

CITY COUNCIL MEETING

September 22, 2008

Page 163

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

PERSONAL APPEARANCE

1. Pat Duffy, 61 E. River Street, stated there is a need to restore the Marina District but without help from the local government it won't happen.
2. William Hosmer, 320 Jersey Avenue, owner of the former Tackle Box Marina, voiced disapproval over a proposed \$400,000. grant to help PJ Simao tear down Park Plaza and the City's plans to expand the City marina with 210 boat slips and gas service. Mr. Hosmer stated that a government owned marina is not good for the City.
3. Ron Bell, Main Street, applauded the Mayor, Council and City staff for naming the ice rink after Jimmy Howard.

CONSENT AGENDA

Mayor Nelson moved that the claims as enumerated in Warrant #16-2008 in the amount of \$600,000.20, and Library Warrant #16-2008 in the amount of \$24,057.74, Community Development Fund Warrant #16-2008 in the amount of \$0.00, Community Renewal Fund Warrant #16-2008 in the amount of \$66,311.71, HOME Warrant #16-2008 in the amount of \$5,400.00 and Capital Warrant #16-2008 in the amount of \$158,861.82, and AHC Funds Warrant #16-2008 in the amount of \$15,548.75 as audited, be and the same are ordered paid and Councillor Vaugh seconded the motion.

The vote was:

CARRIED, AYES ALL

ITEMS FOR COUNCIL ACTION

1. Councillor Powers introduced a resolution authorizing the transfer of funds from the Recreation Capital Construction Account to the Arena Building Maintenance (\$3,000) and Equipment Maintenance Accounts (\$2,000), and Councillor Flynn seconded to wit:

RESOLUTION AUTHORIZING THE TRANSFER OF FUNDS

WHEREAS, studies are underway to prepare plans and cost estimates to redevelop the Richard G. Lockwood Civic Center; and

WHEREAS, the Civic Center does not have shower facilities; and

WHEREAS, it is desirable to have temporary shower facilities for the upcoming season; and

WHEREAS, the Civic Center's zamboni needs to be repaired prior to the 2008-2009 skating season;

NOW, THEREFORE BE IT RESOLVED, that the City Comptroller is hereby authorized to transfer \$3,000.00 in funds from the Recreation Capital Construction Account (A7110.330 ) to the Arena Building Maintenance Account (A7181.450) to allow for the installation of shower facilities; and

BE IT FURTHER RESOLVED, that the City Comptroller is hereby authorized to transfer \$2,000.00 in funds from the Recreation Capital Construction Account (A7110.330) to the Arena Equipment Maintenance Account (A7181.440) to allow for the zamboni repairs.

Manager Arthur Sciorra explained these showers will be inexpensive standing box showers that we will install. Mayor Nelson added that Council directed Mr. Sciorra to install showers after several men's hockey teams requested them.

The vote was:

CARRIED, AYES ALL

2. Councillor Morley introduced a resolution in Support of the Corridor Management Plan recommendation regarding renaming a portion of the Black River Trail Scenic Byway, and Councillor Sholette seconded to wit:

#### RESOLUTION

WHEREAS, the Black River Trail Scenic Byway, as currently defined in New York State Legislation, runs from the City of Rome to the City of Ogdensburg; and

WHEREAS, State Highway 812 from Lowville to Ogdensburg departs from the Black River, thereby having no connection to the resource that defines the theme for this Scenic Byway; and

WHEREAS, it is important for Scenic Byways and other tourism programs to have a theme with which local communities can identify and that presents and authentic image and experience for the Byway traveler; and

WHEREAS, Maple Traditions communicates a theme with which our community can identify, is authentic to tourists, and has received public support throughout the corridor management planning process; and

WHEREAS, such a change requires the passage of State legislation;

NOW, THEREFORE, BE IT RESOLVED that the City of Ogdensburg:

CITY COUNCIL MEETING

September 22, 2008

Page 166

- Supports the Corridor Management Plan (CMP) recommendation to rename the entire length of State Highway 812, from Lowville to the Ogdensburg-Prescott International Bridge, as the Maple Traditions Scenic Byway, and to also recognize State Highway 68 from Ogdensburg to Canton, and US Route 11 from Canton to Gouverneur, as an alternative loop of the Maple Traditions Scenic Byway;
- Supports the CMP recommendation to extend the Black River Trail Scenic Byway from Lowville to Dexter so that the Byway follows the Black River along its remaining length;
- Encourages the Governor and the Legislature to work with the New York State Department of Transportation and the Adirondack North Country Association to pass legislation to achieve the above recommendations.

The vote was:

CARRIED, AYES ALL

3. Councillor Flynn moved a resolution authorizing the submission of a joint grant application with the NYS Office of Parks, Recreation & Historic Preservation to the Department of the Interior, US Fish & Wildlife Service under the Boating Infrastructure Grant Program, and Councillor Vaugh seconded to wit:

RESOLUTION AUTHORIZING THE SUBMISSION OF A  
JOINT GRANT APPLICATION WITH THE NYS OFFICE OF PARKS,  
RECREATION & HISTORIC PRESERVATION (NYS OPRHP) TO THE  
DEPARTMENT OF THE INTERIOR, US FISH AND WILDLIFE SERVICE  
UNDER THE BOATING INFRASTRUCTURE GRANT PROGRAM

WHEREAS, there are no marine refueling stations in Ogdensburg; and

WHEREAS, boaters must travel to either Morristown or Massena to refuel their boats, often bypassing Ogdensburg; and

CITY COUNCIL MEETING

September 22, 2008

Page 167

WHEREAS, the City has completed a Master Plan and seeks to attract more transient boater traffic to the Visitor Center and the City; and

WHEREAS, the Master Plan calls for a marina expansion; and

WHEREAS, the marine refueling station will enhance the planned expansion of the marina and attract more transient boat traffic; and

WHEREAS, the Boating Infrastructure Grant Program provides federal funds for up to 75% of boating infrastructure, including marine refueling stations;

NOW, THEREFORE BE IT RESOLVED, the City Manager is hereby authorized to submit a joint application with the NYS OPRHP to the Boating Infrastructure Grant Program for funding to cover the cost of the construction of a marine refueling station and, upon approval of said request, to enter into and execute a project agreement with the Department of the Interior for such financial assistance to the City of Ogdensburg.

Councillor Sholette stated that City money should not be used to compete with other private businesses and fueling stations. Councillor Hannan questioned if we have a contingency plan ready in case we build this and no one comes. City Manager Arthur Sciorra stated that he is not sure who will operate and provide these gas services to the public, we are reacting to the availability of funds. Mr. Sciorra added that if we are successful with this grant, we will go back for additional funds to expand the marina.

Mayor Nelson said this resolution is to apply for the grant application only.

The vote was:

AYES: Mayor Nelson, Councillors Flynn,  
Powers and Vaugh

NAYS: Councillors Hannan, Morley and Sholette

APPROVED, 4 TO 3

CITY COUNCIL MEETING

September 22, 2008

Page 168

4. Councillor Vaugh moved a resolution authorizing the City Manager to enter into an agreement with Adirondack Studios for an exhibit at the Dobisky Center, and Councillor Flynn seconded to wit:

RESOLUTION AUTHORIZING CITY MANAGER TO ENTER INTO AN AGREEMENT WITH ADIRONDACK STUDIOS FOR AN EXHIBIT AT THE DOBISKY CENTER

WHEREAS, the City has recently completed construction of the new Dobisky Center, and

WHEREAS, the City desires to incorporate an exhibit into the newly constructed building, and

WHEREAS, the City desires a concept design, design development, fabrication and installation of the exhibit, and

WHEREAS, the City has solicited proposals for such design services,

NOW, THEREFORE BE IT RESOLVED, the City Manager is hereby authorized to enter into an agreement with Adirondack Studios for design and installation of an exhibit at the Dobisky Center for a sum not to exceed \$40,000 as outlined in the Design Build Proposal, and,

BE IT FURTHER RESOLVED, funds to pay for this work shall be derived from Capital Account H718201.519.

Councillor Morley stated that many of our local artists wanted to help with this exhibit. City Manager Arthur Sciorra stated that there is a committee of local artist stakeholders who will form the type of exhibit that we would like to see there. Mr. Sciorra said he will provide Council with the list of artists. Mayor Nelson added that these artists will develop a concept similar to what was done at the Post Office and the final design will be approved by Council.

The vote was:

CARRIED, AYES ALL

5. Mayor Nelson moved a resolution calling for a public hearing and public notice regarding an ordinance amending Chapter 209 of the Code of the City of Ogdensburg, and Councillor Flynn seconded to wit:

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

BE IT RESOLVED, that Ordinance No. 6 of 2008, entitled, Ordinance Amending Chapter 209 entitled "Vehicles and Traffic", Chapter 209, Section 209-48, Schedule XI entitled "Parking Prohibited at All Times" 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 Tuesday, the 14th day of October, 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 for the publication of legal notices, at least seven days before the hearing date, of a notice setting forth the time and place and describing the proposed ordinance in summary form.

Councillor Morley questioned if this change was requested by a citizen. City Manager Arthur Sciorra stated yes.

The vote was:

CARRIED, AYES ALL

6. Mayor Nelson moved a resolution calling for a public hearing and public notice regarding an ordinance amending Chapter 203 of the Code of the City of Ogdensburg, and Councillor Flynn seconded to wit:

RESOLUTION INTRODUCING AN ORDINANCE  
AND PROVIDING FOR PUBLIC NOTICE  
AND PUBLIC HEARING

BE IT RESOLVED, that Ordinance No. 7 of 2008, entitled "Ordinance Amending Chapter 203 entitled "Taxicabs", 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 afore said Ordinance to be held at the Council Chambers in the City of Ogdensburg, New York, on Tuesday, the 14th day of October 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 for the publication of legal notices, at least seven 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

7. Councillor Sholette moved a resolution authorizing submission of an application to the New York State Housing Trust Fund Corporation Restore Emergency Home Repair Program, and Councillor Powers seconded to wit:

RESOLUTION TO AUTHORIZE THE CITY MANAGER TO SUBMIT AN  
APPLICATION TO THE NEW YORK STATE HOUSING TRUST FUND  
CORPORATION RESTORE EMERGENCY HOME REPAIR PROGRAM

WHEREAS, the City of Ogdensburg has participated in NYS Division of Housing & Community Renewal Programs for many years and is a past applicant of a NYS Housing Trust Fund Corporation grant for the rehabilitation of owner-occupied housing in the City; and

CITY COUNCIL MEETING

September 22, 2008

Page 171

WHEREAS, the NYS Housing Trust Fund Corporation RESTORE Emergency Home Repair Program can result in benefits to the City in general and to low/moderate income elderly persons in particular throughout the City;

NOW, THEREFORE, BE IT RESOLVED, that the Ogdensburg City Council hereby authorizes the City Manager to submit an application for funding under the 2008 NYS Housing Trust Fund Corporation RESTORE Emergency Home Repair Program in the amount of \$125,000.00.

The vote was:

CARRIED, AYES ALL

8. Mayor Nelson moved a resolution authorizing the City Manager to sign an agreement between the City of Ogdensburg and St. Lawrence County, and Councillor Morley 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 stated that he did not receive this resolution in his packet Thursday. Mayor Nelson said it was emailed to Council on Friday.

The vote was:

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

NAYS: Councillor Flynn

APPROVED, 6 TO 1

## CITY COUNCIL MEETING

September 22, 2008

Page 172

9. Mayor Nelson moved a resolution to change the regularly scheduled City Council meeting of October 27, 2008 to Tuesday, October 28, 2008, and Councillor Vaugh seconded to wit:

### RESOLUTION TO CHANGE THE REGULARLY SCHEDULED COUNCIL MEETING OF MONDAY, October 27, 2008

BE IT RESOLVED, that the regularly scheduled City Council Meeting of Monday, October 27, 2008 be changed to Tuesday, October 28, 2008 at 7:00 p.m. in the City Council Chambers at City Hall.

The vote was:

CARRIED, AYES ALL

### OLD BUSINESS

1. Councillor Sholette stated that the former City Attorney retired in July and the City Manager was going to review the City Charter and Administrative Regulations and make recommendations to allow flexibility to the position. Councillor Sholette questioned if Mr. Sciorra's review was complete. City Manager Arthur Sciorra stated that the plan is not ready to submit to Council.

2. Councillor Hannan asked for an update on the Diamond National project. City Manager Arthur Sciorra said he has been in contact with Jim Sharpe, American Communities and his attorney, who are preparing an exclusivity agreement. Mr. Sciorra stated that he hasn't seen the agreement yet but communicates weekly with Mr. Sharpe, who will be here in October.

## CITY COUNCIL MEETING

September 22, 2008

Page 173

### NEW BUSINESS

1. Councillor Morley stated that there is a truck route designation on Denny Street between Ford and Washington Streets which is too narrow for trucks. Councillor Morley stated that there is presently no parking on one side of Denny Street and questioned if this restriction can be removed to allow parking on both sides of the street. Mayor Nelson turned this request over to the City Manager and staff for review and recommendation.

2. Councillor Flynn questioned if the winter parking ban signs could be updated for first time visitors to the City. City Manager Arthur Sciorra said that he will look at the cost to update the signs.

3. Councillor Hannan questioned if we are looking at the problem and attack areas that were identified in the 2008 Code Enforcement Citizen Survey. City Manager Arthur Sciorra stated there are specific code issues in all parts of the City. Mayor Nelson stated that he would like to identify the Mayor's hotline in the fall City newsletter as a way for residents to call in code violations.

4. Councillor Morley questioned how the new hours at the City landfill are working. Public Works Director Kit Smith advised some citizens like the new hours and some don't. Councillor Sholette asked if the decal program is ready. Mr. Smith responded the decals have been ordered.

5. Mayor Nelson stated that the Harvest Walk is scheduled for this Sunday, September 28.

### ITEMS FOR DISCUSSION

1. Councillor Flynn thanked the City Clerk for the excellent advertising of the upcoming dog enumeration in the City.

CITY COUNCIL MEETING

September 22, 2008

Page 174

2. Councillor Flynn suggested that Council move their meeting nights from Mondays to Tuesday because the St. Lawrence County Legislature meets on the same nights. After much discussion, there was no consensus to change Council meeting nights.

Mayor Nelson moved to adjourn to executive session regarding a personnel issue, stating there may be action, and Councillor Morley seconded the motion.

Upon returning from executive session, all members of Council were still present.

Mayor Nelson introduced a resolution to adjust the salary of the City Manager, and Councillor Flynn seconded to wit:

RESOLUTION TO ADJUST THE  
SALARY OF CITY MANAGER

WHEREAS, the City Council has completed an evaluation of the City Manager's performance for the past year, and

WHEREAS, City Manager Arthur Sciorra has satisfactorily met or exceeded the standards of performance, and

WHEREAS, the City Council deems it appropriate and equitable to adjust the annual salary of the City Manager for his job performance,

NOW, THEREFORE, BE IT RESOLVED, that the salary of the City Manager is hereby adjusted, effective immediately, and retroactive to February 1, 2008, and through the period to January 31, 2009, shall be increased by 3.25 %.

BE IT FURTHER RESOLVED, that the City Comptroller is hereby authorized to transfer funds from the Contingency Account to accomplish this budget amendment.

CITY COUNCIL MEETING

September 22, 2008

Page 175

The vote was:

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

NAYS: Councillors Hannan and Sholette

APPROVED, 5 TO 2

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