

CITY COUNCIL MEETING

January 14, 2008

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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

CONSENT AGENDA

Mayor Nelson moved that the claims as enumerated in Warrant #01-2008 in the amount of \$2,543,625.31, and Library Warrant #01-2008 in the amount of \$66,145.54 and Community Development Fund Warrant #01-2008 in the amount of \$89,698.00 and Capital Fund Warrant #01-2008 in the amount of \$ 147,824.01 as audited, be and the same are ordered paid and Councilor Flynn seconded the motion.

The vote was:

CARRIED, AYES ALL

PERSONAL APPEARANCE

1. Joseph Basta, Main Street, addressed Council and urged them to designate the Ogdensburg Journal as the official City newspaper.

APPOINTMENTS

1. Mayor Nelson moved to reappoint Kenneth Snyder to a two-year term on the Ogdensburg Growth Fund Board of Directors, term will expire 12/31/09, and Councillor Morley seconded the motion.

The vote was:

CARRIED, AYES ALL

2. Mayor Nelson moved to reappoint Scott Wright to a two-year term on the Ogdensburg Growth Fund Board of Directors, term will expire 12/31/09, and Councillor Flynn seconded the motion.

The vote was:

CARRIED, AYES ALL

3. Mayor Nelson moved to appoint Jim McCarthy to a two-year term on the Ogdensburg Growth Fund Board of Directors, term will expire 12/31/09, and Councillor Powers seconded the motion.

The vote was:

CARRIED, AYES ALL

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4. Mayor Nelson moved to appoint Dallas Sutton to a two-year term on the Ogdensburg Growth Fund Board of Directors, term will expire 12/31/09, and Councillor Sholette seconded the motion.

The vote was:

CARRIED, AYES ALL

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5. Mayor Nelson moved to reappoint Donald O'Shea to a three-year term on the Ogdensburg Tree Commission, term will expire 12/31/10, and Councillor Powers seconded the motion.

The vote was:

CARRIED, AYES ALL

6. Mayor Nelson moved to reappoint Glory Martel to a three-year term on the Ogdensburg Tree Commission, term will expire 12/31/10, and Councillor Hannan seconded the motion.

The vote was:

CARRIED, AYES ALL

7. Mayor Nelson moved to reappoint Dallas Sutton to a three-year term on the Pride and Beautification Commission, term will expire on 12/31/10, and Councillor Flynn seconded the motion.

The vote was:

CARRIED, AYES ALL

ITEMS FOR COUNCIL ACTION

1. Councillor Powers moved a resolution thanking the people and organizations who made donations to the 2004 Inaugural Ceremony, and Councilor Hannan seconded to wit:

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RESOLUTION

WHEREAS, four members of the City Council of the City of Ogdensburg, New York were on January 1, 2008, officially sworn into office, and

WHEREAS, it is recognized by said Council the efforts of all those involved in making this day one that will stand out in our memories, and

Therefore, BE IT RESOLVED, that special and public thanks be expressed to Basta's Flowers, Farrand's Flowers, Absolutely Youmi's Flowers and VIP Video Image Productions for the gifts, time and talent they donated to the citizens of Ogdensburg so that all will remember this day for years to come.

The vote was:

CARRIED, AYES ALL

2. Mayor Nelson moved a resolution appointing a Deputy Mayor for the City of Ogdensburg for 2004-2005, and Councilor Vaugh seconded to wit:

APPOINTMENT OF
DEPUTY MAYOR

WHEREAS, the Ogdensburg City Charter provides that a Deputy Mayor is to be elected from the City Council members at the first regular Council meeting in January of even-numbered years,

NOW, THEREFORE, BE IT RESOLVED, that Councilor Michael Morley is hereby elected Deputy Mayor of the Ogdensburg City Council for 2008 and 2009.

Councillor Flynn moved the nomination of Councillor Thomas Hannan as Deputy Mayor because he has been on Council the longest. Councillor Hannan thanked Councillor Flynn for nominating him but he supports Councillor Morley as Deputy Mayor. The motion died for lack of a second.

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The vote to appoint Councillor Morley Deputy Mayor was:

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

NAYS: None

ABSTAIN: Councillor Morley

APPROVED, 6 TO 0

3. Mayor Nelson introduced a resolution to call for a public hearing and public notice on a proposed ordinance amending Chapter 209, Section 209-51, Schedule XIV entitled "Parking Prohibited Certain Hours" of the Code of the City of Ogdensburg, and Councillor Morley seconded to wit:

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

BE IT RESOLVED, that Ordinance No. 1 of 2008, entitled, Ordinance Amending Chapter 209 entitled "Vehicles and Traffic"; Section 209-51, Schedule XIV: "Parking Prohibited Certain Hours" of the Code of the City of Ogdensburg 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 28th day of January, 2008 at 7:00 p.m., and

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BE IT FURTHER RESOLVED, that the City Clerk give notice of such public hearing by publication in the official newspaper 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.

City Attorney Katherine Wears explained that this ordinance was originally passed in 1982 and in 1993, Section B. of the ordinance was left out due to a clerical error. Mrs. Wears added that a resident brought this to our attention when they were ticketed.

The vote was:

CARRIED, AYES ALL

4. Councillor Morley moved a resolution to authorize the City Manager to execute Amendment No. 3 to the State Assistance Contract with the NYS Department of Environmental Conservation for the completion of a Site Investigation/Remedial Alternatives Report of the former Diamond Paper Mill site, and Councillor Powers seconded to wit:

RESOLUTION AUTHORIZING CITY MANAGER TO EXECUTE
AMMENDMENT NO. 3 TO THE NEW YORK STATE DEPARTMENT OF
ENVIRONMENTAL CONSERVATION-ENVIRONMENTAL RESTORATION
PROGRAM CONTRACT FOR THE COMPLETION OF A SITE
INVESTIGATION/REMEDIAL ALTERNATIVES REPORT OF THE FORMER
DIAMOND INTERNATIONAL PAPER MILL SITE

WHEREAS, the City of Ogdensburg has entered into a State Assistance Contract (SAC) with the New York State Department of Environmental Conservation (NYSDEC) under the Environmental Restoration Program (ERP) for the preparation of a Site/Investigation/Remedial Alternatives Report (SI/RAR) of the former Diamond International Paper Mills Site, and;

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WHEREAS, the ERP provides 90% grant funding requiring a 10% local match of the total on-site eligible costs (\$2,450,000) associated with the preparation of a Site Investigation/Remedial Alternatives Report, and;

WHEREAS, the ERP provides 100% grant funding (\$100,000) for off-site investigation, and;

WHEREAS, the City of Ogdensburg has executed a Contract with the firm of Barton & Loguidice (B&L) for the preparation of said SI/RAR Work Plan, and;

WHEREAS, the NYSDEC is increasing the State Assistance Grant in the amount of \$495,000 for a total SAC amount of \$2,305,000., requiring \$245,000 from the City as the local match contribution, and;

WHEREAS, the City of Ogdensburg has exhausted funds (\$13,871) from an earlier U.S. Environmental Protection Agency (EPA) grant as the required 10% local match to secure ERP grant funds of approximately \$138,710 for the preparation of a SI/RAR of the former Diamond International Paper Mill Site, and;

WHEREAS, an additional \$57,550 was appropriated by the City Council from the 2005 Fund Balance on February 13, 2006; \$19,733 from the 2006 Fund Balance on October 13, 2006; and \$79, 846 from the 2007 Fund Balance on October 9, 2007, to fully leverage the remaining ERP grant funds at that time, and;

NOW, THEREFORE BE IT RESOLVED, the City Council hereby authorizes the City Manager to execute Amendment No. 3 to the State Assistance Contract with the New York State Department of Environmental Conservation for the completion of a Site Investigation/Remedial Alternatives Report of the Former Diamond International Paper Mill Site, and;

BE IT FURTHER RESOLVED that the City Council hereby authorizes the City Manager to appropriate \$74,000 from Fund Balance for the City's required 10% local match to DEC's ERP.

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The vote was:

CARRIED, AYES ALL

5. Councillor Vaugh moved a resolution to authorize the City Manager to execute Addendum No. 4 to the agreement between the City and Barton & Loguidice for engineering services in connection with the site investigation/remedial alternatives report for the former Diamond Paper Mill site, and Councillor Morley seconded to wit:

RESOLUTION AUTHORIZING ADDENDUM NO. 4 TO THE AGREEMENT BETWEEN THE CITY OF OGDENSBURG AND BARTON & LOGUIDICIE FOR ENGINEERING SERVICES IN CONNECTION WITH THE SITE INVESTIGATION/REMEDIAL ALTERNATIVES REPORT FOR THE FORMER DIAMOND INTERNATIONAL PAPER MILL SITE

WHEREAS, the City of Ogdensburg has entered into an amended State Assistance Contract (SAC) totaling \$2,305,000 with the New York State Department of Environmental Conservation (NYSDEC) for the preparation of a Site/Investigation/Remedial Alternatives Report (SI/RAR) of the former Diamond International Paper Mill Site, and;

WHEREAS, the City of Ogdensburg has executed an Agreement and Addendums totaling \$353,623 with the firm Barton & Loguidice (B&L) for the preparation of a SI/RAR Work Plan, other specified Site Investigation Tasks, and supplemental scope items, and;

WHEREAS, additional construction representation and project administration services have been required during the performance of the Interim Remedial Measures, for an estimated total project cost of \$455,675.,

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NOW, THEREFORE BE IT RESOLVED, the City Manager is hereby authorized to execute Addendum No.4 to the Agreement for Engineering Services between the City of Ogdensburg and Barton & Loguidice in connection with the SI/RAR for the Former Diamond International Paper Mill Site Environmental Restoration Project, and;

BE IT FURTHER RESOLVED, the City will seek one hundred percent reimbursement for additional investigation of the Newell property and ninety percent reimbursement for the remaining items from the NYSDEC for such work in accordance with the State Assistance Contract between the NYSDEC and the City.

The vote was:

CARRIED, AYES ALL

6. Councillor Sholette moved a resolution to authorize the City Manager to sign a contract with Penski Services for temporary secretarial services, and Councillor Powers seconded to wit:

RESOLUTION AUTHORIZING CONTRACT WITH
PENSKI FOR TEMPORARY SECRETARIAL ASSISTANCE

WHEREAS, the City is in need of secretarial assistance due to extended medical leave in the Office of Code Enforcement and the Office of Rehabilitation & Development; and

WHEREAS, the City desires to contract the services of Penski for temporary secretarial assistance for a period not to exceed six weeks and not exceeding 35 hours a week commencing January 7, 2008;

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NOW, THEREFORE, BE IT RESOLVED, that the City Manager is hereby authorized to enter into a contract for services with Penski for temporary secretarial assistance for a sum not to exceed \$2,940.; and

BE IT FURTHER RESOLVED, that the City Comptroller is authorized to transfer a sum not to exceed \$2,940. from the 2008 contingency to A8025.420 to cover this expense.

Councillor Hannan questioned if this caused any problems with the union. City Manager Arthur Sciorra said no.

The vote was:

CARRIED, AYES ALL

7. Councillor Flynn moved a Resolution to authorize the City Manager to sign an agreement to extend the Snow and Ice Control Agreement between the City of Ogdensburg and St. Lawrence County, and Councillor Hannan seconded to wit:

A RESOLUTION AUTHORIZING THE CITY MANAGER
TO SIGN AN AGREEMENT BETWEEN THE CITY OF OGDENSBURG
AND ST. LAWRENCE COUNTY

BE IT RESOLVED, that the City Manager is authorized to sign the attached extended Snow and Ice Control Agreement between the City of Ogdensburg and St. Lawrence County.

Councillor Flynn said the agreement states that there is a map which wasn't attached to his resolution. Councillor Flynn requested a copy of the map.

The vote was:

CARRIED, AYES ALL

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OLD BUSINESS

1. City Manager Arthur Sciorra presented a video of the underwater diving inspection of the Lake Street Bridge. Aaron Jarvis, Tisdell Associates Engineer, handed out an informational Lake Street Bridge Feasibility Study packet (a copy follows these minutes). Mr. Jarvis explained this report contains the current condition of the bridge, options for Council, his conclusions and recommendations.

After much discussion amongst Council, there was a consensus to close the Lake Street Bridge to all foot and vehicle travel. There was also a consensus of Council to continue to request an answer from NYSDOT to hang water and sewer lines under the Twin Bridges. The Council also approved moving forward with geotechnical investigations of soils and design parameter options.

City Manager Arthur Sciorra stated that he feels we need to move ahead quickly to find funding sources, such as City by City funding.

2. Councillor Vaughn introduced a resolution to establish the Ogdensburg Journal as the City's 2008 primary source for legal and public notices, and Councillor Flynn seconded to wit:

RESOLUTION ESTABLISHING THE OGDENSBURG JOURNAL AS THE PRIMARY SOURCE FOR LEGAL AND PUBLIC NOTICES FOR THE CITY OF OGDENSBURG FOR 2008

Whereas, the City of Ogdensburg from time to time must publish legal and public notices to the public,

NOW THEREFORE BE IT RESOLVED, that the Ogdensburg Journal be established as the primary source for legal and public notices for the City of Ogdensburg for 2008.

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The vote was:

CARRIED, AYES ALL

3. Councillor Sholette stated that Public Works Director Kit Smith's department is demolishing the old Community Center Building and possibly using machinery that is normally used for repairing water main breaks. Councillor Sholette asked if there are any concerns that the Tracko equipment isn't large enough to take down this building without it being damaged. Mr. Smith stated he is renting equipment to tear down this building.

4. Councillor Hannan asked City Manager Arthur Sciorra for an update on filling the Director of Planning and Development position. Mr. Sciorra stated that because only one application was approved by the Civil Service Commission and he is going to readvertise this position. Mr. Sciorra added that the cities of Elmira and Corning are also having Planner recruitment difficulties.

5. Councillor Hannan asked for an update on the fuel sale tax meeting with the County representatives.

Mayor Nelson said that the City Manager and Comptroller will give a presentation to Council at the next meeting. Mayor Nelson said this will allow the new Councillors time to review Art and Phil's memo.

6. Councillor Flynn requested an update on the extension of the Maple City Trail.

City Attorney Katherine Wears said that she met with the parish surveyor last week and expects a map from them any day. Mr. Sciorra said that we are also looking for appraisals for the bridge that belongs to the County. Mr. Sciorra , added we may need to evaluate underneath the bridge and also look at the bridge abutment before we finalize with the church or landowner.

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NEW BUSINESS

1. Councillor Flynn stated that the Lake Street Bridge will be closed to foot traffic and the public will need to be advised. Mayor Nelson directed City Manager Arthur Sciorra to do a press release informing the public. Councillor Hannan stated that the walk pass on the Twin Bridges needs to be kept clean of snow and ice for pedestrians.

2. Councillor Hannan said the issue of Air Service is important to this City and would like to see a Council resolution for the next meeting to send to our representatives.

Mayor Nelson stated that there is an Ogdensburg Bridge and Port Meeting tomorrow for air service information on the RFP responses and recommendations.

3. Councillor Hannan said that the media has stated that we have low employee morale and suggested an employee survey be conducted. City Manager Arthur Sciorra advised that ICMA has sample employee surveys available. Councillor Hannan requested they be included in the next Council update.

4. Councillor Hannan stated that in the December update Code Enforcement condemned 824 Ford Street and it was supposed to be torn down, but it hasn't. Mr. Sciorra stated that we are following the legal process which could result in court action.

Mayor Nelson stated that the recent increase in Code Enforcement personnel will make a tremendous change in our community.

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