

CITY COUNCIL MEETING

March 23, 2015

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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

PUBLIC HEARING

1. A public hearing regarding the sale of City-owned property was held. No one being present to speak, the hearing was declared closed.

PRESENTATION

1. Mayor Nelson said Ansen Corporation representatives were unable to present the AED machine to Council tonight as planned because it is still being built. Mayor Nelson explained when the machine is ready they would prefer to have their employees make the presentation to Council at the plant.

2. Steven R. MacDougall, Sr. Business Consultant for Central Payment, made a presentation to Council regarding the acceptance of credit/debit cards at the Dobisky Center. Mr. MacDougall explained the associated fees.

PROCLAMATION

1. Mayor Nelson read a proclamation declaring April Fair Housing Month.

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Mayor Nelson said there was a need for Executive Session to discuss possible litigation, and Councillor Morley seconded the motion.

The vote was:

CARRIED, AYES ALL

Upon returning from Executive Session, all members of Council were still present.

CONSENT AGENDA

Mayor Nelson moved that the claims as enumerated in General Fund Warrant #6-2015 in the amount of \$567,700.52 and Library Fund Warrant #6-2015 in the amount of \$21,095.31 and Capital Fund Warrant #6-2015 in the amount of \$65,382.17 and Community Development Fund Warrant #6-2015 in the amount of \$0.00 and Community Renewal Fund Warrant #6-2015 in the amount of \$484.14 and NSP Funds Warrant #6-2015 in the amount of \$0.00 as audited, be and the same are ordered paid and Councillor Skamperle seconded the motion.

The vote was:

CARRIED, AYES ALL

ITEMS FOR COUNCIL ACTION

1. Councillor Ashley moved an ordinance to sell City-owned property (Hayward Street, 909 & 915 Lafayette Street, 505 New York Avenue and 16 Woodford Avenue), and Councillor Skamperle seconded to wit:

ORDINANCE #4 of 2015
AN ORDINANCE TO OFFER FOR SALE AT PUBLIC AUCTION
CITY OWNED PROPERTY

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

SECTION ONE:

The following properties shall be offered for sale at public auction by the City of Ogdensburg:

<u>TAX MAP #</u>	<u>LOCATION</u>	<u>MINIMUM PURCHASE PRICE</u>	<u>RESTRICTIONS</u>
48.058-5-7	Hayward Street	\$ 5,750. (includes estimated \$400. Attorney, \$350. SLC recording fees)	
48.080-5-5.1	909, 915 Lafayette St	\$13,250. (includes estimated \$400. Attorney, \$350. SLC recording fees)	
59.022-8-7	505 New York Avenue	\$ 8,250. (includes estimated \$400. Attorney, \$350. SLC recording fees)	
59.029-1-6	16 Woodford Avenue	\$ 1,050. (includes estimated \$400. Attorney, \$350. SLC recording fees)	Demo & removal within 12 months

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SECTION TWO: The City does not guarantee clear property title in the transfer of property by auction and conveyance will be made by Quit Claim Deed. The City Council reserves the right to reject any or all bids or to withdraw any parcel from sale.

SECTION THREE: This ordinance shall become effective ten days after publication.

The vote was:

CARRIED, AYES ALL

2. Mayor Nelson moved a resolution to recognize and thank the Ogdensburg Public Works Department for being responsive and dedicated to the needs of Ogdensburg residents during this winter season, and Councillors Ashley, Hosmer, Mitchell, Morley, Skamperle and Stevenson seconded to wit:

WHEREAS, the Ogdensburg City Council hereby recognizes and thanks the Ogdensburg Public Works Department (DPW) staff; and

WHEREAS, the 2014/2015 winter weather brought Ogdensburg snow, ice and extremely cold temperatures; and

WHEREAS, the DPW worked 24 hours a day to plow, snow-blow and remove snow; and

WHEREAS, due to unusually cold temperatures this winter there has been a significant increase in frozen water pipes and water main breaks; and

WHEREAS, the DPW crews have been working long hours and in harsh conditions to repair an average of one water main break a week because of the frigid conditions; and

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WHEREAS, the DPW crews have thawed more than 40 frozen pipe issues so far in 2015; and

WHEREAS, the Ogdensburg City Council believes it is very important to recognize the exceptional work of the dedicated DPW staff; and

THEREFORE, BE IT RESOLVED, that the Ogdensburg City Council hereby publically thanks the entire DPW team for being responsive and dedicated to the needs of Ogdensburg residents during this winter season.

Mayor Nelson described the recent water main break on the corner of Morris and Greene Streets as horrendous and said City residents are very thankful for our DPW crews. Mayor Nelson suggested certified resolutions be prepared for DPW staff members.

The vote was:

CARRIED, AYES ALL

3. Councillor Stevenson moved a resolution authorizing the City Manager to submit an application for a National Register of Historic Places Signage Program Grant through the William G. Pomeroy Foundation for the Library Park Historic District, and Councillor Ashley seconded to wit:

RESOLUTION AUTHORIZING THE CITY MANAGER
TO SUBMIT AN APPLICATION FOR A NATIONAL REGISTER OF
HISTORIC PLACES SIGNAGE PROGRAM GRANT FOR THE
LIBRARY PARK HISTORIC DISTRICT THROUGH THE WILLIAM G.
POMEROY FOUNDATION

WHEREAS, the William G. Pomeroy Foundation initiated the National Register of Historic Places Signage Program after learning that when a property or district is placed on the National Register of Historic Places, the designation does not include funding for a plaque or sign, and there are many sites that do not have signage; and

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WHEREAS, the William G. Pomeroy Foundation established a grant program in 2013 to fund a plaque or a sign to identify a property's designation because commemorative signage may be the only indicators of the historic significance; and

WHEREAS, this grant is available to commemorate public properties or districts in New York State that are on the National Register and provides funding for the purchase of a 2' X 3' sign;

WHEREAS, the Historic Preservation Commission recommends the City of Ogdensburg seek grant funding through this program for a sign to commemorate the Library Park Historic District, which was named to the National Register of Historic Places in 1982, and consists of Library Park, 303-323 Washington St. and 100-112 Caroline St.

NOW, THEREFORE, BE IT RESOLVED, that the City of Ogdensburg will apply for and obtain funding through the William G. Pomeroy Foundation's National Register of Historic Places Signage Program.

Councillor Morley asked if there would be any cost to the City. City Manager John Pinkerton said no but a City employee would install the sign.

The vote was:

CARRIED, AYES ALL

4. Councillor Skamperle moved a resolution authorizing the City Manager to submit an application for a Historic Roadside Marker Program Grant through the William G. Pomeroy Foundation to commemorate Fort la Presentation, and Councillor Ashley seconded to wit:

RESOLUTION AUTHORIZING THE CITY MANAGER TO SUBMIT
AN APPLICATION FOR A HISTORIC ROADSIDE MARKER
PROGRAM GRANT TO COMMEMORATE FORT LA PRESENTATION
THROUGH THE WILLIAM G. POMEROY FOUNDATION

WHEREAS, the William G. Pomeroy Foundation strongly believes that historic markers play an important role in local historic preservation by serving a dual purpose: educating the public and fostering historic tourism, which in turn can provide much needed economic benefits to the municipalities where the markers are placed;

WHEREAS, the William G. Pomeroy Foundation established a grant program in 2013 to fund a plaque or a sign to identify a property's designation because commemorative signage may be the only indicators of the historic significance; and

WHEREAS, the foundation's Historic Roadside Marker Program commemorates historic people, places or things within the time frame of 1740-1914 by awarding grants to install historic markers;

WHEREAS, this funding includes a standard marker, mounting pole and shipping and grantees are responsible for the installation of the marker;

WHEREAS, the Historic Preservation Commission recommends that the City of Ogdensburg apply for grant funding through the foundation's Historic Roadside Marker Program to purchase a standard marker to commemorate Fort La Presentation on Lighthouse Point;

NOW, THEREFORE, BE IT RESOLVED, that the City of Ogdensburg will apply for and obtain funding through the William G. Pomeroy Foundation's Historic Roadside Marker Program.

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Councillor Morley asked who would be the program grantee. Mr. Pinkerton said it would be the City. Councillor Skamperle asked where the sign would be located. Barbara O’Keefe, a member of the Fort de la Presentation Board, said an exact location has yet to be determined, but the sign would be placed where they will be most visible.

The vote was:

CARRIED, AYES ALL

5. Mayor Nelson moved a resolution calling for public notice and public hearing on a proposed ordinance amending Chapter 157, “Peddling and Soliciting”, Article II, “Street Festivals, §157-25(A) entitled “Alcoholic beverages; games of chance or skill” of the Code of the City of Ogdensburg, and Councillor Stevenson seconded to wit:

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

BE IT RESOLVED, that Ordinance No. __ of 2015, regarding an ordinance amending Chapter 157, “Peddling and Soliciting”, Article II, “Street Festivals, §157-25.(A) entitled "Alcoholic beverages; games of chance or skill” 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 13th day April of 2015, 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.

Councillor Morley asked if this will affect the Octoberfest celebration. City Manager John Pinkerton said no.

The vote was:

CARRIED, AYES ALL

6. Mayor Nelson moved a resolution calling for public notice and public hearing to amend the Ogdensburg Municipal Code, Chapter 177 entitled Sewers, and Councillor Mitchell seconded to wit:

RESOLUTION
INTRODUCING ORDINANCE # __ FOR 2015

BE IT RESOLVED that proposed Ordinance # __ of the year 2015 entitled:

Amendment to the Ogdensburg Municipal Code of the City of Ogdensburg be and it hereby is introduced before the City Council of the City of Ogdensburg, NY, and

BE IT FURTHER RESOLVED that copies of the aforesaid proposed Ordinance be laid upon the desk of each member of the City Council, and

BE IT FURTHER RESOLVED, that the City Council hold a Public Hearing on said proposed Ordinance at the City Council Chambers at 7:00 pm on Monday, April 13, 2015, and

BE IT FURTHER RESOLVED that the City Clerk publish or cause to be published a public notice in the official newspaper of the City of Ogdensburg of said public hearing at least seven days prior thereto.

The vote was:

CARRIED, AYES ALL

7. Mayor Nelson moved a resolution calling for public notice and public hearing to amend the Ogdensburg Municipal Code, Chapter 79 entitled Bingo, and Councillor Ashley seconded to wit:

RESOLUTION
INTRODUCING LOCAL LAW #__ FOR 2015

BE IT RESOLVED that proposed Local Law # __ of the year 2015 entitled:

Amendment to the Ogdensburg Municipal Code of the City of Ogdensburg be and it hereby is introduced before the City Council of the City of Ogdensburg, NY, and

BE IT FURTHER RESOLVED that copies of the aforesaid proposed Local Law be laid upon the desk of each member of the City Council, and

BE IT FURTHER RESOLVED, that the City Council hold a Public Hearing on said proposed Local Law at the City Council Chambers at 7:00 pm on Monday, April 13, 2015, and

BE IT FURTHER RESOLVED that the City Clerk publish or cause to be published a public notice in the official newspaper of the City of Ogdensburg of said public hearing at least seven days prior thereto.

The vote was:

CARRIED, AYES ALL

8. Councillor Morley moved a resolution authorizing the City Manager to enter into an agreement with Central Payment to process credit/debit card payment transactions at the Dobisky Community Center, and Councillor Ashley seconded to wit:

A RESOLUTION AUTHORIZING THE CITY MANAGER
TO SIGN AN AGREEMENT BETWEEN
THE CITY OF OGDENSBURG AND CENTRAL PAYMENT

BE IT RESOLVED, that the City Manager is authorized to sign the attached Merchant Processing Application and Agreement between the City of Ogdensburg and Central Payment to process credit/debit card payment transactions at the Dobisky Community Center.

Councillor Skamperle suggested an initial one year trial period. City Manager John Pinkerton said the City can opt out after six months. Councillor Skamperle asked if this service was put out to bid. Mr. Pinkerton said we are working with the Chamber and they had already solicited bids for this service. Mr. Pinkerton explained this company was the least expensive of the twelve that submitted proposals. Councillor Stevenson said she is concerned about the impact of fees on the budget and would like more information before voting. Councillor Hosmer asked if the City selling Chamber goods will be a separate matter brought before Council. Mr. Pinkerton said yes and explained there will be two iPads at the Dobisky Center - one for Chamber purchases and one for City purchases.

The vote was:

AYES: Mayor Nelson, Councillors Ashley, Hosmer,
Mitchell, Morley and Skamperle

NAYS: Councillor Stevenson

CARRIED, 6 TO 1

9. Mayor Nelson moved a resolution to strongly oppose any reduction in the Fort Drum Army workforce due to its impact on Northern New York, and Councillor Skamperle seconded to wit:

RESOLUTION OPPOSING FORT DRUM TROOP REDUCTIONS

WHEREAS, the Ogdensburg City Council wishes to join the fight to preserve and support the uniformed and civilian workforce at Fort Drum; and

WHEREAS, Fort Drum is the largest Army installation north of North Carolina and east of the Mississippi River and is home to 38,000 soldiers and family members; and

WHEREAS, the 10th Mountain Division at Fort Drum is one of the most decorated and deployed units in the U.S. Army; and

WHEREAS, Fort Drum employs an estimated 5,000 civilians and supports thousands of off base jobs to fuel our North Country economy; and

WHEREAS, Fort Drum has a huge economic impact on the economy of Northern New York; and

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WHEREAS, reducing the Fort Drum Army workforce would lead to a considerable decrease in demand for housing and vacant units on Fort Drum and result in a reduction in median home values with impacts on the real estate market and foreclosures; and

WHEREAS, reducing the Fort Drum Army workforce would significantly impact the financial stability of school districts in the Fort Drum area; and

WHEREAS, reducing the Fort Drum Army workforce would also have consequences to health care and public services for the communities in Northern New York.

NOW, THEREFORE, BE IT RESOLVED that the Ogdensburg City Council wishes to strongly voice their opposition to any reduction in the 10th Mountain Division at Fort Drum due to the country's need for the unique skill sets that this Light Infantry Division has acquired and the impact such a reduction would have on New York State.

BE IT FURTHER RESOLVED that a certified copy of this resolution be sent to: U.S. Army Environmental Command, Attn: SPEA Public Comments, Secretary of the Army John M. McHugh, U.S. Senators Charles Schumer and Kirsten Gillibrand, U.S. Representative Elise Stefanik, N.Y. Governor Andrew Cuomo; N.Y. Senator Joseph Griffo; N.Y. Senator Patricia Ritchie; N.Y.S. Senator Elizabeth Little; N.Y.S. Assemblywomen Addie Jenne Russell and Janet Duprey; and Assemblymen Kenneth Blankenbush and Marc Butler.

Mayor Nelson said he wrote a letter in opposition on behalf of the City. City Manager John Pinkerton said there is an online petition for the public to sign. Mayor Nelson said two petitions are now available - one offered by Senator Ritchie and the other offered by the Fort Drum Liaison Organization. Councillor Hosmer asked for the petition information to be added to the City website.

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The vote was:

CARRIED, AYES ALL

OLD BUSINESS

1. Councillor Morley asked if the off street parking ban can be lifted because of the mud. Police Chief Richard Polniak said the ban expires on April 1, 2015.

2. Councillor Skamperle asked for an update on the stop sign at Lake and Grove Streets, specifically regarding the southbound traffic. City Manager John Pinkerton said the intersection was evaluated by Police Chief Richard Polniak and Director of Public Works Scott Thornhill, and he also drove through the area. Chief Polniak explained a three-way stop is a safety feature. Mr. Thornhill said he will continue to assess the area. Mr. Thornhill explained he drives through that intersection every morning and having a three way stop there is in the best interest of the City.

NEW BUSINESS

1. Councillor Stevenson asked if the City has received any RFP's to operate the Dobisky Center concession in 2015. City Manager John Pinkerton said no. Councillor Stevenson suggested the room be converted into a City Museum. There was a consensus of Council to have City staff review this idea.

ITEMS FOR DISCUSSION

1. City Manager John Pinkerton explained the proposed 2015 Brush Pickup Policy and schedule. Mr. Pinkerton said lanes are included, but no construction materials, rocks or concrete blocks will be picked up. Councillor Morley said he believes the City should also pick up trees. City Manager John Pinkerton explained if we start picking up wood and large trees, the contractors will start putting debris in the streets or in our parks. Councillor Stevenson said we have had issues with contractors not taking away larger trees. Councillor Ashley asked how many of those types of issues were addressed last year. Director of Public Works Scott Thornhill said he spoke with at least four contractors last year. Mr. Thornhill explained a Pleasant Avenue resident removed a tree and covered the area in front of four homes with the tree debris. Mr. Thornhill said it took six dump trucks to remove that debris. Mr. Thornhill said we do not pick up trees or offer land clearing services. Mayor Nelson said the City should not be responsible for the removal of land clearing debris. Councillor Stevenson said residents often put their debris in front of their own property as well as on their neighbor's property. Police Chief Richard Polniak said debris cannot be placed on a neighbor's property without the neighbor's permission or the offender will be ticketed. Mr. Pinkerton explained when a resident is noncompliant; the DPW leaves a card asking the resident to remedy the situation before tickets are issued. Mr. Pinkerton requested that Council vote on the proposed 2015 Brush Pickup Policy.

The vote was:

AYES: Mayor Nelson, Councillors Ashley, Hosmer,
Mitchell and Stevenson

NAYS: Councillors Morley and Skamperle

CARRIED, 5 TO 2

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2. City Manager John Pinkerton updated Council regarding the Adaptive Reuse District (ARD) voting questions from the last meeting. Mr. Pinkerton explained City Attorney Andy Silver has confirmed if Council wishes to override a County Planning Board denial or a Joint Planning and Zoning Commission denial, a supermajority vote of Council would be required. Director of Planning and Development Andrea Smith said otherwise a simple majority vote of Council would be necessary. Ms. Smith stated that Council will receive the amended ARD proposal for the next Council Meeting. Councillor Hosmer asked how many of the target properties would require County review. Ms. Smith said she will forward Council an overlay of the proposed ARD parcels and the County Review Map. Mayor Nelson asked if a public hearing date has been scheduled. Mr. Pinkerton said Council will be presented with a resolution calling for the public hearing at the next meeting.

3. Mayor Nelson congratulated the OFA Boys Basketball Team for a great performance at the New York State Final Four and the Heuvelton Girls Basketball Team for winning the New York State Championship. Mayor Nelson said he hopes the Governor and Legislature will recognize these achievements and put some money back into the budget for our schools. Councillor Stevenson thanked the coaches for their dedication and love of the game. Mayor Nelson said we have great communities in northern New York, and the City youth programs give our children a great start.

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