

CITY COUNCIL MEETING

May 14, 2007

Page 68

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

PRESENT: Mayor Nelson, Councillors Flynn, Hannan, LaMacchia,
LaRose and Morley

ABSENT: Councillor Ericksen

Councillor Morley stated that Councillor Ericksen was attending a ballgame out of town and would not be here.

CONSENT AGENDA

Mayor Nelson moved that the claims as enumerated in Warrant #9-2007 in the amount of \$1,111,717.31, and Library Warrant #9-2007 in the amount of \$26,002.05 and CD Block Grant Warrant #9-2007 in the amount of \$197,629.05 and Capital Projects Warrant #9-2007 in the amount of \$250,204.25 as audited, be and the same are ordered paid and Councillor Flynn seconded the motion.

The vote was:

CARRIED, AYES ALL

ITEMS FOR COUNCIL ACTION

1. Councillor Hannan moved a resolution approving the award of contract to perform actuarial services in connection with complying with Government Accounting Standards Board Number 45 reporting of Other Post Retirement Benefits, and Councillor LaMacchia seconded to wit:

CITY COUNCIL MEETING

May 14, 2007

Page 69

A RESOLUTION TO AWARD A CONTRACT TO PERFORM ACTUARIAL
SERVICES TO COMPLY WITH
GOVERNMENT ACCOUNTING STANDARDS BOARD
STATEMENT NUMBER 45

WHEREAS, the City of Ogdensburg has determined that it will comply with Government Accounting Standards Board (GASB) Statement Number 45, in connection with accounting for other post retirement benefits for employees, and

WHEREAS, the city has solicited proposals from actuarial firms qualified to perform such valuations, and

WHEREAS, several quotes have been received and reviewed,

NOW, THEREFORE BE IT RESOLVED that the City Manager is authorized to enter into a contract with First Niagara Benefits Consulting to perform said valuation.

AND BE IT FURTHER RESOLVED, that the City Comptroller is authorized to transfer \$6,000.00 from Contingency A1990.498 to City Comptroller Consultants A1313.515, to cover the first year cost.

Phil Cosmo, City Comptroller commented there was a typographical error in the account number and it should be A1315.515.

The vote was:

CARRIED, AYES ALL

2. Councillor LaMacchia moved a resolution to approve an appropriation to proceed with EPA mandated combined sewer overflow long term control plan, and Councillor Morley seconded to wit:

CITY COUNCIL MEETING

May 14, 2007

Page 70

RESOLUTION TO APPROVE AN APPROPRIATION TO PROCEED
WITH DEVELOPMENT OF A COMBINED SEWER OVERFLOW LONG
TERM CONTROL PLAN

WHEREAS, the City of Ogdensburg is mandated to develop a combined sewer overflow long term control plan, and

WHEREAS, all municipalities with combined sewers are required to follow for the purpose of determining the amount of untreated combined sewage that reaches waters of the United States, and

WHEREAS, during the process, alternative methods for controlling combined sewer overflows are evaluated, and ultimately, the most cost effective controls are proposed to be constructed for a specified time,

NOW THEREFORE, BE IT RESOLVED, that the City Comptroller is hereby authorized to transfer funds from the sewer unappropriated fund balance G909 to Consultants G8120.515 for professional services to be rendered by Stearns & Wheler, LLC, One Remington Park Drive, Cazenovia, NY 13035, so the City can proceed with the combined sewer overflow long term control plan, and

BE IT FURTHER RESOLVED, that \$83,000 and a contingency of \$2,000 be appropriated to develop the combined sewer overflow long term control plan in an amount not to exceed \$85,000.

John LaGorga, Stearns & Wheler, addressed Council and explained that the \$83,000 fee is for the first phase of the long term control plan that we work on together and submit to the DEC and EPA. Mr. LaGorga said the first phase is the characterization plan, in which we determine/estimate how much of this combined sewage reaches the rivers. Mr. LaGorga said the second phase is to determine how much untreated combined sewage is reaching the river and what are the most cost effective solutions to reduce or eliminate it from reaching the river.

CITY COUNCIL MEETING

May 14, 2007

Page 71

City Manager Arthur Sciorra advised Council that there is a time constraint for this plan as it must be to the State by June 1st. Mr. LaGorga said his firm will have no problem meeting this deadline.

Councillor LaMacchia asked if Canada has a similar program since we share the river. Mr. LaGorga said that they do and it is more stringent.

Councillor Morley stated for the viewing public that we do not dump sewage in the river, that this is only overflow from storms.

Councillor Hannan expressed concern awarding an \$83,000 contract without some comparison bidding.

Mr. LaGorga explained that most of the cost in this phase pays for the flow metering company, not Stearns & Wheler.

Councillor LaRose stated that this is an EPA unfunded mandate and questioned if the sewers were fully separated would we still have to do this. Mr. LaGorga stated yes and used Massena as an example. Mr. LaGorga said they met the standards and were asked to go back and prove it.

Councillor Hannan noted the funds were coming out of the fund balance and questioned why it wasn't budgeted. City Manager Arthur Sciorra stated that it was an oversight.

The vote was:

AYES: Mayor Nelson, Councillors Flynn, LaMacchia, LaRose and Morley

NAYS: Councillor Hannan

APPROVED, 5 TO 1

CITY COUNCIL MEETING

May 14, 2007

Page 72

3. Councilor Flynn moved a resolution authorizing the Police Department to purchase four units of PACA soft body armor in the amount of \$2,371.00, and Councillor Hannan seconded to wit:

RESOLUTION AUTHORIZING THE POLICE DEPARTMENT TO PURCHASE
FOUR UNITS OF PACA SOFT BODY ARMOR

WHEREAS, it is the custom and policy of the Ogdensburg Police Department to equip new officers with soft body armor upon hire, and to replace compromised body armor as needed, and

WHEREAS, an additional four officers will require equipping with soft body armor, and

WHEREAS, soft body armor is available through State Contract pricing,

NOW, THEREFORE, BE IT RESOLVED, that the Police Department is authorized to purchase four units of PACA soft body armor, and that monies in the amount of \$2,371.00 be appropriated from line A3120.550, and

BE IT FURTHER RESOLVED, that \$2,371.00 be transferred from the Forfeiture of Criminal Proceeds account to the General Fund, A2626.

Councillor LaMacchia asked if this equipment is for specific individuals. Police Chief Andrew Wells stated that this equipment is for the new officers and is fitted to each officer individually.

Councillor Hannan stated it is a good use for the Forfeiture funds. Police Chief Wells commented that the Federal Government likes to see this money used for this type of purchase.

The vote was:

CARRIED, AYES ALL

CITY COUNCIL MEETING

May 14, 2007

Page 73

4. Councillor Morley moved a resolution establishing mandatory training for Planning Board and Zoning Board of Appeal members, and Councillor LaMacchia seconded to wit:

RESOLUTION ESTABLISHING MANDATORY TRAINING FOR
PLANNING BOARDS AND ZONING BOARDS OF APPEAL MEMBERS

WHEREAS, the adoption and implementation of Local Land Use decisions have a profound effect on the character of a community and the well being of its citizens; and

WHEREAS, the administration of Land Use Law is a complex and highly diverse process that requires specialized knowledge and familiarity with the applicable laws and regulations; and

WHEREAS, well considered and timely decisions, consistent with those laws and regulations, attract quality community development, result in fewer lawsuits and generally decrease the discord within the community; and

WHEREAS, the City of Ogdensburg desires to provide, for the benefit of its citizens, a well trained and knowledgeable body of officials to administer the Local Land Use process,

NOW, THEREFORE, BE IT RESOLVED, as follows:

1. Pursuant to the provisions of City Law Section 27 and 81, all Planning Board and Zoning Board of Appeals members shall be required to complete at least four (4) hours of suitable training per year.
2. The authority to determine suitable training is hereby delegated from the City Council to the respective Planning and Zoning Board Chairs, who shall note annually in Board minutes the selected training.

CITY COUNCIL MEETING

May 14, 2007

Page 74

3. The training may be satisfied by educational activities substantially devoted to planning, zoning or other land use issues, such as 1) attending conferences, seminars or workshops; 2) participating in on-line training or tutorials; 3) attending college courses, reading journal articles or books; or 5) any other educational activities considered acceptable by the Board chair. Training may be offered by a municipality, regional or county planning office or commission, county, regional or state planning federation, state agency, statewide municipal association, college or university or other similar entity.

4. A record of annual completion of training shall be maintained by the City Planning Director and a copy provided to the appointing authority prior to considering a Planning Board or Zoning Board member for reappointment. Eligibility for reappointment to these Boards shall be conditioned upon completion of training prior to the end of each calendar year.

5. Suitable training in excess of four (4) hours per year may be accumulated and carried over into the succeeding year for the purpose of satisfying these training requirements.

The vote was:

CARRIED, AYES ALL

5. Councillor LaMacchia moved a resolution authorizing the City Manager to execute a 10-year lease agreement with the New York State Dormitory Authority for 24,400 square feet in the Ogdensburg Mall at a zero-net lease rate of \$7.50 per square foot or \$183,140 per annum, and Councillor Flynn seconded to wit:

RESOLUTION AUTHORIZING CITY MANAGER TO EXECUTE A LEASE AGREEMENT WITH THE NEW YORK STATE DORMITORY AUTHORITY FOR 24,400 SQUARE FEET IN THE OGDENSBURG MALL

CITY COUNCIL MEETING

May 14, 2007

Page 75

WHEREAS, the City of Ogdensburg owns a 24,400 ± square foot building in the Ogdensburg Mall, and;

WHEREAS, a current lease with the New York State Dormitory Authority for said space is set to expire on June 30, 2007, and;

WHEREAS, the New York State Dormitory Authority on behalf of the New York State Office of Mental Health is desirous of entering into a new 10-year lease agreement with the City for said space, and;

WHEREAS, the City is interested in reletting the space to the State, and;

WHEREAS, the City has negotiated a zero-net lease rate of \$7.50 per-square foot or \$183,140 per annum, payable to the City in equal installments of \$15,250,

NOW, THEREFORE, BE IT RESOLVED, the City Manager is hereby authorized to execute a lease agreement with the New York State Dormitory Authority for 24,400 square feet in the Ogdensburg Mall.

Councillor Flynn asked how a zero-net lease over 10 years is calculated. City Manager Arthur Sciorra explained and stated that this agreement more than doubles the amount we previously received.

The vote was:

CARRIED, AYES ALL

6. Mayor Nelson moved a resolution to declare Saturday, June 2, through Saturday, June 9, 2007, to be Neighbor Works® week in the City of Ogdensburg, and Councilor LaMacchia seconded to wit:

RESOLUTION

CITY COUNCIL MEETING

May 14, 2007

Page 76

Whereas, National Neighbor Works® Week was initiated in 1984 by a United States congressional resolution cosponsored by more than 240 members of Congress and signed by President Reagan;

Whereas, the formal introduction of National Neighbor Works® Week occurred in the spring of 1986 and began an annual, national celebration held the first through the second Saturday in June; and

Whereas, National Neighbor Works® Week is a celebration of neighborhood pride and unity among organizations in more than 4,414 urban, suburban, and rural communities across the country; and

Whereas, National Neighbor Works® Week celebrates the efforts of local organizations working with partners and volunteers to create healthier communities; and

Whereas, the St. Lawrence County Housing Council, a Neighbor Works® organization, has worked in St. Lawrence County for twenty-six years to help assure all of our residents access to decent and affordable housing in vital and vibrant communities;

Now, Therefore, Be It Resolved by the City Council of the City of Ogdensburg, New York, as Follows:

This council hereby declares Saturday, June 2, through Saturday, June 9, 2007, to be NEIGHBORWORKS® WEEK in the City of Ogdensburg.

The vote was:

CARRIED, AYES ALL

CITY COUNCIL MEETING

May 14, 2007

Page 77

OLD BUSINESS

1. Visitor's Center

Councillor Hannan asked if there a way to provide more visitor boat slips. City Manager Arthur Sciorra stated no, but we could have fewer rentals, which Tim Irvine is monitoring. Councillor Morley asked if we could add day use docking on the outside of the boardwalk. City Manager Arthur Sciorra said that area was not good for docking but he will have Tim Irvine look into this.

Councillor Hannan asked about the concession stand and different options. City Manager Arthur Sciorra stated that Director of Planning and Development, Martin Murphy,. has had discussions with possible vendors and we will be putting it out to bid soon.

Mayor Nelson said we will need to identify which slips are the day boat slips so boaters will know where they can dock their boat. Mayor Nelson also stated that the videophone will need to be moved from the old building.

Councillor Hannan questioned if we are planning to have parking on the Community Center building site after it's torn down, instead of making it green space. City Manager Arthur Sciorra stated that if we put parking elsewhere, we would have to use existing green space as well and this seemed to be the best place for it.

Mayor Nelson asked if we are working on removing the old building. City Manager Arthur Sciorra stated we are working on the asbestos removal which could take several weeks.

NEW BUSINESS

1. Councillor Morley congratulated all local area graduates and wished them well in their endeavors.

CITY COUNCIL MEETING

May 14, 2007

Page 78

2. Councillor Morley commented that he had attended the Academic Banquet and the past Mayor Richard Lockwood gave the speech and did a very good job keeping everyone entertained.

3. Councillor Flynn asked if the Relay for Life organizers had requested a noise ordinance exemption for their upcoming event and if so, what is the status of this request. City Manager Arthur Sciorra said he would turn the request over to the Police Chief.

4. Councillor Flynn asked if something could be done about the street pavement damage to Patterson Street from the salt trucks. Mayor Nelson stated this is an old and hot topic. After much discussion, Mayor Nelson asked the City Manager to get an update from Wade Davis, OBPA, on their master plan.

5. Councillor Hannan asked if the Compensation Committee had received the wage scales. City Manager Arthur Sciorra stated that his secretary, Penny Murphy, has been compiling this information from other communities for the Compensation Committee. Councillor Hannan said he meant the internal wage scales. City Manager Arthur Sciorra said she has that information and he will have her send it to Council.

6. Councillor LaMacchia asked if the next meeting, Tuesday, May 29th could be moved to Wednesday. There was no consensus of Council to change the Tuesday, May 29, 2007 City Council Meeting.

7. Councillor Morley asked if names for the new community center have been discussed. After some discussion, it was the consensus of Council to call it the Dobisky Center.

8. Councillor LaMacchia expressed his feelings regarding the demolition of the old community Center and urged the people of the community to step forward if they have concerns over this. Mayor Nelson commented that they did get estimates just to stabilize the building and it was \$200,000. Mayor Nelson added this was not a historical building.

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