

CITY COUNCIL MEETING

May 29, 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, Hannan, LaMacchia and Morley

ABSENT: Councillor LaRose

CONSENT AGENDA

Mayor Nelson moved that the claims as enumerated in Warrant #10-2007 in the amount of \$716,056.95, and Library Warrant #10-2007 in the amount of \$23,594.29 and CD Block Grant Warrant #10-2007 in the amount of \$16,882.86 as audited, be and the same are ordered paid and Councillor LaMacchia seconded the motion.

The vote was:

CARRIED, AYES ALL

ITEMS FOR COUNCIL ACTION

1. Mayor Nelson moved a resolution calling for a public hearing and public notice on a proposed ordinance amending Chapter 73, Article 1, Section 73-2(b) entitled "Breeding and Keeping Certain Animals Restricted" of the Code of the City of Ogdensburg, and Councillor Ericksen seconded to wit:

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

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BE IT RESOLVED, that Ordinance No. 3 of 2007, entitled, Ordinance Amending Chapter 73, Article 1, Section 73-2(b) entitled "Breeding and Keeping Certain Animals Restricted" 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 11th day of June, 2007 at 7:00 p.m., and

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.

The vote was:

CARRIED, AYES ALL

2. Mayor Nelson moved a resolution calling for public hearing and public notice regarding a Local Law to amend Chapter 199 of the Code of the City of Ogdensburg by adding a new Section 199-38.1 entitled Transfer of Veterans Tax Exemption on Sale of Qualifying Residential Real Property, and Councillor Flynn seconded to wit:

RESOLUTION CALLING FOR A PUBLIC HEARING AND PUBLIC NOTICE REGARDING A LOCAL LAW TO AMEND CHAPTER 199 OF THE OGDENSBURG MUNICIPAL CODE

BE IT RESOLVED, that Local Law #2 of 2007, entitled "Local Law to amend Chapter 199 of the Code of the City of Ogdensburg by adding a new Section 199-38.1 entitled "Transfer of Veterans Tax Exemption on Sale of Qualifying Residential Real Property", be and it hereby is introduced before the City Council of the City of Ogdensburg, New York, and

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BE IT FURTHER RESOLVED, that the City Council shall hold a public hearing in the matter of the adoption of the aforesaid Local Law to be held at the Council Chambers in the City of Ogdensburg, New York, on the 11th day of June, at 7:00 p.m., and

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 Local Law in summary form.

The vote was:

CARRIED, AYES ALL

3. Councillor LaMacchia moved a resolution authorizing the City Manager to execute Addendum No. 2 to the Agreement for Engineering Services between the City of Ogdensburg and Barton & Loguidice in connection with supplemental scope items for the Former Diamond Paper Mill Site Environmental Restoration Project, and Councillor Morley seconded to wit:

RESOLUTION AUTHORIZING AN ADDENDUM NO. 2 TO THE
AGREEMENT BETWEEN THE CITY OF OGDENSBURG AND
BARTON & LOGUIDICE 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 \$911,543 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;

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WHEREAS, the City of Ogdensburg has executed an Agreement and Addendum totaling \$136,510 with the firm of Barton & Loguidice (B&L) for the preparation of a SI/RAR Work Plan and other specified Site Investigation Tasks, and;

WHEREAS, the NYSDEC has requested the completion of supplemental scope items that were not included in the revised SI/RAR prepared by B&L, including: investigation of the Newell property; expansion of soil and groundwater investigations on the Diamond site; and preparation of two interim data evaluation reports, at an estimated total project cost of \$191,070.,

NOW, THEREFORE BE IT RESOLVED, the City Manager is hereby authorized to execute Addendum No. 2 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 the 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

4. Councillor Morley moved a resolution authorizing the City Manager to execute Addendum No. 3 to the Agreement for Engineering Services between the City of Ogdensburg and Barton & Loguidice in connection with supplemental scope items for the Former Diamond International Paper Mill Site Environmental Restoration Project, and Councilor LaMacchia seconded to wit:

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RESOLUTION AUTHORIZING AN ADDENDUM NO. 3 TO THE
AGREEMENT BETWEEN THE CITY OF OGDENSBURG AND
BARTON & LOGUIDICE 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 \$911,543 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 \$191,070 with the firm of Barton & Loguidice (B&L) for the preparation of a SI/RAR Work Plan, other specified Site Investigation Tasks, and supplemental scope items, and;

WHEREAS, the NYSDEC has requested the completion of supplemental scope items that were not included in the revised SI/RAR prepared by B&L, including: additional hydrogeologic characterization, performance of a Phase 3 subsurface investigation, and preparation of a third interim data evaluation report, at an estimated total project cost of \$353,775.,

NOW, THEREFORE BE IT RESOLVED, the City Manager is hereby authorized to execute Addendum No. 3 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.

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The vote was:

CARRIED, AYES ALL

OLD BUSINESS

1. Councillor Ericksen stated that he has received calls from citizens questioning if there are any special rules or regulations to allow cars to park between the sidewalk and road at this time of the year. Public Works Director Kit Smith said it's allowed in the winter months, November through April 1, but not at this time of the year. Councillor Flynn suggested that the police issue a warning ticket first as they may not know it's for winter parking only. Police Chief Andrew Wells said parking issues are enforced on a complaint basis and with the present workload he is not in favor of a warning ticket.

2. Councillor Morley said grass is getting long and asked if we are issuing citations to property owners that don't cut their lawn. City Manager Arthur Sciorra stated that we are going to enforce the Municipal Code and will be issuing notices. Councillor Morley stated that summer help positions in the DPW have been cut and suggested looking into private contractors to cut those cited lawns.

3. Councillor LaMacchia requested an update on the Ford Street and the Lafayette/Spring Street Bridge projects. Public Works Director Kit Smith advised that the curb and the sidewalk work on Ford Street will be done by Seaway Festival, and the milling and repaving will be done after the festival. Mr. Smith added that we are talking with Tisdell for an engineers input as to what we need to do to repoint the outside of the bridge. Mr. Smith said we will probably be bidding out this refinishing work next month as he doesn't have the personnel to do it. Councillor LaMacchia asked how much the project will cost. Mr. Smith stated there is \$25,000. from last years budget in an encumbrance to cover this cost and he is hoping to stay within that cost or at least phase the project in using the funds we have and budget for more next year.

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4. Councillor Flynn stated that last fall Council spent a lot of time on strategic management plan and according to our project schedule, a citizen survey is supposed to be conducted in May. Councillor Flynn asked for the status on the survey. City Manager Arthur Sciorra stated that the survey is being put together and we are getting ready to send it out. Mr. Sciorra said at this point, we are selecting a representative number of residents at random to survey, and then we'll send them a survey notice that they'll be receiving a survey in June.

5. Mayor Nelson said there are a number of items identified in that strategic plan and requested a quarterly update as to the various goals and strategic initiatives for 2007 along with the estimated timetables for when we can expect action. City Manager Arthur Sciorra explained that we have just completed the fourth module training program on how to measure performance.

NEW BUSINESS

1. Elimination of the auxiliary entrance intersecting Ford Street off Bigelow Street.

Public Works Director Kit Smith explained that for a number of years we have had a bottle neck and sight distance problem on that portion of Ford Street. Mr. Smith said that the Bigelow and Ford Street intersection is an illegal intersection. Mr. Smith said we want to make the road width consistent with the rest of Ford Street and correct the alignment of this section of Ford Street. Mr. Smith said what they would like to do is conform that intersection as a normal intersection and eliminate that section of street that goes diagonally to the north to Ford Street. Mr. Smith added that NYSDOT recommends that all intersections intersect a main highway at 90 degrees. Mr. Smith explained that the sight distance problem no longer exists since Nice & Easy store was built. After much discussion among Council, there was a consensus to eliminate the auxiliary entrance intersecting Ford Street off Bigelow Street.

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2. Councillor Hannan stated that at the Memorial Day Ceremony someone was discussing the condition of the cemetery and alluded that the City was responsible. City Manager Arthur Sciorra stated that the City doesn't own that cemetery and doesn't maintain it.

3. Councillor Hannan said another citizen expressed concern about vehicles accessing the Maple City Trail and questioned why the barriers to prevent motorized vehicles aren't up. Public Works Director Kit Smith stated that No Vehicular Travel signs were made by the County and noticed recently that the barriers have been removed and he will check with Tim Irvine.

4. Councillor Hannan said he was approached by a business owner about receiving certified mail regarding water meters. Councillor Hannan said he thought all commercial businesses had water meters. City Manager Arthur Sciorra said about 20 % of the commercial businesses don't have water meters and to be consistent, all have been sent out letters requiring water meters. Councillor Hannan questioned how we handle this if a business owner also has a residential water use as well. Mr. Sciorra said they should contact Kit Smith at the DPW.

5. Councillor LaMacchia stated that Tim Irvine is retiring as Recreation Director, and thanked him for his dedication to the City. Councillor LaMacchia questioned the timetable to fill this position. Mr. Sciorra stated that he officially received Tim's retirement letter today, effective 6/29/07. Mr. Sciorra added that he is working on the advertisement for this position.

6. Mayor Nelson asked for an update on the extension of the Maple City Trail.

City Manager Arthur Sciorra said his biggest concern is the proposed path we would like to take requires that we have an easement or ownership of the property, which is a condition of the grant. Mr. Sciorra added that the owner of the land is out of the country and unavailable.

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Katherine Wears said we need permission of that owner to get beyond the bridge and to access State Street. Mrs. Wears said she will contact the owner when they get back from New Zealand.

ITEMS FOR DISCUSSION

1. Mayor Nelson stated that he and Councillor Flynn will not be at the June 11 meeting as they will be out of the City attending a NYCOM Meeting June 11 through 13. It was noted the June 11, 2007 Council meeting will be held as scheduled, without Mayor Nelson and Councillor Flynn.

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