

**At 5:15 pm a Motion to enter Executive Session to discuss a tax matter City vs. Racette
By Councilor McFarlin; Seconded by Councilor Ensel
Roll call: Councilors Armstrong, Kelly, Gibbs, Ensel, McFarlin, Moore
(All voted in the affirmative)**

**Returned at 5:21pm
Mayor Read stated returned from Executive Session discussed a tax matter City vs. Racette and there
will be a resolution on next week's agenda on this matter. No action was taken during Executive Session.**

**REGULAR MEETING OF THE COMMON COUNCIL
OF THE CITY OF PLATTSBURGH, NEW YORK
February 14, 2019
5:30 P.M.**

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)

Absent: None

MAYOR'S COMMENTS: Busy snow removal season, thanked Public Works, Police and Building Inspector for all their work and enforcing the ordinance. Thanked the public for doing their part. Further spoke about the ordinance.

1. MINUTES OF THE PREVIOUS MEETING:

RESOLVED: That the Minutes of the Regular Meeting of the Common Council held on February 7, 2019 are approved and placed on file among the public records of the City Clerk's Office.

By Councilor Gibbs; Seconded by Councilor Armstrong
(All in Favor/opposed)

Roll call: Councilors Armstrong, Kelly, Gibbs, Ensel, McFarlin, Moore
(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 February 13, 2019 in the amount of \$ 461,333.42 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 Armstrong
(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 February 5 - 11, 2019
- Minutes from the Governance, Strategy & City Operations Committee held on February 7, 2019

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

Governance, Strategy, and City Operations- Chair Councilor Armstrong indicated she has sent Council proposal from Opengov asked council to review. Opengov representatives will be here March 5th for a meeting agenda will be provided.

City Infrastructure – Chair Councilor Moore indicated met tonight, nothing new to report. Councilor Gibbs mentioned they will be touring Infrastructure departments next week.

Finance and Budget – Chair Councilor Kelly stated committee will meet next week, he will be meeting with Councilor Moore and Chamberlain Marks on Tuesday. Mentioned the Department of Public Works gave a report of their Overtime during the Infrastructure Committee meeting tonight.

Public Safety – Chair Councilor Gibbs indicated no updates. Asked to meet next week with Public Safety Department heads.

Plattsburgh Public Library – Chair Councilor Ensel indicated no updates next meeting coming up soon.

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 Ensel; 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 February 15, 2019 in the amount of \$ 548,375.17 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 Moore

(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:

Mic & Anne-Marie Farrell spoke about their request to gather on City Hall steps on May 2, 2019 as part of the “Pray for America” event.

7. OTHER ITEMS:

Motion to remove Item 7A from the table

By Councilor _____; Seconded by Councilor _____

Discussion:

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

ACTION TAKEN: Adopted _____ Defeated _____ Withdrawn _____ Tabled _____

A. 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.

By Councilor _____; Seconded by Councilor _____

Discussion:

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

ACTION TAKEN: Adopted _____ Defeated _____ Withdrawn _____ Tabled _____

Follow up Action:

B. RESOLVED: In accordance with the request therefore the Common Council approves Mic and Anne-Marie Farrell to hold a “Pray for America” event on the steps of City Hall on Thursday, May 2, 2019 at 6pm – 7pm.

By Councilor Kelly; Seconded by Councilor Moore

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

C. RESOLVED: In accordance with a request from Clinton County Office of Emergency Services, the Common Council approves issuing a 911 address for Cemetery parcel #221.16-1-17.2 of 3 Lake Forest Drive.

Motion to waive reading and move Resolutions 7C, 7D, 7E, 7F and 7G

By Councilor Gibbs; Seconded by Councilor Ensel

(Councilors Armstrong, Kelly, Gibbs, Ensel and Moore voted in the affirmative to “waive reading and move resolutions 7C, 7D, 7E, 7F and 7G. Councilor McFarlin voted in the negative)

Discussion: Yes

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

(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

D. RESOLVED: In accordance with the request therefore the Common Council approves Contract # 2019-01 “Sodium Hypochlorite for Water Pollution Control Plant and Water Filtration Plant” be awarded to Surpass Chemical for the lump sum of \$115,430.42.

[See details under Item 7C]

ACTION TAKEN: Adopted

Follow up Action: None

E. RESOLVED: In accordance with the request therefore the Common Council approves Contract # 2017-14 “Laboratory Services at Water Pollution Control Plant” be awarded as listed below:

BOD/CBOD Testing awarded to Endyne Inc for lump sum of \$20,800
Contract for 78 other items awarded to ALS Environmental \$18,867

[See details under Item 7C]

ACTION TAKEN: Adopted
Follow up Action: None

F. 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, “livability” is the sum of the factors that add up to a community's quality of life—including the built and natural environments, economic prosperity, social stability and equity, educational opportunity, pedestrian access, crime and nuisance, beautification, and cultural, arts, entertainment and recreation possibilities.

NOW THEREFORE, Be It Resolved that the Common Council establishes a Livable Community Advisory Committee (“Committee”). The purpose of the Committee is to research and review the issues and problems identified by City residents in their experience as City residents. Upon identifying issues and problems, the Committee will seek to compile a list of potential solutions that could enhance the livability in the City for the benefit of the residents; and it is further

RESOLVED, that 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. The Committee shall include the following representatives:

- a. Two City Councilors nominated by the Common Council.
- b. One representative nominated by SUNY Plattsburgh.
- c. Up to seven City residents nominated by the City Governance Committee, as compiled from a list of volunteers who will register their interest with the Mayor’s Office by completing an application; and it is further
- d. Mayor will also serve on committee as ex-officio.

RESOLVED, that the Committee shall vote to elect their Chair and Vice Chair and shall establish their agenda and schedule for meetings at their first meeting; 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 research, findings, advice and proposed solutions to the Common Council at which point the Committee will be disbanded.

[See details under Item 7C]

ACTION TAKEN: Adopted
Follow up Action: None

G. RESOLVED: In accordance with the request therefore the Common Council approves request from the City Chamberlain to increase the 2019 budget by \$3,000.00 to appropriate a contracted fee to ARWS approved by Common Council resolution on February 7th, 2019. The budget adjustment will increase budgeted Animal Control Contract Services by \$3,000.00 and increase Assigned Appropriated Fund Balance in the General Fund by \$3,000.00 as per the budget adjustment memo provided for the meeting documentation.

[See details under Item 7C]

ACTION TAKEN: Adopted
Follow up Action: None

8. TRAVEL REQUEST: None

9. RESOLUTIONS FOR INITIAL CONSIDERATION: None

10. NEW BUSINESS AND COUNCILOR REPORTS:

Councilor Armstrong spoke about the proposed local law she introduced regarding e-cigs and § 241-5 regulating the use of tobacco products upon public property

Councilor Ensel asked if any update on letter of intent with Prime, RFP for IT and for Item 7F he nominates Councilor Moore and he would like to serve as well.

Director of Community Development Matthew Miller indicated the Council will have something to review next week.

[further discussion ensued]

Councilor Gibbs wanted to recognize the Strand for a recent show she attended and exhibits.

11. CLOSING PUBLIC COMMENTS ON ANY TOPIC: None

Motion to Adjourn by Councilor Ensel; Seconded by Councilor Gibbs
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)

MEETING ADJOURNED: 6:01 pm