

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

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

ABSENT: Councillors Flynn and Sholette

PUBLIC HEARING

1. A public hearing regarding an ordinance amending Chapter 209 entitled "Vehicles and Traffic" of the Ogdensburg Municipal Code was held. No one being present to speak, the hearing was declared closed.

2. A public hearing regarding an ordinance amending Chapter 203 entitled "Taxicabs" of the Ogdensburg Municipal Code was held. No one being present to speak, the hearing was declared closed.

PERSONAL APPEARANCE

1. Candace LaMacchia addressed Council and stated that on September 19 she was walking on lower Lake Street, under the Spring Street Bridge with her daughter and granddaughter when a large rock was thrown from the bridge at them. Mrs. LaMacchia stated that the Police Department contacted her two weeks after she reported this incident, due to an overload of juvenile officer work. Mrs. LaMacchia suggested placing a wire net on the bridge to prevent this from happening again and possibly injuring someone. She also suggested the City conduct a survey on juveniles.

2. Patricia Smith urged Council to release the results of the Tobacco Survey that was conducted last July in Ogdensburg.

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Mrs. Smith added that Brandi Wells was unable to attend this meeting and read a statement from Ms. Wells requesting the results of the Tobacco Survey be released.

3. Brittney Kelly urged Council to release the results of the Tobacco Survey and re-open this issue of no smoking in the parks.

4. Sue Britton, St. Lawrence County Public Health Department and Tobacco Free Coordinator asked Council to re-open the no smoking topic in City Parks due to the survey results.

CONSENT AGENDA

Mayor Nelson moved that the claims as enumerated in Warrant #17-2008 in the amount of \$674,262.72, and Library Warrant #17-2008 in the amount of \$25,645.35, Community Development Fund Warrant #17-2008 in the amount of \$17,809.20, Community Renewal Fund Warrant #17-2008 in the amount of \$24,589.50, HOME Warrant #17-2008 in the amount of \$ 0.00 and Capital Fund Warrant #17-2008 in the amount of \$30,961.81, and AHC Funds Warrant #17-2008 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. Councillor Morley moved an ordinance amending Chapter 209 entitled "Vehicles and Traffic", Section 209-48, Schedule XI entitled "Parking Prohibited at All Times" of the Ogdensburg Municipal Code, and Councillor Powers seconded to wit:

ORDINANCE # 6 OF 2008
AN ORDINANCE AMENDING CHAPTER 209 ENTITLED
"VEHICLES AND TRAFFIC"
OF THE CODE OF THE CITY OF OGDENSBURG

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF
OGDENSBURG, NEW YORK, AS FOLLOWS:

ITEM ONE: That Section 209-48, Schedule XI: "Parking Prohibited at All
Times" is hereby amended to add the following:

Add

<u>Name of Street</u>	<u>Side</u>	<u>Location</u>
Washington Street	South	From the East curb line of Caroline Street to a point 45 feet East there from.
Ford Street	South	From the West curb line of Caroline Street to a point 45 feet West there from.

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.

The vote was:

CARRIED, AYES ALL

3. Councillor Powers moved an ordinance amending Chapter 203 entitled "Taxicabs" of the Ogdensburg Municipal Code, and Councillor Morley seconded to wit:

ORDINANCE #7 of 2008
AMENDING CHAPTER 203 ENTITLED "TAXICABS"
OF THE CODE OF THE 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", § 203-11. "Driver's license fees" be deleted in its entirety and replaced with the following:

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 taxicab. Owners who drive their own 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.

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.

The vote was:

CARRIED, AYES ALL

3. Mayor Nelson moved a resolution authorizing the City Manager to enter into an agreement with the New York State Unified Court System, and Councillor Morley seconded to wit:

RESOLUTION AUTHORIZING THE CITY MANAGER
TO ENTER INTO AN AGREEMENT WITH THE
NEW YORK STATE UNIFIED COURT SYSTEM

WHEREAS, the City of Ogdensburg is required by law to furnish and maintain adequate court facilities for use by trial courts of the State of New York; and

WHEREAS, Chapter 686 of the Laws of 1996 was enacted to invest the State of New York with the fiscal responsibility of managing the interior cleaning of court facilities and the performance of minor repairs therein, and with the ability to cover the costs thereof; and

WHEREAS, Chapter 686 of the Laws of 1996 requires the State of New York to contract with political subdivisions of the State for the cleaning of court facilities, as well as minor and emergency repairs thereof;

NOW, THEREFORE, BE IT RESOLVED, that the City Manager is hereby authorized to enter into a new five-year contract agreement (Contract #C-300169) with the New York State Unified Court System for court cleaning and minor repair for the court facilities, which period shall commence on April 1, 2008, and shall terminate on March 31, 2013.

The vote was:

CARRIED, AYES ALL

4. Councillor Powers introduced a resolution authorizing the City Manager to act in behalf of the City in all matters related to State assistance under the Brownfield Opportunity Areas Program, and Councillor Vaugh seconded to wit:

NEW YORK STATE
DEPARTMENTS OF STATE AND ENVIRONMENTAL CONSERVATION
BROWNFIELD OPPORTUNITY AREAS PROGRAM
LEAD APPLICANT RESOLUTION

Brownfield Opportunity Areas Name: Waterfront Brownfield Opportunity Area

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Resolution authorizing the items listed below pursuant to §970-r of the General Municipal Law.

WHEREAS, the City of Ogdensburg (Name of lead Applicant), herein called the "Applicant", after thorough consideration, has hereby determined that certain work, as described in its application and attachments, herein called the "Project", is desirable; and

WHEREAS, §970-r of the General Municipal Law authorizes State assistance to eligible parties for Brownfield Opportunity Areas Program grants by means of a State Assistance Contract (SAC) and the Applicant deems it to be in the public interest and benefit under this law to enter into a contract therewith;

NOW, THEREFORE, BE IT RESOLVED BY the City Council of the City of Ogdensburg (Name of lead Applicant)

1. That the City Manager (Title of Designated Authorized Representative for lead Applicant) is the representative authorized to act in behalf of all applicants in all matters related to State assistance under §970-r of the General Municipal Law for the Project. The representative is also authorized to sign and submit the application, execute the SAC, request SAC advances and reimbursements, redistribute SAC reimbursements as appropriate, submit Project documentation, and otherwise act for all applicants in all matters related to the Project and to State assistance;
2. That the Applicant agrees that it will complete the Project;
3. That the Applicant agrees that it will fund its portion of the Applicant's 10% share of the Project; and
4. That this Authorization takes effect immediately.

The vote was:

CARRIED, AYES ALL

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5. Councillor Hannan introduced a resolution authorizing the City Manager to enter into an agreement with Barton & Loguidice for a sum not to exceed \$50,000 for a pre-demolition and hazardous materials survey at the Former Standard Shade Roller complex, and Councillor Powers seconded to wit:

RESOLUTION AUTHORIZING CITY MANAGER TO ENTER INTO
AN AGREEMENT WITH BARTON & LOGUIDICE FOR A
PRE-DEMOLITION ASBESTOS & HAZARDOUS MATERIALS SURVEY
AT THE FORMER STANDARD SHADE ROLLER COMPLEX

WHEREAS, the City owns the Former Standard Shade Roller complex; and

WHEREAS, the City has received a RESTORE NY grant to demolish the buildings; and

WHEREAS, the New York State Code requires a Pre-Demolition Asbestos and Hazardous Materials Survey prior to demolition; and

WHEREAS, the City has solicited proposals for such professional services; and

WHEREAS, Barton & Loguidice submitted the most accurate and cost-effective proposal;

NOW, THEREFORE, BE IT RESOLVED, that the City Manager is hereby authorized to enter into an agreement with Barton & Loguidice for a sum not to exceed \$50,000 for a pre-demolition and hazardous materials survey at the Former Standard Shade Roller complex; and

BE IT FURTHER RESOLVED, that funds to pay for this work shall be derived from the RESTORE NY grant.

Councillor Morley requested a copy of the competitive bid results with the resolution in the future.

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Director of Planning and Development Justin Woods and City Manager Arthur Sciorra explained the bid results.

Councillor Hannan questioned why a forty percent contingency is proposed for this project when normally it's ten percent. Mr. Woods stated that he made the decision to use a forty percent contingency.

Councillor Hannan moved to amend the expenditure required from \$50,000. to \$40,000., and Councillor Vaughn seconded the motion.

The vote to amend was:

CARRIED, AYES ALL

The resolution now read:

RESOLUTION AUTHORIZING CITY MANAGER TO ENTER INTO
AN AGREEMENT WITH BARTON & LOGUIDICE FOR A
PRE-DEMOLITION ASBESTOS & HAZARDOUS MATERIALS SURVEY
AT THE FORMER STANDARD SHADE ROLLER COMPLEX

WHEREAS, the City owns the Former Standard Shade Roller complex; and

WHEREAS, the City has received a RESTORE NY grant to demolish the buildings; and

WHEREAS, the New York State Code requires a Pre-Demolition Asbestos and Hazardous Materials Survey prior to demolition; and

WHEREAS, the City has solicited proposals for such professional services; and

WHEREAS, Barton & Loguidice submitted the most accurate and cost-effective proposal;

NOW, THEREFORE, BE IT RESOLVED, that the City Manager is hereby authorized to enter into an agreement with Barton & Loguidice for a sum not to exceed \$40,000 for a pre-demolition and hazardous materials survey at the Former Standard Shade Roller complex; and

BE IT FURTHER RESOLVED, that funds to pay for this work shall be derived from the RESTORE NY grant.

The vote on the resolution as amended was:

AYES: Mayor Nelson, Councillors Hannan,
Powers and Vaugh

NAYS: Councillor Morley

APPROVED, 4 TO 1

6. Councillor Morley moved a resolution authorizing the City Manager to enter into an agreement with Barton & Loguidice for a sum not to exceed \$70,000 for a Phase I & II Environmental Assessment at the Former Standard Shade Roller complex, and Councillor Powers seconded to wit:

RESOLUTION AUTHORIZING CITY MANAGER TO ENTER INTO
AN AGREEMENT WITH BARTON & LOGUIDICE FOR A
PHASE I & II ENVIRONMENTAL ASSESSMENT
AT THE FORMER AUGSBURY PROPERTIES

WHEREAS, the City has entered into an agreement with the Kiwanis Club for the Former Kiwanis Property; and

WHEREAS, the City has agreed in principal and is waiting to execute easement documents with Sybron Corp & MCYC Corp. for access to the remaining Augsbury properties for the purpose of environmental assessment; and

WHEREAS, the City has received a USEPA Brownfields grant for the Augsbury properties; and

WHEREAS, the City has solicited proposals for such professional services; and

WHEREAS, Barton & Loguidice submitted the most accurate and cost-effective proposal;

NOW, THEREFORE, BE IT RESOLVED, that the City Manager is hereby authorized to enter into an agreement with Barton & Loguidice for a sum not to exceed \$70,000 for a Phase I & II Environmental Assessment at the Former Augsbury properties; and

BE IT FURTHER RESOLVED, that funds to pay for this work shall be derived from the US EPA Brownfields Grant, Capital Fund H809001.518.

Councillor Hannan moved to amend the expenditure required from \$70,000. to \$65,000., and Councillor Morley seconded the motion.

The vote to amend was:

CARRIED, AYES ALL

The resolution now read:

RESOLUTION AUTHORIZING CITY MANAGER TO ENTER INTO
AN AGREEMENT WITH BARTON & LOGUIDICE FOR A
PHASE I & II ENVIRONMENTAL ASSESSMENT
AT THE FORMER AUGSBURY PROPERTIES

WHEREAS, the City has entered into an agreement with the Kiwanis Club for the Former Kiwanis Property; and

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WHEREAS, the City has agreed in principal and is waiting to execute easement documents with Sybron Corp & MCYC Corp. for access to the remaining Augsbury properties for the purpose of environmental assessment; and

WHEREAS, the City has received a USEPA Brownfields grant for the Augsbury properties; and

WHEREAS, the City has solicited proposals for such professional services; and

WHEREAS, Barton & Loguidice submitted the most accurate and cost-effective proposal;

NOW, THEREFORE, BE IT RESOLVED, that the City Manager is hereby authorized to enter into an agreement with Barton & Loguidice for a sum not to exceed \$65,000 for a Phase I & II Environmental Assessment at the Former Augsbury properties; and

BE IT FURTHER RESOLVED, that funds to pay for this work shall be derived from the US EPA Brownfields Grant, Capital Fund H809001.518.

The vote on the resolution as amended was:

CARRIED, AYES ALL

7. Councillor Vaugh moved a resolution authorizing the City Manager to enter into a contract with RSI Roofing, Inc., for a sum not to exceed \$239,965 for the CRC Building Roof Repair/Improvements project, and Councillor Powers seconded to wit:

RESOLUTION AUTHORIZING AWARD OF CONTRACT
FOR THE CRC BUILDING ROOF REPAIR/IMPROVEMENTS

WHEREAS, bids have been solicited and received for the CRC Building Roof Repair/Improvements project; and

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 \$239,965., on behalf of the City;

CONTRACTOR	BID AMOUNT	CONTINGENCY
RSI Roofing, Inc. 44 CR 9 Gouverneur, NY 13642	\$219,965	\$20,000

BE IT FURTHER RESOLVED that the funds to pay for this work shall be derived from repayments from CRC rent.

City Manager Arthur Sciorra explained the bid results, the condition of roof and the repair schedule for the CRC Building roof repair project.

The vote was:

CARRIED, AYES ALL

OLD BUSINESS

1. Councillor Morley asked Kit Smith, Public Works Director, if he was feeling better. Mr. Smith said he was.

2. Councillor Morley stated that the 700 – 1100 blocks of Lake Street were paved today but two blocks were not and questioned why as they have potholes. Mr. Smith responded that he will fill the potholes, but due to the cost of asphalt, he had no money left for those two blocks.

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3. Councillor Powers stated that he went to many City parks this summer with his children and would like to bring the resolution prohibiting smoking in City parks back to the Council table.

Mayor Nelson asked Council to give their feedback to Justin Woods, Director of Planning and Development. Mayor Nelson also asked the City Manager to post the smoking survey results on the City website.

Councillor Morley requested Council be given a copy of the survey if it will be discussed at a meeting.

NEW BUSINESS

1. Mayor Nelson read a proclamation for the week of October 19-25, 2008, as "Friends of the Library Week in Ogdensburg, New York, St. Lawrence County", and urged citizens to join the Friends of the Library and thank them for all they do to improve our library and community. (A copy follows these minutes.)

2. Mayor Nelson stated that Dr. David Franz is retiring as Director of the Library and thanked him for his years of dedicated service and a job well done.

3. Councillor Hannan requested that Mrs. LaMacchia's suggestion to put mesh or wiring beneath the Spring Street Bridge to prevent rocks from being thrown off the bridge, be turned over to staff for recommendation. Councillor Hannan also questioned if a citizen survey should be conducted related to juveniles in the community. Mayor Nelson stated in our recent citizen survey questions 18 through 25 related to safe walking in the City at night.

City Manager Arthur Sciorra stated that he will have further discussions with Police Chief Rick Polniak on this topic.

Councillor Powers suggested a Neighborhood Watch Program.

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Police Chief Rick Polniak stated that juveniles were identified in this incident as possible suspects, but there are certain conditions to interview juveniles and this case will go through Family Court.

Councillor Hannan questioned the condition of the barriers that stop vehicles on the trail walkway. Mr. Sciorra stated that the ballards need to be replaced.

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