

CITY COUNCIL MEETING

April 2, 2012

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

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

ABSENT: None

PERSONAL APPEARANCE

1. Chris Lalonde of 1228 Pickering Street addressed Council about the Ogdensburg Volunteer Rescue Squad moving into the old Hackett's building. Mr. Lalonde stated he does not believe the old Hackett's building is the best location for the Rescue Squad, adding he obtained over 100 signatures on a petition. Mr. Lalonde advised people are worried about safety, noise and the traffic issues on State Street and added that people are also concerned where the City will make up the loss of tax revenue if the Hackett's building comes off the tax roll. Councillor Skamperle asked if the whole building will come off the tax rolls. Councillor Cilley said it will at least until part of the building is leased to another party. Councillor Skamperle stated quite a few people are opposed to it. Mayor Nelson advised there is nothing Council can do about it, and explained that there are zoning laws in place. Mr. Lalonde stated there will be a public meeting at the Dobisky Center on April 30th at 7:00 p.m. and asked Council members to attend the meeting. Councillor Hosmer asked if the move was subject to Planning Board approval, and Councillor Cilley advised it is on the schedule for tomorrow night. Mr. Lalonde stated he understands that as long as the Rescue Squad meets the criteria, the request will be approved by the Planning Board. Mr. Lalonde thanked Council for the opportunity to speak.

CONSENT AGENDA

Mayor Nelson moved that the claims as enumerated in General Fund Warrant #7-2012 in the amount of \$315,878.13 and Library Fund Warrant #7-2012 in the amount of \$18,803.42 and Capital Fund Warrant #7-2012 in the amount of

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\$0.00 and Community Development Fund Warrant #7-2012 in the amount of \$0.00 and Community Renewal Fund Warrant #7-2012 in the amount of \$0.00 and HOME Fund Warrant #7-2012 in the amount of \$0.00 and AHC Funds Warrant #7-2012 in the amount of \$0.00, RESTORE Program Warrant #7-2012 in the amount of \$0.00 and NSP Funds Warrant #7-2012 in the amount of \$0.00 and NY Main St. Program Warrant #7-2012 in the amount of \$0.00 as audited, be and the same are ordered paid and Councillor Skamperle seconded the motion.

The vote was:

CARRIED, AYES ALL

ITEMS FOR COUNCIL ACTION

1. Councillor Ashley moved a resolution authorizing the City Manager to extend an Agreement for Shared Highway Services with the following municipalities: The Village of Gouverneur, Village of Waddington, Village of Massena, Village of Morristown, Town of Morristown, Town of Oswegatchie, Village of Heuvelton, Town of Lisbon, Village of Potsdam, Village of Canton and St. Lawrence County Highway, and Councillor Morley seconded to wit:

**RESOLUTION AUTHORIZING THE CITY MANAGER TO SIGN A
CONTRACT EXTENDING SHARED HIGHWAY SERVICES ON BEHALF OF
THE CITY OF OGDENSBURG**

WHEREAS, the City of Ogdensburg entered into a five-year Inter-Municipal Agreement effective February 24, 2010 for shared highway services as detailed in the attached Resolution which was duly adopted by the City of Ogdensburg City Council on February 24, 2010; and

WHEREAS, the terms agreed to in Item 14 of said contract stated that the City of Ogdensburg City Council may extend or renew the contract at the termination thereof for an additional five-year period,

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NOW THEREFORE, BE IT RESOLVED, that the City of Ogdensburg City Council hereby authorizes extension of the contract on behalf of the City of Ogdensburg for an additional five year period, and

BE IT FURTHER RESOLVED, that the City Clerk is hereby authorized and directed to file a copy of the Resolution, along with a copy of the original Resolution adopted by the City of Ogdensburg City Council on February 24, 2010 and a copy of the original contract with the Chief Executive Officer of the following municipalities:

The Village of Gouverneur, Village of Waddington, Village of Massena, Village of Morristown, Town of Morristown, Town of Oswegatchie, Village of Heuvelton, Town of Lisbon, Village of Potsdam, Village of Canton and St. Lawrence County Highway.

This resolution shall take effect immediately.

Councillor Hosmer questioned what is being shared under the resolution. DPW Director Kit Smith advised each municipality has areas of expertise, and they share services and equipment, adding it works out well. Mr. Smith explained it is a great way to expand resources and gave examples of the shared services. Councillor Cilley questioned the dates of the extension. Mr. Smith explained the original resolution had several municipalities on board before the City joined, and the resolution allows for a general extension instead of coming back to Council with a resolution every time a municipality is about to expire. Mr. Smith advised the shared program has been in place for at least the past 15 years and was recently formalized, adding the City also shares services with the Ogdensburg City School District but without a formal contract. Councillor Skamperle questioned if this resolution is necessary to allow other municipalities to join. Mr. Smith said it is and added the City has a good working relationship with all these municipalities.

The vote was:

CARRIED, AYES ALL

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2. Councillor Skamperle moved a resolution to approve the 2012 Tax Warrant, and Councillor Morley seconded to wit:

RESOLUTION

WHEREAS, the Tax Roll of the City of Ogdensburg, for the fiscal year January 1, 2012 through December 31, 2012, has been completed, and,

WHEREAS, Section C70 of the City Charter directs that when the tax rolls have thus been completed, a warrant signed by the City Manager and the City Clerk shall be attached hereto directing the Comptroller to collect from the persons named in the rolls the sum specified as levied against the parcels as owned by them, and

WHEREAS, the tax was computed on the taxable valuation of \$275,063,208 and the tax rate is \$16.211314 per thousand for the General City Tax and the taxable valuation of \$275,945,604 and the tax rate is \$10.044361 per thousand for the General County Tax for the fiscal year January 1, 2012 through December 31, 2012 and the tax roll will produce the following:

CITY AND COUNTY TAX	\$	7,230,833.30
DUE WATER ACCOUNT		156,151.01
DUE SEWER ACCOUNT		168,694.51
DUE MISCELLANEOUS ACCOUNT		24,365.91
OMITTED TAXES		<u>6,997.07</u>
TOTAL	\$	<u>7,587,041.80</u>

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NOW THEREFORE, pursuant to Section C70 of the City Charter, the Tax Roll of the fiscal year 2012 is confirmed and the warrant in the sum of \$7,587,041.80 annexed thereto and be signed for the collections of all taxes in two installments; the first installment commencing April 15, 2012 and the second installment commencing July 15, 2012, and that all taxes shall be liens on the real property against which the sum levied is superior to all other liens and encumbrances from the date of signing of said warrant.

Councillor Ashley asked for an explanation of omitted taxes. Interim City Manager Philip Cosmo explained when a property is purchased by someone who is not eligible for the same exemptions as the previous owner; the City recoups the difference from the new owner.

The vote was:

CARRIED, AYES ALL

3. Councillor Cillely moved a resolution urging the Empire State Development to reprogram \$450,000 for the Port of Ogdensburg Access Road project, and Councillor Stevenson seconded to wit:

RESOLUTION URGING THE EMPIRE STATE DEVELOPMENT TO
REPROGRAM \$450,000 TO THE PORT OF OGDENSBURG ACCESS ROAD
PROJECT

WHEREAS, the Ogdensburg Bridge and Port Authority (OBPA) recently landed a contract to ship wind turbines through the Port of Ogdensburg; and

WHEREAS, a new port access road needs to be built to make it possible to ship the wind turbines through the port; and

WHEREAS, upon opening contractors' bids the OBPA discovered they will need \$630,000. more than the original \$1.3 million estimate allocated to build this new port access road; and

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WHEREAS, this May 2012 cargo project cannot occur without the construction of the Port of Ogdensburg Access Road; and

WHEREAS, this project is critical to New York State's efforts to capture this growing wind turbine import market to show that the Ogdensburg port can handle these projects;

NOW THEREFORE, BE IT RESOLVED that the Ogdensburg City Council hereby urges the Empire State Development to reprogram \$450,000 from the reimbursable Empire State Development Regional Council Incentive Award for rail rehabilitation to help cover the \$630,000 shortfall in the Port of Ogdensburg Access Road (PIN 7935.23.301) project.

Councillor Skamperle asked for clarification on this resolution, noting Mr. Davis' letter cites two possible avenues for gaining the funds required. Interim City Manager Philip Cosmo advised a draft resolution was sent to OBPA and Mr. Davis approved it.

The vote was:

CARRIED, AYES ALL

OLD BUSINESS

1. Mayor Nelson stated he had suggested off meeting Monday dates for the Committee of the Whole meetings and asked for a consensus of Council on the preferred dates. Councillor Stevenson stated she would like to see the meetings scheduled and then cancelled if not needed. Councillor Skamperle suggested Council keep off Mondays open. Interim City Manager Philip Cosmo asked how the agenda will be developed for the Committee of the Whole meetings, suggesting it be done at Council meetings. Councillor Morley agreed. Mayor Nelson advised the April 9th meeting should be cancelled since many people will be on vacation. Mayor Nelson advised that the Bonadio Group may be here this week to give a

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presentation for hiring a new City Manager. Councillor Morley stated he would like to discuss the City's housing rehabilitation program at the next meeting. Mr. Cosmo advised the 16th will be the first day back for many people and may not be a good day to meet. Mr. Cosmo added the 30th may be a better date. Mr. Cosmo advised C.W. Augustine, Inc. will give a presentation at that meeting. Councillor Cilley noted he is not available the third Monday of every month. Councillor Morley noted Management Recruiting, a company which has an office across the street from City Hall, would like to give a presentation to Council regarding hiring a new City Manager. Councillors Stevenson and Skamperle liked the idea of a presentation from a local group. Mayor Nelson asked Council to send the City Manager's secretary their dates of availability.

2. Mayor Nelson asked when the Executive Compensation Committee could meet. Interim City Manager Philip Cosmo advised he is available the week after his vacation, and Councillor Morley confirmed all committee members (Councillors Ashley, Cilley and Morley) are available during the day. Councillor Cilley requested an early afternoon meeting time.

3. Councillor Stevenson thanked Interim City Manager Philip Cosmo for obtaining the cost quotes for the live streaming of Council meetings from the website, adding the quotes were higher than expected. Councillor Hosmer asked that other ideas be explored including loading the current meetings and increasing space on the website, adding he will send information to Mr. Cosmo.

4. Councillor Morley questioned the status of the internet service at City Hall. Interim City Manager Philip Cosmo advised it has been spotty and there may be a switch to fiber optic. Mr. Cosmo said he will know in a few days.

5. Councillor Hosmer asked if all of the Skateboard Park equipment was repaired prior to its re-opening. Interim City Manager Philip Cosmo advised that the park was made secure and any equipment not usable was removed. Councillor Hosmer stated he reviewed the camera proposal included in the update and asked if we could look at less expensive equipment. Mr. Cosmo stated that to identify people we would need clear pictures and added the cost of the camera should not

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exceed the value of the equipment in the park. Mr. Cosmo stated that Recreation Director Matthew Curatolo is still exploring options. Councillor Ashley asked what time the Skateboard Park is locked at night. Mr. Cosmo stated 9:00 p.m. when the Visitor's Center is closed.

6. Councillor Hosmer requested an update on the burned out Lafayette Street house. Interim City Manager Philip Cosmo advised the owner does not have the money to tear down the property. Mr. Cosmo advised the City is now taking care of this and we have requested proposals to tear it down and remove the debris from this site. Councillor Cilley questioned why it takes the City so long to tear down these properties when other municipalities seem to do it much quicker. Mr. Cosmo explained there are requirements for municipalities, such as asbestos abatement, which must be met. Councillor Hosmer questioned if the owner will be billed for the costs. Mr. Cosmo said yes, but added that the property will probably not be worth the \$15,000 cost to tear it down.

7. Councillor Hosmer asked for an update on the Dobisky concession. Interim City Manager Philip Cosmo advised he is meeting on Friday with a prospective applicant. Mr. Cosmo said he sent him a contract to review. Councillor Cilley questioned if there was only one applicant, and Mr. Cosmo said yes. Mr. Cosmo said he will get back to Council.

8. Councillor Hosmer requested an update on the Dobisky plaque to be placed at the Dobisky Center. Interim City Manager Philip Cosmo asked if Council wanted to approve the request, noting he would call Mr. Dobisky upon approval. Councillor Cilley asked for the size of the plaque, and Mr. Cosmo said it is two feet by three feet and will fit on the right side of the desk at the Dobisky Center. Councillor Morley indicated he has no objections, and Mayor Nelson added the family will make sure it looks nice. There was a consensus of Council to approve the Dobisky family's request to place a memorial plaque at the Dobisky Center.

9. Councillor Ashley requested an update on the sale of surplus City-owned property. Interim City Manager Philip Cosmo advised staff is putting together the

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list of properties. Councillor Ashley requested that 505 New York Avenue and the Bigelow Street property be taken off the NSP list and included in this list. Mr. Cosmo advised he is hopeful to have it completed by summer, barring no major issues.

10. Councillor Skamperle requested an update on the Lake Street walking bridge. DPW Director Kit Smith advised the new bridge should be delivered between April 15th and May 1st, and added that the contractor plans to use the old bridge to stabilize the new bridge during installation. Councillor Ashley questioned if the new bridge will arrive in pieces, and Mr. Smith said yes. Mr. Smith added that it is about a 400 foot span and the new bridge will be a self-supporting arched bridge with no center pier. Councillor Hosmer asked if the old center pier will be removed, and Mr. Smith said yes and added that he is waiting for an updated schedule. Mr. Smith indicated the new bridge should be in place by August. Mayor Nelson stated it would be great to have the new bridge in service for Seaway Festival weekend and asked Mr. Smith to push for that. Mr. Smith advised Verizon is on-site running new lines. Mayor Nelson asked if Interim Director of Planning and Development Andrea Smith has met with the architects or Memorial Wall planning group. Mr. Cosmo said he would check with her. Councillor Morley asked who will be appointed Acting City Manager while Mr. Cosmo is on vacation. Mr. Cosmo advised he plans to appoint a department head.

11. Councillor Hosmer requested information about an old pump station on Lincoln Avenue that is filled with trees and brush. Mr. Smith stated it is an old gas yard requiring substantial remediation and cleanup which is scheduled to begin soon. Councillor Hosmer stated the neighbors want this area cleaned up.

12. Councillor Skamperle requested an update on Mr. LaFave's housing rehabilitation program complaints. Interim City Manager Philip Cosmo stated that a letter was mailed to Mr. LaFave and the City has received no response.

13. Councillor Skamperle requested an update on the energy plant. Interim City Manager Philip Cosmo advised he called the plant again and has not received a call back.

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14. Councillor Skamperle requested an update on the Oddfellow's Club water issue. Interim City Manager Philip Cosmo advised Council that he received an engineering report which generally agrees with DPW Director Kit Smith's recommendation, adding the problem is with the 4" line. Councillor Ashley asked if a copy of the engineer's report had been mailed to the Oddfellow's Club. Mr. Cosmo stated he plans to mail a copy of the report to them.

15. Interim City Manager Philip Cosmo asked for Council's input in response to the proposed survey created by the Interim Director of Planning and Development Andrea Smith. Councillor Stevenson stated the proposed survey is a good start, adding it can always be amended as required.

NEW BUSINESS

1. Councillor Skamperle advised there are several big beavers tearing up trees along the Crescent hill next to the Lake Street walking bridge and suggested the beavers be captured and removed. Councillor Morley stated he has no problem with nature taking its course and allowing the beavers to remain. Interim City Manager Philip Cosmo stated the issue will be discussed with staff.

2. Councillor Skamperle indicated the St. Lawrence Valley Sportsman's Club thanked the City for use of the room at the old Pumphouse, noting the room had been painted and a large Walleye was hung on the wall. Councillor Skamperle noted the club will be shocking the walleye on April 3rd at 7:30 p.m. at Hosmer's Marina.

ITEMS FOR DISCUSSION

1. Interim City Manager Philip Cosmo informed Council that DPW Director Kit Smith spoke to someone who is willing to cut back the brush back on the Crescent hill. Mr. Cosmo advised the interested party will provide his own insurance and bill the City \$60 per hour. Mr. Cosmo recommended a "not to

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exceed” amount in a contract, adding this individual could be hired to do it all or only address the worst parts. Councillor Morley asked what will be removed. Mr. Cosmo stated the plan is to remove the brush and bamboo, noting it will only solve the problem for a few years. Mr. Smith stated bamboo is very hardy and difficult to remove permanently, adding he has tried many different ideas in the past without success. Mayor Nelson asked for an estimate on the length of time needed to complete the process, and Mr. Smith advised the individual stated it will not exceed thirty days. Mr. Smith added the plan is to remove everything under four inches. Councillor Stevenson asked if equipment is available under the shared municipal program. Mr. Smith advised he contacted three different contractors to do this job but received no calls back, adding the hill is sixty-eight feet from top to bottom. Councillor Skamperle suggested current employees use a chainsaw, chaps and a helmet to cut the hill. Mayor Nelson questioned if the required equipment could be rented and added the prisons may have crews available. Mr. Cosmo asked Mr. Smith to obtain a price for rental equipment for the next meeting.

2. Councillor Cilley spoke in response to Chris Lalonde’s comments regarding the Ogdensburg Volunteer Rescue Squad moving into the old Hackett’s building. Councillor Cilley explained that the Rescue Squad looked at numerous locations because the current location on State Street no longer fits their needs, and expansion is not an option. Councillor Cilley explained construction costs for the property purchased on State Highway 812 would be \$5-6 million, while the old Hackett’s building will cost about \$1.5 million total. Councillor Cilley added that the old Hackett’s building has been for sale for about two years and the Rescue Squad is the only interested party. Councillor Cilley stated the concerns about safety and noise are overstated; adding the current location of the Rescue Squad is near a park and senior citizen housing. Councillor Morley questioned how the Rescue Squad planned to enter and exit the building. Councillor Cilley indicated the Rescue Squad plans to use the highway or State Street but cannot promise to never use Congress or Pickering Streets. Councillor Cilley added the Rescue Squad is trying to be financially responsible.

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Councillor Cilley stated pictures and drawings will be available at the meeting on April 30th at the Dobisky Community Center. Councillor Cilley added that the Rescue Squad is holding another informational meeting to give people the chance to voice their opinions.

Mayor Nelson wished everyone a safe and happy Easter holiday.

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