

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

PRESENT: Mayor Nelson, Councillors Hannan,  
Morley, Powers, Vaugh and Sholette

ABSENT: Councillor Flynn\*

#### PROCLAMATION

1. Mayor Nelson read a proclamation recognizing Family Day – A Day To Eat Dinner With Your Children. (A copy of the proclamation follows these minutes.)

\* Councillor Flynn arrives at this point in the meeting.

#### PRESENTATION

1. Mayor Nelson presented the following NYCOM Public Service Certificates to employees with 25 or more years of service to the City. (A copy of the certificates follow these minutes.)

Tim Vinch	25 years	Patricia Paquin	30 years
Blair Roethel	25 years	Betty Moore	25 years
Frederick McDonald	25 years	Mark Jacobs	25 years
Philip Cosmo	25 years	Steven Badlam	25 years
Maureen Manke	30 years		

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### PERSONAL APPERANCE

1. The following people spoke in favor of keeping the Lockwood Arena open:

Edward Dillingham, 513 Patterson Street

Harold Myers, 5405 Route 812

Ernie Jeneault, Sr., 716 Knox Street

Lauren Morley, 922 Morris Street

Terry Axtell, 712 Montgomery Street

Scott Boyer, 501 Barre Street

Tom Bouchey, 91 McIntyre Road

Jim Howard, 518 Hamilton Street

Donald Dietschweiler, 560 Route 812

Ernie Jeneault, Jr., 908 Pickering Street

### PRESENTATION

1. City Comptroller Philip Cosmo made a presentation to Council and handed out information regarding the 2009 budget shortfall. Mr. Cosmo explained that this shortfall is due to forces outside of our control such as sales tax, interest earnings, legal representation and health insurance. (A copy follows these minutes.)

2. Director of Planning and Development Justin Woods made a presentation to Council regarding the Housing Program Audit results. (A copy of this presentation follows these minutes.)

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CONSENT AGENDA

Mayor Nelson moved that the claims as enumerated in General Fund Warrant #14-2009 in the amount of \$934,396.92 and Library Fund Warrant #14-2009 in the amount of \$49,078.26, Capital Fund Warrant #14-2009 in the amount of \$19,566.86 and Community Development Fund Warrant #14-2009 in the amount of \$6,308.46 and Community Renewal Fund Warrant #14-2009 in the amount of \$15,615.31 and HOME Fund Warrant #14-2009 in the amount of \$0.00 and AHC Funds Warrant #14-2009 in the amount of \$1,430.00 and RESTORE Program Warrant #14-2009 in the amount of \$0.00 as audited, be and the same are ordered paid and Councillor Powers seconded the motion.

The vote was:

CARRIED, AYES ALL

APPOINTMENTS

1. Mayor Nelson moved the appointment of Donna Pirie to the Ogdensburg Civil Service Commission, term to expire June 1, 2010, and Councillor Flynn seconded the motion.

The vote was:

CARRIED, AYES ALL

2. Mayor Nelson moved the appointment of Sean O'Brien to the Planning Board, term to expire December 31, 2012, and Councillor Morley seconded the motion.

The vote was:

CARRIED, AYES ALL

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3. Mayor Nelson moved the re-appointment of Michael Frary to the Planning Board, term to expire December 31, 2012, and Councillor Vaugh seconded the motion.

The vote was:

CARRIED, AYES ALL

4. Mayor Nelson moved the appointment of William Flynn as Chair to the Zoning Board, term expires December 31, 2011, and Councillor Flynn seconded the motion.

The vote was:

CARRIED, AYES ALL

Mayor Nelson moved to adjourn to Executive Session to discuss legal matters with the City Attorneys, and Councillor Flynn seconded the motion.

Upon returning from Executive Session, all members of Council were still present.

ITEMS FOR COUNCIL ACTION

1. Councillor Morley moved an Ordinance to offer for sale at public auction City owned property, and Councillor Powers seconded to wit:

ORDINANCE No. 9  
AN ORDINANCE TO OFFER FOR SALE AT PUBLIC AUCTION CITY OWNED  
PROPERTY

BE IT ORDAINED AND ENACTED by the City Council of the City of Ogdensburg, New York, as follows:

SECTION ONE: The following property shall be offered for sale at public auction by the City of Ogdensburg:

<u>Address</u>	<u>Tax Map Number</u>
708 Main Street	59.021-2-10

Minimum price - \$3,000.00

SECTION TWO: The City Council reserves the right to reject any or all bids or to withdraw any parcel from sale. Conveyance is to be made by Quit Claim Deed. The City does not guarantee clear property title in the transfer of the property by auction and conveyance will be made by Quit Claim Deed.

SECTION THREE: This Ordinance shall become effective ten days after publication.

The vote was:

CARRIED, AYES ALL

2. Councillor Flynn moved a resolution authorizing award of contract for 805 Ford Street demolition, and Councillor Sholette seconded to wit:

RESOLUTION AUTHORIZING AWARD OF CONTRACT  
FOR 805 FORD STREET DEMOLITION

WHEREAS, bids have been solicited and received for the 805 Ford Street Demolition Project; and

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WHEREAS, City staff have evaluated the bids and recommended the contract be awarded to the responsible low bidder;

NOW, THEREFORE, BE IT RESOLVED that Arthur J. Sciorra, City Manager, is authorized to enter into the following contract, for a sum not to exceed \$12,780.00, on behalf of the City;

<u>CONTRACTOR</u>	<u>BID AMOUNT</u>	<u>CONTINGENCY</u>
Harry Frank Richardson d/b/a Richardson & Sons 5770A SH 37 Ogdensburg, NY 13669	\$11,580	\$1,200

BE IT FURTHER RESOLVED that the funds to pay for this work shall be derived from CD Misc. Rev.

The vote was:

CARRIED, AYES ALL

3. Mayor Nelson moved a resolution authorizing the City Manager to sign an agreement for an ATM inside the Dobisky Community Center, and Councillor Flynn seconded the motion to wit:

RESOLUTION

BE IT RESOLVED that the Ogdensburg City Council hereby authorizes City Manager Arthur J. Sciorra to execute the attached agreement with B&S Business Services, Inc. for the placement of an ATM (automatic teller machine) inside the Dobisky Community Center.

Councillor Morley moved to table the resolution due to unanswered questions, and Councillor Flynn seconded the motion.

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The vote was:

CARRIED, AYES ALL

4. Councillor Morley moved a resolution authorizing the City Manager to execute an MOU with Gil Jones to construct parking on City Property, and Councillor Flynn seconded to wit:

RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A  
MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF  
OGDENSBURG & GIL JONES OF JONES TROMBLEY DEVELOPMENT CORP  
FOR THE CONSTRUCTION OF HANDICAP PARKING SPACES  
ON CITY PROPERTY

WHEREAS, Mr. Gil Jones of Jones Trombley Development Corporation has requested City Council's permission to construct handicapped parking on City property in the courtyard area of the Ogdensburg Mall in front of 101 Ford Street; and

WHEREAS, Mr. Jones would construct the additional parking at his own expense and according to City specifications; and

WHEREAS, said action is subject to site plan approval and any conditions imposed by the City of Ogdensburg Planning & Development Board; and

WHEREAS, before Mr. Gil Jones proceeds with incurring engineering costs and applying for Planning Board approval he would like to have City Council's permission to work on said City property; and

NOW, THEREFORE, BE IT RESOLVED that the Ogdensburg City Manager is hereby authorized to execute a Memorandum of Understanding allowing the Jones Trombley Development Corporation permission to construct handicapped parking spaces on the courtyard area in front of his buildings at 101 Ford Street according to City specifications and at no cost to the City, subject to the following conditions:

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- 1) Site plan approval and any conditions imposed by the City of Ogdensburg Planning & Development Board;
- 2) If approved by the Planning Board, an agent of Jones Trombley Development Corporation will be required to maintain and show proof of liability insurance, with said insurance amount to be approved to in amount and form by the Attorney for the City;
- 3) If approved by the Planning Board, an agent of Jones Trombley Development Corporation will be required to post a cash bond or irrevocable letter of credit to secure the adequate construction of the parking facilities, said security amount to be determined by the Planning Board and approved to in form by the Attorney for the City; and
- 4) All improvements to said land will become property of the City at the satisfactory completion of construction and at which time, the MOU will terminate and said security will be released.

The vote was:

CARRIED, AYES ALL

5. Councillor Sholette moved a resolution authorizing the City Manager to sign an agreement between the City of Ogdensburg and the Ogdensburg Volunteer Rescue Squad, and Councillor Powers seconded to wit:

A RESOLUTION AUTHORIZING THE CITY MANAGER  
TO SIGN AN AGREEMENT BETWEEN THE CITY OF OGDENSBURG  
AND THE OGDENSBURG VOLUNTEER RESCUE SQUAD

WHEREAS, the City desires to recognize OVRs as a provider of ambulance/rescue squad service within the boundaries of the City of Ogdensburg; and

WHEREAS, OVRs is willing to provide said service within the boundaries of the City of Ogdensburg and will bill the users of the service directly for their services; and

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WHEREAS, the purpose of this Agreement is for the parties to exchange services to their mutual benefit; and

THEREFORE BE IT RESOLVED, that the City Manager is authorized to sign the attached agreement between the City of Ogdensburg and the Ogdensburg Volunteer Rescue Squad.

The vote was:

CARRIED, AYES ALL

There was a consensus of Council to add Resolution #68 to the agenda to appoint a City Attorney.

6. Councillor Flynn moved a resolution to appoint a City Attorney, and Councillor Powers seconded to wit:

RESOLUTION TO APPOINT A CITY ATTORNEY  
FOR THE CITY OF OGDENSBURG

WHEREAS, the City of Ogdensburg has been actively recruiting for the position of City Attorney since Kathy Wears' resignation from that position; and

WHEREAS, the City Manager has advertised and reviewed applications and interviewed candidates since that time; and

WHEREAS, Andy Silver is qualified to serve as City Attorney and, because of his past experience and background, can best serve the City of Ogdensburg in meeting future goals and objectives;

NOW, THEREFORE, BE IT RESOLVED, that Andy Silver be and the same is appointed as City Attorney to serve pursuant to the City Charter, Administrative Regulations, the Code of the City of Ogdensburg, and all other State and Federal laws as may apply;

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BE IT FURTHER RESOLTVED, that Andy Silver is hereby appointed to serve as the City Attorney of the City of Ogdensburg.

Councillor Hannan stated that he objected to the interview process used to appoint a new City Attorney and added that Council should have been more involved in the process.

The vote was:

CARRIED, AYES ALL

### OLD BUSINESS

1. Councillor Sholette requested a 2009 Councillor expense report.
2. Councillor Sholette said that last December he requested Council and staff look at the revenue sources for the Lockwood Arena. Councillor Sholette stated all those individuals who are here tonight need to know if the facility will remain open and what the rates will be now, as budget time in December is too late.

Councillor Hannan stated that Council needs to know what kind of savings we are looking at by specific department line items, and where we'll be by year end.

Mayor Nelson instructed the City Manager to give Council a list containing each department's line item reductions for 2009.

3. Councillor Sholette requested that the Recreation Department bring a fee schedule to the September 14<sup>th</sup> City Council Meeting.

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### NEW BUSINESS

1. Councillor Powers stated the residents of Morris Street are requesting that stop signs be placed on Morris Street between Greene and Canton Streets due to excessive speed. Councillor Sholette suggested the Police Department review the traffic patterns on Morris Street.

2. Councillor Flynn advised Council that Hoosier Magnetics holds a neighborhood meeting at their site on the second Tuesday of each month at 6:00 p.m. Councillor Flynn stated that he cannot attend and suggested a member of Council should attend. Councillor Flynn added that this meeting notice is posted at the library.

3. Councillor Sholette stated that in the last few weeks Council's attendance at City Council Meetings has been debated in the newspaper. Mayor Nelson stated that our attorney advised this was a personal matter that should be discussed in Executive Session.

Councillor Hannan said the Charter is specific, anytime a City Councillor misses three meetings a formal vote is needed on the acceptance of the excused absence.

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