

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 Ashley, Cilley, Morley, Skamperle, Hosmer and Stevenson

ABSENT: None

PUBLIC HEARING

1. A public hearing on an ordinance to amend Chapter 203 of the Municipal Code of the City of Ogdensburg, entitled "Taxicab" was held. With no one being present to speak, the hearing was declared closed.

PRESENTATION

1. Interim City Planner Andrea Smith and James O'Neil of C.W. Augustine made a presentation to Council on the City's Housing Program. (A copy of the presentation materials follows these minutes.) Mrs. Smith said a housing program is neither a New York State nor Ogdensburg Municipal Code requirement. Mrs. Smith added the City has a need for the program and it is not recommended by staff that the program be eliminated. Councillor Morley asked for a copy of the Housing Needs Report, and Mrs. Smith said she would get a copy for Council members.

Mr. O'Neil said the City had numerous visits from funding sources in 2006 and 2007 which resulted in a loss of funding. Mr. O'Neil explained there were many violations, and it was recommended that C.W. Augustine, Inc. be brought on board to straighten things up and get approval to continue. Mr. O'Neil said since that time, C.W. Augustine, Inc. has developed programs, policies and procedures, developed rehabilitation procedures and processes, closed seven open grants and developed the NSP and the amnesty programs. Mr. O'Neil advised all programs are now compliant.

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Mr. O'Neil cautioned if the City's housing program is eliminated, all of the money that is currently in the program income must be returned. Mr. O'Neil explained everything is running and ready to go and C.W. Augustine, Inc. has the confidence of the funders. Mr. O'Neil said the funders are looking for confirmation that Council wants a program and the funders are ready to deal with the City's housing program again.

Mrs. Smith said the Consolidated Funding Application (CFA) deadline is July 16, 2012, adding she feels confident the application is worth seeking. Mrs. Smith explained the applications are intensive, and Council support is needed before proceeding. Mrs. Smith explained there are options and choices for the program. Councillor Morley said he is not confident with Mr. O'Neil running the program. Mrs. Smith said it is not about any one company, adding it is about the options available.

Mr. O'Neil said if the City contracts the program out and is not successful in obtaining a grant, there is no salary to pay. Mr. O'Neil added that an in-house program would still have all expenses even if no grants are received. Mr. O'Neil added he has fifty years of experience and feels he has done well by the City, adding the funders are happy with C.W. Augustine, Inc.

Councillor Skamperle asked if funds are available to hire employees and bring the program back in-house. Interim City Manager Philip Cosmo said funds are not available in this budget. Mrs. Smith referred to the chart of salary and wages. (A copy follows these minutes.) Councillor Skamperle asked what percentage the City receives for administration. Mr. O'Neil said for CDBG administrators receive a total of 18% and the City earns 3% of the administrator's portion. Councillor Morley asked who wrote the grant that the program is being funded from now. Mr. O'Neil said there is no current grant and the \$400,000 is program income money. Mrs. Smith added no one wrote the grant, and Councillor Morley said the money came from someone. Mr. Cosmo explained that as a result of audits, it was necessary to expend funds we had, adding the funds were treated as a new funding source.

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Councillor Morley asked if the City's in-house staff wrote the grant applications that those funds came from. Mr. Cosmo said the money was from grants written by City staff and some consultants. Councillor Skamperle asked if C.W. Augustine, Inc. received a fee for the administration of these funds. Mr. O'Neil said C.W. Augustine, Inc. contracted for 15%, but only collected 10%. Mr. O'Neil added the balance was used for the amnesty program. Councillor Morley asked if Council approved the amnesty program, and Mr. Cosmo said yes.

Councillor Stevenson asked who wrote the recently filed grant applications that were not approved. Mr. O'Neil said C.W. Augustine, Inc. wrote those applications. Councillor Morley said C.W. Augustine, Inc. has had no grant applications approved since 2009, and Mr. O'Neil agreed. Mr. O'Neil added C.W. Augustine, Inc. contracted with the City when the grant writing season was over and the State recommended not submitting applications at that time. Councillor Hosmer asked if the City's housing program could be a joint effort with the Housing Program Administrator whereby the City inspects the properties. Councillor Hosmer added he does not support bringing the program back in-house. Councillor Morley asked for a list of companies that do this type of work. Councillor Skamperle also said he would like to see a list of the City's options. Councillor Morley added the City ended up with C.W. Augustine, Inc. as a quick fix when another company was lost. Mayor Nelson said he does not support an in-house program and suggested Council deal with the short term issue first as July 16th is the grant application submission deadline. Mayor Nelson said the City has a tremendous need for a housing rehabilitation program and urged Council to keep the program going in the City. Mayor Nelson suggested C.W. Augustine, Inc. submit the applications to meet the July 16th deadline and that Council look at long term options. Councillor Morley said he cannot support C.W. Augustine, Inc. submitting the applications if we have to pay them 15%. Mayor Nelson said Council needs to look at the problems and who caused those problems. Councillor Morley stated Mr. O'Neil's letter blames the Code Inspectors but added the Code Enforcement Office needs to be notified of the progress.

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Mr. Cosmo said the grant applications are due by July 16th and other options can be reviewed in the future. Mr. Cosmo said he does not recommend changing companies now, adding it benefits the citizens of the community to keep the program intact now and look at other options in the future.

Councillor Stevenson said she is not in favor of bringing the City's housing program in-house and cannot participate in any discussions about contracting that service out because she sits on the St. Lawrence County Housing Council Board. Councillor Ashley said he did not see all of the NSP options. Mrs. Smith said she has discussed this matter with the City Manager and would like to summarize the options for the next Council update. Mr. O'Neil added last year's CDBG application which outlines the entire program is on file in the Planning Office for review. Mr. O'Neil said it is the contractor's responsibility to request an inspection from the Code Enforcement Office, and Councillor Morley disagreed, saying it is C.W. Augustine, Inc.'s responsibility. Councillor Skamperle asked if the City's housing program is in the red or black, and Mr. Cosmo said it is running flat. Mr. Cosmo added monitoring is not paid by the program so those expenses come out of the General Fund. Mr. Cosmo explained that money has come from rental income, but at some point there will be out-of-pocket expenses. Councillor Skamperle asked if the July 16th deadline is for all grants, and Mrs. Smith advised the deadline for CDBG is actually two weeks later. Mr. Cosmo said the application will be brought to Council prior to submission. Councillor Skamperle said he is concerned the application will be put in front of Council for review with urgency for approval. Councillor Ashley asked when the City was notified of the July 16th deadline, and Mrs. Smith said a week to a week and a half ago. Mayor Nelson urged Council to look at the success of the problem, acknowledging there were problems but success also. Mayor Nelson said there needs to be a consensus of Council to keep the housing program. Councillors Skamperle and Morley agreed. Mayor Nelson said it is important to have the housing program and recommended C.W. Augustine, Inc. submit the grant application and administer it. Mayor Nelson also recommended looking at other companies to administer the City's housing program for next year. Councillor Morley said he supports the City's housing program but does not support C.W. Augustine, Inc. was there was a need to do something with the money but not enough houses.

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Councillor Cilley said the problem with the NSP program the regulations of the program were the problem, not C.W. Augustine, Inc. Mayor Nelson said it was not C.W. Augustine, Inc. who did not tell us about the program. Mayor Nelson added we cannot blame James O'Neil because he wasn't on board when the City started the program.

Mr. Cosmo explained that the government said our in-house program was being run wrong and those problems existed for over ten years. Mayor Nelson said there were a lot of issues and we couldn't keep up with the regulations. Mayor Nelson added he has received many letters recently indicating the City meets the requirements of the programs. Mrs. Smith said Council will receive copies of the special needs report for review. Councillor Morley suggested the Planning Office could handle the City's housing program, and Mrs. Smith said the current planner cannot do it without hiring more staff. Councillor Ashley asked if the deadline for grant applications can be postponed, adding he is concerned about voting for something quickly. Mayor Nelson noted it would simply be a vote to allow C.W. Augustine, Inc. to prepare the grant application. Councillor Stevenson said the program has been used for years, adding it would just be permission to prepare the application.

Mr. O'Neil reminded Council that the previous CDBG application is in the Planning Office if anyone wants to review it.

Councillor Hosmer asked if there will be any NSP applications filed, and Mrs. Smith said no. Mayor Nelson reminded everyone that the NSP program did a lot of good for the City, noting several properties were either torn down or rehabilitated.

Mayor Nelson moved to this discussion to New Business to determine if Council wants to apply for the grant and have C.W. Augustine, Inc. administer it.

PERSONAL APPEARANCE

1. Tony Carro of 418 Montgomery Street addressed Council regarding bringing a casino to Ogdensburg. Mr. Carro said State legislation will be changed in 2013 to allow anyone in New York State to operate a casino. Mr. Carro added that Alexandria Bay and the Catskills are already lobbying for it. Mr. Carro urged Council to get a group together to work to bring a casino to Ogdensburg, adding it would help the City by building up the marina and keeping hotels in the City filled year round.

CONSENT AGENDA

Mayor Nelson moved that the claims as enumerated in General Fund Warrant #10-2012 in the amount of \$600,484.08 and Library Fund Warrant #10-2012 in the amount of \$19,867.86 and Capital Fund Warrant #10-2012 in the amount of \$38,547.19 and Community Development Fund Warrant #10-2012 in the amount of \$53,808.53 and Community Renewal Fund Warrant #10-2012 in the amount of \$41.32 and HOME Fund Warrant #10-2012 in the amount of \$0.00 and AHC Funds Warrant #10-2012 in the amount of \$0.00, RESTORE Program Warrant #10-2012 in the amount of \$0.00 and NSP Funds Warrant #10-2012 in the amount of \$0.00 and NY Main St. Program Warrant #10-2012 in the amount of \$41,782.17 as audited, be and the same are ordered paid and Councillor Skamperle seconded the motion.

Councillor Hosmer asked for an explanation of these expenses, noting he has been asked by citizens. Interim City Manager Philip Cosmo explained the warrants are bills paid between Council meetings. Councillor Cilley said he asked the same question a few years ago when he first became a Councillor and suggested this information be added to the introduction packet for new Councillors. Councillor Skamperle said he remembers receiving a copy of the Consent Agenda in the update in the past and would like to have a copy included again. Mr. Cosmo said it will be added to the update.

The vote was:

CARRIED, AYES ALL

ITEMS FOR COUNCIL ACTION

1. Mayor Nelson moved an ordinance to amend Chapter 203 of the Municipal Code of the City of Ogdensburg, entitled "Taxicabs", and Councillor Morley seconded to wit:

ORDINANCE # 5- 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

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§ 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.

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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.

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(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.

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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.

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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.

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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.

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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.

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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.

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City Clerk Kathleen A. Bouchard explained that an individual recently opened a limousine service in the City and wanted to follow the same law as taxicab owners follow. Mrs. Bouchard said she checked with other municipalities who have livery/limo/taxicab guidelines and explained we are just adding liveries and limousines to our existing taxicab regulations.

The vote was:

CARRIED, AYES ALL

2. Councillor Ashley moved a resolution authorize the transfer of funds to pay for the demolition of 915 Lafayette Street, and Councillor Skamperle seconded to wit:

**RESOLUTION OF THE CITY COUNCIL TO TRANSFER FUNDS
TO PAY FOR THE DEMOLITION OF 915 LAFAYETTE STREET**

WHEREAS, the City of Ogdensburg has taken enforcement action by means of a Health Order for the property located at 915 Lafayette Street, and

WHEREAS, the building has been deemed a public health threat and a danger to the public as a result of fire, and,

WHEREAS, the City of Ogdensburg has solicited quotes to demolish and remove the building from the site, and,

WHEREAS, the lowest quote received was from Richardson and Sons for \$6,900, and

WHEREAS, there will be a requirement to have third party air monitoring services while the building is being demolished for an amount estimated at \$1,200, an estimated tipping fee in the amount of \$4,000 and an \$800 application fee for the required NY Department of Labor variance fee.

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NOW, THEREFORE, BE IT RESOLVED that the City Council approved the transfer of \$12,900 to cover the demolition, estimated air monitoring cost, tipping fees, variance fee and a contingency of \$1,290 to complete the removal of this building totaling \$14,190.

AND BE IT FURTHER RESOLVED that the funds used to pay for the work be transferred to the Code Enforcement Department Code (A8025.518) from the general fund balance.

AND BE IT FURTHER RESOLVED that the Interim City Manager is authorized to enter into an agreement with Richardson and Sons to perform said demolition work.

The vote was:

CARRIED, AYES ALL

3. Mayor Nelson moved a resolution authorizing the City Manager to execute easements for construction of a new wooden deck, concrete loading dock and new handicapped accessible ramp as part of United Helper's renovation plan for the former Filtran Building located at 102 Ford Street, and Councillor Morley seconded to wit:

RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE THE NECESSARY DOCUMENTS FOR CERTAIN EASEMENTS AND AUTHORIZING CERTAIN PROJECTIONS OVER CITY RIGHT-OF-WAYS BY UNITED HELPER'S CARE, INC.

WHEREAS, United Helper's Care, Inc. has submitted a site plan for renovations to the former Filtran building located at 102 Ford Street; and

WHEREAS, the Planning Board has granted preliminary and final site plan approval conditioned on approval of the requested easements by Council;

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NOW, THEREFORE, BE IT RESOLVED, that the City Council hereby authorizes the City Manager to execute easements to allow:

1. Construction of a new wooden deck (partial demo of existing loading dock) extending 12'0" from the building face northwest, and 31'0" west, southwest along the façade into the municipal parking lot. See exhibit 1, EX-1 for engineering detail.
2. New concrete loading dock extending 12'0" from the building face northwest, and 10'0" west, southwest along the façade into the municipal parking lot. Access to this dock will include an additional easement of 5'6" in the west southwesterly direction to accommodate steps as shown in exhibit 1, EX-1 engineering detail.
3. Construction of a new handicap accessible ramp 6'0" from the east façade and 48'0" along the City ROW between the Blevins' building and 102 Ford Street. An awning is proposed to cover the ramp area. See exhibit 2, EX-2 engineering detail.

Councillor Morley asked why we are paying for repairs if Filtran owns the building. Mayor Nelson said we are not paying for any repairs. Michelle Montroy and Rick Pirie of United Helpers provided an explanation of the plans for Council. Ms. Montroy explained United Helpers is planning to purchase the building from Filtran, but needs to make the building handicap accessible. Ms. Montroy explained the easement is required to do that, adding they want to turn the current loading dock into a deck with a dining area and create more usable space. Rick Pirie explained United Helpers plans to turn the river side of the building into the front side. Mr. Pirie said they plan to use the rear parking lot because it has more space than the current entrance. Councillor Skamperle said the plans will spruce up the area.

The vote was:

CARRIED, AYES ALL

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OLD BUSINESS

1. Councillor Morley said the gate is open at the Diamond International site and suggested people go there to fish as it is a beautiful place to fish.

2. Councillor Skamperle asked for an update on the cleanup of Crescent Hill. Interim City Manager Philip Cosmo said he met with DPW Director Kit Smith and Greg Harland, and they are looking at using equipment from the St. Lawrence County Highway Department to prune the area. Councillor Morley asked if anyone had talked to contractors, and Mr. Cosmo said not yet. Councillor Hosmer asked why it appears that part of the hill is easily maintained. Mr. Cosmo said that part was cut back and maintained by a private individual for many years, which makes it much easier to maintain now.

3. Councillor Hosmer asked if the Beaver Brook damage has been repaired. DPW Director Kit Smith said it was not done as of a couple weeks ago. Mr. Smith said he has not been contacted by the individual yet, adding it is still very wet down there. Councillor Morley said it has been dry for three weeks, but Mr. Smith said the spot is still very wet. Interim City Manager Philip Cosmo said he will keep track of it.

4. Councillor Hosmer asked when the old Lake Street Bridge will be removed. DPW Director Kit Smith said it will be removed when the infrastructure is activated and Verizon finishes their project, adding the contractor wants it out before August 1st. Mr. Smith said the new bridge will be usable by then but the landscaping will not be finished. Councillor Skamperle asked if the center piers will be removed, and Mr. Smith said yes. Mr. Smith advised the old bridge was reinforced to hold the new bridge. Mayor Nelson suggested a ribbon cutting ceremony and community celebration during Seaway Festival week and Mr. Smith said it could be possible. Mr. Smith noted the new bridge is substantially higher than the old bridge.

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5. Councillor Hosmer asked for an update on the cleanup of the Lincoln Avenue property. DPW Director Kit Smith said National Grid owns the property and it has been declared a contaminated zone. Mr. Smith said we cannot go on the property but added the contractor is working on the project and getting necessary permits. Mr. Smith stated the company expects a construction date for this summer. Mr. Smith added there is a concern over materials. Mayor Nelson said no one showed up for the public cleanup meeting. Councillor Hosmer asked if a cleanup date has been provided. Mr. Smith said there is no firm date available yet and added the testing company indicates some type of work will begin sometime this summer.

6. Councillor Ashley stated he has been notified the storm sewers in the 900 block of Elizabeth Street are sinking. Councillor Stevenson added this problem exists on all of Elizabeth Street. Councillor Ashley said the drain has dropped so much that the water just goes around it. DPW Director Kit Smith said he was not happy with the way the work was done on that project, adding the contractor did it differently than he would have done it. Councillor Morley asked if there is a warranty on that work, and Mr. Smith said it is too old. Councillor Morley said Elizabeth Street was done after the New York Avenue project. Mr. Smith said he did New York Avenue and would look into the problems on Elizabeth Street.

7. Councillor Skamperle said he has seen some streets around town marked up for milling and asked if all of the streets to be repaired have been decided. DPW Director Kit Smith said there are streets marked to be repaired before Seaway Festival and others will be done afterwards. Councillor Skamperle noted the approach to the Spring Street Bridge is very bad, and Mr. Smith confirmed Spring Street is already scheduled to be done after Seaway Festival.

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8. Councillor Skamperle asked if the City has heard anything more from the Oddfellow's Social Club regarding their water issue. DPW Director Kit Smith said he has not heard anything, noting the last time he spoke with someone from the Oddfellow's they were planning to look at other avenues. Mr. Smith said he is putting together the figures for the City Manager, adding the original note was simply an estimate. Mr. Smith said customers are always charged the actual costs. Councillor Hosmer said he is curious to see the numbers.

9. Councillor Ashley thanked the City Manager and department heads for fixing the issue with unmarked City-owned vehicles.

NEW BUSINESS

1. Mayor Nelson asked if Council planned to have C.W. Augustine, Inc. prepare the CFA funding application. Mayor Nelson noted it is important to show everyone we are serious about the City housing program. Councillor Cilley noted we are still under contract with C.W. Augustine, Inc. and questioned why their preparation of the application is an issue. Mayor Nelson said he feels it is important to show support for C.W. Augustine, Inc. Councillor Morley said some residents have told him that the City should get rid of James O'Neil. Councillor Cilley asked if the people on the street are as well-versed on the matter as Council, or if they are just reading the newspaper and internet articles. Councillor Skamperle asked if it is possible to put out a request for proposals (RFP) now, but Interim City Manager Philip Cosmo said we would not have responses back in time to meet the July 16th submission deadline. Councillor Hosmer noted the City is under contract with C.W. Augustine, Inc. Mayor Nelson said it is unfair to ask C.W. Augustine, Inc. to apply for the grant and not allow them to administer it if we receive it. Mayor Nelson added there are short and long term goals to be discussed, adding when he talks with people he gives them the facts.

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Councillor Cilley said we should move forward with the application now and get proposals out there to get the program set up for next year. Councillor Hosmer agreed. Councillor Cilley added the application should be done now to get funding. Councillor Stevenson said the City is in desperate need for these programs and recommended moving forward with the grant application. Councillor Stevenson added these are normal, successfully run grants that have been used for years. Councillor Hosmer agreed. Mayor Nelson suggested there was consensus of Council to have C.W. Augustine, Inc. prepare the grant application. Councillor Morley asked for the role to be called. Councillor Ashley said if the City receives the grant, Council will need to be updated monthly. Mayor Nelson said that was done in the past but the reports did not make it to Council, adding it was the previous City Planner and City Manager who were in charge of the program, not James O'Neil. Councillor Morley disagreed. Councillor Stevenson said she is hearing frustration and anger from citizens. Councillor Stevenson said people are upset because a lot of money was spent on a few homes while some older people who needed rehabilitation work were turned down. Councillor Stevenson added we need to help the community. Councillor Morley expressed concern over the impending deadline for submission of the grant application. Mayor Nelson said he has tried to schedule a meeting to discuss this matter several times, but all members of Council could not be present.

Mayor Nelson made a motion that C.W. Augustine, Inc. prepare the CFA application for Council review with the understanding that if the City ultimately receives the grant, it will be administered by C.W. Augustine, Inc., and Councillor Cilley seconded.

The vote was:

AYES: Mayor Nelson, Councillors Ashley, Cilley,
Hosmer, Skamperle and Stevenson

NAYS: Councillor Morley

APPROVED, 6 TO 1

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2. Councillor Hosmer asked if someone swimming in the St. Lawrence River can exit the river via City-owned property. Police Chief Rick Polniak said no, adding someone exiting the river could slip and fall on City-owned property. Chief Polniak said people should exit and enter the river via private property.

3. Councillor Skamperle said Council should reach out to Tony Carro regarding the casino proposal. Councillor Cilley said it would require a change in the City Charter after the legislation change, adding he would not support gambling. Mayor Nelson added there is not enough land at the Diamond International site for a casino. Mayor Nelson also stated he will not support gambling.

4. Mayor Nelson asked if Interim City Manager Philip Cosmo had received the SEQR from OBPA. Mr. Cosmo said he has asked for it but not received it yet. Mayor Nelson said he has received numerous complaints about the access road, adding they are beginning work at 6 a.m. Mayor Nelson also added that the access road is partially built on private property and noted there should have been more community involvement in this project. Mayor Nelson said noise is now the big issue. Councillor Hosmer asked if a traffic light will be installed, and Mr. Cosmo said yes. Councillor Ashley said an ordinance will be required to add a traffic light. Councillor Stevenson stated there was a lack of communication with the neighbors, adding a lot of neighbors were beautifying their homes in that area. Mayor Nelson said the OBPA Board of Directors is supposed to be the liaison with the public and it is sad there was no communication with the neighborhood and community. Councillor Morley said some OBPA Board Members have criticized the City for our five minute time limit for public appearances at Council meetings, yet their Chairman was on Council and voted for the five minutes. Interim City Manager Philip Cosmo said OBPA does not normally deal with neighbors and he plans to talk with them.

5. Councillor Ashley asked if there is a termination date for the City's contract with C.W. Augustine, Inc. Interim City Manager Philip Cosmo said he will look into it.

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Councillor Cilley said in 2010 the City was supposed to enter into a contract with the St. Lawrence County Housing Council, but ended up with a contract with C.W. Augustine, Inc.

ITEMS FOR DISCUSSION

1. Interim City Manager Philip Cosmo stated there are many companies now providing electrical service and one company has offered to prepare a proposal for the City to find the best supplier at no charge. Councillor Morley said in his own personal experience, the switch did not make much of a difference in his bill. Mr. Cosmo stated the City can switch back at any time. There was a consensus of Council to receive the proposal from Troy & Banks.

2. Interim City Manager Philip Cosmo discussed the purchase of IPAD's for Council, noting the estimates were circulated in the Council update. Mr. Cosmo stated he would like to see the IPAD's used to replace Council's paper meeting material. Councillor Stevenson stated she would like to see the IPAD's ordered if everything will be available to Council electronically, and if the use will cut costs, save manpower and allow Council to go green. Councillor Stevenson noted the IPAD's will make it easy to access information from previous meetings when needed. Councillor Morley said a training session will be needed, and Councillor Skamperle agreed. Mr. Cosmo said he recommends Council purchase the IPAD's and that each Council member pays for their own internet service. There was a consensus of Council to proceed with ordering the IPAD's.

3. DPW Director Kit Smith said he wanted to make two corrections to his previous comments to Council about the New York Avenue project. Mr. Smith said his crews did the work on New York Avenue and he oversaw the project. Mr. Smith stated the City did not have the funding to do the top of Elizabeth Street when that project was completed so the top was built at road level. Mr. Smith said the City has never had the money to go back and do the top coat of the road, adding it is in the plans when the money materializes.

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Councillor Stevenson said when Mr. Smith looks he will see the roadway around the drops are cracked and broke.

4. Councillor Hosmer asked DPW Director Kit Smith if the walls in Council Chambers will be painted, and Mr. Smith said yes when staff is available.

Mayor Nelson stated there was a need for Executive Session to discuss litigation, and Councillor Morley seconded the motion.

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