

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

PRESENT: Mayor Nelson, Councillors Flynn, Hannan,  
Morley, Powers, Sholette and Vaugh

ABSENT: None

### PRESENTATION

1. Mayor Nelson signed and read a Proclamation declaring the week of September 17 – 23, 2008 as Constitution Week. Sally Hartman, of the Swe-Kat-Si Chapter of the National Society Daughters of the American Revolution, thanked Mayor Nelson for continuing this tradition and presented him with a copy of the Constitution..

2. Fire Chief Steven Badlam and Mike Skelly, JMS Mechanicals, updated Council on the process of the HVAC system installation at the Ogdensburg Fire Station. Fire Chief Badlam stated that the new heating system will be installed the third week in October and advised that the generator has been repaired and is running well.

3. Jane Silver, Ogdensburg Pride and Beautification Committee, addressed Council regarding the committee's three year master plan to implement a Christmas Lighting System in the Greenbelt area. Mrs. Silver stated they will be requesting Council match the funds that they raise for the decorations to beautify the City and Greenbelt area.

CONSENT AGENDA

Mayor Nelson moved that the claims as enumerated in Warrant #15-2008 in the amount of \$1,199,132.04, and Library Warrant #15-2008 in the amount of \$315,605.97, Community Development Fund Warrant #15-2008 in the amount of \$39,737.76, Community Renewal Fund Warrant #15-2008 in the amount of \$18,573.24, HOME Warrant #15-2008 in the amount of \$123.40 and Capital Warrant #15-2008 in the amount of \$50,781.70, as audited, be and the same are ordered paid and Councillor Vaughn seconded the motion.

The vote was:

CARRIED, AYES ALL

ITEMS FOR COUNCIL ACTION

1. Councillor Morley introduced a resolution authorizing the City Manager to execute a Master Federal/Local Aid Agreement Application for \$5.4 Million to fund the Paterson Street Reconstruction Project, and Councillor Powers seconded to wit:

**RESOLUTION AUTHORIZING THE CITY MANAGER TO  
EXECUTE A MASTER FEDERAL/LOCAL AID AGREEMENT  
APPLICATION FOR \$5.4 MILLION TO FUND THE PATERSON  
STREET RECONSTRUCTION PROJECT**

Authorizing Master Federal/Local Aid Agreement,  
Paterson St. Reconstruction, PIN 775299  
Preliminary Engineering & Right-of-Way Incidentals

WHEREAS, a project for the reconstruction of Paterson Street, PIN 775229 (the "Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the cost of such program to be borne at the ratio of 80% federal funds and 20% non-federal funds; and

CITY COUNCIL MEETING

September 8, 2008

Page 153

WHEREAS, the City of Ogdensburg desires to advance the project by making a commitment of 100% of the federal and non-federal share of the costs of the preliminary engineering & right-of-way incidentals in the amount of \$400,000, and or up to 5% of the project cost; and

NOW THEREFORE BE IT RESOLVED, that the City Council of the City of Ogdensburg authorizes the City Comptroller to pay in the first instance 100% of the federal and non-federal share of the costs of preliminary engineering and right of way incidentals for the project; and

BE IT FURTHER RESOLVED, that the City Comptroller is hereby authorized to pay in the first instance 100% of the federal and non-federal share of the costs of preliminary engineering and right of way incidentals for the project in the amount of \$400,000 from the appropriation of the City of Ogdensburg Capital budget, and or consolidated improvement program funding; and

BE IT FURTHER RESOLVED, that in the event the full federal and non-federal share costs of the project exceeds the amount appropriated above, the City Council of the City of Ogdensburg shall convene as soon as possible to appropriate said excess amount immediately upon notification by the City Manager's Office; and

BE IT FURTHER RESOLVED, that the Manager of the City of Ogdensburg, Arthur J. Sciorra, is hereby authorized and directed to execute all necessary agreements, certifications or reimbursement requests for Federal Aid and/or Marchiselli Aid on behalf of the City of Ogdensburg with the New York State Department of Transportation in connection with the advancement or approval of the project and providing for the administration of the project and the municipality's first instance funding of project costs and permanent funding for the local share of federal-aid eligible project costs and all project costs within appropriations that are not eligible; and

BE IT FURTHER RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary agreement in connection with the project; and

BE IT FURTHER RESOLVED that the City Council of the City of Ogdensburg hereby approves the Master Federal/Local Aid Agreement application, a copy of which is attached and made a part of said resolution.

The vote was:

CARRIED, AYES ALL

2. Councillor Flynn introduced a resolution authorizing the City Clerk to conduct a Dog Census in the City of Ogdensburg, and Councillor Morley seconded to wit:

A RESOLUTION AUTHORIZING THE CITY CLERK'S OFFICE  
TO CONDUCT A DOG CENSUS ENUMERATION  
WITHIN THE CITY OF OGDENSBURG

WHEREAS, it is necessary to promote the public health, safety and welfare of the City of Ogdensburg, including the protection and preservation of property within the City and its inhabitants and of the peace and good order therein, by regulating and controlling the activities of dogs within the City and providing for the enforcement of unlicensed dogs; and

BE IT RESOLVED, that the City Clerk's Office is authorized conduct a Dog Enumeration within the City of Ogdensburg as per the attached proposal.

BE IT FURTHER RESOLVED, funds to pay for this work shall be derived from A1410.518.

The vote was:

CARRIED, AYES ALL

3. Councillor Sholette moved a resolution approving an appropriation to purchase a self-propelled snow blower, and Councillor Flynn seconded to wit:

**RESOLUTION TO APPROVE AN APPROPRIATION FOR THE PURCHASE OF  
A TWIN ENGINE, SELF-PROPELLED SNOW BLOWER**

WHEREAS, the snow blower the City has is too small and has been unreliable in extensive usage;

WHEREAS, it is imperative to have a reliable machine to clear streets for safe passage of emergency vehicles and residents;

WHEREAS, there is no appropriation set forth for the purchase of a snow blower;

NOW, THEREFORE BE IT RESOLVED, the City Comptroller is hereby authorized to transfer funds from the General Unappropriated Fund Balance for the purchase of a self-propelled snow blower.

BE IT FURTHER RESOLVED, that expenditures for the purchase of said snow blower will not exceed \$25,000.00.

Public Works Director Kit Smith advised Council that this is similar to the DOT machine that we borrowed last winter due to the large amounts of snow in the City. Mr. Smith added that this machine would cost \$250,000. new, and is much more efficient and quicker than a loader to remove snow.

The vote was:

CARRIED, AYES ALL

4. Councillor Powers introduced a resolution authorizing the City Manager to support the OBPA grant applications to construct an alternate route to the port through the paper end of Barre Street to serve the Port during the proposed reconstruction of Paterson Street, and Councillor Sholette seconded to wit:

RESOLUTION OF SUPPORT AUTHORIZING THE  
CITY MANAGER TO SUPPORT OBPA GRANT APPLICATIONS  
TO CONSTRUCT AN ALTERNATE ROUTE TO THE PORT  
THROUGH THE PAPER END OF BARRE STREET TO SERVE THE  
PORT DURING THE PROPOSED RECONSTRUCTION  
OF PATERSON STREET

WHEREAS, the City has applied for funds to reconstruct Paterson Street under Title 23 U.S. Code, as amended, and that if approved, reconstruction will take nearly two years; and

WHEREAS, the Ogdensburg Bridge and Port Authority (OBPA) relies on Patterson Street to provide commercial and industrial access to and from the port; and

WHEREAS, the vision for the City of Ogdensburg is a vibrant and vital commerce center in the St. Lawrence Region; and

WHEREAS, the City's Core priorities include:

Waterfront: clean, developed, mixed public/private use, international use  
Tax Base: expanded  
Economic Development: port, downtown revitalization, jobs  
Infrastructure: improved, support growth; and

WHEREAS, the continued growth of the port supports this vision and core priorities; and

WHEREAS, it is necessary to identify an alternate point of access and route to and from the port during the reconstruction of Patterson Street to prevent traffic from dispersing through City neighborhoods; and

WHEREAS, the OBPA has identified a potential alternate access through the undeveloped portion of Barre Street, north of Ford Street; and

WHEREAS, the City would need to transfer this land to the OBPA while maintaining easements for water, sewer, sidewalks and other infrastructure;

CITY COUNCIL MEETING

September 8, 2008

Page 157

NOW THEREFORE BE IT RESOLVED, that the City Council hereby acknowledges the need and offers its intent to transfer title to the undeveloped portion of Barre Street, north of Ford Street to the OBPA for the purpose of constructing an alternate access road to the port; and

BE IT FURTHER RESOLVED, that the City Manager is hereby authorized to offer letters of support on behalf of the City to the OBPA as it seeks funding to construct the alternate access road through the Renew & Rebuild New York Bond Program, the New York State Industrial Access Program, or any other funding sources that may be identified in the future.

Wade Davis, Executive Director of the Ogdensburg Bridge and Port Authority, explained the project and stated this will allow their day to day operations until the Paterson Street project is completed.

The vote was:

CARRIED, AYES ALL

5. Councillor Vaughn introduced a resolution naming the ice rink at the Richard Lockwood Civic Center as the “Jimmy Howard Rink”, and Councillor Powers seconded to wit:

RESOLUTION NAMING THE ICE RINK AT THE  
RICHARD LOCKWOOD CIVIC CENTER “JIMMY HOWARD RINK”

WHEREAS, Jimmy Howard is a native of the City of Ogdensburg, born March 26, 1984, the proud son of Jim and Lynda Howard; and

WHEREAS, Jimmy graduated from Ogdensburg Free Academy, and is a past member of the Ogdensburg Minor Hockey program, where he got his start in ice hockey as a young boy; and

CITY COUNCIL MEETING

September 8, 2008

Page 158

WHEREAS, Jimmy went on to a successful college career as goaltender for the University of Maine Black Bears where he holds single season and school records for shutouts, goals against average, and save percentage, and also holds the NCAA record for his 1.19 GAA and .956 save percentage in the 2003-2004 season; and

WHEREAS, Jimmy was drafted by the Detroit Red Wings of the National Hockey League in the 2003 entry draft; and

WHEREAS, since entering professional hockey, Jimmy has had a successful professional ice hockey career; and

WHEREAS, number 35, Jimmy Howard and his team, the Detroit Red Wings, reached the pinnacle of success of Ice Hockey winning the Lord Stanley Cup in the 2007-2008 season; and

WHEREAS, the City of Ogdensburg is proud of Jimmy and his success; and

WHEREAS, Jimmy is an inspiration to citizens of all ages in the City of Ogdensburg, the North Country, New York and our nation, as he is an example to others that if you have a dream, you can follow that dream and through hard work, you can make the dream a reality; and

WHEREAS, we are proud of our native son, Jimmy, who through diligence, dedication, perseverance, and hard work, has achieved the ultimate accomplishment of success in his beloved sport of ice hockey.

WHEREAS, William D. Nelson, Mayor of the City of Ogdensburg, has proclaimed Thursday, September 4, 2008 as "Jimmy Howard Day" in the City of Ogdensburg, and encouraged all citizens to recognize Jimmy for his achievements and accomplishments and to honor him as an extraordinary son, brother, teammate, mentor and citizen of Ogdensburg as he fulfilled his dream in playing professional hockey and in winning the Stanley Cup as #35 a member of the Detroit Red Wings National Hockey League team;

WHEREAS, Jimmy Howard has been, and continues to be, a valued member of the Ogdensburg Community; and

CITY COUNCIL MEETING

September 8, 2008

Page 159

WHEREAS, we find it in the best interest of the promotion of the City's hockey facility and of hockey in our community and region;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City Ogdensburg, in acknowledgement of his noteworthy achievements and accomplishments and in recognition of past and future benefits to our community, the ice rink at the Richard Lockwood Civic Center will be known as Jimmy Howard Rink.

Councillor Flynn said that the Administrative Regulations state the City Council agenda will be closed the Thursday prior to the Monday meeting at 12:00 noon and this resolution was not in the packet he received on Thursday. Councillor Flynn said he received a copy of this resolution before this meeting.

Mayor Nelson asked if there was a majority of Council who wished to amend the rules and act on this resolution. Councillor Morley moved to suspend the rule and act on this resolution and Councillor Powers seconded the motion.

The vote was:

AYES: Mayor Nelson, Councillors Hannan, Morley,  
Powers, Sholette and Vaugh

NAYS: Councillor Flynn

APPROVED, 6 TO 1

Councillor Morley stated that this request should go to the Historic Commission first as was required when he wanted to name a park after Councillor Baltradis. Councillor Morley also stated that he thinks it is early in Jimmy Howard's career to be naming a facility after him.

The vote was:

AYES: Mayor Nelson, Councillors Hannan, Powers,  
Sholette and Vaugh

NAYS: Councillors Flynn and Morley

APPROVED, 5 TO 2

Mayor Nelson added that he would like to see a “Home of Jimmy Howard” sign attached to the bottom of our Welcome to Ogdensburg sign.

Mayor Nelson moved to adjourn to executive session regarding possible land acquisition, stating there may be action, and Councillor Vaugh seconded the motion.

Upon returning from executive session, all members of Council were still present.

OLD BUSINESS

1. Councillor Hannan requested an update on the reopening of the Spring Street Bridge. Public Works Director Kit Smith stated that the bridge reopens tomorrow at 1:30 p.m.

2. Councillor Flynn stated that he requested information in May regarding the procedures used to assist new businesses when they come to the City and hasn't received it. City Manager Arthur Sciorra stated that he believes that information was provided but will resend it.

3. Councillor Powers questioned the status of the \$700,000. RESTORE NY funds for the Shade Roller archeological surveys and Phase 1.

## CITY COUNCIL MEETING

September 8, 2008

Page 161

Mr. Sciorra said we are in the process of doing a SEQRA which will include a historical component and asbestos survey, and then prepare for demolition bids on some of the properties with materials that can be removed and resold, like wood.

4. Councillor Morley stated that the gate to the Diamond National property is open and he has seen people coming and going. City Manager Arthur Sciorra stated that the gate should be closed as there is no work being done at this time. Councillor Morley asked if there have been any developments or preferred developers. Mr. Sciorra stated that he has received a couple of communications from Jim Sharpe, American Communications, who wanted to meet with us in September but will be here in early October. Mr. Sciorra added that Mr. Sharpe hopes we will have a draft of an exclusivity agreement two weeks prior to his visit here. Councillor Morley questioned if our exclusivity agreement will contain the ABC's of what we need to go into this agreement. Mr. Sciorra said yes, Mr. Sharpe's had his lawyer putting it together and we'll have ours review it after we put our input into it.

5. Councillor Morley questioned the DPW brush pickup policy in the City. Councillor Morley also questioned if we're trying to save money, why do we only pick up brush that has been called into the DPW and drive past other piles in the same neighborhood.

City Manager Arthur Sciorra explained that the policy was changed due to the high cost of gas and then we had a storm that knocked down trees which we are still picking up. Mr. Sciorra said when the policy was changed the intent was to save money, but due to the storm we will go back to the old weekly pickup policy. Councillor Morley stated that Council incorrectly budgeted the 2008 DPW gas budget, as it was the same amount as was budgeted in 2007.

Public Works Director Kit Smith stated that the policy was changed when he was forced to look at cutting non-essential services and he determined brush pickup as non-essential. Mr. Smith stated that he receives 120-140 pickup requests each week and doesn't have time to pickup each adjacent neighbor who didn't call. Mr. Smith urged the public to call his department for brush pickup at 393-2300.

## CITY COUNCIL MEETING

September 8, 2008

Page 162

6. Councillor Morley stated that we milled streets in June and July and questioned when the work will be completed. Public Works Director Kit Smith stated we will be done with the paving by the end of the month. Mr. Smith added 17 blocks were done this year and due to reduced CHIPS funding only 10 will be done next year.

7. Councillor Flynn stated that the paper lining the windows in the old Post Office lobby has fallen down and the old toilets being stored there are visible to the public and unsightly.

### ITEMS FOR DISCUSSION

1. Councillor Vaughn thanked the City Manager, Mayor and Council, Police Department, Fire Department and Recreation Department for their help with the Jimmy Howard Celebration.

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