

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

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

ABSENT: None

PRESENTATION

1. Derek VanHouse of Pinto Mucenski Hooper VanHouse and Company made a presentation to Council regarding the results of the 2013 City Audit. (A copy of his presentation material follows these minutes.)

CONSENT AGENDA

Mayor Nelson moved that the claims as enumerated in General Fund Warrant #18-2014 in the amount of \$351,339.36 and Library Fund Warrant #18-2014 in the amount of \$19,801.89 and Capital Fund Warrant #18-2014 in the amount of \$149,674.59 and Community Development Fund Warrant #18-2014 in the amount of \$88.84 and Community Renewal Fund Warrant #18-2014 in the amount of \$32,070.29 and NSP Funds Warrant #18-2014 in the amount of \$650.00 as audited, be and the same are ordered paid and Councillor Ashley seconded the motion.

The vote was:

CARRIED, AYES ALL

ITEMS FOR COUNCIL ACTION

1. Mayor Nelson moved a resolution to provide for public notice and public hearing regarding an ordinance to amend Chapter 209 of the Ogdensburg Municipal Code entitled "Vehicles and Traffic" (one-way designation on Lake Street from Spring Street to Grove Street), and Councillor Hosmer seconded to wit:

RESOLUTION OF THE CITY COUNCIL INTRODUCING
AN AMENDMENT TO THE VEHICLES AND TRAFFIC ORDINANCE
AND PROVIDING FOR PUBLIC NOTICE AND PUBLIC HEARING

BE IT RESOLVED that the ordinance entitled "Ordinance Amending Chapter 209 entitled 'Vehicles and Traffic' of the Code of the City of Ogdensburg, New York, and

BE IT FURTHER RESOLVED that the City Council shall hold a public hearing in the matter of the adoption of the aforesaid ordinance to be held in the City Council Chambers, City Hall, 330 Ford Street, Ogdensburg, NY, on the 10th day of November, 2014, at 7:00 p.m., and

BE IT FURTHER RESOLVED that the City Clerk give notice of such public hearing by publication, in the official newspaper, at least seven days before the hearing date, of a notice setting forth the time and place and describing the proposed ordinance in summary form.

The vote was:

CARRIED, AYES ALL

2. Councillor Morley moved a resolution authorizing the City Manager to sell City-owned property identified as Tax Map No. 48.072-2-10, 1313 Ford Street, for \$1,111.00, subject to City Attorney's review and approval of sale documents, and Councillor Stevenson seconded to wit:

RESOLUTION TO APPROVE THE SALE OF
TAX PARCEL # 48.072-2-10 TO ANTHONY ASHLEY

WHEREAS, Anthony Ashley has made a purchase offer for City-owned property identified as 1313 Ford Street, Tax Map No. 48.072-2-10, obtained by the City under Real Property Tax Sale Law, Article 11, Foreclosure Proceedings, and

WHEREAS, New York State Real Property Tax Law §1166 states that:

1. Whenever any tax district shall become vested with the title to real property by virtue of a foreclosure proceeding brought pursuant to the provisions of this article, such tax district is hereby authorized to sell and convey the real property so acquired, either with or without advertising for bids, notwithstanding the provisions of any general, special or local law.
2. No such sale shall be effective unless and until such sale shall have been approved and confirmed by a majority vote of the governing body of the tax district, except that no such approval shall be required when the property is sold at public auction to the highest bidder; and

WHEREAS, Anthony Ashley has agreed to combine this parcel with his existing parcel located at 1311 Ford Street; and

WHEREAS, this parcel will be transferred by Quit Claim Deed, as-is, with no warranties; and

WHEREAS the appraised value of this vacant lot is \$1,080.00; and

NOW BE IT THEREFORE RESOLVED, that the City Council in accordance with New York State Real Property Tax Law § 1166, hereby authorizes the City Manager to sell Tax Parcel No. 48.072-2-10 to Anthony Ashley for \$ 1,111.00, subject to City Attorney's review and approval of sales documents.

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Councillor Hosmer asked if the property would revert back to the City if the buyer did not combine the newly acquired parcel with his existing parcel. City Manager John Pinkerton said it could. Councillor Ashley stated Anthony Ashley is not related to him.

The vote was:

CARRIED, AYES ALL

3. Mayor Nelson moved a resolution providing for public notice and public hearing with regard to a Local Law to amend the City Charter, and Councillor Skamperle seconded to wit:

RESOLUTION OF CITY COUNCIL
INTRODUCING A LOCAL LAW AND PROVIDING FOR PUBLIC NOTICE
AND PUBLIC HEARING

BE IT RESOLVED, that a public hearing be held by the Ogdensburg City Council on the proposed changes to the City Charter as requested by the Ogdensburg City Council, said public hearing to be held on November 10, 2014, at 7:00 pm in the City Council Chambers, City Hall, and

BE IT FURTHER RESOLVED, that the City Clerk is directed to publish notice of said hearing at least seven days before the date of said hearing in the official newspaper of the City of Ogdensburg.

AND BE IT FURTHER RESOLVED, that the City Clerk give notice of such public hearing by publication, in the official newspaper, at least seven days before the hearing date, of a notice setting forth the time and place and describing the proposed Local Law in summary form.

The vote was:

CARRIED, AYES ALL

4. Mayor Nelson moved a resolution providing for public notice and public hearing with regard to an ordinance to amend the Administrative Regulations, and Councillor Ashley seconded to wit:

RESOLUTION
INTRODUCING ORDINANCE # 13 FOR 2014

BE IT RESOLVED that proposed Ordinance # 13 of the year 2014 entitled:

Amendment to the Administrative Regulations of the City of Ogdensburg be and it hereby is introduced before the City Council of the City of Ogdensburg, NY, and

BE IT FURTHER RESOLVED that copies of the aforesaid proposed Ordinance be laid upon the desk of each member of the City Council, and

BE IT FURTHER RESOLVED, that the City Council hold a Public Hearing on said proposed Ordinance at the City Council Chambers at 7:00 pm on Monday, November 10, 2014, and

BE IT FURTHER RESOLVED that the City Clerk publish or cause to be published a public notice in the official newspaper of the City of Ogdensburg of said public hearing at least seven days prior thereto.

The vote was:

CARRIED, AYES ALL

5. Mayor Nelson moved a resolution providing for public notice and public hearing with regard to an ordinance to amend the Ogdensburg Municipal Code, and Councillor Hosmer seconded to wit:

RESOLUTION
INTRODUCING ORDINANCE # 14 FOR 2014

BE IT RESOLVED that proposed Ordinance # 14 of the year 2014 entitled:

Amendment to the Ogdensburg Municipal Code of the City of Ogdensburg be and it hereby is introduced before the City Council of the City of Ogdensburg, NY, and

BE IT FURTHER RESOLVED that copies of the aforesaid proposed Ordinance be laid upon the desk of each member of the City Council, and

BE IT FURTHER RESOLVED, that the City Council hold a Public Hearing on said proposed Ordinance at the City Council Chambers at 7:00 pm on Monday, November 10, 2014, and

BE IT FURTHER RESOLVED that the City Clerk publish or cause to be published a public notice in the official newspaper of the City of Ogdensburg of said public hearing at least seven days prior thereto.

The vote was:

CARRIED, AYES ALL

6. Mayor Nelson moved a resolution providing for public notice and public hearing with regard to the possible sale of City-owned property obtained by the City under Real Property Tax Sale Law, a 23' x 95' lot (Tax Map #48.078-4-30) located adjacent to 101-113 Lake Street, and Councillor Hosmer seconded to wit:

RESOLUTION OF CITY COUNCIL
PROVIDING FOR PUBLIC NOTICE AND PUBLIC HEARING
TO SELL CITY-OWNED PROPERTY OBTAINED UNDER
REAL PROPERTY TAX SALE LAW

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BE IT RESOLVED, that the City of Ogdensburg has received an offer to purchase City-owned Property, obtained by the City under Real Property Tax Sale Law, a 23' x 95' lot (Tax Map #48.078-4-30) located adjacent to 101-113 Lake Street, and

BE IT FURTHER RESOLVED, that the City Council shall hold a public hearing regarding the possible sale of City-owned property (Tax Map #48.078-4-30), in the Council Chambers in the City of Ogdensburg, New York, on Monday the 10th day of November, 2014, at 7:00 p.m., and

BE IT FURTHER RESOLVED that the City Clerk give notice of such public hearing by publication in the official newspaper at least seven (7) days before the hearing date of a notice setting forth the time and place and describing the proposed resolution in summary form.

The vote was:

CARRIED, AYES ALL

7. Councillor Hosmer moved a resolution authorizing the approval of a Time Warner Cable Northeast LLC franchise renewal agreement to provide cable television services through the City of Ogdensburg, and Councillor Stevenson seconded to wit:

A RESOLUTION AUTHORIZING APPROVAL OF A
FRANCHISE RENEWAL AGREEMENT WITH
TIME WARNER CABLE NORTHEAST LLC

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WHEREAS, an application has been duly made to the Board of the City of Ogdensburg, County of St. Lawrence, by Time Warner Cable Northeast LLC (“Time Warner Cable”), d/b/a Time Warner Cable, a limited liability company organized and existing in good standing under the laws of State of Delaware doing business at 120 Plaza Drive, Suite D, Vestal, New York 13850 for the approval of an initial agreement for Time Warner Cable’s cable television franchise for fifteen (15) years commencing with the date of approval by the Public Service Commission. The Franchise Renewal Agreement would bring the franchise into conformity with certain provisions of the Federal Cable Communications Policy Act of 1984, as amended, and certain court rulings,

WHEREAS, a public hearing was held at the City Hall, Ogdensburg, New York on February 24, 2014 at 7:00 p.m. and notice of hearing was published in the Ogdensburg Journal on February 14, 2014.

NOW THEREFORE, the Board of the City of Ogdensburg finds that:

1. Time Warner Cable has substantially complied with the material terms and conditions of its existing franchise and with applicable law; and
2. Time Warner Cable has the financial, legal and technical ability to provide these services, facilities and equipment as set forth in its proposal attached; and
3. Time Warner Cable can reasonably meet the future cable-related community needs and interests, taking into account the cost of meeting such needs and interests.

BE IT FURTHER RESOLVED that the Board of the City of Ogdensburg hereby grants the cable television franchise of Time Warner Cable in the City of Ogdensburg for fifteen (15) years commencing with the date of approval by the Public Service Commission and expiring fifteen (15) years hence.

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BE IT FURTHER RESOLVED that the Board of the City of Ogdensburg hereby confirms acceptance of this Franchise Renewal Agreement.

City Manager John Pinkerton said he reviewed the agreement to insure the City will receive the 5% fee when applicable. Mr. Pinkerton said Computel did a review of the City's gross receipts from Time Warner and found no discrepancies. Councillor Hosmer asked for the length of the agreement. Mayor Nelson said it is a 15 year agreement, but it is not an exclusive agreement. Mayor Nelson explained if we do not renew the agreement, Time Warner can still operate in the City. Councillor Morley said he is concerned with the length of the agreement because the service is terrible. Councillor Hosmer said he will not agree to more than a three year term.

Councillor Morley moved to amend the agreement to a three year term, and Councillor Skamperle seconded the motion.

The vote to amend the resolution was:

CARRIED, AYES ALL

The vote on the amended resolution was:

CARRIED, AYES ALL

OLD BUSINESS

1. Councillor Hosmer asked if the resolution for the sale of 1313 Ford Street is a result of opening the bids discussed at the last meeting. City Manager John Pinkerton said yes. Councillor Hosmer asked if the City can establish a policy on how property will be sold. Mr. Pinkerton explained a policy is currently being developed.

2. Councillor Hosmer asked if the DPW crews will be picking up lanes during the Fall pickup. City Manager John Pinkerton said yes.

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NEW BUSINESS

1. Councillor Skamperle said he received an email from a City business owner who is having a rough time with the Code Enforcement Office. City Manager John Pinkerton explained he is working on that matter with City staff.

2. Councillor Mitchell said the Council Update stated the City has 48 locations for amusement devices. Mayor Nelson explained some businesses have multiple devices and believes the Update should have stated 48 machines. Councillor Mitchell said most machines do not bring in enough revenue to cover the cost of the licensing. City Manager John Pinkerton said it is a topic that could be discussed at budget time.

3. Councillor Hosmer said he would like to see an Audit Committee formed. Councillor Morley suggested the committee be formed at the first meeting of the year.

ITEMS FOR DISCUSSION

1. City Manager John Pinkerton discussed the purchase of security cameras for Kids Kingdom. Mr. Pinkerton explained vandalism and complaints in the Greenbelt area have increased. Councillor Morley said three cameras will not cover the entire Greenbelt area and infrared cameras do not provide good pictures after dark. Councillor Stevenson said the resolution of pictures is important.

Police Chief Richard Polniak said it would be an advantage to have surveillance cameras with higher resolution and higher definition in the Greenbelt area because of the growing rate of incidents. Mayor Nelson asked if Homeland Security has any funding available for cameras. Chief Polniak said the Homeland Security cameras are only license plate recorders. Councillor Morley asked how the cameras would be paid for. Mr. Pinkerton said he is looking for feedback and a consensus from Council to investigate this option before addressing the budgeting issue.

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Recreation Director Matthew Curatolo said the fixed cameras have very high resolution and could act as a deterrent. Councillor Ashley asked if it is possible for a demo to be set up for Council to review the camera resolution. Mr. Curatolo said he will request a demo. Councillor Skamperle asked if any local communities already have this type of system set up. Mr. Curatolo said he believes the Village of Massena has cameras.

Councillor Stevenson said she would like to see an estimate for cameras for the entire Greenbelt area with divided zones so Council could be selective if trimming the cost became necessary. Councillor Stevenson said she would also like to see a report of vandalism and repair costs over the past two to three years.

There was a consensus of Council to investigate this possibility by checking with Massena and other communities to see if they have a similar surveillance system; exploring the cost of a larger package with zoom and motion sensor features; and, preparing a report showing the incidents of vandalism and associated repair costs for the past two to three years.

2. City Manager John Pinkerton said Director of Planning and Development Andrea Smith had requested the availability of Council for a Town Hall Meeting on the Adaptive Reuse District (ADR). Mr. Pinkerton said November 6th at 7pm seemed to be the best available date, but Mayor Nelson, Councillor Morley and Councillor Mitchell said they would be unable to attend on that date. Ms. Smith explained she would be happy to schedule a public meeting for those who can attend to keep the matter moving forward. Ms. Smith said she would prefer not to put this off for two months. Mr. Pinkerton said they will advise Council and the public of the scheduled meeting date, time and location.

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

