

## CITY COUNCIL MEETING

December 14, 2015

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

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

ABSENT: Councillor Ashley

### PRESENTATION

1. James Reagen from Senator Patty Ritchie's Office said Senator Ritchie was unable to attend the meeting and asked him to speak on her behalf. Mr. Reagen said City Manager John Pinkerton has worked very closely with Senator Ritchie's office and thanked Mr. Pinkerton for his efforts to the community. Mr. Reagen welcomed new City Manager Sarah Purdy and said he looks forward to working with her. Mr. Reagen said Senator Ritchie has worked with Mayor Nelson for many, many years on several projects. Mr. Reagen presented Mayor Nelson with a Proclamation on behalf of Senator Ritchie thanking him for his years of service.

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

Mayor Nelson welcomed new City Manager Sarah Purdy from Yates County. Mayor Nelson said City Manager John Pinkerton came to the City at a very difficult time, healed the wounds and calmed the waters. Mayor Nelson said we will miss Mr. Pinkerton and wished him well. Mr. Pinkerton thanked Council for having faith in him.

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2. Judy Aldrich from Assemblywoman Addie Russell's Office said Assemblywoman Russell was unable to attend the meeting and asked her to speak on her behalf. Mrs. Aldrich said she personally has a long history of working with Mayor Nelson and described some of their experiences on different boards and projects. Mrs. Aldrich thanked City Manager John Pinkerton and welcomed new City Manager Sarah Purdy. Mrs. Aldrich commended Mayor Nelson on his efforts for the City in the many different capacities he has served. Mrs. Aldrich presented Mayor Nelson with a Proclamation on behalf of Assemblywoman Addie Russell thanking him for his years of service.

3. Coralee Barrett, Secretary to the City Manager and Mayor, thanked Mayor Nelson for his years of service to the City. On behalf of City Council members, department heads and employees, Mrs. Barrett, City Comptroller Philip Cosmo and Police Chief Richard Polniak presented Mayor Nelson with a rocking chair bearing the City logo and Mayor Nelson's years of service.

Mayor Nelson was joined at the front of Council Chambers by his family, department heads and Council members. Mayor Nelson expressed his gratitude and recapped his years of service to the City. Mayor Nelson listed the names of City employees and volunteers to the City Boards. Mayor Nelson said his success wouldn't have been possible without the citizens and City employees.

City Council adjourned for 15 minutes for refreshments in Room #3. Upon returning, all members of Council were still present.

4. Carrie Tuttle, Director of Engineering for the Development Authority of the North Country, made a presentation to Council regarding professional services and management support for the Wastewater Treatment Plant. (A copy of her presentation material follows these minutes.)

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City Manager John Pinkerton explained Plant Operator Tim Adams is ready to retire, and no one meets the qualifications to become the new Plant Operator. Mr. Pinkerton said the City is not looking for DANC to completely take over the plant but explained it can provide several opportunities to the City. Director of Public Works Scott Thornhill said the City could consolidate services with DANC and avoid extra expenses. Mayor Nelson said we need to protect our employees because they do a great job. Mr. Pinkerton said the plan is to promote a DPW employee to an anticipated vacant supervisory position. Councillor Morley asked if the City advertised for a plant operator. Mr. Thornhill said no because bringing a plant operator in from outside the area would be very expensive. Councillor Mitchell asked if any current DPW employees are eligible to take the exam. Mr. Thornhill said there may be one employee eligible for the test and if he is interested, we could discuss it. Mr. Thornhill explained if we enter into a contract with DANC we would still be using our own operators. Mr. Thornhill said we would simply be supplementing our own staff while saving added expenses we are now incurring. Councillor Stevenson asked for the salary of a plant operator. Mr. Thornhill said with benefits the current plant operator earns approximately \$70,000 to \$75,000 per year. Mayor Nelson said contracting with DANC would bring experts in to streamline our plants and help the City make the right decisions. Councillor Stevenson said she would like to see examples of the projected savings. Mr. Thornhill said he will provide Council with that information.

Councillor Hosmer questioned the term of the contract and asked if the cost is negotiable. Mrs. Tuttle explained a typical contract is for five years but a shorter term is also available. Mrs. Tuttle said the contract contains a clause for termination with 90 days' notice and the cost is negotiable. Mayor Nelson asked Mrs. Tuttle to provide Council with examples of their success with other communities. Mrs. Tuttle recommended Council members contact DANC customers directly to hear first-hand about the benefits. Mrs. Tuttle said DANC does not market itself to communities and the relationship created is a partnership. Mrs. Tuttle said the purpose is to facilitate the local government to do the best job it can do.

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Mayor Nelson said DANC could be a tremendous asset for guidance with major expenditures in our near future. Councillor Skamperle said DANC has a lot to offer the City and suggested a cost/savings analysis be completed. Mayor Nelson explained contracting with DANC would allow the City to retain our employees and meet requirements.

5. Scott Wright, Complete Streets Active Living Task Force, provided Council with an update on the bike lanes. Mr. Wright explained the group has changed the route so bike traffic will now enter the City off Route 37 onto Park Street, proceed to East David Street, then to Paterson Street and onto Riverside Avenue. Mr. Wright said this route will provide safe passage to and from the Ogdensburg Boys and Girls Club and Kennedy School. Mr. Wright explained the group is now working with the Department of Transportation to get the route painted. Mr. Wright said he hopes the project will be fully funded, but at minimum they hope to be able to purchase the stencil. Mr. Wright explained the current goal is to get the main trunk painted and then to work to connect the schools in the future. Mr. Wright said the schools are also looking for grants to encourage bike safety. Councillor Morley asked if there will be two bike lanes on each street. Mr. Wright said one six foot wide lane will be used for bike traffic in both directions. Councillor Skamperle asked what will be done on the older, narrower streets. Mr. Wright explained stencils noting the direction of travel will be painted on those streets. Mr. Wright said the project will also include education for motorists and cyclists. Councillor Morley asked if CHIPS funding could assist with this project. Director of Public Works Scott Thornhill explained CHIPS guidelines do not include this type of project. Mr. Thornhill added if the group is unable to obtain 100% funding, his department would be willing to assist by painting the stencils. Director of Planning and Development Andrea Smith said they are currently reviewing a grant in which paint, signs and bike racks could be requested in the second round of funding. Ms. Smith explained the group is developing a budget and exploring funding. Mayor Nelson reminded Council that our Complete Streets program was #1 in the country. Mr. Wright said the group is also starting to examine crosswalks and school crossings.

CONSENT AGENDA

Mayor Nelson moved that the claims as enumerated in General Fund Warrant #22-2015 in the amount of \$293,170.01 and Library Fund Warrant #22-2015 in the amount of \$202.22 and Capital Fund Warrant #22-2015 in the amount of \$89,281.17 and Community Development Fund Warrant #22-2015 in the amount of \$4,597.77 and Community Renewal Fund Warrant #22-2015 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

APPOINTMENTS

1. Mayor Nelson moved to appoint Wayne Izzo to a three-year term on the Pride and Beautification Commission, term to expire 12/31/2018, and Councillor Morley seconded the motion.

The vote was:

CARRIED, AYES ALL

2. Mayor Nelson moved to re-appoint Barb Barlow, Charlene Widrick and Ann O'Connor to three-year terms on the Pride and Beautification Commission, terms to expire 12/31/2018, and Councillor Morley seconded the motion.

The vote was:

CARRIED, AYES ALL

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3. Mayor Nelson moved to re-appoint Scott Wright to a two-year term on the Complete Streets Active Living Task Force, term to expire 12/31/2017, and Councillor Skamperle seconded the motion.

The vote was:

CARRIED, AYES ALL

4. Mayor Nelson moved to re-appoint Matthew Duprey and Mary Margaret Small to five-year terms on the Ogdensburg Library Board, terms to expire 12/31/2020, and Councillor Skamperle seconded the motion.

The vote was:

CARRIED, AYES ALL

5. Mayor Nelson moved to re-appoint Sean O'Brien and Michael Frary to three-year terms on the Ogdensburg Planning Board, terms to expire 12/31/2018, and Councillor Stevenson seconded the motion.

The vote was:

CARRIED, AYES ALL

6. Mayor Nelson moved to appoint Craig Chevalier and Robert Ashley to three-year terms on the Frederic Remington Art Museum Board of Trustees, terms to expire 12/31/2018, and Councillor Skamperle seconded the motion.

The vote was:

CARRIED, AYES ALL

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7. Mayor Nelson moved to re-appoint Ann Spies and Stephen White to three-year terms on the Frederic Remington Art Museum Board of Trustees, terms to expire 12/31/2018, and Councillor Mitchell seconded the motion.

The vote was:

CARRIED, AYES ALL

8. Mayor Nelson moved to re-appoint Laura Ashley to a five-year term on the Vacancy Committee, term to expire 12/31/2020, and Councillor Morley seconded the motion.

The vote was:

CARRIED, AYES ALL

9. Mayor Nelson moved to re-appoint Jamie Amo to a three-year term on the Zoning Board of Appeals, term to expire 12/31/2018, and Councillor Skamperle seconded the motion.

The vote was:

CARRIED, AYES ALL

10. Mayor Nelson moved to re-appoint Christopher B. Lalone to a three-year term as an Alternate on the Zoning Board, term to expire 12/31/2018, and Councillor Mitchell seconded the motion.

The vote was:

CARRIED, AYES ALL

11. Mayor Nelson moved to appoint Marsha Hough to the Historic Preservation Commission (no set term), and Councillor Stevenson seconded the motion.

The vote was:

CARRIED, AYES ALL

12. Mayor Nelson moved to appoint Justyn McCormick to a two-year term as a student representative on the Recreation Commission, term to expire 12/31/2017, and Councillor Skamperle seconded the motion.

The vote was:

CARRIED, AYES ALL

ITEMS FOR COUNCIL ACTION

1. Mayor Nelson moved an ordinance to amend Chapter 221 entitled 'Zoning', Section 221-8, entitled "Zoning Map", and Councillor Morley seconded to wit:

ORDINANCE AMENDING CHAPTER 221 ENTITLED "ZONING"  
OF THE CITY OF OGDENSBURG MUNICIPAL CODE

BE IT ORDAINED AND ENACTED by the City Council of the City of Ogdensburg, New York, as follows:

ITEM ONE: Amendment of Chapter 221, Section 221-8, entitled "Zoning Map"

That Section 221-8 entitled "Zoning Map" is hereby amended to read as follows:

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That Section No. 59.023, Block No. 7, Lot No. 37, with frontage on Canton Street, in the City of Ogdensburg, which is zoned Moderate Density Residential (MDR), is hereby rezoned to Business (B).

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

Councillor Morley asked for the Planning Board's recommendation to be made public. Director of Planning and Development Andrea Smith said the Planning Board did not recommend the property be rezoned because it considers the request spot zoning. Councillor Morley asked when the property was last rezoned, and Ms. Smith said in 2010. Councillor Skamperle asked if the parcel borders any businesses. Ms. Smith said it adjoins business parcels on Franklin Street. Councillor Hosmer asked if the applicant would have any alternative. Ms. Smith explained the applicant could apply for a use variance. Councillor Skamperle asked if the business owner would be limited to operate his business Monday through Friday, 9am to 5pm under the proposed zoning. Ms. Smith explained there would be no restrictions on days or hours of operation, but those types of restraints could be imposed with a use variance.

The vote was:

AYES: Mayor Nelson and Councillor Skamperle

NAYS: Councillors Hosmer, Mitchell, Morley and Stevenson

DEFEATED, 2 TO 4

2. Mayor Nelson moved a resolution appointing City Clerk Kathleen A. Bouchard and Deputy Clerk Cathy A. Jock as City Marriage Officers, and Councillor Mitchell seconded to wit:

RESOLUTION TO APPOINT  
MARRIAGE OFFICERS FOR THE CITY OF OGDENSBURG

WHEREAS, §11-c(1) of the New York Domestic Relations Law permits the City Council of the City of Ogdensburg to appoint one or more Marriage Officers who shall have the authority to solemnize marriages within the City, and

WHEREAS, the City Council of the City of Ogdensburg adopted a Local Law establishing the position of City Marriage Officer under §AR-57 of the Ogdensburg Municipal Code, and

WHEREAS, §11-c(4) of the New York Domestic Relations Law requires that the term of a marriage officer shall be determined by the governing body making the appointment but shall not exceed four years, and

WHEREAS, Kathleen A. Bouchard and Cathy A. Jock are over the age of 18, and reside within the City of Ogdensburg, as required by §11-c (2) of the New York Domestic Relations Law,

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Ogdensburg that Kathleen A. Bouchard and Cathy A. Jock shall be appointed as Marriage Officers for the City of Ogdensburg with the duties established by § AR-57 of the Municipal Code of the City of Ogdensburg and by Article 3 of the New York Domestic Relations Law, effective January 1, 2016 through December 31, 2019.

The vote was:

CARRIED, AYES ALL

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3. Councillor Skamperle moved a resolution authorizing the City manager to execute an easement agreement with United Cerebral Palsy Association of the North Country, Inc. dba Community Health Center of the North Country, and Councillor Morley seconded to wit:

RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE AN  
EASEMENT AGREEMENT WITH UNITED CEREBRAL PALSY  
ASSOCIATION OF THE NORTH COUNTRY, INC. DBA COMMUNITY  
HEALTH CENTER OF THE NORTH COUNTRY

WHEREAS, United Cerebral Palsy Association of the North Country, Inc. dba Community Health Center of the North Country has requested an easement for a handicap access ramp to be located on City owned property along Isabella Street adjacent to the property at 102 Ford Street; and

WHEREAS, the Director of Planning and Development and the Director of Public Works has reviewed the proposed request for an easement and have indicated that the proposed handicap ramp will not interfere with snow removal, or traffic flow; and

WHEREAS, United Cerebral Palsy Association of the North Country, Inc. dba Community Health Center of the North Country is aware of and consents to the removal of this ramp at their expense should repairs or maintenance be required for the ~150 of water and sanitary sewer that is not otherwise accessible due to the proposed construction of this entry ramp; and

NOW, THEREFORE BE IT RESOLVED, that the City Manager is hereby authorized to execute an easement agreement to be prepared by the City Attorney, with United Cerebral Palsy Association of the North Country, Inc. dba Community Health Center of the North Country as shown on the attached site plan documentation; and

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BE IT FURTHER RESOLVED, that United Cerebral Palsy Association of the North Country, Inc. dba Community Health Center of the North Country shall provide the City of Ogdensburg with a liability insurance certificate that identifies the City of Ogdensburg as a co-insured party on the subject property, in a form and amount acceptable to the City Attorney.

The vote was:

CARRIED, AYES ALL

### ITEMS FOR DISCUSSION

1. Councillor Morley said he has served on Council with Mayor Nelson for sixteen years, and although they haven't always agreed, they have always had the same objective to move the City ahead. Councillor Morley wished Mayor Nelson well.

2. Mayor Nelson thanked City Manager John Pinkerton for his service to the City. Mayor Nelson said even though Mr. Pinkerton came to the City with no local government experience, he was very successful because of his management experience, human resource skills, honesty, fairness, respect, and kindness. Mr. Pinkerton thanked Council for the opportunity.

3. Councillor Stevenson thanked Councillor Hosmer for his service to Council and commended him on his love for the City. Mayor Nelson presented Councillor Hosmer with a Certificate of Appreciation.

CITIZEN PARTICIPATION

1. Shane Brown, 510 Bigelow Street, addressed Council on the proposed contract with DANC. Mr. Brown said he is a heavy equipment operator at the Department of Public Works and #8401845 Union President. Mr. Brown explained the current problem existed before City Manager John Pinkerton and Director of Public Works Scott Thornhill came to the City. Mr. Brown said the City needs to come together to save their jobs just like those at the prisons and the state hospital. Mr. Brown suggested everyone sit down together to discuss the issue.

2. Mark Jacobs, 518 Knox Street, addressed Council on the proposed contract with DANC. Mr. Jacobs said he is the Union President for the white collar unit. Mr. Jacobs explained some of our City employees like Darren King have worked for the City longer than DANC has existed, and the union members are dedicated employees. Mr. Jacobs said he believes the City put itself in this position by not offering an exam and now wants DANC to come in and fix the problem. Mr. Jacobs said the City should depend on its current employees and not turn to an outside agency.

3. Mayor Nelson said this is his last meeting and it has been an honor to serve and work with City employees and department heads. Mayor Nelson expressed his thankfulness and wished everyone the best of luck.

Mayor Nelson and Council wished everyone Merry Christmas, Happy New Year and a safe 2016.

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