

SPECIAL CITY COUNCIL MEETING

August 5, 2013

Page 204

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

PRESENT: Mayor Nelson, Councillors Ashley,
Morley, Skamperle and Stevenson

ABSENT: *Councillors Cilley and Hosmer

ITEMS FOR COUNCIL ACTION

1. Councillor Ashley moved a resolution to authorize the City Manager to submit a Consolidated Funding Grant Application, and Councillor Skamperle seconded to wit:

A RESOLUTION TO AUTHORIZE THE SUBMISSION OF
A CONSOLIDATED FUNDING APPLICATION

WHEREAS, the City of Ogdensburg desires to prepare a 2013 New York State Consolidated Funding Application (CFA) to further the work of the City's Brownfield Opportunity Area (BOA) Planning initiative; and

WHEREAS, the City of Ogdensburg BOA has established a framework for redeveloping the City's waterfront brownfields; and

WHEREAS, in furtherance of this BOA planning initiative City staff in consultation with Vita Nuova have prioritized four projects to immediately move our planning to action; and

WHEREAS, this application for funds will accelerate the implementation of infrastructure projects that will support the overall 15 year waterfront vision as a regional destination for residents and tourists alike; and

NOW, THEREFORE, BE IT RESOLVED, that the Ogdensburg City Manager is hereby authorized to submit a Consolidated Funding Application in an amount not to exceed \$2,200,000.00, and if received, to enter into any necessary contracts to administer the grant.

SPECIAL CITY COUNCIL MEETING

August 5, 2013

Page 205

*Councillors Cilley and Hosmer arrive at this point in the meeting.

Councillor Morley requested a breakdown of the \$2,200,000.

Planning and Development Director Andrea Smith said the breakdown is:

Franklin Street project \$625,000.

Madison Avenue/Diamond area \$940,000.

Marina Road re-alignment \$415,000.

Boat launch improvements \$150,000.

The vote was:

CARRIED, AYES ALL

2. Councillor Morley moved a resolution authorizing the City Manager to submit a joint 2013 NYS DOT Transportation Enhancement Program (TEP) grant application with the Adirondack North Country Association (ANCA), in an amount not to exceed \$ 120,000.00, to develop a comprehensive wayfinding program in conjunction with the Maple Traditions Scenic Byway, and Councillor Skamperle seconded to wit:

A RESOLUTION TO SUPPORT THE SUBMISSION
OF A NEW YORK STATE DOT
TRANSPORTATION ENHANCMENT PROGRAM (TEP) APPLICATION

WHEREAS, the City of Ogdensburg desires to submit a joint application through the NYS DOT Transportation Enhancement Program (TEP) for funding assistance to develop a comprehensive wayfinding program in conjunction with the Maple Traditions Scenic Byway; and

WHEREAS, the proposed interpretive wayfinding and signage project will enhance the visitor experience by providing them with relevant and educational information on aesthetically pleasing, well designed signs along the byway and throughout Ogdensburg, the hub and terminus of the byway; and

SPECIAL CITY COUNCIL MEETING

August 5, 2013

Page 206

WHEREAS, the City of Ogdensburg has made significant investments in planning and developing public waterfront access along the St. Lawrence and Oswegatchie River waterfronts and 2013 NYSDOT Transportation Enhancement Program funding will complement these investments through appropriate signage; and

WHEREAS, the City of Ogdensburg has identified these improvements in its Step II Brownfields Opportunity Area (BOA) plan and Local Waterfront Revitalization Plan (LWRP); and

WHEREAS, the wayfinding component for Ogdensburg would including planning, designing, and funds for implementation estimated to cost \$120,000.00; and

WHEREAS, TEP funding requires a 20% local match (\$24,000) which the City is prepared to provide through a combination of in-kind services and cash contributions.

NOW, THEREFORE, BE IT RESOLVED, that the Ogdensburg City Manager is hereby authorized to submit a joint application with the Adirondack North County Association (ANCA) through the 2013 TEP in an amount not to exceed \$120,000.00, and if received, to enter into any necessary contracts to administer the grant.

Councillor Morley questioned when this agreement will expire. City Manager John stated this agreement will expire in 2020.

Councillor Skamperle questioned if the sales tax increase goes beyond four years. Mr. Pinkerton said the sales tax increase has to be re-done in two years.

The vote was:

CARRIED, AYES ALL

SPECIAL CITY COUNCIL MEETING

August 5, 2013

Page 207

3. Mayor Nelson moved a resolution authorizing the City Manager to sign an amended sales tax agreement between the City of Ogdensburg and St. Lawrence County and Councillor Morley seconded to wit:

RESOLUTION APPROVING THE AMENDMENT TO THE AGREEMENT
BETWEEN THE COUNTY OF ST. LAWRENCE AND THE CITY OF
OGDENSBURG IN RELATION TO THE ALLOCATION AND
DISTRIBUTION OF MONEY COLLECTED FROM THE SALES AND
COMPENSATING USE TAXES IMPOSED PURSUANT TO ARTICLES 28
AND 29 OF THE TAX LAW AND AUTHORIZING THE CITY MANAGER TO
SIGN THE AMENDED AGREEMENT

WHEREAS, St. Lawrence County and the City of Ogdensburg are parties to a Sales Tax Agreement (“Agreement”) concerning the allocation and distribution of money collected from the sales and compensating use taxes covering the period commencing December 1, 2010 and ending November 30, 2020, and

WHEREAS, St. Lawrence County and the City of Ogdensburg have negotiated an amendment to the agreement specifying the distribution of revenue from an additional one (1%) receipt of sales and compensating use taxes, and

WHEREAS, a copy of the proposed amended agreement is attached hereto and made a part hereof, and

WHEREAS, the Ogdensburg City Council desires to approve the amended agreement with St. Lawrence County and to distribute the revenue from the sales and compensating use tax in the manner described in the amended agreement,

NOW, THEREFORE, BE IT RESOLVED that the Ogdensburg City Council approves the amended agreement with St. Lawrence County in form and content as presented with this resolution, and

SPECIAL CITY COUNCIL MEETING

August 5, 2013

Page 208

BE IT FURTHER RESOLVED that the Ogdensburg City Council authorizes the City Manager to sign the amended Agreement, upon the approval of the City Attorney, and

BE IT FURTHER RESOLVED that this agreement, when executed by both parties, is subject to the approval of the Comptroller of the State of New York.

Councillor Ashley questioned the amount of the grant. Councillor Ashley said the project has been ongoing for twenty years, and he would like an accounting on the money. Councillor Morley said he does not like the way the Fort treated its neighbors. Councillor Stevenson said these matters are separate issues. Councillor Cilley said the building of the Fort will have a major economic impact on the City and we should support the Fort. City Manager John Pinkerton said municipal approval is needed for them to apply for the LWRP. Mayor Nelson said he did not like the neighbor issue either, but this is a separate issue. Mayor Nelson explained the Fort links to our downtown trail and its development will enhance our waterfront. Mayor Nelson said the legal issue is unfortunate. Mr. Pinkerton said that issue is close to being resolved. Councillor Skamperle said the City has not addressed their finances and he agrees with Councillors Morley and Ashley.

The vote was:

CARRIED, AYES ALL

4. Councillor Skamperle moved a resolution supporting and sponsoring the Fort La Presentation Association 2013 NYSDOT Transportation Enhancement Program (TEP) application to develop a multimodal trail network, and Mayor Nelson seconded to wit:

A RESOLUTION TO SUPPORT FORT LA PRÉSENTATION
IN THEIR APPLICATION FOR TRANSPORTAION ENHANCEMENT
PROGRAM (TEP) APPLICATION

SPECIAL CITY COUNCIL MEETING

August 5, 2013

Page 209

WHEREAS, the City of Ogdensburg desires to sponsor a 2013 NYSDOT Transportation Enhancement Program application for which the Fort Association is the Applicant; and

WHEREAS, the funding assistance will develop critically needed multimodal access along the Fort La Présentation historic waterfront site and the Downtown Arterial Highway (NYS Route 68); and

WHEREAS, the proposed multimodal facility would support nearby local businesses and provide a needed link to City of Ogdensburg recreational trail network, including the Maple City Trail, and would offer new historic, cultural, and recreational opportunities; and

WHEREAS, the City of Ogdensburg has made significant investments in planning and developing public waterfront access along the St. Lawrence and Oswegatchie River waterfronts and 2013 NYSDOT Transportation Enhancement Program funding will complement these investments and promote physical and visual accessibility to these waterfronts and the Maple City Trail; and

WHEREAS, the City of Ogdensburg has identified these improvements in its Step II Brownfields Opportunity Area (BOA) plan and Local Waterfront Revitalization Plan (LWRP); and

WHEREAS, the Fort Association is prepared to provide the 20% required matching funds in accordance with grant guidelines.

NOW, THEREFORE, BE IT RESOLVED, that the Ogdensburg City Manager is hereby authorized to sponsor an application through the NYS DOT TEP in support of the development of a multimodal trail network located on the Fort La Présentation property within the City of Ogdensburg.

Councillor Skamperle made a motion to amend the resolution to read that the Fort will be responsible for the matching funds. The motion died for lack of a second.

SPECIAL CITY COUNCIL MEETING
August 5, 2013
Page 210

Councillor Hosmer stated he is on the Fort La Présentation Board and will abstain from voting.

The vote on the amended resolution was:

AYES: Mayor Nelson, Councillors Cilley,
Skamperle and Stevenson

NAYS: Councillors Ashley and Morley

ABSTAINED: Councillor Hosmer

CARRIED, 4 TO 2

5. Mayor Nelson moved a resolution supporting the Fort La Présentation Association grant application to the New York State Office of Parks, Recreation and Historic Preservation (OPRHP) for a grant under the Environmental Protection Fund, and Councillor Stevenson seconded to wit:

A RESOLUTION OF SUPPORT FOR FORT LA PRÉSENTATION

WHEREAS, the Fort La Présentation Association is applying to the New York State Office of Parks, Recreation and Historic Preservation (OPRHP) for a grant under the Environmental Protection Fund to be located on Lighthouse Point and the St. Lawrence and Oswegatchie waterfronts; and

WHEREAS, Fort La Présentation Association, is requesting grant funds to develop a cultural, recreational, and multimodal trail facility at the Lighthouse Point/Fort La Présentation historic site located along the St. Lawrence and Oswegatchie River waterfront; and

WHEREAS, the planned improvements include new sidewalks and streetscape facilities along the Downtown Arterial Highway that will connect the Fort property and trail network with the City's existing Maple City Trail; and

SPECIAL CITY COUNCIL MEETING

August 5, 2013

Page 211

WHEREAS, a requirement under the rules of this funding program, said not-for-profit corporation must obtain the *"approval/endorsement of the governing body of the municipality in which the project will be located"*.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of Ogdensburg hereby does endorse the Fort La Présentation application for grant funds under the Environmental Protection Fund for a multimodal trail facility park project located within the municipal boundary of the City of Ogdensburg.

The vote was:

AYES: Mayor Nelson, Councillors Cilley,
Skamperle and Stevenson

NAYS: Councillors Ashley and Morley

ABSTAINED: Councillor Hosmer

CARRIED, 4 TO 2

Mayor Nelson requested to act on Agenda Bill # 71 before Agenda Bill #70 because he had to leave for a work meeting. There was a consensus of Council to act on Agenda Bill # 71 before Agenda Bill #70.

6. Councillor Stevenson moved a resolution authorizing the City Manager to submit a 2013 New York State Consolidated Funding Application (CFA) Grant, in the amount of \$ 25,000.00, for the creation of the Oswegatchie River Blueway Trail, and Councillor Morley seconded to wit:

A RESOLUTION AUTHORIZING A 2013 CONSOLIDATED FUNDING
APPLICATION FOR THE CREATION OF
THE OSWEGATCHIE RIVER BLUEWAY TRAIL

SPECIAL CITY COUNCIL MEETING

August 5, 2013

Page 212

WHEREAS, the communities along the Oswegatchie River value its natural resources and outdoor recreation opportunities; and

WHEREAS, the City of Ogdensburg has made significant investments in planning and developing public waterfront access along the St. Lawrence and Oswegatchie River waterfronts and 2013 CFA funding will complement these investments and promote physical and visual accessibility to the Oswegatchie River; and

WHEREAS, this Blueway Trail is consistent with the City's LWRP; and

WHEREAS, representatives of the Town and Village of Canton, Town of Oswegatchie, Village of Heuvelton, Village of Rensselaer Falls, Town and Village of Gouverneur, De Kalb, Clifton and Fine St. Lawrence County, and Ogdensburg have participated as a Coordinating Committee to evaluate Blueway Trail opportunities; and

WHEREAS, these communities value the Oswegatchie River for water quality and habitat protection; and

WHEREAS, providing access to the Oswegatchie River is a desired goal of the City and other river communities; and

WHEREAS, St. Lawrence and Jefferson County will greatly benefit from the recreational and natural experiences provided by the water trail; and

WHEREAS, the City of Ogdensburg supports the Oswegatchie Blueway Trail, beginning at the mouth of the River at Cranberry Lake and ending at the Oswegatchie River Delta here in Ogdensburg, as a value and benefit to the citizens of the City of Ogdensburg and its neighboring river communities; and

WHEREAS, the City of Ogdensburg in partnership with Oswegatchie River communities will provide matching financial support for this application in the form of cash-on-hand and in-kind services in accordance with grant guidelines.

SPECIAL CITY COUNCIL MEETING

August 5, 2013

Page 213

NOW, THEREFORE, BE IT RESOLVED, that the Ogdensburg City Manager is hereby authorized to submit a 2013 CFA for the Oswegatchie River Blueway Trail in the amount of \$25,000 and if awarded to enter into any necessary grant agreements.

Councillor Skamperle asked if the City is the only municipality applying for the \$25,000 grant. City Manager John Pinkerton said each community along the trail will be asked for contributions of in-kind services or cash. Mr. Pinkerton explained we have held two meetings and one community committed to contributing \$1,000. Councillor Morley questioned the type of trail it will be. Mr. Pinkerton said it will be a water trail with places to put canoes and boats in the water. Director of Planning & Development Andrea Smith explained we will receive fifteen points in the CFA for this project and it will give us a preference to EPF funding. Mr. Pinkerton said we have LWRP experience and other communities need us. Ms. Smith said the \$25,000 is the match and it is not just the City. Mr. Pinkerton explained Clifton Fine joined in and will also provide in-kind help. Ms. Smith said the County has also joined.

The vote was:

CARRIED, AYES ALL

* Mayor Nelson leaves meeting.

7. Councillor Stevenson moved a resolution authorizing the City Manager to submit a 2013 New York State Consolidated Funding Application (CFA) Grant to the North Country Regional Economic Development Council in connection with the LWRP, in an amount not to exceed \$20,000, in support of the development of a feasibility study for the proposed Historic Visitor Center at the Fort La Presentation Lighthouse property, and Councillor Cilley seconded to wit:

A RESOLUTION AUTHORIZING A 2013 CONSOLIDATED FUNDING
APPLICATION TO NEW YORK STATE DEPARTMENT OF STATE
LOCAL WATERFRONT REVITALIZATION PROGRAM

SPECIAL CITY COUNCIL MEETING

August 5, 2013

Page 214

WHEREAS, the City of Ogdensburg desires to submit a 2013 Consolidated Funding Application (CFA) to the North Country Regional Economic Development Council in connection with the Local Waterfront Revitalization Program (LWRP); and

WHEREAS, the funding assistance will identify the feasibility of construction and operation of the Historic Visitor Center at the Fort La Présentation Lighthouse Site; and

WHEREAS, the proposed visitor center would support nearby local businesses, promote waterfront access, and offer new historic, cultural, and recreational opportunities; and

WHEREAS, the City of Ogdensburg has made significant investments in planning and developing public waterfront access along the St. Lawrence and Oswegatchie River waterfronts and 2013 CFA LWRP funding will complement these investments and promote physical and visual accessibility to these waterfronts; and

WHEREAS, the City of Ogdensburg has identified these improvements in its Step II Brownfields Opportunity Area (BOA) plan and Local Waterfront Revitalization Plan (LWRP); and

WHEREAS, the City of Ogdensburg has partnered with Fort La Présentation Association who will provide financial support for this application as well as the required matching funds in the form of cash-on-hand and in-kind services in accordance with grant guidelines.

NOW, THEREFORE, BE IT RESOLVED, that the Ogdensburg City Manager is hereby authorized to submit a 2013 CFA through the NYS DOS LWRP in an amount not to exceed \$20,000 in support of the development of a feasibility study for the proposed Historic Visitor Center at the Fort La Présentation Lighthouse property within the City of Ogdensburg.

SPECIAL CITY COUNCIL MEETING

August 5, 2013

Page 215

Councillor Skamperle asked who will provide the matching funds. Director of Planning & Development Andrea Smith said the Fort. Councillor Morley asked why a feasibility study is being done 15 years into the project. Councillor Cilley said the Fort is only asking for our support. Ms. Smith explained the first two resolutions show the City's support. Ms. Smith said she wished someone from the Fort was present to answer questions. Ms. Smith explained the City is filing the application, but not pledging any funds. Ms. Smith added that we submit the LWRP application as lead agency and the funds will be awarded to the City, but no City staff hours will go into it as they have hired a firm to write the grant. Ms. Smith explained it is a 50/50 match of \$40,000/\$20,000 and the Fort is responsible for the \$20,000. match.

The vote was:

AYES: Deputy Mayor Morley, Councillors Cilley,
Skamperle and Stevenson

NAYS: Councillor Ashley

ABSTAINED: Councillor Hosmer

CARRIED, 4 TO 1

Councillors Skamperle and Stevenson stated they will not be at the August 12th meeting and asked to be excused.

City Manager John Pinkerton advised Council that he will be attending a North Country Regional Economic Development Council Meeting tomorrow night.

Mr. Pinkerton thanked Council for attending this early morning special meeting.

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