

**AGENDA**  
**Council Meeting**  
**Monday, May 14, 2012**  
**7:00 P. M.**

- I. Call to Order
- II. Pledge of Allegiance
- III. Public Hearing
  - 1. A public hearing regarding an ordinance to lease municipal property at the Dobisky Visitors' Center. (Bill #25)
- IV. Presentation
  - 1. Steve LeFever, Barton & Loguidice, P.C., regarding a Standard Shade Roller Update
- V. Personal Appearance

(Anyone wishing to address the Council should notify the Clerk prior to the meeting)

  - 1. Eileen Premo regarding a Girl Scout project at Kid's Kingdom
- 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
- IX. Items for Council Action
  - 1. An ordinance to lease municipal property at the Dobisky Visitors' Center. (Bill #25)
  - 2. A resolution endorsing the efforts of "OPERATION ... VETERANS" to secure the Pritchard Building and the old St. Joseph's Nursing Home as Veterans Service Centers of the North Country. (Bill #26)
  - 3. A resolution to award a Professional Service Contract for the recruitment of a City Manager. (Bill #27)

4. A resolution calling for a public hearing on an ordinance to amend Chapter 203 of the Code of the City of Ogdensburg, entitled "Taxicabs". (Bill #28)
5. A resolution authorizing the City Manager to enter into a contract with Troy and Banks to perform a utility rate review. (Bill #29)
6. A resolution to amend the 2012 budget to allow for the use of 2010 Operation Stonegarden Grant funds. (Bill #30)
7. A resolution authorizing the City Manager to execute Addendum No. 3, in the amount of \$183,300., to the Agreement for Engineering Services between the City of Ogdensburg and Barton & Loguidice in connection with the Building Demolition and Hazardous Substances Abatement for the Former Shade Roller Building Project. (Bill #31)
8. A resolution authorizing the City Manager to submit a Brownfield Cleanup Grant application to the U.S. Environmental Protection Agency for the former Standard Shade Roller property. (Bill #32)

X. Old Business

XI. New Business

XII. Items for Discussion

1. Inventory of City-owned properties

XIII. Executive Session

1. Union Negotiations' Update

XIV. Adjournment

Business of the City Council  
City of Ogdensburg

SUBJECT: FOR AGENDA OF: April 23, 2012  
A Resolution Calling for Public BILL #: 25  
Hearing and Public Notice Regarding DEPT. OF ORIGIN: Recreation Department  
the Lease of Municipal Property DATE SUBMITTED: April 18, 2012  
APPROVED AS TO FORM BY CITY CLEARANCES: \_\_\_\_\_  
ATTORNEY EXHIBITS: Ordinance  
\_\_\_\_\_  
APPROVED BY CITY ADMIN. FOR SUBMITTAL

---

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

---

SUMMARY STATEMENT

This resolution calls for a public notice and public hearing on a proposed ordinance to lease municipal property at the Dobisky Visitors' Center to Trevor Brunet.

RECOMMENDED ACTION

Passage of this resolution.

---

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

VOTE ON ROLL CALL:

|                   |       |                      |       |
|-------------------|-------|----------------------|-------|
| MAYOR NELSON      | _____ | COUNCILLOR MORLEY    | _____ |
| COUNCILLOR ASHLEY | _____ | COUNCILLOR SKAMPERLE | _____ |
| COUNCILLOR CILLEY | _____ | COUNCILLOR STEVENSON | _____ |
| COUNCILLOR HOSMER | _____ |                      |       |

ORDINANCE # OF 2012  
AN ORDINANCE TO AUTHORIZE A LEASE OF  
MUNICIPAL PROPERTY

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

ITEM ONE: An ordinance to authorize a lease of municipal property at the Dobisky Visitors Center to Trevor Brunet.

ITEM TWO: The City Manager has presented the attached proposed agreement to lease space at the Dobisky Visitors Center.

ITEM THREE: The City Manager is hereby authorized to execute the attached lease agreement, hereby made part of this ordinance.

ITEM FOUR: Passage of this ordinance shall be by a vote of three-fourths (3/4) of all members of the City Council.

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

Business of the City Council

City of Ogdensburg

SUBJECT: Resolution endorsing the efforts of "OPERATION ... VETERANS".

FOR AGENDA OF: May 14, 2012

BILL #: 26

DEPT. OF ORIGIN: Mayor & Council

DATE SUBMITTED: April 30, 2012

APPROVED AS TO FORM BY CITY ATTORNEY

EXHIBITS: Resolution

APPROVED BY CITY MANAGER FOR SUBMITTAL

---

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

---

SUMMARY STATEMENT

A resolution endorsing the efforts of "OPERATION ... VETERANS" to secure the Pritchard Building and the old St. Joseph's Nursing Home as Veterans Service Centers of the North Country.

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 ENDORSING THE EFFORTS OF  
“OPERATION ... VETERANS” TO SECURE THE PRITCHARD  
BUILDING AND THE OLD ST. JOSEPH’S NURSING HOME AS  
VETERANS SERVICE CENTERS OF THE NORTH COUNTRY**

**WHEREAS**, a new veterans group was formed with members from Massena to Ogdensburg named “Operation... Veterans”, and

**WHEREAS**, the mission of this group is to raise awareness of the needs and concerns of all veterans, and

**WHEREAS**, this group was formed to assist veterans with various health problems and obstacles, and

**WHEREAS**, this veterans group has recommended that the St. Lawrence Psychiatric Center’s Pritchard Building be utilized as a veterans hospital, and

**WHEREAS**, this veterans group has also recommended that the old St. Joseph’s Nursing Home on Lafayette Street be made into a long-term veterans care facility, and

**NOW, THEREFORE, BE IT RESOLVED** that the Ogdensburg City Council urges our elected officials on the federal and state level to endorse developing veterans service centers in the North Country by utilizing vacant properties at the St. Lawrence Psychiatric Center and Ogdensburg, and

**BE IT FURTHER RESOLVED** that copies of this resolution be forwarded to Governor Andrew Cuomo, United States Senators Charles Schumer and Kristen Gillibrand, Congressman Bill Owens, State Senators Joseph Griffo, Patty Ritchie and Elizabeth Little, Assemblywoman Addie Russell and Assemblyman Kenneth Blankenbush.

Business of the City Council  
City of Ogdensburg

SUBJECT: FOR AGENDA OF 05-14-12 BILL # 27  
Resolution to award a Professional Service Contract for the recruitment of a City Manager  
DEPT OF ORIGIN: City Manager  
DATE SUBMITTED: 05-02-12  
CLEARANCES: \_\_\_\_\_

APPROVED AS TO FORM EXHIBITS: Resolution

BY CITY ATTORNEY  
\_\_\_\_\_  
APPROVED BY CITY MANAGER FOR SUBMITTAL

---

|                                   |                       |                                     |
|-----------------------------------|-----------------------|-------------------------------------|
| EXPENDITURE<br>REQUIRED: \$15,000 | AMOUNT<br>BUDGETED: 0 | APPROPRIATION<br>REQUIRED: \$15,000 |
|-----------------------------------|-----------------------|-------------------------------------|

---

SUMMARY STATEMENT

Resolution to award a Professional Service Contract for the recruitment of a City Manager.

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 TO AWARD A  
PROFESSIONAL SERVICE CONTRACT  
FOR THE RECRUITMENT OF A CITY MANAGER**

**WHEREAS**, the City of Ogdensburg has issued a Request for Proposals to Conduct a Recruitment for the position of City Manager, and

**WHEREAS**, three firms have responded to said Request for Proposals, and

**NOW, THEREFORE, BE IT RESOLVED**, that the Ogdensburg City Council hereby directs the interim City Manager to execute a professional services agreement with the Bonadio Group, for a fee not to exceed \$15,000., plus direct expenses, and

**BE IT FURTHER RESOLVED** that the City Comptroller is hereby directed to transfer \$15,000. from the Contingency Account A1990 to A1230.515, Consultants.



Business of the City Council

City of Ogdensburg

SUBJECT: FOR AGENDA OF: May 14, 2012  
A resolution calling for a public hearing  
to amend Chapter 203 of the  
Ogdensburg Municipal Code BILL #: 28  
DEPT. OF ORIGIN: City Clerk  
DATE SUBMITTED: May 2, 2012  
APPROVED AS TO FORM BY CITY ATTORNEY CLEARANCES: \_\_\_\_\_  
EXHIBITS: Resolution & ordinance  
APPROVED BY CITY MANAGER FOR SUBMITTAL

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

SUMMARY STATEMENT

A resolution calling for a public hearing on an ordinance to amend Chapter 203 of the Code of the City of Ogdensburg, entitled "Taxicabs".

RECOMMENDED ACTION

Passage of this 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 CALLING FOR A PUBLIC HEARING  
TO AMEND THE OGDENSBURG MUNICIPAL CODE, CHAPTER 203 OF THE CITY  
OF OGDENSBURG ENTITLED "TAXICABS"**

**BE IT RESOLVED**, that Ordinance No \_\_\_ of 2012, entitled "Ordinance amending Chapter 203 entitled "Taxicabs", 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 Tuesday the 29th day of May 2012, 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 # \_ - 2012

AN ORDINANCE TO AMEND CHAPTER 203  
OF THE CODE OF CITY OF OGDENSBURG

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

ITEM ONE

That Chapter 203 entitled "Taxicabs", is hereby deleted in its entirety and replaced with the following Chapter 203 entitled "Livery/ Limo/Taxi":

**Chapter 203  
LIVERY/LIMO/TAXICABS**

| Page   | Page  |
|--|---|
| §203-1. Definitions.....203:                                     | §203-9. Issuance of livery/limo/taxicab licenses; duration .....203:      |
| §203-2. Livery/limo/taxicab license required.....203:            | §203-10. Suspension or revocation of livery/limo/taxicab license.....203: |
| §203-3. Livery/limo/taxicab driver's license required.....203:   | §203-11. Driver's license fees.....203:                                   |
| §203-4. Driver's license application.....203:                    | §203-12. Livery/limo/taxicab license fee..203:                            |
| §203-5. Issuance of driver's license; duration; display.....203: | §203-13. Compliance with other provisions required..... 203:              |
| §203-6. Renewal of driver's license.....203:                     | §203-14. Livery/limo/taxicab stands.....203:                              |
| §203-7. Suspension or revocation of driver's license..... 203:   | §203-15. Display of license and rates required ..... 203:                 |
| §203-8. Livery/limo/taxicab license application.....203:         | §203-16. Penalties for offenses.....203:                                  |

**§ 203-1. Definitions.**

As used in this chapter, unless the subject matter or context otherwise requires, the following terms shall have the meanings indicated:

**DRIVER'S LICENSE** -- Includes permission granted by the City of Ogdensburg, New York, to any person to drive upon the streets of such City any licensed livery/limo/taxicab.

**OPERATOR** -- Includes any person owning or having control of the use of one or more livery/limo/taxicabs for hire upon the streets of the City of Ogdensburg, New York, or engage in the business of operating a livery/limo/taxicab or which is at any time used to carry passengers for hire.

**STREET** -- Includes any street, alley, avenue, bridge, lane or public place in the City of Ogdensburg, New York.

LIMO/TAXICAB -- Includes any motor vehicle engaged in the business of or at any time used to carry persons for hire except vehicles subject to the provisions of the Transportation Corporations Law.

LIVERY/LIMO/TAXICAB DRIVER -- Any person who drives a livery/limo/taxicab whether such person is the owner of such livery/limo/taxicab or employed by a livery/limo/taxicab owner or operator.

LIVERY/LIMO/TAXICAB LICENSE -- Includes permission granted by the City of Ogdensburg, New York, to any person to operate or keep for hire any livery/limo/taxicab in such City.

LIVERY/LIMO/TAXICAB LICENSEE -- Includes the owner of any livery/limo/taxicab or livery/limo/taxicabs for which a livery/limo/taxicab license has been issued hereunder.

LIVERY/LIMO/TAXICAB STAND -- Includes any place which is exclusively reserved by the City Council for the use of livery/limo/taxicabs.

LIVERY – Any motor vehicle which is owned or used for the purpose of transporting passengers for hire and which is hired by specific charter or for a particular contract, or by the date, hour or other fixed period, and for which use there is charged a fare or price agreed upon in advance between the owner or operator and the passenger.

#### **§ 203-2. Livery/Limo/Taxicab license required.**

No person shall operate or keep for hire or pay within limits of the City of Ogdensburg, New York, any livery/limo/taxicab without first having obtained and paid for a livery/limo/taxicab license and having the same in force and effect under the provisions of this chapter.

#### **§ 203-3. Livery/Limo/Taxicab driver's license required.**

No person shall drive a livery/limo/taxicab and no person shall permit anyone to drive a livery/limo/taxicab within the limits of the City of Ogdensburg, New York, without such driver having first obtained and paid for and having in force and effect a driver's license under the provisions of this chapter.

#### **§ 203-4. Driver's license application.**

A. General requirements. Each applicant for a driver's license must comply with the following to the satisfaction of the Chief of Police:

(1) Must first have obtained a state chauffeur's license.

(2) Must be of the age of 18 years of age or over.

(3) Must be of sound physique with good eyesight and not subject to any infirmity of body or mind which might render him unfit for the safe operation of a public vehicle.

(4) Be able to read and write the English language.

(5) Be clean in dress and person and not addicted to the use of intoxicating liquors or drugs.

(6) Produce affidavits of good character from two reputable citizens of the City of Ogdensburg, New York, who have known him personally and have observed his conduct for at least one year preceding the date of his application.

(7) Furnish the Chief of Police with a statement giving his full name, residence, places of residence for five years previous to moving to his present address, age, whether a citizen of the United States, places of previous employment, whether he has ever been arrested or convicted of a felony or a misdemeanor, whether he has ever had a driver's or chauffeur's license revoked and for what cause and the number of the chauffeur's license issued by the state.

B. Chief of Police; powers and duties. This statement shall be signed and sworn to by the applicant if the Chief of Police so requires. Any false or misleading statement of the applicant shall be grounds for withholding or revocation of a driver's license. The Chief of Police is also hereby authorized and empowered to require such additional information from applicants as he may deem necessary. The Chief of Police may, in his discretion, examine any applicant for a driver's license as to his knowledge of the provisions of this chapter, the Vehicle and Traffic Law of the State of New York and as to the applicant's skill and ability to safely handle his vehicle.

### **§ 203-5. Issuance of driver's license; duration; display.**

A. Citizenship required. No person shall be issued a driver's license unless such person is a citizen of the United States.

B. Convictions. No driver's license shall be issued to any applicant who has, within five years prior to the date of the application, committed a felony or is, at the time of the application, under indictment for a felony, nor shall any license be issued to any person who has been convicted of two misdemeanors within the two years next preceding the application for said license.

C. Issuance; term; display. Upon fulfillment of the foregoing requirements to the satisfaction of the Chief of Police and upon the conclusion of said Chief of Police that the applicant is a proper person to be given a driver's license, there shall be issued to the applicant a license stamped by the Seal of the City. Each driver's license shall be issued as of July 1 of each and every year, and shall be valid to and including June 30 next succeeding, unless previously suspended or revoked. The chauffeur's license of the driver shall be displayed by the licensee at all times when driving or operating or while in charge of any livery/limo/taxicab and the driver's license shall be carried by the licensee and displayed when requested by patrons or the police authorities.

**§ 203-6. Renewal of driver's license.**

The Chief of Police may renew a driver's license from year to year upon payment of the fee as prescribed in this chapter.

**§ 203-7. Suspension or revocation of driver's license.**

A driver's license may at any time be suspended or revoked for cause after a hearing by the Chief of Police. Any violation of any of the provisions of this chapter or of any law regulating traffic or the operation of motor vehicles or the commission of any misdemeanor or felony or any conduct which might tend to render the operation of a motor vehicle unsafe, improper or unpleasant for the public or any failure to provide prompt, efficient service to the public shall be considered cause for the revocation or suspension of a driver's license under this chapter.

**§ 203-8. Livery/Limo/Taxicab license application.**

A livery/limo/taxicab license shall be issued as of July 1 and shall expire June 30 next succeeding unless suspended or revoked. Application for a livery/limo/taxicab license shall be made by the owner upon a blank form furnished by the City Clerk. Such application shall contain:

- A. The name, age and residence of the person applying for the license.
- B. The make and type of vehicle to be used, the horsepower, the vehicle identification number, the state license number, the model year and the seating capacity.
- C. Whether previously licensed to operate a livery/limo/taxicab and, if so, where.
- D. Whether the license to operate a livery/limo/taxicab has ever been revoked or suspended and, if so, for what cause.
- E. A certificate of the State Commissioner of Motor Vehicles or other evidence satisfactory to the Chief of Police that the applicant has complied with the provisions of §370 of the Vehicle and Traffic Law of the State of New York.
- F. Such other information as the Chief of Police may deem necessary.

**§ 203-9. Issuance of livery/limo/taxicab licenses; duration.**

A. Investigation. Upon the filing of an application the Chief of Police shall thereupon make an investigation of the applicant and of the vehicle to be licensed. The Chief of Police shall thereupon either approve or disapprove of the issuance of a license, taking into consideration the character of the owner and whether or not the vehicle is fit or suitable for public patronage.

B. Citizenship and residency. No person shall be issued a livery/limo/taxicab license unless such person is a citizen of the United States and a resident of the State of New York.

C. Convictions. No livery/limo/taxicab licenses shall be issued to any applicant who has, within five years prior to the date of the application, committed a felony or is, at the time of the application, under indictment for a felony, nor shall any license be issued to any person who has been convicted of two misdemeanors within the two years preceding the application for said licenses.

D. Issuance; term. Upon fulfillment of the foregoing requirements to the satisfaction of the Chief of Police and upon the conclusion of said Chief of Police that the applicant is a proper person to be given a livery/limo/taxicab license, there shall be issued to the applicant a license stamped by the Seal of the City. Each livery/limo/taxicab license shall be issued as of July 1 of each and every year and shall be valid to and concluding June 30 next succeeding, unless previously suspended or revoked.

#### **§ 203-10. Suspension or revocation of Livery/Limo/Taxicab license.**

Livery/limo/taxicab licenses may be revoked or suspended at any time for cause after a hearing by the Chief of Police if the vehicle shall be used for immoral or illegal business or purpose or for a violation of any ordinance or a law governing the operation of motor vehicles or for the failure to provide adequate service to the public.

#### **§ 203-11. Driver's license fees.**

The following license fee shall be paid for a driver's license or renewal thereof: \$50 per driver, except that no license fee shall be charged to an owner who exclusively drives his own livery/limo/taxicab.

Owners who drive their own livery/limo/taxicabs shall, however, be required to obtain a driver's license as provided herein except that the same shall be issued without cost upon the payment of the license fee of their vehicles.

#### **§ 203-12. Livery/limo/taxicab license fee**

The following license fee shall be charged for each livery/limo/taxicab licensed: \$75.

#### **§ 203-13. Compliance with other provisions required.**

It shall not be lawful for any person to operate a livery/limo/taxicab or permit a livery/limo/taxicab to be operated within the City of Ogdensburg unless and until he fully complies with all provisions and requirements of § 370 of the Vehicle and Traffic Law of the

State of New York nor shall any license hereunder be issued until or unless an applicant therefor fully complies with the provisions and requirements of said § 370. Upon noncompliance of any licensee hereunder at any time with the provisions and requirements of said § 370, the Chief of Police shall forthwith suspend or revoke the license of such licensee.

**§ 203-14. Livery/Limo/Taxicab stands.**

A. No person shall operate a livery/limo/taxicab stand within the City of Ogdensburg unless such location is approved by the City Council.

B. All persons or organizations desiring to operate a livery/limo/taxicab stand within the City of Ogdensburg shall submit an application for review by the City Council.

C. All applications for permission to operate a livery/limo/taxicab stand shall contain a written statement as to the proposed location of said livery/limo/taxicab stand and the number of vehicles anticipated to use such location as a livery/limo/taxicab stand.

D. No real estate belonging to the City of Ogdensburg shall be used for the purpose of operating a livery/limo/taxicab stand.

E. The City of Ogdensburg shall not participate in the management or operation of any livery/limo/taxicab stand in any location approved by the City Council.

F. This section shall not apply to any individual who uses his residential driveway as a place of operating a taxi if such use is limited to that individual only.

G. Any person violating any of the provisions of this section other than Subsection D shall be guilty of a violation and, upon conviction, shall be punished as follows:

(1) First offense: a fine of not less than \$20 and not more than \$50.

(2) Second offense: a fine of not less than \$50 and not more than \$100.

(3) Third offense: a fine of not less than \$100 and not more than \$200.

H. Any person who violates Subsection D of this section shall be punishable as follows:

(1) First offense: a fine of not less than \$75 and not more than \$150.

(2) Second offense: a fine of not less than \$150 and not more than \$300.

(3) Third offense: a fine of not less than \$250 and not more than \$500.

(4) Subsequent offenses: suspension of the offender's permit to operate a livery/limo/taxicab within the City of Ogdensburg.

**§ 203-15. Display of license and rates required.**

It shall be the duty of each livery/limo/taxicab driver to display his livery/limo/taxicab license and the rates charged in a prominent place in his cab.



**§ 203-16. Penalties for offenses.**

Any person who shall violate any provision of this chapter for which no punishment is specifically provided shall be guilty of a violation and, upon conviction for such violation, shall be punished by a fine of not more than \$250 or imprisonment for not more than 15 days, or both such fine and imprisonment.

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.

Business of the City Council  
City of Ogdensburg

SUBJECT:  
Resolution authorizing the City  
Manager to enter into a contract to have  
a utility rate review done.

FOR AGENDA OF: 5/14/2012

BILL #: 29

DEPT. OF ORIGIN: City Comptroller

DATE SUBMITTED: 5/3/2012

APPROVED AS TO FORM BY CITY  
ATTORNEY

EXHIBITS: resolution

APPROVED BY CITY MANAGER FOR SUBMITTAL

---

EXPENDITURE  
REQUIRED: \$0

AMOUNT  
BUDGETED: \$0

APPROPRIATION  
REQUIRED: \$0

---

SUMMARY STATEMENT

This resolution authorizes the City Manager to enter into a contract with Troy and Banks to perform a utility rate review.

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 AUTHORIZING THE CITY MANAGER  
TO ENTER INTO A CONTRACT FOR UTILITY RATE REVIEW**

WHEREAS, the City has received a proposal to do a utility rate review, and

WHEREAS, the review will include gas and electric rates, and

WHEREAS, the City will not pay any fees unless there are actual errors or overcharges found, and

WHEREAS, said fees will be in the form of a percentage of the errors or overcharges found,

NOW THEREFORE BE IT RESOLVED, that the City Manager is authorized to enter into a contract with the firm of Troy and Banks, Buffalo, New York to do said review.

Business of the City Council  
City of Ogdensburg

SUBJECT: FOR AGENDA OF: 5/14/2012  
Budget amendment in connection with BILL #: 30  
2010 Operation Stonegarden. DEPT. OF ORIGIN: Police Department  
DATE SUBMITTED: 5/09/2012  
APPROVED AS TO FORM BY CITY ATTORNEY EXHIBITS: \_\_\_\_\_  
APPROVED BY CITY MANAGER FOR SUBMITTAL

---

|                        |               |                        |
|------------------------|---------------|------------------------|
| EXPENDITURE            | AMOUNT        | APPROPRIATION          |
| REQUIRED: \$260,126.00 | BUDGETED: \$0 | REQUIRED: \$260,126.00 |

---

SUMMARY STATEMENT

A resolution to amend the 2012 budget to allow for the use of 2010 Operation Stonegarden Grant funds. This will not require the expenditure of any local funds.

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 \_\_\_\_\_

**A RESOLUTION TO AMEND THE 2012 GENERAL FUND BUDGET IN CONNECTION WITH 2010 OPERATION STONEGARDEN GRANT FUNDS**

WHEREAS, the City was awarded \$260,126.00 in Grant Funds from the Office of Homeland Security, for the 2010 Operation Stonegarden Program, and

WHEREAS, the final contract for the award was received after approval of the 2012 Budget, and

WHEREAS, as a result of the late arrival of the contract, the 2012 Budget needs to be amended to reflect the receipt and use of those funds throughout 2012, and

WHEREAS, the awarded funds need to be documented as a Revenue and also broken down into expenses in various line items,

NOW, THEREFORE BE IT RESOLVED, that the City Council amends the 2012 budget to create a 2010 Operation Stonegarden Program Revenue account in the amount of \$260,126.00,

AND BE IT FURTHER RESOLVED that the following line items within the 2012 Police Department Budget be amended as follows:

\$94,169.00 be added to the Overtime Line A3120.120

\$12,778.00 be added to the Gasoline Line A3120.480

\$8,052.00 be added to the Equipment Maintenance Line A3120.440

\$107,459.00 be added to the Capital Equipment Line A3120.310

\$37,668.00 to be broken down into the respective Fringe Benefits Lines

Business of the City Council  
City of Ogdensburg

SUBJECT:  
Resolution Authorizing Addendum No. 3  
to the Agreement Between the City of  
Ogdensburg and Barton & Loguidice for  
Engineering Services in Connection with  
the Building Demolition and Hazardous  
Substances Abatement for the Former  
Standard Shade Roller Site

FOR AGENDA OF: May 14, 2012

BILL #: 31

DEPT. OF ORIGIN: Planning

DATE SUBMITTED: May 9, 2012

APPROVED AS TO FORM BY CITY  
ATTORNEY

EXHIBITS: Resolution

APPROVED BY CITY MANAGER FOR SUBMITTAL

---

| EXPENDITURE         | AMOUNT        | APPROPRIATION       |
|---------------------|---------------|---------------------|
| REQUIRED: \$183,300 | BUDGETED: -0- | REQUIRED: \$183,300 |

---

SUMMARY STATEMENT

This resolution authorizes the City Manager to execute Addendum No. 3, in the amount of \$183,300., to the Agreement for Engineering Services between the City of Ogdensburg and Barton & Loguidice in connection with the Building Demolition and Hazardous Substances Abatement for the Former Shade Roller Building Project.

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 AUTHORIZING ADDENDUM NO. 3 TO THE AGREEMENT  
BETWEEN THE CITY OF OGDENSBURG AND BARTON & LOGUIDICE FOR  
ENGINEERING SERVICES IN CONNECTION WITH THE BUILDING DEMOLITION  
AND HAZARDOUS SUBSTANCES ABATEMENT FOR THE  
FORMER STANDARD SHADE ROLLER SITE**

**WHEREAS**, the City of Ogdensburg has executed an Agreement and Addendums totaling \$180,925 with the firm of Barton & Loguidice (B&L) for the preparation of a Former Standard Shade Roller Site Building Demolition and Hazardous Substances Abatement Services; and

**WHEREAS**, it is the City's desire to enter the Former Standard Shade Roller site into the Brownfields Cleanup Program (BCP); and

**WHEREAS**, B&L has prepared, in draft form, all of the necessary documents that must be submitted to the NYS Dept. of Environmental Conservation for review and approval in order to gain acceptance into the BCP;

**WHEREAS**, additional services were required for the remedial construction oversight during the asbestos abatement, building demolition and contaminated soils activities and for the sampling and analysis of reclaimed concrete materials, and additional services will be required for the implementation of the Remedial Investigation Work Plan, for an estimated total project cost of \$364,225.;

**NOW, THEREFORE BE IT RESOLVED, that** the City Manager is hereby authorized to execute Addendum No. 3, in the amount of \$183,300., to the Agreement for Engineering Services between the City of Ogdensburg and Barton & Loguidice in connection with the Building Demolition and Hazardous Substances Abatement for the Former Shade Roller Building Project, and;

**BE IT FURTHER RESOLVED**, that the funding for this project will come from Capital Fund H866602.518.

Business of the City Council  
City of Ogdensburg

SUBJECT: Resolution Authorizing the City Manager to Submit a Brownfield Cleanup Grant Application to the US Environmental Protection Agency

FOR AGENDA OF: May 14, 2012

BILL #: 32

DEPT. OF ORIGIN: Planning

DATE SUBMITTED: May 9, 2012

APPROVED AS TO FORM BY CITY ATTORNEY

EXHIBITS: Resolution

APPROVED BY CITY MANAGER FOR SUBMITTAL

---

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

---

SUMMARY STATEMENT

This resolution authorizes the City Manager to submit a Brownfield Cleanup Grant application to the U.S. Environmental Protection Agency for the former Standard Shade Roller property.

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 AUTHORIZING THE CITY MANAGER TO SUBMIT  
A BROWNFIELD CLEANUP GRANT APPLICATION TO THE  
U.S. ENVIRONMENTAL PROTECTION AGENCY**

WHEREAS, the City of Ogdensburg desires to clean up the former Standard Shade Roller property located at 541 Covington Street, a site that has been found to be contaminated by metal, volatile and semi-volatile organic compounds, including petroleum hydrocarbons; and

WHEREAS, this property lies in the City's Waterfront Redevelopment Area and requires remediation in order to prepare it for residential development, public green space and access to the river; and

WHEREAS for environmental review purposes, administration is a Type II action in accordance with SEQRA 6NYCRR, Part 617.5(c) (20) and as such no further action is necessary regarding the same;

NOW, THEREFORE, BE IT RESOLVED that the City Manager is hereby authorized and directed to submit a Brownfield Cleanup Grant application to the U.S. Environmental Protection Agency for the former Standard Shade Roller property and, upon approval of said request, to enter into and execute a project agreement with U.S. Environmental Protection Agency.