

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

PRESENT: Mayor Ashley, Councillors Davis, Kennedy,
Shaver, Skamperle and Stevenson

ABSENT: Councillor Price

Mayor Ashley said Councillor Price was unable to be present. There was a consensus of Council to excuse Councillor Price.

PRESENTATION

1. Erin Covell made a presentation to Council regarding The People Project. Ms. Covell explained the teachers union is driving an initiative to improve the quality of life in St. Lawrence County. Ms. Covell said the project is bringing together businesses, community groups and union members with an eye toward boosting economic development, improving public education and addressing health issues including opioid addiction.

PUBLIC HEARING

1. A public hearing regarding an ordinance to amend Chapter 83 entitled Brush, Grass and Weeds of the Municipal Code of the City of Ogdensburg was held. No one being present to speak, the hearing was declared closed.

CORRESPONDENCE

1. City Clerk Kathleen Bouchard read a letter from Allan Mooney, VFW Post 2936 and American Legion Post 69, requesting permission to hold the Memorial Day Parade on May 28, 2018 at 10:00 a.m. (A copy of the letter follows these minutes.)

CONSENT AGENDA

Mayor Ashley moved that the claims as enumerated in General Fund Warrant #09-2018 in the amount of \$1,505,002.43 and Library Fund Warrant #09-2018 in the amount of \$53,266.13 and Capital Fund Warrant #09-2018 in the amount of \$63,472.43 and Community Development Fund Warrant #09-2018 in the amount of \$8,133.65 and Community Renewal Fund Warrant #09-2018 in the amount of \$3,926.79 as audited, be and the same are ordered paid and Councillor Skamperle seconded the motion.

The vote was:

CARRIED, AYES ALL

ITEMS FOR COUNCIL ACTION

1. Councillor Skamperle moved an ordinance to amend Chapter 83 entitled Brush, Grass and Weeds of the Municipal Code of the City of Ogdensburg, and Councillor Stevenson seconded to wit:

ORDINANCE #9 OF 2018
AN ORDINANCE AMENDING CHAPTER 83 ENTITLED
“BRUSH, GRASS AND WEEDS”
OF THE MUNICIPAL CODE OF THE CITY OF OGDENSBURG

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF
OGDENSBURG, NEW YORK, AS FOLLOWS:

ITEM ONE: That Chapter 83; entitled Brush, Grass and Weeds is hereby deleted in its entirety and replaced with the following:

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§ 83-1. Procedures.

It shall be unlawful for any owner, lessee or occupant or any agent or employee of any such owner, lessee or occupant having control of any occupied or unoccupied developed lot, or developed land or undeveloped land defined as "waterfront area" by Chapter 135 of this Code or any part thereof in the City of Ogdensburg to permit or maintain on any such lot or land, or on or along the sidewalk, street or alley adjacent to the same, between the property line and the edge of the roadway, any growth of weeds, grass, or other rank vegetation to a greater height than 10 inches on the average or any accumulation of dead weeds, grass or brush. It shall also be unlawful for any such person to cause, suffer or allow poison ivy, ragweed or other poisonous plants or plants detrimental to health to grow on any such lot or land in such manner that any part of such poison ivy, ragweed or other poisonous or harmful weed shall extend upon, overhang or border any public place or allow the seed, pollen or other poisonous particles or emanation therefrom to be carried through the air into any public place.

§ 83-2. Duties of owners and occupants.

It shall be the duty of any owner, lessee or occupant of any lot or land to cut and remove or cause to be cut and removed all such weeds, grass or other rank, poisonous or harmful vegetation as often as may be necessary to comply with the provision in § 83-1, between April 15 and October 15.

§ 83-3. Failure to comply; work by City; costs.

If the provisions of the foregoing sections are not complied with, the Director of Public Works shall serve written notice, upon the owner, lessee or occupant or any person having the care or control of any such lot or land to comply with the provisions of this chapter.

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If the person upon whom the notice is served fails, neglects or refuses to cut and remove or to cause to be cut and removed such weeds, grass or other vegetation within five business days from the date of mailing of such notice, the Director of Public Works shall cause such weeds, grass and other vegetation on such land or lands to be cut and may be removed by City staff or private contractor. The Director of Public Works will determine, through his/her inspection and if necessary, records from the appropriate agencies, whether a property can be safely entered and the work safely performed, either by City staff or private contractor. The actual cost of such cutting and removal, plus a one-hundred dollar civil penalty for the first violation, two-hundred dollars for the second violation and four-hundred dollars for all subsequent violations (in the same calendar year) and a 10% inspection fee (based upon the sum of actual costs and civil penalty not to exceed fifty dollars), shall be certified by the Director of Public Works to the City Comptroller and shall thereupon become and be a lien upon the property on which such weeds, grass and other vegetation were located and shall be added to and become and form part of the taxes next to be assessed and levied upon such lot or land and shall bear interest at the same rate as taxes and shall be collected and enforced by the same officer in the same manner as taxes.

ITEM TWO: This ordinance shall take effect ten (10) days after publication of notice which shall give the title and describe same in summary form.

The vote was:

CARRIED, AYES ALL

2. Mayor Ashley made a motion to move a resolution to approve the sale of 2 King Street, Tax Parcel #48.078-5-27, for \$1,000. to Adam W. Davis to the May 29, 2018 Council Meeting, and Councillor Shaver seconded the motion. Mayor Ashley explained six affirmative votes are required and Councillor Davis plans to abstain.

The vote was:

CARRIED, AYES ALL

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3. Councillor Stevenson 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 (Route 68) on May 28, 2018, and Councillor Kennedy 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), on May 28, 2018.

The vote was:

CARRIED, AYES ALL

4. Councillor Shaver moved a resolution to establish the standard work days for elected and appointed City of Ogdensburg officials and reports the days worked to the New York State and Local Retirement System, and Councillor Skamperle seconded to wit:

STANDARD WORK DAY AND REPORTING RESOLUTION
FOR ELECTED AND APPOINTED OFFICIALS

BE IT RESOLVED, that the City of Ogdensburg, Location Code #20038, hereby establishes the following standard work days for these titles and will report the officials to the New York State and Local Retirement System based on their record of activities:

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Title	Standard Work Day (Hrs/day) Min. 6 hrs Max. 8 hrs	Name (First and Last)	Social Security Number (Last 4 digits)	Registration Number	Tier 1 (check Only if Member is in Tier 1)	Current Term Begin & End Dates	Record of Activities Result	Not Submitted (Check only if official did not submit the Record of Activities)
City Councillor	6	Daniel Skamperle	5638	5000002-5		01/01/18-12/31/21	8.03	

THEREFORE, BE IT FURTHER RESOLVED, that the Ogdensburg City Council hereby approves that the ROAs (Record of Activities) submitted reflect the duties of the respective positions, and updating and establishing the standard work days set forth thereon.

BE IT FURTHER RESOLVED, that the days worked indicated thereon be reported to the New York State and Local Employees' Retirement System based on the record of activities maintained and submitted by this official to the City.

BE IT FURTHER RESOLVED, that the Clerk of the City shall post the Resolution on the City website for thirty (30) days after its adoption, distribute this resolution to the subject City officials, and file a certified copy of this Resolution with the Office of the New York State and Local Retirement System, Pension Integrity Bureau, within forty-five (45) days of its adoption.

The vote was:

CARRIED, AYES ALL

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OLD BUSINESS

1. Councillor Skamperle asked for an update on the suggested study for a project labor agreement for the Wastewater Treatment Plant project. City Manager Sarah Purdy said we are still waiting on fund availability from the Empire State Development to complete the study. Ms. Purdy explained if the study is completed and shows it could be beneficial, a review by the Environmental Facilities Corporation legal department would also be required. Ms. Purdy said there is concern on how to comply with all the requirements and still meet the project deadlines. Councillor Davis said we need to pursue the study to put local people to work. Councillor Stevenson said she wished we would've had the information about a project labor agreement a year ago. Councillor Skamperle asked if local firms will be hired. Ms. Purdy said she understands the chances of local people working on the project are greater without a project labor agreement.

Public Works Director Scott Thornhill said a long term control plan was put in place in 2012 with other agreements. Mr. Thornhill explained the initial phases have already been completed, and the final stages are coming. Mr. Thornhill said these are critical components for the 2020 deadline, and we are up against a time line. Mr. Thornhill said it could be beneficial to the City in the future to have a firm complete this type of study, but it would've been better to have the information earlier. Ms. Purdy explained we will keep working on it, but the project may have to go out to bid before we have an answer on the study. Councillor Skamperle said as many locals as possible are hired when a project labor agreement is in place. Ms. Purdy explained we are waiting on the State at this point, and she would be happy to talk to representatives of the local workers. Ms. Purdy suggested those representatives attend the pre-bid meetings and noted the next meeting is Wednesday, May 16, 2018. Mr. Thornhill said the project will be bid as a whole. Mr. Thornhill explained there are no local contractors that could manage a project of this size, noting there are only three to five in the whole state.

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NEW BUSINESS

1. Councillor Stevenson said the tour of the flood damaged waterfront area with New York State Department of Homeland Security and Emergency Services Commissioner Parrino was very productive. Councillor Kennedy agreed and said it was encouraging to hear there are others that care about our community.

ITEMS FOR DISCUSSION

1. Councillor Skamperle asked if all the repairs have been made in the marina. Public Works Director Scott Thornhill said three fingers of the docks broke, but staff from the Recreation and Public Works departments worked together to make the repairs. Mr. Thornhill explained a few more floats will be required, but staff cannot operate the heavy equipment on the boardwalk at this time. Mr. Thornhill said staff members have tried a few different ideas, and the docks are safe. Mr. Thornhill explained they intend to try a suggestion from a staff member next year, and it is expected to work very well.

2. Councillor Skamperle asked for more information regarding the grant discussed for the fluorination process. Mr. Thornhill said we will not be eliminating the fluorination process. Mr. Thornhill explained we spend \$6,000 to \$9,000 per year on the process, but we would spend that in legal fees to get out of the process with New York State. Mr. Thornhill said arguments can be made in support of as well as against fluorination. Mr. Thornhill explained staff is working on the grant application to streamline the process and make it more cost effective. Mr. Thornhill said he will provide more information to Council as it becomes available.

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3. Councillor Shaver asked why the cold patch used on the streets is not packed down. Mr. Thornhill said it is packed down when used for large holes but typically not for smaller holes. Mr. Thornhill explained the cold patch is not the same consistency as hot patch, and it is only used as a short term, temporary fix. Mr. Thornhill encouraged the public to call to report pot holes so they can be repaired. Mayor Ashley asked when hot patch work will begin. Mr. Thornhill explained he is shorthanded on staff so it may not be until in the Fall.

4. Councillor Skamperle thanked Ogdensburg Pepsi Cola Bottlers, Inc. for their donation toward the pool entrance fees again this summer.

5. Councillor Shaver said other municipalities are applying for the \$10 million grant and asked why the City hasn't decided to apply. City Manager Sarah Purdy explained a well thought out plan with a private sector partner is necessary for our application to be seriously considered, and we are unable to find a private sector partner. Ms. Purdy explained we would almost need a consultant involved to be successful and perhaps the 2019 budget can include funding for the same.

6. Mayor Ashley asked for an update on the restructuring board, and Ms. Purdy said she has not heard anything. Ms. Purdy said the City may be able to move forward with some alternate strategies regardless of when the restructuring board can come.

7. Councillor Shaver said a local group has organized a City-wide cleanup for Saturday, May 19, 2018 and encouraged everyone to participate. Ms. Purdy said the City is assisting by coordinating the pickup of filled trash bags.

Mayor Ashley said there was a need for Executive Session to discuss matters which would imperil the public safety if disclosed, and Councillor Skamperle seconded the motion.

The vote to adjourn to Executive Session was:

CARRIED, AYES ALL

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