

CITY COUNCIL MEETING

January 25, 2010

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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

Mayor Nelson stated that he would like to move the agenda around beginning with Personal Appearances and then act on Agenda Bill #7 opposing the closure of the Ogdensburg Correctional Facility. Mayor Nelson said he would also like to hold the public hearing just before Agenda Bill #5, and also the presentation until before Agenda Bill #6. There was a consensus of Council.

PERSONAL APPEARANCE

1. Clifford Denny, 509 Covington Street, addressed Council regarding a complaint of a neighborhood dog owner who lives in an adjacent house. Mr. Denny also complained of a snow removal problem with this same neighbor. Mr. Denny requested that the City DPW plow his street in the opposite direction to avoid him having to push the snow out from the front of his house with a tractor. Mayor Nelson said he will turn these complaints over to the City Manager for review and recommendation.

2. Wanda Middlemiss addressed Council and provided an update on the activities of the Parents for Child Safety Committee. Ms. Middlemiss stated a letter was received from NYS Department of Transportation stating there was no funding available and the committee has discussed possible fundraisers to raise the approximate \$9,000. to \$12,000. for solar lights and additional signage. Ms. Middlemiss also stated December and January issues were resolved regarding snow banks around Madill School and traffic signals on Canton Street.

3. Joe Cosentino addressed Council and said the City, St. Lawrence County, area Towns and Villages and even school children need to work together to save the Ogdensburg Correctional Facility by writing letters to our elected officials.

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CONSENT AGENDA

Mayor Nelson moved that the claims as enumerated in General Fund Warrant #2-2010 in the amount of \$370,520.72 and Library Fund Warrant #2-2010 in the amount of \$20,017.79, Capital Fund Warrant #2-2010 in the amount of \$1,383.00 and Community Development Fund Warrant #2-2010 in the amount of \$0.00 and Community Renewal Fund Warrant #2-2010 in the amount of \$0.00 and HOME Fund Warrant #2-2010 in the amount of \$0.00 and AHC Funds Warrant #2-2010 in the amount of \$7,612.00 and RESTORE Program Warrant #2-2010 in the amount of \$9,393.00 as audited, be and the same are ordered paid and Councillor Powers seconded the motion.

The vote was:

AYES: Mayor Nelson, Councillors Cilley,
Powers, Sholette, Skamperle and Vaugh

NAYS: None

ABSENT: Councillor Morley

APPROVED, 6 TO 0

*At this point in the meeting, Councillor Morley returns to his seat.

APPOINTMENTS

1. Mayor Nelson moved the re-appointment of Matthew Flynn to the St. Lawrence Psychiatric Center Advisory Board, term to expire December 31, 2012, and Councillor Vaugh seconded the motion.

The vote was:

CARRIED, AYES ALL

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2. Mayor Nelson moved the re-appointment of Douglas Loffler to the St. Lawrence Psychiatric Center Advisory Board, term to expire December 31, 2012, and Councillor Sholette seconded the motion.

The vote was:

CARRIED, AYES ALL

3. Mayor Nelson moved the re-appointment of Michael Powers to the St. Lawrence Psychiatric Center Advisory Board as the City Council representative, term to expire December 31, 2011, and Councillor Morley seconded the motion.

The vote was:

CARRIED, AYES ALL

4. Mayor Nelson moved the re-appointment of Carol Nelson to the St. Lawrence Psychiatric Center Advisory Board, term to expire December 31, 2012, and Councillor Vaugh seconded the motion.

The vote was:

CARRIED, AYES ALL

ITEMS FOR COUNCIL ACTION

1. Mayor Nelson moved Resolution #7, to oppose the closure of Ogdensburg Correctional Facility, and Councillors Cilley, Morley, Powers, Sholette, Skamperle and Vaugh seconded to wit:

RESOLUTION
OPPOSING THE CLOSING
OF THE OGDENSBURG CORRECTIONAL FACILITY

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WHEREAS, Governor Paterson's proposed 2010-2011 State Budget eliminates funding for the medium security Ogdensburg Correctional Facility, which would force the New York State Department of Corrections to close the facility; and

WHEREAS, this medium security prison was welcomed in Ogdensburg in 1982, at a time when other municipalities in New York State did not want a prison; and

WHEREAS, the Ogdensburg Correctional Facility has provided employment to residents of the City of Ogdensburg and St. Lawrence County for the past 28 years, and has provided valuable manual labor through work programs to the City of Ogdensburg and other not for profit organizations in the greater Ogdensburg community; and

WHEREAS, the closing of the Ogdensburg Correctional Facility will result in the loss of more than 287 jobs at the facility, many held by Ogdensburg residents, and will result in untold job losses at businesses that support the facility and businesses that serve the employees of the facility; and

WHEREAS, the unemployment rate in St. Lawrence County is one of the highest of New York State's 62 counties, and

WHEREAS, the median income of residents in St. Lawrence County is one of the lowest of New York State's 62 counties;

NOW, THEREFORE, BE IT RESOLVED, that the Ogdensburg City Council strongly opposes the closing of the Ogdensburg Correctional Facility, and urges Governor Paterson and the State Legislature to provide the necessary funding to keep the Ogdensburg Correctional Facility open.

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AND, FURTHER BE IT RESOLVED, that a copy of this Resolution be forwarded to the Commissioner of Corrections Brian Fischer, Governor David Paterson, Senator Malcolm Smith, Senator Darrell J. Aubertine, Senator Hugh T. Farley, Senator Joe Griffo, Senator Thomas K. Duane, Senator Brian X. Foley, Senator Martin J. Golden, Senator Carl Kruger, Senator Elizabeth Little, Senator George D. Maziarz, Senator Velmanette Montgomery, Senator Michael F. Nozzolio, Senator John L. Sampson, Senator Jose M. Serrano, Senator Dale M. Volker, Senator George Winner, Senator Dean Skelos, Assemblyman James Tedisco, Assemblywoman Addie J. Russell, Assemblywoman Dede Scozzafava, Assemblywoman Teresa R. Sayward, Assemblyman Jeffrion L. Aubry, Assemblyman Michael Benjamin, Assemblyman William Colton, Assemblywoman Janet L. Duprey, Assemblyman Joe Giglio, Assemblyman Hakeem Jeffries, Assemblyman Alan Maisel, Assemblyman Felix Ortiz, Assemblyman Jose R. Peralta, Assemblyman William Scarborough, Assemblyman Harvey Weisenberg, Assemblyman Keith L. T. Wright and Assembly Speaker Sheldon Silver.

Mayor Nelson outlined the steps he took upon learning of the Governor's proposal to close the Ogdensburg Correctional Facility. They are as follows:

1. Formed a Task Force comprised of:

- Chair, Charles W. Kelly, Publisher and Editor of St. Lawrence County Newspapers and Chairman of the Prison's Community Advisory Board
- Michael B. Powers, State Correctional Officer and City Councillor
- Wes Stitt, Retired Ogdensburg City School District Superintendent
- Patrick Kelly, Representative of Industrial Development Agency (IDA)
- Laura Ashley, Former Executive Director of the Greater Ogdensburg Chamber of Commerce
- John O'Keefe, Retired Ogdensburg Correctional Facility Superintendent
- Tim Richards, SLL BOCES Program Director Career, Alternative and Adult Education
- Shannon Demers, Developer of Save Our Prison Facebook Site
- Arthur J. Sciorra, Ogdensburg City Manager
- Coralee Barrett, Secretary to Mayor and City Manager

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2. Shannon Demers created the Facebook Site “Keep the Ogdensburg Correctional Facility Open”, <http://www.facebook.com/group.php?gid=256112263270>, has 4200 members. This site is an area where you can post your comments regarding the proposed closing of the medium security prison that found its home in Ogdensburg in 1982, when local officials welcomed it with open arms and other places in the state didn't want a prison.
3. Bill Nelson, County Clerk Patty Ritchie and Sheriff Kevin Wells formed an on-line petition to help save the Ogdensburg Correctional Facility and St. Lawrence County jobs at www.saveourprison.com. This survey link has been operational for 25 hours and 2500 people have signed the petition.
4. The City Manager, members of Council and County representatives had a very positive meeting with Congressman Bill Owens this morning at City Hall to discuss the closure.
5. A public meeting is scheduled with Assemblywoman Addie Russell on Wednesday at 3:00 p.m. at the Dobisky Community Center.
6. A public meeting is scheduled on Friday at 10:00 a.m. at the Quality of Life Building on the Wagner Road with Senator Darrel Aubertine and Assemblywoman Addie Russell.

Mayor Nelson stated that this fight has to be a community effort to save this facility.

At this point in the meeting Task Force Chair, Charles Kelly, addressed Council. Mr. Kelly stated that the Task Force will approach every town and village in St. Lawrence County for representation as they all have a stake in this. Mr. Kelly said he will be asking for resolutions from the towns, villages, civic groups, schools and businesses. Mr. Kelly added the Task Force will meet by the end of this week and urged everyone to attend the meeting on Friday at 10:00 a.m. with Senator Aubertine and Assemblywoman Russell.

Mayor Nelson and Council thanked Mr. Kelly for agreeing to Chair the Task Force Committee.

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Councillor Powers stated he has been fighting prison closures for 10 years as a Union Official and urged everyone to write to their elected officials. Councillor Powers added that copies of this resolution should be sent to all effective Legislators.

The vote was:

CARRIED, AYES ALL

PUBLIC HEARING

1. A public hearing regarding an ordinance to amend Chapter 221 entitled “Zoning” of the code of the City of Ogdensburg was held.

Department of Planning and Development Director Justin Woods stated that earlier today the City Clerk received a fax from the Lupia’s opposing this zoning change. Mr. Woods said he has since spoken to Mr. Lupia, who requested that Lot #1 be removed from the proposed zoning change as that parcel could be sold with the one behind it, which is zoned business. Mr. Woods said that he supports Mr. Lupia’s request and has removed Lot #1 from this rezoning. Councillor Skamperle questioned if the small pieces, Lots #1 and #2 on the zoning map behind Lot #14 were part of this zoning change. Mr. Woods said Lots #1 and #2 are on this map, but are not part of the resolution.

Gerald Sholette said he is speaking on behalf of Dr. Harwood who has an ill child and couldn’t attend this meeting, but wanted to thank Council for making these zoning changes.

Mayor Nelson stated that we received a letter from Janet Lupia and Eugene Lupia Jr. against the proposed re-zoning and the Planner spoke with Mr. Lupia and agreed to remove Lot #1 from the rezoning. Mayor Nelson asked the City Clerk to read the Lupia letter into the minutes. City Clerk Kathleen Bouchard read a letter from Janet Lupia and Eugene Lupia Jr. objecting to the zoning change. (A copy of the letter follows these minutes.)

No one else being present to speak, the hearing was declared closed.

ITEMS FOR COUNCIL ACTION cont'd

2. Councillor Vaugh moved (#5) an ordinance to amend Chapter 221 entitled "Zoning" of the City of Ogdensburg Municipal Code, and Councillor Powers seconded to wit:

ORDINANCE 2 OF 2010

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

Amendment of Chapter 221, Section 221-8, entitled "Zoning Map"

That Section 221-8 entitled "Zoning Map" is hereby amended to read as follows:

That Section No 59.024, Block No. 3, Lot Nos. 2, 3, 4, 6.11, 6.2, 7 and 8, consisting of approximately +/- 2.2 acres; bounded by Lot 1; Canton Street; the westernmost property line of 59.024-3-9-1; and the northernmost property line of 59.024-3-14 in the City of Ogdensburg, which is zoned Business (B) is hereby rezoned to Moderate Density Residential (MDR).

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.

The vote was:

CARRIED, AYES ALL

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PRESENTATION

1. Mollye Wolahan, Community Development Resources, LLC, presented Council with the Final Draft of the City's Housing Needs Assessment, Affordable Housing Action Plan & Program Income Spending Plan. (A copy of the presentation in its entirety follows these minutes.)

ITEMS FOR COUNCIL ACTION cont'd

3. Councillor Morley introduced Resolution #6, adopting the City of Ogdensburg Housing Needs Assessment, Affordable Housing Action Plan & Program Income Spending Plan, and Councillor Powers seconded to wit:

RESOLUTION ADOPTING THE CITY OF OGDENSBURG
HOUSING NEEDS ASSESSMENT, AFFORDABLE HOUSING ACTION PLAN
& PROGRAM INCOME SPENDING PLAN

WHEREAS, it is an organizational goal of the City of Ogdensburg to revitalize aging neighborhoods; and

WHEREAS, the City values an improved housing stock; and

WHEREAS, the City of Ogdensburg was required to undertake financial and program audits of its housing programs and to develop a program income plan by the New York State Office of Community Renewal; and

WHEREAS, the City has outstanding findings with the New York State Office of Community renewal and United States Department of Housing and Urban Development regarding the administration of its CDBG Programs; and

WHEREAS, City Council authorized the hire of consultants to conduct the financial and program audit of the City's housing programs and to develop a program income plan; and

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WHEREAS, Community Develop Resources, LLC presented its findings regarding the housing program to City Council during the budget workshops on November 24, 2009; and

WHEREAS, the City Council has approved the 2010 Budget; and

WHEREAS, the City has received the final draft of the Housing Needs Assessment, Affordable Housing Action Plan, and Program Income Spending Plan;

NOW, THEREFORE, BE IT RESOLVED, that the Ogdensburg City Council hereby adopts and approves the City of Ogdensburg Housing Needs Assessment, Affordable Housing Action Plan, and Program Income Spending Plan; and

BE IT FURTHER RESOLVED that the City Manager is hereby authorized to submit the Program Income Spending Plan to state and federal agencies for their approval and to enter into any necessary project closeout, sub-recipient or other agreements to resolve the open findings and to administer the Program Income Spending Plan.

The vote was:

CARRIED, AYES ALL

OLD BUSINESS

1. Councillor Morley stated he received an email regarding the arena expenditures and requested a hard copy in the update.

2. Councillor Sholette asked if the City had a program to help homeowners who make improvements to their homes avoid large assessment increases. Mayor Nelson explained the Real Property Tax Exemption is a capital abatement program that gives the homeowner a partial property exemption from real property taxation of the increased assessment on the improvements, for up to eight years. Mayor Nelson stated we need to provide this information to property owners when they apply for building permits.

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3. Councillor Vaugh said he read an article regarding solar panel projects at the ice arena and asked Public Works Director Kit Smith for an update. Mr. Smith stated he has been working with a company from Clayton, NY to look at PV panels for self generation of electricity at the arena. Mr. Smith said he is putting together a system but is waiting for information from the engineer. Mr. Smith said he first looked at lighting and the general updating of the heating units with electricity and reviewed expenditures for the arena for the last few years. Mr. Smith said the highest expense was the gas for the compressor unit and he wants to get the conversion costs to turn the compressor from gas to electric. Mr. Smith stated getting the information together took longer than he expected, but he will be applying for a 100% funded NYSERDA grant.

4. Councillor Vaugh said Council received an article in the update regarding the Alliance trial and requested a timetable for the decision. City Manager Arthur Sciorra stated he will get the trial date information to Council. Mayor Nelson added that it could take 2 to 3 months for a decision.

5. Councillor Skamperle said he read in the December 15th update that Phase 2 of the North Water Street road extension will be completed by Memorial Day weekend. Councillor Skamperle said that some area boaters have contacted him and are concerned that the boat ramp won't be accessible by that date. City Manager Arthur Sciorra said the road will be ready.

6. Councillor Skamperle stated that he and Councillor Cilley attended a NYCOM session, and it was suggested that Council draft a resolution opposing the AIM cuts.

7. Councillor Skamperle stated that based on the Diamond cleanup information Council received, questioned if that property is open to the public. City Manager Arthur Sciorra stated the property is not open to the public at this time as the property needs final grading and there are problems with steel on the shoreline walls.

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8. Councillor Morley requested that Councillors email the City Manager with the travel expense amount they expect to use in 2010. Mayor Nelson suggested obtaining cost estimates. Councillor Vaugh stated the NYCOM winter session is approaching and questioned if it would be beneficial for Council to attend and added that he has met with Senator Aubertine's staff at past NYCOM sessions. Councillor Powers stated he would use his own money to go this session and get the word out regarding the closure of Ogdensburg Correctional Facility. Councillor Morley said if we plan to send bus-loads of citizens to Albany, we will need funds for the buses.

NEW BUSINESS

1. Councillor Morley stated he received calls from Beaverbrook homeowners that their basements were flooded, and this has never happened before today. Director of Public Works Kit Smith stated the mains in that area were checked and were found to be unrestricted, but full of water due to the 50 degree temperatures, snow melt and two inches of rain. Mr. Smith stated there were a few problems, but he was not sure how to change this without doing a major project.

2. Councillor Powers asked if the asbestos abatement process for the building on the corner of Knox and Morris Streets has been completed. Mr. Sciorra said we are waiting for our asbestos review. Councillor Powers requested the Code Department re-assess the outside of these buildings, and re-board any openings as there has been some evidence of rodents reported in the neighborhood.

ITEMS FOR DISCUSSION

1. Councillor Cilley stated that since he was elected and sworn in as a Councillor, he has learned many things and is getting up to speed thanks to information provided by City Manager Arthur Sciorra and Coralee Barrett, the Mayor & City Manager's Secretary.

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