

## CITY COUNCIL MEETING

December 1, 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, Sholette and Vaugh

ABSENT: Councillor Powers

Mayor Nelson said that Councillor Powers had to work and will not be attending tonight's meeting.

Mayor Nelson welcomed Deputy City Clerk, Christine Tupper, to her first City Council meeting.

### PUBLIC HEARING

1. A public hearing on the Preliminary 2009 Budget for the City of Ogdensburg was held.

The following spoke against a salary increase for the Mayor and Council:

Linda Larue, 1110 Jay Street  
Ron Bell, 702 Main Street

Joe Basta, 818 Main Street, read a statement regarding proposed raises for the Mayor and Council (a copy follows these minutes).

No one else being present to speak, the hearing was declared closed.

2. A public hearing was held on a Local Law which would amend Chapter 215 (Sections 39, 40 and 41) of the OMC entitled Water Rates. No one being present to speak, the hearing was closed.

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3. A public hearing was held on a Local Law which would amend Chapter 177 (Sections 5 and 6) of the OMC entitled Sewer Rates. No one being present to speak, the hearing was closed.

### PERSONAL APPEARANCE

1. Storm Cilley, 933 Elizabeth Street, Treasurer of the Ogdensburg Rescue Squad, addressed Council. Mr. Cilley read a prepared statement regarding the lack of a service agreement between the Ogdensburg Rescue Squad and the City of Ogdensburg. (A copy of Mr. Cilley's prepared statement follows these minutes.)

### CONSENT AGENDA

Mayor Nelson moved that the claims as enumerated in Warrant #21-2008 in the amount of \$289,561.51, and Library Warrant #21-2008 in the amount of \$18,540.95, Community Development Fund Warrant #21-2008 in the amount of \$0.00, Community Renewal Fund Warrant #21-2008 in the amount of \$8,055.00, HOME Warrant #21-2008 in the amount of \$13,020.00 and Capital Fund Warrant #21-2008 in the amount of \$0.00, and AHC Funds Warrant #21-2008 in the amount of \$0.00 as audited, be and the same are ordered paid and Councillor Flynn seconded the motion.

The vote was:

CARRIED, AYES ALL

### APPOINTMENTS

1. Mayor Nelson moved the reappointment of Jean Tennant to the Board of Assessment and Review, term will expire 9/30/2013, and Councillor Morley seconded the motion.

The vote was:

CARRIED, AYES ALL

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2. Mayor Nelson moved the reappointment of Dianne Webster to the Library Board, term will expire 12/31/2013, and Councillor Sholette seconded the motion.

The vote was:

CARRIED, AYES ALL

3. Mayor Nelson moved the reappointment of Jane Silver to the Pride and Beautification Commission, term will expire 12/31/2011, and Councillor Flynn seconded the motion.

The vote was:

CARRIED, AYES ALL

ITEMS FOR COUNCIL ACTION

1. Mayor Nelson moved a resolution to adopt the City of Ogdensburg's 2009 budget, and Councillor Vaugh seconded to wit:

RESOLUTION TO ADOPT  
THE CITY OF OGDENSBURG'S 2009 BUDGET

THEREFORE BE IT RESOLVED, that the City of Ogdensburg adopts the 2009 Preliminary Budget as amended in the attached schedules,

BE IT FURTHER RESOLVED, that the following rates shall be in effect for 2009:

1. The City Real Property Tax Rate for 2008 shall be \$ 14.61 per thousand dollars of assessed valuation.

(A copy of the 2009 General Fund Budget adjustments follow these minutes.)

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The vote was:

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

NAYS: Councillor Vaugh

APPROVED, 5 TO 1

2. Mayor Nelson moved a local law to amend Chapter 215 of the Ogdensburg Municipal Code entitled "Water Rates", and Councillor Morley seconded to wit:

Local Law #6 of 2008

§ 215-39 Rates for metered service; meter reading, installation and repair.

A. The following schedule of rates for metered water service is hereby fixed and established effective the first billing date after January 1, 2009, and upon filing with the Secretary of State:

<b>Meter Size (inches)</b>	<b>Water Allowed (gallons)</b>	<b>Minimum Quarterly Rate</b>
5/8	20,323	59.75
3/4	27,211	80.00
1	40,816	120.00
1 1/4	55,102	162.00
1 1/2	68,027	200.00
2	136,054	400.00
3	205,102	603.00
4	273,469	804.00

\$2.94 per 1,000 gallons of water used

B. Meters shall be read and billed monthly or quarterly at the discretion of the City.

C. Meters shall be installed and repaired by the City of Ogdensburg. The cost of such installation and repair for all meters is to be charged to the customer.

**§ 215-40. Flat-rate charges.**

The following schedule of rates for flat-rate service is hereby fixed and established effective the first billing date after January 1, 2009 and upon filing with the Secretary of State:

<b>Type of Use</b>	<b>Rate</b>
Single-family residence, per year	\$239.00
Multi-family residence for each family unit or each tenant, per year	239.00
Rooming houses; private homes with additional rooms to rent or commercial rooming houses	
Minimum annual rent	239.00
Annual rooms to hire (annual rent)	59.75
Commercial or office units in a commercial/residential mixed structure (where metering is determined impractical by City Engineer), per commercial or office unit per year.	239.00

**§ 215-41. Miscellaneous charges**

The following schedule of rates is hereby fixed and established for the period effective the first billing after January 1, 2009, and upon filing with the Secretary of State:

<b>Type</b>	<b>Rate</b>
Fire protection for unoccupied metered or unmetered premises or where service is shut off and/or meter is removed by DPW employees. If this type of service is performed by other than DPW personnel the property owner is not entitled to the fire protection rate.	\$119.50
Fire hydrant on private property	242.00

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Swimming pools (filling of), per occasion	65.00
Circus (in advance), per day	65.00
Service disconnect or seal by the City, per occasion	27.00
Service reconnection by the City, per occasion	27.00
Water service turn/off, per occasion	24.00
Annual rooms to hire (annual rent)	59.75
Commercial or office units in a commercial/residential mixed structure (where metering is determined impractical by City Engineer), per commercial or office unit per year.	239.00

**§ 215-41. Miscellaneous charges**

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Fire hydrant on private property	242.00
Swimming pools (filling of), per occasion	65.00
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Service disconnect or seal by the City, per occasion	27.00
Service reconnection by the City, per occasion	27.00
Water service turn/off, per occasion	24.00

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After much discussion among Council, it was noted that this is a \$16.00 increase. City Comptroller Philip Cosmo advised that this increase will not effect the 2009 Fund Balance, it will cover the bills because we underfunded this account last year.

Councillor Flynn suggested dropping fluoride from our water as a way to save \$2.25 from the flat rate.

The vote was:

CARRIED, AYES ALL

3. Mayor Nelson moved a local law to amend Chapter 177 of the Ogdensburg Municipal Code entitled "Sewer Rates", and Councillor Morley seconded to wit:

Local Law # 7 of 2008

**§177-5 Rates for metered premises.**

The following rates for sewer rents are hereby fixed and established to every lot, parcel of land, building or other premises now or hereafter being charged at a metered rate for sewer service within the City of Ogdensburg, New York, effective the first billing date after January 1, 2009:

Meter Size (inches)	Water Allowed (gallons)	Minimum Quarterly Charge
5/8"	16,338	\$ 74.50
3/4"	21,711	99.00
1"	33,114	151.00
1 1/4"	43,860	200.00
1 1/2"	54,825	250.00
2"	109,649	500.00
3"	164,474	750.00
4"	219,079	999.00
\$4.56/1,000 gallons of water used		

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**§ 177-6 Flat rates within the corporation limits of the City.**

The following schedule of rates for sewer rents is hereby fixed and established for every lot, parcel of land, building or premises now or hereafter being charged at a flat rate for sewer service within the City of Ogdensburg, New York, effective the first billing date after January 1, 2009:

A.	Single family residence per year	\$ 298.00
B.	Multi-family residence, or each family unit of each tenant per year	298.00
C.	Combination residential-commercial for each individual unit per year	298.00
D.	Apartment houses, for each individual unit	298.00
E.	Rooming Houses: Private homes with additional rooms to rent or commercial rooming houses:	
	(1) Minimum annual rents	298.00
	(2) Additional rooms to hire	74.50
		(annual rent)

After much discussion among Council, it was noted that this is a \$25.00 increase.

The vote was:

**CARRIED, AYES ALL**

**OLD BUSINESS**

1. Mayor Nelson advised that the Growth Fund received a \$27,163.89 check from the Post Office October 20<sup>th</sup>.

2. Councillor Sholette stated that he received a phone call regarding the sewer problem at the Hunter house on Rensselaer Avenue and Mr. Hunter stated that he hasn't seen the City insurance adjuster yet. City Comptroller Philip Cosmo stated he has spoken to Mr. Hunter and a meeting has been scheduled.

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3. Councillor Hannan questioned the status of the two houses on Ford Street that were damaged by fire. Councillor Morley stated that he read the property owners have demolition permits. City Manager Arthur Sciorra stated he will get the information and update Council.

4. Councillor Morley questioned if we are redoing the turf at Montroy Park. Recreation Director Phil Clemens stated we have rototilled the soil and reseeded this year. Mr. Clemens added that there are funds in the budget for clay work.

5. City Manager Arthur Sciorra updated Council with the three pieces of information he has received on the Ogdensburg Volunteer Rescue Squad (OVRs) legal research:

1. The City is not obligated to have an agreement with the OVRs.

2. If the City gives the OVRs anything it may be an illegal charitable contribution to give away taxpayers money. Mr. Sciorra stated they would need a contract specifying that they provide a service to the City that the City itself can't provide and it must be of equal value to what the City gives to the OVRs.

3. The New York State Comptroller's opinion that using City taxpayer's money to support OVRs is double taxation and they may not be able to bill those taxpayers in the municipality. Mr. Sciorra stated that if we enter into a contract with the OVRs it could jeopardize their ability to bill our residents. Mr. Sciorra added that the OVRs is a business that provides billable services and made \$500,000. last year.

Mr. Sciorra also stated that we need permission from State Comptroller's Office to give the OVRs free boat slips, snow removal, etc. and can't enter into any further discussions with them until we get these answers from the State Comptroller.

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### NEW BUSINESS

1. Councillor Hannan stated that he received an email that the Growth Fund has a December 11, 2008 meeting. Councillor Hannan suggested an item for discussion be that City staff provides assistance to the Growth Fund and the City should be reimbursed.

2. Councillor Morley stated that the SPCA would like Council to tour their new addition.

3. Mayor Nelson stated the Santa Claus Parade is this Saturday at 3:00 p.m., and Deputy Mayor Mike Morley will be filling in for him as he has a prior appointment. Mayor Nelson added that the parade starts at the Hamilton Street Park, travels down Paterson to Ford Street to the NYS Armory, and is being held in conjunction with the Claxton Hepburn Medical Center Auxiliary's Festival of the Trees.

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