

CITY OF OGDENSBURG, NEW YORK

CITY HALL • 330 FORD STREET • OGDENSBURG, NY 13669 • (315) 393-6100



Office of the City Manager

MEMORANDUM

MEMO TO: City Council
FROM: Sarah Purdy, City Manager SP
DATE: June 16, 2016
SUBJECT: Update 16/22

1. Department of Public Works Updates –

WWTP Update

- DANC has been invited to the June 27th meeting to answer questions related to their monthly report and initial findings.
- State CSC will most likely announce the 4A test in late July for a test date in late October of this year.

WFP Update

- Intake Pump Update – we continue to have issues, but they are now related to the motors that are used to run our pumps. The motor that was on intake pump #1 has a bad bearing. The motor that we had on the shelf was rewound in 1993 and is overheating every 6-8 hours. We are getting quotes for a new motor and we continue to work at repairing drive #2. As it currently stands we have intake pump #2 wired into drive #1 so that we can take care of our water needs. All of our pumps motors are 23 years or older, so we are most likely going to recommend that we update them in 2017.
- The million gallon tank inspection went well. Internal identified deficiencies were repaired on the million gallon tanks by the inspection team. Findings on the exterior of the tanks will be reviewed and bid specs will be created for the exterior painting of the tanks. We originally targeted (budgeted) one tank to be painted inside and out in 2016 and one in 2017. With our ability to make underwater repairs inside the tanks, both tanks might be able to be painted this year at a significant savings to the City. The tanks can go 10-12 years between paintings. WFP staff need to be lauded for their outside the box thinking.

Equipment

- WWTP new F-250 with plow has been received and is being put into service. We will reassign two of their older vehicles to support City efforts.

Road Cuts

- Local hot mix is limited with Hanson supporting airport project, but we continue to move forward when asphalt is available.

Paving / Milling / Streets

- Milling was completed last Thursday. The second round is tentative scheduled for August 8th.
- Two sink holes and 20 structures have been completed in the Ford Street section to be paved. Riverside Ave structures are the next on the list.

- First round of paving may start as early as next Wednesday with Ford St. and Riverside Ave. being targeted. We are planning on paving all milled streets so that they are done before the Seaway Festival.
- We are trying to identify and address sign issues. Replacing worn and missing signs.

Sidewalks

- Unit 7 has a nice jump on their work list. Multiple radiuses are being completed in conjunction with our street paving.
- Working on the City-owned Mall sidewalk at this time. This is a larger project.
- We are receiving complaints that are being added to the list.

Unit "6"

- Working on adding an 8" sewer main and manhole to 700 block of Rensselaer Ave to provide a home owner with a dedicated sewer service and address a known dead end.
- Working on manhole and drop repairs.
- Performing water and sewer services as they arise.

Brush Pickup

- Second ward was successfully completed.

Paterson St

- Punch List work is in process.
- NYS DOT drainage near Burger King is still under design and conversation.

Solar Array

- The process is in limbo due to the delay of National Grid to provide the interconnect. Sol-bright will re-mobilize when the interconnect date is firmed up.
- Partial energization is scheduled for no later than September 30th, with full energization taking place by November 30th.
- We continue to move forward with the Tri-County Energy Consortium. The consortium is in the process of looking at wind power as well as solar, which could get us to our goal of 100% green energy sooner than originally projected.

Storm Drops / Cleaning Sewer Mains

- Spring flushing of mains has been completed.
- Crew is working on cleaning drops.

Mowing / Trimming

- We have started our summer trimming and mowing.
- We are currently being swamped with weed ordinances.

EAB

- Please see our finding from May 23rd trip to Onondaga County.
- Matt Curatolo and I are working closely with the EAB Taskforce to stay out in front of this issue.

2. Fire Department Updates

3. Assessment Department Update - In response to questions about the revaluation at the June 13 Council meeting, and to follow-up questions from citizens, the following information is provided about the City's reassessment plan:

The New York State Office of Real Property Services (ORPS) used to require reassessment plans from a municipality in order to receive state aid for the revaluation. NYS used to give a municipality up to \$5.00 per parcel to do a reval since the State wanted municipalities to stay at full value 100% assessment. Since NYS has done away with the state aid incentive reassessment plans are no longer mandated. Now ORPS and Real Property Tax Law mandate that each municipality needs to assess at a “uniform percentage of value,” (RPTL Sections 305 and 502).

ORPS allows each municipality to schedule its own reassessment by analyzing sales data and scheduling revals “as needed” in order to maintain equity and uniformity in the roll. This data compares sale values to a property’s assessed value at the time of sale for each residential neighborhood. If the sales ratios fall below 95% (in other words if a neighborhood’s sales and its assessments aren’t within 5%) then this area is due for a reassessment and is scheduled with ORPS. This is referred to as an NPR, a Non Reappraisal Reassessment. This is the only scheduling that is done with ORPS so that ORPS is aware the City will be conducting a neighborhood reassessment for the following roll year. The Assessment Department submitted this notice to ORPS in September 2015 for the 2016 roll. Since we no longer receive state aid to do reassessments this allows ORPS to monitor the municipality’s progress throughout a reval and to work together so the City receives 100% equity.

Staying at 100% equity has some advantages:

- Easier to explain full value assessments, since they are a 1:1 ratio. A \$60,000 property is assessed at \$60,000, etc.
- The City maintains the current and highest exemption values allowed.
- It’s an NYS approved and recognized way of maintaining value.
- Economically feasible method.
- Otherwise an appraisal company may charge up to \$300,000 to conduct a reassessment.

If a reval was not done this year, the City would not obtain 100% equity. The City has been at 100% equity or “full value” for the past 22 years. ORPS notified us that if we had not conducted a reval this year we would have dropped to 92% of value. What does falling to 92% equity mean?

- Ogdensburg’s full value would have gone up by 8%, and our apportionment percentage as it relates to the county and school district would have gone up by the same percentage since we would now owe more tax dollars to each of these taxing entities.
- Other exemption values – Star, capital improvements and Veteran exemptions – would have gone down, making them worth less.

Please also find attached documentation from the NYS Department of Taxation and Finance Opinions of Counsel addressing the fact that, once the tentative tax assessment roll has been filed, changes can be made only by the Board of Review, and Article XIII of Ogdensburg Municipal Code describing the responsibilities of the City’s Department of Assessments.

4. **Recreation Department Update** – Attached is a photo of recent damage at Skateboard Park. A hole was created in the fencing to gain access from the tennis courts. Staff has made repairs and OPD has been notified.
5. **Planning Department Update**
6. **Sales Tax and Healthcare Reports for May 2016** – Please see the attached reports from Phil Cosmo for May 2016 healthcare and sales tax.
7. **Residency requirement** - The following information is offered in response to discussion at Council’s June 13 meeting regarding requiring employees to live in the City. As you know, we do not have this requirement for most positions, but in conducting the hiring process in accordance with Civil Service, we do articulate a preference for City residency. Currently 64%, or 83, of our 130 full-time

employees are City residents. 100% of the employees in the offices of City Council, City Clerk, City Manager, Planning, and Code Enforcement are City residents.

Here is the breakout of the other departments: City Comptroller 3 of 5 are residents, Police 21 of 33 are residents, Fire 18 of 30 are residents, DPW 22 of 38 are residents, Parks and Rec 4 of 6 are residents, Assessor 2 of 2 are not residents, and Engineering 1 of 1 is not a resident.

In addition, please find attached information regarding the City of Syracuse requiring Fire Department employees to live within the city for the first five years of employment. Given that 64% of our Police Department and 60% of our Fire Department are City residents, staff and I recommend that we continue the current practice of working through Civil Service with a preference for residency.

8. **DOL Offices** - I spoke today with a Department of Labor staff member from the Albany area office who told me they are looking at six different locations under four landlords, and he is confident the offices will stay in Ogdensburg. He said the challenge right now is to have a new location up and running by the time the current location closes, which will be in the middle of August.
9. **Snow Removal**- Recently I received a Councilor suggestion that the charge for removing snow because the property owner did not should be higher. The charge was raised in 2015 for the 2015-2016 season; in the past the amount charged represented the labor and administrative costs, it now covers those plus the equipment cost so it is now well over \$100. There were no repeat offenders this past season.
10. **Tree Removal** - Recently I received a Councilor suggestion about requiring property owners to obtain a permit before cutting down trees. Please find attached the City's tree ordinance. If this is something Council wants to pursue I suggest it be referred to the Tree Commission for comment.
11. **Paper Streets** - We have formed a staff committee to review all paper streets in the City and develop a policy addressing the criteria under which paper street parcels can be sold.



St. Lawrence County Emerald Ash Borer Task Force



Chair:	Paul Hetzler, SLC CCE	315-379-9192	ph59@cornell.edu
Vice Chair:	Scott Thornhill, Ogdensburg DPW	315-393- 2300	sthornhill@ogdensburg.org
Utilities Liaison:	Bob Baker, National Grid	315-244-7379	robert.baker2@nationalgrid.com
Secretary:	John Tenbusch, SLC Planning	315-379-2292	jtenbusch@stlawco.org

Report on Trip to Onondaga Co. EAB Task Force: May 23, 2016

On Monday, May 23rd, six members of the SLCEABTF travelled to Syracuse in a van provided by St. Law. Co.; their purpose was to meet with reps from the Onondaga County EAB Task Force (<http://www.ongov.net/environment/emeraldashbore.html>) to see how the OCEABTF have been dealing with actual infestations of EAB.

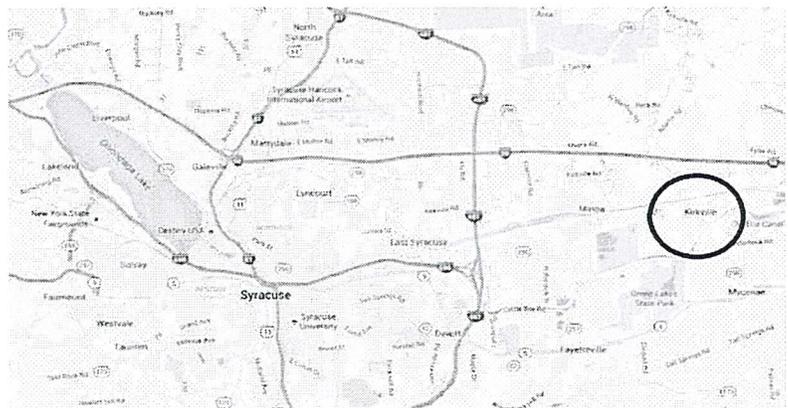
Those who attended include: John Gwozdz - NYPA; Paul Hetzler – SLC CCE; Matt Brown – SLC SWCD; Don O’Shea - EMC; John Tenbusch - CPO; Pat Whalen – EMC.

During the trip to Syracuse, there was discussion about the Onondaga Co. Ash Tree Management Strategy (<http://www.ongov.net/environment/documents/CompAshTreeMgtStrategy.pdf>).

Discussion points included:

- The Management Strategy seeks to manage only those ash trees situated on County-owned property.
- OC asked the local CCE to form an EAB Task Force in 2012.
- An inventory of ash trees was conducted by SWCD at a cost of over \$250,000.
- The inventory of ash tree on County-owned property is over 46,000 trees.
 - The County only counted those ash trees with “targets in the drop zone” (targets included people, structures, trails or roads, parking lots, utilities, other assets).
- OC anticipates removing 95% of ash trees (44,000 trees) over 10 years;
 - Replace 10% of removed trees(4,400 trees)
 - Treat with insecticides approx. 5% of ash trees (2,300 trees)
- OC expects to contract with SWCD to manage this program.
- The estimated cost of this program will be \$13.5 million (over 25 years).
- Goals of the OC Ash Tree Management Strategy is to:
 - Ensure public safety;
 - Retain some of the ecological/social benefits that ash trees provide.
- 32 case studies were assembled by students at the Maxwell School (Syracuse Univ.) of other communities that have dealt with EAB; these can be found at <http://www.ongov.net/environment/documents/Capstone%20Study%20Findings.pdf>

Upon arrival in Syracuse, the group met with three staff from Onondaga Co. CCE (Jessi Lyons; Kim Zhang; Kat Korba). They reported that the epicenter of EAB infestation is in Kirkville, which is 60% infested. They estimated that the period between first detection to 100% die-off of ash trees is 3 years.



They provided an overview of the OCEABTF activities:

- The OCEABTF was formed in 2012
- Their first year was spent researching regulations, management options, public communication strategies
 - An initial budget was set at \$30,000
- EABs were discovered in OC in 2013
- Sentinel trees were found to not be effective
- There is a need to tell the EAB story in different ways, to reach different audiences

Task that Need to Be Addressed:

- Tree inventories are essential
- Identify uses for waste wood
- Convince decision makers of the need for a management plan
 - Convince decision makers to fund the development of a plan
- OCRA (Recycling program) has a location where homeowners can take their tree waste
- Dead ash trees can be a significant wildfire hazard

After the presentation at CCE, The group traveled to Kirksville and looked at several examples of dead/dying ash trees:

- In a suburban area
- In a secondary-forest / scrubland area

ARTICLE XIII
Department of Assessments

§ C-45. Department established; head.

- A. There shall be a Department of Assessments, the head of which shall be the City Assessor.
- B. The appointment of the City Assessor shall be in conformance with the New York State Real Property Tax Law.
- C. Minimum qualifications, job description and duties of the position of City Assessor shall be established by the Ogdensburg Civil Service Commission.
- D. Duties of the City Assessor:
 - (1) Make all assessments for general tax or special assessment purposes in accordance with the provisions of the Real Property Tax Law;
 - (2) Perform such other functions as may be required by other law;
 - (3) Be responsible for the maintenance and revision of the tax roll.

§ C-66. Assessment of real property. [Amended 8-18-1986 by L.L. No. 3-1986]

All real property within the boundaries of the City of Ogdensburg is assessable for county and City taxes unless exempt from taxation pursuant to federal, state or local law. Taxable real property shall be assessed according to its condition on the first day of April in each year.

§ C-67. Preparation of assessment rolls. [Amended 8-18-1986 by L.L. No. 3-1986]

The City Assessor shall prepare the assessment rolls in the form prescribed by or approved by the State of New York and in accordance with any rules and regulations adopted by agencies of the State of New York having jurisdiction over the matter. The City Assessor shall complete the tentative assessment rolls and place copies thereon on file in his office on or before the second Monday in May and on that date shall cause notice of the completion of the assessment rolls to be published in the official newspaper of the City of Ogdensburg stating that the assessment rolls have been completed and that copies thereof are on file in the office of the City Assessor where they may be examined by any person during the office hours on business days pursuant to the laws of the State of New York.

§ C-68. Complaints concerning assessments.

- A. The Real Property Tax Law of the State of New York shall govern complaints concerning assessments by any person or a corporation who or which owns or has an interest in taxable real property in the City of Ogdensburg.

B. The date for hearing on any complaints concerning assessments shall be as provided by the Real Property Tax Law of the State of New York or the third Tuesday of June of each year, whichever date is later.

§ C-69. Miscellaneous provisions relating to assessments.

All miscellaneous provisions relating to the assessment of real property as contained in §§ 550 to 574 of the Real Property Tax Law and applicable to cities generally shall apply to assessment procedures in the City.

**Department of
Taxation and Finance**

Volume 12 - Opinions of Counsel SBRPS No. 1

Opinions of Counsel index

Assessment roll (tentative roll)(assessor's authority to amend); (final roll)(conformity to tentative roll); Assessor (powers and duties)(changes to tentative assessment roll) - Real Property Tax Law §§ 506, 516:]).¹

The final assessment roll must conform in all respects with the tentative assessment roll except for changes ordered by the board of assessment review or changes made by the State Board of Real Property Services. Once the assessor files the tentative assessment roll, the assessor may not make unilateral changes to that roll.

We have received an inquiry requesting confirmation that, once an assessor files the tentative assessment roll, he or she may make changes to that roll only as ordered by the board of assessment review. With the exception discussed below, in our opinion, this is correct.

In cities and towns following the assessment calendar prescribed in the Real Property Tax Law, it is the assessor's duty to file the tentative assessment roll on or before the first day of May and to publish notice of such filing (RPTL 506 [1]).² That tentative assessment roll is to include the verification prescribed in section 505 of the RPTL which essentially provides that the assessor has listed all real property on the roll and, with the exception of assessments made by the State Board of Real Property Services (*i.e.*, special franchise assessments), the assessor has assessed such property in accordance with the statutory standard of assessment: uniform percentage of assessed value (RPTL 305 [2]).

Section 505 was added to the law at our suggestion by chapter 620 of the Laws of 1982, but even before it was enacted, in 6 Op.Counsel SBEA No. 53, we opined:

Assessments entered on the tentative assessment roll indicate the assessor's judgment as to the value for each parcel (Real Property Tax Law, §506). Thereafter, the assessor has no jurisdiction to change those entries (2 Op.Counsel SBEA No. 62) unless either:

(1) a written complaint is filed with the board of assessment review on or before "grievance day," and the board directs a change to be made with

respect to the complainant's parcel (Real Property Tax Law, §1524(2)(c) [now RPTL 525 [4]]; or

(2) there is an error as defined in section 550 of the Real Property Tax Law and the appropriate review body (*i.e.*, either the board of assessment review pursuant to §552 or §553, or the tax levying body by the authority of §§554, 556 or 556-a ³) directs that a change be made.

A long history of case law makes it clear that, with the exceptions noted, an assessor has no authority to change entries on the tentative assessment roll (see, *e.g.*, *People ex rel. Chamberlain v. Forrest*, 96 N.Y. 544; *Henderson v. Silco*, 36 A.D.2d 439, 321 N.Y.S.2d 313).⁴

In our memorandum in support of the bill enacted as chapter 620 of the Laws of 1982, as our justification for then new section 505 and amendment of section 514 (*i.e.*, the final assessment roll verification), we wrote:

Once the assessor has filed the tentative assessment roll, he has no authority to make any changes thereto unless they are directed by the board of assessment review or are assessments of property assessed by the State Board of Equalization and Assessment which are submitted to the assessor for addition to the roll after the roll has been tentatively filed. But for these changes, the tentative assessment roll should be identical to the final assessment roll... The verification requirement of section 514 should be amended to refer to the tentative assessment roll and the changes made to it (Memorandum of State Board of Equalization and Assessment reprinted at McKinney's 1982 Session Laws of NY, at 2533-34).⁵

We note that several exemption statutes include provisions authorizing and directing local officials to make changes to the final assessment roll when the exemption is subject to an equalization adjustment and the State Board issues a special equalization rate (*e.g.*, alternative veterans exemption (RPTL § 458-a [1] [f]); business investment exemption (RPTL § 485-b [2] [a] [ii])). These changes do not involve the exercise of discretion by the assessor or other official having custody of the roll when the special rate is issued. In addition, it goes without saying that a court order directing entry on an assessment roll (*e.g.*, RPTL §§ 720 [1], 733 [2]) must be followed.

Finally, that the assessor is without jurisdiction to make unilateral changes to the tentative assessment roll is further evinced by the procedure for assessor-taxpayer stipulations as to assessments. Once the tentative assessment roll is filed, the assessor may not change the roll on his or her own motion, even when the assessor concurs with a taxpayer that an assessment reduction is warranted. Instead, proposed stipulations must be presented to the board of assessment review for ratification by that board (RPTL 525 [4]; 10 Op.Counsel SBRPS No. 37).

May 20, 2008

1. Beginning with this opinion, to the extent possible, *Opinions of Counsel* will utilize the New York Official Reports Style Manual in citing authorities. Quotations from judicial decisions and prior administrative opinions will use the citation formats used therein.
2. In towns, posting of such filing is also required on the town clerk's signboard maintained for the posting of legal notices.
3. Section 556-a was later repealed (L 1986, ch 317) and its provisions included elsewhere within Title 3 of Article 5 of the RPTL.
4. Accord *Niagara Mohawk Power Corp. v. Onondaga*, 63 NY2d 786, 471 NE2d 138, 481 NYS2d 325 [1984], per dissent of Boomer, J. at 96 AD2d 1138, 467 NYS2d 443 [4th Dept 1983].
5. Indeed, in the final roll verification, the assessor attests that the final roll "conforms in all respects to the tentative assessment roll with the exception of changes made by the board of assessment review and the assessments made by the state board of real property services" (RPTL 514). As we stated in 11 Op.Counsel SBRPS No. 25, the difference in the verification language of sections 505 and 514 "clearly recognizes that the assessor may disagree with some, most, or even all of the changes ordered by the board of assessment review."

Updated: September 05, 2012



Memo

To: City Manager
From: Phil Cosmo
Date: 6/1//2016
Re: Sales Tax and Health Care Cost for the month of May 2016

Attached are the sales tax and health care numbers for year-to-date through May 2016.

We continue to fall short in our sales tax collections. As of the end of May we are \$47,700 behind the same period in 2015. We will continue to monitor these numbers going forward. Hopefully the Canadian dollar will continue to strengthen.

Health insurance cost, for the last two months show a marked reduction, from April and May of 2015. For the first time, in a while, we are actually behind the expenditures of the prior year. Year to date we are \$58,000 less than last year. While this is good news we need to keep an eye on this as it could turn around at any time.

Let me know if you have any questions.

CITY OF OGDENSBURG							
HEALTH INSURANCE COSTS							
		ACTUAL	ACTUAL	RUNNING	RUNNING		%
MONTH		2015	2016	TOTAL	TOTAL	DIFF	DIFF
				2015	2016		
JANUARY		\$235,223.98	\$342,873.16	\$235,223.98	\$342,873.16	\$107,649.18	146%
FEBRUARY		\$168,689.67	\$241,608.01	\$403,913.65	\$584,481.17	\$180,567.52	145%
MARCH		\$147,805.33	\$249,483.41	\$551,718.98	\$833,964.58	\$282,245.60	151%
APRIL		\$394,769.00	\$191,111.04	\$946,487.98	\$1,025,075.62	\$78,587.64	108%
MAY		\$306,398.89	\$169,627.57	\$1,252,886.87	\$1,194,703.19	-\$58,183.68	95%
JUNE		\$260,962.43		\$1,513,849.30	\$1,194,703.19	-\$319,146.11	79%
JULY		\$233,498.44		\$1,747,347.74	\$1,194,703.19	-\$552,644.55	68%
AUGUST		\$276,146.20		\$2,023,493.94	\$1,194,703.19	-\$828,790.75	59%
SEPTEMBER		\$240,075.18		\$2,263,569.12	\$1,194,703.19	-\$1,068,865.93	53%
OCTOBER		\$313,494.12		\$2,577,063.24	\$1,194,703.19	-\$1,382,360.05	46%
NOVEMBER		\$172,144.43		\$2,749,207.67	\$1,194,703.19	-\$1,554,504.48	43%
DECEMBER		\$270,662.53		\$3,019,870.20	\$1,194,703.19	-\$1,825,167.01	40%
TOTALS		\$3,019,870.20	\$1,194,703.19				
% OF PRIOR YEAR		108.32%	39.56%				
BUDGET		\$2,950,000	\$3,016,298				
% OF BUDGET		102.37%	39.61%				
DIFFERENCE		-\$69,870	\$1,821,595				
AVERAGE							
MONTHLY COST		\$251,655.85	\$238,940.64				
*** In 2008 the City switched Third Party Administrators from APA to POMCO. In January the only activity was the payments from retirees to the City.							
The monthly totals are net of payments from retirees and others.							

CITY OF OGDENSBURG SALES TAX RECEIPTS							
				RUNNING	RUNNING	DOLLAR	%
		2015	2016	TOTAL	TOTAL	CHANGE	DIFF
MONTH				2015	2016		
JANUARY		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0%
FEBRUARY		\$239,026.96	\$235,277.44				
		\$56,651.57	\$58,494.82				
		\$0.00	\$0.00	\$295,678.53	\$293,772.26	-\$1,906.27	99%
MARCH		\$198,030.41	\$196,677.73				
		\$44,768.00	\$37,090.71				
		\$0.00	\$0.00	\$538,476.94	\$527,540.70	-\$10,936.24	98%
APRIL		\$226,575.68	\$226,376.86				
		\$70,336.39	\$43,155.37				
		\$0.00	\$8.36	\$835,389.01	\$797,081.29	-\$38,307.72	95%
MAY		\$228,620.17	\$225,532.50				
		\$58,520.73	\$52,143.00				
		\$1.13	\$0.00	\$1,122,531.04	\$1,074,756.79	-\$47,774.25	96%
JUNE		\$229,772.74	\$0.00				
		\$51,143.20	\$0.00				
		\$116,387.99	\$0.00				
		\$0.00	\$0.00	\$1,519,834.97	\$1,074,756.79	-\$445,078.18	71%
JULY		\$134,795.96	\$0.00				
		\$84,118.91	\$0.00				
		\$6.50	\$0.00				
		\$0.00	\$0.00	\$1,738,756.34	\$1,074,756.79	-\$663,999.55	62%
AUGUST		\$243,104.81	\$0.00				
		\$72,593.38	\$0.00				
		\$0.00	\$0.00	\$2,054,454.53	\$1,074,756.79	-\$979,697.74	52%
SEPTEMBER		\$237,086.49	\$0.00				
		\$50,889.48	\$0.00				
		\$0.00	\$0.00	\$2,342,430.50	\$1,074,756.79	-\$1,267,673.71	46%
OCTOBER		\$247,929.35	\$0.00				
		\$56,024.63	\$0.00				
		\$0.00	\$0.00	\$2,646,384.48	\$1,074,756.79	-\$1,571,627.69	41%
NOVEMBER		\$230,675.55	\$0.00				
		\$45,031.92	\$0.00				
		\$0.00	\$0.00	\$2,922,091.95	\$1,074,756.79	-\$1,847,335.16	37%
DECEMBER		\$226,826.47	\$0.00				
		\$54,434.80	\$0.00				
		\$0.00	\$0.00				
		\$106,088.17	\$0.00				
		\$138,777.68	\$0.00				
		\$88,508.29	\$0.00				
TOTALS		\$3,536,727.36	\$1,074,756.79	\$3,536,727.36	\$1,074,756.79	-\$2,461,970.57	30%
PERCENTAGE OF PRIOR YEAR		97.28%	30.39%				
BUDGET FOR YEAR		\$3,597,000.00	\$3,704,910.00				
DIFFERENCE		(\$60,272.64)	(\$2,630,153.21)				
PERCENTAGE OF BUDGET		98.32%	29.01%				
* EFFECTIVE 1/1/01 THE CITY WILL RECEIVE 6.437389 OF THE TOTAL RECEIVED BY ST. LAW. COUNTY							
** PAYMENT ON LAST RECEIPT FOR 2002 WAS \$50,132.61 FROM COUNTY AND \$18,073.60 FROM STATE.							
***PAYMENT ON LAST RECEIPT FOR 2003 WAS \$47,930.53 FROM COUNTY AND \$2,635.03 FROM NY STATE.							
****EFFECTIVE 12/1/2013 THE SALES TAX RATE FOR ST. LAWRENCE COUNTY WAS RAISED TO 4%.							



OFFICE OF THE MAYOR
Hon. Stephanie A. Miner, Mayor

FOR IMMEDIATE RELEASE
DATE: May 27, 2016

CONTACT: Mayor's Press Office
(315) 448-8005

**MINER ANNOUNCES NEW CONTRACT DEAL WITH
FIREFIGHTERS UNION ESTABLISHING 5 YEARS OF
REQUIRED RESIDENCY FOR NEW HIRES**

*For the First Time, The Syracuse Firefighters Union, IAFF Local 280, Agrees To
Require New Hires To Live In the City of Syracuse for 5 Years*

*Miner: This Contract Recognizes The Benefit Anytime Public Employees Live in the
Jurisdiction They Serve*

SYRACUSE, N.Y. – Mayor Stephanie A. Miner announced today the City of Syracuse has reached a new contractual agreement with the leadership of the Syracuse Firefighters Union, the International Association of Firefighters (IAFF) Local 280 which, among other provisions, establishes a 5-year residency requirement for new hires in the department.

“This new contract recognizes the fact that there is a benefit anytime public employees live in the jurisdiction which they serve. I am pleased with this development and glad to see it included in the new contract agreement,” said **Syracuse Mayor Stephanie A. Miner**. “This contract is fiscally sound and includes fair compensation for our firefighters and appropriate increases in healthcare contributions, acknowledging the fiscal realities faced by the City of Syracuse.”

The new contract will mandate that all new firefighters hired by the Syracuse Fire Department live in the City of Syracuse for no less than 5 years upon employment with the City. The contract includes raises of 2% for firefighters retroactively on January 1, 2015, January 1, 2016, and going forward on January 1, 2017 and July 1, 2017. Currently, firefighters pay \$65 for single health coverage and \$130 for family health coverage per month. On July 1, 2016, that will increase to \$100 and \$200 respectively. On July 1, 2017, it will increase to \$115 and \$230, respectively.

Mayor Miner added, “One of the largest cost drivers facing the City of Syracuse is healthcare for our employees. It is important for everyone to recognize our challenging financial situation and be part of the effort to solve it. This contract demonstrates a collective commitment from the City and Local 280 to responsibly meet these challenges.”



OFFICE OF THE MAYOR
Hon. Stephanie A. Miner, Mayor

FOR IMMEDIATE RELEASE

DATE: May 27, 2016

CONTACT: Mayor's Press Office

(315) 448-8005

Under state law, firefighters, in addition to police officers, sanitation workers, and teachers, cannot be subjected to residency requirements as a condition of employment. Most municipal employees are required to live in the jurisdiction they serve. This contract waives their right, for the first five years of employment, to that law.

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Chapter 206

TREES

	Page		Page
§206-1. Purpose	206:1	§206-5. Recommended Tree Species	206:2
§206-2. Definitions	206:1	§206-6. Recommended Listing of Trees. to Plant	206:5
§206-3. City Forester	206:2	§206-7. Obstruction of Streets.....	206:5
§206-4. Planting, maintenance and removal regulations	206:2	§206-8. Emergency work	206:5

[HISTORY: Adopted by the City Council of the City of Ogdensburg 12-15-1975 as Ch. 44, Art. III, of the 1975 Ogdensburg Municipal Code. Amendments noted where applicable.]
[Amended 11-24-2014 by Ord. No. 17-2014]

GENERAL REFERENCES

Brush, grass and weeds -- See Ch. 83.
Parks -- See Ch. 149.

Subdivision of land -- See Ch. 193.

§206-1. Purpose

To establish rules and regulations governing tree planting, maintenance and removal within the public right-of-way, public facilities and parks.

§206-2. Definitions

"Street trees" are herein defined as trees and all other woody vegetation on land within the City right-of-way on either side of all streets, avenues, or ways within the City.

"Park Trees" are herein defined as trees and all other woody vegetation in public parks having individual names, and all areas owned by the City, or to which the public has free access as a park.

"Person" is herein defined as any corporation, firm, partnership, association, trust, estate, one (1) or more individuals and any unit of government or agency or subdivision thereof, except for a city agency.

"Tree Commission" is herein defined as a seven volunteer board, appointed by the Mayor and City Council, in charge of the City's comprehensive tree program.

OGDENSBURG CODE

§206-3. City Forester

- A. The office of the City Forester is hereby established in the Department of Parks and Recreation and is assumed by the Director of the Parks and Recreation Department as per AR.49F of the City Code.
- B. The City Forester, in consultation with the Department of Public Works, shall have the authority to implement and enforce the provisions of this chapter.
- C. In furtherance of the purposes of this chapter, in consultation with the City Forester in consultation with the Ogdensburg Tree Commission, shall have the authority to recommend rules and regulations regarding arboricultural specifications and standards of practice and such additional rules and regulations determined as necessary. These regulations shall govern the planting, maintenance, removal, pruning and protection of trees on public streets, parks or other city property.

§206-4. Planting, maintenance and removal regulations.

- A. It is the responsibility of the City Forester and appropriate staff to determine if trees on city right-of-way property and city-owned property are hazardous to life and property or harbor insects and disease to be removed from such property. If replacement is recommended by the City Forester, the city shall replace the tree within two years of removal.
- B. Wherever it is necessary to remove a tree from a public right-of-way in connection with sidewalk creation or maintenance or the paving or widening of a street, the city or responsible agency or person shall replant such tree or replace it with an appropriate tree from a recommended tree list. If conditions prevent planting in the right-of-way, this requirement may be satisfied by planting on the adjoining property if the property owner agrees.
- C. Requests from private citizens that new street trees be planted near their property shall be accommodated in accordance with planting priorities set by the City Forester in consultation with the Ogdensburg Tree Commission and the Department of Public Works.
- D. Specifications governing tree species, size, spacing and method and location of planting shall be approved by the City Forester. Inspection of the trees by the City Forester or his/her designee shall be carried out, whenever possible, prior to planting in order to ensure tree health and quality.
- E. Pruning of trees located within the City right-of-way shall be the responsibility of the City, overhanging the sidewalk right of way up to ten (10) feet in elevation, except for branches extending upward into overhead utilities which will be the responsibility of the utility company.

§206-5. Recommended Tree Species

The following list constitutes the official recommended tree species for trees planted within the municipal boundary:

TREES

Small Trees (less than 30') – Best suited for location with overhead utilities.

List adapted from Urban Horticulture Institute, Cornell University

- *Amelanchier* spp. (*A. arborea*, *A. canadensis*, *A. laevis*, and *A. x grandiflora*)
Serviceberry Species and Hybrids, Tree Forms
- *Carpinus caroliniana* Ironwood, Musclewood, or American Hornbeam
- *Cercis canadensis* Eastern Redbud
- *Cornus mas* Corneliancherry Dogwood
- *Cotinus obovatus* American Smoketree
- *Crataegus phaenopyrum* Washington Hawthorn
- *Crataegus punctata* var. *inermis* 'Ohio Pioneer' Ohio Pioneer Dotted Hawthorn
- *Crataegus viridis* 'Winter King' Winter King Hawthorn
- *Koelreuteria paniculata* Goldenraintree
- *Liquidambar styraciflua* 'Clydesform' Emerald Sentinel® Sweetgum
- *Malus* spp. Flowering Crabapple
- *Maple* (all varieties)
- *Parrotia persica* Persian Parrotia
- *Prunus* 'Accolade' (*P. sargentii* x *P. subhirtella*) Accolade Flowering Cherry
- *Prunus* 'Snow Goose' Snow Goose Cherry
- *Prunus virginiana* 'Canada Red Select' Canada Red Chokecherry
- *Pyrus betulaefolia* 'Southworth' and *P. calleryana* x *P. betulaefolia* 'Edgedell' Dancer™
Ornamental Birchleaf Pear and Edgewood™ Callery Pear
- *Pyrus calleryana* 'Jaczam', 'Jilzam', 'Valzam', and 'Cleprizam' Jack™, Jill™, Valiant®,
and Cleveland Pride® Callery Pears
- *Pyrus fauriei* 'Westwood' Korean Sun™ Pear
- *Pyrus ussuriensis* 'Mountain Frost' and 'MorDak' 'Mountain Frost' and Prairie Gem™
Ussurian Pears
- *Robinia pseudoacacia* 'Globe' (or 'Inermis') and 'Bessoniana' Globe and Bessoniana
Black Locust
- *Sorbus intermedia* Swedish Mountainash
- *Sorbus x hybrida* and *Sorbus x thuringiaca* (these hybrids of *S. aria* x *S. aucuparia* are
virtually the same plant and therefore readily confused in the trade) Oak-Leaf
Mountainash
- *Syringa reticulata* Japanese Tree Lilac
- *Tilia cordata* 'Halka' Summer Sprite® Littleleaf Linden
- *Viburnum sieboldii* Siebold Viburnum
- *Zelkova serrata* 'Schmidtlow' Wireless® Japanese Zelkova

OGDENSBURG CODE

Medium to Large Trees (greater than 30') – Not suitable for planting zones with overhead utilities. *List adapted from Urban Horticulture Institute, Cornell University*

- *Aesculus x carnea* (A. hippocastanum x A. pavia) Red Horsechestnut
- *Alnus glutinosa* European Alder or Black Alder
- *Betula nigra* 'Cully' and 'BNMTF' Heritage® and Dura-Heat™ River Birch
- *Betula populifolia* 'Whitespire Sr.' (cultivar formerly listed as *Betula platyphylla* var. *japonica*, Asian White Birch) Whitespire Sr. Gray Birch
- *Carpinus betulus* European Hornbeam
- *Catalpa speciosa* Northern Catalpa
- *Celtis laevigata* Sugar Hackberry, Southern or Mississippi Hackberry
- *Celtis occidentalis* Common Hackberry
- *Cercidiphyllum japonicum* Katsura Tree
- *Cladrastis kentukea* Yellowwood
- *Corylus colurna* Turkish Filbert
- *Ginkgo biloba* Ginkgo, sometimes called Maidenhair Tree
- *Gleditsia triacanthos* var. *inermis* Thornless Common Honeylocust
- *Gymnocladus dioica* Kentucky Coffeetree
- *Liquidambar styraciflua* American Sweetgum
- *Liriodendron tulipifera* Tuliptree or Tulip Poplar
- *Maclura pomifera* var. *inermis* (male) Osage Orange
- Maple (all varieties)
- *Metasequoia glyptostroboides* Dawn Redwood
- *Nyssa sylvatica* Black Tupelo, also known as Sour Gum or Black Gum
- *Ostrya virginiana* American Hophornbeam (also known as Ironwood, but should not be confused with *Carpinus caroliniana*, which is more commonly called Ironwood)
- *Phellodendron amurense* Amur Corktree
- *Platanus x acerifolia* London Planetree
- *Prunus sargentii* Sargent Cherry
- *Pyrus calleryana* Callery Pear
- *Quercus acutissima* Sawtooth Oak
- *Quercus bicolor* Swamp White Oak
- *Quercus coccinea* Scarlet Oak
- *Quercus imbricaria* Shingle Oak
- *Quercus macrocarpa* Bur Oak or Mossycup Oak
- *Quercus muehlenbergii* Chinkapin Oak, sometimes called Yellow Chestnut Oak
- *Quercus palustris* Pin Oak
- *Quercus phellos* Willow Oak
- *Quercus robur* English Oak
- *Quercus rubra* Northern Red Oak
- *Quercus shumardii* Shumard Oak

TREES

Robinia pseudoacacia Black Locust

- *Sorbus alnifolia* Korean Mountainash
- *Styphnolobium japonicum* (*Sophora japonica*) Japanese Pagodatree or Scholar-tree
- *Taxodium distichum* Common Baldcypress
- *Tilia americana* Basswood
- *Tilia cordata* Littleleaf Linden
- *Tilia x euchlora* (*T. cordata* x *T. dasystyla*) Crimean Linden
- *Tilia tomentosa* Silver Linden
- *Ulmus americana* American Elm Cultivars
- *Ulmus* x species Elm Hybrids
- *Ulmus parvifolia* Chinese Elm or Lacebark Elm
- *Zelkova serrata* Japanese Zelkova

For additional information on recommended tree species refer to the City's Tree Inventory and Management Plan.

§206-6. Recommended Listing of Trees to Plant

No species other than those included on this list shall be planted as street trees without written authorization of the City Forester in consultation with the Ogdensburg Tree Commission.

§260-7. Obstruction of streets

It shall be the duty of City Staff to ensure that trees on right-of-way property are pruned in a manner that will not obstruct free passage of pedestrians on sidewalks. When trees are interfering with utility wires, it is the obligation of the appropriate utility company to correct the situation.

§260-8. Emergency work

This chapter shall not govern any emergency activity immediately necessary to protect life, safety or property or to maintain access to any property. Any such activity shall incorporate reasonable efforts to protect trees and shrubs on city property from unnecessary damage.