

CITY COUNCIL MEETING

May 27, 2014

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Mayor Nelson called the meeting to order and asked the Clerk to call the roll:

PRESENT: Mayor Nelson, Councillors Ashley, Hosmer, Mitchell, Morley, Skamperle and Stevenson

ABSENT: None

PRESENTATION

1. Mayor Nelson recognized volunteers who participated in the Pride & Beautification Commission's Curb Appeal Project and painted 917 New York Avenue. Mayor Nelson said the Pride & Beautification Commission does a great job for the City.

Mayor Nelson read the names of the volunteers:

Pride & Beautification Commission – Jane Silver, Mary Michaels, Barb Williams, Barb Barlow, Fran Naccarato, Cindy Cole, Steve Hawes, Kathy Rhinebold, Mary Ann Narenkivicius, Ann O'Connor and Char Widrick

Salvation Army – Captain Tim Shaffer, Katie King, Robert Christman, David Griffin, Joan Badour and Cindy Layng

Walgreen's – David Firl, Sarah McLaughlin, Tom Tracy, Rhonda Dumas and Kristen Calkins

Kiwanis – Andy Mitchell, Larry Mitchell, Martha Valley, Bill Merna and John Pinkerton

Key Club – Jim Reagen, Laken Kelly and Ashleigh Sovie

Z Club – Melanie Flack, Bridget Page, Connor Flack and Gidget Kimble

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Volunteers – Barb Quirk, Travis & Brandy Dishaw, Lini Ethridge, Bridgette Denny, Kelly Hendrickson, Andrea Smith & Nick Bertrand, Steve & Michele Burgess and Doug McDonald

Mary Ann Narenkivicius said it was a fun project and even a traveling nurse stopped to help. Mrs. Narenkivicius said the Salvation Army brought a canteen and food for everyone. Barb Barlow thanked Nick Bertrand and Andrea Smith for bringing equipment. Mayor Nelson said it was a great project completed without any City funds.

PUBLIC HEARING

1. A public hearing regarding an ordinance to amend Chapter 209, §209-44, Schedule VII: “Prohibited Right Turns on Red Signal” of the Code of the City of Ogdensburg (New York Avenue and Spring Street traffic device) was held.

No one being present to speak, the hearing was declared closed.

2. A public hearing regarding an ordinance to amend Chapter 209, §209-46, Schedule IX: “Yield Intersections” of the Code of the City of Ogdensburg (Champlain Street and Route 37 stop sign) was held.

No one being present to speak, the hearing was declared closed.

3. A public hearing regarding an ordinance to license municipal property in the Greenbelt to Scott Strader was held.

No one being present to speak, the hearing was declared closed.

CONSENT AGENDA

Mayor Nelson moved that the claims as enumerated in General Fund Warrant #10-2014 in the amount of \$492,891.04 and Library Fund Warrant #10-2014 in the amount of \$20,653.35 and Capital Fund Warrant #10-2014 in the amount of \$10,555.40 and Community Development Fund Warrant #10-2014 in the amount of \$0.00 and Community Renewal Fund Warrant #10-2014 in the amount of \$33,281.50 and HOME Fund Warrant #10-2014 in the amount of \$0.00 and AHC Funds Warrant #10-2014 in the amount of \$0.00 and NSP Funds Warrant #10-2014 in the amount of \$0.00 as audited, be and the same are ordered paid and Councillor Ashley seconded the motion.

The vote was:

CARRIED, AYES ALL

APPOINTMENTS

1. Mayor Nelson moved to re-appoint Kevin McDonough to a six-year term on the Ogdensburg Civil Service Commission, term to expire June 1, 2020, and Councillor Morley seconded the motion.

The vote was:

CARRIED, AYES ALL

2. Mayor Nelson moved to appoint Munson Miller to a three-year term on the Ogdensburg Tree Commission, term to expire December 31, 2016, and Councillor Skamperle seconded the motion.

The vote was:

CARRIED, AYES ALL

ITEMS FOR COUNCIL ACTION

1. Councillor Morley moved an ordinance amending Chapter 209, §209-44 Schedule VII: “Prohibited Right Turns on Red Signal” of the Code of the City of Ogdensburg (New York Avenue and Spring Street traffic device), and Councillor Skamperle seconded to wit:

ORDINANCE #6 OF 2014

AN ORDINANCE AMENDING CHAPTER 209 ENTITLED
"VEHICLES AND TRAFFIC"
OF THE CODE OF THE CITY OF OGDENSBURG

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF
OGDENSBURG, NEW YORK, AS FOLLOWS:

ITEM ONE:

That § 209-44. Schedule VII: “Prohibited Right Turns on Red Signal” is hereby amended to delete the following:

Name of Street	Direction of Travel	Prohibited Right Turn on Red Signal Onto	Hours/Day
New York Avenue	North	Spring Street	7:00 a.m. to p.m. / Monday through Friday

ITEM TWO:

This ordinance shall take effect ten (10) days after publication of notice which shall give the title and describe same in summary form.

The vote was:

CARRIED, AYES ALL

2. Councillor Ashley moved an ordinance amending Chapter 209, §209-46 Schedule XI: “Yield Intersections” of the Code of the City of Ogdensburg (Champlain Street and Route 37 stop sign), and Councillor Skamperle seconded to wit:

ORDINANCE #7 OF 2014

AN ORDINANCE AMENDING CHAPTER 209 ENTITLED
"VEHICLES AND TRAFFIC"
OF THE CODE OF THE CITY OF OGDENSBURG

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF
OGDENSBURG, NEW YORK, AS FOLLOWS:

ITEM ONE:

That § 209-46. “Schedule IX: Yield Intersections” is hereby amended to delete the following:

Stop Sign on	Direction of Travel	At Intersection of
Champlain Street	Both	Route 37

ITEM TWO:

This ordinance shall take effect ten (10) days after publication of notice which shall give the title and describe same in summary form.

The vote was:

CARRIED, AYES ALL

3. Councillor Stevenson moved an ordinance to license municipal property in the Greenbelt to Scott Strader, and Councillor Hosmer seconded to wit:

ORDINANCE # 8 OF 2014
AN ORDINANCE TO AUTHORIZE A LICENSE OF
MUNICIPAL PROPERTY

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF
OGDENSBURG, NEW YORK, AS FOLLOWS:

ITEM ONE: An ordinance to authorize a license of municipal property in the Greenbelt to Scott Strader.

ITEM TWO: The City Manager has presented the attached proposed agreement to license space at the asphalt pad in the Greenbelt on Riverside Avenue, commonly referred to as the "Concession Stand Area".

ITEM THREE: The City Manager is hereby authorized to execute the attached license agreement, hereby made part of this ordinance.

ITEM FOUR: Passage of this ordinance shall be by a vote of three-fourths (3/4) of all members of the City Council.

ITEM FIVE: This ordinance shall take effect ten (10) days after publication of notice that shall give the title and describe same in summary form.

Councillor Hosmer asked if this proposal was put out to bid, and City Manager John Pinkerton said no. Mr. Pinkerton said the matter came up for review because he was concerned with the City giving services away for free. Mr. Pinkerton explained he could not allow Mr. Strader to use the area again this year without a written agreement. Mr. Pinkerton said we will advertise it in the future. Councillor Morley asked if it is a month to month agreement. Mr. Pinkerton said the agreement covers the entire summer season.

The vote was:

CARRIED, AYES ALL

4. Councillor Skamperle moved a resolution authorizing the City Manager to enter into a purchase contract with Vantage Equipment, LLC, for the purchase of a used Vibratory Asphalt Compactor, for a sum not to exceed \$40,200, and Councillor Hosmer seconded to wit:

RESOLUTION AUTHORIZING AWARD OF
CONTRACT FOR THE SEWAGE GRINDER REPLACEMENT
PROJECT AT THE WEST RIVER PUMP STATION

WHEREAS, bids have been solicited and received a used Vibratory Asphalt Compactor; and

WHEREAS, the City's Director of Public Works has evaluated the bids received and recommended the contract be awarded to the lowest bidder;

NOW, THEREFORE, BE IT RESOLVED that John M. Pinkerton, City Manager, is authorized to enter into the following purchase contract, for a sum not to exceed \$40,200.00, on behalf of the City; and

SUPPLIER	BID AMOUNT
Vantage Equipment, LLC 5985 Court Street Rd. Syracuse, NY 13206	\$40,200.00

BE IT FURTHER RESOLVED that the funds to pay for this contract will come from following sources:

A5110.330 \$40,200

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Councillor Ashley asked what type of equipment is being purchased. City Manager John Pinkerton said it is a 10-ton roller. Councillor Ashley asked for the age of roller. Department of Public Works Director Scott Thornhill said it is a 2006 roller. Councillor Ashley asked how much a new roller would cost. Mr. Thornhill explained a new roller would be minimally priced at over \$100,000 but the actual price would depend on the tonnage. Councillor Stevenson asked if our current equipment is inoperable and unrepairable, and Mr. Thornhill said yes. Councillor Stevenson asked if we can perform the required service to our City streets without this piece of equipment, and Mr. Thornhill said no. Councillor Morley asked why this piece of equipment was not budgeted for when our current equipment became inoperable. Mr. Pinkerton said it was just discovered when the current equipment could not pass inspection. Councillor Stevenson said she is concerned we are using CHIPS money to purchase this equipment instead of using those funds for paving our streets. Mr. Thornhill explained asphalt prices are favorable so even using CHIPS funds to purchase this equipment will still allow us to pave many of our City streets. Mr. Pinkerton said the money budgeted for equipment this year has already been used for other equipment that failed. Councillor Morley asked if leasing is an option, but Mr. Pinkerton said leasing is expensive. Mr. Pinkerton explained leasing is approximately \$1,000 per month. Councillor Morley suggested leasing the roller for five months at \$1,000 per month and then using \$35,000 of CHIPS money for paving. Councillor Mitchell asked if our current machine will be traded in or scrapped. Mr. Thornhill said our current machine will be taken to the auction and has a value of approximately \$3,500 to \$4,000. Councillor Skamperle asked if Mr. Thornhill has looked at the proposed machine. Mr. Thornhill said he did not inspect the machine but he sent two qualified men to inspect it. Councillor Skamperle asked if it is the same size as our current machine, and Mr. Thornhill said yes. Councillor Stevenson said she is concerned because we have miles of streets to be paved. Mr. Thornhill explained he has a plan in place to complete the paving of City streets and said crews are already paving the Maple City Trail. Mr. Pinkerton said the money to pave the Maple City Trail is not coming from the CHIPS money.

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Councillor Morley asked if the equipment could be leased, but City Comptroller Philip Cosmo said no. Mr. Cosmo explained the equipment must be purchased and must have a ten year life expectancy under the CHIPS program. Mayor Nelson suggested we look at both lease and purchase options for future equipment expenditures.

The vote was:

CARRIED, AYES ALL

OLD BUSINESS

1. Councillor Stevenson said there are brush pickup issues on Phillips Street which is behind Ford Street near Duff's bar. Mayor Nelson said the matter has already been resolved.

2. Councillor Stevenson asked for an explanation on the Pickering Street water main break. City Manager John Pinkerton said there was a water main break at Pickering and David Streets on Wednesday. Mr. Pinkerton explained the police department received the call at 10:13 p.m. Mr. Pinkerton said the water filtration plant is only staffed until 9 p.m. Mr. Pinkerton explained when staff checked the records the next day there was a large rush of water at 9:45 p.m. so they estimate the break occurred around that time. Mr. Pinkerton said the Department of Public Works was paged and responded at 10:28 p.m. Mr. Pinkerton said a Department of Public Works worker was on scene at 10:35 p.m. Mr. Pinkerton said after assessing the situation, the worker went to the police station to advise he was calling in a crew to address the water main break. Mr. Pinkerton explained the police department arrived on the scene around 11:13 p.m. and noticed citizens controlling traffic. Mr. Pinkerton said the Department of Public Works crew arrived on the scene at 11:30 p.m. Mr. Pinkerton said there are two areas of concern: 1) when a call is placed, we need to be notified that it is an emergency situation; and, 2) we need to evaluate the beeper system. Councillor Morley said he is concerned that it took an hour for our crews to respond. Mr. Pinkerton explained the police department did not know it was an emergency.

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Police Chief Richard Polniak said when the complaint came in his dispatcher called two different beepers. Chief Polniak said when the beepers failed, the dispatcher called Department of Public Works employee Frank Besaw directly who said he would respond. Chief Polniak explained Mr. Besaw confirmed it was a water main break when he arrived. Chief Polniak said there was no indication when the calls came in that the road was deteriorating until Mr. Mitchell called. Chief Polniak explained when the first police officer arrived on scene he saw the road falling apart and called for assistance. Chief Polniak said the calls were regarding a water leak and there was no indication it was an emergency situation. Councillor Stevenson asked if dispatchers question callers and said average citizens don't know what to report when they call. Chief Polniak said it is unfortunate dispatch was not advised of the urgency. Chief Polniak said he has discussed this issue with his sergeants and dispatchers.

Councillor Mitchell said his father was pleased that he was contacted the next day by the City Manager and the Chief of Police. Councillor Mitchell advised that his father agreed there was miscommunication on all parts. Mr. Pinkerton explained we need to triage calls of this nature and determine the level of concern. Councillor Hosmer said he is concerned the beeper system didn't work and whoever was on call didn't answer. Mr. Pinkerton said he will get answers and report back to Council on the matter. Councillor Hosmer said we need to prevent this type of matter in the future. Councillor Morley said he would like to know how many gallons of water were lost.

3. Councillor Ashley asked if we have received any more inquiries on the lease of the concession stand at the Dobisky Center. City Manager John Pinkerton said we have even contacted the service clubs but there has been no interest expressed. Councillor Hosmer suggested the concession equipment be moved to the Lockwood Arena. Councillor Morley said he would like to see the fraternal organizations offered the opportunity also. Councillor Stevenson said she likes the idea of offering the opportunity to not-for-profit groups and clubs for fundraising.

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Mr. Pinkerton said it is a good idea for a season but he believes a rotating basis would not be a good idea because of the necessary cleanup.

4. Councillor Skamperle said he has received many brush pickup complaints and asked if there is a spot near the Department of Public Works where brush can be dropped off. City Manager John Pinkerton explained a drop off location will be determined tomorrow and he will advise Council. Councillor Morley said citizens are confused. Councillor Ashley suggested the pickup weeks correspond with the wards so it would be easier for citizens to understand. Mr. Pinkerton asked Council to just let the new program run for this year and evaluate it after we have given it a chance. Councillor Stevenson said the crews are scraping the lawn when picking up the brush and asked crews to be more cautious. Councillor Ashley said he cannot understand why we are no longer doing brush pickups in lanes since we have done it for fifty years. Councillor Stevenson said because it takes more time to do lanes. Councillor Stevenson agreed we need to go through all of the phases before we evaluate the new process.

NEW BUSINESS

1. Councillor Stevenson asked for an explanation of City policy regarding construction zones in the City. Councillor Stevenson explained while driving on the downtown arterial she had no advance warning of the Department of Public Works crews working by the pedestrian cross walk near the Maple City Trail. Councillor Stevenson said a traffic hazard exists without flags and/or signs warning drivers of construction areas. City Manager John Pinkerton said he will get information on this subject for Council.

2. Councillor Morley requested a list of part-time summer staff at the Department of Public Works and the Recreation Department.

ITEMS FOR DISCUSSION

1. Planning and Development Director Andrea Smith advised Council of upcoming grant applications. Ms. Smith explained two grants were just released on May 1st. Ms. Smith said the CFA State grants are due on June 16th and the resolution will be on the June 9th agenda. Ms. Smith explained there will be three CFA State grant applications.

Ms. Smith said the first grant application will come from the Recreation Department for the seawall repairs. Ms. Smith explained funds may also be available for this project from an Empire State Development grant and a LWRP grant.

Ms. Smith said the second project is the Diamond Infrastructure Project. Ms. Smith explained we will be submitting grant applications for this project, but we are reducing the scale of the grant application to cover only infrastructure. Ms. Smith said we will be seeking funds from Empire State Development and the Department of State.

Ms. Smith said the third grant application will be a LWRP grant for a feasibility study for Fort de la Presentation. Ms. Smith explained the City submitted a grant application on their behalf last year for \$25,000 because the Fort is not eligible to apply for the LWRP funding. Ms. Smith said the Fort will be providing all of the matching funds required. Ms. Smith said the resolution will be on the June 9th agenda.

Ms. Smith said the other source of funding will be a Northern Border Grant application. Ms. Smith explained this is federal funding and St. Lawrence County is an eligible county. Ms. Smith said we can apply for up to \$250,000 which will cover 80% of the project costs. Ms. Smith explained these funds could be used as a match for the CFA grant for the Diamond Project.

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Councillor Morley said we used to get sidewalk grants and asked if they are still available. Ms. Smith explained she is not aware of any grants through the Planning Department for sidewalks, but there are housing CDBG grants, complete streets grants and safe routes to schools grants. Councillor Morley said the sidewalk at the Grove Street and Mansion Avenue area is heaved and there is no sidewalk to the school on Oak Street. Councillor Skamperle suggested these areas be reviewed for possible grant funding. Councillor Hosmer thanked Ms. Smith for advising Council of the grant applications early. Mayor Nelson said the State government shortened the time frame for applying.

On a motion duly made and seconded, the meeting was adjourned.