

CITY COUNCIL MEETING

June 23, 2008

Page 124

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

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

ABSENT: None

CORRESPONDENCE

1. City Clerk Kathleen Bouchard read a letter from Eugene LaFave, 446 Belmont Courts, requesting to purchase 1328 Ford Street from the City of Ogdensburg. (A copy follows these minutes.)

Mayor Nelson asked City Manager Arthur Sciorra to contact Mr. LaFave.

CONSENT AGENDA

Mayor Nelson moved that the claims as enumerated in Warrant #12-2008 in the amount of \$105,332.60, and Library Warrant #12-2008 in the amount of \$494.22 and Community Development Fund Warrant #12-2008 in the amount of \$525.70, as audited, be and the same are ordered paid and Councillor Vaugh seconded the motion.

The vote was:

CARRIED, AYES ALL

ITEMS FOR COUNCIL ACTION

1. Councillor Powers moved a resolution authorizing the City Manager to execute an amendment to the contract with Stearns and Wheler for additional services to complete the Combined Sewer Overflow Characterization Study and Report, and Councillor Morley seconded to wit:

CITY COUNCIL MEETING

June 23, 2008

Page 125

RESOLUTION AUTHORIZING CITY MANAGER TO EXECUTE
AMENDMENT NO. 1 TO CONTRACT BETWEEN
THE CITY OF OGDENSBURG AND STEARNS & WHEELER

WHEREAS, the City entered into an Agreement with Stearns & Wheler dated March, 2007; and

WHEREAS, during the development of the Combined Sewer Overflow Characterization Plan, Engineer observed areas of the combined sewer system that were not optimized to convey combined sewage to the wastewater treatment plant; and

WHEREAS, Stearns & Wheler submitted the Combined Sewer Overflow Characterization Plan to the New York State Department of Environmental Conservation (DEC) and the DEC requested additional work related to combined sewer overflow frequency monitoring, flow metering and water quality monitoring; and

WHEREAS, the rain gauge installed on Owner's property by Engineer was vandalized; and

WHEREAS, Engineer has remaining budget from the original agreement to complete the Combined Sewer Overflow Characterization Plan, combined sewer system modeling, and the Combined Sewer Overflow Characterization Report; and

NOW, THEREFORE BE IT RESOLVED, the City Manager is hereby authorized to enter into Amendment No. 1 to Agreement between City of Ogdensburg, New York and Stearns & Wheler, LLC for a sum not to exceed \$49,000 for the tasks as outlined in the scope of work; and,

BE IT FURTHER RESOLVED, funds to pay for this work shall be derived from Sewer Fund budget for 2008 - G8120.515.

Councillor Morley questioned if there are funds available to hire a Clerk of the Works for this project. City Manager Arthur Sciorra said there are funds available to hire a Clerk of the Works.

CITY COUNCIL MEETING

June 23, 2008

Page 126

Councillor Hannan questioned why we need a Clerk of the Works for this project, but didn't have one for the \$2,000,000. Visitor's Center project. Mr. Sciorra suggested hiring a landscape person.

Councillor Hannan questioned the bid process and requested that a spread sheet of the bids received be included with the agenda item in the future.

The vote was:

CARRIED, AYES ALL

2. Councillor Vaugh moved to authorize an award of the Visitor Center Landscaping contract, and Councillor Hannan seconded to wit:

RESOLUTION AUTHORIZING AWARD OF CONTRACT
FOR THE VISITOR CENTER LANDSCAPING

WHEREAS, bids have been solicited and received for the Visitor Center Landscaping project; and

WHEREAS, City staff have evaluated the bids and recommended the contract be awarded to the responsible low bidder;

NOW, THEREFORE, BE IT RESOLVED that Arthur J. Sciorra, City Manager, is authorized to enter into the following contract, for a sum not to exceed \$148,900., on behalf of the City;

CONTRACTOR	BID AMOUNT	CONTINGENCY
L & M Enterprises, LLC. 10265 SH 37 Lisbon, NY 13658	\$128,900	\$20,000

BE IT FURTHER RESOLVED that the funds to pay for this work shall be derived from Capital Account H718201.519.

The vote was:

CARRIED, AYES ALL

CITY COUNCIL MEETING

June 23, 2008

Page 127

3. Councillor Flynn moved a resolution authorizing the City Manager to submit a grant application for NYS DOT 2008 Transportation Enhancement Program funding, and Councillor Powers seconded to wit:

A RESOLUTION AUTHORIZING THE CITY MANAGER TO SUBMIT
A GRANT APPLICATION FOR FUNDING UNDER THE
NEW YORK STATE DEPARTMENT OF TRANSPORTATION
2008 TRANSPORTATION ENHANCED PROGRAM

WHEREAS, the City of Ogdensburg, Town of Oswegatchie and New York State Department of Transportation Region 7 are desirous of seeing pedestrian and bike trails extended within and to connect to these respective communities and along the Oswegatchie and St. Lawrence River corridors, and

WHEREAS, the entities mentioned above desire to use as a base trail from which to extend, the Maple City Trail, installed as a function of the recently completed Maple City Trail extension project and a successful rails to trails project, and

WHEREAS, the proposed trails will interface with, extend and connect to other existing pedestrian and bike trail facilities, and provide expanded opportunities for local residents and visitors to the area to access educational, recreational, environmental and tourist destinations along the length of the proposed trails, and

WHEREAS, through installing these improvements a network of trails in the area can provide for an enhanced quality of life, and the movement of people without having to use motorized vehicles on state and local highways within the referenced communities, thereby assisting in the reduction of traffic on highways and not adding to the increase of air contaminates.

THEREFORE BE IT RESOLVED, that the City of Ogdensburg supports the extension of pedestrian and bike trails along the Oswegatchie and St. Lawrence River corridors to effect an interconnection between communities by providing off-highway opportunities for the movement of people including local residents and visitors to the area seeking educational, recreational, environmental and tourist destinations along the trails and sidewalks, and

CITY COUNCIL MEETING

June 23, 2008

Page 128

BE IT FURTHER RESOLVED THAT, the proposed expansion of the existing pedestrian and bike trail systems shall be, in part or in whole, effected through a grant application to the New York State Department of Transportation's Transportation Enhancements Program (TEP), and

RESOLVED, that the realization of these trails shall result in an improvement to the quality of life for our holistic area and for all who use these trails, and

RESOLVED, that the City of Ogdensburg shall progress the TEP application through the assimilation of an application package including written material and the development of engineering cost estimates.

NOW, THEREFORE, BE IT RESOLVED that Arthur J. Sciorra, as the City Manager of the City of Ogdensburg, is hereby authorized and directed to file an application for funds from the New York State Department of Transportation, Transportation Enhancement Program, in an amount not to exceed \$2,500,000. and upon approval of said request to enter into and execute a project agreement with the State for such financial assistance to the City of Ogdensburg for the Enhanced Maple City Trail Project.

The vote was:

CARRIED, AYES ALL

4. Councillor Hannan moved a resolution to designate the American Communities, Inc. as the preferred developer for the former Diamond International Paper Mill site, and Councillor Flynn seconded to wit:

RESOLUTION TO DESIGNATE AMERICAN COMMUNITIES, INC.
AS PREFERRED DEVELOPER FOR THE FORMER
DIAMOND INTERNATIONAL PAPER MILL SITE
(TAX MAP # 59.021-4-1.12, 59.021-4-1.13, 59.021-4-31)

WHEREAS, the cleanup and remediation of the former Diamond International Paper Mill site is expected to be completed by the end of July 2008; and

CITY COUNCIL MEETING

June 23, 2008

Page 129

WHEREAS, final reports are expected to be submitted to the Dept. of Environmental Conservation by September 1, 2008; and

WHEREAS, it is anticipated the City will receive a final certificate of completion by December 31, 2008, and

WHEREAS, the City released a Request for Proposals seeking partners to develop said lands; and

WHEREAS, the City hired Cecilia Ward, AICP, to review the proposals and backgrounds of the three submittals; and

WHEREAS, two of the respondents did not provide sufficient information, as requested; and

WHEREAS, Ms. Ward recommended American Communities as the preferred developer; and

WHEREAS, American Communities made a public presentation before council on May 27, 2008; and

WHEREAS, the City Council had a public work session on June 17, 2008, to discuss its options and next steps; and

WHEREAS, the 2008 Strategic Management Plan adopts the following Vision, Mission & Values Statements:

VISION STATEMENT: The City of Ogdensburg is a vibrant and vital commerce center in the St. Lawrence Region, with clean, safe and beautiful neighborhoods, streets and parks.

MISSION STATEMENT: The mission of the City of Ogdensburg is to provide quality public services and facilities to promote and protect the health, safety and welfare of its residents, businesses and visitors in a cost effective manner.

CITY COUNCIL MEETING

June 23, 2008

Page 130

VALUES STATEMENT: Ogdensburg is a place with strong values, traditions and heritage where people choose to live, work, socialize and recreate. Core priorities include:

<u>Waterfront:</u>	clean, developed, mixed public/private use, psychiatric center, international use
<u>Tax Base:</u>	expanded
<u>Economic Development:</u>	port, downtown revitalization, plazas, jobs
<u>Infrastructure:</u>	improved, support growth
<u>Technology:</u>	expanded service, utilization of internet
<u>Tourism:</u>	4-land highway, cultural opportunities
<u>Housing Stock:</u>	improved

ORGANIZATIONAL GOALS:

1. FINANCIALLY SECURE CITY GOVERNMENT
2. SAFE AND SECURE COMMUNITY
3. BALANCED, SUSTAINABLE LOCAL ECONOMY
4. REVITALIZED AGING NEIGHBORHOODS & COMMERCIAL AREAS
5. BEAUTIFUL CITY

and,

WHEREAS, the development of this land will further the vision, goals and objectives outlined in the Strategic Management Plan,

NOW, THEREFORE, BE IT RESOLVED, that the Ogdensburg City Council hereby designates American Communities, Inc., Jacksonville, OR, as the preferred developer for the former Diamond International Paper Mill site; and

BE IT FURTHER RESOLVED, that the City Manager is hereby authorized to enter into a Pre-development Exclusivity Partnership Agreement with American Communities; and

BE IT FURTHER RESOLVED, that during that time, the City agrees not to negotiate or enter into a Land Disposition Agreement with any party.

City Manager Arthur Sciorra explained the bid process and steps that were taken to get responses.

CITY COUNCIL MEETING

June 23, 2008

Page 131

Councillor Sholette asked what safeguards are in place should the project stop after the first phase. Mr. Sciorra stated this is an excellent question and answered that safeguards have to be negotiated into the agreement to develop the property. Mr. Sciorra assured Council that they will know the conditions.

The vote was:

CARRIED, AYES ALL

OLD BUSINESS

1. Councillor Morley stated that last week he took a tour of Montroy Park with Mr. Sciorra and Recreation Director Phil Clemens. Councillor Morley added that the park needs a lot of work and funding needs to be included in the next budget.

Recreation Director Phil Clemens advised Council that two loads of clay material is coming from Syracuse tomorrow to fill in the holes. Councillor Flynn questioned if funding is needed more for the materials or for the labor.

2. Councillor Morley questioned the status of the sale of Filtran Building in the Mall. City Attorney Katherine Wears stated the sale occurred, but the transfer has not taken place. Mrs. Wears added that they paid the full purchase price for the building and now we need to repair the roof.

3. Councillor Sholette thanked City staff for providing the history on the Growth Fund at the last meeting, and asked how many members serve on the board. Mayor Nelson stated there are eight, but they can have up to nine members. Councillor Sholette suggested that a member of Council be appointed to the Growth Fund Board. Councillor Sholette added that at the last meeting Council asked for more information regarding Growth Fund activities, yet there was a Growth Fund Meeting two days later and Council wasn't informed. Councillor Sholette asked if there was a set timeline for the Growth Fund to pay back the money with interest on the 420 Ford Street property. Mayor Nelson said no.

CITY COUNCIL MEETING

June 23, 2008

Page 132

Councillor Sholette asked for the status of the Filtran loan. City Attorney Katherine Wears said she will check the status of that loan and get back to Council.

Councillor Sholette stated that he read in the newspaper that St. Lawrence County is leasing space for its satellite offices at 206 Ford Street and that the Social Security Administration has leased space with the OBPA for the next eighteen months. Councillor Sholette questioned if the Growth Fund is at a standstill for tenants. City Manager Arthur Sciorra stated that the General Services Administration will be in the City next Friday to look at new Social Security Office sites.

Councillor Hannan said Council is responsible for representing the citizens of Ogdensburg, and there is a gray area between the City and Growth Fund.

Mayor Nelson stated that the Growth Fund is the banking arm of economic development in the City.

4. Councillor Hannan asked if the deteriorating Jet Gas building on Ford Street will be torn down before Seaway Festival. City Attorney Katherine Wears responded that there is a sales tax issue with this property and proceedings have been filed in court. Mrs. Wears said that she will provide Council with a memo in the update.

5. Councillor Hannan asked for an update on 510 Montgomery Street. Mrs. Wears stated that this is also a tax sale issue and will provide information to Council in the update.

NEW BUSINESS

1. Councillor Flynn asked City Manager Arthur Sciorra what steps are taken to welcome a new business into the City. Mr. Sciorra stated that new business is referred to the Economic Development Program Manager, Kim Deschamp. Councillor Flynn asked Mr. Sciorra to provide the steps or process she uses to assist businesses into the City in the next update.

CITY COUNCIL MEETING

June 23, 2008

Page 133

2. Mayor Nelson asked Recreation Director Philip Clemens to follow up on a complaint he received last weekend of vehicles being parked on the lawns and sidewalks in the Greenbelt area.

3. Councillor Hannan said he will be unable to attend the July 14 meeting as he will be out of the City.

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