

CITY COUNCIL MEETING

December 3, 2007

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

PRESENT: Mayor Nelson, Councillors Ericksen, Flynn, LaRose and Morley

ABSENT: Councillors LaMacchia and Hannan*

CONSENT AGENDA

Mayor Nelson moved that the claims as enumerated in Warrant #21-2007 in the amount of \$402,378.00 and Library Warrant #21-2007 in the amount of \$19,435.53 and Community Development Fund Warrant #21-2007 in the amount of \$ 4,373.18 and Capital Fund Warrant #21-2007 in the amount of \$86,429.70 as audited, be and the same are ordered paid and Councillor Flynn seconded the motion.

The vote was:

CARRIED, AYES ALL

*Councillor Hannan arrives.

APPOINTMENTS

1. Mayor Nelson moved to reappoint Cathy Piche and James Morrison to a five year term on the Library Board, (January 1, 2008 until December 31, 2012) and Councilor LaRose seconded the motion.

The vote was:

CARRIED, AYES ALL

ITEMS FOR COUNCIL ACTION

1. Councillor Morley moved a local law to allow for the changes in the OMC Section 177 entitled Sewer Rates as dictated by the adoption of the 2008 budget, and Councillor Ericksen seconded to wit:

Local Law # 4 of 2007

§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, 2008:

Meter Size (inches)	Water Allowed (gallons)	Minimum Quarterly Charge
5/8"	16,328	\$ 68.25
3/4"	21,770	91.00
1"	33,014	138.00
1 1/4"	43,780	183.00
1 1/2"	54,785	229.00
2"	109,570	458.00
3"	164,354	687.00
4"	218,900	915.00

\$4.18/1,000 gallons of water used

§ 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, 2008:

A. Single family residence per year \$ 273.00

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B.	Multi-family residence, or each family unit of each tenant per year	273.00
C.	Combination residential-commercial for each individual unit per year	273.00
D.	Apartment houses, for each individual unit	273.00
E.	Rooming Houses: Private homes with additional rooms to rent or commercial rooming houses:	
	(1) Minimum annual rents	273.00
	(2) Additional rooms to hire	68.25
		(annual rent)

The vote was:

CARRIED, AYES ALL

2. Councillor LaRose moved a local law to allow for the changes to the OMC Section 215 entitled Water Rates as dictated by the adoption of the 2008 budget, and Councillor Morley seconded to wit:

Local Law # 5 of 2007

§ 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, 2008, and upon filing with the Secretary of State:

Meter Size (inches)	Water Allowed (gallons)	Minimum Quarterly Rate
5/8	20,347	55.75
3/4	27,372	75.00
1	40,876	112.00
1 1/4	55,110	151.00
1 1/2	68,248	187.00
2	136,861	375.00
3	205,109	562.00
4	273,723	750.00

\$2.74 per 1,000 gallons of water used

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- 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, 2008 and upon filing with the Secretary of State:

<u>Type of Use</u>	<u>Rate</u>
Single-family residence, per year	\$223.00
Multi-family residence for each family unit or each tenant, per year	223.00
Rooming houses; private homes with additional rooms to rent or commercial rooming houses	
Minimum annual rent	223.00
Annual rooms to hire (annual rent)	55.75
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.	223.00

§ 215-41. Miscellaneous charges

The following schedule of rates is hereby fixed and established for the period effective the first billing after January 1, 2008, and upon filing with the Secretary of State:

<u>Type</u>	<u>Rate</u>
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.	\$111.50

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Fire hydrant on private property	226.00
Swimming pools (filling of), per occasion	60.00
Circus (in advance), per day	60.00
Service disconnect or seal by the City, per occasion	25.00
Service reconnection by the City, per occasion	25.00
Water service turn/off, per occasion	22.00

The vote was:

CARRIED, AYES ALL

3. Councillor Hannan moved a resolution to approve the sale of city owned property located on Warren Street, and Councillor Flynn seconded to wit:

RESOLUTION TO APPROVE THE SALE
OF CITY OWNED REAL PROPERTY

WHEREAS, the Ogdensburg City Council, on October 22, 2007, authorized the public auction of City owned real property located on Warren Street, Tax Map #48.050.3.5, and

WHEREAS, the city held an auction on November 15, 2007 to sell said property, and

WHEREAS, the City received a bid that met the minimum bid set by City Council,

NOW THEREFORE BE IT RESOLVED, that the City Council approves the sale of a lot on Warren Street to Deborah Sullivan for the price of \$1,000.00, and

BE IT FURTHER RESOLVED, that said transfer will take place once all appropriate paperwork is completed.

The vote was:

CARRIED, AYES ALL

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4. Councillor Flynn moved a resolution to approve the sale of city owned property located at 905 Mechanic Street, and Councillor Morley seconded to wit:

RESOLUTION TO APPROVE THE SALE OF CITY OWNED REAL PROPERTY

WHEREAS, the Ogdensburg City Council, on October 22, 2007, authorized the public auction of City owned real property located at 905 Mechanic Street, Tax Map #59.023-12-2, and

WHEREAS, the city held an auction on November 15, 2007 to sell said property, and

WHEREAS, the City received a bid that met the minimum bid set by City Council,

NOW THEREFORE BE IT RESOLVED, that the City Council approves the sale of 905 Mechanic Street to William Lalonde for the price of \$500.00, and

BE IT FURTHER RESOLVED, that said transfer will take place once all appropriate paperwork is completed.

The vote was:

CARRIED, AYES ALL

5. Councillor Morley moved a resolution authorizing the City Attorney to sign a Stipulation of Settlement of the pending Tax Certiorari Proceedings between Toped Development, LLC and the City of Ogdensburg, and Councillor LaRose seconded to wit:

A RESOLUTION AUTHORIZING THE CITY ATTORNEY TO SIGN A
STIPULATION OF SETTLEMENT OF THE PENDING
TAX CERTIORARI PROCEEDINGS

WHEREAS, Toped Development, LLC, Inc. initiated legal proceedings pursuant to Article 7 of the Real Property Tax Law to review the real property tax assessment of certain real property located in the City of Ogdensburg and described on the City of Ogdensburg Assessment Roll as Parcel No. 48.080-4-6.1 for tax years 2005, 2006 and 2008, and

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WHEREAS, the City has obtained an appraisal of said property, and

WHEREAS, the City has had the opportunity to review the approval obtained by the Petitioner, and

WHEREAS, the City now desires to settle pending legal actions challenging the assessments on said property on tax rolls prepared for 2005, 2006 and 2008,

NOW, THEREFORE, BE IT RESOLVED, that the City Attorney is hereby authorized to execute a stipulation of settlement of said pending litigation, reducing said assessment as follows:

<u>Tax Year</u>	<u>Original Assessment</u>	<u>Final Assessment</u>
Proceeding filed in 2004	\$1,026,000.00	\$875,000.00
Proceeding filed in 2005	\$1,800,000.00	\$875,000.00
Proceeding filed in 2007	\$1,800,000.00	\$875,000.00

BE IT RESOLVED, that the City Comptroller is authorized to pay the necessary refund of taxes overpaid, without interest, pursuant to the stipulation of settlement and order to be entered pursuant thereto.

The vote was:

CARRIED, AYES ALL

6. Councillor Ericksen moved a resolution amending the non-represented employee salary range for Deputy City Clerk, and Councillor Morley seconded to wit:

RESOLUTION TO AMEND
NON-REPRESENTED EMPLOYEE SALARY RANGE
FOR DEPUTY CITY CLERK

WHEREAS, the City Manager, City Comptroller and City Clerk have reviewed the salary range currently in place for Deputy Clerk,

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WHEREAS, it is desirable that salaries for said position be reflective of market wage conditions for similar positions locally and in other comparable municipalities,

NOW THEREFORE, BE IT RESOLVED, that the salary range for Deputy City Clerk effective 1/1/08 is hereby amended as follows:

<u>Step</u>	<u>Current Deputy Clerk</u>	<u>Step</u>	<u>Amended Deputy Clerk</u>
1	\$30,059	1	\$26,048
2	\$30,876	2	\$26,756
3	\$31,493	3	\$27,291
4	\$32,124	4	\$27,837
5	\$32,767	5	\$28,395
6	\$33,422	6	\$28,962
7	\$34,089	7	\$29,540
8	\$34,773	8	\$30,133
9	\$35,467	9	\$30,734
10	\$36,178	10	\$31,350
11	\$36,900	11	\$31,976
12	\$37,638	12	\$32,616
13	\$38,391	13	\$33,268
14	\$39,158	14	\$33,933
15	-0-	15	\$34,611
16	-0-	16	\$34,728

The vote was:

CARRIED, AYES ALL

OLD BUSINESS

1. Councillor Morley asked when the Culligan Building will be torn down and the underground tanks removed. City Manager Arthur Sciorra said he expects the building's asbestos removal will be completed by December 17 and demolition when DPW crews have the time. Mr. Sciorra added the tanks will be tested and removed in the spring.

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2. Councillor Morley stated that only two of the recently auctioned City-owned properties were sold. He questioned if Council will reduce the minimum bid amounts and re-auction them. Mr. Sciorra said he will review the properties that did not sell with staff and re-evaluate their minimum bid amounts.

3. Councillor Ericksen asked when the old Community Center will be demolished. City Manager Arthur Sciorra said the asbestos removal should be completed soon and the building will be removed as soon as the DPW can do the work.

4. Councillor Ericksen stated that he was conducting business today at City Hall and noticed cars on both sides of the street causing a snow plow to swerve in between cars and stopped traffic. Councillor Ericksen suggested Council study alternate street parking.

5. Councillor LaRose asked City Manager Arthur Sciorra if the City is submitting a State Assistance Shared Municipal Services Grant application, which is due 12/14. Mr. Sciorra said we will not be submitting an application this time. Mr. Sciorra added that he will be meeting with neighboring communities 12/19 to discuss the possibility of extending our water and sewer services to them.

6. Mayor Nelson questioned the status of the Maple City Trail extension. City Attorney Katherine Wears advised that Patricia Paquin, of the Planning Department, is scheduling an appraisal of this property, which will connect us to the trail, to allow us to have a figure to offer the owner. Mayor Nelson asked what the amount of the grant is and if there's a deadline for it's use. City Manager Arthur Sciorra said the grant is for \$225,000. and he believes we are ok on the deadline. Mr. Sciorra said he will check on the deadline of the grant.

7. Councillor Hannan asked if a City/County sales tax committee has been formed. Mayor Nelson said he has been unable to schedule a meeting as he has left messages but hasn't heard from anyone in the County.

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