Follow up Action: None

8. TRAVEL REQUEST:

A. RESOLVED: In accordance with the request therefore the Common Council approves two Police Department employees to attend “2019 Fire Investigation Academy” from February 24 – March, 1, 2019 and March 4 – 8, 2019 at the Academy of Fire Science in Montour Falls, NY. The total cost will not exceed \$1,980 and will be expensed out of the Asset Forfeiture Fund.

By Councilor Ensel; Seconded by Councilor Gibbs

Discussion: Yes

Roll call: Councilors Armstrong, Kelly, Gibbs, Ensel, McFarlin, Moore
(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

B. RESOLVED: In accordance with the request therefore the Common Council approves for three Police Department employees to attend “Law Enforcement Active Shooter Emergency Response Course – Train the Trainer” from January 22-25, 2019 in Oriskany, NY. The total cost will not exceed \$550 and will be expensed out of the Asset Forfeiture Fund. The training and the lodging will be paid for by the Department of Homeland Security.

Motion to waive reading and move Resolutions 8B and 8C

By Councilor McFarlin; Seconded by Councilor Ensel

(All voted in the affirmative to “waive reading and move resolutions 8B and 8C”)

Discussion: None

Roll call: Councilors Armstrong, Kelly, Gibbs, Ensel, McFarlin, Moore

(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

C. RESOLVED: In accordance with the request therefore the Common Council approves one Police Department employee to attend “2 Day Defensive Tactics Instructor Refresher Course” from February 6-8, 2019 in Pulaski, NY. This is required to continue his role in the Zone 9 Police Academy as an Instructor. The total cost will not exceed \$394 and will be expensed out of the Asset Forfeiture Fund.

[See details under Item 8B]

ACTION TAKEN: Adopted

Follow up Action: None

9. RESOLUTIONS FOR INITIAL CONSIDERATION:

Councilor McFarlin added the following for Initial Consideration:

WHEREAS, pursuant to the authority and provisions of Section 10 of the Municipal Home Rule Law of the State of New York and the statutory powers vested in the Common Council of the City of Plattsburgh (“Common Council”) to regulate and control land use and to protect the health, safety and welfare of its residents, pursuant to Local Law P-3 of 2018, which was adopted on March 15, 2018, the Common Council declared an eighteen (18) month moratorium on all applications or proceedings for applications, for the issuance of approvals or permits for the commercial cryptocurrency mining operations in the City of Plattsburgh (“City”); and

WHEREAS, pursuant to Local Law P-3 of 2018, the aforementioned moratorium may be terminated earlier than eighteen (18) months if the Common Council determines by resolution that the purpose of the local law have been fulfilled;

WHEREAS, the City formed a cryptocurrency zoning committee to study the matter; and

WHEREAS, on March 19, 2018, the New York State Public Service Commission adopted an Order Approving Tariff Amendments with Modifications (“Rider-A”) impacting High Density Load Customers to mitigate/minimize any utility surcharges experienced by residential customers as a result of incremental purchase power costs; and

WHEREAS, on October 25, 2018, the Common Council adopted Local Law P-6 of 2018, which established zoning regulations, fire suppression requirements, heat controls, noise limits, and nuisance abatement provisions for commercial cryptocurrency mining operations in the City.

NOW THEREFORE IT IS HEREBY RESOLVED that the Common Council determines that the purpose of the Commercial Cryptocurrency Mining Operation Moratorium established by Local Law P-3 of 2018 have been fulfilled and the Moratorium is hereby terminated, effective the date this resolution is approved.

10. NEW BUSINESS AND COUNCILOR REPORTS:

Councilor McFarlin mentioned that the Parking Advisory Committee held their first meeting on Tuesday, will meet once a month. The Parking Advisory Committee did want to make one recommendation to Council. The State has a list of municipalities that can issue residential parking permits and Plattsburgh is not on the list. The Parking Advisory Committee asks that Mayor and Corporation Counsel research what the process is to pursue being on the list. Also, he has received numerous concerns from attorneys receiving parking tickets when they are in the County Building for court and may not be able to come out every 2 hours to move vehicle, and from the commissioner of jurors that jurors are receiving tickets.

[further discussion ensued]

Councilor McFarlin indicated he heard concerns from Strong Towns group that a city employee who is a downtown resident was appointed to Parking Advisory Committee.

11. CLOSING PUBLIC COMMENTS ON ANY TOPIC:

Carol Klepper 17 Couch Street spoke about parking plans/redevelopment of downtown area, parking permits, parking passes, etc.

Motion to Adjourn by Councilor Gibbs; Seconded by Councilor Kelly
Roll call: Councilors Armstrong, Kelly, Gibbs, Ensel, McFarlin, Moore
(All voted in the affirmative)

MEETING ADJOURNED: 6:26 pm