

CITY COUNCIL MEETING

July 10, 2017

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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,
Price, Skamperle and Stevenson

ABSENT: Councillor Morley

There was a consensus of Council to excuse Councillor Morley because he was sick.

PRESENTATION

1. City Manager Sarah Purdy provided Council with an update on the sink hole at the corner of Jay and Park Streets. Ms. Purdy stressed the importance of maintaining our water and sewer systems as well as our roadways.

Ms. Purdy also made a presentation to Council regarding the Capital Plan and the 2018 Budget development schedule. (A copy of her presentation follows these minutes.)

2. Greg Royer and Scott Clark, Smart Watt, made a presentation to Council regarding Smart Watt Energy and Street Lighting programs. (A copy of their presentation material follows these minutes.)

PUBLIC HEARING

1. A public hearing regarding the sale of City-owned property, formally known as the northern most (approximately) 30' x 171' portion of paper Old Lisbon Street was held. No one being present to speak, the hearing was declared closed.

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2. A public hearing to seek public comments on the City of Ogdensburg's community development needs, and to discuss the possible submission of one or more Community Development Block Grant (CDBG) applications for the 2017 program year was held.

Doug Loffler, 311 Paddock Street, asked if there are any CDBG grants available to assist the City with recreational improvements. Director of Planning and Development Andrea Smith said this particular CDBG application is specifically for basic public infrastructure under the eminent threat provisions and not for recreational needs.

No one else being present to speak, the hearing was declared closed.

PERSONAL APPEARANCE

1. Doug Loffler, 311 Paddock Street, thanked the Director of Planning and Development Andrea Smith for addressing his questions regarding the CDBG grant application and City Manager Sarah Purdy for developing a plan to address the City's future financial needs.

Mr. Loffler asked if we are paying the Department of Public Works employees overtime to pick up brush. Ms. Purdy explained that since reinstating last year's brush policy, overtime may be required when time does not permit it to be done during the normal business day. Ms. Purdy said in an effort to save money the City included labor costs in the CHIPS program application. Because of that we must adhere to the CHIPS scheduled projects or we will lose that money.

CONSENT AGENDA

Mayor Ashley moved that the claims as enumerated in General Fund Warrant #12-2017 in the amount of \$413,109.70 and Library Fund Warrant #12-2017 in the amount of \$20,803.26 and Capital Fund Warrant #12-2017 in the amount of \$0.00 and Community Development Fund Warrant #12-2017 in the amount of \$0.00 and Community Renewal Fund Warrant #12-2017 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

APPOINTMENTS

1. Mayor Ashley moved to appoint Frederick Bean, Jr. to a six year term on the Ogdensburg Civil Service Commission, term to expire 6/1/2023, and Councillor Stevenson seconded the motion.

The vote was:

CARRIED, AYES ALL

ITEMS FOR COUNCIL ACTION

1. Councillor Stevenson moved an ordinance to sell City-owned property previously known as the northern most (approximately) 30' x 171' portion of paper Old Lisbon Street, and Councillor Skamperle seconded to wit:

ORDINANCE #13 of 2017
AN ORDINANCE TO OFFER FOR SALE AT PUBLIC AUCTION
CITY-OWNED PROPERTY

BE IT ORDAINED AND ENACTED by the City Council of the City of Ogdensburg, New York, as follows:

SECTION ONE:

The following property shall be offered for sale at public auction by the City of Ogdensburg:

<u>LOCATION</u>	<u>MINIMUM PURCHASE PRICE</u>	<u>RESTRICTION(S)</u>
Lisbon Street (unpaved portion of former paper Old Lisbon Street 30'x171')	\$3,550.00(includes survey \$750.,recording fees \$350. & attorney fee \$450.)	none

SECTION TWO: The City does not guarantee clear property title in the transfer of properties by auction and conveyance will be made by Quit Claim Deed. The City Council reserves the right to reject any or all bids or to withdraw any parcel from sale.

SECTION THREE: This ordinance shall become effective after public notice has been published at least once each week for three weeks in the official City newspaper.

The vote was:

CARRIED, AYES ALL

2. Mayor Ashley moved a resolution authorizing the City Manager to submit a 2017 Imminent Threat CDBG Application in the amount of \$500,000, and Councillor Price seconded to wit:

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RESOLUTION AUTHORIZING THE CITY MANAGER TO SUBMIT
A 2017 IMMINENT THREAT
COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION

WHEREAS, New York State Homes and Community Renewal (HCR) has made available up to \$10 million in state funding available to assist eligible local municipalities with recovery efforts, including repairs to flood walls, roads, sidewalks, and culverts, as well as public water and sewer infrastructure; and

WHEREAS, the City Council held a public hearing on the 10th day of July 2017, all those desired to be heard were heard and their comment recorded at this hearing.

NOW, THEREFORE, BE IT RESOLVED, by the Ogdensburg City Council that it hereby authorizes the filing of a 2017 Imminent Threat Community Development Block Grant Application to secure funding to undertake improvements, caused by high water levels and flooding, to the Main Street Pump Station and Greenbelt Traffic Circle in the amount of \$500,000.00.

BE IT FURTHER RESOLVED, that the City Manager or her designee, is hereby authorized to submit the application, and if awarded, to administer the program, including executing all necessary documents relating to the application or administration of the program.

Councillor Skamperle explained the owner of the lighthouse does not have City water and has been unable to use his well for the past 90 days due to the flooding. Councillor Skamperle asked if the City can add this individual to its CDBG application and install a water line. City Manager Sarah Purdy said the City cannot apply for a grant on behalf of an individual, and the owner would need to apply under the homeowner's program.

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Director of Public Works Scott Thornhill said there are no water lines south of the arterial other than a 600' lateral owned by a private homeowner which only furnishes one house in that area. Ms. Purdy explained the homeowner would need to have the water line installed and suggested the homeowner pursue that possibility through his own grant application. Councillor Skamperle asked if the City can assist the homeowner with specifics regarding the installation of the water line such as length and pipe size. Ms. Purdy said City staff could help with the specs but cannot develop the design.

Councillor Skamperle asked how the Community Garden and Fort la Presentation obtain water. Mr. Thornhill said they obtain water off a hydrant. Councillor Skamperle asked if Fort la Presentation receives City water without paying for it, and Mr. Thornhill said there is no meter. Councillor Skamperle said everyone should be paying, and Ms. Purdy said City staff can look into that. Councillor Stevenson said the location of the Community Garden was selected by Council to be the best location for the community and noted there is minimal water use by the Community Garden and Fort la Presentation. Mr. Thornhill explained that the Pride and Beautification group accesses unmetered City water as well. Councillor Davis asked for an estimate of the cost to install meters for these groups, and Mr. Thornhill said it would astronomical.

The vote was:

CARRIED, AYES ALL

3. Councillor Mitchell moved a resolution to call for a public hearing regarding a Local Law to amend Chapter 54 of the City Charter, and Councillor Skamperle seconded to wit:

RESOLUTION OF CITY COUNCIL
INTRODUCING A LOCAL LAW AND PROVIDING FOR PUBLIC NOTICE
AND PUBLIC HEARING

BE IT RESOLVED that proposed Local Law #2 of the year 2017 entitled:

Amendment to the City Charter, Article XV, §C-54. entitled Department of Personnel; City Civil Service Commission, 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 Local Law be given to each member of the City Council, and

BE IT FURTHER RESOLVED, that the City Council hold a Public Hearing on said proposed Local Law at the City Council Chambers at 7:00 pm on August 14, 2017, and

BE IT FURTHER RESOLVED, that the City Clerk give notice of such public hearing by publication, in the newspaper so designated for the publication of legal notices, at least seven days before the hearing date, of a notice setting forth the time and place and describing the proposed Local Law in summary form.

The vote was:

CARRIED, AYES ALL

4. Councillor Price moved a resolution to appoint the audit firm for the years 2018-2020, and Councillor Skamperle seconded to wit:

RESOLUTION AUTHORIZING A CONTRACT
FOR AUDIT SERVICES FOR THE YEARS 2018-2020

WHEREAS, the City Charter, Chapter C-15, requires that the City have an independent annual audit, and

WHEREAS, the City Comptroller has solicited proposals for a three year contract, for the years 2018-2020, and

WHEREAS, the City has received and reviewed the proposals, and

WHEREAS, the firm of Pinto-Mucenski-Hooper-VanHouse & Co. has met the requirements of the proposal,

NOW, THEREFORE BE IT RESOLVED, that the City Manager is authorized to enter into a contract with Pinto-Mucenski-Hooper-VanHouse & Co. to perform the annual audit for the years 2018-2020 for the price of \$19,200 for 2018, \$19,600 for 2019 and \$20,000 for 2020.

Councillor Stevenson said the City has been receiving the audit later and later each year and asked if this issue was addressed. City Manager Sarah Purdy said yes.

The vote was:

CARRIED, AYES ALL

5. Councillor Davis moved a resolution authorizing the City Manager to enter into a contract with Frank J. Danko Construction Corporation for the Department of Public Works – Water Storage Vault Repairs (Phase II), installation of geomembrane at the City Water Treatment Plant, 600 Ogden Street, for a sum, not to exceed \$128,465.00, and Councillor Skamperle seconded to wit:

RESOLUTION AUTHORIZING AWARD OF CONTRACT
FOR INSTALLATION OF GEOMEMBRANE AT THE WATER
FILTRATION/TREATMENT PLANT

WHEREAS, the NYS Department of Health is requiring the City to repair the leaking roof of the Water Storage Vault at the Water Filtration Plant; and

WHEREAS, the City has determined that the most cost effective way to address the NYS DOS requirement, is the installation of Geomembrane.

WHEREAS, bids have been solicited and received for the installation of Geomembrane at the Water Filtration/Treatment Plant at 600 Ogden Street; and

WHEREAS, the City's consulting engineer, Tisdell Associates, has evaluated the bids and recommended the contract be awarded to the responsible low bidder;

NOW, THEREFORE, BE IT RESOLVED that Sarah Purdy, City Manager, is hereby authorized to enter into the following contract, for a sum not to exceed \$128,465.00 for the designated project, on behalf of the City;

Frank J. Danko Construction Corporation \$128,465.00
P.O. Box 239
Massena, NY 13662

BE IT FURTHER RESOLVED that the funds to pay for this project will come from currently budgeted sources.

Mayor Ashley asked where the funding will come from for this project. Ms. Purdy said the water fund. Councillor Skamperle asked for an explanation of a geomembrane. Public Works Director Scott Thornhill explained it is rubber membrane installed over the ceiling of the water vault at ground level. Councillor Stevenson asked if we still have good quality water since the NYSDOH is making this requirement. Mr. Thornhill said yes and explained this is simply a preventative measure.

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The vote was:

CARRIED, AYES ALL

OLD BUSINESS

1. Councillor Skamperle asked for an update on the Co-gen Plant. City Manager Sarah Purdy said there is no new information to report.

NEW BUSINESS

1. Mayor Ashley encouraged everyone to attend the Fort la Presentation re-enactment event scheduled for this coming weekend.

2. Councillor Price said he has reviewed the Article 9 NYS Energy Law and asked if the City is in compliance with the recommendations outlined. Public Works Director Scott Thornhill said Smart Watt goes above the NYSERDA recommendation outlined in Article 9. City Manager Sarah Purdy said City staff have been reviewing the street light options for several years. Mr. Thornhill explained other programs have been reviewed, but those programs are not nearly as conducive to the type of savings anticipated with Smart Watt.

ITEMS FOR DISCUSSION

1. Councillor Price said as people enter the City near Proctor Avenue and Ford Street there is an area with brush overgrowth and asked who owns that property. Councillor Price said a Paterson Street parcel was recently cleared of overgrowth and asked why all property owners, such as the owner of the large Riverside Avenue parcel near the Paterson Street boat launch, are not being pursued to stay in compliance with our weed ordinance.

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Public Works Director Scott Thornhill asked City Clerk Kathleen Bouchard to provide Council members with a copy of the brush section of the Municipal Code. Mr. Thornhill encouraged Council members to review the section of the Municipal Code and suggested the Code Enforcement Office could review the specific parcels mentioned and update Council.

Councillor Skamperle said there are many weeds growing up through the cobblestone at Morrissette Park, but he was told by Recreation Director Matthew Curatolo that the City does not have anyone on staff with an applicators license to spray weed killer. Councillor Skamperle asked if we can check with the municipalities that we have a shared services agreement with to see if they have a licensed applicator on staff. City Manager Sarah Purdy said she would check into it.

2. Councillor Skamperle questioned why our Fire Department is performing inspections at the prisons, but New York State is not being billed for each inspection. Councillor Stevenson said she understood tours of the facilities were given but no inspections were performed. Councillor Skamperle said if the City charges property owners for inspections we should also be billing New York State.

3. Councillor Skamperle asked if the State Legislature passed the proposal to reimburse municipalities with a certain percentage of tax exempt properties off their tax rolls. City Manager Sarah Purdy said not yet, and she believes we need to stress that issue to the Restructuring Board so they know the impact on Ogdensburg.

4. Councillor Skamperle asked if the City is picking up brush from tax exempt properties and if non-taxpayers can be billed for services. Ms. Purdy said she will consult with City Attorney Andy Silver.

5. Councillor Skamperle asked if the City can develop an ambulance service to generate revenue. Councillor Skamperle explained our EMS providers are the first on the scene and saving lives. Ms. Purdy said she will look into that option and provide Council with more information.

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Ms. Purdy requested Councillors review the date of the Council Meeting scheduled for August 14, 2017 since we are already aware that two Councillors are unable to attend. Ms. Purdy explained to discuss that particular subject would require an executive session. Councillor Skamperle said the remainder of July could also be an option for a Council meeting.

Mayor Ashley asked if the City's contract with the Rescue Squad will expire soon, and Ms. Purdy said yes. Councillor Skamperle said half of the Rescue Squad building is tax exempt and recommended that issue also be reviewed.

CITIZEN PARTICIPATION

1. Michael Edgar, 920 Ogden Street, said he is still seeing issues with flag etiquette in the City. City Manager Sarah Purdy noted Mr. Edgar's concerns.

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