

CITY COUNCIL MEETING

January 8, 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, LaMacchia,
LaRose and Morley

ABSENT: Councillor Hannan*

*Councillor Hannan enters meeting after attendance was called.

PERSONAL APPEARANCE

1. Edward E. Green addressed Council regarding property he and Preston Carlisle own between Grant and Rosseel Streets. Mr. Green stated this was the Beaverbrook Grant Development that was done in the late 70's and his parcel was never developed. Mr. Green said his property has sewer but no water and has had many parties interested in this parcel. Mayor Nelson turned this over to the City Manager and staff for review and recommendation.

CONSENT AGENDA

Mayor Nelson moved that the claims as enumerated in Warrant #1-2007 in the amount of \$1,093,496.19, and Library Warrant #1-2007 in the amount of \$44,677.66 and CD Block Grant Warrant #1-2007 in the amount of \$124,664.86 and Capital Projects Warrant #1-2007 in the amount of \$854.16 as audited, be and the same are ordered paid and Councillor Flynn seconded the motion.

The vote was:

CARRIED, AYES ALL

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APPOINTMENTS

1. Mayor Nelson moved to appoint Christine Collins, Wallace MacDonald, Kate Newel and Molly McKee Ryan all to serve a three year term on the Board of Trustees of the Frederic Remington Art Museum, terms to expire January of 2010, and Councillor Morley seconded the motion.

The vote was:

CARRIED, AYES ALL

ITEMS FOR COUNCIL ACTION

1. Councillor Morley moved a resolution authorizing the City Manager to execute a Deed Granting Easement between the Ogdensburg Bridge & Port Authority and the City of Ogdensburg, and Councillor LaRose seconded to wit:

RESOLUTION
TO AUTHORIZE DEED GRANTING EASEMENT BETWEEN
THE OGDENSBURG BRIDGE & PORT AUTHORITY
AND THE CITY OF OGDENSBURG

WHEREAS, the Ogdensburg Bridge & Port Authority (OBPA) has requested that the City of Ogdensburg accept conveyance of the sewer, water, and storm drainage infrastructure within Commerce Park and the Heavy Industrial Park area situated in the City of Ogdensburg, and

WHEREAS, the City of Ogdensburg is in support of the development and continued growth of an expanding tax base within the OBPA's industrial park, and

WHEREAS, the City of Ogdensburg has the capability to accept and maintain said infrastructure,

NOW, THEREFORE, BE IT RESOLVED, that the Ogdensburg City Council hereby approves the attached Deed Granting Easement and directs staff to implement its provisions including as may be necessary execution of transfer documents.

The vote was:

CARRIED, AYES ALL

2. Councillor LaMacchia moved a resolution authorizing the City Manager to enter into a contract with L & M Enterprises for the Industrial Park Water Main Replacement, for a sum not to exceed \$50,000, and Councillor Morley seconded to wit:

**RESOLUTION AUTHORIZING AWARD OF CONTRACT
FOR THE INDUSTRIAL PARK WATER MAIN REPLACEMENT**

WHEREAS, bids have been solicited and received for the Industrial Park Water Main Replacement; and

WHEREAS, City staff have evaluated the bids and recommended the contract be awarded to the responsible low bidder;

NOW, THEREFORE, BE IT RESOLVED that Arthur J. Sciorra, City Manager, is authorized to enter into the following contract, for a sum not to exceed \$50,000.00, on behalf of the City:

<u>CONTRACTOR</u>	<u>BID AMOUNT</u>	<u>CONTINGENCY</u>
L&M Enterprises 10265 SH 37 Lisbon, NY 13658	\$49,600.00	\$400.00

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BE IT FURTHER RESOLVED that the funds to pay for this work shall be derived from monies received from NYS in connection with the Shared Services Agreement between the City of Ogdensburg and the Ogdensburg Bridge & Port Authority.

The vote was:

CARRIED, AYES ALL

3. Councillor Hannan moved a resolution authorizing the City Comptroller to transfer \$6,487 from Community Development Local Sources to cover the additional salary and FICA expenses for the Economic Development Program Manager, and Councillor LaMacchia seconded to wit:

RESOLUTION

WHEREAS, the Ogdensburg City Council has adopted the 2007 Budget for the City of Ogdensburg that contained a salary of \$41,974 for the position of Empire Zone Administrator; and,

WHEREAS, the City Administration has decided to expand the duties and responsibilities of the Empire Zone Administrator; and,

WHEREAS, the Ogdensburg Civil Service Commission has reviewed the job specifications detailing these additional responsibilities and determined a new title of Economic Development Program Manager best describes the distinguishing features of the class and typical work activities; and,

WHEREAS, the purpose of the administrative salary program is to ensure that the City of Ogdensburg is able to attract, retain and motivate competent personnel;

NOW, THEREFORE BE IT RESOLVED, the City Comptroller is hereby authorized to transfer \$6,487 Community Development Local Sources to cover additional salary of \$6,026 and \$461 to cover additional FICA expense.

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Councillor LaMacchia asked City Manager Arthur Sciorra to explain and clarify how this position fits into the City's 2007 Strategic Plan. Mr. Sciorra stated that hiring for this position hits three of the five components of the Strategic Management Plan to bring greater economic growth to the City.

Councillor Morley questioned why this position was not originally advertised at this proposed \$48,000. salary. Mr. Sciorra stated that the present salary of the candidate he wants to hire exceeds our starting salary, and without this increase he or she might not take the job.

Councillor LaRose moved to adjourn to Executive Session, and Councillor Morley seconded the motion.

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

Councillor LaRose stated that at budget time he understood the need for this position, but didn't think the timing was right. Councillor LaRose added that City Manager Art Sciorra and Director of Planning, Martin Murphy have changed his mind and he will vote in favor of this resolution.

The vote was:

CARRIED, AYES ALL

4. Councillor Hannan moved a resolution authorizing the City Manager to execute a labor contract with the Police Supervisory Unit for 2007-2009, and Councillor LaMacchia seconded to wit:

A RESOLUTION TO AUTHORIZE
THE CITY MANAGER TO EXECUTE A LABOR CONTRACT
WITH THE POLICE SUPERVISORY UNIT
FOR 2007-2009

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WHEREAS, a tentative labor contract has been negotiated between the City Manager and representatives of the Police Supervisory Unit for 2007 through 2009, and

WHEREAS, said agreement has been authorized by the membership of the Police Supervisory Unit,

NOW THEREFORE, BE IT RESOLVED, that the City Manager is hereby authorized to execute said labor contract with the Police Supervisory Unit, as negotiated in the tentative agreement.

Councillor Hannan read the terms of the agreement (a copy follows these minutes).

The vote was:

CARRIED, AYES ALL

5. Councillor Flynn moved a resolution authorizing the City Manager to execute a labor contract with the Ogdensburg Police Benevolent Association for the years 2006-2008, and Councillor LaMacchia seconded to wit:

RESOLUTION AUTHORIZING
THE CITY MANAGER TO EXECUTE A LABOR CONTRACT
WITH THE OGDENSBURG PBA FOR THE YEARS 2006-2008

WHEREAS, the Ogdensburg PBA has ratified a tentative agreement which has been reached with the City Management negotiating team, and

WHEREAS, said agreement provides for execution of a labor contract between the City of Ogdensburg and the Ogdensburg Police Benevolent Association for the years 2006, 2007, and 2008, and

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

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Councillor Flynn read the terms of the agreement (a copy follows these minutes).

The vote was:

CARRIED, AYES ALL

6. Mayor Nelson moved a resolution calling for a public hearing and public notice on a proposed ordinance amending Chapter 209, Section 209-57, Schedule XX entitled "Handicapped Parking" of the Code of the City of Ogdensburg, and Councillor Morley seconded to wit:

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

BE IT RESOLVED, that Ordinance No. 1 of 2007, regarding an ordinance amending Chapter 209, Article VII, Section 209-57, Schedule XX entitled "Handicapped Parking" 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 22nd day of January 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

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7. Mayor Nelson moved a resolution calling for public hearing and public notice on a proposed ordinance amending Chapter 209, Section 209-48, Schedule XI entitled "Parking Prohibited at All Times" of the Code of the City of Ogdensburg, and Councillor LaRose seconded to wit:

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

BE IT RESOLVED, that Ordinance No. 2 of 2007, entitled, Ordinance Amending Chapter 209, entitled "Vehicles and Traffic", Chapter 209, Section 209-48, Schedule XI entitled "Parking Prohibited at All Times" 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 22nd day of January 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

8. Mayor Nelson moved a resolution calling for a public hearing and public notice on a Local Law which would amend the Ogdensburg Municipal Code repealing the existing Chapter 97 and adopt a new Chapter 97 providing for the administration and enforcement of the New York State Uniform Fire Prevention and Building code and matters associated with Housing, Property Maintenance, Unsafe Buildings and related matters, and Councillor Morley seconded to wit:

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RESOLUTION OF CITY COUNCIL
INTRODUCING LOCAL LAW #1OF 2007
AND PROVIDING FOR PUBLIC NOTICE AND PUBLIC HEARING

BE IT RESOLVED, that proposed Local Law # 1 of the year 2007, would amend the Ogdensburg Municipal Code repealing the existing Chapter 97 and adopt a new Chapter 97 providing for the administration and enforcement of the New York State Uniform Fire Prevention and Building code and matters associated with Housing, Property Maintenance, Unsafe Buildings and related matters, and

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 22nd day of January, 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.

City Attorney Katherine Wears explained this local law. City Manager Arthur Sciorra commended Mrs. Wears for her hard work, and also Building Inspector, Gregg Mallette, Planning Director Martin Murphy, and Fire Chief Jim Farrell.

The vote was:

CARRIED, AYES ALL

OLD BUSINESS

1. Councillor Morley questioned if we have received our 2006 payment from Alliance Power. City Manager Arthur Sciorra stated that the County notified him that they have received 2006 money from Alliance.

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2. Councillor Morley questioned if we have the appraisals on the Diamond National and Lighthouse Point properties. Mr. Sciorra stated that he has the appraisals in his office and welcomed Council to stop in and review them.

3. Councillor Morley asked if we have received the grant money to demolish the four City-owned structures. City Manager Arthur Sciorra stated that we received notification December 20 that the money was approved. Planning Director Martin Murphy stated we can proceed with the demolitions when the contracts have been executed.

4. Councillor Morley questioned if there was anything the City can legally do to require the Amish to pick up after their horses on our City streets. Police Chief Andrew Wells stated that the County researched this and found they couldn't legislate the Amish cleaning up after their horses.

5. Councillor LaMacchia stated that the Lockwood Arena has had difficulty recruiting adult groups to use the arena due to lack of showers and asked if we are looking into showers. Mr. Sciorra stated that Recreation Director Tim Irvine is looking into showers.

6. Councillor LaMacchia questioned if the private property owners adjacent to the Fort property were included in the City's Waterfront Revitalization Plan. Planning Director Martin Murphy stated that the consultant met with the two owners, Mr. Sholette and Mr. Duffy, and members of the Fort Committee also participated in the meetings.

Mayor Nelson added that we have had many developers looking to buy some of this property based on our waterfront revitalization plan. Mayor Nelson added that Council's top priority is trying to enhance and increase the City tax base.

Councillor Ericksen passed out information regarding the assessment and amount of taxes paid on the entire Lighthouse Point properties, before and after the oil pollution cleanup (a copy follows these minutes).

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Councillor Hannan suggested setting up a meeting with representatives from Council, Fort Committee and City staff. Mayor Nelson stated that he talked to Andrew Smith, Fort Committee Chairman, to set up a meeting. Mayor Nelson also said he issued a press release to give the public the facts as the local editor's information is inaccurate.

Councillors Ericksen and LaMacchia volunteered to be on the Council committee to meet with the Fort representatives and staff.

Councillor Hannan questioned if the City can legally transfer property to the Fort Committee for one dollar or the fair market value. City Attorney Katherine Wears stated there are issues that need to be researched regarding use of public funds, using surplus land. Mrs. Wears added that she will draft a memo to Mr. Sciorra explaining these issues.

Councillor LaRose questioned if Lighthouse Point property is in the Economic Development Zone. Planning Director Martin Murphy said the entire Lighthouse Point parcel is in the EDZ.

7. Councillor Hannan questioned if individuals have been chosen for the Charter Review Commission. Mayor Nelson explained that John Krol was retiring and Council wanted to let the new City Manager have time to review the City Charter. Mayor Nelson stated that he will prepare a list of names for Council review. Mayor Nelson added that he would like to swear in the Charter Review Commission at the next meeting and schedule their initial meeting date at the same time. Mayor Nelson stated that at no time was the City Council ignoring the City Charter.

8. Councillor Flynn questioned if the City Manager's performance review will be done later this month. Mayor Nelson said yes it will.

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NEW BUSINESS

1. Councillor Hannan stated that he was frustrated by the dismissal of City Engineer Tim Baker. Councillor Hannan stated that he thought Council would have the ability to review and discuss the City Manager's study. City Manager Arthur Sciorra stated that he prepared the study in late November as Council had requested, to determine the efficiency with and without the Engineer position. Mr. Sciorra said he analyzed the information and took action.

Mayor Nelson said Mr. Sciorra did what he thought was best for the taxpayers, to reduce expenditures and expenses. Mayor Nelson added that Mr. Sciorra has tackled some tough issues since he became City Manager and the local newspaper has been unfair to him.

Councillor LaMacchia stated that Mr. Sciorra pointed out the numbers that caused him to dismiss the Engineer, and added that this was a tough decision.

Councillor LaRose stated that he brought up abolishing the Engineer's position five years ago.

Mayor Nelson directed the City Manager prepare a three year, long-term financial plan of revenues and expenditures. Mayor Nelson added that in Governor Spitzer's address municipalities will get more financial aid if their house is in order.

ITEMS FOR DISCUSSION

1. The Presentation of Strategic Management Plan 2007 – 2012 was tabled until the next meeting.

2. Councillor LaMacchia stated that Al Livingston, Building Inspector, was displaced in the 2007 budget after five years of service, and thanked him.

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3. Mayor Nelson stated that an editorial in the local newspaper criticized Council for the lack of City waterfront cleanup. Mayor Nelson said that Council and staff have worked hard to clean up the Diamond National, Augsbury Tank Farm and Kiwanis properties and it's unfortunate that the editorial also affects staff. Mayor Nelson added that in 2000 Council was told the Diamond National building would never come down but it was torn down, and we have a plan for the future of the property due to Council and staff working together. Councillor Morley pointed out that we're not Exxon Mobil and that the City has limited resources.

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