

## CITY COUNCIL MEETING

November 26, 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, LaRose and Morley

ABSENT: None

### PUBLIC HEARING

1. A public hearing was held on the Preliminary 2008 Budget for the City of Ogdensburg.

Albert Ernie Jeneault, 716 Knox Street, addressed Council regarding the water and sewer rates. Mr. Jeneault said he felt this was an unfair burden on the low-income people.

Robert Flavin, 116 Ogden Street, addressed Council to resubmit his funding request for the walleye restocking project.

2. A public hearing was held on a Local Law which would amend Chapter 177 (Sections 5 and 6) of the OMC entitled Sewer Rates.

Albert Ernie Jeneault, 716 Knox Street, addressed Council regarding the proposed increase in sewer rates. Mr. Jeneault asked Council not to do this and stated that the City should repair water and sewer pipes before considering water meters.

3. 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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4. A public hearing was held on a proposed ordinance to name a lane from Montgomery Street to Fine Street, that includes a one block portion known on the map as Babcock Lane to be renamed, along with the remainder of the entire lane, as "Judge Shea Way". No one being present to speak, the hearing was closed.

5. A public hearing was held on a proposed ordinance amending Administrative Regulations Article III entitled "City Hall Policies" of the City of Ogdensburg to add a new section entitled "AR-26.2 Dobisky Center building use". No one being present to speak, the hearing was closed.

### CORRESPONDENCE

1. City Clerk, Kathleen Bouchard, read a letter from Liza A. Sizeland-Ross, Esq. and Brett O. Sizeland regarding the designation of the official City newspaper for 2008.

### CONSENT AGENDA

Mayor Nelson moved that the claims as enumerated in Warrant #20-2007 in the amount of \$372,205.82 and Library Warrant #20-2007 in the amount of \$20,291.54 and Community Development Fund Warrant #20-2007 in the amount of \$35,610.00 and Capital Fund Warrant #20-2007 in the amount of \$10,652.54 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 to appoint Steven Hawes to fill the unexpired term of Peter Galvin on the Pride and Beautification Commission (term to expire 12/31/08), and Councillor Morley seconded the motion.

The vote was:

CARRIED, AYES ALL

2. Mayor Nelson moved to appoint Amy Warchol to replace Marty Ebberts on the Recreation Commission (term to expire 12/31/08), and Councillor Flynn seconded the motion.

The vote was:

CARRIED, AYES ALL

3. Mayor Nelson moved to appoint Lauren Morley to replace Judy Doan on the Recreation Commission (term to expire 12/31/10), and Councillor Ericksen seconded the motion

Councillor LaMacchia asked if someone who lives outside the City can serve on a City Board. Mayor Nelson said no, it is a City Board.

The vote was:

CARRIED, AYES ALL

ITEMS FOR COUNCIL ACTION

1. Mayor Nelson moved a resolution to adopt the City of Ogdensburg's 2008 budget, and Councillor Ericksen seconded to wit:

RESOLUTION TO ADOPT  
THE CITY OF OGDENSBURG'S 2008 BUDGET

THEREFORE BE IT RESOLVED, that the City of Ogdensburg adopts the 2008 Preliminary Budget as amended in the attached schedules,

BE IT FURTHER RESOLVED, that the following rates shall be in effect for 2008:

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

After much discussion, there was a consensus for the following additions:

- increase EDZ travel expenses by \$3,500.
- increase SPCA by \$5,000.
- increase Recreational activities by \$1,000 (pending agreement with Walleye Restocking Program).
- increase professional training by \$2,500 and travel by \$3,000 for Council
- increase Library salaries by \$10,000
- increase City Historian salary by \$100.

There was no consensus for the following:

- increase in professional training for Fire Department (withdrawn)
- increase in salaries for Mayor & Council

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After much discussion regarding cuts to the budget, there was a consensus of Council to approve tax rate of \$14.61 and to direct the City Manager and Comptroller to make the necessary cuts to arrive at this figure.

Mayor Nelson asked City Comptroller Philip Cosmo what the rate would be if the \$49,000 was taken out of the water and sewer budget. Mr. Cosmo said that he could have this information computed before next week's Council meeting. Mayor Nelson stated they could approve the budget tonight and take the water and sewer resolutions off the table until next week's meeting.

The vote was:

CARRIED, AYES ALL

2. Local Law to amend Chapter 177 (Sections 5 and 6) of the OMC entitled "Sewer Rates" was removed from the table until the December 3, 2007 Council meeting.

3. Local Law to amend Chapter 215 (Sections 39, 40 and 41) of the OMC entitled "Water Rates" was removed from the table until the December 3, 2007 Council meeting.

3. Councillor Flynn moved an ordinance to name a lane from Montgomery Street to Fine Street, that includes a one block portion known on the map as Babcock Lane to be renamed, along with the remainder of the entire lane, as "Judge Shea Way", and Councillor LaMacchia seconded to wit:

ORDINANCE #13 OF 2007  
ORDINANCE TO NAME AN UNNAMED CITY LANE AND TO  
RENAME A ONE BLOCK PORTION KNOWN AS BABCOCK LANE  
ON THE OFFICIAL CITY MAP, AS "JUDGE SHEA WAY"

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WHEREAS, City Council received a request that a lane between Montgomery and Fine Streets be named after Judge Edmund Shea, and

WHEREAS, the letter was forwarded to the Historic Commission to endorse the naming of the lane, and

WHEREAS, the Historic Commission unanimously endorsed adding the name of Judge Shea to the list of historic names, and

WHEREAS, a lane from Montgomery Street to Fine Street, situate between Pickering and State Street, that includes a one block portion known on the map as Babcock Lane to be renamed, along with the remainder of the entire lane,

NOW THEREFORE, BE IT ORDAINED, that the name of this City lane shall be designated as "Judge Shea Way".

BE IT FURTHER ORDAINED, that the Official Map of the City of Ogdensburg be and the same shall be amended accordingly.

Councillor LaRose thanked Mike Herzog for bringing this to the attention of Council.

Councillor Flynn asked if there would be a problem using "Way" instead of "Lane" with 911 addresses, etc. Police Chief Richard Polniak said he would check into this but did not anticipate any problems.

The vote was:

CARRIED, AYES ALL

4. Mayor Nelson moved an ordinance amending Administrative Regulations Article III entitled "City Hall Policies" of the Code of the City of Ogdensburg to add a new section entitled "AR-26.2 Dobisky Center building use", and Councillor Morley seconded to wit:

ORDINANCE # 14 OF 2007  
AN ORDINANCE AMENDING ADMINISTRATIVE REGULATIONS  
ARTICLE III ENTITLED "CITY HALL POLICIES" TO ADD A NEW  
SECTION AR 26.2 ENTITLED "DOBISKY CENTER BUILDING USE"  
OF THE CODE OF THE CITY OF OGDENSBURG

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF  
OGDENSBURG, NEW YORK, AS FOLLOWS:

ITEM ONE:

That Administrative Regulations Article III entitled "City Hall Policies" is hereby amended to add the following:

**ADD**

AR-26.2. Dobisky Center building use.

- A. Policy. It is the intent of the City that the Dobisky Center shall:
- (1) provide adequate working space for the operations and activities of the Department of Recreation of the City of Ogdensburg;
  - (2) provide public meeting space;
  - (3) serve as a visitors center for the City marina and waterfront;
  - (4) serve as a center for marina operations;
  - (5) serve as a boaters' lounge;
  - (6) provide concession facilities for visitors and the citizens of Ogdensburg.
- B. Procedure for use.
- (1) The following rooms shall be available for public use:

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<b>Room</b>	<b>Maximum Number of People</b>
Marina View (Large meeting room)	60
The General's Room (Small meeting room)	30
Exclusive use of both rooms	100

(2) Rules and regulations:

- (a) Reservations must be made by contacting the Ogdensburg Recreation Department at 393-1980. Applications will only be accepted from persons who are 18 years of age or older.
- (b) The meeting rooms are to be left in the same condition as found. The room(s) shall be cleaned and garbage disposed of in containers provided. Failure to do so will result in forfeiture of the deposit. Any damage incurred will be the financial responsibility of the rental group.
- (c) User is responsible for set up before use and cleaning of room after use. One adult for each 10 children at an event must be present and on premises at all times. A child shall be a person under the age of sixteen years of age.
- (d) Application for use of room must be signed. All fees and deposits must be paid at the time of the submission of the application. No room shall be deemed reserved until payment of all fees & deposits.
- (e) Tables and chairs are to be lifted (not dragged) when arranging the room for an event. The tables and chairs cannot be removed from rooms without permission.

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- (f) A room may be reserved for long-term group use for a term of six months so long as said long term reservation does not, in the discretion of the Director of Parks and Recreation, unreasonably limit the use of the room by others. A long term reservation may be renewed for 6-month terms thereafter.
  - (g) An application must be filled out completely in order to reserve a room(s) in the center. A room cannot be held until the application is filled out and returned to the Parks and Recreation Office with the payment of all fees and deposits.
  - (h) No alcoholic beverages are permitted.
  - (i) No smoking is allowed in the building. The building includes the deck area, public areas and green space and parking lot within 50 feet of the building.
  - (j) If the kitchen is used, it must be cleaned prior to leaving.
  - (k) Any damage or equipment broken must be reported to the attendant immediately. The renter shall be responsible for any and all damage.
  - (l) Deposits shall be refunded within one week of an event upon inspection of the premises if no damage is found and no cleaning is required.
- (3) Fees:
- (a) **Exclusive use of both meeting rooms** - \$75 deposit to hold the room and \$75 rental fee for a 3 1/2 hour event (including set up and clean up time).

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- (b) **Use of large meeting room - Marina View** - \$45 deposit to hold the room and \$45 rental fee for a 3 1/2 hour event (including set up and clean up time).
- (c) **Use of small meeting room - The General's Room** - \$25 deposit to hold the room and \$25 rental fee for a 3 1/2 hour event (including set up and clean up time).
- (d) Either or both rooms are available for use during the weekday hours of 9 a.m. – 8:45 p.m., at no charge, to not for profit organizations and citizens' groups that serve in Ogdensburg. The Director of Parks and Recreation may, in his discretion, collect a deposit at the time of the room reservation. Not-for-profit and citizens' groups that do not serve in Ogdensburg shall be charged a fee of \$10 per hour during the weekday hours of 9 a.m. – 8:45 p.m.

**ITEM TWO:**

This ordinance shall take effect ten (10) days after publication of notice which shall give the title and describe same in summary form.

Councillor Flynn asked if # H, which says that no alcoholic beverages are permitted meant without a permit or no alcohol period. City Recreation Direction Scott Lalone stated no alcohol at all. Mr. Lalone said he and City Attorney Katherine Wears are working on a policy that would allow use of alcohol in the facility at this time .

Councillor LaRose asked if they had received any calls on the proposed fees. Mr. Lalone said he had calls asking who qualifies as a non-profit building user.

The vote was:

**CARRIED, AYES ALL**

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5. Councillor Hannan moved a resolution authorizing the City Manager to enter into an agreement between the City of Ogdensburg and the Ogdensburg Bridge and Port Authority to implement security services for the Ogdensburg International Airport through the Police Department, and Councillor Flynn seconded to wit:

RESOLUTION AUTHORIZING THE CITY MANAGER  
TO EXECUTE AN AGREEMENT BETWEEN  
THE CITY OF OGDENSBURG AND THE  
OGDENSBURG BRIDGE AND PORT AUTHORITY

WHEREAS, the Ogdensburg Bridge and Port Authority and the United States Transportation Security Administration are about to execute a security services agreement relative to the Ogdensburg International Airport, and

WHEREAS, said agencies have proposed that the OBPA subcontract such services to the Ogdensburg Police Department with full reimbursement for these services accruing to the City of Ogdensburg,

NOW, THEREFORE, BE IT RESOLVED, the City Manager is hereby authorized to execute an agreement between the City of Ogdensburg and the Ogdensburg Bridge and Port Authority to implement security services for the Ogdensburg International Airport, incorporating the terms of the agreement between the Ogdensburg Bridge and Port Authority and the United State Transportations Security Administration.

Councillor Morley asked how much this agreement was worth and City Manager Arthur Sciorra explained the breakdown of the agreement.

The vote was:

CARRIED, AYES ALL

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6. Councillor Flynn moved a resolution authorizing the City Manager to execute a Letter of Agreement with the Ogdensburg Police Benevolent Association regarding airport security, and Councillor LaMacchia seconded to wit:

RESOLUTION AUTHORIZING CITY MANAGER TO  
EXECUTE A LETTER OF AGREEMENT WITH THE  
OGDENSBURG POLICE BENEVOLENT ASSOCIATION

WHEREAS, there was an outstanding matter that remained unresolved in the last Police Benevolent Association (PBA) City Agreement for provision of security services to the Ogdensburg International Airport, and

WHEREAS, a tentative agreement has been reached between the City of Ogdensburg and the Ogdensburg Police Benevolent Association for security at the Ogdensburg International Airport,

NOW THEREFORE BE IT RESOLVED, that the City Manager is hereby authorized to execute the attached Letter of Agreement with the Police Benevolent Association.

Councillor LaMacchia said he has flown into the Ogdensburg Airport and the plane was two hours late. Councillor LaMacchia asked what happens with that overlap. Police Chief Richard Polniak said the airport notifies the department when a plane is delayed.

The vote was:

CARRIED, AYES ALL

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7. Mayor Nelson moved a resolution calling for public hearing and public notice for the purpose of considering the application of St. Lawrence Gas Company, Inc., for a franchise renewal in respect to the laying, construction, maintenance and operation of facilities for the purpose of transmitting and distributing gas through said City as provided in the General City Law of the State of New York, and Councillor Ericksen seconded to wit:

RESOLUTION OF CITY COUNCIL INTRODUCING A RESOLUTION  
AND PROVIDING FOR PUBLIC NOTICE  
AND PUBLIC HEARING

BE IT RESOLVED, that a public hearing be held by the Ogdensburg City Council for the purpose of considering the application of St. Lawrence Gas Company, Inc., for a franchise renewal in respect to the laying, construction, maintenance and operation of facilities for the purpose of transmitting and distributing gas through 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 approval of the aforesaid to be held at the Council Chambers in the City of Ogdensburg, New York, on the 10th day of December, 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 in summary form.

The vote was:

CARRIED, AYES ALL

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8. Mayor Nelson moved a resolution to establish a vision, mission and goals statement in furtherance of the development of a 2008 Strategic Management Plan for the City of Ogdensburg, and Councillor Morley seconded to wit:

A RESOLUTION TO ESTABLISH A VISION, MISSION AND GOALS  
STATEMENT IN FURTHERANCE OF THE DEVELOPMENT OF A  
2008 STRATEGIC MANAGEMENT PLAN

WHEREAS the City of Ogdensburg desires to ensure quality services to citizens and visitors; and

WHEREAS the City is looking to continually improve the operations, capital improvement and delivery of services; and

WHEREAS the City, from time to time, has sought the input of citizens through surveys, and consultation with committees, commissions, boards and similar advisory bodies; and

WHEREAS the City Council and the administration of the City of Ogdensburg seeks to identify clear and broad sweeping organizational goals to ensure that the operations and services are provided efficiently, effectively and creatively to meet the present and future needs of the City of Ogdensburg; and

NOW THEREFORE BE IT RESOLVED that the strategic plan shall be implemented, adopted and reflect:

- ◆ accountability to the community
- ◆ a participatory process by which the City Council and administration assume shared ownership
- ◆ a shared, value-based vision
- ◆ open, candid consideration and review of the status quo
- ◆ a recognition that a strategic plan is a key part of effective management
- ◆ quality data and input; and

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BE IT FURTHER RESOLVED that the City of Ogdensburg establishes the vision statement as:

The City of Ogdensburg is a vibrant and vital commerce center in the St. Lawrence Region, with clean, safe and beautiful neighborhoods, streets and parks.

BE IT FURTHER RESOLVED that the City of Ogdensburg establishes the mission statement as:

The mission of the City of Ogdensburg will provide quality public services and facilities to promote and protect the health, safety and welfare of its residents, businesses and visitors in a cost-effective manner. In so doing, the City will promote and integrate the resources of its unique location, historic character and heritage.

BE IT FURTHER RESOLVED that the City of Ogdensburg adopts the following as a statement of values:

Ogdensburg is a place with strong values, traditions and heritage where people choose to live, work, socialize and recreate.

BE IT FURTHER RESOLVED that the goals of the City of Ogdensburg are to establish a:

- ◆ financially secure city government
- ◆ safe and secure community
- ◆ balanced, sustainable local economy
- ◆ revitalized neighborhoods and commercial areas
- ◆ beautiful City of Ogdensburg

BE IT FURTHER RESOLVED that the City Manager of the City of Ogdensburg as a part of developing a Strategic Management Plan is directed to establish objectives to: further the vision, mission and goals; to help the organization do a better job; to focus its energy, to ensure that members of

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the organization are working toward the same goals; and to assess and adjust the organization's direction in response to a changing environment; and

BE IT FURTHER RESOLVED that said 2008 objectives shall support and further the following core priorities:

- ◆ Waterfront development and revitalization, including the grounds of the St. Lawrence Psychiatric Center to achieve a mixed public and private use as well as recognition of the benefits of international use and access.
- ◆ Expansion of the tax base.
- ◆ Economic development with emphasis on the port, downtown revitalization, vacant land and job creation.
- ◆ Growth, development and improvement of infrastructure.
- ◆ Technological expansion and creation.
- ◆ Improvement of housing stock.
- ◆ Development of tourism by expansion of cultural and recreational opportunities and promotion of 4-lane highway access.

The vote was:

CARRIED, AYES ALL

9. Councillor LaRose moved a resolution authorizing the City Manager to execute a Letter of Understanding with the CSEA/AFSCME Local 1000, AFL/CIO hourly unit, and Councillor Morley seconded to wit:

The vote was:

CARRIED, AYES ALL

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10. Councillor Morley moved a resolution authorizing the City Manager to reopen the 2005-2007 Labor Contract with the IAFF Local and execute a labor contract for 2008-2010, and Councilor LaRose seconded to wit:

RESOLUTION AUTHORIZING THE CITY MANAGER  
TO REOPEN THE 2005-2007 LABOR CONTRACT WITH THE IAFF  
LOCAL AND ESTABLISH A NEW THREE-YEAR LABOR CONTRACT  
FOR 2008-2010

WHEREAS, an agreement has been reached on a tentative labor contract with the IAFF Local 1799 and the City Manager, and

WHEREAS, the membership of the IAFF unit has voted to ratify the tentative agreement,

NOW, THEREFORE, BE IT RESOLVED, that the City Manager is hereby authorized to execute a labor contract with the IAFF that incorporates the terms of the tentative agreement, attached.

The vote was:

CARRIED, AYES ALL

11. Councillor Morley moved a resolution authorizing the award of contract for the removal of asbestos at the City-owned former Culligan Building, and Councilor LaRose seconded to wit:

RESOLUTION TO AUTHORIZE THE AWARD OF CONTRACT FOR  
ASBESTOS REMOVAL AT THE FORMER CULLIGAN BUILDING

WHEREAS, bids have been solicited and received for the asbestos abatement of a city-owned property, the former Culligan Building, and

WHEREAS, the City staff has evaluated the bids and recommended the following contracts be awarded to the responsible low bidder, and

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NOW, THEREFORE, BE IT RESOLVED that Arthur J. Sciorra, City Manager is authorized to enter into the following contracts on behalf of the City;

<u>CONTRACTOR</u>	<u>BID AMOUNT</u>	<u>ADDRESS</u>
OP-TECH Environmental Services 14 Old River Rd. Massena, NY 13662	\$7,300.00	20 Lake Street

BE IT FURTHER RESOLVED that the funds to pay for this work shall be derived from the Grant Funds received through RESTORE NY Program.

Councillor Morley asked when this would start. City Manager Art Sciorra stated it will take approximately ten days to remove the asbestos and then they can schedule knocking down the building.

The vote was:

CARRIED, AYES ALL

Mayor Nelson moved to adjourn to Executive session and Councilor Morley seconded the motion. The vote was:

CARRIED, AYES ALL

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

12. Mayor Nelson moved a resolution authorizing the City Manager to reopen the 2005-2007 Labor Contract with the IAFF Local and establish a new 3-year Labor Contract for 2008-2010, and Councillor LaMacchia seconded to wit:

RESOLUTION AUTHORIZING THE CITY MANAGER  
TO REOPEN THE 2005-2007 LABOR CONTRACT  
WITH THE IAFF LOCAL AND ESTABLISH A NEW  
THREE-YEAR LABOR CONTRACT FOR 2008-2010

WHEREAS, an agreement has been reached on a tentative labor contract with the IAFF Local 1799 and the City Manager, and

WHEREAS, the membership of the IAFF unit has voted to ratify the tentative agreement,

NOW, THEREFORE, BE IT RESOLVED, that the City Manager is hereby authorized to execute a labor contract with the IAFF that incorporates the terms of the tentative agreement, attached.

Mayor Nelson pointed out that last year Council moved the Code Enforcement Office function to the Fire Department and the firefighters worked together with the Fire Chief and City Manager to solve the issues of this change. Mayor Nelson added that this change will provide stepped-up code enforcement, increasing the code activities to deal with derelict properties and absentee landlords and is a win-win for the community.

Councillor Ericksen noted that last year at budget time this City Council thought long and hard about how to save jobs. Councillor Ericksen added that this was a unique solution and everyone deserves a pat on the back. Councillor Flynn said he was glad to see the firefighters are fully on board with this.

The vote was:

CARRIED, AYES ALL

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### OLD BUSINESS

1. Councillor Flynn asked about the placement of the County bus route signs. Public Works Director Kit Smith said they have the signs and are waiting for Laurel Roethel to designate the locations and they should be up by the end of December.

2. Councillor LaMacchia asked if we were legally able to designate the Watertown Times as the designated newspaper. City Attorney Katherine Wears said either paper can be designated. Councillor Morley said we have not yet designated the paper, it was tabled. Councillor Hannan said we should go with the newspaper with cheaper rates and our hometown newspaper.

3. Mayor Nelson said the New York State Department of Transportation is putting money into the 2008 construction budget for the Champlain Street and Route 37 intersection traffic light.

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