

**AGENDA**  
Council Meeting  
Monday, March 10, 2014  
7:00 P. M.

- I. Call to Order
- II. Pledge of Allegiance
- III. Presentation
- IV. Public Hearing
- V. Personal Appearance  
(Anyone wishing to address the Council should notify the Clerk prior to the meeting)
- VI. Correspondence
- VII. Consent Agenda  
(All Matters listed under this item are considered to be routine and will be enacted by one motion in the form below without separate discussion. If discussion is desired, the item will be removed from the consent agenda and considered separately.)
  1. Approval of previous minutes
  2. Approval of warrant
- VIII. Appointments
  1. Appoint Karlyen Manke to a three year term on the Complete Streets Active Living Task Force, term will end December 31, 2016.
  2. Appoint Scott Wright to a two year term on the Complete Streets Active Living Task Force, term will end December 31, 2015.
  3. Appoint Wayne Miller to a two year term on the Complete Streets Active Living Task Force, term will end December 31, 2015.
  4. Appoint Michele Catlin to a three year term on the Complete Streets Active Living Task Force, term will end December 31, 2016.
  5. Appoint Gary Hammond to a three year term on the Complete Streets Active Living Task Force, term will end December 31, 2016.
  6. Appoint Kathryn Rhinebold to a three year term on the Pride and Beautification Commission, term will end December 31, 2016.

IX. Items for Council Action

1. A resolution to call for a public notice and public hearing regarding an amendment to Article XVIII, Application Fees, of the City's Zoning Ordinance. (Bill #14)
2. A resolution authorizing the City Manager to enter into an agreement with Richard Sears Tree Experts, for a sum not to exceed \$12,835., for the removal of 54 trees along Paterson Street. (Bill #15)
3. A resolution authorizing the City Comptroller, Philip A. Cosmo to execute the Cooperative Investment Agreement in the name of and on behalf of the City of Ogdensburg. (Bill #16)
4. A resolution authorizing the City Manager to enter into a purchase contract with Joe Johnson Equipment USA, Inc. for the purchase of a new 10 Yard, Single-Stage Fan Sewer Cleaner Truck, for a sum not to exceed \$308,195. (Bill #17)

X. Old Business

XI. New Business

XII. Items for Discussion

1. Growth Fund and City MOU
2. Apple TV Presentation

XIII. Executive Session

IXV. Adjournment

Business of the City Council  
City of Ogdensburg

SUBJECT: Resolution of the City Council Introducing an Amendment to the Zoning Ordinance and Providing for Public Notice and Public Hearing

FOR AGENDA OF: March 10, 2014

BILL #: 14

DEPT. OF ORIGIN: Planning

DATE SUBMITTED: March 3, 2014

APPROVED AS TO FORM BY CITY ATTORNEY

EXHIBITS: Resolution, Ordinance, SLC Planning Office Fee Schedule

APPROVED BY CITY MANAGER FOR SUBMITTAL

---

EXPENDITURE REQUIRED: -0-	AMOUNT BUDGETED: -0-	APPROPRIATION REQUIRED: -0-
------------------------------	-------------------------	--------------------------------

---

SUMMARY STATEMENT

This resolution provides for public notice and public hearing with regard to an amendment to Article XVIII, Application Fees, of the City's Zoning Ordinance. Effective January 1, 2013, the St. Lawrence County Planning Office began charging the City for applications submitted that require 239m or 293n review. In February the City received notice of a County amendment to the fee schedule (copy attached).

RECOMMENDED ACTION

**Approval of resolution.**

MOVED BY: \_\_\_\_\_ SECONDED BY: \_\_\_\_\_

VOTE ON ROLL CALL:

MAYOR NELSON	_____	COUNCILLOR ASHLEY	_____
COUNCILLOR HOSMER	_____	COUNCILLOR MITCHELL	_____
COUNCILLOR MORLEY	_____	COUNCILLOR SKAMPERLE	_____
COUNCILLOR STEVENSON	_____		

RESOLUTION OF THE CITY COUNCIL INTRODUCING  
AN AMENDMENT TO THE ZONING ORDINANCE  
AND PROVIDING FOR PUBLIC NOTICE AND PUBLIC HEARING

BE IT RESOLVED that the ordinance entitled "Ordinance Amending Chapter 221 Entitled 'Zoning' of the City of Ogdensburg Municipal Code" 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 in the City Council Chambers, City Hall, 330 Ford Street, Ogdensburg, New York, on Monday the 24th day of March, 2014, 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 days before the hearing date, of a notice setting forth the time and place and describing the proposed ordinance in summary form.

ORDINANCE \_\_\_\_\_

ORDINANCE AMENDING CHAPTER 221 ENTITLED "ZONING"  
OF THE CITY OF OGDENSBURG MUNICIPAL CODE

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

SECTION ONE

That Section 221-91 entitled "Application Fees" is amended as follows:

Section A is amended to change Site plan review to Site plan review & Special Use Permit.

Section B is deleted in its entirety and replaced with the following:

- B. Application fees, for applications that require 239m or 293n review by the St. Lawrence County Planning Board, shall be the City's application fee stated in Section 221-91.A. plus the current County review fee for the type of application submitted.

SECTION TWO

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

County Planning Board Referral and Training Session  
Fee Schedule Information – Effective March 1, 2014

As of March 1, 2014 the County Planning Office will begin charging applicants of 239m and 239n reviews as follows:

*Residential:*

\$25 for all area variances, site plan reviews and subdivisions of less than 5 lots.

\$75 for all special use permits, use variances and subdivisions of 5-9 lots.

\$150 for subdivisions of 10 lots or more.

*Commercial (including institutional and industrial):*

\$25 for all sign permits.

\$75 for all area variances, use variances, site plans and special use permits for projects less than 5,000 gross square feet; and subdivisions of less than 5 lots.

\$150 for all area variances, use variances, site plans, and special use permits for projects between 5,000 and 9,999 gross square feet; and subdivisions of 5 or more lots.

\$150 plus \$50 per each additional 5,000 square feet for all area variances, use variances, site plans, and special use permits for projects over 10,000 gross square feet. (Example: the cost of a permit for a 50,000 sq ft building would be  $\$150 + (\$50 \times 8) = \$550$ .)

Local government applications (comprehensive plan reviews, subdivisions, map & text amendments, etc.) are exempt.

**Procedure:**

Before the County Planning Office/Board can review a project the review fee must be attached. The applicant must provide the municipality with the fee so that it may be included with the referral to the County Planning Board. **Checks should be made payable to the St. Lawrence County Planning Office.**

**County Sponsored Training Sessions:**

The County Planning Office has traditionally held four 2-hour training sessions each year. There is a fee of \$25 per training session, per individual.

Please feel free to contact the County Planning Office with any questions.

Business of the City Council

City of Ogdensburg

SUBJECT: Resolution Authorizing City Manager to Enter Into Agreement with Richard Sears Tree Experts for the Paterson Street Tree Removal Project

FOR AGENDA OF: March 10, 2014

BILL #: 15

DEPT. OF ORIGIN: Engineering/Public Works

DATE SUBMITTED: March 4, 2014

APPROVED AS TO FORM BY CITY ATTORNEY

EXHIBITS: Resolution/Memo

---

EXPENDITURE REQUIRED: \$12,835	AMOUNT BUDGETED: \$10,500	APPROPRIATION REQUIRED: \$2,335
-----------------------------------	------------------------------	------------------------------------

---

APPROVED BY CITY MANAGER FOR SUBMITTAL

SUMMARY STATEMENT

On January 24 the City Council authorized the City Manager to enter into an agreement with Black River Tree Removal for the removal of the trees along Paterson Street. Subsequently, Black River informed the City they would not be able to complete the work by the March 31 deadline as they were doing tree work for FEMA in North Carolina. Richard Sears Tree Experts submitted the second lowest quote, are DOT certified, and have agreed to complete the work by March 31.

This resolution authorizes the City Manager to enter into an agreement with Richard Sears Tree Experts, for a sum not to exceed \$12,835., for the removal of 54 trees along Paterson Street.

RECOMMENDED ACTION

**Approval of resolution.**

MOVED BY: \_\_\_\_\_ SECONDED BY: \_\_\_\_\_

VOTE ON ROLL CALL:

MAYOR NELSON	_____	COUNCILLOR ASHLEY	_____
COUNCILLOR HOSMER	_____	COUNCILLOR MITCHELL	_____
COUNCILLOR MORLEY	_____	COUNCILLOR SKAMPERLE	_____
COUNCILLOR STEVENSON	_____		

RESOLUTION AUTHORIZING CITY MANAGER TO  
ENTER INTO AGREEMENT WITH RICHARD SEARS TREE EXPERTS  
FOR THE PATERSON STREET TREE REMOVAL PROJECT

WHEREAS, the City desires to proceed with the Paterson Street Reconstruction project during this construction season; and

WHEREAS, the City has been notified that the 54 trees along Paterson Street that are scheduled for removal during the project could be habitat for the endangered Northern Long Eared Bat and can only be removed during the months of November to March utilizing NYS DOT funding; and

WHEREAS, the City solicited quotes for the removal of the trees along Paterson Street; and

WHEREAS, four quotes were received and City staff evaluated the quotes and recommended the City enter into an agreement with Black River Tree Removal LLC, and

WHEREAS, Black River Tree Removal has informed the City they are now doing FEMA work in North Carolina and will be unable to meet the agreement deadline; and

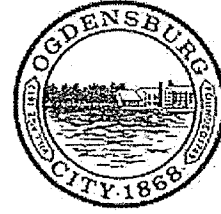
WHEREAS, Richard Sears Tree Experts submitted the next lowest proposal, are DOT certified, and are willing to enter into an agreement with the City to complete the work;

NOW, THEREFORE, BE IT RESOLVED, that the City Manager is hereby authorized to enter into an agreement with Richard Sears Tree Experts for a sum not to exceed \$12,835., for the removal of 54 trees along Paterson Street; and

BE IT FURTHER RESOLVED that funding for these services will come from the Paterson Street Reconstruction Project – H5110.518.



**City of Ogdensburg**  
**Department of Engineering**  
Ogdensburg City Hall  
330 Ford Street - Room 11  
Ogdensburg, New York 13669  
<http://www.ogdensburg.org>



MEMO TO: John Pinkerton  
FROM: Patricia Paquin  
SUBJECT: Paterson Street Tree Removal  
DATE: March 4, 2014

Four proposals were received in response to the RFP for the Paterson Street Tree Removal project.

Black River Tree Removal, LLC	\$10,500
Richard Sears Tree Experts	\$12,835
Putney Tree Service	\$19,550
TTS Tree Service	\$27,400

On January 24 the City Council authorized you to enter into an agreement with Black River Tree Removal for this project. This morning the owner, Tim Percy, called and informed me that they will not be able to complete the work by the March 31 deadline as they were doing tree work for FEMA in North Carolina.

I subsequently contacted Richard Sears Tree Experts who submitted the second lowest quote and are DOT certified. Richard informed me they can be ready to start work next week and can have the work completed by March 31.

Staff recommends the City enter into an agreement with Richard Sears Tree Experts for this work.

Business of the City Council  
City of Ogdensburg

SUBJECT: Resolution authorizing City  
Comptroller to execute and deliver  
the Investment Agreement

FOR AGENDA OF: March 10, 2014  
BILL #: 16  
DEPT. OF ORIGIN: City Comptroller  
DATE SUBMITTED: March 5, 2014  
EXHIBITS: resolution

APPROVED AS TO FORM BY CITY  
ATTORNEY \_\_\_\_\_

APPROVED BY CITY MANAGER FOR SUBMITTAL

---

EXPENDITURE	AMOUNT	APPROPRIATION
REQUIRED: -0-	BUDGETED: -0-	REQUIRED: -0-

---

SUMMARY STATEMENT

A resolution authorizing the City Comptroller, Philip A. Cosmo to execute and deliver the Cooperative Investment Agreement in the name of and on behalf of the City of Ogdensburg.

RECOMMENDED ACTION

Approval of resolution.

MOVED BY: \_\_\_\_\_ SECONDED BY: \_\_\_\_\_

VOTE ON ROLL CALL:

MAYOR NELSON	_____	COUNCILLOR ASHLEY	_____
COUNCILLOR HOSMER	_____	COUNCILLOR MITCHELL	_____
COUNCILLOR MORLEY	_____	COUNCILLOR SKAMPERLE	_____
COUNCILLOR STEVENSON	_____		

## MUNICIPAL COOPERATION RESOLUTION

WHEREAS, New York General Municipal Law, Article 5-G, Section 119-o (“Section 119-o” empowers municipal corporations [defined in Article 5-G, Section 119-n to include school districts boards of cooperative educational services, counties, cities, town and villages] and districts to enter into, amend, cancel and terminate agreements for the performance among themselves (or one for the other) of their respective functions, powers and duties on a cooperative or contract basis;

WHEREAS, the City of Ogdensburg wishes to invest certain of its available investments funds in cooperation with other corporations and/or districts pursuant to a municipal cooperation agreement;

WHEREAS, the City of Ogdensburg wishes to assure the safety and liquidity of its funds;

NOW, THEREFORE BE IT RESOLVED that the City Comptroller, Philip A. Cosmo, is hereby authorized to execute and deliver the Investment Agreement in the name of and on behalf of the City of Ogdensburg.

Business of the City Council  
City of Ogdensburg

SUBJECT:	FOR AGENDA OF:	<u>March 10, 2014</u>
Resolution Authorizing Award of Contract for Purchase of Sewer Cleaner Truck	BILL #:	<u>17</u>
	DEPT. OF ORIGIN:	<u>Engineering/Public Works</u>
	DATE SUBMITTED:	<u>March 6, 2014</u>
APPROVED AS TO FORM BY CITY ATTORNEY	EXHIBITS:	<u>Resolution/Memo</u>

---

EXPENDITURE	AMOUNT	APPROPRIATION
REQUIRED: \$308,195	BUDGETED: -0-	REQUIRED: \$308,195

---

APPROVED BY CITY MANAGER FOR SUBMITTAL

SUMMARY STATEMENT

This resolution authorizes the City Manager to enter into a purchase contract with Joe Johnson Equipment USA, Inc. for the purchase of a new 10 Yard, Single-Stage Fan Sewer Cleaner Truck, for a sum not to exceed \$308,195.

RECOMMENDED ACTION

**Approval of resolution.**

MOVED BY: \_\_\_\_\_ SECONDED BY: \_\_\_\_\_

VOTE ON ROLL CALL:

MAYOR NELSON \_\_\_\_\_ COUNCILLOR ASHLEY \_\_\_\_\_

COUNCILLOR HOSMER \_\_\_\_\_ COUNCILLOR MITCHELL \_\_\_\_\_

COUNCILLOR MORLEY \_\_\_\_\_ COUNCILLOR SKAMPERLE \_\_\_\_\_

COUNCILLOR STEVENSON \_\_\_\_\_

**RESOLUTION AUTHORIZING AWARD OF  
CONTRACT FOR PURCHASE OF NEW SEWER CLEANER TRUCK**

WHEREAS, bids have been solicited and received for the purchase of a new 10 Yard, Single-Stage Fan Sewer Cleaner Truck for the Department of Public Works; and

WHEREAS, City staff evaluated the one bid received and recommended the contract be awarded to that bidder;

NOW, THEREFORE, BE IT RESOLVED that John M. Pinkerton, City Manager, is authorized to enter into the following purchase contract, for a sum not to exceed \$308,195.00, on behalf of the City; and

SUPPLIER	BID AMOUNT
Joe Johnson Equipment USA, Inc.	\$345,195.00
62 LaGrange Avenue	<u>- 37,000.00</u> Trade In Allowance
Rochester, NY 14613	TOTAL \$308,195.00

BE IT FURTHER RESOLVED that the funds to pay for the sewer cleaner truck will come from the following sources; and

A5110.310	\$63,000
F8340.310	\$92,000
G8120.310	\$92,000

BE IT FURTHER RESOLVED that the City Comptroller is hereby authorized to transfer \$30,598 in funds from the Water Fund - Fund Balance to F8340.310 and transfer \$30,597 in funds from the Sewer Fund – Fund Balance to G8120.310 to allow for payment of the balance of the purchase of the sewer cleaner truck.

City of Ogdensburg  
Department of Public Works



Interim Director  
Gregg Harland

901 Champlain Street  
Ogdensburg, New York 13669  
<http://www.ogdensburg.org>

MEMO TO: John Pinkerton  
FROM: Gregg Harland  
SUBJECT: Sewer Cleaner Truck  
DATE: March 6, 2014

One bid was received in response to the request for bids for a Sewer Cleaner Truck.

Joe Johnson Equipment USA, Inc.	\$345,195.00
	- <u>37,000.00</u> Trade in Allowance
<b>TOTAL</b>	<b>\$308,195.00</b>

Staff has reviewed the bid and recommends the City award this purchase contract to Joe Johnson Equipment.