

## CITY COUNCIL MEETING

June 27, 2011

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

PRESENT: Mayor Nelson, Councillors Cilley, Morley,  
Powers, Sholette, Skamperle and Vaugh

ABSENT: None

### PRESENTATION

1. Mayor Nelson introduced the students of the St. Lawrence County Reality Check program and asked the community to support their campaign. (A copy of the presentation follows these minutes.)

### PROCLAMATION

1. Mayor Nelson signed and read a Proclamation supporting the St. Lawrence County Reality Check's campaign to raise awareness of the prevalence and negative impact of tobacco marketing and promotion. (A copy of the proclamation follows these minutes.)

2. Mayor Nelson signed and read a Proclamation declaring Amateur Radio week in Ogdensburg as June 20th through the 26<sup>th</sup>. (A copy of the proclamation follows these minutes.)

3. Mayor Nelson read a Proclamation declaring July 5<sup>th</sup> as Rick Carlisle Day in the City of Ogdensburg. Mayor Nelson stated the community is invited to attend a celebration on Mr. Carlisle's behalf in the Greenbelt on July 5<sup>th</sup> at 6:00 p.m. (A copy of the proclamation follows these minutes.)

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### PERSONAL APPEARANCES

1. Robert Flavin, Chairman of the Vietnam Wall Committee, addressed Council and thanked DPW Director Kit Smith and the DPW staff, Matt Denner, Matt Curatolo and the staff of the Recreation Department for their support while the Moving Vietnam Memorial Wall was in the City. Mr. Flavin stated that two hundred people donated to the Wall, and in a wrap-up meeting many options were discussed about what to do with the remaining funds. (A copy of Mr. Flavin's statement follows these minutes.)

### CONSENT AGENDA

Mayor Nelson moved that the claims as enumerated in General Fund Warrant #12-2011 in the amount of \$312,924.20 and Library Fund Warrant #12-2011 in the amount of \$20,313.37 and Capital Fund Warrant #12-2011 in the amount of \$48,921.04 and Community Development Fund Warrant #12-2011 in the amount of \$10,212.56 and Community Renewal Fund Warrant #12-2011 in the amount of \$24,495.00 and HOME Fund Warrant #12-2011 in the amount of \$6,456.06 and AHC Funds Warrant #12-2011 in the amount of \$0.00, RESTORE Program Warrant #12-2011 in the amount of \$0.00 and NSP Funds Warrant #12-2011 in the amount of \$0.00 and NY Main St. Program Warrant #12-2011 in the amount of 0.00 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 Powers moved a resolution authorizing the issuance of a Tax Anticipation Note, and Councillor Skamperle seconded to wit:

TAX ANTICIPATION NOTE RESOLUTION DATED JUNE 27, 2011.

A RESOLUTION DELEGATING TO THE COMPTROLLER OF THE CITY OF OGDENSBURG, ST. LAWRENCE COUNTY, NEW YORK, THE POWER TO AUTHORIZE THE ISSUANCE OF AND TO SELL NOT EXCEEDING \$2,000,000 TAX ANTICIPATION NOTES OF SAID CITY IN ANTICIPATION OF THE COLLECTION OF TAXES LEVIED OR TO BE LEVIED FOR THE FISCAL YEAR OF SAID CITY WHICH COMMENCED JANUARY 1, 2011.

BE IT RESOLVED, by the Council of the City of Ogdensburg, St. Lawrence County, New York, as follows:

Section 1. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell not exceeding \$2,000,000 tax anticipation notes of the City of Ogdensburg, St. Lawrence County, New York, including renewals thereof, in anticipation of the collection of taxes levied or to be levied for the fiscal year of said City which commenced January 1, 2011, is hereby delegated to the Comptroller. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Comptroller, consistent with the provisions of the Local Finance Law.

Section 2. This Resolution shall take effect immediately.

The vote was:

CARRIED, AYES ALL

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2. Councillor Skamperle moved a resolution to encourage and support the efforts of our national and state officials to find a solution to the new interpretation of the Canadian Customs Law on the St. Lawrence River, and Councillor Powers seconded to wit:

RESOLUTION ENCOURAGING AND SUPPORTING THE EFFORTS TO FIND A SOLUTION TO THE ISSUE INVOLVING THE NEW INTERPRETATION OF CANADIAN CUSTOMS LAW ON THE ST. LAWRENCE RIVER

WHEREAS, the St. Lawrence River comprises the entire Northern border of St. Lawrence County, and

WHEREAS, the St. Lawrence River provides recreational and tourism opportunities for boaters, fishermen, hunters, and other outdoor enthusiasts, and

WHEREAS, the St. Lawrence River is known as one of the best fresh water fisheries in the world, and

WHEREAS, the Ogdensburg City Council and its designed tourism promotion agencies, the St. Lawrence County Chamber of Commerce and the Ogdensburg Chamber of Commerce are committed to making St. Lawrence County the Fishing Capital of the world through the FISHCAP initiative, and

WHEREAS, there has been a major change in the interpretation by Canadian authorities of Canadian Customs/Immigration laws now requiring all boaters entering Canadian waters to report to Canadian Customs, and

WHEREAS, the past interpretation of applicable Canadian statute has only required boaters and fishermen that anchored or docked while in Canadian waters to report to Canadian Customs, and

WHEREAS, the international border is not clearly visible, or marked to boaters on the St. Lawrence River, and

WHEREAS, we find the restrictions and implementations upon American boaters by the new interpretation to be unreasonable, and

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WHEREAS, this new interpretation threatens to reduce accessibility and the number of people taking advantage of our recreational and fishing opportunities, and

WHEREAS, Congressman Owens, along with Senator Schumer, Governor Cuomo, State Senator Ritchie, and Assemblywoman Russell have reached out to the government of Canada and the province of Ontario to address this issue,

NOW, THEREFORE, BE IT RESOLVED the Ogdensburg City Council encourages and supports the efforts of our national and state officials to find a solution to the new interpretation of Canadian Customs Law on the St. Lawrence River, and

BE IT FURTHER RESOLVED a copy of this resolution be sent to Congressman Owens, Senator Schumer, Governor Cuomo, Senator Ritchie, Senator Gillibrand, Senator Betty Little, Senator Joe Griffo, Assemblywoman Russell, the St. Lawrence County Chamber of Commerce and the Ogdensburg Chamber of Commerce.

The vote was:

CARRIED, AYES ALL

3. Councillor Sholette moved a resolution to authorize the City to repair a pipe in the Marina, and Councillor Skamperle seconded to wit:

A RESOLUTION TO REPAIR 36 INCH PASS THROUGH PIPE  
SERVICING THE CITY MARINA

WHEREAS, the City Marina pass through pipe is primarily plugged and in need of routing out, and

WHEREAS, the City is in the process of receiving all of the necessary quotes to have the work done, and expects to have these quotes shortly,

WHEREAS, the estimate for the repair work will not exceed \$20,000.00,

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NOW, THEREFORE BE IT RESOLVED that the City Council approves the work be done, and appropriates a sum not to exceed \$20,000.00 to complete the project,

AND BE IT FURTHER RESOLVED, that the funds to pay for the work shall come from the Capital Projects Fund from funds designated for the River Shoreline Improvement Project.

After much discussion amongst Council regarding the cost associated with the creation of a damn needed to do the work, Mayor Nelson moved to table this resolution and Councillor Powers seconded the motion.

The vote to table was:

CARRIED, AYES ALL

## OLD BUSINESS

1. Councillor Cilley asked if Senator Ritchie moved into her office space today. Mayor Nelson stated she began moving in today.

2. Councillor Cilley stated he is still noticing cars parked on sidewalks and said the public needs to be encouraged to use the streets and their driveways.

3. Councillor Cilley asked when Morris Street will be paved. Director of Public Works, Kit Smith stated that Street will be paved before the Seaway Festival.

4. Councillor Skamperle requested an economic development update. Councillor Skamperle also asked if there is funding available for the Ramada property's new owner as it is going up for auction. City Manager, Arthur Sciorra stated there are funds available through the Main Street Grant to refurbish the property. Mr. Sciorra also stated an update will be provided to Council on all economic development projects, their costs and project committee members.

5. Councillor Morley asked if the Beaver Brook project has started. Director

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of Public Works, Kit Smith stated initially the project was supposed to be finished by the end of June; but due to some submittals needing to be redrawn and the weather conditions, an extension was given. Mr. Smith stated he spoke with the contractor, and the project is due to start around the 10<sup>th</sup> of July. Mayor Nelson asked that this information be communicated to the Beaver Brook residents. Mr. Smith stated as soon as he receives something in writing from the contractor, he will inform the residents.

6. Councillor Sholette asked if the sewer study has been completed at the Cheese Plant. Mr. Sciorra stated the study has been completed, and there will be an executive session tonight to discuss it.

7. Mayor Nelson asked Mr. Sciorra to tell the staff that did Senator Ritchie's office renovations that they did a great job.

### NEW BUSINESS

1. Councillor Skamperle stated the ladder at the boat launch near the Visitors' Center has been taken off and asked if it will be replaced. Director of Recreation, Matthew Curatolo stated the cleats and ladder will be replaced.

2. Councillor Skamperle stated the Oswegatchie River Crescent Wall is full of holes (next to the concrete sidewalk on the edge of the grass) and asked that they be filled in.

3. Councillor Skamperle stated he sat in a BOA Committee Meeting and feels that some zoning laws are very outdated and need to be updated. Councillor Skamperle stated he would like to see some aggressive zoning changes come before Council for approval. City Manager, Arthur Sciorra stated zoning changes would go through the LWRP and the Planning Board before going to Council. Mr. Sciorra explained that City staff are trying to balance zoning needs and getting our waterfront development work done. Councillor Skamperle stated that he would like some simple zoning changes.

4. Councillor Skamperle stated he heard the City was awarded \$100,000.

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from RVRDA for the cleanup of Shade Roller. Mr. Sciorra stated that information was in Council's update.

5. Councillor Sholette stated years ago when he was at the City marina, he saw a "private - for boaters only" sign that was chained across the ramps to the docks. Councillor Sholette added that the chains are still there, but the signs aren't. Councillor Sholette stated he would like to see the signs replaced. Mr. Sciorra stated he would check on this. Councillor Sholette added that letters were recently sent to boat owners that have rented City marina slips regarding unloading vehicles in front of the docks, alcohol use and chairs, coolers or other possessions being left on the docks. Councillor Sholette also stated the boaters did sign an agreement, but some rules seem to have been added half way through the season. Councillor Sholette added that he feels the City should give and take a little with the boaters; because if another marina opens up, our marina could be empty. Mr. Sciorra stated staff will review these issues and then return to Council for discussion on policy. Mayor Nelson stated safety needs to be the number one concern in addressing these issues. Councillor Powers asked if there is a liability clause in the agreement the boaters sign upon rental of their slip. Councillor Powers asked if the dock is considered private space for a boater. Councillor Sholette asked the staff keep the communication open with boaters to have a safe, friendly atmosphere. City Attorney, Andrew Silver stated the dock area is municipal property which is subject to any reasonable rules and regulations the City imposes. Mr. Silver also stated there is a compromise that can take place between boaters and members of the community to use the marina, but it will just take a little thought. Mayor Nelson stated the issues regarding the marina usage will be discussed.

7. Councillor Sholette stated he was told the boaters lounge at the Visitors' Center had been left open and people from the community were using the laundry facilities.

8. Councillor Cilley expressed his disappointment in the New York State Legislature for passing the 2% tax cap without mandated relief. Mayor Nelson stated NYCOM distributed a booklet of mandate relief, but unfortunately none of them were acted upon. Mayor Nelson stated times will continue to get tougher, and we need to lobby hard.

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### ITEMS FOR DISCUSSION

1. Councillor Skamperle stated the City has a lack of recreation programs for teens and seniors. Councillor Skamperle suggested teen and senior nights at the pool and possibly a rock and swim. Councillor Skamperle stated more activities are needed at the Visitors' Center. Councillor Powers suggested the Recreation Commission discuss this with local schools. City Manager, Arthur Sciorra stated he would look into this.

2. Councillor Skamperle stated he has seen many teenagers jumping off the downtown bridges to swim and suggested opening the area at Little Park to swimming. Mayor Nelson stated this would require a consult with the City Attorney and the State.

Mayor Nelson stated there was a need for Executive Session, and Council did not expect any action. Mayor Nelson moved to adjourn to Executive Session, and Councillor Morley seconded the motion.

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