

EXHIBIT A



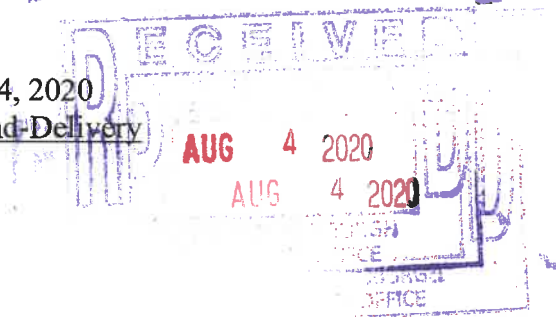
LAW OFFICES OF
DEAN C. SCHNELLER

98 Boynton Ave. | www.schnellerlaw.com
Plattsburgh, NY 12901 | Phone: (518) 647-8877
Dean@schnellerlaw.com

Corporation Counsel City of Plattsburgh

August 4, 2020
Via Hand-Delivery

Michael Cashman
Plattsburgh Town Supervisor
151 Banker Road
Plattsburgh, NY 12901



Re: Annexation Petition and Joint Public Hearing

Dear Supervisor Cashman,

As you know I represent the City of Plattsburgh (hereafter "City"). Enclosed for service upon the Town of Plattsburgh (hereafter "Town") is a Petition for Annexation, with exhibits, for the ±224 acre parcel off Rugar Street, which is identified as tax map parcel 220.-4-32.

Pursuant to Section 704 of the General Municipal Law, the Town and the City shall conduct a Joint Public Hearing to hear testimony about the Petition. The first step is to schedule a public hearing and then publicly announce the same. Specifically, within twenty days after receipt of this Petition the City and the Town shall publish a notice in the official newspaper and also mail a copy of this notice to corporations owning real property and persons residing in the territory. As a practical matter, there are no persons residing in the territory and other than the City of Plattsburgh, currently the only other property owner is the United States of America (tax map parcel 220.-4-31.2).

Such notice shall state that a Petition for the annexation of territory has been proposed, the territory shall be briefly described, and that a Joint Public Hearing is to be conducted at a specified place in either the Town or the City on a specified day not less than twenty days nor more than forty days after the publication and mailing of such notice. In addition, both the City and the Town shall cause a copy of such notice to be mailed not less than ten days prior to the date of such Joint Public Hearing to the school authorities of any school district in which all or part of the territory proposed to be annexed is situated and, where it is proposed to annex territory to a city, to the school authorities of any school district (a) adjoining the territory proposed to be annexed and (b) located wholly or partly within the City. Here, the Beekmantown Central School District and the City of Plattsburgh Central School District would receive this notice. Also, the Town and City shall post a copy of this notice on each respective website.

Michael Cashman
August 4, 2020
Page 2

Please note that Section 704(2) requires the Town to mail a copy of this notice not less than ten days prior to the date of such Joint Public Hearing to the board of commissioners or other governing body of each fire district or other district corporation, public benefit corporation, and town improvement district operated by a separate board of commissioners, situated wholly or partly in the territory to be annexed.


I will prepare a draft notice and circulate it to your counsel for review. However, it would be helpful to work out the logistics of the meeting in advance. To that end, I'd propose that we aim to publish and mail this notice on or about August 10th which would schedule the Joint Public Hearing for Thursday, September 3, 2020 at 6:00 p.m. in the Common Council Chambers in City Hall. In addition to live person attendance—with social distance protocols and mask—we'd also arrange for a live stream option as well as a stenographer to transcribe the testimony (with the cost of the stenographer to be shared equally).

Section 705 of the General Municipal Law describes the scope of the hearing. I would suggest that we agree on a basic agenda and, if possible, a chairperson in advance.

As soon as practicable, please confirm that this date and time for the Joint Public Hearing is acceptable at which point I will provide a draft notice and circulate it to your counsel for review.

Thank you for your kind attention.

Very truly yours,



Dean Schneller
Corporation Counsel City of Plattsburgh

DCS/lw

cc: Common Council
Jim Coffey, Town Attorney

Enclosure

PETITION BY THE CITY OF PLATTSBURGH
FOR THE ANNEXATION OF TERRITORY ADJOINING
THE CITY OF PLATTSBURGH, COUNTY OF CLINTON, NEW YORK
IN THE TOWN OF PLATTSBURGH, COUNTY OF CLINTON, STATE OF NEW YORK

*FOR PRESENTATION TO THE TOWN BOARD
OF PLATTSBURGH AND THE COMMON COUNCIL OF
THE CITY OF PLATTSBURGH*

Pursuant to Article 17 of the General Municipal Law of the State of New York, the Petitioner, the City of Plattsburgh (hereinafter referred to as “City” or “Petitioner”) petitions to annex to the City of Plattsburgh certain territory which is not in the City, but which is in the Town of Plattsburgh, County of Clinton, State of New York, as is more particularly described in Paragraph 2 of this Petition.

1. The City of Plattsburgh has been an incorporated city in the County of Clinton, State of New York, since 1902.

2. Petitioner seeks to have certain territory in the Town of Plattsburgh, County of Clinton, State of New York, which adjoins the City of Plattsburgh annexed as part of that city. A description of the territory to be annexed is attached hereto as “Exhibit A”.

3. Other than the parcel identified on the 2019 tax roles as tax map parcel 220.-4-31.2—which is located entirely within the territory to be annexed—the Petitioner is the sole owner of the property sought to be annexed, assessed upon the last Assessment Roll of the Town of Plattsburgh. The City has entered into an agreement with the United States of America to purchase the vacant parcel identified on the 2019 tax roles as tax map parcel 220.-4-31.2 and while it has already received a signed deed as of the date of this Petition, the deed is being held in escrow pending Petitioner’s receipt of a TP-584

and RP-5217. Parcel 220.-4-31.2 is vacant, approximately 100' x 300', and is assessed for \$300.

4. There are no persons residing in the territory sought to be annexed.

5. An outline map of the City of Plattsburgh is attached to this Petition as "Exhibit B".

6. An outline map of the territory sought to be annexed and described in paragraph 2 is attached to this Petition as "Exhibit C".

7. An outline map of the City of Plattsburgh as it would appear if the territory described in paragraph 2 were annexed is attached to this Petition as "Exhibit D".

8. A certificate of the Town Assessor responsible for the preparation of the Assessment Roll for the Town of Plattsburgh certifying that the Petitioner owns a majority of the assessed valuation of the property in the territory sought to be annexed is attached hereto as "Exhibit E".

9. Petitioner was designated as Lead Agency pursuant to the State Environmental Quality Review Act and Decision of the Commissioner of the Department of Environmental Conservation and Petitioner has fulfilled its obligation as Lead Agency by conducting comprehensive SEQRA review resulting in issuance of a SEQRA Negative Declaration on May 28, 2020.

10. The annexation of the territory described in Exhibit A into the City is in the overall public interest.



State of New York)

) SS.:

County of Clinton)

reside at 153 Cornelia Street

[Handwritten signature]

.....

DEAN SCHNELLER
Notary Public, State of New York
No. 02SC6196165
Qualified in Clinton County
Commission Expires Nov. 3, 2022

EXHIBIT A

SCHEDULE A

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 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 Route 87 easterly bounds a distance of 340± feet to a corner in said easterly bounds;

THENCE PROCEEDING southerly, still in said 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.

EXHIBIT B



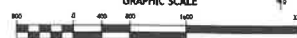
APPROXIMATE CITY OF PLATTSBURGH
CORPORATE LIMITS



CORPORATE LIMITS PLAN

SCALE: 1"=500'

GRAPHIC SCALE



UNLESS OTHERWISE NOTED, ALL INFORMATION ON THIS DRAWING IS THE PROPERTY OF THE ARCHITECT. NO PART OF THIS DRAWING IS TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, WITHOUT PERMISSION IN WRITING FROM THE ARCHITECT. THE ARCHITECT'S OFFICE SHALL BE CONSIDERED THE TRUE COPY.

**NOT FOR
CONSTRUCTION**

EXHIBIT B - CORPORATE LIMITS PLAN

PROJECT NO. 15007
DATE 07/15/20
DRAWN BY JAC
CHECKED BY JAC

EXHIBIT C



BOUNDARY OF LANDS TO BE INCORPORATED INTO THE CITY OF PLATTSBURGH, TAX MAP ID 230-4-32, AREA = 4224 ACRES (INCLUDING REEVES LANE RIGHT-OF-WAY)

APPROXIMATE CITY OF PLATTSBURGH CORPORATE LIMITS



TERRITORY SOUGHT TO BE ANNEXED



UNAUTHORIZED ALTERATIONS AND/OR ADDITIONS TO THIS DRAWING, INCLUDING A LICENSED ARCHITECT OR ENGINEER SEAL, A VIOLATION OF SECTION 203B, SUBSECTION 2, OF THE NEW YORK STATE CRIMINAL LAW. ONLY COPIES FROM THE ORIGINAL OF THIS DRAWING, INCLUDING THE ORIGINAL ARCHITECT'S SEAL, ENGINEER'S SEAL AND SIGNATURE, SHALL BE CONSIDERED VALID TRUE COPIES.

EXHIBIT C - TERRITORY SOUGHT TO BE ANNEXED

PROJECT NO. 18019
DATE 07/13/20
DRAWN BY MSC
CHECKED BY JAA

NOT FOR
AEDA
CONSTRUCTION

EXHIBIT D



APPROXIMATE PROPOSED CITY OF PLATTSBURGH
CORPORATE LIMITS AFTER ANNEXATION OF
LANDS OF TAX MAP ID 220.-4-32 FROM THE
TOWN OF PLATTSBURGH



PROPOSED CORPORATE LIMITS PLAN POST ANNEXATION

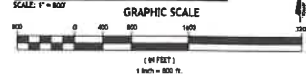


EXHIBIT D - PROPOSED CORPORATE LIMITS PLAN

PROJECT NO. 15097
DATE 07/13/20
DRAWN BY JSC
CHECKED BY JAA

EXHIBIT E



TOWN OF PLATTSBURGH ASSESSMENT

151 BANKER ROAD
PLATTSBURGH, NEW YORK 12901-7307
(518) 562-6820
FAX # (518) 563-8396
TDD # (800) 662-1220

Michael S. Cashman
Supervisor

Meg E. LeFevre
Deputy Supervisor/Councilor

James J. Coffey
Town Attorney

Thomas E. Wood
Councilor

Charles A. Kostyk
Councilor

Barbara E. Hebert
Councilor

Kevin M. Patnode
Town Clerk


Matthew G. Favro
Deputy Town Attorney

STATE OF NEW YORK
COUNTY OF CLINTON

I, Brian M. Dowling, Assessor for the Town of Plattsburgh, County of Clinton, State of New York, do hereby certify:

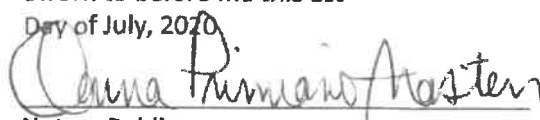
1. I am responsible for the preparation of the last preceding assessment roll for the Town of Plattsburgh for the year 2020, a certified copy of which was filed with the Town Clerk for the Town of Plattsburgh on or before July 1, 2020. The assessed valuation on the assessment roll of all real property situated within a certain area in the Town of Plattsburgh, identified in 2020 as tax map parcel 220.-4-32; which is proposed to be annexed to the City of Plattsburgh as set forth in the Petition for Annexation attached hereto is \$2,500,000.
3. There are no inhabitants residing on the parcels proposed to be annexed.
4. The aforementioned tax map description of real property is assessed on the last preceding assessment rolls, the majority or \$2,500,000 of the \$2,500,000 assessment (100%) is in the name of the Petitioner, City of Plattsburgh, for the area sought to be annexed.
5. The real property, or territory, proposed for annexation is as described by deed references, filed at the Clinton County Clerk's Office, Plattsburgh, NY,
Instrument #2001-00129519 recorded 3/9/2001
Instrument #2018-00295523 recorded 7/19/2018
Instrument #2019-00299118 recorded 1/25/2019
and is wholly owned by the Petitioner, City of Plattsburgh.

Dated: July 1, 2020


Brian M. Dowling, Assessor, Town of Plattsburgh

Sworn to before me this 1st

Day of July, 2020.


Notary Public

DONNA PRIMIANO-MASTEN
Notary Public, State of New York
No. 01PR4939266
Qualified in Clinton County
Commission Expires Oct. 3, 2022

BrianD@townofplattsburgh.org
RachelL@townofplattsburgh.org

The Town of Plattsburgh is an equal opportunity provider and employer.

EXHIBIT B

NOTICE OF JOINT HEARING

On Petition to Annex Territory from the Town of Plattsburgh, New York to the City of Plattsburgh, New York

NOTICE IS HEREBY GIVEN, pursuant to General Municipal Law §704, that a petition by the City of Plattsburgh, New York (the “City”) for annexation to the City, of certain territory situated in the Town of Plattsburgh (the “Town”), has been filed with the Office of the Clerk of the Town of Plattsburgh. The property described in the petition for annexation (the “Petition”) is more particularly described as follows: approximately 224+/- acres of real property located on Rugar Street in the Town of Plattsburgh, comprised of Tax Map Nos. 220.-4-31.2 and 220.-4-32, and as further described in the legal description attached to the Petition (collectively, the aforementioned real property is referred to herein as the "Premises").

NOTICE IS FURTHER GIVEN, that on **September 24, 2020 at 6:00 pm at 130 Arizona Avenue, Plattsburgh, New York 12901**, a joint hearing will be held by the aforesaid City of Plattsburgh and Town of Plattsburgh, upon said Petition at which time and date all interested persons shall be given opportunity to be heard.

In addition, provided that certain Executive Orders issued by Governor Andrew Cuomo allowing participation through videoconferencing are extended such that use of videoconferencing remains lawful as of September 24, 2020, the public will also be permitted to observe the proceedings and be heard on September 24, 2020 at 6:00 pm via Zoom at the following website address: <https://zoom.us/j/99022260963>.

For live web commenting, members of the public may join the Zoom meeting at 6:00 p.m. on September 24th, 2020 and will be provided an opportunity to make comments verbally in real time by utilizing Zoom’s “Attendee” feature.

Additional information and links to instructions for using the Zoom platform can be found in the *Temporary Board Procedures* document on the Planning Board webpage of the City’s website at www.cityofplattsburgh.com.

Members of the public without access to a computer who wish to comment live via telephone during the hearing may call into the Zoom meeting’s conference line at US: **1-646-558-8656** and enter Webinar ID: **990 2226 0963**

In addition to any verbal comments that members of the public may wish to make during the Joint Hearing, the City and Town encourage all interested parties to submit written comments to the City and Town in advance of September 24, 2020, which will all be included within the hearing record.

The members of the aforesaid governing boards of the City and Town will meet at the above time and place and will receive evidence and information which may be presented concerning the Petition and the question of whether the annexation is in the overall public interest, including, but not limited to testimony, evidence and information concerning the grounds set forth in General Municipal Law §705(1) as follows:

- a) That a person signing the Petition is not qualified therefor; or
- b) That the persons signing such Petition do not constitute 20% of the persons residing within such Premises, qualified to vote for Town officials; or
- c) That the persons signing such Petition do not represent the owners of a majority in assessed valuation of the property within such Premises assessed upon the last preceding assessment roll of the Town; or
- d) That the Petition does not otherwise substantially comply in form or content with the provisions of Article 17 of the General Municipal Law of the State of New York; or
- e) That the proposed annexation is or is not in the overall public interest
 - 1) of the Premises proposed to annexed; or
 - 2) of the local government or governments to which the Premises is proposed to be annexed; or
 - 3) of the remaining area of the local government or governments in which such Premises is situated; or
 - 4) of any school district, fire district or other district corporation, public benefit corporation, fire protection district, fire alarm district or town or county improvement district, situated wholly or partly in the Premises proposed to be annexed.

Objections based upon subparagraphs (a), (b), (c) or (d) above, in addition to the presentation of oral testimony thereon, must be submitted in writing and placed on file with the City and Town holding the hearing and made a part of the record of the hearing.

Dated: August 21, 2020

Notice provided by Hon. Colin L. Read, Mayor, City of Plattsburgh for the City of Plattsburgh and also for Hon. Michael S. Cashman, Supervisor, Town of Plattsburgh

311639\4850-0718-1256\ v1

PRESS REPUBLICAN
473 THIRD STREET
NIAGARA FALLS NY 14301
(518) 561-2300
Fax (518) 565-4192

ORDER CONFIRMATION

Salesperson: Legal Ads

Printed at 08/21/20 12:25 by bupto

Acct #: 45578

Ad #: 1382585

Status: New WHOLD

CITY OF PLATTS-COMMON COUNCIL
41 CITY HALL PLACE
PLATTSBURGH NY 12901

Start: 08/24/2020 Stop: 08/24/2020
Times Ord: 1 Times Run: ***
STD 1.00 X 238.00 Words: 748
Total STD 238.00
Class: 147 PUBLIC NOTICES
Rate: L001 Cost: 110.27
Affidavits: 1

Contact: SYLVIA PARROTTE

Phone: (518) 563-7702

Fax#:

Email: parrottes@cityofplattsburgh-

Agency:

Ad Descrpt: NOTICE OF JOINT HEARING O
Given by: *

P.O. #:

Created: bupto 08/21/20 12:18

Last Changed: bupto 08/21/20 12:25

PUB ZONE EDT TP RUN DATES
PR A 97 S 08/24
IN A 96 S 08/24

AUTHORIZATION

Under this agreement rates are subject to change with 30 days notice.

Name (print or type)_____
Name (signature)

(CONTINUED ON NEXT PAGE)

PRESS REPUBLICAN
473 THIRD STREET
NIAGARA FALLS NY 14301
(518) 561-2300
Fax (518) 565-4192

ORDER CONFIRMATION (CONTINUED)

Salesperson: Legal Ads

Printed at 08/21/20 12:25 by bupto

Acct #: 45578

Ad #: 1382585

Status: New WHOLD WHOI

**NOTICE OF
JOINT HEARING**

On Petition to Annex

Territory from the

Town of Pattsburgh,

New York

to

the City of

Pittsford.

NOTICE IS HEREBY**GIVEN**, pursuant to

General Municipal Law

§704, that a petition by

the City of Pittsford,

for annexation to the

City, of certain territory

situated in the Town of

Pattsburgh, the

Town of Pattsburgh

has been filed

with the Office of the

Clerk of the Town of

Pattsburgh. The prop-

erty described in the

petition for annexation

(the "Petition") is more

particularly described

as follows, approx-

imately 2200 acres of

real property located

on Ridge Street in the

Town of Pattsburgh,

comprised of Lots 100,

Lots 200, 300 and

200-A-52, and as fur-

ther described in the

legal description at-

tached to the Petition

(collectively, the above-

described land hereinafter

is referred to herein

as the "Premises").

NOTICE IS FURTHER**GIVEN**, that on

September 24, 2020

at 8:00 pm at 100 Al-

bion Avenue, Pitts-

burgh, New York

11961, a joint hearing

will be held by the

Town of Pattsburgh

and the City of Pit-

tsford, which said

hearing will be held

and date all interested

persons shall be given

opportunity to be

heard.

In addition, provided

that certain Executive

Orders issued by Gov-

ernor Andrew Cuomo

allowing participation

through videoconfer-

encing are extended

such that use of video-

conferencing remains

valid as of September

24, 2020, the public

will also be permitted

to intervene in the pro-

ceedings to be held

on September 24,

2020 at 8:00 pm via

Zoom at the following

website address:

<https://zoom.us/j/90020563>

Zoom.

For the web comment-

ing, members of the

public may join the

Zoom meeting at 8:00

pm on September

24th, 2020 and will be

provided an opportu-

nity to make comments

verbally in real time by

utilizing Zoom's "Ad-

vanced" features.

Additional information

and tips to partici-

pate for using the

Zoom platform can be

found in the Temp-

orary Board Procedures

document on the Plan-

ning Board webpage of

the City website at

<https://www.ci.pittsford.ny.us/2020/09/11/2020-00020563>

Members of the public

without access to a

computer who wish to

comment via telephone

during the hear-

ing may call into the

Zoom meeting via con-

ference line at 1-877-

468-8585 or dial in

via Webex at 800-

225-9983.

In addition to any ver-

bal comments, a per-

son may wish to make

comments during the

hearing. The City and Town

encourage all interested

persons to submit ver-

bal comments to the

City and Town in ad-

vance of September

24, 2020, which will

be included within the

hearing record.

The members of the

Town of Pattsburgh

Board of the City and

Town will meet at the

above time and place

and will receive ad-

vance information

which may be presen-

ted concerning the Pet-

ition and the question

of whether the annex-

ation is in the overall

public interest, includ-

ing, but not limited to:

1) the historical, cul-

tural, and historical evi-

dence and information con-

cerning the grounds

set forth in General

Municipal Law §70(1)

as follows:

a) That a person sig-

ning the Petition is not

qualified to do so;

b) That the persons

signing such Petition

do not constitute 20%

of the persons residing

within such Premises,

qualified to vote for

Town officials; or

c) That the persons

signing such Petition

do not represent the

interests of the majority

of the property in

the vicinity of the

proposed annexation;

d) That the Petition

does not otherwise

constitute a violation

of the provisions of

Article 17 of the

Constitution of the

State of New York; or

e) That the proposed

annexation is not in

the overall public in-

terest.

f) That the Premises

proposed to be annexed

are:

1) of the local govern-

ment or governmental

entity in which the Premises

are proposed to be an-

nexed; or

2) of the remaining

area of the local gov-

ernment or govern-

ment in which such

Premises is situated;

or

3) of any school dis-

trict, the district or off-

ice or district corporation,

public benefit corpora-

tion, the corporation dis-

trict, the county district

or town or county in-

terest wholly or partly in

the Premises proposed

to be annexed.

g) That the persons

signing the Petition

are not qualified to

do so; or

h) That the persons

signing the Petition

are not qualified to

do so; or

i) That the persons

signing the Petition

are not qualified to

do so; or

j) That the persons

signing the Petition

are not qualified to

do so; or

k) That the persons

signing the Petition

are not qualified to

do so; or

l) That the persons

signing the Petition

are not qualified to

do so; or

m) That the persons

signing the Petition

are not qualified to

do so; or

n) That the persons

signing the Petition

are not qualified to

do so; or

o) That the persons

signing the Petition

are not qualified to

do so; or

p) That the persons

signing the Petition

are not qualified to

do so; or

q) That the persons

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are not qualified to

do so; or

r) That the persons

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s) That the persons

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are not qualified to

do so; or

t) That the persons

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u) That the persons

signing the Petition

are not qualified to

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v) That the persons

signing the Petition

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do so; or

w) That the persons

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x) That the persons

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ah) That the persons

signing the Petition

are not qualified to

do so; or

ai) That the persons

signing the Petition

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EXHIBIT C

OBJECTIONS TO PETITION IN THE MATTER
OF THE PETITION FOR THE ANNEXATION OF
TERRITORY FROM THE TOWN OF PLATTSBURGH, COUNTY OF CLINTON, TO THE CITY OF
PLATTSBURGH, COUNTY OF CLINTON, NEW YORK

TO THE MEMBERS OF THE TOWN BOARD OF THE
TOWN OF PLATTSBURGH, NEW YORK, AND THE MEMBERS OF THE
COMMON COUNCIL OF THE CITY OF PLATTSBURGH, NEW YORK:

As special counsel on behalf of the Town of Plattsburgh, New York (the "Town"), the undersigned hereby objects to the annexation to the City of Plattsburgh, New York (the "City"), territory in Town as described in a certain "Petition by the City of Plattsburgh for the Annexation of Territory Adjoining the City of Plattsburgh, County of Clinton, New York in the Town of Plattsburgh, County of Clinton, State of New York" dated August 3, 2020 and received by the Town on August 4, 2020 (the "Petition"), and request that (i) the qualified members of the Town Board of the Town, and the City Council of the City determine that the Petition **does not comply** with the provisions of General Municipal Law Article 17; and (ii) such determination be incorporated in a Resolution and Order of the Town Board, and City Council, and (iii) that said Town Board, and City Council refuse to execute a consent to such Petition.

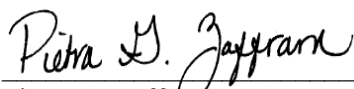
The Town's objections to the Petition are made on the following grounds:

(a) That the Petition does not substantially comply in form or content with the provisions of General Municipal Law Article 17 in that the Petition does not accurately describe the territory to be annexed. Specifically, paragraph No. 3 of the Petition describes Parcel 220.-4-31.2 as "vacant, approximately 100' x 300', and is assessed for \$300." In fact, Parcel 220.-4-31.2 is 100' x **380'** in lot size, as set forth in the Town's 2020 Assessment Roll for said parcel, available at <https://clinton.sdgny.com/propdetail.aspx?swis=094200&printkey=22000000040310020000>

(b) That the Petition does not substantially comply in form or content with the provision of General Municipal Law Article 17 in that the sworn statement of Brian M. Dowling, Assessor for the Town, dated July 1, 2020 and attached to the Petition (the "Assessor Certification"), does not certify that the Petition "is signed by the owners of a majority in assessed valuation of the real property in such territory assessed upon the last preceding assessment roll of" the Town, as required by General Municipal Law Section 703(3). Specifically, paragraph 4 of the Assessor Certification states "The aforementioned tax map description of real property is assessed on the last preceding assessment rolls, the majority or \$2,500,000 of the \$2,500,000 assessment (100%) is in the name of the Petitioner, City of Plattsburgh, for the area sought to be annexed." The "aforementioned tax map" referenced in paragraph 4 is Tax Map Parcel No. 220.-4-32. However, the entire territory to be annexed is not limited to such parcel. As set forth in paragraph 3 of the Petition, Tax Map Parcel No. 220.-4-31.2 is also included in the territory to be annexed. The document therefore does not therefore certify the Petition is signed by a majority of the owners of the entire territory to be annexed, but instead certifies to the majority ownership as to one out of the two parcels described in the Petition. Based on the foregoing, the Assessor's Certification does not comply with the requirements of GML §703.

(c) That the annexation proposed is not in the overall public interest of the remaining area of the Town.

Dated: September 24, 2020



Pietra G. Zaffran, Esq.
Special Counsel on Behalf of Town of Plattsburgh
Harris Beach PLLC
726 Exchange Street, Suite 1000
Buffalo, New York 14210