

**\*Amended AGENDA  
Council Meeting  
Tuesday, October 15, 2013  
7:00 P. M.**

I. Call to Order

II. Pledge of Allegiance

III. Presentation

1. Donald Hooper, of Pinto Mucenski Hooper VanHouse and Company regarding the results of the 2012 City Audit.
2. Joseph Moorman, NYS Department of Taxation and Finance Office of Real Property Tax Services, STAR Registration Presentation.
3. Andrea Smith, Director of Planning & Development, regarding SEQRA Draft Scoping Document.

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. Executive Session

1. Contract negotiations
2. Seek advice of Counsel with regard to the sale of City property, Charter amendment and on-going litigation

IX. Appointments

1. Appoint Patricia Redden Sargent to fill the un-expired term of Misty Fishel on the Zoning Board, term will expire 12/31/2014.
2. Appoint Christopher B. Lalone to a three-year term as an Alternate on the Zoning Board, term will expire 12/31/2015.

- \*3. Appoint Malcolm Casselman Jr. to a three-year term as an Alternate on the Zoning Board, term will expire 12/31/2015.

X. Items for Council Action

1. A resolution calling for a public hearing and public notice on a proposed ordinance amending Chapter 209, Section 209-48, Schedule XI: "Parking Prohibited at All Times" and Section 209-57, Schedule XX: "Handicapped Parking" of the Code of the City of Ogdensburg. (Bill #83)
2. A resolution authorizing the City Manager to sign an agreement to extend the Snow and Ice Control Agreement between the City of Ogdensburg and St. Lawrence County. (Bill #84)

XI. Old Business

XII. New Business

XIII. Items for Discussion

IXV. Adjournment

**New York State Department of Taxation and Finance**  
**STAR Registration Fact Sheet**

New legislation requires all homeowners receiving a Basic STAR exemption to register with the New York State Tax Department in order to receive the exemption in 2014 and subsequent years.

This is part of a new initiative to protect New Yorkers against inappropriate or fraudulent STAR exemptions.

### **Who must register?**

**Resident homeowners** who currently receive the Basic STAR exemption must register with the New York State Tax Department in order to receive the exemption in 2014 and subsequent years.

- Homeowners do not need to re-register every year.
- Based on the information provided in the registration process, the Tax Department will confirm homeowners' eligibility in future years.

#### **Senior citizens**

Senior citizens receiving the Enhanced STAR exemption are not affected by the new registration requirement. However, in order to receive Enhanced STAR, seniors must continue to:

- apply annually, or
- participate in the Income Verification Program.

**Resident homeowners applying for STAR for the first time** are not affected by this year's registration procedure. To apply for STAR a new applicant must:

- use Form RP-425, *Application for School Tax Relief (STAR) Exemption*, available on the Tax Department's Web site, and
- file the application with their local assessor.

### **When does registration begin?**

Registration will begin **August 19, 2013** and continue through **December 31, 2013**.

- The Tax Department will mail instructions to all homeowners who currently receive the Basic STAR exemption. The letters will include a STAR code that homeowners will need to register.
- Because seniors who receive Enhanced STAR are not affected by the new requirements, they will not receive new instructions from the Tax Department.

**continued on back**

## **How does a homeowner register?**

### **Online registration**

The fastest and easiest way for homeowners to register is through the Tax Department's Web site, [www.tax.ny.gov](http://www.tax.ny.gov).

Homeowners will need their STAR code to register. In addition to being included in the instructions that were mailed to them, homeowners will be able to find their STAR code through an online lookup or by calling the Tax Department at (518) 457-2036.

Online registration is a simple process that will require homeowners to provide some basic information about their eligibility for the STAR exemption. Homeowners will need to:

- provide the STAR code and confirm the property address
- provide the names and social security numbers for all owners of the property and spouses
- confirm that the property is the primary residence of one of its owners [married couples with multiple residences may only claim one STAR exemption]
- confirm that the combined income of the owners and their spouses who reside at the property does not exceed \$500,000
- confirm that no resident owner receives a residency-based tax exemption from another state

### **Telephone registration – (518) 457-2036**

Homeowners who are unable to register online will be able to register over the phone. The Tax Department will also provide telephone support to any homeowners who have questions about online registration.

## **What happens when homeowners do not register?**

The Tax Department will send homeowners additional letter reminders in December 2013 and January 2014.

In February 2014 the Tax Department will give assessors the names of any homeowners who did not register, or who were determined not to be eligible for STAR. The assessment roll entries for these homeowners will not include the STAR exemption.

- Homeowners who the Tax Department found to be ineligible for STAR will have the right to administrative review within the Tax Department, and review before the State Board of Real Property Tax Services.

Business of the City Council  
City of Ogdensburg

SUBJECT: FOR AGENDA OF 10/15/13 BILL # 83

A resolution calling for public hearing and public notice regarding an Ordinance amending Chapter 209 of the Ogdensburg Municipal Code

DEPT. OF ORIGIN: City Manager

DATE SUBMITTED: 09/25/13

CLEARANCES: \_\_\_\_\_

APPROVED AS TO FORM  
BY CITY ATTORNEY

EXHIBITS: Resolution and Ordinance

APPROVED BY CITY MANAGER FOR  
SUBMITTAL

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

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SUMMARY STATEMENT

This resolution calls for a public hearing and public notice on a proposed ordinance amending Chapter 209, Section 209-48, Schedule XI: "Parking Prohibited at All Times" and Section 209-57, Schedule XX: "Handicapped Parking" of the Code of the City of Ogdensburg.

RECOMMENDED ACTION

Approval of Resolution.

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

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

VOTE ON ROLL CALL:

MAYOR NELSON \_\_\_\_\_

COUNCILLOR ASHLEY \_\_\_\_\_

COUNCILLOR CILLEY \_\_\_\_\_

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

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

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

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

**RESOLUTION OF CITY COUNCIL INTRODUCING AN ORDINANCE  
AND PROVIDING FOR PUBLIC NOTICE  
AND PUBLIC HEARING**

**BE IT RESOLVED**, that Ordinance No. \_\_\_\_ of 2013, entitled, Ordinance Amending Chapter 209 entitled "Vehicles and Traffic"; Chapter 209, Section 209-48, Schedule XI: "Parking Prohibited at All Times" and Section 209-57, Schedule XX: "Handicapped Parking" 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 the 28th day of October, 2013 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.

ORDINANCE #\_\_ OF 2013

AN ORDINANCE AMENDING CHAPTER 209 ENTITLED  
"VEHICLES AND TRAFFIC"  
OF THE 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 209, Section 209-48, Schedule XI: "Parking Prohibited at All Times" of the Code of the City of Ogdensburg, is hereby amended to add the following:

<u>Name of Street</u>	<u>Side</u>	<u>Location</u>
Franklin Street	West	From a point 81 feet south of the south curbline of Ford Street to a point 105 feet south therefrom

ITEM TWO: That Chapter 209, Section 209-57, Schedule XX: "Handicapped Parking" of the Code of the City of Ogdensburg, is hereby amended to add the following:

ADD

<u>Name of Street</u>	<u>Side</u>	<u>Location</u>
Franklin Street	West	From a point 105 feet south of the south curbline of Ford Street to a point 20 feet south therefrom

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

Business of the City Council  
City of Ogdensburg

SUBJECT: FOR AGENDA OF 10/15/13 BILL # 84

A resolution authorizing the City Manager to sign an agreement between the City of Ogdensburg and St. Lawrence County.

DEPT OF ORIGIN: DPW

DATE SUBMITTED: 10/2/13

CLEARANCES: \_\_\_\_\_

APPROVED AS TO FORM  
BY CITY ATTORNEY

EXHIBITS: Resolution and Agreement

APPROVED BY CITY MANAGER FOR  
SUBMITTAL

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EXPENDITURE REQUIRED: 0	AMOUNT BUDGETED: 0	APPROPRIATION REQUIRED: 0
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SUMMARY STATEMENT

This resolution authorizes the City Manager to sign an agreement to extend the Snow and Ice Control Agreement between the City of Ogdensburg and St. Lawrence County.

RECOMMENDED ACTION

Recommend approval.

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

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

VOTE ON ROLL CALL:

MAYOR NELSON \_\_\_\_\_

COUNCILLOR ASHLEY \_\_\_\_\_

COUNCILLOR CILLEY \_\_\_\_\_

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

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

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

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



A RESOLUTION AUTHORIZING THE CITY MANAGER  
TO SIGN AN AGREEMENT BETWEEN THE CITY OF OGDENSBURG  
AND ST. LAWRENCE COUNTY

BE IT RESOLVED, that the City Manager is authorized to sign the attached extended Snow and Ice Control Agreement between the City of Ogdensburg and St. Lawrence County for the 2013-2014 Season.

AGREEMENT TO EXTEND SNOW AND ICE CONTROL AGREEMENT

BETWEEN ST. LAWRENCE COUNTY  
AND  
THE MUNICIPALITY OF City of Ogdensburg

This agreement made this \_\_\_\_\_ day of \_\_\_\_\_  
by and between the County of St. Lawrence (hereinafter referred to  
as County), and the City of Ogdensburg, (hereinafter referred to  
as "MUNICIPALITY.") as follows:

WHEREAS the County of St. Lawrence and the Municipality have  
entered into an Agreement entitled "Snow and Ice Agreement between  
St. Lawrence County and the Municipality of City of Ogdensburg  
dated July 1986; and

WHEREAS, the term of the said Agreement is for a period of  
three years commencing July 1, 1987 and the said Agreement  
provides that the parties may at the end of each year of the term  
of the Agreement extend such term for an additional year; and

WHEREAS, the present term of the Agreement, as extended,  
expires June 30, 20 13 ; and

WHEREAS, Section 6 of the said Agreement provides that the  
County shall furnish the Municipality with a suitable map for each  
term of the Agreement, or for any extended term thereof, modified  
to show changes, if any to the State Highways affected by this  
Agreement; and

WHEREAS, Section 9 of the said Agreement provides for an  
annual update of the estimated expenditure to be determined by the  
County subject to the provisions of Section 9, at the time for  
extension of the Agreement;

WHEREAS, Section 10 of the said Agreement provides for the  
County to make 3 interim payments to the Municipality of 25% of  
the estimated expenditures after receiving a voucher from the  
Municipality on or after the 10th day of December, January, and  
February;

NOW THEREFORE, in consideration of the mutual covenants and  
benefits between the parties,

WITNESSETH: 1. The aforementioned "Snow and Ice Agreement  
Between St. Lawrence County and the Municipality" is hereby  
extended for a period of one year; now to expire on June 30, 20 14  
unless further extended.

2. The State highway or parts thereof affected by this agreement are as delineated on the attached map which shall be effective for the remainder of this agreement and all extensions thereof unless changed by future agreement between the County and the Municipality.

3. The County will annually solicit bids for sand mixed with 10% salt and for pure salt F.O.B. the Municipality's storage site and notify the Municipality of the result of the bids. The Municipality will purchase the salt and sand for use on State roads from the vendor awarded the bid by the County.

4. In lieu of making three interim payments of 25% each of the estimated expenditure, as specified in Section 7 of the aforementioned agreement, the County will make one advance payment in October. The cost will be calculated at the prices resulting from bids let by the County.

5. The Municipality will submit Monthly Claim Vouchers for the actual expenditures for labor, equipment and materials on or after the 15th day of the month following the incurrence of such expenditures. The amount of the advance payment will be used as payment of the incurred expenses. When such amount has been used, the County will reimburse the Municipality for further expenses.

IN WITNESS WHEREOF, this Agreement has been executed by the County acting by and through the Chair of the St. Lawrence County Board of legislators and the Municipality, which has caused this Agreement to be executed by its duly authorized officer on the date and year first above written.

ST. LAWRENCE COUNTY

By \_\_\_\_\_  
Jonathan S. Putney  
Chair, Board of Legislators

MUNICIPALITY City of Ogdensburg

By \_\_\_\_\_

STATE OF NEW YORK )

COUNTY OF ST. LAWRENCE )

On the \_\_\_\_\_ day of \_\_\_\_\_ in the year of 2013, before me personally came Jonathan S. Putney to me known and known to me to be the Chair of the **St. Lawrence County Board of Legislators**, the person who executed the foregoing instrument and he duly acknowledged to me that he executed the same as such Chair, for the purpose therein mentioned.

\_\_\_\_\_  
NOTARY PUBLIC

STATE OF NEW YORK )

) SS.

COUNTY OF ST. LAWRENCE )

On the \_\_\_\_\_ day of \_\_\_\_\_ in the year 20\_\_\_\_, before me personally came \_\_\_\_\_ to me known, who being by me duly sworn, did depose and say that he resides in \_\_\_\_\_, New York; that he is the \_\_\_\_\_ of the City of Ogdensburg, the **Municipality** described in and which executed the above instrument; that he executed said instrument by the order of the Governing Body of said municipality pursuant to a resolution which was duly adopted on \_\_\_\_\_ 20\_\_\_\_; a certified copy of such resolution attached and hereto made a part hereof.

\_\_\_\_\_  
NOTARY PUBLIC

SIR-14(1/01)

MATERIAL STOCKPILING COSTS  
NYSDOT – Municipal Agreement  
For Control of Snow & Ice on State Highways  
(State Highway Law, Section 12)

Municipality: City of Ogdensburg Pile Location: Ogdensburg, NY Effective Date: 10/01/13  
Pile Description (Example: 10 parts sand: one part salt): 100% Salt

Note: Salt stockpiling: Use line 4, 7-9 (where applicable), 10 and 11.

	<u>Cost Items</u>	<u>Cost(\$/Ton)</u>
1.	Cost of Sand at Source per Ton	_____
2.	Hauling of Sand from Source to Mix Location, per Ton (Hauling Cost per Ton-Mile) multiplied by (Miles Hauled)	_____
3.	Total Cost of Sand (Line 1 + Line 2)	_____
4.	Cost of Salt Delivered to Mix Location	<u>\$42.58 /ton</u>
5.	Cost of Materials in Mix: (%* of Sand in Mix, by weight) multiplied by (Line 3) + (%* of Salt in Mix, by weight) multiplied by (Line 4)	_____
6.	Salt/Sand Mixing Cost per Ton Mix	_____
7.	Hauling from Central Mixing Location to Satellite Pile, per Ton Mix (Hauling Cost per Ton-Mile) multiplied by (\$ per Gallon)#	<u>included</u>
8.	Prewetting Agent (Specify Type: _____) per Ton Mix	_____
9.	Prewetting Agent Hauling (if any) from Source or Delivered Location, Per Ton of Mix: (Gallons per Ton Mix) (Hauling Cost per Gallon)	_____
10.	Reloading from Stockpile to Truck (See worksheet, Terms, p. 6-47)	_____
11.	Total per Ton in Materials Spreading Truck at Stockpile (Lines 5-10)	<u>\$42.58</u>

\*Calculate % of sand or salt in a mix by weight, not volume, e.g., typical stockpile ration (by volume) of 10:1 sand to salt (NaCl) equals 93% sand by weight and 7% salt by weight, assuming 2700 lbs./CY for sand and 2000 lbs./CY for salt.

#Cost of anti-icing liquids added to material at the spreader or applied directly to the highway are to be claimed for reimbursement using Form SIR-12, Materials Expenditures.

CERTIFICATION

I hereby certify that I am in charge of the stockpile described on this form, that the amounts and prices of the materials purchased and used and the charges indicated have been computed from actual quantities and cost records compiled during the work of accumulating such stockpile, and that daily reports of work performed, together with certified statements of materials purchased, are on file and available for inspection.

I further certify that none of the costs used in arriving at that the unit price per ton (or per gallon) appear in any other way or in any other place on this claim or any previous claim.

Signature  Title Director of Public Works  
(Hwy. Supt. Of County, Town, Village or City)  
Date 8/23/13

Distribution: WHITE-NYSDOT Accounting Bureau; GREEN – Regional Maintenance Engineer; YELLOW- Resident Engineer;  
PINK – Contractor (Fiscal Officer); GOLD – CONTRACTOR (Highway Superintendent)