

CITY COUNCIL MEETING
November 28, 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

PERSONAL APPEARANCE

1. Ken Loffler, 519 Ford Avenue, addressed Council regarding a letter his neighbor received from the Department of Public Works concerning snow removal. Mayor Ashley said the matter appears to be a personnel issue and recommended Mr. Loffler speak with City Manager Sarah Purdy regarding his concerns.

CONSENT AGENDA

Mayor Ashley moved that the claims as enumerated in General Fund Warrant #20-2016 in the amount of \$504,920.40 and Library Fund Warrant #20-2016 in the amount of \$26,663.71 and Capital Fund Warrant #20-2016 in the amount of \$49,236.21 and Community Development Fund Warrant #20-2016 in the amount of \$0.00 and Community Renewal Fund Warrant #20-2016 in the amount of \$0.00 as audited, be and the same are ordered paid and Councillor Price seconded the motion.

The vote was:

CARRIED, AYES ALL

ITEMS FOR COUNCIL ACTION

1. Councillor Morley moved a resolution to establish the Ogdensburg Journal as the official newspaper for the City of Ogdensburg for 2017, and Councillor Stevenson seconded to wit:

RESOLUTION DESIGNATING THE
2017 OFFICIAL NEWSPAPER

BE IT RESOLVED, that the official newspaper for the City of Ogdensburg for 2017 shall be the Ogdensburg Journal.

The vote was:

CARRIED, AYES ALL

2. Councillor Skamperle moved a resolution designating the official City bank depositories for 2017, and Councillor Price seconded to wit:

RESOLUTION DESIGNATING THE
2017 OFFICIAL BANK DEPOSITORIES

BE IT RESOLVED, that Community Bank NA, NBT Bank NA, Upstate National Bank, Key Bank of Northern New York NA, and NYCLASS through Public Trust Advisors, LLC be designated as official depositories of City Funds for 2017.

The vote was:

CARRIED, AYES ALL

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3. Councillor Mitchell moved a resolution designating the 2017 City Council Meeting Dates, and Councillor Morley seconded to wit:

2017 CITY COUNCIL MEETING DATES

BE IT RESOLVED, that the regular City Council meetings for the City of Ogdensburg, shall be on the second and fourth Mondays, of each month except July, August and December, and unless such date is a legal holiday, in which event the meeting will be held on the next business day. The dates of these meetings are listed below:

January	9, 23
February	13, 27
March	13, 27
April	10, 24
May	8, 22
June	12, 26
July	10
August	14
September	11, 25
October	10, 23
November	13, 27
December	4, 11

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BE IT FURTHER RESOLVED, all the meetings will be held at 7:00 pm in the City Council Chambers, City Hall or at such other places as may be designated by the City Council. All meetings are open to the public.

City Clerk Kathleen Bouchard said there are NYCOM meetings scheduled for February and May which will interfere with the scheduled Council meetings and asked if Council wished to amend the resolution now. Mayor Ashley said Council will wait until the meetings are closer to determine which Council members plan to attend the NYCOM meetings.

The vote was:

CARRIED, AYES ALL

4. Councillor Davis moved a resolution authorizing the City Manager to execute a Residuals Management Service Agreement with Waste Stream Inc., and Councillor Mitchell seconded to wit:

RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A
RESIDUALS MANAGEMENT SERVICE AGREEMENT
BETWEEN THE CITY AND WASTE STREAM INC.

WHEREAS, the City of Ogdensburg Wastewater Treatment Plant generates 825 wet tons of sludge residuals per year, and

WHEREAS, Waste Stream Inc., (d/b/a Casella Waste Services) will provide a comprehensive service for the removal and proper disposal of sludge residuals, and

NOW, THEREFORE, BE IT RESOLVED that the City Manager, Sarah Purdy, is hereby authorized and directed to sign a Five (5) Year Residuals Management Service Agreement with the Waste Stream Inc., commencing on January 1, 2017.

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Mayor Ashley asked if we currently haul our own sludge. Director of Public Works Scott Thornhill said yes. Mr. Thornhill explained Grass Lands in Chateaugay processes the sludge into compost for farmers and the question was raised if we should continue dumping our sludge in a landfill or recycle it. Mr. Thornhill said Casella would handle the transportation which would make the employee currently transporting our sludge available for other duties. Mr. Thornhill said there are additional costs associated with transporting the sludge ourselves such as fuel cost, employee time and maintenance on our truck. Councillor Stevenson asked if this change would result in a loss of manpower. Mr. Thornhill said no, it would result in better utilization of manpower. Mr. Thornhill explained he wants to focus on the productivity of employees and believes this is a good decision for the City. Mr. Thornhill said when you look at all costs associated with the sludge removal we would be breaking even under this contract. Mr. Thornhill said this expense has no impact on the General Fund since the money comes from the Water and Sewer Funds.

Councillor Stevenson asked if the minimum length of the contract could be reduced. Mr. Thornhill said he can explore that option but cautioned it may affect the price. Mr. Thornhill explained Casella would construct watertight boxes at their own expense. Councillor Stevenson asked for the age of the truck we currently use to transport the sludge. Mr. Thornhill said he believes the truck is a 1998 or 1999 and has a plastic body. Councillor Davis asked if there is a deadline to enter into this agreement. Mr. Thornhill said we would need a decision quickly. Councillor Price asked for a complete cost comparison. City Manager Sarah Purdy recommended Council table the matter until the next Council meeting so Mr. Thornhill can prepare a detailed report for Council to review.

Councillor Davis made a motion to table the resolution, and Councillor Skamperle seconded.

The vote to table was:

CARRIED, AYES ALL

5. Councillor Morley moved a resolution to provide for public notice and public hearing with regarding to an amendment to the Ogdensburg Municipal Code, Chapter 189 entitled Streets and Sidewalks, and Councillor Stevenson seconded to wit:

RESOLUTION
INTRODUCING ORDINANCE #__ FOR 2016

BE IT RESOLVED that proposed Ordinance # __ of the year 2016 entitled:

Amendment to Chapter 189, entitled Streets and Sidewalks, of the Ogdensburg Municipal Code of the City of Ogdensburg be and it hereby is introduced before the City Council of the City of Ogdensburg, NY, and

BE IT FURTHER RESOLVED that copies of the aforesaid proposed Ordinance be laid upon the desk of each member of the City Council, and

BE IT FURTHER RESOLVED, that the City Council hold a Public Hearing on said proposed Ordinance at the City Council Chambers at 7:00 pm on Monday, December 12, 2016, and

BE IT FURTHER RESOLVED that the City Clerk publish or cause to be published a public notice in the official newspaper of the City of Ogdensburg of said public hearing at least seven days prior thereto.

The vote was:

CARRIED, AYES ALL

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6. Mayor Ashley moved a resolution calling for a public hearing on an ordinance to amend Administrative Regulations §24. entitled “Right of entry; services on private property”, of the Code of the City of Ogdensburg, and Councillor Price seconded to wit:

RESOLUTION OF CITY COUNCIL CALLING FOR A PUBLIC HEARING
TO AMEND THE ADMINISTRATIVE REGULATIONS §24.
ENTITLED “RIGHT OF ENTRY; SERVICES ON PRIVATE PROPERTY”

BE IT RESOLVED, that Ordinance No. ___ of 2016, entitled "Ordinance amending Administrative Regulations §24. entitled “Right of entry; services on private property”, 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 Monday the 12th day of December 2016, 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.

Director of Public Works Scott Thornhill explained this change would establish a policy concerning items offered for sale or for free in front of properties. Mr. Thornhill said items are often left out for extended periods of time and sometimes destroyed in the street leaving the City to clean up the mess. Mr. Thornhill said the property owner would be mailed a notice of correction and allowed five business days to remove the property. Mr. Thornhill explained if the violation was not rectified, the City would remove the items at cost to the property owner.

The vote was:

CARRIED, AYES ALL

7. Councillor Stevenson moved a resolution to provide for public notice and public hearing with regard to an amendment to the Ogdensburg Municipal Code, Chapter 181 entitled "Solid Waste", and Councillor Skamperle seconded to wit:

RESOLUTION
INTRODUCING ORDINANCE #__ FOR 2016

BE IT RESOLVED that proposed Ordinance #__ of the year 2016 entitled:

Amendment to Chapter 181, entitled Solid Waste, of the Ogdensburg Municipal Code of the City of Ogdensburg be and it hereby is introduced before the City Council of the City of Ogdensburg, NY, and

BE IT FURTHER RESOLVED that copies of the aforesaid proposed Ordinance be laid upon the desk of each member of the City Council, and

BE IT FURTHER RESOLVED, that the City Council hold a Public Hearing on said proposed Ordinance at the City Council Chambers at 7:00 pm on Monday, December 12, 2016, and

BE IT FURTHER RESOLVED that the City Clerk publish or cause to be published a public notice in the official newspaper of the City of Ogdensburg of said public hearing at least seven days prior thereto.

The vote was:

CARRIED, AYES ALL

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8. Mayor Ashley moved a resolution authorizing the City Manager to execute a promissory note with the Ogdensburg Growth Fund, and Councillor Skamperle seconded to wit:

**RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A
PROMISSORY NOTE WITH THE OGDENSBURG GROWTH FUND**

WHEREAS, Ogdensburg Growth Fund Development Corporation ('CORPORATION') is the Fund Administrator for the City of Ogdensburg's ('CITY') \$1 Million EPA Revolving Loan Fund ('RLF') Cooperative Agreement 97219800; and

WHEREAS, on the 29th day of September 2011 the City executed an intergovernmental loan agreement in the amount of \$990,000 to assist with remedial efforts at the former Shade Roller property to be paid the sooner of sale of the property or September 29, 2016; and

WHEREAS, in accordance with EPA Revolving Loan Fund Grant Program Administrative Manual, ed. December 2008, Page 3-15, the Corporation at its meeting held November 21, 2016 approved the maximum loan forgiveness of \$200,000 on the original loan of \$990,00; and

WHEREAS, the Corporation further authorizes an extension to repay the balance of \$90,000 in accordance with the terms of the attached certified resolution and promissory note.

NOW, THEREFORE BE IT RESOLVED, that the Ogdensburg City Council hereby authorizes the City Manager to execute the attached Promissory Note for the purpose of repaying the \$90,000 RLF balance due to the Corporation as the Fund Administrator.

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Director of Planning and Development Andrea Smith explained the promissory note gives the City the opportunity to repay the remaining \$90,000 balance of a \$1 million loan over the course of the next five years. Ms. Smith said the Growth Fund forgave \$200,000 of the balance due after the City was able to repay \$700,000 using Restore NY grant funding. Mayor Ashley asked where the money will come from to repay the Growth Fund. City Manager Sarah Purdy explained the funds can come from the sale of the property or the proceeds of another grant. Ms. Purdy said the City has five years to figure it out.

The vote was:

CARRIED, AYES ALL

9. Councillor Stevenson moved a resolution providing for public notice and public hearing regarding the submission of a FY2017 US EPA Assessment Coalition Grant Application, and Councillor Skamperle seconded to wit:

RESOLUTION OF THE CITY COUNCIL TO PROVIDE FOR PUBLIC NOTICE AND PUBLIC HEARING

WHEREAS, the City of Ogdensburg is submitting an assessment coalition grant application to the U.S. Environmental Protection Agency; and

WHEREAS, the City Council and staff of the Office of Planning and Development are desirous of obtaining public input into the matter of the ongoing brownfield activities and the need for Environmental Site Assessment within St. Lawrence County including the City of Ogdensburg,

NOW, THEREFORE, BE IT RESOLVED that the City Council shall hold a public hearing in the matter of the ongoing brownfield community development program to be held in the City Council Chambers at City Hall, Ogdensburg, New York, on the 5th day of December, 2016, at 7:00 p.m.; and

BE IT FURTHER RESOLVED, that the City Clerk give notice of such public hearings 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 dates setting forth the time and place.

The vote was:

CARRIED, AYES ALL

10. Councillor Price moved a resolution to amend the City of Ogdensburg Preliminary 2017 Budget, which was accepted at the November 14, 2016 Council Meeting with revisions, and Councillor Stevenson seconded to wit:

RESOLUTION TO AMEND
THE CITY OF OGDENSBURG'S PRELIMINARY ACCEPTED 2017 BUDGET

WHEREAS, the City of Ogdensburg's 2017 Preliminary Budget accepted at the November 14, 2016 Council Meeting, after further deliberations has revisions; and

WHEREAS, the following revisions listed on the attached chart, are hereby made to the Ogdensburg 2017 Preliminary Budget:

1. General Fund Appropriations decreased by \$52,877., and
2. General Fund Revenues (other than property taxes) increased by \$474,005.,
and
3. Water Fund Appropriations increased by \$76,510., offset by \$76,510. from Water Fund Balance Revenues, and
4. Sewer Fund Appropriations increased by \$79,201., offset by \$79,201. from Sewer Fund Balance Revenues, and

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NOW, THEREFORE, BE IT RESOLVED that as a result of the above revisions, property taxes will be decreased by \$526,882, the new proposed tax levy will be \$5,674,602 and the proposed tax rate will be \$20.9415 per thousand dollars of assessed valuation.

BE IT FURTHER RESOLVED that as a result of the above revisions the total Preliminary General Fund Budget is \$13,735,647, Water Fund Budget is \$2,469,990 and Sewer Fund Budget is \$2,966,960.

City Manager Sarah Purdy explained in detail the proposed adjustments to the 2017 budget. Mayor Ashley asked how these changes would impact the proposed tax increase. Councillor Morley said the increase would still be 20%. Ms. Purdy explained the amendments should be approved in the event Council is unable to adopt a budget by December 20th and we must revert to the preliminary budget.

The vote was:

CARRIED, AYES ALL

OLD BUSINESS

1. Councillor Morley said the City should institute a hiring freeze immediately, noting employees are our biggest expense. Councillor Morley said paying overtime to current employees is cheaper than paying a new employee salary and benefits. Mayor Ashley agreed. Councillor Skamperle cautioned against a hiring freeze because of contract issues. Councillor Skamperle explained we may need to expand our Police Department to cover the new contract at the airport. Councillor Stevenson said we do need to look at changes but disagreed with a blanket hiring freeze. Councillor Mitchell requested a list of hiring planned for 2017. Ms. Purdy said it is difficult to estimate since employees are not required to give much notice of retirement. Ms. Purdy said she would discuss this issue with department heads but recommended vacancies not be filled immediately. Ms. Purdy explained she intends to find ways to deal with vacancies such as combining positions, similar to how the transition of the new City Comptroller was handled.

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Councillor Morley made a motion to institute a blanket hiring freeze, and Mayor Ashley seconded. Councillor Morley said not replacing four current vacancies could save the City approximately \$200,000. Ms. Purdy cautioned we would lose the airport security revenue because we would not be able to staff it as required.

Councillor Price said last Wednesday's budget hearing was very productive, and there was a consensus among those present that eliminating positions is not the answer. Councillor Price explained we need to cut services and keep our people working. Councillor Price said those employed by the City purchase homes, pay taxes and contribute to our community. Mayor Ashley said he would agree with that statement if there was a residency requirement for all employees.

Councillor Morley said we need to reduce staffing. Councillor Stevenson said positions can be eliminated if necessary without adopting a blanket hiring freeze. Councillor Skamperle said it is the City Manager's job to determine what positions should be filled and Council cannot micromanage.

The vote was:

AYES: Mayor Ashley and Councillor Morley

NAYS: Councillors Davis, Mitchell, Price,
Skamperle and Stevenson

DEFEATED, 5 TO 2

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2. Councillor Morley made a motion that Council set a limit on the proposed tax increase and let the City Manager make the necessary adjustments to meet that goal over the next week. The motion died for lack of a second. Mayor Ashley said Council has not yet completed all budget hearings and suggested Council keep working on the budget. Councillor Morley said the City should only provide necessary services such as Police, Fire and Public Works and recommended the elimination of the Recreation Department. Councillor Price said Council needs to look at every department more closely. Councillor Stevenson suggested reviewing alternate funding sources for some programs. Councillor Mitchell noted several summer camps hosted by the Recreation Department lost money. Councillor Morley said program rates should be increased to at least cover the cost, and duplicate services in the City should be eliminated.

3. Councillor Skamperle asked for an update on the Co-gen plant. Ms. Purdy explained she has spoken with Greg Sharland, Jim Reagan from Senator Ritchie's office and Jon Cardinal from Senator Gillibrand's office. Ms. Purdy said there was a consensus to find the most effective way to get the project moving, and she will update Council as information becomes available.

4. Councillor Mitchell asked if the final leaf pickup will be completed since it has now snowed. Director of Public Works Scott Thornhill said his crews will continue brush pickup if the weather cooperates.

5. Mr. Thornhill said he would like one more City Councillor to participate in the Preliminary Engineering Report workshop scheduled for December 19, 2016 and asked that any Council member interested send him an email.

6. Councillor Morley asked for an update on his request for a list of attorney fees for the cheese plant. City Manager Sarah Purdy said that information is still being compiled.

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NEW BUSINESS

1. Mayor Ashley said he has received complaints that businesses are blocking crosswalks with piled snow and asked that this issue be rectified.

ITEMS FOR DISCUSSION

1. Councillor Davis congratulated the Ogdensburg Free Academy varsity football team on their recent accomplishments and participation in the New York State championship game. Councillor Davis said the team and coaches made everyone proud and put on a great performance. Councillor Davis added the students were well behaved and very well coached. Councillor Price agreed and said he has never seen a community come together and show support like we did. Councillor Mitchell said the send-off was amazing. Councillor Stevenson said the players are great role models for the younger kids.

CITIZEN PARTICIPATION

1. Doug Loffler, 311 Paddock Street, addressed Council regarding the budget. Mr. Loffler said the City should cut everything except necessities. Mr. Loffler explained a 20% increase in taxes is unacceptable and reminded Councillors of their campaign promises. Mr. Loffler asked when the 2017 budget will be available to the public. City Manager Sarah Purdy said it is available online. Mr. Loffler cautioned against transferring money from the water and sewer funds and said Council also needs to prepare for what will be done at this time next year.

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