

CITY COUNCIL MEETING

May 12, 2008

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

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

ABSENT: Councillor Flynn

CONSENT AGENDA

Mayor Nelson moved that the claims as enumerated in Warrant #09-2008 in the amount of \$454,596.70, and Library Warrant #09-2008 in the amount of \$23,910.01 and Community Development Fund Warrant #09-2008 in the amount of \$38,370.14 and Capital Warrant #09-2008 in the amount of \$3,017.00, as audited, be and the same are ordered paid and Councilor Powers seconded the motion.

The vote was:

CARRIED, AYES ALL

APPOINTMENTS

1. Mayor Nelson moved to appoint John Ziegler to the Ogdensburg Civil Service Commission to fill Donald Hooper's 6/1/12 unexpired term, and Councillor Vaugh seconded the motion.

The vote was:

CARRIED, AYES ALL

At this point in the meeting, City Clerk Kathleen Bouchard swore Mr. Ziegler in to the Ogdensburg Civil Service Commission.

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ITEMS FOR COUNCIL ACTION

1. Mayor Nelson moved a resolution calling for a public hearing on an ordinance to prohibit the use of tobacco products in City parks and recreational facilities, and Councillor Hannan seconded to wit:

RESOLUTION OF CITY COUNCIL CALLING FOR A PUBLIC HEARING TO
AMEND CHAPTER 149, §149-5 OF THE MUNICIPAL CODE OF THE CITY OF
OGDENSBURG IN RELATION TO ESTALBISHING A TOBACCO-FREE
POLCIY IN CITY PARKS

BE IT RESOLVED, that tobacco use in the proximity of children and adults engaging in or watching outdoor recreational activities at City-owned or operated facilities is detrimental to their health and can be offensive to those using such facilities; and

BE IT FURTHER RESOLVED, that the Ogdensburg City Council believes the City has an opportunity to create and sustain an environment that supports a non-tobacco norm through a tobacco-free policy, rule enforcement, and adult-peer role modeling on City-owned outdoor recreational facilities; and

BE IT FURTHER RESOLVED, that the City Council shall hold a public hearing in the matter of the adoption of the aforesaid local law to be held at the Council Chambers in the City of Ogdensburg, New York, on the 27th day of May, 2008 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 local law in summary form.

The vote was:

CARRIED, AYES ALL

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2. Councillor Morley moved a resolution authorizing the City Manager to enter into a contract with the lowest bidder for the Phase 1 portion of the Spring Street Bridge Rehabilitation Project, and Councillor Powers seconded to wit:

RESOLUTION AUTHORIZING AWARD OF CONTRACT
FOR THE SPRING STREET BRIDGE REHABILITATION PROJECT

WHEREAS, bids have been solicited and received for the Spring Street Bridge Rehabilitation Project; and

WHEREAS, City staff have evaluated the bids and recommended the contract be awarded to the responsible low bidder for the Phase I portion of the work only, including Alternate No. 1;

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 \$117,000.00, on behalf of the City;

CONTRACTOR	BID AMOUNT	CONTINGENCY
Lupini Construction, Inc. 11 Mill Street New York Mills, NY 13417	\$151,240.00 Alt. #1 (40,000.00)	\$5,760

BE IT FURTHER RESOLVED that the funds to pay for this work shall be derived from the following sources:

2006 General Fund Encumbrance A5110.330	\$26,000
2006 CHIPS Encumbrance A5110.330	\$20,000
2008 General Fund A5110.330	\$4,000
2008 General Fund, Fund Balance	\$67,000

The vote was:

CARRIED, AYES ALL

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3. Councillor Powers moved a resolution to authorize submission of a grant application for \$5,000. to the NYS Department of Environmental Conservation for the Program Year 2008, and Councillor Sholette seconded to wit:

RESOLUTION
AUTHORIZING GRANT APPLICATION

WHEREAS, New York State Department of Environmental Conservation Urban and Community Forestry Grant Program has established funds, in the form of grants, to replant diseased or dead trees,

WHEREAS, the Ogdensburg Recreation Department would benefit by the use of these funds,

WHEREAS, matching funds of \$2,500. are required by the City, and the deadline for applications is June 4, 2008,

THEREFORE, BE IT RESOLVED, that the City Manager is hereby authorized to apply for this grant through the New York State Department of Environmental Conservation Urban and Community Forestry Grant Program.

The vote was:

CARRIED, AYES ALL

4. Mayor Nelson moved a resolution calling for a public hearing on Local Law #5 of 2008, establishing Training and Attendance Requirements and providing for the appointment of alternate members for the Planning Board and Zoning Board of Appeals, and Councillor Morley seconded to wit:

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RESOLUTION OF CITY COUNCIL CALLING FOR A PUBLIC HEARING
ON LOCAL LAW 5 ESTABLISHING TRAINING AND ATTENDANCE
REQUIREMENTS AND PROVIDING FOR THE APPOINTMENT OF
ALTERNATE MEMBERS FOR THE PLANNING BOARD AND ZONING
BOARD OF APPEALS

BE IT RESOLVED, the City Council has determined it necessary to consider a proposed Local Law relating to composition of and the training and attendance requirements for the Planning Board and Zoning Board of Appeals; and

BE IT FURTHER RESOLVED, said proposal requires an amendment of the Zoning Code as codified in the City of Ogdensburg Municipal Code Sections 221-72 & 221-73; and

BE IT FURTHER RESOLVED, that the City Council shall hold a public hearing in the matter of the adoption of the aforesaid local law to be held at the Council Chambers in the City of Ogdensburg, New York, on the 27th day of May, 2008 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 local law in summary form.

The vote was:

CARRIED, AYES ALL

5. Councillor Vaugh moved a resolution authorizing the City Manager to enter into an agreement with Burley-Guminiak and Associates for a hydraulic modeling, preliminary engineering and scoping study for the Ogdensburg Water Supply for a sum not to exceed \$9,000., and Councillor Hannan seconded to wit:

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RESOLUTION AUTHORIZING CITY MANAGER TO ENTER INTO
AGREEMENT FOR HYDRAULIC MODELING, PRELIMINARY ENGINEERING
& SCOPING STUDY FOR THE OGDENSBURG WATER SUPPLY

WHEREAS, the City of Ogdensburg is the current owner of a municipal water system; and

WHEREAS, the City of Ogdensburg has been invited to conduct hydraulic modeling, preliminary engineering, and a scoping study; and

WHEREAS, the City has a proposal from the firm of Burley - Guminiak & Associates, Consulting Engineers, PLLC, to perform this work; and

WHEREAS, Burley - Guminiak & Associates is qualified and the most logical selection of an engineer because of the other work conducted in prior phases of this project with other participating governmental units; and

WHEREAS, this work is a necessary part of a review to determine the potential for cost and benefits of a shared service between the City and other governmental bodies;

NOW, THEREFORE, BE IT RESOLVED, that the City Manager is hereby authorized to enter into an agreement for a sum not to exceed \$9,000 with Burley - Guminiak & Associates for said hydraulic modeling, preliminary engineering, and a scoping study; and

BE IT FURTHER RESOLVED, the City funding shall be provided from A8020.515.

The vote was:

CARRIED, AYES ALL

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OLD BUSINESS

1. Councillor Morley stated that Council approved a new house construction grant and questioned how it will be financed.

City Manager Arthur Sciorra stated that this information was in the Council update, third paragraph. It read:

HOME Program New Construction In-Fill Housing Program: Available citywide \$230,000 total, \$40,000 maximum grant per household, 20 year recapture period if property sold within that time. The minimum number of clients assisted will be 6. City owned build able lots will be available for income eligible clients to construct new homes. The city will provide up to \$24,000 as leverage funds if required to fill a gap in financing in HOME fund and Bank funds. The potential client will be required to have bank financing in place before a commitment of HOME and city funds is made and before construction begins.

2. Councillor Powers questioned the status of the Park Plaza and Jet Gas buildings. Mr. Sciorra stated that we are proceeding with court and Code Enforcement actions.

3. Councillor Hannan stated the 2007 Year End Report was very informative. Councillor Hannan questioned gasoline expenses pertaining to the Rescue Squad Agreement and possible sharing revenue for the 1st responders. City Manager Arthur Sciorra stated that he has had preliminary discussions with the Rescue Squad regarding paid assistants and modernizing their contract agreement with the City. Councillor Hannan stated that he would also like all City contract entities self sustaining.

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NEW BUSINESS

1. Councillor Powers stated that recently Congressman McHugh and Senator Aubertine issued a public response opposing the IJC Water Level proposal. Mayor Nelson said that a Council resolution supporting the B+ plan was passed at a meeting Councillor Powers was absent.

2. Councillor Sholette questioned if we have received any response to our RFP advertisement. City Manager Arthur Sciorra said as of today, no.

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