

## CITY COUNCIL MEETING

January 12, 2015

Page 1

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

### PROCLAMATION

1. Mayor Nelson made a proclamation commending Patrolman Mark Kearns for his quick and discerning actions using his experience and expertise to save the life of Ogdensburg resident Mr. Robert Wells on December 11, 2014. (A copy of the proclamation follows these minutes.)

Mayor Nelson also thanked all members of the Ogdensburg Police Department for everything they do every day. Mayor Nelson said Senator Ritchie presented members of our Police Department with Liberty Awards last week.

### PRESENTATION

1. Ian Palmer of RER Energy Group/New Energy Equity made a presentation to Council regarding the Solar Array Project. Mr. Palmer provided Council with an update and a timeline for the project. (A copy of the presentation material follows these minutes.)

### PUBLIC HEARING

1. A public hearing regarding a local law to amend the Ogdensburg Municipal Code, Article XVI entitled "Department of Finance", by adding Section C-56 entitled "Audit Committee" 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 #1-2015 in the amount of \$1,036,526.21 and Library Fund Warrant #1-2015 in the amount of \$40,872.35 and Capital Fund Warrant #1-2015 in the amount of \$733,311.85 and Community Development Fund Warrant #1-2015 in the amount of \$0.00 and Community Renewal Fund Warrant #1-2015 in the amount of \$62,399.63 and NSP Funds Warrant #1-2015 in the amount of \$3,742.60 as audited, be and the same are ordered paid and Councillor Ashley seconded the motion.

Councillor Skamperle asked for an explanation of the NSP Fund disbursement. City Manager John Pinkerton said the payment was made in connection with the demolition of 1420 Ford Street.

The vote was:

CARRIED, AYES ALL

APPOINTMENTS

1. Mayor Nelson moved to appoint Marc Boyer to fill the expired term of Dianne Webster on the Ogdensburg Library Board, term will expire 12/31/18, and Councillor Stevenson seconded the motion.

The vote was:

CARRIED, AYES ALL

ITEMS FOR COUNCIL ACTION

1. Councillor Morley moved a Local Law to amend the Ogdensburg Municipal Code, Article XVI entitled “Department of Finance”, by adding Section C-56 entitled “Audit Committee”, and Councillor Stevenson seconded to wit:

LOCAL LAW # 1 of 2015

LOCAL LAW ADDING SECTION C-56 ENTITLED  
"AUDIT COMMITTEE" BE ADDED  
TO THE CODE OF THE CITY OF OGDENSBURG

BE IT ORDAINED AND ENACTED by the City Council of the City of Ogdensburg, New York, as follows:

ITEM ONE

That ARTICLE XVI of the Code of the City of Ogdensburg entitled “Department of Finance, is hereby amended to add Section C-56 entitled “Audit Committee”:

§ C-56. There shall be an Audit Committee which shall be constituted and empowered to internally oversee and direct the audit function, except as otherwise provided in this Charter. The Committee shall work closely with external auditors during the yearly audit and report back to the City Council with pertinent information throughout the process. The Committee shall consist of three members of Council to be appointed by the Mayor and City Council. The term of office for each member shall be two years. Members of the Audit Committee shall be those individuals who may better understand the intricacies of government reporting and may have a financial background.

CITY COUNCIL MEETING

January 12, 2015

Page 4

ITEM TWO

Effective Date: This local law shall take effect immediately upon filing in the office of the New York State Secretary of State.

Councillor Skamperle asked why three City Councillors need to be appointed to this committee. Mayor Nelson explained Derek VanHouse of Pinto, Mucenski, Hooper, VanHouse & Co. recommended the formation of this committee following our last audit. Mayor Nelson asked for three volunteers to serve on this committee. Councillors Stevenson, Morley and Mitchell volunteered.

The vote was:

CARRIED, AYES ALL

2. Councillor Skamperle moved a resolution to accept a \$30,000 Engineering Planning Grant (EPG) from the Environmental Facilities Corporation (EFC) through the 2014 Consolidated Funding Application, and Councillor Ashley seconded to wit:

A RESOLUTION TO ACCEPT AN ENVIRONMENTAL FACILITIES CORPORATION GRANT AWARDED THROUGH THE 2014 CONSOLIDATED FUNDING APPLICATION

WHEREAS, the City of Ogdensburg desires to accept a \$30,000 Engineering Planning Grant (EPG) from the Environmental Facilities Corporation (EFC); and

WHEREAS, the City of Ogdensburg will fulfill its required 20% local match (\$7,500) with a combination of in-kind services and funding received through the Northern Border Regional Commission; and

CITY COUNCIL MEETING

January 12, 2015

Page 5

WHEREAS, 6 NYCRR Section 617.5 (Title 6 of the New York Code of Rules and Regulations) under the State Environmental Quality Review Act (SEQR) provides that certain actions identified in subdivision (c) of that section are not subject to environmental review under the Environmental Conservation Law; and

WHEREAS, that the Ogdensburg City Council as lead agency, hereby determines that the proposed St. Lawrence Shores water and wastewater EPG project is a Type II action in accordance with 6 NYCRR Section 617.5(c)(21) which constitutes the "conducting concurrent environmental, engineering, economic, feasibility and other studies and preliminary planning and budgetary processes necessary to the formulation of a proposal for action, provided those activities do not commit the agency to commence, engage in or approve such action" and is therefore not subject to review under 6 NYCRR Part 617.

NOW, THEREFORE, BE IT RESOLVED, that the Ogdensburg City Manager is hereby authorized to execute a Grant Agreement with the NYS Environmental Facilities Corporation and any and all other contracts, documents and instruments necessary to bring about the Project and to fulfill the City's obligations under the Engineering Planning Grant Agreement.

Councillor Morley asked where the St. Lawrence Shores property is located. City Manager John Pinkerton said it is the Diamond National property.

The vote was:

CARRIED, AYES ALL

CITY COUNCIL MEETING

January 12, 2015

Page 6

3. Councillor Hosmer moved a resolution authorizing the City Manager to enter into an agreement with C2AE, for a sum not to exceed \$65,000., for the Evaluation of WWTP/Capital Improvement Plan, and Councillor Stevenson seconded to wit:

RESOLUTION AUTHORIZING CITY MANAGER TO  
ENTER INTO AGREEMENT WITH C2AE FOR THE  
EVALUATION OF WWTP/ CAPITAL IMPROVEMENT PLAN (CIP)

WHEREAS, the City intends to conduct an evaluation of its wastewater treatment plant (WWTP) and develop a capital improvement plan (CIP); and

WHEREAS, the City requested proposals from several engineering firms and received proposals from three (3) firms interested in the project and experienced in performing the services: and

WHEREAS, the interested firms, in no particular order are C2AE (formerly Burley-Guminiak & Associates) with an office in Canton, NY; CRA/GHD with an office in Syracuse, NY; and Barton & Loguidice with an office in Watertown, NY; and

WHEREAS, the City staff members have reviewed and compared the proposals submitted and determined that the C2AE proposal is the one that meets the City's needs; and

NOW, THEREFORE, BE IT RESOLVED, that the City Manager is hereby authorized to enter into an agreement with C2AE, for a sum not to exceed \$65,000 in services for the Evaluation of WWTP/Capital Improvement Plan; and

BE IT FURTHER RESOLVED that the City will be submitting an application to NYSERDA for FlexTech funding to off-set a portion of the costs for this project for reimbursement of expenses eligible under the FlexTech funding which is likely to be between \$10,000 and \$12,000; and

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

Sewer Fund		
Contractual Expense	G8130.498	\$65,000.

Councillor Morley said the Waste Water Treatment Plant may be oversized. City Manager John Pinkerton explained the aeration system is oversized and we are not producing enough methane to heat the building. Councillor Morley said it may be oversized for what we need now, but we should remember future development is planned.

The vote was:

CARRIED, AYES ALL

4. Mayor Nelson moved a resolution calling for a public hearing and public notice on a proposed ordinance to lease municipal property at 330 Ford Street (Basement) for the Satellite Office of Senator Patricia Ritchie, and Councillor Morley seconded to wit:

RESOLUTION OF CITY COUNCIL INTRODUCING ORDINANCE  
AND PROVIDING FOR PUBLIC NOTICE  
AND PUBLIC HEARING

BE IT RESOLVED, that Ordinance No. of 2015, entitled "An Ordinance to Lease City-Owned Property " be and it hereby is introduced before the City Council of the City of Ogdensburg, New York, and

BE IT FURTHER RESOLVED, that the City Council shall hold a public hearing in the matter of the adoption of the aforesaid ordinance to be held at the Council Chambers in the City of Ogdensburg, New York, on the 26th day of January, 2015, at 7:00 p.m., and

BE IT FURTHER RESOLVED, that the City Clerk give notice of such public hearing by publication in the newspaper so designated by the City Council of the City of Ogdensburg for legal and public notices at least seven (7) days before the hearing date of a notice setting forth the time and place and describing the proposed ordinance in summary form.

The vote was:

CARRIED, AYES ALL

5. Councillor Stevenson moved a resolution authorizing the City Manager to apply to New York State Homes & Community Renewal for \$400,000 under the 2015 Community Development Block Grant Program, and Councillor Ashley seconded to wit:

RESOLUTION AUTHORIZING THE CITY MANAGER TO SUBMIT A  
2015 COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION

WHEREAS, the City of Ogdensburg values an improved housing stock; and

CITY COUNCIL MEETING

January 12, 2015

Page 9

WHEREAS, the Ogdensburg City Council adopted the City's Abbreviated Consolidated Plan, which among other things sets Housing Rehabilitation as one of the City's primary housing priorities; and,

WHEREAS, New York State Homes & Community Renewal is accepting applications for the 2015 Community Development Block Grant Program; and

WHEREAS, the purpose of the Community Development Block Grant Program is to provide support for low and moderate-income residents to perform housing rehabilitation to eliminate unsafe and unhealthy conditions;

NOW, THEREFORE BE IT RESOLVED, by the Ogdensburg City Council hereby authorizes the filing of a 2015 Community Development Block Grant Application to secure \$400,000 in funding to undertake rehabilitation of 10-12 single-family, owner occupied homes of income eligible City residents; and

BE IT FURTHER RESOLVED, that the City Manager, is hereby authorized to submit the application, and if awarded, to administer the program, including executing all necessary documents relating to the application or administration of the program.

Councillor Morley asked if the target area would be New York Avenue. City Manager John Pinkerton said yes, and it would also include one block east and west of New York Avenue.

The vote was:

CARRIED, AYES ALL

CITY COUNCIL MEETING

January 12, 2015

Page 10

6. Mayor Nelson moved a resolution calling for a public hearing to obtain input on the City's application to New York State Home & Community Renewal for \$400,000 under the 2015 Community Development Block Grant Program, and Councillor Ashley seconded to wit:

RESOLUTION OF THE CITY COUNCIL TO PROVIDE FOR  
PUBLIC NOTICE AND PUBLIC HEARING

WHEREAS, the City of Ogdensburg is submitting a Community Development Block Grant application to New York State Homes & Community Renewal; and

WHEREAS, the City Council and staff of the Office of Planning and Development are desirous of obtaining public input on the proposed application;

NOW, THEREFORE, BE IT RESOLVED that the City Council shall hold a public hearing seeking public comment on the proposed grant application to be held in the City Council Chambers at City Hall, Ogdensburg, New York, on the 26<sup>th</sup> day of January, 2015 at 7:00 p.m.; and

BE IT FURTHER RESOLVED, that the City Clerk give notice of such public hearings by publication in the newspaper so designated by the City Council of the City of Ogdensburg for legal and public notices at least seven (7) days before the hearing dates setting forth the time and place.

The vote was:

CARRIED, AYES ALL

OLD BUSINESS

1. Councillor Stevenson asked for an update on the Town Hall Meeting to be scheduled with the Board of Assessment and Review. City Manager John Pinkerton said the City Assessor is currently planning that meeting and Council will be notified when a date is confirmed.

NEW BUSINESS

1. Councillor Morley announced City Manager John Pinkerton and his wife became grandparents for the first time on January 1, 2015.

ITEMS FOR DISCUSSION

1. Mayor Nelson said he will be in Albany at the NYCOM meeting on February 9, 2015. Councillor Stevenson said she is also in Albany until the morning of February 12, 2015.

Mayor Nelson made a motion to change the February 9, 2015 City Council meeting to Thursday, February 12, 2015, and Councillor Morley seconded.

The vote was:

CARRIED, AYES ALL

2. Mayor Nelson reminded everyone about the Town Hall Meeting scheduled for Monday, January 19, 2015 at 6pm at City Hall regarding the Adaptive Reuse District (ARD).

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