

CITY COUNCIL MEETING

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

PRESENT: Mayor Nelson, Councillors Ericksen, Flynn, Hannan,
LaMacchia, LaRose and Morley

ABSENT: None

Mayor Nelson signed and read a Proclamation declaring the week of September 17 – 21, 2007 as Constitution Week. Holly Capuvo, Regent of the Swe-Kat-Si Chapter of the National Society Daughters of the American Revolution, thanked Mayor Nelson for continuing this tradition.

PUBLIC HEARING

1. A public hearing was held with regard to an amendment to Chapter 221 entitled “Zoning”, Section 221-42 – Permitted Signs, to amend the subsection regarding free standing signs. No one being present to speak, the hearing was declared closed.

2. A public hearing was held on the proposed changes to the City Charter as recommended by the Ogdensburg City charter Review Commission. No one being present to speak, the hearing was declared closed.

3. A public hearing was held to amend the Official City Map of the City of Ogdensburg. No one being present to speak, the hearing was declared closed.

4. A public hearing was held regarding the Empire State Development Corporation 2007 RESTORE NY Program.

Joe Basta, 818 Main Street, addressed Council stating that he owns property on Covington Street next door to Shade Roller, and would like to see something done with the Shade Roller property.

No one else being present to speak, the hearing was declared closed.

CONSENT AGENDA

Mayor Nelson moved that the claims as enumerated in Warrant #15-2007 in the amount of \$1,660,124.73, and Library Warrant #15-2007 in the amount of \$46,906.84 and Community Development Fund Warrant #15-2007 in the amount of \$16,108.61 and Capital Fund Warrant #15-2007 in the amount of \$153,884.64 as audited, be and the same are ordered paid and Councillor Flynn seconded the motion.

The vote was:

CARRIED, AYES ALL

ITEMS FOR COUNCIL ACTION

1. Councillor Flynn moved an ordinance amending Chapter 221-42.E.(3)(c) with regard to free standing signs for shopping centers where separate and distinct businesses occupy a single storefront, and Councillor Hannan seconded to wit:

ORDINANCE 7 of 2007
ORDINANCE AMENDING CHAPTER 221 ENTITLED "ZONING"
OF THE CODE OF THE CITY OF OGDENSBURG

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

SECTION ONE

That Section 221-42. E. entitled Permitted Signs is hereby amended as follows:

Subsection (3)(c) is amended to read as follows:

- (c) One additional free standing sign shall be no larger than 100 square feet in sign area and shall identify only the name of the shopping center, **except when one or more separate and distinct business occupies a single storefront so long as the total allowable sign area for the lot is not exceeded.**

SECTION TWO

This ordinance shall take effect ten (10) days after publication of a notice which shall give the title and describe same in summary form.

The vote was:

CARRIED, AYES ALL

2. Mayor Nelson moved a Local Law outlining the changes to the Ogdensburg City Charter as recommended by the Ogdensburg City Charter Review Commission, and Councillor Morley seconded to wit:

LOCAL LAW #3 of 2007
AMENDING THE OGDENSBURG CITY CHARTER AS RECOMMENDED BY
THE OGDENSBURG CHARTER REVIEW COMMISSION

A Local Law providing for changes in the Ogdensburg City Charter as recommended by the 2007 Ogdensburg City Charter Review Commission.

Be it enacted by the City Council of the City of Ogdensburg as follows:

SECTION 1. Article I, §C-2. of the City Charter of the City of Ogdensburg entitled Incorporation; Boundaries; City Powers be and the same is amended as follows:

D. Also all that land annexed by Local Law No. 5 of 1970 situate in the County of Saint Lawrence and State of New York bounded and, now or formerly, described as follows:

All that certain lot, piece or parcel of land situate in the Town of Oswegatchie, Saint Lawrence County, New York, more particularly described as follows: Beginning at a point in the southerly city line of the City of Ogdensburg, as shown on the Official Map of the City of Ogdensburg adopted in 1923, 10 feet easterly of the intersection of the east bounds of Park Street and said southerly city line running thence south 30 degrees each and 10 feet distant from the east bounds of Park Street extended to the northeast bounds of New York State CITY Arterial Route No. 37 State Highway 37 running thence 42 degrees 2 feet west along said highway bounds 84 feet more or less to a point

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in said northeast bounds of said highway south 30 degrees west 65.08 feet from said southerly city line; running thence north 30 degrees west parallel with the west bounds of Park Street extended to a point 56 degrees 35 feet east along said southerly city line 80 feet to a point or place of beginning. (A map of corporate boundaries is included at the end of the Charter.)

SECTION 2. Article II, of the City Charter of the City of Ogdensburg entitled Election Districts be and the same is amended as follows:

There shall be seven (7) election districts within the City of Ogdensburg, as follows:

A. Within County Legislative District No. 1:

- (1) District No. 1: Beginning at a point on the southwesterly City corporation line where Ogden Street meets State Highway 68 and traveling northwesterly and then northerly along said corporation line in the St. Lawrence River to where it intersects with a visual extension of State Street; thence in a southeasterly direction along said visual extension and the center of State Street to the intersection with Montgomery Street; thence southwesterly along the center of Montgomery Street to the intersection with Pickering Street; thence southwesterly along the center of Pickering Street to the intersection with ~~LaFayette Street~~ Lafayette Street; thence southwesterly along the center of ~~LaFayette Street~~ Lafayette Street across the Oswegatchie River to the intersection with Lincoln Avenue; thence northwesterly along the center of Lincoln Avenue to the intersection with Ogden Street; thence southwesterly along the center of Ogden Street to point of beginning.

* ~~Shaded~~ words are to be deleted; Underlined words are to be added.

- (2) District No. 2: Beginning at a point on the southwesterly City corporation line where Ogden Street meets State Highway 68 and traveling in a southwesterly and then northeasterly direction along said corporation line to where it intersects with Pickering Street; thence in a northwesterly direction along the center of Pickering Street to the intersection of ~~LaFayette Street~~ Lafayette Street; thence southwesterly along the center of ~~LaFayette Street~~ Lafayette Street across the Oswegatchie River to the intersection with Lincoln Avenue; thence northwesterly along the center of Lincoln Avenue to the intersection of Ogden Street; thence southwesterly along the center of Ogden Street to the point of beginning.

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- (3) District No. 3: Beginning at a point on the City corporation line in the St. Lawrence River which meets a visual extension of State Street and traveling along said corporation line in a northerly direction to where it intersects with a visual extension of Franklin Street; thence in a southeasterly direction along said visual extension and the center of Franklin Street to the intersection of Green Street Greene Street; thence northeasterly along the center of Green Street Greene Street to the intersection of Elizabeth Street; thence northeasterly along the center of Elizabeth Street to the intersection of Ford Street; thence northeasterly along the center of Ford Street to the intersection of Patterson Street Paterson Street; thence southeasterly along the center of Patterson Street Paterson Street to the intersection of Jay Street; thence southwesterly along the center of Jay Street to the intersection of Hamilton Street.; thence northwesterly along the center of Hamilton Street to the intersection of Knox Street; thence southwesterly along the center of Knox Street to the intersection of Morris Street; thence southeasterly along the center of Morris Street to the intersection of Jersey Avenue; thence southwesterly along the center of Jersey Avenue to the intersection of Franklin Street; thence northwesterly along the center of Franklin Street to the intersection of Montgomery Street; thence southwesterly along the center of Montgomery Street to the intersection of State Street; thence northwesterly along the center of State Street and its visual extension to the point of beginning.
- (4) District No. 4: Beginning at a point on the southern City corporation line where it intersects with Pickering Street and traveling northeasterly along said corporation line to its' intersection with Patterson Street Paterson Street; thence northwesterly along the center of Patterson Street Paterson Street to the intersection of Jay Street; thence southwesterly along the center of Jay Street to the intersection of Hamilton Street; thence northwesterly along the center of Hamilton Street to the intersection of Knox Street; thence southwesterly along the center of Knox Street to the intersection of Morris Street; thence southeasterly along the center of Morris Street to the intersection of Jersey Avenue; thence southwesterly along the center of Jersey Avenue to the intersection of Franklin Street; thence northwesterly along the center of Franklin Street to the intersection of Montgomery Street; thence southwesterly along the center of Montgomery Street to the intersection of Pickering Street; thence southeasterly along the center of Pickering Street to the point of beginning.

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B. Within County Legislative District No. 2:

- (1) District No. 6: Beginning at a point on the northern City corporation line in the St. Lawrence River which meets a visual extension of Franklin Street and traveling southeasterly along said visual extension and thence along the center of Franklin Street to the intersection of Green Street Greene Street; thence northeasterly along the center line of Green Street Greene Street to the intersection of Elizabeth Street; thence northwesterly along the center of Elizabeth Street to the intersection of Ford Street; thence northeasterly along the center of Ford Street to the intersection of Paterson Street; thence southeasterly along the center line of Paterson Street to the intersection of Green Street Greene Street; thence northeasterly along the center line of Green Street Greene Street to the intersection of Seymour Street; thence southerly along the center of Seymour Street to the intersection of Jay Street; thence northeasterly along the center of Jay Street to the intersection of Rosseel Street; thence north along the center line of Rosseel Street to the intersection of Ford Street; thence easterly on Ford Street to Wall Street; thence north on Wall Street and any visual extension to the center of the railroad right-of-way; thence west along the right-of-way to a point at the intersection of the railroad right-of-way and the visual extension of Tate Street; thence northerly along a visual extension of Tate Street to a point of intersection on the northern corporation limits of the city in the St. Lawrence River.
- (2) District No. 7: Beginning at a point on the northern City corporation line in the St. Lawrence River which meets a visual extension of Tate Street and traveling southeasterly along said visual extension to a point of intersection with the center of the railroad right-of-way; thence easterly along the center of the railroad right-of-way to a point representing the visual extension of Wall Street; thence along the center line of Wall Street in a southerly direction to Ford Street; thence westerly along the center of Ford Street to Rosseel Street; thence along the center line of Rosseel Street in a southerly direction to Jay Street; thence westerly along the center line of Jay Street to Plover Hill Avenue; thence south along the center of Plover Hill Avenue to the intersection of LaFayette Street Lafayette Street; thence southwestery along the center of LaFayette Street Lafayette Street to the intersection of Park Street; thence southeasterly along the center line of Park Street to the intersection with the City corporation line; thence along said corporation line in a generally easterly, northerly and southwestery direction to the point of beginning.

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C. Within County Legislative District No. 3:

- (1) District No. 5: Beginning at a point on the southern City corporation line where it intersects with Paterson Street and proceeding northeasterly along said corporation line to where it intersects with Park Street; thence northwesterly along the center of Park Street to the intersection with LaFayette Street Lafayette Street; thence northeasterly along the center of Lafayette Street to the intersection of Plover Hill Avenue; thence northwesterly along the center of Plover Hill Avenue to the intersection of Jay Street; thence southwesterly along the center of Jay Street to the intersection of Seymour Street; thence northwesterly along the center of Seymour Street to the intersection of Green Street Greene Street; thence southwesterly along the center of Green Street Greene Street to the intersection of Paterson Street; thence southeasterly along the center of Paterson Street to the point of beginning.

SECTION 3. Article III, of the City Charter of the City of Ogdensburg entitled City Council and Mayor be and the same is amended as follows:

§ C-7. Mayor; Deputy Mayor.

- A. The Mayor shall be a voting member of the Council City Council. The Mayor shall preside at meetings of the Council City Council and shall be recognized as head of the city government, but shall have no administrative or executive duties unless otherwise provided by this Charter or by law. The Deputy Mayor shall act as Mayor during the absence or inability of the Mayor.
- B. The Council City Council, at the first meeting following the first of January of every even-numbered year, shall elect, from among its members, an officer of the city who shall have the title of Deputy Mayor, and who shall serve for a period of two (2) years.

§ C-8. Duties of Council.

All powers of the city shall be vested in the Council City Council, except as otherwise provided by this Charter or by law, and the Council City Council shall provide for the exercise thereof and for the performance of all duties and obligations imposed on the city by law.

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§ C-9. Limitations.

- A. Holding other office. Except where authorized by law, no Councillor or Mayor shall hold any other city office or city employment, other than Deputy Mayor, during the term for which he/she was elected, and no former Councillor or Mayor shall hold any compensated appointive city office or city employment until one (1) year after the expiration of the term for which he/she was elected or until one (1) year after he/she leaves office should that event be sooner.
- B. Appointments and removal. Neither the Council City Council nor any of its members, including the Mayor, shall in any manner dictate the appointment or removal of any city administrative officers or employees whom the Manager City Manager or any of his subordinates are empowered to appoint, but the Council City Council may express its views and fully and freely discuss with the Manager City Manager anything pertaining to appointment and removal of such officers and employees.
- C. Interference with administration. Except for the purpose of inquiries and investigations under § C-14, the Council City Council and its members, including the Mayor, shall deal with city officers and employees who are subject to the direction and supervision of the Manager City Manager solely through the Manager City Manager, and neither the Council City Council nor its members, including the Mayor, shall give orders to any such officer or employee, either publicly or privately.

§ C-10. Vacancies; forfeiture of office.

- A. Vacancies. The office of a Councillor and the office of Mayor or Deputy Mayor shall become vacant upon the death, resignation, removal of residence from the city, removal from office in any manner authorized by law or forfeiture of the office.
- B. Forfeiture of office. A Councillor or the Mayor shall forfeit the office if:
- (1) At any time during the term of office any qualifications for the office prescribed by this Charter or by law are lacking;
 - (2) Any express prohibitions of this Charter as set forth in § C-9 are violated;
 - (3) Conviction of a crime involving moral turpitude occurs; or
 - (4) Absence at three (3) consecutive regular meetings of the Council City Council occurs without being excused by the Council City Council.
- C. Filling of Vacancies.
- (2) (1) Within 45 days from the effective date of this subsection, the Mayor, with the advice and approval of the City Council of the City of Ogdensburg, shall

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appoint a Vacancy Committee, which shall consist of a Chair and two members. The term of the Chair shall be five years. The initial terms of the members shall be four years and three respectively. The succeeding terms shall each be five years. The Mayor, with the advice and approval of the City Council, shall fill vacancies on the Committee as the same may occur.

- (1) (2) Vacancies in the office of Mayor or Councilor Councilor, caused other than by the expiration of the terms thereof, shall be filled, within thirty days, by the remaining members of the Council City Council according to the following procedures:
 - (a) On creation of a vacancy, the City Council shall schedule a vote at a regularly scheduled or special meeting duly called to fill said vacancy and shall notify the City Clerk of the date on which it intends to take action to fill said vacancy. On notice of the existence of a vacancy, the City Clerk of the City of Ogdensburg shall immediately notify the Chair of the Vacancy Committee, which shall, within five days thereof, convene a meeting of said Committee.
 - (b) The Vacancy Committee shall solicit and receive nominations of persons eligible to be appointed to the existing vacancy.
 - (c) The Vacancy Committee shall recommend and present to the City Council the names of three persons eligible and willing to serve as Mayor or City Councilor. Said names shall be presented at least seven days before the Council City Council meeting at which the Council City Council intends on taking action to fill the subject vacancy.
 - (d) The City Council shall review said recommendation and shall vote to fill said vacancy. Each Councilor Councilor shall vote for one individual from the list of persons recommended. The nominee receiving four or more votes shall be named to fill the vacancy. In the event that none of the candidates receives a vote of four members of the Council City Council, the nominee who receives the least number of votes, or no votes, shall be dropped and another vote shall ensue until a majority of votes are cast for one individual. In the event of a three-way tie after the first vote, the Council City Council shall then vote to eliminate one name from the list of nominees. The nominee receiving the greatest number of votes shall be eliminated from consideration. A vote on the remaining two nominees shall then ensue. In the event of a tie in the vote on two nominees, the Council City Council shall continue to vote until a majority of votes are cast for one nominee. In the event that more than one vacancy exists, the Council City Council shall vote, after filling the first vacancy, to fill such additional vacancy using the two

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remaining names from the list of recommended nominees according to the procedures set forth herein.

- (e) If such vacancy occurs before September 20 of the current year, the term of the appointed Mayor or Councilor Councillor shall be for the balance of such calendar year.
- (f) If such vacancy occurs too late to be placed on the ballot at the next ensuing general election preceding the end of the current year, for the balance of the year; and if the term of office does not expire at the end of such year, by further appointment to the end of the next year, at which time the balance of the unexpired term, if any, will be on the general election ballot.

D. Candidates for the position of Councillor shall not indicate on their party designation or independent nominating petitions the term of office (whether full or expired) to which they are seeking election. If more candidates are designated for the nomination of a party for the office of Councillor than there are vacancies (including full or unexpired terms), the title of the office of Councillor shall be listed on the primary and general election ballot along with the terms to be voted for. For example, two (2) full terms; two (2) full terms and two (2) unexpired terms, etc., and the instruction on the ballot or machine shall read "Vote for any ...", the blank space to be filled in with the number of persons to be elected to the position. All persons nominated for the office of Councillor shall be listed on the ballot as candidates on their appropriate party or independent lines, without reference to any specified term.

E. In canvassing the results of the election, those persons equal to the number of vacancies who receive the highest number of votes shall be elected as Councillors as follows: the person receiving the highest number of votes cast shall be deemed elected for the longest term; the person receiving the second highest number of votes cast, for the next longest term and so on to the end; and the inspectors of CITY election shall count the ballots and certify the result accordingly. Notwithstanding the requirement in § C-16 that a quorum of the Council City Council consists of four (4) members, if at any time the membership of the Council City Council is reduced to fewer than four (4), the remaining member or members may by majority action appoint additional members to raise the membership to at least four (4). A vacancy in the office of Deputy Mayor shall be filled by the Council City Council by election from among its members.

§ C-11. Qualifications and conduct of Council members.

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The Council City Council shall be the judge of the qualifications of its members and of the facts constituting grounds for forfeiture of their office and for that purpose shall have power to subpoena witnesses, administer oaths and require the production of evidence. A member charged with conduct constituting grounds for forfeiture of office shall be entitled to a public hearing on demand, and written notice of such hearing shall be filed with the City Clerk and published in the official newspaper of the city at least one (1) week in advance of the hearing. Decisions made by the Council City Council under this section shall be subject to review by the courts.

§ C-12. City Clerk.

The City Manager shall appoint an officer of the city who shall have the title of City Clerk and shall serve at the pleasure of the City Manager. The City Clerk shall give notice of Council meetings to its members and public, keep the journal of its proceedings and perform such other duties as are assigned by this Charter or by the City Manager.

A. The City Manager shall appoint an officer of the city who shall have the title of City Clerk and who shall serve at the pleasure of the City Manager.

B. The City Clerk shall be a person who is a qualified voter of the city.

C. Duties of the City Clerk:

- 1. Give notice of City Council meetings to its members and to the public;**
- 2. Record and maintain the journal of City Council proceedings;**
- 3. Perform such other duties as are assigned by this Charter or by the City Manager.**

§ C-13. City Attorney.

The Council shall appoint an officer of the city who shall have the title of City Attorney and shall serve at the pleasure of the Council. The City Attorney shall attend all Council meetings, shall act as legal counsel for the Council and shall perform such other duties as are assigned by this Charter or by the Council.

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- A. **The City Council, with the advice of the City Manager, shall appoint a City Attorney who shall serve at the pleasure of the City Council.**

- B. **In those matters within the scope of responsibility of the City Manager, the City Attorney shall perform services at the discretion and supervision of the City Manager.**

- C. **Duties of the City Attorney:**
 - 1. **Attend all City Council meetings;**
 - 2. **Act as legal counsel for the City of Ogdensburg;**
 - 3. **Perform such other duties as are assigned by this Charter, the City Council (consistent with this Charter) and the City Manager.**

§ C-14. Investigations.

The **Council City Council** may make investigations into the affairs of the city and the conduct of any city department or office and for this purpose may subpoena witnesses, administer oaths, take testimony and require the production of evidence. Any person who fails or refuses to obey such a lawful order issued in the exercise of these powers by the **Council City Council** shall be dealt with as provided by the Penal Law of the State of New York.

§ C-15. Independent annual audit.

The **Council City Council** shall provide for an independent annual audit of all city accounts and may provide for such more frequent audits as it deems necessary. Such audits shall be made by a certified public accountant or firm of such accountants who have no personal interest, direct or indirect, in the fiscal affairs of the city government or any of its officers. The **Council City Council** may, without requiring competitive bids, designate such accountant or firm annually or for a period not exceeding three (3) years, provided that the designation for any particular fiscal year shall be made prior to July 1 of such fiscal year. If the State Comptroller makes such an annual audit, the **Council City Council** may accept it as satisfying the requirement of this section.

§ C-16. Meetings; rules and minutes; voting.

A. Meetings. The **Council City Council** shall meet regularly at least once in every month at such times and places as the **Council City Council** may prescribe by rule.

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Special meetings may be held on the call of the Mayor or of two (2) or more members and upon no less than twenty-four (24) hours' written notice to each member. All meetings shall be public; however, the Council City Council may recess for the purpose of discussing any matter in a closed session, which is in compliance with New York State Public Officers Law, Articles 6 and 7, limited to its own membership, provided that final action thereon shall not be taken by the Council City Council while in closed session.

- B. Rules and minutes. The Council City Council shall determine its own rules and order of business, and the minutes of its proceedings shall be a public record.
- C. Voting. Voting, except on procedural motions, shall be by roll call and the ayes and nays shall be recorded in the minutes. Four (4) members of the Council City Council shall constitute a quorum. If a quorum does not exist, those present may compel the attendance of absent members in the manner and subject to the penalties prescribed by the rules of the Council City Council. No action of the Council City Council except as otherwise provided in the preceding sentence and in § C-10 shall be valid or binding unless adopted by the affirmative vote of four (4) or more members of the Council City Council.

§ C-17. Actions requiring enactment by ordinance or local law; referendums.

- A. In addition to other acts required by law or by specific provision of this Charter to be done by ordinance or by local law, those acts of the City Council shall be by ordinance or by local law which:
 - (1) Provide for a fine or other penalty or establish a rule or regulation for violation of which a fine or other penalty is imposed;
 - (2) Levy taxes, except as otherwise provided with respect to the property tax levied by adoption of the budget;
 - (3) Grant, renew or extend a franchise;
 - (4) Regulate the rate charged for its services by the holder of a franchise;
 - (5) Convey or lease, or authorize the conveyance or lease, of any lands of the city;
and
 - (6) Amend or repeal any ordinance or local law previously adopted.

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§ C-85. Ordinances. B. Every proposed ordinance shall be introduced in writing. An ordinance may be introduced by any member of the Council City Council at any regular or special meeting of the Council City Council. Upon introduction of any ordinance, the City Clerk shall distribute a copy to each Council City Council member and to the Manager, and shall file a reasonable number of copies in the office of the City Clerk. The Council City Council shall fix a time and place for a public hearing thereon and the City Clerk shall publish a notice of such hearing setting out the time and place and describing in summary form the consent of such proposed ordinance, at least seven (7) days before the date set for such hearing, in the official newspaper of the city or, if no official newspaper has been designated, in a newspaper of general circulation in the city. After the hearing, the Council City Council may adopt the ordinance with or without amendments. Within ten (10) days after adoption, the Clerk shall have a notice of adoption of such ordinance published which shall give the title of the ordinance and describe the same in summary form, in the same manner as the notice of such hearing. Every adopted ordinance shall become effective immediately with regard to any person upon whom a copy thereof is served, together with a certificate of the Clerk, setting forth the date of adoption and shall become effective ten (10) days after its publication with regard to all other persons. The Council City Council may adopt any standard code of technical regulations by reference thereto in an adopting ordinance. The procedure and requirements governing such an adopting ordinance shall be the same as prescribed for ordinances generally, except that the requirements for distribution and filing of copies of the ordinance shall be construed to include copies of such code of technical regulations as well as of the adopting ordinance, and a copy of each adopted code of technical regulations as well as of the adopting ordinance shall be authenticated and recorded by the City Clerk in the City Clerk's office. It shall not be necessary to publish a copy of such code of technical regulations in the notice of hearing or with the notice of adoption thereof. However, copies of any adopted code of technical regulations shall be made available by the City Clerk for purchase at a reasonable price or as otherwise provided by the Council City Council

B. C. Notwithstanding any other provision of law or of this Charter, any action by the City Council to establish, alter or abolish any city department, office or agency specified in this Charter shall be by local law subject to a referendum upon petition.

SECTION 4. Article IV, of the City Charter of the City of Ogdensburg entitled City Manager be and the same is amended as follows:

§ C-18. Appointment; term; compensation; qualifications.

The **Council City Council** shall appoint a City Manager for an indefinite term and fix his compensation. Prior to appointment, the person shall be qualified by at least one (1) year's special training in public administration and finance, and by at least three (3) years' experience in a responsible executive position in governmental administration, or by any equivalent training or combination of experience and training sufficient to indicate capacity for effective governmental administration. The person need not be a resident of the city or state at the time of the appointment but must reside within the city while in office.

§ C-21. § C-19. Powers and duties.

- A. The City Manager shall be the chief executive officer and chief administrative officer of the city and shall:
- (1) Be responsible to the **Council City Council** for the administration of all city affairs placed with the **Manager City Manager** by or under this Charter, by action of the **Council City Council** or otherwise by law.
 - (2) After consulting with the City Council, appoint and, when necessary for the good of the city, suspend or remove any city department head, except the City Attorney, provided for by or under this Charter, except as otherwise provided by law, by this Charter or by personnel rules adopted pursuant to this Charter, and may authorize any administrative officer who is subject to the **Manager's City Manager's** direction and supervision to exercise these powers with respect to subordinates in that officer's department, office or agency.
 - (3) Direct and supervise the administration of all departments, offices and agencies of the city, except as otherwise provided by this Charter or by law.
 - (4) Attend all **Council City Council** meetings and shall have the right to take part in discussion but may not vote.
 - (5) See that all laws, provisions of this Charter, resolutions, ordinances, local laws and acts of the **Council City Council**, subject to enforcement by the **Manager City Manager** or by officers subject to the **Manager's City Manager's** direction and supervision, are faithfully executed.
 - (6) As provided in § C-59 of this Charter, on or before the first day of November of each year, prepare and submit to the **Council City Council** an itemized statement in writing of the estimated revenues and expenditures of the city for

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the next ensuing fiscal year, which statement shall be known as the "proposed preliminary budget."

- (7) Submit to the **Council City Council** and make available to the public by March 1 of each year a complete report on the finances and administrative activities of the city as of the end of each fiscal year.
 - (8) Make **such** other reports as the **Council City Council** may require concerning the operations of city departments, offices and agencies subject to the **Manager's City Manager's** direction and supervision.
 - (9) Keep the **Council City Council** fully advised as to the financial condition and future needs of the city and make such recommendations to the **Council City Council** concerning the affairs of the city as deemed desirable.
 - (10) Recommend to the **Council City Council** such measures as deemed necessary or expedient.
 - (11) Subject to approval by the **Council City Council** by resolution, negotiate and grant leases, concessions, licenses and permits for use of all city lands, structures, facilities and appurtenances.
 - (12) Perform such other duties as are specified in this Charter or may be required by the **Council City Council**.
- B. In the absence of the appointment of a department head, the **Manager City Manager** shall serve as such department head.

§ C-19 § C-20 Removal from office.

The Council may remove the **Manager City Manager** from office in accordance with the following procedures:

- A. The **Council City Council** shall adopt by affirmative vote of a majority of all its members a preliminary resolution which must state the reasons for removal and may suspend the **Manager City Manager** from duty for a period not to exceed forty-five (45) days. A copy of the resolution shall be delivered promptly to the **Manager City Manager**.
- B. Within five (5) days after a copy of the resolution is delivered to the **Manager City Manager**, he or she may file a written request for a public hearing with the **Council City Council**. This hearing shall be held at a **Council City Council** meeting not earlier than fifteen (15) days nor later than thirty (30) days after the request is filed. The **Manager City Manager** may file with the **Council City Council** a written reply not later than five (5) days before the hearing.

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- C. The **Council City Council** may adopt a final resolution of removal, which may be made effective immediately, by affirmative vote of a majority of all its members at any time after five (5) days from the date when a copy of the preliminary resolution was delivered to the **Manager City Manager**, if he/she has not requested a public hearing, or at any time after the public hearing if he/she has requested one.
- D. The **Manager City Manager** shall continue to receive compensation until the effective date of a final resolution of removal. The action of the **Council City Council** in suspending or removing the **Manager City Manager** shall not be subject to review by any court or agency.

§ C-20. § C-21. Assistant City Manager.

- A. The position of Assistant City Manager will not result in an additional employee within city government but instead will result in the assignment of additional and broader duties and responsibilities to an existing department head(s).
- B. The Assistant City Manager will be responsible for assisting the City Manager in administering all phases of city government operations within policies established by the City Council and may serve as Acting City Manager in the City Manager's absence.
- C. The Assistant City Manager may be required to give particular attention to the physical development, public safety or financial operation of the city and assist the **Manager City Manager** in employee collective bargaining, budget preparation and code enforcement functions.
- D. The position of Assistant City Manager is hereby established, to be filled by an existing city department head(s).
- E. The appointment of an Assistant City Manager will be upon the recommendation of the City Manager and with the approval of the City Council.

SECTION 5. Article V, of the City Charter of the City of Ogdensburg entitled Administrative Departs; Administrative Code be and the same is amended as follows:

§ C-22. Creation of departments, offices and agencies.

The City Council, upon recommendation of the City Manager, **shall may** establish city departments, offices or agencies in addition to those created by this Charter and may prescribe the functions of all departments, offices or agencies, except that no function

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shall be assigned by this Charter to a particular department, office or agency except by local law subject to referendum upon petition.

§ C-23. Administrative Code.

The Administrative Code shall prescribe the functions of all city departments, offices and agencies and shall be amended by City Council from time to time upon recommendation of the City Manager. However, no function assigned by this Charter to a particular department, office or agency may be discontinued or, unless this Charter specifically provides for it, may be assigned to any other department, office or agency except by local law subject to referendum upon petition. **The Administrative Code shall be brought into compliance with the Charter by December 31, 2009. Thereafter, the Administrative Code shall be reviewed annually by the City Council.**

§ C-24. Direction and supervision.

All departments, offices and agencies shall be under the direction **and supervision** of the **Manager City Manager**. Each shall be administered by an **officer employee** appointed by the **Manager City Manager**, except the Department of Law, which shall be administered by the City Attorney who **shall be appointed by the Council City Council with the advice of the Manager City Manager**. With the consent of the **Council City Council**, the **Manager City Manager** may serve as the head of one (1) or more of such departments, offices or agencies or the **Manager City Manager** may appoint one (1) person **at as** the head of two (2) or more of them.

SECTION 6. Article VI, of the City Charter of the City of Ogdensburg entitled Department of Law be and the same is amended as follows:

§ C-25. Department established; head.

There shall be a Department of Law, the head of which shall be the City Attorney.

SECTION 7. Article VII, of the City Charter of the City of Ogdensburg entitled Department of Records be and the same is amended as follows:

§ C-26. Department established; head.

There shall be a Department of Records, the head of which shall be the City Clerk.

§ C-27. City Clerk.

The City Clerk shall be appointed by and serve at the will of the City Manager. The Clerk shall be under the direction and supervision of the Manager City Manager, and shall be a person who is a qualified voter of the city.

§ C-27. This section becomes reserved.

SECTION 8. Article VIII, of the City Charter of the City of Ogdensburg entitled Department of Planning and Development be and the same is amended as follows:

§ C-28. Department established; head.

There shall be a Department of Planning and Development headed by a Director who shall be appointed by and shall be under the direction and supervision of the

Manager City Manager. The Director shall advise the City Manager and City Council on any matter effecting the physical and economic development of the city, and shall act in accordance with the City Administrative Code. Minimum qualifications for the position of Director of Planning and Development shall be established by the Ogdensburg Civil Service Commission.

C-28. Department established; head

- A. There shall be a Department of Planning and Development, the head of which shall be the Director of Planning and Development.**
- B. Minimum qualifications, job description and duties of the position of Director of Planning and Development shall be established by the Ogdensburg Civil Service Commission.**

C. Duties of the Director of Planning and Development:

- 1. Advise the City Manager and City Council on any matter effecting the physical and economic development of the city.**

§ C-28.1. Code Enforcement Office.

There shall be a Code Enforcement Office within the Department of Planning and Development, headed by the Director of Planning and Development. This office shall have the power to enforce such laws, local laws, ordinances, rules and regulations as may govern the construction, alteration, maintenance, removal, demolition, use, occupancy, safety, sanitary conditions, mechanical equipment and inspection of buildings, structures or premises in the city and perform such other duties as may be prescribed by law, the **Council City Council** or City Manager.

§ C-29. Board of Planning and Development.

There shall be a Board of Planning and Development, which shall be constituted and empowered as a Planning Board pursuant to General City Law, Article 3. The Board shall consist of seven (7) members appointed by the Mayor for such terms as are specified in § 27 of the General City Law. The Board shall make recommendations to the City Manager and the City Council on all matters affecting the physical development of the city, shall be consulted on the Comprehensive Plan and the implementation thereof and shall exercise all other responsibilities as may be provided by law.

§ C-30. Comprehensive Plan.

- Content. The **Council City Council** shall adopt and may from time to time modify a Comprehensive Plan setting forth in graphic and textual form policies to govern the future physical and economic development of the city. Such plan may cover the entire city and all of its functions and services or may consist of a combination of plans governing specific functions and services or specific geographic areas which together cover the entire city and all of its functions and services.
- Adoption. Upon receipt from the City Manager of a proposed Comprehensive Plan or proposed modification of the existing plan, the **Council City Council** shall refer

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such proposal to the Board of Planning and Development, which shall, within a time specified by the **Council City Council**, report its recommendations thereon. After receipt of the recommendations of the Planning Board, the **Council City Council** shall hold a public hearing on the proposed Comprehensive Plan or modification thereof and shall thereafter adopt it by resolution with or without amendments.

- C. Effect. The Comprehensive Plan shall serve as a guide for all future **Council City Council** action concerning land use and development regulations, urban renewal programs, community and economic development programs and expenditures for capital improvements.

§ C-31. Land use and development regulations.

- A. Land use and development regulations. The **Council City Council** may by ordinance adopt land use and development regulations, including but not limited to an official map and zoning and subdivision regulations.
- B. Development. The **Council City Council** may by ordinance provide for redevelopment, rehabilitation, conservation and urban renewal programs for:
- (1) The alleviation or prevention of slums, obsolescence, blight or other conditions of deterioration;
 - (2) The achievement of the most appropriate use of land; and
 - (3) The improvement and development of the city's tax base.
- C. Council action. Before acting on any proposed ordinance concerning land use and development regulations, urban renewal or expenditures for capital improvements, where such ordinance refers to a matter covered by the Comprehensive Plan, the **Council City Council** shall refer the proposal to the City Planning Board, which shall, within a time specified by the **Council City Council** and prior to the public hearing on the proposed ordinance, report its recommendations thereon. Upon adopting any such ordinance, the **Council City Council** shall make findings and report on the relationship between the ordinance and the Comprehensive Plan and, in the event that the ordinance does not accord with the Comprehensive Plan, the plan shall be deemed to be amended in accordance with such findings and report.

§ C-32. Board of Appeals.

There shall be a Board of Appeals which shall be constituted and empowered as a Board of Appeals pursuant to the General City Law, Article 5-A. The Board shall CITY

consist of seven (7) members to be appointed by the Mayor. Such members shall serve for terms of three (3) years pursuant to § 81 of the General City Law. The Board shall hear and decide appeals from administrative decisions, petitions for variances to **Council City Council** ordinances in the case of peculiar and unusual circumstances where practical difficulties or unnecessary hardship would prevent carrying out the strict letter of any such ordinances and such other matters properly coming before it pursuant to the General City Law and other laws applicable thereto.

SECTION 9. Article IX, of the City Charter of the City of Ogdensburg entitled Department of Engineering be and the same is amended as follows:

§ C-33. Department established; head.

There shall be a Department of Engineering, the head of which shall be the City Engineer who shall be appointed by and shall be under the direction and supervision of the City Manager. Minimum qualifications for the position of City Engineer shall be established by the Ogdensburg Civil Service Commission.

- A. There shall be a Department of Engineering.**
- B. A City Engineer may be appointed by and serve under the direction of the City Manager, and/or the City Manager may appoint a New York State licensed and qualified engineer or firm as needed to perform engineering work required by the city.**
- C. Minimum qualifications, job description and duties of the position of City Engineer shall be established by the Ogdensburg Civil Service Commission.**
- D. Duties of the City Engineer, if appointed:**
 - 1. The City Engineer will be the head of the Department of Engineering.**

SECTION 10. Article X, of the City Charter of the City of Ogdensburg entitled Department of Public Works be and the same is amended as follows:

C-34. Department established; head.

There shall be a Department of Public Works, the head of which shall be the Director of Public Works.

- A. There shall be a Department of Public Works, the head of which shall be the Director of Public Works.
- B. Minimum qualifications, job description and duties of the position of Director of Public Works shall be established by the Ogdensburg Civil Service Commission.
- C. Duties of the Director of Public Works:
 - 1. Manage, maintain and operate all public works and physical properties of the city;
 - 2. Direct and supervise all divisions within the Department of Public Works;
 - 3. Act as head of any division in the absence of appointment of any division head under this Article.

§ C-35. Director of Public Works. § C-37. Divisions; heads.

The Director of Public Works shall be appointed by and shall be under the direction and supervision of the Manager. Minimum qualifications for the position of Director of Public Works shall be established by the Ogdensburg Civil Service Commission.

§ C-37. § C-35. Divisions; heads.

- A. Within the Department of Public Works there shall be the following Divisions: Water Pollution Control, Streets and Utilities, and Water Treatment.
- B. The head of each Division shall be appointed by the Director of Public Works with the approval of the City Manager.

§ C-36. This section reserved.

§ C-37. This section reserved.

SECTION 11. Article XI, of the City Charter of the City of Ogdensburg entitled Department of Police be and the same is amended as follows:

§ C-38. Department established; head.

- A. There shall be a Department of Police, the head of which shall be the Chief of Police.**
- B. Minimum qualifications, job description and duties of the position of Chief of Police shall be established by the Ogdensburg Civil Service Commission**
- C. Powers and duties of the Chief of Police:**
 - 1. The Chief of Police shall have jurisdiction and control of the administration, disposition and discipline of the Department of Police and of the police force of the department;**
 - 2. Preserve the public peace, preserve order, prevent crime and detect and arrest offenders;**
 - 3. Suppress riots and insurrections;**
 - 4. Disperse unlawful or dangerous assemblages which obstruct the free passage of public streets, sidewalks, parks and other public places;**
 - 5. Protect the rights of persons and property;**
 - 6. Direct and regulate the movement of vehicular and pedestrian traffic for the facilitation of traffic and the convenience of the public as well as the protection of human life;**
 - 7. Inspect and observe all places of public amusement, all places of business and other public places;**
 - 8. Enforce and prevent the violation of all federal, state and local law and ordinances, rules and regulations in force in the city, and for these purposes, to arrest all persons charged with violation thereof.**

4. Provide assistance to any courts in the city to such extent as may be necessary and shall be permitted by the rules of such courts;
5. Install or cause to be installed, operate, maintain and repair or cause to be repaired any or all telecommunication and technological equipment which shall be used in the operation of the Department of Police;
6. Act as head of any division in the absence of appointment of any division head under this Article.

§ C-39. Chief of Police.

The Chief of Police shall be appointed by and shall be under the direction and supervision of the Manager. Minimum qualification for the position of Chief of Police shall be established by the Ogdensburg Civil Service Commission.

§ C-41. § C-39. Bingo Division.

Within the Department of Police there shall be a Bingo Division under the direction and supervision of the Chief of Police which shall:

- A. Process all applications for a license filed with the City Clerk pursuant to § 480 of Article 14-H of the General Municipal Law;
- B. Make appropriate investigations on behalf of the governing body of the city pursuant to § 481 of Article 14-H of the General Municipal Law;
- C. Countersign all licenses issued;
- D. On behalf of the governing body of the city, control and supervise all games of bingo conducted under any such license; and
- E. Be responsible for administration of Article 14-H of the General Municipal Law and any local law or ordinance passed pursuant thereto.

§ C-40. Powers and duties of Chief of Police.

The Chief of Police shall have jurisdiction and control of the administration, disposition and discipline of the Police Department and of the police force of the Department. The Chief of Police shall be the chief executive officer of the police force

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prevent crime; detect and arrest offenders; suppress riots and insurrections; disperse unlawful or dangerous assemblages which obstruct the free passage of public streets, sidewalks, parks and other public places; protect the rights of persons and property; preserve order; direct and regulate the movement of vehicular and pedestrian traffic for the facilitation of traffic and the convenience of the public as well as the protection of human life; inspect and observe all places of public amusement, all places of business and other public places; enforce and prevent the violation of all federal, state and local law and ordinances, rules and regulations in force in the city; and, for these purposes, to arrest all persons charged with violation thereof. The Chief shall provide assistance to any courts in the city to such extent as may be necessary and as shall be permitted by the rules of such courts, and shall maintain and operate such telephone and radio equipment and other means of communication as may be necessary for the purposes and business of the Police Department. In the absence of appointment of any division head under this Article, the Chief of Police shall act as head of such division.

§ C-40. Animal Control Division

Within the Department of Police there shall be an Animal Control Division under the direction and supervision of the Chief of Police which shall be responsible for the enforcement of the regulations of Article 7 of the New York State Agriculture and Market laws.

§ C-41. This section reserved.

SECTION 12. Article XII, of the City Charter of the City of Ogdensburg entitled Department of Fire be and the same is amended as follows:

§ C-42. Department established; head.

There shall be a Department of Fire, the head of which shall be the Fire Chief.

§ C-43. Fire Chief.

The Fire Chief shall be appointed by and shall be under the direction and supervision of the Manager. Minimum qualifications for the position of Fire Chief shall be established by the Ogdensburg Civil Service Commission.

§ C-43. Code Enforcement Division

Within the Department of Fire there shall be a Code Enforcement Division under the direction and supervision of the Fire Chief which shall:

- A. **Be responsible for the structural conditions of buildings within the city.**
- B. **Enforce such state laws, local laws, ordinances, including Chapter 221 of the Municipal Code, rules and regulations as may govern the construction, alteration, maintenance, removal, demolition, use, occupancy, safety, sanitary conditions, mechanical equipment and inspection of buildings, structures or premises in the city.**

§ C-44. Powers and duties of Fire Chief.

The Fire Chief shall have jurisdiction and control of the administration, disposition and discipline of the Fire Department and of the firemen within the Department, and shall be the chief executive officer of the Department of Fire. The Chief shall be responsible for the operation, maintenance and repair of all fire vehicles and fire equipment, and shall have sole and exclusive power and authority to extinguish fires at any place within the jurisdiction of the city. It shall be the Chief's duty to take such measures as are deemed necessary to prevent fires, be the fire warden of the city and exercise the following duties:

- A. Have jurisdiction over the approval of the installation of all containers for combustibles, chemicals, explosives, inflammables or those dangerous substances, articles, compounds or mixtures, except storage tanks for oil-burning equipment which shall be under the jurisdiction of the Building Inspector.
- B. Install or cause to be installed, operate, maintain and repair or cause to be repaired all fire alarm, telegraph, telephone and radio equipment which shall be used in the operation of the Fire Department.
- C. Enforce and prevent the violation of all federal, state and local laws and ordinances, rules and regulations in respect to the manufacture, storage, sale, transportation or use of combustibles, chemicals, explosives, inflammable or other dangerous substances, articles, compounds or mixtures.
- D. Be responsible for the investigation of the cause, circumstances and origin of fires and the suppression of arson.

- E. Be responsible for the prevention of fires and danger to life or property therefrom excluding provisions relating to structural conditions of buildings which shall be under the jurisdiction of the Building Inspector.
- F. Cause any building, structure or place or premises to be inspected for fire hazards by any officer or employee of the department designated for such purpose, and cause the inspection and testing of any fire alarm system or fire extinguishing equipment.
- G. Also cause the inspection and testing of any fire exits and inspect the proper designation and marking thereof.
- H. Be responsible to assure the training of personnel for emergency medical response and the operation of the Department's emergency medical response program. [Added 3-8-1995 by L.L. No. 1-1995]

§ C-44. This section reserved.

SECTION 13. Article XIII, of the City Charter of the City of Ogdensburg entitled Department of Assessments be and the same is amended as follows:

§ C-45. Department established; head.

There shall be a Department of Assessments, the head of which shall be the Director of Assessments who shall be appointed by and shall be under the direction and supervision of the City Manager. The appointment of the Director of Assessments shall be in conformance with the New York State Real Property Tax Law. Minimum qualification for the position of Director of Assessments shall be established by the Ogdensburg Civil Service Commission.

- A. **There shall be a Department of Assessments, the head of which shall be the City Assessor.**
- B. **The appointment of the City Assessor shall be in conformance with the New York State Real Property Tax Law.**
- C. **Minimum qualifications, job description and duties of the position of City Assessor shall be established by the Ogdensburg Civil Service Commission.**

D. Duties of the City Assessor:

1. **Make all assessments for general tax or special assessment purposes in accordance with the provisions of the Real Property Tax Law;**
2. **Perform such other functions as may be required by other law;**
3. **Responsible for the maintenance and revision of the tax roll.**

§ C-46. Director of Assessments.

The Director of Assessments shall be appointed by and shall be under the direction and supervision of the Manager. The Director of Assessments shall make all assessments for general tax or special assessment purposes in accordance with the provisions of the Real Property Tax Law and shall perform such other functions as may be required by other law. He/she shall be responsible for the maintenance and revision of the tax roll.

§ C-46. This section reserved.

SECTION 14. Article XIV, of the City Charter of the City of Ogdensburg entitled Department of Parks and Recreation be and the same is amended as follows:

§ C-47. Department established; head.

There shall be a Department of Parks and Recreation, the head of which shall be the Director of Parks and Recreation.

- A. **There shall be a Department of Parks and Recreation, the head of which shall be the Director of Parks and Recreation.**
- B. **Minimum qualifications, job description and duties of the position of Director of Parks and Recreation shall be established by the Ogdensburg Civil Service Commission.**
- C. **Duties of the Director of Parks and Recreation:**

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1. **Exercise management responsibilities over all city parks, playgrounds, and other recreational facilities;**
2. **Be responsible for the maintenance of all city parks, playgrounds and recreation facilities.**

§ C-48. Director of Parks and Recreation.

A Director of Parks and Recreation may be appointed by and shall serve at the will of the City Manager. The Director shall be under the direction and supervision of the City Manager. Minimum qualifications for the position of Director of Parks and Recreation shall be established by the Ogdensburg Civil Service Commission.

§ C-49. § C-48. Recreation Commission.

There shall be a Recreation Commission which shall be constituted and empowered as a Recreation Commission pursuant to General Municipal Law, Article 13, except as otherwise provided in this Charter. The Commission shall consist of seven (7) members to be appointed by the Mayor. The members shall serve for terms of office as provided in § 243 of the General Municipal Law. The Recreation Commission shall act in an advisory capacity to the Director of Parks and Recreation.

§ C-50. § C-49. Arts Council.

Pursuant to § 99-i of the General Municipal Law of the State of New York and §§ 165 through 167 of the General City Law of the State of New York, the City Council is authorized to create an Arts Council. Arts Council members shall be appointed by the Mayor subject to the confirmation of the City Council. The City Council is authorized to appropriate funds for the activities of the Ogdensburg Arts Council as authorized by law. The Ogdensburg Arts Council shall be entitled to suggest, recommend and implement plans to increase the cultural enjoyment and potential tourist attraction of the arts within the City of Ogdensburg.

§ C-51. § C-50. Historical Preservation Commission. [Added 3-28-1988 by L.L. No. 2-1988]

Pursuant to § 119-dd of the General Municipal Law of the State of New York, the City Council is authorized to create an Historical Preservation Commission. The Historical Preservation Commission shall consist of up to eleven (11) members, including the City

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Historian, to be appointed by the Mayor, subject to confirmation by the City Council. The City Council is authorized to appropriate funds for the activities of the Ogdensburg Historical Commission as authorized by law. The Ogdensburg Historical Preservation Commission shall be entitled to suggest, recommend and implement local historic preservation programs and to otherwise promote the historic resources of the City of Ogdensburg.

§ C-51. This section reserved.

SECTION 16. Article XVI, of the City Charter of the City of Ogdensburg entitled Department of Finance be and the same is amended as follows:

§ C-55. Department established; head.

There shall be a Department of Finance, the head of which shall be the Comptroller.

A. There shall be a Department of Finance, the head of which shall be the Comptroller.

B. Minimum qualifications, job description and duties of the position of Comptroller shall be established by the Ogdensburg Civil Service Commission.

C. Duties of the Comptroller:

- 1. Shall be the chief fiscal officer of the city and shall have charge of the administration of all its financial affairs;**
- 2. Shall promote, secure and preserve the financial interests of the city;**
- 3. Shall have and exercise general supervision over all officers and employees of the city regarding the proper management of the fiscal affairs of their respective functions, including such commonly accepted or statutorily required accounting functions as are necessary to confirm that the financial records are kept in accordance with standard municipal accounting procedures and that all necessary financial reports are made by all officers and employees.**

§ C-56. Comptroller.

The Comptroller shall be appointed by and shall be under the direction and supervision of the City Manager. The Comptroller shall be the chief fiscal officer of the city and shall have charge of the administration of all its financial affairs. Minimum qualifications for the position of Comptroller shall be established by the Ogdensburg Civil Service Commission.

§ C-56. This section reserved.

§ C-57. Powers and duties of Comptroller.

In the capacity as chief fiscal officer of the City of Ogdensburg, the Comptroller shall promote, secure and preserve the financial interests of the City of Ogdensburg and shall have and exercise general supervision over all officers and employees of the city regarding the proper management of the fiscal affairs of their respective functions, including such commonly accepted or statutorily required accounting functions as are necessary to confirm that the financial records are kept in accordance with standard municipal accounting procedures and that all necessary financial reports are made by all officers and employees.

§ C-57. This section reserved.

SECTION 17. Article XVII, of the City Charter of the City of Ogdensburg entitled Fiscal Policies be and the same is amended as follows:

§ C-59. Preliminary budget.

- A. On or before the first day of November of each calendar year, the City Manager shall submit to the City Council a preliminary budget for the ensuing fiscal year of the City of Ogdensburg and an accompanying message.
- B. The City Manager's preliminary budget shall also include a five-year capital program in addition to the annual operation budget with appropriate supporting information as to the necessity for the improvements, cost estimates for the improvements and methods of financing them.
- C. The **Manager's City Manager's** budget message shall explain the budget both in fiscal terms and in terms of work programs. It shall outline the financial policies of

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the city for the ensuing fiscal year, describe the important features of the budget, indicate any major changes from the current year in financial policies, expenditures and revenues, together with all reasons for any changes. The **Manager's City Manager's** message shall also summarize the city's debt position and include such other material as the **Manager City Manager** may deem desirable.

§ C-60. Budget preparation.

In order to enable the City Manager to prepare the preliminary budget, the head of every department and/or agency of the City of Ogdensburg shall file with the **Manager City Manager** no later than the first day of September of each year estimates in writing specifying in detail the amount of and the objects of expenditures required in their respective departments or agencies during the next fiscal year, including in those estimates a statement of each of the salaries of officers and employees of the departments and an estimate of revenues to be received in the ensuing fiscal year.

§ C-61. Acceptance of preliminary budget; modifications.

The City Council after receiving the City Manager's preliminary budget shall accept the proposed preliminary budget or make any modifications to it as the **Council City Council** may desire and on or before the 15th day of November of each year shall file the accepted proposed preliminary budget with the City Clerk and the Comptroller of the City of Ogdensburg. The proposed preliminary budget shall be a public record and shall be available for inspection by the general public at the office of the Comptroller.

§ C-62. Notice of public hearing.

On or before the 30th day of November of each year the City Council shall fix a date, time and place for a public hearing on the preliminary budget before the **Council City Council** and direct the City Clerk to publish notice of the public hearing at least five (5) days before the date of the hearing in the official newspaper of the city, or if no official newspaper has been designated the notice of the public hearing shall be published in a newspaper of general circulation within the city.

§ C-63. Holding of public hearing.

The **Council City Council** shall meet on the date, at the time and at the place fixed for the purpose of holding the public hearing on the budget. Such hearing shall be held and

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completed before the 15th day of December of each year. At this hearing all persons desiring to be heard in relation to the budget shall be heard. However, the **Council City Council** may establish rules of procedure for such public hearing and such rules may provide limitations on the time allocated to any speaker.

§ C-64. Adoption of budget; filing.

The **Council City Council**, at a regular or special meeting held after the public hearing but not later than the 20th day of December, shall by resolution adopt or amend and adopt the budget, which budget when adopted shall thereupon become the annual budget of the city for the ensuing fiscal year. At the same meeting at which the annual budget is adopted, the **Council City Council** shall adopt a resolution appropriating the various amounts in the budget as approved for the departments and agencies of the city, and for the several purposes specified in the budget. Within thirty (30) days after the adoption of the budget the Comptroller as chief officer shall file with the State Comptroller a certified copy of such budget, and such other information as the State Comptroller may require. However, failure of the City Comptroller to file such information with the State Comptroller as required by § C-59 or this section shall not invalidate a tax levied by the city.

§ C-65. Appropriations; transfer of funds.

Unless otherwise specifically provided in this Charter or by law, no money shall be drawn from the city treasury nor shall any obligation for the expenditure of money be incurred except pursuant to appropriations made by the **Council City Council**. Upon written request of the Manager, the **Council City Council** may transfer an unencumbered balance in an appropriation made for one department or agency to another department or agency or may transfer any unencumbered balance in an appropriation made for a division or office to another division or office in the same department. The Comptroller, upon request of the department head and with the approval of the Manager, may transfer an unencumbered balance in an appropriation made for a division or office to another division or office in the same department, provided that such transfer does not exceed five percent (5%) of the department's budget. Such intradepartmental transfers made by the Comptroller shall be reported to the **Council City Council** at its next regular meeting.

§ C-70. Annual tax levy.

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The **Council City Council**, at the meeting at which the annual budget is adopted shall levy taxes on all taxable property within the city as shown in the annual assessment rolls, to the amount required to be raised by tax in the annual budget. All taxes thus levied shall become liens on the properties against which they are levied on the first day of January following the levy of such taxes.

§ C-71. Extension of taxes.

The City Clerk, on that day following the adoption of the annual tax levy by the **Council City Council**, shall deliver to the **City** Comptroller a certified copy of the resolution making such levy. Thereupon, and on or before **December 31 March 31 of the current year**, the **City** Comptroller shall extend the city tax as levied by the **Council City Council**, and shall enter these extensions along with all delinquent special assessments, delinquent sewer taxes, delinquent water rates, delinquent rubbish collection charges and any other delinquent special charge on the original assessment rolls filed with him, which rolls then become the tax rolls of the city for the ensuing year. When the tax rolls have been thus completed, a warrant signed by the Manager and by the City Clerk shall be attached thereto, directing the Comptroller to collect from the persons named in the rolls the sums specified as levied against the parcels described in the rolls as owned by them.

§ C-77. Special assessments; unpaid assessments.

Special assessments, or installments thereof, are due and payable the day following the approval of the pertinent special assessment rolls by the **Council City Council**. Such assessments, or installments thereof, may be paid within one (1) month following approval by the **Council City Council** without penalty, which month is designated as the collection period. On the first day of each month succeeding the collection period, there shall be added to all such unpaid assessments, or installments thereof, a penalty of **one five percent (1%) (5%) for the first thirty (30) days or fraction thereof, and one percent (1%) per thirty (30) days or fraction thereof until such assessments, or installments thereof, are paid.** If any such assessments, or installments thereof, remain unpaid for four (4) months or longer by the first day of December, they shall be added, with accrued penalties, by the City Comptroller to the tax rolls for the ensuing year against the proper delinquent parcels of taxable property. Items thus added to the tax rolls shall become in all respects part of the tax levy and subject to all the penalties applicable to such levy for nonpayment.

§ C-79. Return of unpaid taxes.

Upon the expiration of his warrant, the account clerk shall make and deliver to the Comptroller a return of unpaid taxes.

§ C-79. This section reserved.

§ C-80. Recovery of unpaid taxes.

All taxes and assessments charged upon real estate, including those for local improvements and other charges, shall be a lien upon the same from the time of completing the tax roll therefore and such lien shall be prior and superior to all other liens and **incumbrances** **encumbrances**. All such taxes, assessments and other charges may also be recovered in an action brought by the city against any person liable therefore and the lien thereof may be foreclosed by action in the same manner and by the same proceedings as in an action for the foreclosure of a mortgage upon real estate. In any action to recover any taxes or assessments or to foreclose the lien thereof, the assessment or tax roll shall in all cases be prima facie evidence of the right of recovery of the amount of such tax and assessment, and interest, and penalties, and no property shall be exempt from levy and sale for the payment of the same. Notwithstanding any other provision of this Charter, tax liens owned by the city and due and unpaid for at least **four (4) two (2)** years from the date on which the tax and other legal charges represented thereby became a lien shall be foreclosed by an action in rem in accordance with Title 3 of Article 11 of the Real Property Tax Law.

§ C-82. Special tax credits and assessments.

A. The **Director of Building and Assessments** **City Assessor** shall have the power and be charged with the duty to carry out the purpose and intent of Article 4-A of the Commerce Law, § 485 of the Real Property Tax Law and other applicable laws of the State of New York to grant business facility owners or operators, as defined by the aforesaid state laws, tax exemption or tax credits from taxes and special ad valorem assessments imposed to the extent of any increase in the value of the capital improvements, commenced on or after July 1, 1968, consisting of construction, reconstruction, erection or improvements, as certified in the certificate of eligibility issued by the New York State Job Incentive Board, created by § 116 of the Commerce Law, provided that the owner or operator of the business facility, on the form prescribed by such Board, to which there shall be attached a copy of the

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certificate of eligibility so issued, files such application before the taxable status date with the City Assessor of the city and simultaneously therewith files the application with the State Board of Equalization and Assessment and the State Job Incentive Board.

- B. Upon submission of the aforesaid application and proof, the City Assessor, with or without a hearing, shall consider the application for such exemption and, if found to be in order determine the assessed value of the exemption in accordance with the certificate of eligibility and enter such value on the exempt portion of the assessment roll.
- C. The **Director of Building and Assessments** City Assessor, in **his his/her** determination, shall grant a one-hundred-percent tax credit or exemption, and the exemption as granted shall continue for five (5) years only; and thereafter the exemption shall be at the rate of fifty percent (50%) during the period of years so approved only if the certificate of eligibility is not revoked or modified and is renewed or extended by the State Job Incentive Board.
- D. Any exemption so granted by the **Director of Building and Assessments** City Assessor shall commence with the assessment roll prepared on the next following taxable status date of the City of Ogdensburg.

SECTION 18. Article XVIII, of the City Charter of the City of Ogdensburg entitled Department of Parks and Recreation be and the same is amended as follows:

§ C-85. Ordinances.

Every proposed ordinance shall be introduced in writing. An ordinance may be introduced by any member of the Council at any regular or special meeting of the Council. Upon introduction of any ordinance, the City Clerk shall distribute a copy to each Council member and to the Manager, and shall file a reasonable number of copies in the office of the City Clerk. The Council shall fix a time and place for a public hearing thereon and the City Clerk shall publish a notice of such hearing setting out the time and place and describing in summary form the content of such proposed ordinance, at least seven (7) days before the date set for such hearing, in the official newspaper of the city or, if no official newspaper has been designated, in a newspaper of general circulation in the city. After the hearing, the Council may adopt the ordinance with or without amendments. Within ten (10) days after adoption, the Clerk shall have a notice

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of adoption of such ordinance published which shall give the title of the ordinance and describe the same in summary form, in the same manner as the notice of such hearing. Every adopted ordinance shall become effective immediately with regard to any person upon whom a copy thereof is served, together with a certificate of the Clerk, setting forth the date of adoption and shall become effective ten (10) days after its publication with regard to all other persons. The Council may adopt any standard code of technical regulations by reference thereto in an adopting ordinance. The procedure and requirements governing such an adopting ordinance shall be the same as prescribed for ordinances generally, except that the requirements for distribution and filing of copies of the ordinance shall be construed to include copies of such code of technical regulations as well as of the adopting ordinance, and a copy of each adopted code of technical regulations as well as of the adopting ordinance shall be authenticated and recorded by the City Clerk in the City Clerk's office. It shall not be necessary to publish a copy of such code of technical regulations in the notice of hearing or with the notice of adoption thereof. However, copies of any adopted code of technical regulations shall be made available by the City Clerk for purchase at a reasonable price or as otherwise provided by the Council.

§ C-85. This section reserved.

SECTION 19. Article XIX, of the City Charter of the City of Ogdensburg entitled Transitional Provisions be and the same is amended as follows:

§§ C-92 through C-95. (Reserved)

§ C-100. Charter Review Commission.

Immediately following each ten-year period of this Charter's existence, the Mayor, with Council approval, shall either appoint a Charter Review Commission or place on the ballot the election of a Charter Review Commission. Such appointed or elected Commission shall consist of two (2) members from each of the election districts in the city. It shall be the duty of said Commission to review this Charter in the light of current needs and trends and make recommendations to the Council.

§ C-100. Charter Review Commission.

The Mayor, with City Council approval, shall either appoint a Charter Review Commission or place on the ballot the election of a Charter Review Commission no later than December 31, 2017, and immediately following each ten-year period thereafter. Should the appointment/election of a Charter Review Commission not occur by December 31, 2017, or in the ten-year periods immediately thereafter, all powers of the city vested in City Council pursuant to the Charter shall be vacated other than to cause the establishment of a Charter Review Commission, at which time vacated powers shall be restored. Such appointed or elected Commission shall consist of two (2) members from each of the election districts in the city. It shall be the duty of said Commission to review the Charter in light of current needs and trends and make recommendations to the City Council.

§ C-101. (Reserved)

§ C-102. Terms of office.

The terms of office of all individuals appointed to boards or commissions as provided in this Charter **for which dates stating a term of office are not established by New State law** shall commence on the first day of January next following their appointment, except as otherwise provided herein. When the term of any elective or appointive office shall be for a year or a series of years, such term of office shall be computed from the first day of January. For the purpose of determining when the term of such office shall end, the year in which the appointee shall take office shall be deemed to be the entire year, although such appointee may not have taken office until after such calendar year shall have begun, so that the terms of office of all such appointees shall terminate at the end of the calendar year.

SECTION 20. EFFECTIVE DATE. This local law shall take effect immediately upon filing in the office of the New York State Secretary of State which filing shall occur no less than 45 days from the date of adoption by the City Council of the City of Ogdensburg and no more than 65 days from said date in accordance with sections 24 and 27 of the Municipal Home Rule Law and sections C-17, C-22 and C-23 of the City Charter of the City of Ogdensburg.

Councillor Flynn made a motion to amend the local law, Section C-100 as proposed below:

The Mayor, with City Council approval, shall either appoint a Charter Review Commission or place on the ballot the election of a Charter Review Commission no later than December 31, 2017, and immediately following each ten-year period thereafter. Should the appointment/election of a Charter Review Commission not occur by December 31, 2017, or in the ten-year periods immediately thereafter, all powers of the city vested in the City Council to appoint a Charter Review Commission pursuant to the Charter shall be vacated, and the Charter Review Commission will be placed on the ballot for the following election. Vacated powers shall be restored with other than to cause the establishment of a Charter Review Commission, at which time vacated powers shall be restored.

After much discussion, Councillor Flynn's motion died for lack of a second.

The vote on the local law was:

AYES: Mayor Nelson, Councillors Ericksen, Hannan,
LaMacchia, LaRose and Morley

NAYS: Councillor Flynn

CARRIED, 6 - 1

3. Councillor LaMacchia moved a resolution authorizing the award of change order for asbestos air monitoring services at City-owned property at 20 Lake Street, and Councillor LaRose seconded to wit:

RESOLUTION TO AUTHORIZE
THE AWARD OF A CHANGE ORDER FOR
ASBESTOS AIR MONITORING SERVICES AT 20 LAKE STREET

WHEREAS, a request for change order has been solicited and received for the asbestos air monitoring of a city-owned property at 20 Lake Street, and

WHEREAS, the City staff has evaluated the change order and recommended the following contract be awarded, and

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NOW, THEREFORE, BE IT RESOLVED that Arthur J., Sciorra, City Manager is authorized to enter into the following contract on behalf of the City;

<u>CONTRACTOR</u>	<u>CHANGE ORDER</u>	<u>ADDRESS</u>
Atlantic Testing Laboratories, Ltd. PO Box 29 6431 US Highway 11 Canton, NY 13617	\$1,827.40	20 Lake Street

BE IT FURTHER RESOLVED that the funds to pay for this work shall be derived from funding from the Lake Street demolition project.

The vote was:

CARRIED, AYES ALL

4. Councillor LaMacchia moved a resolution urging the Federal Government to pass legislation to control the introduction of aquatic invasive species, and Councillor Morley seconded to wit:

RESOLUTION URGING THE FEDERAL GOVERNEMENT TO PASS
LEGISLATION TO CONTROL THE INTRODUCTION
OF AQUATIC INVASIVE SPECIES

WHEREAS, the Great Lakes and St. Lawrence River have been subjected to at least 183 aquatic invasive species introductions with several of these spreading to other regions, and continued introduction of aquatic invasive species are causing irreversible ecological damage and contributing to severe economic loss throughout the Great Lakes and St. Lawrence River, and

WHEREAS, aquatic invasive species such as round gobies and zebra mussels and diseases such species may carry have already had a significant negative economic impact on commercial and recreational fishing activity and municipal infrastructure, and

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WHEREAS, said diseases may include the VHS virus, which appears to have a negative effect on the Muskellunge population, one of the area's most popular sports fishes, and botulism, recent outbreaks of which have killed many fishes and water birds locally, and

WHEREAS, St. Lawrence County gains only limited advantage from the commercial traffic on the St. Lawrence Seaway, yet the preservation of the St. Lawrence River is vital to its tourism economy, and

WHEREAS, ballast water from vessels entering the Great Lakes from the Atlantic Ocean are the number one source of new aquatic invasive species entering the Great Lakes and St. Lawrence River, and current ballast water regulations have proven ineffective inasmuch as the rate of aquatic invasive species introductions has not slowed, and

WHEREAS, federal governments have been slow to take decisive legislative or regulatory action and to provide the necessary funding to deal with this issue in a comprehensive and effective way, despite broad consensus in the Great Lake region that such action and funding is needed, and

WHEREAS, this resolution is supported by Mr. Michael Seymour, President and Mr. Robert Flavin Secretary of the Federated Sportsman's Club; Gerald Lincoln, Fish Advisory Board and Gregory Denny, President of the St. Lawrence Valley Sportsman's Club. The St. Lawrence River's draw to Sportsman Fishing is vital to the tourism industry in this area and must be protected,

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City or Ogdensburg supports the immediate passage of comprehensive federal legislation such as in Title V of the Coast Guard Authorization Act of 2007 (HR 2830) to prevent the introduction of aquatic invasive species, with special emphasis on ballast water regulations,

BE IT FURTHER RESOLVED, that the City Council of the City of Ogdensburg urges the Congress of the United States to designate the first American port on the Seaway (the Port of Ogdensburg, Ogdensburg, New York), as the facility where ballast water exchange and treatment for sediment management and invasive species will be

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conducted before commercial traffic can proceed further into the Seaway System and the Great Lakes.

Councillor Ericksen said this was a good resolution except for the last paragraph and suggested that Council amend the resolution by striking out the last paragraph.

Councillor LaMacchia stated that this resolution is also being sponsored by the St. Lawrence County Legislature as it is written.

The vote was:

AYES: Mayor Nelson, Councillors Flynn, Hannan,
LaMacchia, LaRose and Morley

NAYS: Councillor Ericksen

CARRIED, 6 – 1

5. Mayor Nelson moved a resolution authorizing the City Manager to sign an agreement between the Kiwanis Club of Ogdensburg, New York, Inc. and the City of Ogdensburg providing for the grant of an exclusive option to acquire lands located within the City of Ogdensburg, New York and to proceed with the filing of joint application with the Kiwanis Club of Ogdensburg under the Environmental Remediation Program, and Councillor Morley seconded to wit:

RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN
AGREEMENT BETWEEN THE KIWANIS CLUB OF OGDENSBURG,
NEW YORK AND THE CITY OF OGDENSBURG

WHEREAS, the Kiwanis Club of Ogdensburg, New York and the City of Ogdensburg have agreed to jointly work together to participate in the Environmental Restoration Program (ERP) as co-applicants for property located at Riverside Avenue and assigned Tax Map #48.071-2-1.11, and

WHEREAS, in order to establish site control in the City for the purposes of the ERP application, the Kiwanis Club of Ogdensburg, New York and the City of Ogdensburg have prepared the attached Agreement,

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NOW THEREFORE, BE IT RESOLVED, that the City Manager is authorized to sign the attached Agreement between the Kiwanis Club of Ogdensburg, New York, Inc. and the City of Ogdensburg for lands located within the City of Ogdensburg.

Mayor Nelson said this is the property on Riverside Avenue and part of the old Augsbury tank farm. Councillor Hannan asked if there was any agreement with the Kiwanis to use the property for a specific purpose, such as a ball field. City Manager Arthur Sciorra said this agreement is strictly a transfer of property title and there is no other agreement.

Councillor Morley asked if the City will be a co-owner of the property with Kiwanis. City Attorney Katherine Wears stated no, that upon the completion of this agreement, the City will be the sole owner of the property. Mrs. Wears added that the City will be co-applicants for the Environmental Remediation Program with Kiwanis. Mrs. Wears said that the property can be put to any use which will benefit the City as a whole. Councillor Hannan said that he doesn't want there to be any misunderstandings between any members of the Kiwanis that there is something between the lines that would limit the City's use of this property. Mr. Sciorra said there was no discussion with Kiwanis to use this property as part of their recreation program. Councillor LaRose stated that it is nice to see this agreement is separate from the other issues regarding the maintenance of Montroy Park. Councillor LaRose said that he has spoken with the City Manager and Recreation Director and was assured by Mr. Sciorra that that they are all maintenance type issues. Councillor LaRose said even though the two are separate, there is an implication with the Kiwanis that the City is going to take better care of Montroy Park, Fr. Martin Field and the Park Street Ballfield.

The vote was:

CARRIED, AYES ALL

6. Mayor Nelson moved a resolution to approve an emergency authorization of \$2,444.72 from the Fund Balance to purchase two computers and operating software for the City Clerk's Office, and Councillor Morley seconded to wit:

RESOLUTION

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WHEREAS, the two computers in the City Clerk's Office are nine years old and experiencing error messages that stop the work flow in the office continuously and need to be replaced immediately; and

WHEREAS, two quotes have been received for this equipment; and

NOW, THEREFORE, BE IT RESOLVED, that the City Council hereby approves an emergency authorization of \$2,444.72 from the Fund Balance to purchase this equipment.

The vote was:

CARRIED, AYES ALL

OLD BUSINESS

1. Councillor Hannan asked if Resolutions #58 and 62 would be on the next meeting agenda. City Manager Arthur Sciorra stated they would be on the next agenda.

2. Mayor Nelson asked City Planner Martin Murphy if there is a way we could extend the street to Mr. Basta's Covington Street property as we now own the Shade Roller property. Mr. Murphy explained that because we do own this property, we could put in a street although he was not sure where the most conducive spot was along the paper street. Mr. Murphy added there is more than one way to get frontage and an improved street, but he is unsure what the best route will be. Mr. Murphy also said there are ways to reconfigure the lots to provide street frontage.

Mayor Nelson said we need to educate the public regarding the history of this property and Council's role over the last six or seven years. Mr. Murphy stated staff is putting together a chronology regarding the cleanup and the money spent.

City Attorney Katherine Wears encouraged the City to make an application in the ERP Program as soon as possible as it provides a disincentive to the former owner to come back and try to settle the tax sale.

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3. Mayor Nelson stated that we had received a letter from Martin Percy, Transportation System Operations Engineer, NYSDOT, stating they are going to do an engineering investigation to evaluate the need for installation of a three-color signal at the Champlain Street and Route 37 intersection. Mayor Nelson added that NYSDOT will be conducting a traffic count and also reviewing this intersection's accident history.

DPW Director Kit Smith spoke with Mr. Percy who said the traffic count will start as soon as his staff can get the counters installed. Councillor LaMacchia asked how long this will take and Mr. Smith stated he was told it could be up to a year.

4. Councillor Flynn said that he was by the Lake Street Bridge and noted that one of the Montgomery/Clickner buildings is still open with children playing there. Councillor Flynn asked that the building be checked and secured.

5. Councillor Morley asked if we have heard the status of the CDBG grant application the City applied for in April. City Planner Martin Murphy said we have not heard anything.

6. Councillor LaMacchia asked if City staff was looking for Council direction with regard to uses for the old community center building. City Manager Arthur Sciorra said it was his understanding that Council had asked the City Planner to look at possible uses. City Planner Martin Murphy said he was evaluating the needs of the Recreation Department to determine the needs of the City first. Mr. Murphy added that any other uses would be policy decisions.

Councillor Morley asked if we had received any grant money for building repair work. Councillor LaMacchia said no, but we will be receiving it.

7. Councilor Hannan asked staff to obtain a copy of ANR's meeting dates and put them in the Council update. Councillor Hannan also requested that staff find out if ANR's meetings are open to the public.

8. Councillor Hannan said the Executive Compensation Committee needs to meet and asked if there was some data from other cities. City Manager Arthur Sciorra stated he used 10 cities as a benchmark and also State salaries and structure compensation.

NEW BUSINESS

1. Councillor Morley congratulated Councillor LaRose on the award he received last week. Councillor LaRose received the Frances Spooner Memorial Award from the Kiwanis Club for his citizenship and work with the community. Councillor LaRose stated that Councillor Morley was the first person to receive this award.

ITEMS FOR DISCUSSION

1. Mayor Nelson said the St. Lawrence County Sex Offender Management Project announced that community presentations will be held across the County in September and October. There will be a presentation in Ogdensburg on September 26, 2007 at 7 PM in City Hall in the 2nd Floor Courtroom.

2. Mayor Nelson stated tomorrow is the 6th anniversary of 9/11; and asked that we pay tribute to those who died and those who continue to fight for our freedom.

Councillor LaMacchia urged all the citizens of Ogdensburg to fly their flags tomorrow.

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