

CITY COUNCIL MEETING

April 22, 2013

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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,
Hosmer, Morley, Skamperle and Stevenson

ABSENT: None

Mayor Nelson read a proclamation declaring April 26, 2013 as Arbor Day in the City of Ogdensburg and urged all citizens to celebrate Arbor Day and support efforts to protect our trees and woodlands.

Mayor Nelson also read a proclamation recognizing the week of May 5 through May 11, 2013 as Municipal Clerks Week and extending appreciation to City Clerk Kathy Bouchard, Deputy City Clerk Cathy Jock and all Municipal Clerks for the vital services they perform and their exemplary dedication to the communities they represent.

PRESENTATION

1. City Comptroller Philip Cosmo presented Council with the 2012 Year End Financial Closeout. (A copy of his presentation material follows these minutes.)

2. Director of Planning & Development Andrea Smith reminded Council and the public that Vita Nuova will be joining us for a follow-up visit April 30th through May 2nd. Ms. Smith said Vita Nuova is working with the City to complete our Step 2 nominations for the BOA study. Ms. Smith said there will be two public sessions held on Thursday, May 2nd: an open house from 3:00 p.m. to 5:00 p.m. and a public workshop from 5:30 p.m. to 6:30 p.m. Ms. Smith said everyone is welcome and encouraged to attend.

CORRESPONDENCE

1. City Clerk Kathleen Bouchard read a letter from the American Legion requesting permission to hold a Memorial Day parade and ceremony in the City on May 27, 2013.

CONSENT AGENDA

Mayor Nelson moved that the claims as enumerated in General Fund Warrant #8-2013 in the amount of \$397,366.99 and Library Fund Warrant #8-2013 in the amount of \$22,070.58 and Capital Fund Warrant #8-2013 in the amount of \$32,279.28 and Community Development Fund Warrant #8-2013 in the amount of \$4,201.25 and Community Renewal Fund Warrant #8-2013 in the amount of \$0.00 and HOME Fund Warrant #8-2013 in the amount of \$0.00 and AHC Funds Warrant #8-2013 in the amount of \$0.00, RESTORE Program Warrant #8-2013 in the amount of \$0.00 and NSP Funds Warrant #8-2013 in the amount of \$0.00 and NY Main St. Program Warrant #8-2013 in the amount of \$0.00 as audited, be and the same are ordered paid and Councillor Morley seconded the motion.

The vote was:

CARRIED, AYES ALL

ITEMS FOR COUNCIL ACTION

1. Councillor Skamperle moved a resolution authorizing the Police Department to utilize funds from the Forfeiture of Criminal Proceeds Account to purchase one new 2013 Chevrolet Impala Unmarked Police Vehicle and associated emergency equipment, in the amount of \$22,438.00, and Councillor Ashley seconded to wit:

RESOLUTION AUTHORIZING THE POLICE DEPARTMENT
TO PURCHASE ONE NEW 2013 CHEVROLET IMPALA
UNMARKED POLICE VEHICLE AND ASSOCIATED
EMERGENCY EQUIPMENT, WITH FUNDS FROM THE
FORFEITURE OF CRIMINAL PROCEEDS ACCOUNT

WHEREAS, the Ogdensburg Police Department in its efforts to provide Law Enforcement Services to the Community, must maintain safe dependable and appropriate equipment to its members in the performance of their duties, and

WHEREAS, that equipment includes police vehicles with associated emergency equipment, and

WHEREAS, the Department in its effort to maintain safe, dependable and appropriate vehicles, typically rotates vehicles on a yearly basis, between patrol and detective divisions, and

WHEREAS, this practice was halted for a period of two years and has resulted in unmarked police vehicles being held in that capacity for more than twice the normal time span, and

WHEREAS, this action has caused several of these unmarked vehicles to become less dependable and more costly to maintain with the mileage reaching way beyond their intended life expectancy, and

WHEREAS, the 2013 budget provides funding to replace two of the aging vehicles, it would be beneficial to replace a third unmarked vehicle through the use of asset seizure funds, obtained through the Equitable Sharing Program, and

WHEREAS, it is permissible by the Equitable Sharing Program Guidelines to utilize funds from the Forfeiture of Criminal Proceeds Account to pay for such a purchase,

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NOW, THEREFORE, BE IT RESOLVED, that the Ogdensburg Police Department is hereby authorized to purchase one new 2013 Chevrolet Impala Unmarked Police Vehicle with associated emergency equipment, in the amount of \$22,438.00 and that monies in the amount of \$22,438.00 be appropriated from the Forfeiture of Criminal Proceeds Account, Line A2626 General Fund Revenues, and

BE IT FURTHER RESOLVED, that the \$22,438.00 be transferred from the Forfeiture of Criminal Proceeds account to the Capital Equipment Account Line A3120.310 to cover this purchase.

Councillor Morley asked how much is left in the Forfeiture of Criminal Proceeds Account. Police Chief Richard Polniak said prior to this purchase there is a little over \$33,000 in the account.

The vote was:

CARRIED, AYES ALL

2. Councillor Stevenson moved a resolution authorizing the City Manager to execute a supplemental agreement to increase the total funding for the Paterson Street project from \$950,000 to \$1,043,000, and Councillor Skamperle seconded to wit:

RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A
STANDARD FEDERAL-AID HIGHWAY AND MARCHISELLI-AID LOCAL
PROJECT AGREEMENT FOR \$1,043,000 TO FUND THE PATERSON
STREET RECONSTRUCTION PROJECT

Authorizing Master Federal/Local Aid Agreement,
Paterson St. Reconstruction, PIN 775299
Preliminary Engineering, Right-of-Way Incidentals and Final Design

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WHEREAS, a project for the reconstruction of Paterson Street, PIN 775229 (the "Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the cost of such program to be borne at the ratio of 80% federal funds and 20% non-federal funds; and

WHEREAS, the City of Ogdensburg desires to advance the project by making a commitment of 100% of the federal and non-federal share of the costs of the preliminary engineering, right-of-way incidentals and acquisitions, and final design in the amount of \$1,043,000.;

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Ogdensburg hereby authorizes the City Comptroller to pay in the first instance 100% of the federal and non-federal share of the costs of preliminary engineering, right-of-way incidentals and final design for the project; and

BE IT FURTHER RESOLVED, that the sum of \$1,043,000 is hereby appropriated from the City of Ogdensburg Capital budget and/or consolidated improvement program funding and made available to cover the cost of participation in the above phase of the project; and

BE IT FURTHER RESOLVED, that in the event the full federal and non-federal share costs of the project exceed the amount appropriated above, the City Council of the City of Ogdensburg shall convene as soon as possible to appropriate said excess amount immediately upon notification by the City Manager's Office; and

BE IT FURTHER RESOLVED, that the City Manager of the City of Ogdensburg is hereby authorized and directed to execute all necessary agreements, certifications or reimbursement requests for Federal Aid and/or Marchiselli Aid on behalf of the City of Ogdensburg with the New York State Department of Transportation in connection with the advancement or approval of the project and providing for the administration of the project and the municipality's first instance funding of project costs and permanent funding for the local share of federal-aid and state-aid eligible project costs and all project costs within appropriations that are not so eligible; and

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BE IT FURTHER RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary agreement in connection with the project.

The vote was:

CARRIED, AYES ALL

3. Councillor Morley moved a resolution authorizing the City Manager to execute Addendum No. 2, in the amount of \$55,000, to the Agreement for Engineering Services between the City of Ogdensburg and Barton & Loguidice, in connection with the Paterson Street Reconstruction Project, and Councillor Skamperle seconded to wit:

RESOLUTION AUTHORIZING ADDENDUM NO. 2 TO THE AGREEMENT
BETWEEN THE CITY OF OGDENSBURG AND BARTON & LOGUIDICE
FOR ENGINEERING SERVICES IN CONNECTION WITH THE PATERSON
STREET
RECONSTRUCTION PROJECT

WHEREAS, the City of Ogdensburg has executed an Agreement and Addendums totaling \$837,100 with the firm of Barton & Loguidice (B&L) for the Paterson Street Reconstruction Project; and

WHEREAS, additional services will be required for the appraisal review and negotiation and acquisition of property portion of the project, for an estimated total project cost of \$892,100.;

NOW, THEREFORE BE IT RESOLVED, that the City Manager is hereby authorized to execute Addendum No. 2, in the amount of \$55,000., to the Agreement for Engineering Services between the City of Ogdensburg and Barton & Loguidice in connection with the Paterson Street Reconstruction Project, and;

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BE IT FURTHER RESOLVED, that funding for this project will come from Capital Fund H5110.518.

Councillor Morley said Barton & Loguidice has done a wonderful job for us in the past and he anticipates the same on this job.

The vote was:

CARRIED, AYES ALL

OLD BUSINESS

1. Councillor Skamperle commended the Department of Public Works on the Crescent Hill job. Councillor Skamperle asked if we are erosion-proofing the hill. City Manager John Pinkerton said Ron Spears believes we will be alright with the vines in the ground and they are looking at the standing trees. Mr. Pinkerton thanked Public Works Director Kit Smith.

2. Councillor Skamperle asked for an update on the St. Lawrence Psychiatric Center and asked if they will look at the housing and outpatient services. Mr. Pinkerton said they are coming 5/15 and he hopes to have information on the Co-Gen plant. Councillor Skamperle said he wants the St. Lawrence Psychiatric Center to stay. Councillor Stevenson said people need to attend the meeting and make comments.

3. Councillor Ashley asked for an update on the new fire truck. Fire Chief Michael Farrell said we have completed the specifications. Fire Chief Farrell added that he will be meeting with City Comptroller Philip Cosmo tomorrow to go over the legal end of the purchase and prepare it for bid.

4. Councillor Ashley asked for an update on the new police boat. Police Chief Richard Polniak said the boat is here, but we are waiting for decent weather to open up the heat seal. Chief Polniak said it will need to be striped, but everything else is ready to go on it.

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5. Councillor Morley asked for an explanation of the process for first time homebuyers in the City. Director of Planning & Development Andrea Smith said the City does not currently have a first time homebuyer program and recommended residents contact the St. Lawrence County first time homebuyer program for assistance.

6. Councillor Stevenson said she does not like the location selected for the exercise equipment. Councillor Stevenson said she thought the equipment would be put along the trail instead of at one location. Recreation Director Matthew Curatolo explained that this location was chosen because there was open green space and the equipment could be easily monitored for vandalism. Mr. Curatolo said there will be one adult and one youth piece of equipment installed. Mr. Curatolo added that the equipment may be expanded along the trail if this is successful. Mr. Curatolo said the original plan called for one piece of equipment, but the grant funder found more money. Mr. Curatolo said this equipment will be set up in the U.S. Customs parking lot wedge near the pool.

7. Councillor Stevenson said the Community Center needs a new flag. Mr. Curatolo said we ordered a new flag and it has already been put up. Mayor Nelson asked if we have enough street pole flags. Mr. Curatolo said the Pride & Beautification Commission is replacing those flags. Mayor Nelson said he would like those flags up for Memorial Day and asked Mr. Curatolo to keep Council updated.

8. Councillor Stevenson said she was concerned about the lack of a Zoning Board quorum for the Rescue Squad's tower request. Councillor Stevenson questioned how Council would know if a Zoning Board position becomes vacant. Mayor Nelson explained that he appoints the Zoning Board, but puts them on the agenda to make them public. Mayor Nelson explained he first asks the department head if the holder of an upcoming vacancy is still interested in serving on this board.

9. Councillor Stevenson said she would like to see the Town Hall meetings and work sessions scheduled. Mayor Nelson said Council should send topics along with available dates and times to City Manager John Pinkerton.

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10. Councillor Ashley requested an update on the buses in the Paterson Street parking lot. Councillor Cilley said he believes buses are moving in and out because they are being parked in different spaces. Councillor Cilley said if the buses are moving in and out, he is not sure of the complaint. Councillor Ashley said we should verify that the buses are being moved because he has never seen anyone around the property. Mr. Pinkerton said this property is located in a business zone. Mr. Pinkerton read aloud the Zoning sections of the Municipal Code listing permitted and prohibited uses in a business zone. Mr. Pinkerton explained the Municipal Code prohibits the open storage of inoperable or unregistered motor vehicles on residential property only. Mr. Pinkerton said the storage of unregistered vehicles in a business zoned parking lot is not prohibited for commercial property. Councillor Cilley asked if the vehicles are being driven to a location to be refurbished or if a transport permit has been issued. Mr. Pinkerton said he will look into it.

NEW BUSINESS

1. Councillor Morley said the oldest Federal Building in the United States, the U.S. Customs House, is located in our City and does not display an American flag. Councillor Morley said he is not sure what we can do about it but suggested we contact our Congressman.

2. Mayor Nelson said the Pride & Beautification Commission will be holding a fundraising breakfast on April 28, 2013 from 9:00 a.m. to noon at Claxton Hepburn Medical Center in the Hess Auditorium.

3. Mayor Nelson said there was a Remembering Willowbrook exhibit at the United Helpers Mosaic. Mayor Nelson explained they have completed outstanding renovations on the building, but the best part of the tour was the smiling faces of the clients. Mayor Nelson said it is nice that the City could be part of that development by selling the property to them. Mayor Nelson explained the clients recently had an art show and Senator Ritchie presented awards to the artists.

ITEMS FOR DISCUSSION

1. City Manager John Pinkerton explained we have a grant to complete the landscaping around the pedestrian bridge.

Director of Planning & Development Andrea Smith advised that Council discussed appointing a community group to develop the design for both ends of the bridge. Ms. Smith explained the project must be done by August. Ms. Smith asked that people call her or the City Manager's office by Wednesday if they have suggestions on who to appoint to the group.

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