

**TOWN OF PLATTSBURGH
TOWN BOARD MONTHLY MEETING
PUBLIC HEARING
February 3, 2022**

The meeting was called to order at 6:00 p.m. by the presiding officer at the Town Hall on the Banker Road.

FURTHER NOTICE is hereby given that the Town Board of the Town of Plattsburgh will meet and hold public hearings thereon at the Town Hall located on the Banker Road, in the Town of Plattsburgh, Clinton County, New York on Thursday at 6:05 p.m. prevailing time in relation to the Proposed amendment to the Zoning Ordinance- Smart Growth Plan - Lead Agenda and SEQRA review

1. Acceptance of Written Comments into the Record of the Hearing

2. Open Public Hearing to the Floor for Public Comment

Motion to OPEN Public Hearings

Motion by: Thomas E. Wood

Seconded by: Charles A. Kostyk

Discussion:

Motion to CLOSE Public Hearings

Motion by: Thomas E. Wood

Seconded by: Charles A. Kostyk

Time: 6:06 PM

Time: 6:14 PM

	<u>Yes</u>	<u>No</u>	<u>Absent</u>
Thomas E. Wood	x		
Barbara E. Hebert	x		
Charles A. Kostyk	x		
Dana M. Isabella	x		
Michael S. Cashman	x		

	<u>Yes</u>	<u>No</u>	<u>Absent</u>
Thomas E. Wood	x		
Barbara E. Hebert	x		
Charles A. Kostyk	x		
Dana M. Isabella	x		
Michael S. Cashman	x		

Kostyk
2/11/22

**TOWN OF PLATTSBURGH
TOWN BOARD MONTHLY MEETING
February 3, 2022**

In the absence of the Town Clerk due to illness, a motion was made to have Michael S. Cashman be the recording officer for this meeting.

Motion by: Charles A. Kostyk

Seconded by: Barbara E. Hebert

	<u>Yes</u>	<u>No</u>	<u>Absent</u>	<u>Carried</u>	<u>Tabled</u>
				x	
Thomas E. Wood	x				
Barbara E. Hebert	x				
Charles A. Kostyk	x				
Dana M. Isabella	x				
Michael S. Cashman	x				

The meeting was called to order at 6:00, p.m. by the presiding officer at the Town Hall on the Banker Road. Pledge

MEMBERS:

	<u>PRESENT</u>	<u>ABSENT</u>
Michael S. Cashman, Supervisor	x	
Thomas E. Wood, Councilor	x	
Barbara E. Hebert, Councilor	x	
Charles A. Kostyk, Councilor	x	
Dana M. Isabella, Councilor	x	
Kathryn B. Kalluche, Town Clerk		x
James J. Coffey, Town Attorney		x

Resolution No. 022-037

Approve Minutes of the Previous Meeting

RESOLVED, that the minutes of December 6 and 13, 2022 be approved and the reading of the minutes be dispensed with.

Motion: Thomas E. Wood

Seconded by: Charles A. Kostyk

Discussion: none

	<u>Yes</u>	<u>No</u>	<u>Absent</u>	<u>Carried</u>	<u>Tabled</u>
				x	
Thomas E. Wood	x				
Barbara E. Hebert	x				
Charles A. Kostyk	x				
Dana M. Isabella	x				
Michael S. Cashman	x				

Public Comment- none

Public Hearing proposed amendment to the Zoning Ordinance

Kathy Kullu
2/11/22

**TOWN OF PLATTSBURGH
TOWN BOARD MEETING
February 3, 2022**

Resolution No. 022-038

Abstract 2A- 22

RESOLVED, that the abstract of audited claims **No.1A-22** for \$2,788,589.30, **Abstract 1A-22A** prepays for the amount \$153,059.97 and audit claims for **No. 2 A- 2021** \$184,862.50 be received as reviewed by the Audit Committee and the Supervisor is hereby authorized to pay said abstracts.

Motion: Thomas E. Wood

Seconded by: Barbara E. Hebert

Discussion: none

<u>Yes</u>	<u>No</u>	<u>Absent</u>	<u>Carried</u>	<u>Tabled</u>
------------	-----------	---------------	----------------	---------------

x

Thomas E. Wood	x
Barbara E. Hebert	x
Charles A. Kostyk	x
Dana M. Isabella	x
Michael S. Cashman	x

Kathy Kall
2/11/22

**TOWN OF PLATTSBURGH
TOWN BOARD MONTHLY MEETING
February 3, 2022**

Resolution No. 022-039

**Request to Attend Annual Code
Enforcement Educational Conference**

WHEREAS, it is in the best interest of the Town Code Enforcement Officers to remain current and informed concerning changes in regulation and participation in the Annual Conference will enable the codes Officers to earn 24 credits to maintain their license; therefore it is

RESOLVED, that Stephen Imhoff, Allen Reece and Drew Arthur, Codes Enforcement Officers, be allowed to attend the Northern Adirondack Code Enforcement Officials Association's 27th Annual Educational Conference held from February 28-March 3, 2022, in Lake Placid, New York at the High Peaks Plaza; and it is further

RESOLVED, that 2,448.00 for dues, conference fees, lodging, and meals be charged to the Code/Zoning Budget account A8010.4410; and, be it further

RESOLVED, that a copy of this Resolution be given to the Finance Manager and Codes Enforcement Officers.

Motion: Dana M. Isabella

Seconded by: Charles A. Kostyk

Discussion: none

	<u>Yes</u>	<u>No</u>	<u>Absent</u>	<u>Carried</u>	<u>Tabled</u>
				x	
Thomas E. Wood	x				
Barbara E. Hebert	x				
Charles A. Kostyk	x				
Dana M. Isabella	x				
Michael S. Cashman	x				

Katlynn Kallu
2/11/22

**TOWN OF PLATTSBURGH
TOWN BOARD MEETING
February 3, 2022**

Resolution No. 22-040

**Senior Account Clerk/Typist Position
Promotion – Barbara Miner**

WHEREAS, in February 2017 Barbara Miner was hired as an Account Clerk/ Typist in the Water and Wastewater Department; and

WHEREAS, Barbara Miner deals with more complex clerical work and supervises billing tasks of new hire account clerk/typist; and

WHEREAS, Mrs. Miner has passed the Senior Account Clerk/Typist Civil Service exam and is reachable from the current Civil Service listing; therefore be it

RESOLVED, this promotion will take effect on February 7, 2022 with a 12 week probationary period. This places Barbara Miner at Grade 6, Step of 1 at an hourly rate of \$23.70; and it is further

RESOLVED, that the Supervisor is hereby authorized to sign all necessary documents to promote Barbara Miner to the position of Senior Account Clerk/Typist; and be it further

RESOLVED, that a certified copy of this Resolution be given to the Finance Manager and be placed in Mrs. Miner's personnel file.

Motion: Barbara E. Hebert

Seconded by: Charles A. Kostyk

Discussion: none

	<u>Yes</u>	<u>No</u>	<u>Absent</u>	<u>Carried</u>	<u>Tabled</u>
				x	
Thomas E. Wood	x				
Barbara E. Hebert	x				
Charles A. Kostyk	x				
Dana M. Isabella	x				
Michael S. Cashman	x				

Katya Kallu
2/11/22

**TOWN OF PLATTSBURGH
TOWN BOARD MONTHLY MEETING
February 3, 2021**

Resolution NO. 22-041

**3% Site Plan Return Deposit for Wilson Holding
Site Plan 2020**

WHEREAS, the Town of Plattsburgh Planning Board has reviewed and approved all requirements of the Wilson Holding--Site Plan 2020; and

WHEREAS, the Planning and Community Development Department has coordinated inspection of said project and reports all requirements have been met and completed; therefore, be it

RESOLVED, that the Supervisor is hereby authorized and directed to release the deposit in the amount of \$960.28 plus accrued interest to date; and it is further

RESOLVED, that a certified copy of this Resolution be forwarded, by the Planning and Community Development Department Secretary, with the return of deposit to N. Wilson Holdings LLC.

Motion: Charles A. Kostyk

Seconded by: Thomas E. Wood

Discussion: none

<u>Yes</u>	<u>No</u>	<u>Absent</u>	<u>Carried</u>	<u>Tabled</u>
			x	

Thomas E. Wood	x
Barbara E. Hebert	x
Charles A. Kostyk	x
Dana M. Isabella	x
Michael S. Cashman	x

Kathryn Hull
2/11/22

**TOWN OF PLATTSBURGH
TOWN BOARD MEETING
February 3, 2022**

Resolution No. 22-042

**Change Order No.1 - Contract No.
4 – Electrical, Water Supply
Improvements**

WHEREAS the Town of Plattsburgh's Water and Wastewater Department (WWW) went out to bid and awarded the Water Supply Improvements Contract No. 4 – Electrical (Resolution No. 021-126) as part an ongoing capital improvement plan; and

WHEREAS, the electrical service can be reduced from 800 amps to 600 amps, as well as reduce the generator size from 750 kW to 250 kW; and

WHEREAS, based the time to receive the generator and transfer switch the contactor has requested a time extension to September 30, 2022; and

WHEREAS, Triangle Electrical systems Inc. has submitted a pricing adjustment resulting in a credit for the service reduction (\$3,500.00 credit) and generator (\$161,496.00 credit) for a total credit of \$164,846.00; now, therefore be it

RESOLVED, that the Town Board does hereby authorize the Supervisor to execute said change order no. 1 contract no. 4; and, be it further

RESOLVED, that a copy of this Resolution be given to the Finance Manager and Water Wastewater Director, Laberge Engineering and Triangle Electrical Systems Inc..

Motion: Barbara E. Hebert

Seconded by: Dana M. Isabella

Discussion: Hebert

	<u>Yes</u>	<u>No</u>	<u>Absent</u>	<u>Carried</u>	<u>Tabled</u>
				X	
Thomas E. Wood	X				
Barbara E. Hebert	X				
Charles A. Kostyk	X				
Dana M. Isabella	X				
Michael S. Cashman	X				

Katya Kalka
2/11/22

**TOWN OF PLATTSBURGH
TOWN BOARD MONTHLY MEETING
February 3, 2022**

Resolution No. 022-043

**Appointment of Nicholas Willard as a
Laborer in the Building and Grounds
Department**

WHEREAS, a vacancy exists in the position of Maintenance Worker in the Building and Grounds Department that was duly posted; and

WHEREAS, interviews for the aforementioned position were held by the members of the Town Board and Superintendent of the Building and Grounds; and

WHEREAS, upon completion of interviews the committee's recommendation is that the Town Board consider Nicholas Willard for the existing vacant Building and Grounds position; and

WHEREAS, all employment verification and eligibility has been satisfied; now, therefore be it

RESOLVED, that the Town Board does hereby authorize the hiring of Nicholas Willard to the position of Laborer as of February 7, 2022 with the pay rate as per contract of \$19.44; and, it is further

RESOLVED, that this appointment become effective following final Civil Service approval and that the Supervisor is hereby authorized to sign all necessary documents for the full time appointment of Nicholas Willard to the position of laborer in Building and Grounds Department with a probation period of one year; and, it is further

RESOLVED, that a certified copy of this Resolution be given to the Finance Manager, Superintendent of Building, Grounds and one placed in Mr. Willard's personnel file.

Motion: Charles A. Kostyk

Seconded by: Dana M. Isabella

Discussion: none

Roll Call:

	<u>Yes</u>	<u>No</u>	<u>Absent</u>	<u>Carried</u>	<u>Tabled</u>
				x	
Thomas E. Wood	x				
Barbara E. Hebert	x				
Charles A. Kostyk	x				
Dana M. Isabella	x				
Michael S. Cashman	x				

Kelly Hall
2/11/22

**TOWN OF PLATTSBURGH
TOWN BOARD MONTHLY MEETING
February 3, 2022**

Resolution No. 022-044

**Updated Wage and Salary Administration
Program to reflect part time employees**

WHEREAS, Public Sector HR Consultants, LLC was retained in 2019 to conduct a comprehensive study and produce a Wage and Salary Administration Program for non-represented positions in the Town of Plattsburgh, and

WHEREAS, Town of Plattsburgh chose to update this program for part time non represented positions and has received the updated Wage and Salary Administration Manual from Public Sector HR Consultants, LLC and;

WHEREAS, the information contained in the manual has been prepared to describe the Town of Plattsburgh Wage and Salary Administration Program. Statements contained in the manual are meant to be guidelines to be utilized by the Town Board in making wage and salary decisions. Policies contained herein may be modified at any time, by the Town Board in its sole discretion, and

RESOLVED, The Town Board does hereby adopt the Wage and Salary Administration Manual with particular focus on the Wage and Salary Structure fully described in Section 6 to serve as a guide for wage and salary decisions. Which provides one of the basic controls of the Program. The manual will assist management in making equitable pay decisions. The number of grade levels and pay ranges within each level have been developed to fit the Town of Plattsburgh's specific needs.

Motion: Charles A. Kostyk

Seconded by: Barbara E. Hebert

Discussion: none

Roll Call:

	<u>Yes</u>	<u>No</u>	<u>Absent</u>	<u>Carried</u>	<u>Tabled</u>
				x	
Thomas E. Wood	x				
Barbara E. Hebert	x				
Charles A. Kostyk	x				
Dana M. Isabella	x				
Michael S. Cashman	x				

Kostyk
2/11/22

**TOWN OF PLATTSBURGH
TOWN BOARD MEETING
February 3, 2022**

Resolution No. 022-045

Amend Emergency Dog Control Services

WHEREAS, resolutions 021-210 was passed for a temporary dog control officer with a term that has now expired; and

WHEREAS, Jody Perrea is a licensed DCO and is willing to continue to furnish emergency dog control services to the Town as in the attached Agreement , as an independent contractor on an as needed or emergency basis and; now therefore be it

RESOLVED, that after the Town Attorney's review, the Supervisor enter into the attached Agreement between the Town of Plattsburgh, a municipal corporation existing pursuant to the Laws of the State of New York, having its principal office and place of business at 151 Banker Road, Plattsburgh, Clinton County, New York, herein after the "Town", and Jody Perrea herein after the "Contractor"; and, be it further

RESOLVED, that a copy of this Resolution be given to the Town Clerk and Finance Manager.

Motion: Barbara E. Hebert

Seconded by: Thomas E. Wood

Discussion: none

	<u>Yes</u>	<u>No</u>	<u>Absent</u>	<u>Carried</u>	<u>Tabled</u>
				x	
Thomas E. Wood	x				
Barbara E. Hebert	x				
Charles A. Kostyk	x				
Dana M. Isabella	x				
Michael S. Cashman	x				

K. S. Hall
2/11/22

**TOWN OF PLATTSBURGH
TOWN MONTHLY MEETING
February 3, 2022**

RESOLVED, that this Town Board meeting be adjourned at 6:16 PM.

Motion by: Charles A. Kostyk
Seconded by: Dana M. Isabella
Discussion: none

	<u>Yes</u>	<u>No</u>	<u>Carried</u>
			x
Thomas E. Wood	x		
Barbara E. Hebert	x		
Charles A. Kostyk	x		
Dana M. Isabella	x		
Michael S. Cashman	x		

Katy Isabella
2/11/22

**TOWN OF PLATTSBURGH TOWN BOARD
WORK SESSION AGENDA
February 10, 2022**

The meeting was called to order at 6:03 PM by the presiding officer at the Town of Plattsburgh Town Hall, 151 Banker Road.

	<u>Present</u>	<u>Absent</u>
MEMBERS: Michael S. Cashman, Supervisor	x	
Thomas E. Wood, Councilor	x	
Barbara E. Hebert, Councilor	x	
Charles A. Kostyk, Councilor	x	
Dana M. Isabella, Councilor	x	
Kathryn B. Kalluche, Town Clerk	x	
James J. Coffey, Town Attorney	x	

Public Comments

Supervisor's Report

Draft Resolutions

021-xxx Minutes
021-xxx Monthly Reports
022-046 Renewal of Shared Services between TOP and Ellenburg Stand alone Mausoleum
022- xxx Request to Submit LGRMIF Grant from Town Clerk
022 -xxx Purchase Request for Two New Vehicles
for the Codes and Zoning Department
022-xxx Purchase of Sodium Fluoride- Slack Chemical
022-xxx Purchase of Sodium Fluoride –Surpass Chemical
022-xxx Set a Public Hearing for Codes and Zoning Permit Fee Schedule

Committee Reports -

Town Board meeting be adjourned at 6:16 PM.

Kathryn B. Kalluche
2/11/22

**TOWN OF PLATTSBURGH
TOWN BOARD SEMI MONTHLY MEETING
February 17, 2022**

The meeting was called to order at 6:00 p.m. by the presiding officer at the Town Hall on the Banker Road. Pledge

MEMBERS:

PRESENT ABSENT

Michael S. Cashman, Supervisor	x
Thomas E. Wood, Councilor	x
Barbara E. Hebert, Councilor	x
Charles A. Kostyk, Councilor	x
Dana M. Isabella, Councilor	x
Kathryn B. Kalluche, Town Clerk	x
James J. Coffey, Town Attorney	x

Resolution No. 022-046

Approve Minutes of the Previous Meeting

RESOLVED, that the minutes of January 6 and 13, 2022 be approved and the reading of the minutes be dispensed with.

Motion: Thomas E. Wood

Seconded by: Charles A. Kostyk

Discussion: none

	<u>Yes</u>	<u>No</u>	<u>Absent</u>	<u>Carried</u>	<u>Tabled</u>
				x	
Thomas E. Wood	x				
Barbara E. Hebert	x				
Charles A. Kostyk	x				
Dana M. Isabella	x				
Michael S. Cashman	x				

Public in Attendance, Larry Ebert, Legislator Bezio and Legislator Hughes

Public Comment- Yes, Larry Ebert

Larry Ebert
2/22/22
2/24/22

**TOWN OF PLATTSBURGH
TOWN BOARD SEMI MONTHLY MEETING
February 17, 2022**

Resolution No. 022-047

Abstract 2B- 22

RESOLVED, that the abstract of audited claims **No.2B-22** for \$227,231.34, **Abstract 2B-22** prepays for the amount \$309,752.74, and audited claims **No.2B-21** for \$330,348.15, **Abstract 2B-21** prepays for the amount \$47,574.86 be received as reviewed by the Audit Committee and the Supervisor is hereby authorized to pay said abstracts.

Motion: Barbara E. Hebert

Seconded by: Dana M. Isabella

Discussion: none

<u>Yes</u>	<u>No</u>	<u>Absent</u>	<u>Carried</u>	<u>Tabled</u>
			x	

Thomas E. Wood	x
Barbara E. Hebert	x
Charles A. Kostyk	x
Dana M. Isabella	x
Michael S. Cashman	x

Kostyk
2/24/22

**TOWN OF PLATTSBURGH
TOWN BOARD SEMI MONTHLY MEETINGS
February 17, 2020**

Resolution No. 020-048

Monthly Department Reports

RESOLVED, to receive and place on file Monthly Department Head Reports.

Building and Grounds – January

Codes and Zoning- January

Dog Control Officer -

Historian-

Highway Superintendent –January

Justice Court-

Parks and Recreation- January

Planning and Community
Development – February

Safety Committee –

Supervisors Financial Report- January

Tax Receiver-

Town Clerk- January

Water Wastewater – January

Motion: Charles A. Kostyk

Seconded by: Dana M. Isabella

Discussion: none

<u>Yes</u>	<u>No</u>	<u>Absent</u>	<u>Carried</u>	<u>Tabled</u>
			x	

Thomas E. Wood	x
Barbara E. Hebert	x
Charles A. Kostyk	x
Dana M. Isabella	x
Michael S. Cashman	x

Katey Kaul
2/24/22

**TOWN OF PLATTSBURGH
TOWN BOARD SEMI MONTHLY MEETING
February 17, 2022**

Resolution NO. 022-049

**Renewal of Shared Services Agreement between
Towns of Plattsburgh and Ellenburg for Plattsburgh
Community Mausoleum**

WHEREAS, the Town of Ellenburg includes a crematory and stand-alone mausoleum in the Town of Ellenburg and we are desirous of help with services held at the Plattsburgh Community Mausoleum;

WHEREAS, the Towns of Plattsburgh and Ellenburg wish to enter into an Agreement to formalize the terms, conditions and obligations of each Town; now; therefore, be it,

RESOLVED, that, after review by the Town Attorney, the Supervisor is duly authorized and empowered to execute the attached Agreement on behalf of the Town of Plattsburgh; and be it further,

RESOLVED, that a copy of this Resolution be given to the Town Clerk, Finance Manager, and Town of Ellenburg Supervisor.

Motion: Barbara E. Hebert

Seconded by: Thomas E. Wood

Discussion: none

	<u>Yes</u>	<u>No</u>	<u>Absent</u>	<u>Carried</u> x	<u>Tabled</u>
Thomas E. Wood	x				
Barbara E. Hebert	x				
Charles A. Kostyk	x				
Dana M. Isabella	x				
Michael S. Cashman	x				

Kutym Hall
2/24/22

**TOWN OF PLATTSBURGH
TOWN BOARD SEMI MONTHLY MEETING
February 17, 2022**

Resolution NO.022-050

**Request to Submit LGRMIF Grant from
Town Clerk**

WHEREAS, the LGRMIF continues to be critically important in the diligent and careful maintenance of the historical records and information related to the Town of Plattsburgh, and

WHEREAS, an application to the New York State Archives Records Administration for a 2022-2023 Local Government Records Management Improvement Fund Grant is available to the Town, and

WHEREAS, the Town Clerk wishes to submit an application for such grant funding to have assistance in remedying the issues of the Town's archival records systems; and

WHEREAS, the application for the grant is free of cost to the Town, and the Town is under no obligation to accept the grant if it is awarded; therefore, be it

RESOLVED, that the Town Clerk move forward with preparation and submission of the grant application for the LGRMIF Grant; and be it further

RESOLVED, a copy of this resolution be given to the Town Clerk for their files.

Motion: Thomas E. Wood

Seconded by: Charles A. Kostyk

Discussion: none

	<u>Yes</u>	<u>No</u>	<u>Absent</u>	<u>Carried</u>	<u>Tabled</u>
				x	
Thomas E. Wood	x				
Barbara E. Hebert	x				
Charles A. Kostyk	x				
Dana M. Isabella	x				
Michael S. Cashman	x				

Kay S. Kall
2/24/22

**TOWN OF PLATTSBURGH
TOWN BOARD SEMI MONTHLY MEETING
February 17, 2022**

Resolution No.022-051

**Purchase of Sodium Fluoride -
Slack Chemical**

WHEREAS the Water & Wastewater Dept has to add Sodium Fluoride to the water supply for health standards; and

WHEREAS, Procedures for Purchase of Commodities, Equipment or Goods and Contract Values requires the Town to solicit price quotes for amounts in excess of \$5,000.00; and

WHEREAS, the Water & Wastewater Dept requested 3 solicited prices and is requesting permission to purchase Sodium Fluoride; therefore be it

RESOLVED, the Town Board approve the purchase as requested and that the Water & Wastewater Director is hereby authorized to make incremental purchases not to exceed the total amount of \$10,000.00 in fiscal year 2022 from Slack Chemical, Saratoga Springs NY; and, be it further

RESOLVED, that payment be made payable from the 2022 Water & Wastewater Budget Account # SWC.8330.4110 and that a copy of this Resolution be given to the Water & Wastewater Department and Budget Officer.

Motion: Charles A. Kostyk

Seconded by: Thomas E. Wood

Discussion: none

	<u>Yes</u>	<u>No</u>	<u>Absent</u>	<u>Carried</u>	<u>Tabled</u>
				x	
Thomas E. Wood	x				
Barbara E. Hebert	x				
Charles A. Kostyk	x				
Dana M. Isabella	x				
Michael S. Cashman	x				

2/24/22

**TOWN OF PLATTSBURGH
TOWN BOARD SEMI MONTHLY MEETING
February 17, 2022**

Resolution No.022-052

**Purchase of Sodium Fluoride-
Surpass Chemical**

WHEREAS the Water & Wastewater Dept has to add Sodium Fluoride to the water supply for health standards; and

WHEREAS, Procedures for Purchase of Commodities, Equipment or Goods and Contract Values requires the Town to solicit price quotes for amounts in excess of \$5,000.00; and

WHEREAS, the Water & Wastewater Dept requested 3 solicited prices and is requesting permission to purchase Sodium Fluoride; therefore be it

RESOLVED, the Town Board approve the purchase as requested and that the Water & Wastewater Director is hereby authorized to make incremental purchases not to exceed the total amount of \$10,000.00 in fiscal year 2022 from Surpass Chemical, Albany NY; and, be it further

RESOLVED, that payment be made payable from the 2022 Water & Wastewater Budget Account # SWC.8330.4110 and that a copy of this Resolution be given to the Water & Wastewater Department and Budget Officer.

Motion: Thomas E. Wood

Seconded by: Charles A. Kostyk

Discussion: none

	<u>Yes</u>	<u>No</u>	<u>Absent</u>	<u>Carried</u>	<u>Tabled</u>
				x	
Thomas E. Wood	x				
Barbara E. Hebert	x				
Charles A. Kostyk	x				
Dana M. Isabella	x				
Michael S. Cashman	x				

*Kathy Kaulh
2/24/22*

**TOWN OF PLATTSBURGH
TOWN BOARD SEMI MONTHLY MEETING
February 17, 2022**

Resolution No. 022 -053

**Purchase Request for Two New Vehicles
for the Codes and Zoning Department**

WHEREAS, the Town Codes and Zoning needs 2 new vehicles to replace current vehicles: and,

WHEREAS, the Codes Department has complied with the NYS, OGS procurement requirements for acquisition by the completion of the competitive mini-bid process executed via the NYS Vehicle Marketplace; therefore be it

RESOLVED, to accept the following bids: to purchase two 2022 Ford F-150 XLT Super Cab 4x4 in the amount of \$ 35,973.99 each pursuant to the New York State Office through the General Services Standards and Purchase Group Contract; and it is further

RESOLVED, that the Town Board does hereby grant permission to purchase the above vehicles, and a copy of this resolution be given to the Codes and Zoning Department , and Finance Manager.

Motion: Barbara E. Hebert

Seconded by: Dana M. Isabella

Discussion: none

	<u>Yes</u>	<u>No</u>	<u>Absent</u>	<u>Carried</u>	<u>Tabled</u>
				x	
Thomas E. Wood	x				
Barbara E. Hebert	x				
Charles A. Kostyk	x				
Dana M. Isabella	x				
Michael S. Cashman	x				

Katey Kuller
2/24/22

**TOWN OF PLATTSBURGH
TOWN BOARD SEMI MONTHLY MEETING
February 17, 2022**

Resolution No. 22-054

**Public Hearing for Zoning
Permit Fee Schedule**

WHEREAS, the Town of Plattsburgh desires to hold a public hearing with respect to the Zoning Ordinance Fee Schedule; therefore be it

RESOLVED, that a public hearing be held by the Town of Plattsburgh with respect in the adoption of the Manufactured Home Park Permit Fee on March 10, 2022 at 6:05 PM at 151 Banker Road, Plattsburgh, New York 12901; and, be it further

RESOLVED, that a Notice of Hearing on Zoning Fee Schedule shall be published in the Town's official newspaper, the *Press Republican*, not less than five (5) days prior to that hearing; and, be it further

RESOLVED, that the Town Clerk shall post said Notice on the bulletin board maintained by the Town Clerk pursuant to Town Law §30(6), and on the Town of Plattsburgh web site, for a period of not less than five (5) days prior to that public hearing; and be it further

RESOLVED, that a copy of this Resolution and attachments be given to the Town Clerk.

Motion: Charles A. Kostyk

Seconded by: Barbara E. Hebert

Discussion: none

	<u>Yes</u>	<u>No</u>	<u>Absent</u>	<u>Carried</u>	<u>Tabled</u>
				x	
Thomas E. Wood	x				
Barbara E. Hebert	x				
Charles A. Kostyk	x				
Dana M. Isabella	x				
Michael S. Cashman	x				

Kathy Hebert
2/24/22

**TOWN OF PLATTSBURGH
TOWN BOARD SEMI MONTHLY MEETING
February 17, 2022**

Resolution No. 022-055

**Relocation & Alteration of the
Sunset Drive Railroad Crossing**

WHEREAS, the Town of Plattsburgh is the owner of a significant lakeshore property in the Cliff Haven neighborhood of Plattsburgh, west of Crab Island, which was identified in the 2016 Lake Champlain/Saranac River Waterfront Plan as a key priority project; and

WHEREAS, the 2016 Lake Champlain/Saranac River Waterfront Plan was funded and approved by the New York State Department of State Environmental Protection fund; and

WHEREAS, the Town is working in partnership with the American Legion to develop the site as the Battlefield Memorial Gateway public waterfront area with marine access to Crab Island and the site is being developed in phases; and

WHEREAS, significant and important portions of the property formerly used as Plattsburgh Airforce Base Fueling docks are only accessible by crossing the railroad tracks via the minimally improved crossing #249109H; and

WHEREAS, redesign and improvements to the crossing are necessary for the safe movement of the public to portions of the Town waterfront parcel located on the east side of the tracks; and

WHEREAS, all necessary improvements to the crossing will be designed and constructed in conformance with NYSDOT standards and CP Rail standards; now, therefore be it

RESOLVED, that the Town Board of the Town of Plattsburgh shall seek opportunities to publicly improve and extend Sunset Drive over, across, and beyond the CP Rail Tracks and that the Commissioner of Transportation be duly petitioned for the necessary consent or approval for the construction and creation of the said Sunset Drive crossing; and it is further

RESOLVED, that if and in the event the said Sunset Drive extension and grade crossing be duly authorized to be made and constructed, that the present crossing at Sunset Drive may be closed, otherwise disposed of or managed and conducted as by the Commissioner of Transportation may be ordered.

Motion: Dana M. Isabella

Seconded by: Barbara E. Hebert

Discussion: Supervisor Cashman

Roll Call:	<u>Yes</u>	<u>No</u>	<u>Absent</u>	<u>Carried</u>	<u>Tabled</u>
Thomas E. Wood	x			x	
Barbara E. Hebert	x				
Charles A. Kostyk	x				
Dana M. Isabella	x				
Michael S. Cashman	x				

Katlyn Kuller
2/24/22

**TOWN OF PLATTSBURGH
TOWN SEMI MONTHLY MEETING
February 17, 2022**

Motion to go into Executive Session
The proposed acquisition/sale/lease of
real property when publicity might
affect value

Motion to come out of Executive Session

Motion by: Barbara E. Hebert
Seconded by: Charles A. Kostyk
Time: 6:24 PM

Motion by: Barbara E. Hebert
Seconded by: Dana M. Isabella
Time: 7:19 PM

	<u>YES</u>	<u>NO</u>
Thomas E. Wood	x	
Barbara E. Hebert	x	
Charles A. Kostyk	x	
Dana M. Isabella	x	
Michael S. Cashman	x	

	<u>YES</u>	<u>NO</u>
Thomas E. Wood	x	
Barbara E. Hebert	x	
Charles A. Kostyk	x	
Dana M. Isabella	x	
Michael S. Cashman	x	

RESOLVED, that this Town Board meeting be adjourned at 7:20PM.

Motion by: Charles A. Kostyk

Seconded by: Barbara E. Hebert

Discussion: none

	<u>Yes</u>	<u>No</u>	<u>Carried</u>
			x
Thomas E. Wood	x		
Barbara E. Hebert	x		
Charles A. Kostyk	x		
Dana M. Isabella	x		
Michael S. Cashman	x		

Kostyk
2/24/22



TOWN OF PLATTSBURGH

DEPARTMENT OF CODES & ZONING

Stephen M. Imhoff | Code Enforcement Officer
Allen W. Reece | Code Enforcement Officer
Drew Arthur | Code Enforcement Officer
Donna Primiano-Masten | Codes & Zoning Secretary

151 BANKER RD, PLATTSBURGH, NY 12901-7307
PHONE: (518) 562-6840 | TDD: (800) 662-1220 | FAX: (518) 563-8396

Michael Cashman
Supervisor

Charles A. Kostyk
Deputy Supervisor/Councilor

James J. Coffey
Town Attorney

Thomas E. Wood
Councilor

Barbara E. Hebert
Councilor

Dana Isabella
Councilor

Kathryn B. Kalluche
Town Clerk

Matthew Favro
Deputy Town Attorney

To: Honorable Michael S. Cashman, Town Supervisor
Members of the Town Board

From: Stephen M. Imhoff
Code Enforcement Official

Re: February, 2022 Monthly Report

THE FOLLOWING NUMBER OF PERMITS AND ACTIVITIES ARE REPORTED:

- 17 Building permits were requested this month.
- 16 Building Permits were issued this month.
- 3 Permit(s) issued current month, paid/requested in a prior month.
- 1 Permit(s) requested current month, not issued yet (under review/requires additional information).
- 3 Permit(s) requested previous month, requires additional information from applicant.
- Permit(s) requested current month – still pending letter from Planning Board.
- Permit(s) issued current month, no fee required.
- 3 Matter(s) before Zoning Board of Appeals (March, 2022.)
- Permit(s) pending Town Board/Planning Board Action.
- 8 Misc: Zoning Compliance Letters (7) | Day Care Inspection (1)
- Temporary Certificate of Occupancy
- 1 Burn Permits
- 3 Renewals
- 2 Fire Calls (2 Commercial)

<i>Residential:</i>	8	\$ 288,800.00
<i>Commercial & Industrial:</i>	19	\$2,050,000.00
<i>Total:</i>	27	\$2,338,800.00

RESIDENTIAL:**DOLLAR AMOUNT:**

-	Single Family Residence		\$
-	Multi-Family Residence – Duplex		\$
-	Garage, Attached		\$
1	Garage, Detached		\$ 71,400.00
-	Erect Seasonal Camp		
-	Concrete Slab/Gravel Pad / Retaining Wall		\$
-	Foundation Repair		\$
-	Bilco Door		
-	Addition, Alteration and/or Renovation of Residence		\$
-	Roof over Existing Deck		\$
1	Erect a Deck/Porch, or GAZEBO		\$ 3,000.00
-	Erect Roof over Existing Roof on Manufactured Home		\$
-	Erect a 3 Season Sun Room		\$
-	Erect Handicap Ramp		\$
1	Erect/extend a UTILITY SHED		\$ 1,500.00
-	Installation of In-Ground Pool		\$
-	Installation of Above-Ground Pool		\$
-	Installation of Hot Tub		\$
1	Demolition		\$ 5,000.00
-	Install of Prop Fireplace/Wood Stove/Pellet Stove/Heating System		\$
-	Installation of Outdoor Wood Boiler		
-	Install/Upgrade Generator		\$
-	Electrical Upgrade		\$
-	Solar Panel Array		\$
-	Chimney Repair/Stone Veneer		\$
-	Leanto/Carport		\$
-	Erect a Pole Barn		\$
-	Remove Manufactured Home		\$
-	Park and occupy manufactured home in Mobile Home Park		\$
2	Park and occupy manufactured home on private lot		\$ 207,900.00
-	Renewals		
1	Burn Permits		
1	Other – DAY CARE /Home Inspection/Floodplain Dev.Permits		
-	Asbestos Abatement		
-	Fire Calls		

COMMERCIAL AND INDUSTRIAL:

DOLLAR AMOUNT:

1	ERECT/Addition Commercial Building UMS Property, 23 Whispering Pies Rd (Pump House)		\$2,000,000.00
2	Repair and/or ALTERATION of commercial building	\$	50,000.00
-	Commercial roofing job	\$	
-	Alter tenant/commercial space	\$	
	Storage Building	\$	
-	Electrical Upgrade	\$	
-	Wireless Telecommunications	\$	
-	HVAC Replacement – Rooftop Units	\$	
-	Fire Suppression System	\$	
-	Remove Underground Storage Tanks	\$	
-	Solar Array System	\$	
-	Charging Station	\$	
4	Erect/repair signage	\$	
-	Temporary Banners/Signs	\$	
-	Installation of LPG Tank /Gasoline Tank	\$	
-	Convert residential house to commercial use	\$	
3	Occupy Commercial Business		
-	Demolition		
-	Renewals		
2	Fire Calls		
7	Other – Zoning Compliance Letters		

<i>Residential:</i>	8	\$288,800.00
<i>Commercial & Industrial:</i>	19	\$2,050,000.00
Total:	27	\$2,338,800.00

Town of Plattsburgh
Permit Monthly Report

02/01/2022 - 02/28/2022

Permit #	Issue Date	Owner	Permit Type	Property Location	Valuation	Amount
February 2022						
220201	02/01/2022	Jerry Lahart	Manufactured Home	7 Michael Ave SBL#: 193.3-3-36	\$40,000.00	\$277.00
Description of Work:						
PLACE A 14' X 66' SWMH ON EXISTING SLAB						
+++ See Notes.....						
220202	02/07/2022	Prevost Car US Inc	Occupy Com. Business	260 Banker Rd SBL#: 205.-4-13		\$100.00
Description of Work:						
NOVA BUS OCCUPANCY RATING CHANGE IN USE FROM "B" TO "F-1" OCCUPANCY AS PER VIP ARCHITECTURE CODE REVIEW REPORT -- AFFECTING ONLY THE SMALL FREESTANDING BUILDING ON THIS PARCEL COMMONLY KNOWN AS 252 BANKER ROAD						
2022-005	02/07/2022	Edward & Katherine Abramczyk	Day Care Inspections	25 Oswego Ln SBL#: 208.8-1-23		\$25.00
Description of Work:						
DAY CARE INSPECTION						
2022-006	02/07/2022	Women's Wellness LLC	Zoning Compliance Letter	25 DeGrandpre Way (Women's Wellness, LLC) SBL#: 206.-6-4.23		\$50.00
Description of Work:						
ZONING COMPLIANCE LETTER						
2022-007	02/07/2022	Cubb Properties 1 LLC	Zoning Compliance Letter	6231 Rt 22 SBL#: 193.-1-19		\$50.00
Description of Work:						
ZONING COMPLIANCE LETTER						
2022-008	02/07/2022	Cubb Properties 1 LLC	Zoning Compliance Letter	1272 Military Tpke (4 CUBB CIR) SBL#: 220.-6-1.2		\$50.00
Description of Work:						
ZONING COMPLIANCE LETTER						
220203	02/08/2022	McCarthy Brothers Real Estate	Sign	285 Tom Miller Rd SBL#: 206.-6-4.1		\$100.00
Description of Work:						
INSTALL A NEW 50 SF FREE STANDING SIGN TO REPLACE EXISTING STORM DAMAGED SIGN						

Permit Monthly Report

Permit #	Issue Date	Owner	Permit Type	Property Location	Valuation	Amount
220204	02/08/2022	Ilene Fessette	Manufactured Home	Village Dr SBL#: 191.-5-29	\$167,900.00	\$336.00
Description of Work:						
INSTALL A NEW 2022 28' X 60' SKYLINE MANUFACTURED HOME ON SLAB - NO GARAGE						
220205	02/08/2022	Vera Delorme	Shed	7314 Rt 9 SBL#: 194.-2-1	\$1,500.00	\$75.00
Description of Work:						
CONSTRUCT A 14' X 14' SHED IN SIDE YARD						
220206	02/08/2022	Payson Charles	Sign	373 Rt 3 (Suite #3) SBL#: 220.2-2-2		\$50.00
Description of Work:						
INSTALL A 12.6 SF SIGN ON BUILDING						
220207	02/09/2022	Cubb Properties 1 LLC	Demolition	1272 Military Tpke (Pine Rest East MHP) SBL#: 220.-6-1.2	\$5,000.00	\$50.00
Description of Work:						
DEMOLISH AND REMOVE ALL DEBRIS FROM FIRE DAMAGED HOME AT 34 FRANKLIN AVE						
220208	02/14/2022	Travis Breyette	Gazebo	370 Stafford Rd SBL#: 192.-1-11.29	\$3,000.00	\$75.00
Description of Work:						
CONSTRUCT A 14' X 16' PAVILION IN REAR YARD						
220209	02/14/2022	Plattcon A LLC	Commercial Alteration	25 Consumer Sq (WALMART) SBL#: 220.-8-24	\$45,000.00	\$450.00
Description of Work:						
REPLACE EVAPORATORS IN BAKERY FREEZER & DELI COOLER, RELOCATE ONE SPRINKLER HEAD; RE-SEAL FREEZER, REPLACE DOORS ON FREEZER AND COOLER						
220210	02/14/2022	Brennan Plattsburgh Realty, LLC	Sign	383 Rt 3 (Brennan GMC) SBL#: 220.2-2-27		\$232.00
Description of Work:						
REPLACEMENT OF OLD PANELS WITH NEW PANELS ON TWO FREESTANDING SIGNS AT DEALERSHIP - 75.47 SF AND 40.64 SF						

Permit Monthly Report

Permit #	Issue Date	Owner	Permit Type	Property Location	Valuation	Amount
220211	02/14/2022	UMS Property LLC	Commercial New	23 Whispering Pines Rd SBL#: 232.-3-10.4	\$2,000,000.00	\$574.00
Description of Work:						
CONSTRUCT A NEW 1440 SF FIRE PUMP HOUSE.						
+++ SEPARATE PERMIT AND FEE TO BE SUBMITTED FOR WATER TANK STORAGE +++++						
+++++ NEED PLANNING DEPT APPROVAL PRIOR TO CO +++++						
2022-009	02/14/2022	Huckster Heights LLC	Zoning Compliance Letter	6167 Rt 22 SBL#: 193.-1-15		\$50.00
Description of Work:						
ZONING COMPLIANCE LETTER						
220212	02/16/2022	Crosley Holdings, LLC	Occupy Com. Business	12 Booth Dr (Cross Country Mortgage) SBL#: 206.4-1-1		\$100.00
Description of Work:						
OCCUPY COMMERCIAL SPACE TO RUN MORTGAGE BROKERAGE COMPANY						
220213	02/16/2022	Crosley Holdings, LLC	Sign	12 Booth Dr (Cross Country Mortgage) SBL#: 206.4-1-1		\$50.00
Description of Work:						
INSTALL NEW SIGNAGE AT PROPERTY - 10.6 SF BUILDING SIGN; 14 SF FREE STANDING PANEL AND 2 SF INFORMATIONAL SIGN						
220214	02/17/2022	Gunboat Lane L.P.	Garage detached	23 Gunboat Ln SBL#: 246.4-1-4	\$71,400.00	\$285.00
Description of Work:						
DEMOLISH AND REMOVE OLD GARAGE AND CONSTRUCT NEW 38' X 30' DETACHED GARAGE WITH NO LIVING QUARTERS						

Permit Monthly Report

Permit #	Issue Date	Owner	Permit Type	Property Location	Valuation	Amount
2022-14	02/20/2022	Smithfield Group LLC	FIRE CALLS	71 Smithfield Blvd (Dickey's Barbecue Pit) SBL#: 206.4-2-1-52		
Description of Work:						
FIRECALL - 2/20/22 -- WOODSTOVE WAS OVERLOADED. THIS WAS THIRD ALARM IN TWO (2) WEEKS. SMOKER NOT PROPERLY UNDER HOOD. ANSUL SYSTEM NEEDS TO BE MOVED. DISCHARGED FIRE EXTINGUISHER NEEDS TO BE SERVICED AND REAR EXIT EGRESS NEEDS TO BE OPENED. RE-INSPECTION SCHEDULED FOR 2/22/22.						
2/22/22 - EVERYTHING IS SCHEDULED - 2ND RE-INSPECTION WILL BE 3/4/2022						
2022-15	02/20/2022	Terry Meron	FIRE CALLS	411-417 Rt 3 (Comfort Inn) SBL#: 206.4-3-17.1		
Description of Work:						
FIRECALL - 02/20/22 - SPRINKLER HEAD BROKE IN ROOM 248 AND FLOODED ROOMS 246, 148, & 146. MINIMAL DAMAGE TO ROOMS 146 & 246. ELECTRICAL INSPECTION WILL BE REQUIRED TO REOPEN THE ROOMS. WAS ADVISED ELECTRICAL INSPECTION WILL BE REQUIRED. SPRINKLER HEAD HAS BEEN REPLACED. FIRE ALARM SYSTEM IS BACK ON LINE AND FIRST CHOICE RESTORATION WAS ON SITE. SPRINKLER NEEDS TO BE CLEARED OUT.						
2022-15	02/24/2022	Apple Care, Inc.	Commercial Alteration	7091 Rt 9 (Maken Motel) SBL#: 194.13-2-25	\$5,000.00	\$150.00
Description of Work:						
INSTALLING FIRE RATED WALLS AND KITCHENETTES TO ROOMS 1-23 FOR NON-TRANSIENT USE						
2022-010	02/24/2022	GBR Plattsburgh LLC	Zoning Compliance Letter	Rt 3 SBL#: 206.4-3-2		\$50.00
Description of Work:						
ZONING COMPLIANCE LETTER						
2022-011	02/24/2022	Plattsburgh Holiday Inn, LLC	Zoning Compliance Letter	406 Rt 3 SBL#: 206.4-3-14		\$50.00
Description of Work:						
ZONING COMPLIANCE LETTER						
2022-012	02/24/2022	RBR4365, LLC	Zoning Compliance Letter	4365 Rt 22 SBL#: 232.-3-7.23		\$50.00
Description of Work:						
ZONING COMPLIANCE LETTER						

Permit Monthly Report

Permit #	Issue Date	Owner	Permit Type	Property Location	Valuation	Amount
22-02	02/25/2022	Bassett Construction LLC	Burn Permit	Rt 374		
Description of Work: BURN PERMIT SBL#: 203.4-1-14.1						
220216	02/28/2022	Champlain Centre North LLC	Occupy Com. Business	60 Smithfield Blvd (A-110)		\$100.00
Description of Work: THE WILLOWS - OCCUPY FOR RETAIL SALES OF CRYSTALS, INCENSE, COSTUME JEWELRY, ETC SBL#: 206.4-2-1.2						
					February 2022 Total:	\$2,338,800.00
					Reporting Period Total:	\$3,379.00

Account#	Account Description	Fee Description	Qty	Local Share
A 2192	Masoleum Services	Cemetary Services	1	350.00
		Sub-Total:		\$350.00
A1255	Certified Copies	Certified Copies	35	350.00
	Conservation	Conservation	1	0.72
		Sub-Total:		\$350.72
A1560	Home Inspection	Home Inspection	1	25.00
		Sub-Total:		\$25.00
A2001	Parks & Recreation	Kayak Storage Rack	2	100.00
		Sub-Total:		\$100.00
A20011	Building Rentals	Building Rentals	21	1,870.00
		Sub-Total:		\$1,870.00
A2110	Board of Appeals	Board of Appeals	4	450.00
		Sub-Total:		\$450.00
A2115	Site Plan Fee	Detailed Preliminary Plan Site Plan Fee	1	200.00
		Sketch Site Plan Fee	1	125.00
	Subdivision Fees	Subd. Sketch Plan Fee	1	120.00
		Sub-Total:		\$445.00
A2544	Dog Licensing	Female, Spayed	13	196.00
		Female, Unspayed	1	17.00
		Male, Neutered	17	238.00
		Male, Unneutered	1	17.00
	Senior Discount	Senior Discount	11	-88.00
		Sub-Total:		\$380.00
A2555	Codes and Zones	Sign Permit	4	432.00
	Permits	Building Permits	13	3,056.11
	Zoning Comp Letters	Zoning Comp. Letters	7	350.00
		Sub-Total:		\$3,838.11
Total Local Shares Remitted:				\$7,808.83
Amount paid to: NYS Ag. & Markets for spay/neuter program				37.00
Amount paid to: NYS Environmental Conservation				64.28
Total State, County & Local Revenues:		\$7,910.11		Total Non-Local Revenues:
				\$101.28

To the Supervisor:

Pursuant to Section 27, Sub 1, of the Town Law, I hereby certify that the foregoing is a full and true statement of all fees and monies received by me, Katie Kalluche, Town Clerk, Town of Plattsburgh, during the period stated above, in connection with my office, excepting only such fees and monies, the application of which are otherwise provided for by law.

Supervisor

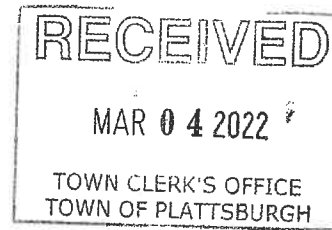
Date

Town Clerk

Date

Katie Kalluche 3/2/22

March 1, 2022



Michael Cashman, Town Supervisor

Town Board Members

Dear Supervisor Cashman and all Town Board members,

This letter serves as a formal notice as to my intent to retire from the Town of Plattsburgh. My last day of work will be April 1, 2022.

I have enjoyed my time here at the Town and wish bigger and better things for the Town, this office and all my colleagues

Thank you all for the opportunity to be part of the Town of Plattsburgh team.

Sincerely,

A handwritten signature in cursive script that reads "Deborah L. Patnode".

Deborah L. Patnode

**2022 ANIMAL SHELTER AGREEMENT
BETWEEN
EAGLE'S NEST VETERINARY HOSPITAL
AND THE
TOWN OF TOWN OF PLATTSBURGH**

THIS AGREEMENT, (hereinafter, "AGREEMENT") made this ____ day of _____, 20__, and effective _____, 20__ to _____, 20__, between the Town of Plattsburgh, a municipal corporation in the County of Clinton, State of New York, hereinafter "MUNICIPALITY" and Eagle's Nest Veterinary Hospital, a domestic for-profit corporation, with its principal place of business at 34 Skyway Plaza, #2, Plattsburgh, County of Clinton and State of New York, hereinafter "EAGLE'S NEST".

WITNESSETH

WHEREAS, the MUNICIPALITY has the obligation to seize dangerous dogs pursuant to Agriculture and Markets Law (hereinafter LAW), and to assure that these dogs are properly sheltered, fed and watered and the MUNICIPALITY desires to obtain the services of the EAGLE'S NEST to perform such services as required in the LAW for the redemption periods specified; and

WHEREAS, EAGLE'S NEST maintains a medical/boarding facility for dogs, brought to it from animal control officers working for the TOWN OF PLATTSBURGH.

NOW THEREFORE, IT IS AGREED between the parties hereto as follows:

ARTICLE I

1. EAGLE'S NEST will board and treat all dangerous dogs seized under Section 117 of the LAW, and will properly care for all dogs in its care, and will humanely euthanize, or transfer seized dogs not redeemed back to their owners or other designated agency as provided in the LAW and the rules and regulations promulgated by the New York State Department of Agriculture and Markets pursuant thereto.

2. EAGLE'S NEST will accept only dangerous dogs, or dogs thought to be dangerous, from the MUNICIPALITY under the terms of this AGREEMENT. The MUNICIPALITY must secure prior authorization from EAGLE'S NEST management prior to bringing any animal to EAGLE'S NEST.

3. All impoundment fees imposed by the municipality will be paid and licenses issued by the MUNICIPALITY to the dog's owner at the Municipal Clerk's office. All impoundment and license fees shall be the property of the MUNICIPALITY. Animals may be redeemed at EAGLE'S NEST during normal business hours. The operating hours of EAGLE'S NEST will be provided to the Municipal Clerk's office at the beginning of the year, and will be updated if changed. EAGLE'S NEST will permit

- Upon signing the contract, a \$500 Retainer fee shall be paid by the MUNICIPALITY to EAGLE'S NEST. This will be applied to the first \$500 in charges that the municipality is billed for dangerous dog services. If no services are rendered during the contract period, the fee will be non-refundable.
- Dogs seized under Article 7 of the LAW and brought to EAGLE'S NEST by the MUNICIPALITY to be held will then at the conclusion of the redemption period be made available for transfer to another agency or euthanized per the sole discretion of EAGLE'S NEST and court mandate.
- \$100 per dog up to 150lbs per day/\$150 per dog per day for dogs over 150 lbs commencing on the day the dog is brought to EAGLE'S NEST (Base Fee). The base fee includes health and temperament assessment and the administration of any medications or treatments deemed necessary. Any additional tests, treatment or medications will be billed at regular EAGLE'S NEST rates in addition to the base rate. Additionally, \$75 after-hour drop off fee if dog delivered between 5 p.m. and midnight or \$100 after-hour drop off fee if dog delivered after midnight.
- If the MUNICIPALITY requests, or per court order, directs that a dog be held for a period greater than the statutory redemption period in the LAW, the MUNICIPALITY will be charged the above referenced rate, until provided written request regarding the dog.

2. All fees due under this AGREEMENT shall be paid within thirty (30) days of a monthly invoice being sent by EAGLE'S NEST to the MUNICIPALITY. In the event monthly fees are not paid in full, EAGLE'S NEST may assess a late payment charge equivalent to ten (10%) percent per year of the unpaid balance, or the maximum amount permitted by law, whichever is less. Failure of the MUNICIPALITY to make such payment in full within thirty (30) days of the due date shall constitute grounds for termination of the AGREEMENT, and notification to the Commissioner of Agriculture and Markets of the MUNICIPALITY'S violation of Article 7 of the Agriculture and Markets Law.

ARTICLE III

1. This AGREEMENT shall become effective on _____, 20__, and shall continue in effect until _____, 20__. Notwithstanding the foregoing, either party shall have the right to terminate this contract with or without cause upon thirty (30) days written notice of such termination. In the event EAGLE'S NEST terminates this agreement without cause, the unused portion of the \$500.00 retainer fee will be returned to the MUNICIPALITY. Similarly, if the MUNICIPALITY terminates this agreement without cause, the \$500.00 retainer fee shall be kept by EAGLE'S NEST.

2. Notwithstanding the prior terms hereof, EAGLE'S NEST by its Board of Directors reserves the right, on thirty (30) days' written notice, to terminate this