

CITY COUNCIL MEETING

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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

PROCLAMATION

1. Mayor Nelson asked the Ogdensburg Correctional Facility employees and family members in attendance to come up front and join him as he read the Proclamation against closing the Ogdensburg Correctional Facility. The Proclamation read as follows:

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

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

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

WHEREAS, in addition to the job losses, these employees and their families are valuable members of our north country communities, residing in and through active participation, serving and enriching our communities, and

WHEREAS, the North Country Community has come together in support of Ogdensburg Correctional Facility employees to voice their opposition to Governor Paterson's proposal, and

WHEREAS, on Friday, March 12, at 4pm, the community will join together to rally at City Hall in opposition to this proposal,

NOW, THEREFORE, I, William D. Nelson, Mayor of the City of Ogdensburg, do hereby proclaim March 12, 2010 as "Ogdensburg Correctional Facility Day in the City of Ogdensburg" and urge all businesses to encourage their employees to join with city residents on this day, showing our support by wearing orange, and I invite all citizens to join us at the rally as we voice our opposition to the proposed closure of Ogdensburg Correctional Facility.

Mayor Nelson stated it is extremely important that we in St. Lawrence County come in mass to the rally Friday to support the Ogdensburg Correctional Facility employees. Mayor Nelson listed the upcoming activities to support the OCF:

- OCF Employees meeting Tuesday night at the Quality of Life Building to make signs for the Friday rally
- Spaghetti Dinner at the Oddfellows, Thursday, 4-7 p.m., to fund bus costs
- Rally in front of City Hall, Friday, 4-7 p.m.
- Comedy Dinner show, Saturday, 3/13, to fund bus costs
- Fundraiser at Myers Pub, Friday, 3/19, to fund bus costs

Mayor Nelson added that on Tuesday, 3/23, buses will be going to Albany to protest the OCF closure. Mayor Nelson said there are currently two full buses going with a third reserved, but we will book as many buses as are needed to bring whoever wants to join this fight.

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Correction Officer, John Bodwell, stated that we have a long fight before us but we will continue to fight and win.

### PERSONAL APPEARANCE

1. Jason Clark, Director of Economic Development for Massena and Chair of the Northern Corridor Transportation Group, addressed Council urging them to pass tonight's resolution financially supporting the marketing campaign for the construction of the four-lane highway. Mr. Clark said this project is estimated to create 27,000 jobs. Mr. Clark stated the other issue in New York State is that the North Country could have a key leadership role in the development of energy sources, but the problem is getting the material out of the area. Mr. Clark said it would help in recruiting potential energy sector employers if the transportation system was better. Mr. Clark asked the Council to support the initiative adding the Town of Potsdam committed \$5,000., and DANC, the St. Lawrence County IDA, Central Trades & Labor Council, TEAMSTERS and the Town of Brasher committed funding. Mr. Clark said the Port of Ogdensburg is one of St. Lawrence County's greatest assets and it's been under utilized partly because it's not connected to the national interstate highway system and also because it lacks the infrastructure necessary to be competitive with Ports of Oswego or Montreal.

Councillor Powers said many of the ideas Mr. Clark talked about are valid, but he is concerned with this resolution. Councillor Powers asked what other counties are aware of this initiative as he doesn't see any of their resolutions, and questioned why the group didn't obtain the support of the five counties before it came to our struggling municipality. Councillor Powers stated that he is favor of the four-lane highway and spurs, but wants to see the five counties support this before we can support it. Mr. Clark advised that the Northern Corridor Transportation Group Chairman, St. Lawrence County Legislator Greg Paquin, has called a meeting for the chairman of the five counties in the next couple weeks.

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Mr. Clark stated there was a previous issue with the Study Advisory Group for the Northern Tier Expressway, but that board has since dissolved. Councillor Powers asked if all the counties are on board with Mr. Clark as the administrator of this entity. Mr. Clark said as he understood it, there was no objection when the Study Advisory Board disbanded, and there was an understanding that this group was the organization that would step in and take the place of what the counties had previously committed.

Councillor Skamperle stated when the group was formed according to the by-laws, each County Legislature will appoint three members and questioned if any of the members to this transportation group will receive any of this money or will it be used for the budget to lobby. Mr. Clark said expenditures originate with the Business Development in Massena and are invoiced to the IDA, and the IDA will disburse the funds. Councillor Sholette said the federal government issues federal highway money yearly, and eight or nine years ago spent \$240 billion on transportation. Mr. Clark responded that 7 ½ years ago the federal government, under the Safety Act spent between \$640 billion or 840 billion in the seven-year highway authorization and this year's appropriation will be in the neighborhood of \$800 billion. Mr. Clark added that he wants some of that federal highway money spent here in St. Lawrence County and believes this project is within what the federal government looks at when funding projects, generating commerce.

2. Wanda Middlemiss, Parents for Child Safety Committee, updated Council on the meeting recently held with Senator Aubertine and Assemblywoman Russell.

3. Donald Burns, Congress Street, addressed Council and stated that he believes in the future of Ogdensburg and the Port of Ogdensburg. Mr. Burns urged Council to make this \$5,000. investment in the IDA to market our products and make the county viable again.

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CONSENT AGENDA

Mayor Nelson moved that the claims as enumerated in General Fund Warrant #5-2010 in the amount of \$475,267.43 and Library Fund Warrant #5-2010 in the amount of \$24,688.48, Capital Fund Warrant #5-2010 in the amount of \$10,578.78 and Community Development Fund Warrant #5-2010 in the amount of \$90,607.25 and Community Renewal Fund Warrant #5-2010 in the amount of \$0.00 and HOME Fund Warrant #5-2010 in the amount of \$0.00 and AHC Funds Warrant #5-2010 in the amount of \$6,195.00 and RESTORE Program Warrant #5-2010 in the amount of \$0.00 as audited, be and the same are ordered paid and Councillor Vaugh seconded the motion.

The vote was:

CARRIED, AYES ALL

ITEMS FOR COUNCIL ACTION

1. Mayor Nelson moved a resolution calling for a public hearing on an ordinance to amend the Administrative Regulations, Article II, Personnel Policies and Procedures for the City of Ogdensburg, and Councillor Vaugh seconded to wit:

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

BE IT RESOLVED, that Ordinance No. \_\_\_\_ of 2010, entitled:

Amendment to the Administrative Regulations, Article II entitled "Personnel Policies and Procedures" of the City of Ogdensburg be and it hereby is introduced before the City Council of the City of Ogdensburg, NY, and

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BE IT FURTHER RESOLVED, that copies of the aforesaid Ordinance be laid upon the desk of each member of the City Council, and

BE IT FURTHER RESOLVED, that the City Council hold a Public Hearing on said proposed Ordinance at the City Council Chambers at 7:00 pm on Monday, March 22, 2010, and

BE IT FURTHER RESOLVED, that the City Clerk publish or cause to be published a public notice in the official newspaper of the City of Ogdensburg of said public hearing at least five days prior thereto.

The vote was:

CARRIED, AYES ALL

2. Mayor Nelson moved a resolution calling for a public hearing on an ordinance to amend Chapter 209, Section 209-48, Schedule XI: "Parking Prohibited at All Times" and Section 209-51, Schedule XIV entitled "Parking Prohibited Certain Hours" of the Code of the City of Ogdensburg, and Councillor Morley seconded the to wit:

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

BE IT RESOLVED, that Ordinance No. \_\_\_ of 2010, entitled, Ordinance Amending Chapter 209 entitled "Vehicles and Traffic"; Section 209-48, Schedule XI: "Parking Prohibited at All Times" and Section 209-51, Schedule XIV: "Parking Prohibited Certain Hours" 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 22nd day of March, 2010 at 7:00 p.m., and

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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.

The vote was:

CARRIED, AYES ALL

3. Councillor Sholette moved a resolution appropriating \$5,000. to support and fund the Northern Corridor Transportation Group's Marketing campaign, and Councillor Morley seconded to wit:

RESOLUTION TO SUPPORT THE MARKETING CAMPAIGN BEING UNDERTAKEN BY THE NORTHERN CORRIDOR TRANSPORTATION GROUP WITH FUNDING IN ORDER TO ADVANCE THE REALITY OF THE CONSTRUCTION OF A FOUR-LANE, LIMITED-ACCESS HIGHWAY BUILT TO INTERSTATE STANDARDS IN ST. LAWRENCE, FRANKLIN, LEWIS, JEFFERSON AND CLINTON COUNTIES WITH FOUR-LANE SPURS TO MASSENA, OGDENSBURG, LOWVILLE AND POSSIBLY PLATTSBURGH

Whereas, the economic impact of North Country transportation improvements is a key component to the North Country Transportation Study, and

Whereas, the economic development impact analysis has measured the value to the regional economy of efficiency gains through user benefits such as reductions in travel time, reductions in operating costs and reductions in accidents due to improved safety, and

Whereas, gains through social and economic development opportunities due to improved transportation access will reduce regional and local unemployment rates, reduce government transfer payments, increase local per capita incomes, decrease the number of people living below the poverty line both locally and regionally, increase access for advances in local educational attainment, increase employment opportunities that will eventually lead to the retention of our youth, and

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Whereas, opportunities to generate low-cost green energy and develop natural resources throughout the region in a more cost efficient and competitive manner due to reductions in the costs associated with transportation will create local jobs, improve the likelihood of energy independence, help the state meet energy policy goals, reduce the overall tax burden for all residents of New York, and

Whereas, the construction of a four-lane, limited-access highway built to Interstate standards within the boundaries of St. Lawrence, Franklin, Lewis, Jefferson and Clinton Counties with four-lane spurs to Massena, Ogdensburg, Lowville and possibly Plattsburgh will begin to address the transportation improvements necessary to foster such economic growth, and

Whereas, more than 200 municipal and civic organizations, including more than 135 taxing jurisdictions, have passed resolutions in support of the construction of this highway including the City of Ogdensburg, and

Whereas, the Northern Corridor Transportation Group has been recognized as the primary advocacy organization responsible for the advancement of this project, and

Whereas, the Northern Corridor Transportation Group has recently undertaken a fundraising campaign with a goal of raising more than \$150,000 to educate the public and to foster continued local, regional, state and national support for this project,

Now, Therefore, Be It Resolved, that the City of Ogdensburg reaffirm its commitment to the construction of this highway by transferring a sum of \$5,000 to the account that has been established by the St. Lawrence County Industrial Development Agency for the purpose of advancing the goals of this marketing campaign, and

Be It Further Resolved that copies of this resolution be forwarded to the Counties of St. Lawrence, Franklin, Lewis, Jefferson and Clinton; the St. Lawrence County IDA; and the Northern Corridor Transportation Group.

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Councillor Vaugh stated that Council received a legal opinion from our attorney against the proposed donation to the Northern Corridor Transportation Group through the IDA. Councillor Vaugh added we all support the four-lane highway as a worthy cause, however must abide by the law and doesn't feel comfortable appropriating these funds without the approval of the State Comptroller.

Councillor Skamperle said our attorney's concern regarding an advisory opinion from the State Comptroller was regarding the Northern Corridor Transportation Group being paid, that's why he asked Jason Clark if anyone on this group is getting paid, and Mr. Clark said it's an advisory group to oversee the funds for a marketing campaign and no one is getting paid. Councillor Skamperle said he doesn't think the attorney's opinion holds water here. Mayor Nelson said to clarify, the attorney's not saying a person being paid, he's saying paying the group. Mayor Nelson stated that our attorney referenced opinions from our previous City Attorney regarding private corporations and groups, what cities and municipalities are allowed to fund and the NYCOM publication on Municipal Gifting. Councillor Skamperle asked how this differs from giving money to the JEDC. Mayor Nelson said the JEDC is us, the City of Ogdensburg, and we give that money to ourselves to market the City. Councillor Skamperle asked if we can use the JEDC money to fund this. Councillor Skamperle said at the last Council meeting Councillor Sholette asked the Mayor why he didn't bring this up and he said he was busy. Mayor Nelson responded that Council received this information in their 1/29/10 update. Councillor Skamperle questioned if that's what this is about, spending the JEDC money. Mayor Nelson said no, this resolution is to give \$5,000.

Councillor Sholette said our City Attorney should be here tonight to answer Council's questions since he issued an opinion on this. Councillor Sholette passed out a copy of a resolution passed by Council in 8/14/00, and read a portion of it that read Council supported major transportation improvements sufficient to build a dynamic and self-sustaining regional economy. Councillor Sholette said we can keep passing supportive resolutions or show these other five counties that Ogdensburg is a leader and we feel this is a very important part of the future of the north country.

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Councillor Sholette said one issue years ago was where the highway would be located and now we need to move this marketing campaign forward to show federal, state and other local officials that we need this highway and this money's going to promote it.

Councillor Powers said the resolution that passed in 2000 is very similar to a resolution passed not long ago and added we all support the four-lane highway, but there may be issues. Councillor Powers asked Mr. Clark if certificates of incorporation will be required for this entity, and Mr. Clark said no. Councillor Powers said a certificate of incorporation is needed due to the size of the budget and the expenditures. Councillor Powers also stated that the group will need to establish by-laws. Mr. Clark said they have by-laws and the money is not coming to the Northern Corridor Transportation group, but to the St. Lawrence County IDA, who is structured to handle this money. Councillor Powers said that is not what he was told by the St. Lawrence County IDA. Mr. Clark said this money will be strictly used for the marketing campaign.

Councillor Vaughn asked Mr. Clark if he has had any meetings with Congressman Owens, and Mr. Clark responded that Congressman Owens is 100% behind this. Mr. Clark said the group has two sizeable requests that are both in process at this time and the same request was made of Senators Schumer and Gillibrand, and Congressman Owens, who are working on moving the process forward. Councillor Vaughn asked Mr. Clark if he has met with our staff, Justin Woods. Mr. Clark answered that he talks to Justin Woods on a regular basis and has met with him on this and a number of items.

Councillor Cilley asked for clarification on what the Northern Corridor Transportation Group is, who appointed the members and how it was formed. Councillor Cilley said we're being asked to channel money thru the IDA and questioned if the IDA has control of the money and have final approval, or does the Northern Country Transportation Group make these decisions and then go to the IDA for the money. Councillor Cilley said he is concerned over the chain of command. Mr. Clark answered that the IDA has final authority over how the money is spent and that's part of the audit control and part of the value of working with the IDA in a situation like this because the IDA is regulated by the State Comptroller's Office.

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Mr. Clark said originally the organization started with a group of people consisting of developers, people with different backgrounds, political parties and municipalities. Mr. Clark said the by-laws were set up as a framework of the project work in the future and called for county appointments to the board, including permanent members to make sure the project happens. Mr. Clark said there are three St. Lawrence County representatives; Sam Burns from the City, Kathy Mullany from St. Lawrence University and Brian Hammond President of Teamsters. Councillor Cilley asked if St. Lawrence County is the only county to have officially recognized your group. Mr. Clark added all five counties have recognized this body as the project leader and recognized the agreement dissolving the previous organization that had been advocating for the project. Councillor Cilley asked if the IDA is the group that will spend the money, and Mr. Clark said yes. Councillor Cilley said if he's reading our attorney's opinion correctly, we can give money to a group such as the IDA. Councillor Cilley asked City Manager Arthur Sciorra where our \$5,000. will come from since it wasn't budgeted. Mr. Sciorra said from the fund balance. Mayor Nelson asked Mr. Clark if his group would spend the money and turn in the expenditures to the IDA for reimbursement. Mr. Clark said the Business Development Corporation makes expenditures and invoices the IDA, then the IDA has the final decision whether they pay or not. Mayor Nelson said to clarify for Councillor Cilley, the Business Development Corporation is spending the money and Mr. Clark added per the direction of the budget and the membership of the group. Mr. Sciorra said Mr. Clark has answered the question, but he's not sure whether or not that is the point the attorney is making as they are slightly different questions. Mr. Sciorra said it sounds like the IDA is performing the accounting as an individual organization that would have to follow prescribed accounting rules. Mr. Sciorra said the question about whether or not they approve the expenditure sounds confusing to him as he thought the transportation group was going to do the work and expend the money, as that is the purpose of the group. Mr. Clark said the IDA has final approval over how the money is spent and noted that one of the permanent members of the body is a representative of the IDA, Ernie LaBaff. Mr. Clark said what Council sees before them is the budget that is understood by DANC, IDA and representatives who have committed funds and understand how the money will be spent. Mr. Sciorra said what Mr. Clark is saying is accurate and the money will be spent according to the plan, but the question to Council is if they are interested in funding this plan. Mr. Sciorra added the other question raised by our attorney pertains to gifting to a non-governmental agency.

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Mr. Sciorra explained this is a governmental agency accounting on behalf of the non-governmental agency and he thinks we need further verification as to is it the non-governmental agency or the IDA that's doing the work. Mr. Sciorra said that the question Councillor Cilley is asking would need the attorney to review since it seems the work is not being done by the IDA, but by the group that's professing to do the work. Mr. Clark advised that the Potsdam attorney is comfortable with this and they committed \$5,000.,as did Brasher. Councillor Morley said if that's the case, we can't give anything to non-governmental agencies legally, but we give Forsythe's Rifles \$1500. each year and they're a non-governmental agency. Mr. Sciorra said if an organization is providing a service through a contract it provides a product to the City, and is an allowable purpose. Mr. Clark said if Council would feel more comfortable setting up a contract with the IDA, that's basically what DANC has done. Mr. Sciorra said our attorney's opinion argues the donation is for the benefit of the public or highway, detractors could argue that the purpose is clearly to advance the efforts of a private entity. Mr. Sciorra said if Council wants further clarification on this we can get it. Mr. Clark said we are a private entity and have no profit motive to help all communities in the area build a highway. Mr. Sciorra said the City is a governmental agency incorporated as a municipality, you're transportation group is not a governmental agency so the question is not about do you have lawful purposes but is your legal status non-governmental. Mr. Clark said the two organizations that are expending the actual dollar are incorporated as the Business Development Corporation and the IDA, which is making the payment and is incorporated. Mr. Clark stated the City is in a position to commit funds through a contract with the IDA. Councillor Sholette said the legality of it is we're writing the check to the IDA, that's legal. Councillor Cilley asked what is DANC's role in this. Mr. Clark said in the past, DANC was contracted with NYSDOT to advance the idea of the Northern Tier Expressway study and DANC entered into a contract with the five county representatives to form a Community Advisory Board. Mr. Clark said the Community Advisory Board was dissolved a month ago and today DANC's role is recognized as a permanent member of the Executive Committee and they have no more authority than the OPBA or IDA.

Councillor Morley read aloud Andy Silver's legal opinion and compared this to Council giving money to the Chamber to support the Seaway Festival for public benefit. Councillor Morley said for 40 years we've been talking about a four-lane highway and given nothing to it.

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Councillor Morley added if we give nothing, we get nothing, Councillor Morley said if we lose this opportunity it may never come again and added that the attorney should have been here tonight as he thinks his opinion is wrong on this. Councillor Morley stated that he has known Don Burns for 40 years, respects his opinion on this and will support him.

Councillor Powers asked if this request has gone through the County Finance Committee. Mr. Clark said Greg Paquin is contacting the other four county chairs by letter and phone to get them together. Councillor Powers said his concern is that County Legislator Burns is on this group and also on the County Finance Committee, and questioned if this has gone through the County Finance Committee. Councillor Powers also questioned if Mr. Clark is the Massena Economic Developer and the administrator of the St. Lawrence County Transportation Group, why hasn't Massena joined this group as they're getting a spur. Councillor Powers stated that you can understand our reservations as we had this thrown at us two weeks ago. Mr. Clark said he doesn't disagree, but the time to move forward is now and the opportunity exists for local communities to set the stage for the rest of the region. Councillor Powers stated earlier he asked Mr. Clark you get this committee formed, consisting of Lewis, Jefferson and neighboring counties, can Hamilton County put up a stink about this. Mr. Clark said that Hamilton County specifically said if we have the five counties, Clinton, Lewis, St. Lawrence, Franklin and Jefferson to support resolutions, they are on board. Councillor Powers said anything within 30 miles of this highway will see a benefit with a spur or not, and again asked where's Massena. Councillor Powers said if your committee comes together, they vote and push for an appropriation approval for a certain amount of money and the IDA has a problem with it, that's a hiccup which could be a legality or comptroller's issue. Mr. Clark said we have to follow the procedures the IDA has in place. Councillor Sholette said that can happen whether we give the \$5,000. or not, there's always going to be bumps in the road. Councillor Powers said you've have 135 taxing districts' resolutions. Mr. Clark said that's what we're doing now as far as demonstrating that we have financial commitment from St. Lawrence County before we go to Franklin County or Lewis County. Mr. Clark said there's no town or city in the north country that will reap more benefit with this project than the City of Ogdensburg, and if it doesn't start here it's not going to start anywhere.

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Councillor Powers said the five counties should all appropriate money and have the committee together before you ask the City.

Councillor Sholette said Councillor Cilley asked about the governing board of the Northern Corridor Transportation group and who's going to spend the money. Councillor Sholette stated every year we give money to groups who don't have governing boards and he'll have a lot of questions this coming budget season when Council starts giving money to some of these entities around the City. Councillor Sholette stated that he believes Ogdensburg should be a leader in this and show other municipalities that this is an important issue which and this Council needs to step forward and vote yes.

Councillor Vaugh said he would like to see a contract drawn up similar to DANC, with the IDA or Transportation Group, and would also would like the attorney's opinion further clarified. Councillor Vaugh moved to table this resolution until we have a contract with this group.

Mayor Nelson said he wanted to clarify a Councillor's question about TOPS and P&C. Mayor Nelson stated that he has been communicating with TOPS and the four-lane highway has nothing to do with their not maintaining a store here. Mayor Nelson explained that their distribution network footprint is outside this area, but Price Chopper's footprint is in our area. Mayor Nelson said we have voted in support of this four-lane highway in several resolutions, early last year and in the fall of last year. Mayor Nelson questioned if we can legally fund this and can we afford to fund this? Mayor Nelson stated he believes all of the groups we fund have governing boards that oversee the funds we give them. Mayor Nelson added that we have a contract with the Chamber to fund their marketing efforts on behalf of the City and we pay for the fireworks through them. Mayor Nelson said the 2010 budget was a tough budget as we cut staff positions and asked department heads to cut their budgets. Mayor Nelson said we cut the Chamber, Library and all the groups who provide a service to Ogdensburg 25%, and now mid year we're asked to fund the Transportation Group even though our attorney recommends we get a legal opinion from the State Comptroller. Mayor Nelson said he can't support funding this as he's not sure it's legal and because he's asking Ogdensburg organizations who provide services to take cuts.

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Mayor Nelson said his concern and main fight right now is OCF, and we may need to dip into our funds to pay for buses or hire lobbyists. Mayor Nelson read a quote from Jennifer Post, spokesperson from NYSDOT, who said given the current economy and the recommendation of the 2010 Northern Tier Expressway Route 11 Corridor Study, a study of benefits and improvements on Route 11 rather than building a new highway, there are no plans to develop a multi-lane highway between Watertown & Plattsburgh, however preliminary scoping has been done so that projects may be developed and constructed along the corridor to address localized congestion. Mayor Nelson said the State DOT's recommendation is to improve the Route 11 corridor.

Councillor Sholette asked why we can't take \$5,000. out of the money appropriated to the JEC and fund the Northern Corridor Transportation Group, as it's already appropriated for economic development. Mayor Nelson said that money is appropriated specifically to market the City of Ogdensburg and jobs. Councillor Sholette said the highway will bring jobs.

Councillor Vaugh said the first issue is to clarify with the attorney what is legal and what's not. Councillor Sholette said the attorney should have been here tonight. Councillor Sholette said it's legal for the City to write a check for the IDA and that's where the checks are going to be written. Councillor Vaugh responded they're not spending it. Councillor Powers added they're appropriating it by the recommendation of the committee and that's not the information he received from the IDA when he spoke with Pat Kelly and Jim Wright.

Councillor Sholette said they haven't arrested anyone in Potsdam and Brasher for supporting the highway financially.

Councillor Skamperle said he wouldn't oppose a contingency contract. Councillor Skamperle said he agrees with Councillor Sholette to re-appropriate JEDC funds which is what the OBPA did. Councillor Skamperle added that \$5,000. is less than 1% of what we spent on City overtime. Councillor Skamperle said Ogdensburg needs to be a leader and support this, mostly to benefit our port and spur, but also because he wants his kids to have a future and not have to struggle for a job like he did.

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Councillor Vaugh reminded Council that he made a motion to table this action until Council gets a clarification from our attorney. Councillor Powers said we can either move on this or change the resolution and channel money through JEDC.

Mayor Nelson said there was a motion made, and asked if there was a second. The motion died for lack of a second.

The vote was:

AYES: Councillors Cilley, Morley, Sholette and Skamperle

NAYS: Mayor Nelson, Councillors Powers and Vaugh

CARRIED, 4 TO 3

### OLD BUSINESS

1. Councillor Skamperle stated at the last meeting the Mayor discussed new retirement rates and requested a copy. Councillor Skamperle stated that at school an employee pays into the retirement system for the first ten years of their employment only and questioned if the City pays that retirement rate for all employees after the ten years. Mayor Nelson said 100%. Councillor Skamperle summarized that the City is paying retirement based on the regular salary and over-time figure.

2. Councillor Vaugh requested an update on the Water District. City Manager Arthur Sciorra stated there is stimulus money available, and the towns and villages met last week to talk about putting in a funding application to build the pipes that they will need. Mr. Sciorra added that he has met with them and advised them of our intent to sell water to them if they are in a position to build their system. Mr. Sciorra added that we are planning a meeting between Aaron Jarvis, Tisdell, representing the City and Tim Burley and Carrie Tuttle, engineers for the Village of Heuvelton, on the technical aspects of implementing a water and sewer district.

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Mr. Sciorra said after that meeting of the engineers, we will send out letters to the towns. Mr. Sciorra added that 6600 residences are currently on our system and if the towns hook up will add 1000 residences.

3. Councillor Morley requested an update on the Lake Street bridge project. Mr. Sciorra stated the project is moving along, all depends on when we get permits and they allow us to do the work we can go out for bids and the project should start in 8 to 9 months. Mr. Sciorra added this project is actually three projects, they are:

1. trench under water
2. new bridge
3. tear down old bridge

4. Councillor Sholette said at the last meeting he asked about applications for housing rehab assistance. Mr. Sciorra responded that he was waiting for contact information from Councillor Sholette.

5. Councillor Sholette questioned if the Oswegatchie River crossing was above the dam. Mr. Sciorra stated that it is.

6. Councillor Sholette asked for an update on the Beaver Brook area storm sewer separation. Mr. Sciorra stated that we are waiting for Stearns and Wheler to schedule a date to make a Council presentation.

Councillor Morley stated that he recently advised a Beaver Brook resident with a flooded basement that he had 60 days to file a claim and the resident told him that he was advised by the City that he had 90 days to file. Mr. Sciorra said the Comptroller told the resident he had 90 days to file a claim. Mr. Sciorra advised Council that he would provide a copy of a 2003 similar claim memo from City Attorney Katherine Wears in their update.

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### NEW BUSINESS

1. Councillor Powers stated that he forwarded an email from Assemblyman Cahill's Office regarding Alliance Energy. Councillor Powers explained that Assemblyman Cahill chairs the Energy Committee of the Assembly. Councillor Powers said we need to send in the application with information to schedule a meeting.

2. Councillor Skamperle asked what is the problem with Montroy Park. Councillor Morley stated that people watching the games are parking on private property and in driveways on St. Lawrence Avenue. Councillor Morley added that Kiwanis requested the Gates Street parking change to clear one side of the road so drivers can see children cross street. Councillor Skamperle said this will only shift the problems elsewhere and requested handicapped parking on St. Lawrence Avenue. Mr. Sciorra said he will have staff look at this.

3. Mayor Nelson advised that this Friday at 4:00 p.m. there will be a rally in opposition to Governor Patterson's plan to close the Ogdensburg Correctional Facility. Mayor Nelson added that we will be closing streets and there will be public speaking against the OCF closure. Mayor Nelson stated the following events are also planned:

- Thursday, OCF Employees Spaghetti Dinner at the Oddfellows, 4-7 p.m., to fund bus costs;
- Saturday, Elk's Club Comedy Dinner show, 6:00 p.m. to fund bus costs;
- Friday, 3/19 Fundraiser at Myers Pub, to fund bus costs;
- Tuesday, 3/23 Buses to Albany; will hand out 212 booklets that will include resolutions, letters and impact studies.

Mayor Nelson said there is no fee to ride buses and urged all who want to go to sign up. Mayor Nelson said there are three buses reserved but we will book as many as are needed to bring whoever wants to join this fight.

## CITY COUNCIL MEETING

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Councillor Sholette commended Mayor Nelson, Councillor Powers and the Task Force for their hard work.

Councillor Powers outlined the lobbying activities of NYSCOBA.

Mayor Nelson acknowledged the following members of the Task Force:

- 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

Mayor Nelson thanked the Task Force members for all their hard work and stated that they meet every Tuesday at 5:00 p.m. at City Hall. Councillor Powers acknowledged Cora Barrett who has worked hard on this. Mayor Nelson advised Council he will get them all a copy of the booklets being presented in Albany. Mayor Nelson also thanked all the communities that sent resolutions of support.

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