

## CITY COUNCIL MEETING

April 25, 2016

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

PRESENT: Mayor Ashley, Councillors Davis, Mitchell,  
Morley, Price, Skamperle and Stevenson

ABSENT: None

Mayor Ashley held a moment of silence in honor of retired City firefighter Fred Badlam who passed away unexpectedly on Saturday.

### PUBLIC HEARING

1. A public hearing regarding a Local Law to amend Chapter 215 (Section 41) of the Ogdensburg Municipal Code entitled "Water Rates" was held. No one being present to speak, the hearing was declared closed.

### CORRESPONDENCE

1. City Clerk Kathleen Bouchard read a letter from the American Legion requesting permission to hold the Memorial Day Parade on Monday, May 30, 2016. (A copy of the letter follows these minutes.)

### CONSENT AGENDA

Mayor Ashley moved that the claims as enumerated in General Fund Warrant #8-2016 in the amount of \$619,535.19 and Library Fund Warrant #8-2016 in the amount of \$22,655.51 and Capital Fund Warrant #8-2016 in the amount of \$9,659.59 and Community Development Fund Warrant #8-2016 in the amount of \$0.00 and Community Renewal Fund Warrant #8-2016 in the amount of \$0.00 as audited, be and the same are ordered paid and Councillor Morley seconded the motion.

The vote was:

CARRIED, AYES ALL

ITEMS FOR COUNCIL ACTION

1. Councillor Skamperle moved a Local Law to amend the Ogdensburg Municipal Code, Chapter 215 entitled “Water Rates”, §215-41 entitled “Miscellaneous Charges”, and Councillor Stevenson seconded to wit:

LOCAL LAW #2 of 2016  
AMENDING THE OGDENSBURG MUNICIPAL CODE

A Local Law providing for changes in the Ogdensburg Municipal Code, Chapter 215 entitled “Water” as recommended by the Director of Public Works.

Be it enacted by the City Council of the City of Ogdensburg as follows:

**§ 215-41. Miscellaneous charges.**

The following schedule of rates is hereby fixed and established for the period effective the first billing after April 25, 2016, and upon filing with the Secretary of State:

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<b>Type</b>	<b>Rate</b>
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 turn on or off, per occasion regular work hours	\$ 46
Water service turn on or off, per occasion after work hours	\$165
Annual rooms to hire (annual rent)	\$ 83.50

Councillor Skamperle asked if the only changes are 1) an increase from \$41 to \$46 for water service turn on/off (regular work hours); and 2) the addition of a water service turn on/off (after work hours) rate of \$165. City Manager Sarah Purdy said yes. Councillor Morley asked why water would need to be turned on or off after work hours. Ms. Purdy explained it may be necessary if a pipe bursts. Councillor Stevenson also suggested the possibility of an emergency while a homeowner is out of town. Councillor Morley said he was concerned about adding extra expenses to a taxpayer in an emergency situation.

The vote was:

AYES: Mayor Ashley, Councillors Davis, Mitchell, Morley, Price and Stevenson

NAYS: Councillor Skamperle

CARRIED, 6 TO 1

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2. Councillor Morley moved a resolution calling for public notice and a public hearing on a proposed ordinance to license municipal property in the Greenbelt to M&T's Concession operated by Mary Jo and Tom Montana, and Councillor Skamperle seconded to wit:

A RESOLUTION CALLING FOR A PUBLIC NOTICE AND PUBLIC HEARING REGARDING THE LICENSE OF CITY-OWNED PROPERTY IN THE CITY OF OGDENSBURG

WHEREAS, the City of Ogdensburg has received interest from a qualified vendor, M&T's Concession operated by Mary Jo and Tom Montana, to operate a seasonal food and beverage concession in the Greenbelt

WHEREAS, the City Council hereby accepts the proposal of M&T's Concession to operate a concession located in the Greenbelt, subject to approval of license;

WHEREAS, the City Charter mandates that a License be finalized only after giving public notice in a local newspaper and conducting a public hearing;

BE IT FURTHER RESOLVED, that the City Council shall hold a public hearing on the 9th day of May, 2016 at 7:00 p.m., at the Council Chambers in the City of Ogdensburg, New York, regarding this proposed License of City-owned property; and

BE IT FURTHER RESOLVED, that the City Clerk give notice of such public hearing by publication in the newspaper so designated by the City Council of the City of Ogdensburg for legal and public notices 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.

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Mayor Ashley asked if this was the only bid the City received, and Ms. Purdy said yes. Councillor Morley asked if the location is the cement pad in the Greenbelt area, and Ms. Purdy said yes. Councillor Skamperle asked if the licensed vendor will have exclusive use of the electrical at the site. Recreation Director Matthew Curatolo said yes.

The vote was:

CARRIED, AYES ALL

3. Mayor Ashley moved a resolution authorizing the City Manager to sign a NYSDOT Undertaking Agreement to allow the Memorial Day Parade route to be designated as State Street, and Councillor Skamperle seconded to wit:

RESOLUTION TO AUTHORIZE THE CITY MANAGER  
TO SIGN A NYSDOT UNDERTAKING AGREEMENT

WHEREAS, the New York State Department of Transportation (NYSDOT) requires an Undertaking Agreement to allow the Memorial Day Parade route to be designated as State Street (Route 68), and

NOW, THEREFORE, BE IT RESOLVED that the City Manager, Sarah Purdy, is hereby authorized and directed to sign an Undertaking Agreement with the NYSDOT to allow the Memorial Day Parade route to be designated as State Street (Route 68).

The vote was:

CARRIED, AYES ALL

4. Councillor Price moved a resolution to approve the sale of 801 Washington Street for \$5,750.00 to Shabana Kanwal and Shakil Ahmad, and Councillor Mitchell seconded to wit:

RESOLUTION TO APPROVE THE SALE OF TAX PARCEL 48.071-4-5  
TO SHABANA KANWAL AND SHAKIL AHMAD

WHEREAS, the Ogdensburg City Council, on March 28, 2016, authorized the public auction of surplus City-owned real property, and

WHEREAS, the City held an auction on April 13, 2016 to sell said property, and

WHEREAS, the City received bids that met the minimum bids set by City Council,

NOW THEREFORE BE IT RESOLVED, that the City Council approves the following sale of:

<u>TAX MAP #</u>	<u>LOCATION</u>	<u>MINIMUM PURCHASE PRICE</u>
48.071-4-5	801 Washington Street	\$ 5,750. (amount includes estimated \$400. Attorney fee & \$350. SLC Recording Fee)

RESTRICTION(S)

1. At the time of sale, the property is zoned Single-Family Residential. Any future use of the property shall comply with the provisions of the single-family residential zoning district, per Article III, of Chapter 221 entitled Zoning.
2. An abstract of title and current survey will not be provided by the City.
3. The City makes no representations or warranties of any kind as to the property or any structure upon it or to any of the systems on the premises. Buyer shall assume responsibility for and indemnify and hold harmless City from any adverse conditions, environmental or otherwise, including hazardous substances on the premises, following a sale not caused by the City. The Deed shall contain such an indemnification provision.

BE IT FURTHER RESOLVED, that the sale shall be subject to the terms of the March 28, 2016 resolution.

The vote was:

CARRIED, AYES ALL

5. Councillor Stevenson moved a resolution to approve the sale of 8 Spring Street for \$2,750.00 to Ryan Woodard, and Councillor Morley seconded to wit:

RESOLUTION TO APPROVE THE SALE  
OF TAX PARCEL 59.022-5-4 TO RYAN WOODARD

WHEREAS, the Ogdensburg City Council, on March 28, 2016, authorized the public auction of surplus City-owned real property, and

WHEREAS, the City held an auction on April 13, 2016 to sell said property, and

WHEREAS, the City received bids that met the minimum bids set by City Council,

NOW THEREFORE BE IT RESOLVED, that the City Council approves the following sale of:

<u>TAX MAP #</u>	<u>LOCATION</u>	<u>MINIMUM PURCHASE PRICE</u>
59.022-5-4	8 Spring Street	\$ 2,750. (amount includes estimated \$400. Attorney fee & \$350. SLC Recording Fee)

BE IT FURTHER RESOLVED, that the sale shall be subject to the terms of the March 28, 2016 resolution.

The vote was:

CARRIED, AYES ALL

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### OLD BUSINESS

1. Councillor Stevenson said a Community Garden work day was held on Sunday, and City DPW workers moved the shed. Councillor Stevenson thanked our DPW workers, the Alpha Omega Fraternity members from Canton, the Rotary Club members and Fort la Presentation. Councillor Stevenson announced another work day will be held on May 2, 2016 at 4:30pm and encouraged community members to help out. Councillor Stevenson said garden plots are available for \$25 each.

### NEW BUSINESS

1. Councillor Mitchell asked if City Council meetings can still be aired on Time Warner Cable. Wayne Ladouceur of VIP Productions explained he is working with Time Warner Cable representatives and will keep Council updated.

2. Councillor Stevenson thanked Jon Gordon for the photos of Council members. Councillor Stevenson said Mr. Gordon has been providing these photos to Council since 2000.

3. Mayor Ashley congratulated the Ogdensburg City School District for its position in the New York State ranking. Mayor Ashley said we have an excellent school system.

4. Mayor Ashley thanked the Department of Public Works for keeping our City streets looking tremendous by sweeping and removing brush. Councillor Skamperle agreed they are doing a great job.

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