

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

PRESENT: Mayor Nelson, Councillors Mitchell,  
Morley, Skamperle and Stevenson

ABSENT: Councillors Ashley and Hosmer\*

Mayor Nelson said Councillor Ashley asked to be excused from the meeting. There was a consensus of Council to excuse Councillor Ashley.

\*Councillor Hosmer arrived at the meeting.

Mayor Nelson called for a moment of silence in honor of Pearl Harbor Day and the attacks in San Bernardino, California last week.

### PUBLIC HEARING

1. A public hearing for the Preliminary 2016 Budget for the City of Ogdensburg was held.

The following people spoke:

- Ogdensburg Public Library Director Penny Kerfien addressed Council regarding the library budget. Ms. Kerfien described the increased use of services at the library and asked Council not to cut the library budget.

- David Jackson, 110 Hamilton Street, Apt. 2, addressed Council regarding the library budget. Mr. Jackson said cutting the library budget by \$10,000 could result in loss of jobs and asked Council not to cut the library budget.

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

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2. A public hearing regarding a Local Law to amend Chapter 2015 (Sections 39, 40 and 41) of the Code of the City of Ogdensburg entitled “Water Rates” was held. No one being present to speak, the hearing was declared closed.

3. A public hearing regarding a grant application to the Environmental Protection Agency (EPA) in the amount of \$200,000 under the 2016 Brownfield Cleanup Program for remedial work at 420 Lafayette Street was held. No one being present to speak, the hearing was declared closed.

4. A public hearing regarding a Local Law authorizing a property tax levy in excess of the limit established in General Municipal Law §3-c was held. No one being present to speak, the hearing was declared closed.

### CONSENT AGENDA

Mayor Nelson moved that the claims as enumerated in General Fund Warrant #21-2015 in the amount of \$382,515.95 and Library Fund Warrant #21-2015 in the amount of \$24,961.05 and Capital Fund Warrant #21-2015 in the amount of \$505,443.73 and Community Development Fund Warrant #21-2015 in the amount of \$0.00 and Community Renewal Fund Warrant #21-2015 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. Acting City Manager Philip Cosmo said there was no need to address an ordinance to amend Chapter 221 entitled ‘Zoning’, Section 221-8, entitled “Zoning Map” regarding 533 Canton Street because the request must first be reviewed by the County Planning Board.

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2. Councillor Stevenson moved a resolution authorizing the City Manager to submit a grant application to the Environmental Protection Agency (EPA) in the amount of \$200,000 under the 2016 Brownfield Cleanup Program for remedial work at 420 Lafayette Street, and Councillor Skamperle seconded to wit:

RESOLUTION AUTHORIZING THE CITY MANAGER TO SUBMIT  
A 2016 BROWNFIELD CLEANUP GRANT APPLICATION TO  
THE U.S. ENVIRONMENTAL PROTECTION AGENCY (U.S.EPA)

WHEREAS, the purpose of Brownfield Cleanup Grants is to provide funds to conduct cleanup activities at a specific brownfield site owned by the applicant; and

WHEREAS, the City of Ogdensburg is an eligible entity having provided public notice and public hearing on this application on December 7, 2015 with all testimony duly recorded and having accepted written comment in addition; and

WHEREAS, the City has received a qualified estimate that Asbestos Abatement of the building and required demolition would be approximately \$350,000; and

WHEREAS, the City has been awarded a National Grid grant for 25% of project costs, up to \$300,000 that can be applied to the EPA required match; and

WHEREAS, the City of Ogdensburg is presently seeking \$200,000 from the U.S. EPA for environmental cleanup at 420 Lafayette Street, formerly St. Joseph's Nursing Home to protect health and human safety in the surrounding residential neighborhood and secure redevelopment opportunities; and

NOW, THEREFORE BE IT RESOLVED, that the Ogdensburg City Council hereby authorizes the City Manager to file a 2016 Brownfield Cleanup Program Grant Application to secure \$200,000 in funding to complete the asbestos abatement and demolition of 420 Lafayette Street, and if awarded, to administer the program, including executing all necessary documents relating to the application or administration of the program; and

BE IT FURTHER RESOLVED, that the required 20% EPA match will consist of in-kind staff services (grant administration, waste disposal, etc.) and National Grid awarded funds.

Councillor Morley asked when we will apply for this funding. Director of Planning and Development Andrea Smith said the application is due by December 18, 2015 and funds are awarded in mid-May. Councillor Skamperle asked if we would be permitted to sell the property if we only removed the asbestos and then someone wanted to buy it. Ms. Smith said yes.

The vote was:

CARRIED, AYES ALL

3. Councillor Skamperle moved a resolution authorizing the City Comptroller to transfer funds from the Contingency Fund to pay for the emergency installation of an overhead door at the Richard G. Lockwood Civic Center and authorizing the City Manager to enter into an agreement with Overhead Door Company of Massena to perform said emergency installation, and Councillor Stevenson seconded to wit:

A RESOLUTION TO TRANSFER FUNDS TO PAY FOR  
THE EMERGENCY INSTALLATION OF OVERHEAD DOOR  
AT RICHARD G. LOCKWOOD CIVIC CENTER

WHEREAS, an inside overhead door leading to the Zamboni room at the Richard G. Lockwood Civic Center, located at 141 West River St., has broken down and due to its age is unable to be fixed; and

WHEREAS, the inside overhead door is instrumental in keeping the department's electric Zamboni from freezing during the winter months; and

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WHEREAS, due to this emergency situation the City has not advertised for quotes and has chosen an available contractor, Overhead Door Company of Massena to install the new overhead door;

NOW, THEREFORE, BE IT RESOLVED that the City Council authorizes the City Manager to enter into an agreement with Overhead Door Company of Massena to purchase and perform said emergency overhead door installation; and

BE IT FURTHER RESOLVED, that the City Comptroller is hereby authorized to transfer funds not to exceed \$7,100. from Contingency Fund (A1990.498) to the Parks & Recreation Department, Arena Account (A7181.450) to pay for this work.

Councillor Morley said there is \$18,000 budgeted for a new tractor in 2016 and suggested we purchase a smaller tractor to pay for this new door. Acting City Manager Philip Cosmo said the 2016 budget has not been passed yet. Mr. Cosmo explained the door is needed now, and the expense has to be accounted for in our 2015 budget. Councillor Stevenson suggested Council approve this expenditure tonight and look at other ways to reduce capital expenditures in the 2016 budget. Councillor Mitchell asked how the door broke. Mr. Cosmo explained it was a used door held together with wire and there are no longer parts available for it.

The vote was:

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

NAYS: Councillor Morley

CARRIED, 5 TO 1

4. Mayor Nelson moved a local law authorizing a property tax levy in excess of the limit established in General Municipal Law §3-c, and Councillor Morley seconded to wit:

Local Law No.4 of the year 2015  
City of Ogdensburg, County of St. Lawrence

A local law authorizing a property tax levy in excess of the limit established in General Municipal Law §3-c.

Section 1. Legislative Intent

It is the intent of this local law to allow the City of Ogdensburg to adopt a budget for the fiscal year commencing 1/1/2016 that requires a real property tax levy in excess of the “tax levy limit” as defined by General Municipal Law § 3-c.

Section 2. Authority

This local law is adopted pursuant to subdivision 5 of General Municipal Law §3-c, which expressly authorizes a local government’s governing body to override the property tax cap for the coming fiscal year by the adoption of a local law approved by a vote of sixty percent (60%) of said governing body.

Section 3. Tax Levy Limit Override

The City Council of the City of Ogdensburg, County of St. Lawrence, is hereby authorized to adopt a budget for the fiscal year commencing 1/1/2016 that requires a real property tax levy in excess of the amount otherwise prescribed in General Municipal Law §3-c.

Section 4. Severability

If a court determines that any clause, sentence, paragraph, subdivision, or part of this local law or the application thereof to any person, firm or corporation, or circumstance is invalid or unconstitutional, the court’s order or judgment shall not affect, impair, or invalidate the remainder of this local law, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this local law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

Section 5. Effective date

This local law shall take effect immediately upon filing with the Secretary of State.

Acting City Manager Philip Cosmo said there is no intent to go over the tax cap and the only reason to pass this local law is to protect the City in case an audit discovered we were not under the tax cap. Mr. Cosmo explained it is simply a safety net.

Councillor Stevenson spoke against overriding the tax cap because the Property Tax Freeze Credits would not be available to our citizens. Mr. Cosmo explained there is a two part requirement for that credit and the City does not meet the first part. Mayor Nelson said a safety net makes sense, and Councillor Morley agreed.

The vote was:

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

NAYS: Councillor Stevenson

CARRIED, 5 TO 1

5. Mayor Nelson moved a resolution for the adoption of the Preliminary 2016 Budget, as amended, and Councillor Morley seconded to wit:

RESOLUTION TO ADOPT  
THE CITY OF OGDENSBURG'S 2016 BUDGET

THEREFORE BE IT RESOLVED, that the City of Ogdensburg adopts the 2016 Preliminary Budget as amended in the attached schedules,

BE IT FURTHER RESOLVED, that the following rates shall be in effect for 2016:

1. The City Real Property Tax Rate for 2016 shall be

\$\_\_\_\_\_ per thousand dollars of assessed valuation.

Councillor Morley asked if Council was satisfied with the proposed budget or if a zero percent tax increase is desired. Acting City Manager Philip Cosmo said there is a need for \$21,000 for the new City Manager position which was not included in the proposed budget. Mr. Cosmo explained Council has the option to adjust the tax levy to account for the \$21,000 increase and still stay under the tax cap. Councillor Morley asked how much would need to be cut to obtain a zero percent tax increase. Mr. Cosmo said Council would need to eliminate approximately \$62,000. Mr. Cosmo explained the additional funding for the City Manager position would raise the proposed levy from \$17.36 to \$17.44. After much discussion, Mayor Nelson said the proposed increase is reasonable and pushing for a zero percent tax increase is not a wise decision. Councillor Skamperle said he is not aiming for zero percent but explained he would like to see the required \$21,000 cut from the budget. Councillor Skamperle suggested the City Manager and department heads determine where the reductions are made. Councillors Mitchell and Stevenson agreed.

Mr. Cosmo advised Council the City Real Property Tax Rate for 2016 after \$21,000 is cut from the budget will be \$17.3643 per thousand dollars of assessed valuation.

The resolution now read:

RESOLUTION TO ADOPT  
THE CITY OF OGDENSBURG'S 2016 BUDGET

THEREFORE BE IT RESOLVED, that the City of Ogdensburg adopts the 2016 Preliminary Budget as amended in the attached schedules,

BE IT FURTHER RESOLVED, that the following rates shall be in effect for 2016:

1. The City Real Property Tax Rate for 2016 shall be \$17.3643 per thousand dollars of assessed valuation.

The vote was:

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

NAYS: Councillor Morley

CARRIED, 5 TO 1

Mayor Nelson said he hopes placing a fence around the Ford Vault will remain on Council's docket and suggested funding may be available from our elected officials. Councillor Stevenson agreed.

6. Mayor Nelson moved a local law to allow for changes in the OMC Chapter 215 entitled "Water Rates" as dictated by the adoption of the 2016 Budget, and Councillor Morley seconded to wit:

Local Law #5 of 2015

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

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A. The following schedule of rates for metered water service is hereby fixed and established effective the first billing date after January 1, 2016, and upon filing with the Secretary of State:

Meter Size (inches)	Water Allowed (gallons)	Minimum Quarterly Rate
5/8	20,300	\$ 83.50
3/4	27,000	\$ 111.00
1	40,600	\$167.00
1 1/4	53,900	\$221.50
1 1/2	67,600	\$278.00
2	135,300	\$556.50
3	204,100	\$838.00
4	272,200	\$1,119.00

\$4.11 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, 2016, and upon filing with the Secretary of State:

A. Single-family residence, per year: \$334.

B. Multifamily residence for each family unit or each tenant, per year: \$334.

C. Rooming houses (private homes with additional rooms to rent or commercial rooming houses):

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- (1) Minimum annual rent: \$334.
- (2) Additional rooms to hire (annual rent): \$83.50

D. Commercial or office units in a commercial/residential mixed structure (where metering is determined impractical by the City Engineer), per commercial or office unit per year: \$334.

§ 215-41. Miscellaneous charges.

The following schedule of rates is hereby fixed and established for the period effective the first billing after January 1, 2016, 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.	\$167
Fire hydrant on private property	\$334
Swimming pools (filling of), per occasion	\$111
Circus (in advance), per day	\$111
Service disconnect or seal by the City, per occasion	\$ 46
Service reconnection by the City, per occasion	\$ 46
Water service turnoff, per occasion	\$ 41
Annual rooms to hire (annual rent)	\$ 83.50

The vote was:

CARRIED, AYES ALL

ITEMS FOR DISCUSSION

1. Councillor Morley suggested we pursue funding to install lighting further along the Seaway Trail. Councillor Hosmer said a group he is working with is reviewing lighting in that area.

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