

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

PRESENT: Mayor Skelly, Councillors Dillabough, Fisher,
Kennedy, Powers, Rishe and Skamperle

ABSENT: None

PUBLIC HEARING

1. A public hearing regarding an ordinance to amend the Official City Map to dissolve a portion of Paper Cherry Street generally described as being 60' in width and 690' in length between Lake Street and the Maple City Trail tax map parcel 59.022-4-58.1 was held. No one being present to speak, the hearing was declared closed.

2. A public hearing regarding an ordinance amending Article II entitled Personnel Policies and Procedures §AR-17 entitled Procedures of City Council Meetings of the Administrative Regulations of the City of Ogdensburg was held. No one being present to speak, the hearing was declared closed.

PERSONAL APPEARANCE

1. Michael Tooley addressed Council regarding the 2021 budget. Mr. Tooley said Councillor Rishe had suggested funding be allocated for grant writing purposes and questioned if that was included in the budget. Mr. Tooley said the current City Manager had made statements indicating that the prior Council cooked the books. Mr. Tooley explained the previous Council may have been legally advised to leave the accounts showing on the books, and he does not believe the prior Council intended to deceive anyone. Mr. Tooley said the City Manager's response for not sharing information from the City attorney was because it is attorney client privilege. Mr. Tooley explained the City is the client, and the entire governing body should receive information from the City attorney.

2. David Price addressed Council and read a prepared statement. (A copy of his prepared statement follows these minutes.)

CONSENT AGENDA

Mayor Skelly moved that the claims as enumerated in General Fund Warrant #21-2020 in the amount of \$427,300.41 and Library Fund Warrant #21-2020 in the amount of \$0.00 and Capital Fund Warrant #21-2020 in the amount of \$110.00 and Community Development Fund Warrant #21-2020 in the amount of \$0.00 and Community Renewal Fund Warrant #21-2020 in the amount of \$0.00 as audited, be and the same are ordered paid and Councillor Dillabough seconded the motion.

The vote was:

CARRIED, AYES ALL

ITEMS FOR COUNCIL ACTION

1. Councillor Powers moved an ordinance to amend the Official City Map to dissolve a portion of Paper Cherry Street generally described as being 60' in width and 690' in length between Lake Street and the Maple City Trail tax map parcel 59.022-4-58.1, and Mayor Skelly seconded to wit:

ORDINANCE #__ of 2020
ORDINANCE AMENDING THE OFFICIAL MAP
OF THE CITY OF OGDENSBURG

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

ITEM ONE: Amendment of Official City Map.

The Official City Map of Ogdensburg is hereby amended as follows:

ALL THAT TRACT OR PARCEL OF LAND situate in and being a portion of the undeveloped right of way of Cherry Street, lying easterly of Lake Street and westerly of the Maple City Trail in the City of Ogdensburg, County of St. Lawrence and State of New York being more particularly bounded and described as follows:

BEGINNING at an iron rod with cap marked "Webb-Wilhelm" found in the apparent easterly boundary of Lake Street at the southwesterly corner of Block Number 281, lands now or formerly of United Helpers Intermediate Care Facilities, Inc. (Liber 1057 Page 717) and running;

Thence South 01 degrees 36 minutes 55 seconds East along the easterly boundary of Lake Street a distance of 63.53 feet to an iron rod set at the northwesterly corner of Block 284, lands now or formerly of Timothy A. & Katie E. Lalonde (Inst: 2018-11174);

Thence North 69 degrees 11 minutes 19 seconds East along the northerly boundary of said lands now or formerly of Timothy A. & Katie E. Lalonde (Inst: 2018-11174), and along the northerly boundary of Block 284 a distance of 373.34 feet to an iron rod set;

Thence North 69 degrees 11 minutes 19 seconds East continuing along the northerly boundary of said lands now or formerly of Timothy A. & Katie E. Lalonde (Inst: 2018-11174), and across a former 50' right of way known as Nevin Street a distance of 49.78 feet to an iron rod set;

Thence North 69 degrees 11 minutes 19 seconds East continuing along the northerly boundary of said lands now or formerly of Timothy A. & Katie E. Lalonde (Inst: 2018-11174), and along the northerly boundary of Block 283 a distance of 280.96 feet to an iron rod set in the westerly boundary of the Maple City Trail, lands now or formerly of the City of Ogdensburg (Liber 1038 Page 164);

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Thence North 36 degrees 28 minutes 24 seconds West along the westerly boundary of the Maple City Trail, lands now or formerly of the City of Ogdensburg (Liber 1038 Page 164) a distance of 62.31 feet to an iron rod set;

Thence South 69 degrees 11 minutes 19 seconds West along the southerly boundary of Block Number 282, lands now or formerly of United Helpers Intermediate Care Facilities, Inc. (Liber 1057 Page 717) a distance of 264.19 feet to an iron rod found;

Thence South 69 degrees 11 minutes 19 seconds West along the southerly boundary of lands now or formerly of United Helpers Intermediate Care Facilities, Inc. (Liber 1057 Page 715), and across a former 50' right of way known as Nevin Street a distance of 49.91 feet to an iron rod found;

Thence South 69 degrees 11 minutes 19 seconds West along the southerly boundary of Block Number 281, lands now or formerly of United Helpers Intermediate Care Facilities, Inc. (Liber 1057 Page 717) a distance of 352.27 feet to the Point of Beginning.

Containing 0.94 acres or 41,113.7 square feet of land more or less as surveyed by Richard D. Jacobs II L.S. 050588 during the month of December, 2020. All bearings as referenced herein are referenced to RTK GPS observations on the date of the aforementioned survey.

Being and intending to describe an undeveloped portion of Cherry Street lying between Blocks 281, 282, 283, and 284 of the City of Ogdensburg.

TOGETHER WITH AND SUBJECT TO ANY EASEMENTS, EXCEPTIONS, RIGHTS, PRIVILEGES, OBLIGATIONS, COVENANTS, AND CONDITIONS OF RECORD.

ITEM 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.

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Councillor Skamperle said when the dissolution was first discussed, a 30' right-of-way was recommended so the City wouldn't give up the right for stormwater drain off. Director of Planning and Development Andrea Smith said the 30' right-of-way was not included in the prepared survey. Mayor Skelly said when the City sells the property the 30' right-of-way could be addressed. Ms. Smith said that was correct, but the survey would need to be amended. Ms. Smith described the entire process, explaining the Planning Board reviews the request and makes a recommendation to Council. Councillor Fisher said he attempted to find out why the Planning Board did not recommend the dissolution and was able to speak with some members of the Planning Board. Councillor Fisher said some members still do not believe it is a good idea to dissolve the paper street because eventually the area will be developed. Councillor Fisher said the Planning Board said no, and the DPW Director said no. Councillor Fisher explained some people are comparing this property to the property of Proctor Avenue, but said this property is different because there is definitely a possibility it will be developed. Councillor Fisher said he will not support the proposal to dissolve the paper street, and Councillor Skamperle agreed.

Ms. Smith explained when the proposal was initially placed on the agenda, Council received the minutes from the Planning Board. Ms. Smith said the Planning Board's main concern was whether or not the proposed dissolution would prohibit future development in the area. Ms. Smith explained the dissolution would not landlock any parcel, and two adjacent parcels have the ability to be subdivided. Ms. Smith said there are no development plans that she is aware of but noted dissolution will hinder future development because there would not be road frontage. Councillor Fisher said he tried to research the Planning Board minutes, but they had not been added to the website. Ms. Smith thanked Councillor Fisher for bringing that to her attention. Ms. Smith said the minutes had been filed in the City Clerk's office as required, and she would upload them to the City website the next day. Councillor Powers said he has the same concerns as Councillor Fisher and Councillor Skamperle. Councillor Powers explained he also spoke with members of the Planning Board who have not budged from their original position.

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Councillor Rishe said he would be interested in hearing from the engineer and the Development Authority of the North Country regarding potential future development in that area. Mayor Skelly said Council will need to look at the possibility of a stormwater system and include stipulations for that.

Councillor Rishe made a motion to table the ordinance, and Councillor Dillabough seconded the motion.

The vote to table the ordinance was:

AYES: Councillors Dillabough, Fisher, Kennedy,
Powers, Rishe and Skamperle

NAYS: Mayor Skelly

CARRIED, 6 TO 1

2. Mayor Skelly an ordinance amending Article II entitled Personnel Policies and Procedures §AR-17 entitled Procedures of City Council Meetings of the Administrative Regulations of the City of Ogdensburg, and Councillor Fisher seconded to wit:

ORDINANCE #17 OF 2020
ORDINANCE TO AMEND ADMINISTRATIVE REGULATIONS
ARTICLE II, PERSONNEL POLICIES AND PROCEDURES

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

ITEM ONE:

That Article II, Section AR-17(C)3.1 is hereby deleted in its entirety and replaced with the following:

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- 3.1 Regular meeting. The Council shall meet in the City Council Chambers for regular, adjourned and special meetings. The regular Council meetings are to commence at 6:00 p.m., on the second and fourth Monday of each month, except in the month of December when regular Council meetings shall be held on the first and second Monday of the month.

ITEM 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.

Councillor Powers said a 6:00 pm start time for meetings would be difficult, and Councillor Skamperle agreed. Councillor Powers said he does not have a set schedule and is opposed to the change. Councillor Fisher said he thought all members of Council were agreeable to the change when it was first brought forward. Councillor Powers said he was not agreeable then either. Councillor Skamperle said he was not agreeable and even voted against the public hearing. Councillor Kennedy said she was contacted by members of public who expressed concerns because some people work until 6:00 pm. Councillor Kennedy said between ten and twelve people contacted her to express displeasure. Councillor Fisher said he was not contacted by anyone who was concerned about the change. Councillor Fisher explained the meetings sometimes go very late, and it seems like a good idea to get started earlier. Councillor Kennedy said personally neither 6:00 pm nor 7:00 pm are a big deal for her, but she planned to vote for how the taxpayers asked her to vote.

The vote was:

AYES: Mayor Skelly, Councillors Dillabough, Fisher and Rishe

NAYS: Councillors Kennedy, Powers and Skamperle

CARRIED, 4 TO 3

3. Mayor Skelly moved a resolution to establish the official newspaper for the publication of local law notices and other matters required by law to be published by the City of Ogdensburg for 2021, and Councillor Dillabough seconded to wit:

RESOLUTION DESIGNATING THE
2021 OFFICIAL NEWSPAPERS

BE IT RESOLVED, that the Ogdensburg City Council hereby designates the following newspapers as the official newspapers for the publication of local law notices and other matters required by law to be published by the City of Ogdensburg for 2021:

Watertown Daily Times

North Country This Week

The vote was:

CARRIED, AYES ALL

4. Mayor Skelly moved a resolution authorizing the City Manager to enter into an agreement between the City of Ogdensburg and the Ogdensburg Bridge and Port Authority for security services at the Ogdensburg International Airport through the Police Department, and Councillor Fisher seconded to wit:

RESOLUTION AUTHORIZING THE CITY MANAGER
TO EXECUTE AN AGREEMENT BETWEEN
THE CITY OF OGDENSBURG AND THE
OGDENSBURG BRIDGE AND PORT AUTHORITY

WHEREAS, the Ogdensburg Bridge and Port Authority and the City of Ogdensburg wish to execute a security services agreement for the Ogdensburg International Airport, and

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WHEREAS, the Ogdensburg Bridge and Port Authority subcontracts security services to the Ogdensburg Police Department with full reimbursement for these services accruing to the City of Ogdensburg,

NOW, THEREFORE, BE IT RESOLVED, the City Manager is hereby authorized to execute the attached agreement between the City of Ogdensburg and the Ogdensburg Bridge and Port Authority for security services for the Ogdensburg International Airport.

City Manager Stephen Jellie explained the proposal is a three-year agreement at an annual rate of \$185,000 billed monthly with payments to be made within sixty days. Mr. Jellie said it will fund two positions at the Police Department. Ogdensburg Bridge and Port Authority Chairperson Sam Burns said OBPA has always considered the City as partners with the same mission. Mr. Burns said OBPA received numerous compliments on the Police Officers on duty at the airport. Mr. Burns explained in the past OBPA representatives have attended Council meetings to provide Council with updates, but COVID-19 has prevented that from happening this year. Mr. Burns said with the border being closed bridge traffic is down 95%, and OBPA is losing \$160,000 to \$180,000 per month. Mr. Burns reviewed the airport costs for Council, adding the airport is also losing money. Mr. Burns explained OBPA has some financial issues because the border is closed, noting OBPA paid for hours not used in 2020 because of the contract. Mr. Burns said he simply hoped Council and public would understand it costs OBPA a lot of money to operate the airport. Mayor Skelly said it is unfortunate what OBPA is going through, adding a lot of communities are experiencing the same. Mayor Skelly said State aid is going to be cut. Councillor Powers said there has been no official word that State aid will be cut. Councillor Fisher said the announcement was made today that 20% of State aid would be cut. Councillor Powers said if Federal aid is not received the cut may be more than 20%. Councillor Fisher said the Governor said even if Federal aid is received, State aid will be cut and taxes will also be raised.

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Councillor Skamperle asked if OBPA is making a different proposal and asked Mr. Burns or OBPA Executive Director Steve Lawrence to clarify. Mr. Lawrence said the proposal is the same, but the environment is different. Mr. Lawrence explained OBPA is being asked to pay on the same level of services received last year, but the volume at the airport is not the same. Mr. Lawrence said OBPA would not need the airport security for all of the hours because there are reduced flights. Mayor Skelly said Mr. Lawrence made a valid point, but the City is in a bind to keep the police force intact. Councillor Skamperle asked if more time was needed to renegotiate the agreement. Mr. Burns explained the contract expires at the end of the month, and OBPA needs the contract to move forward. Mayor Skelly said Council would vote to give OBPA an extension if needed. Mr. Burns explained the dollar amount comes out the same, but he just wanted to make sure Council understands OBPA's revenue comes from different sources. Mr. Burns said OBPA has financial concerns going into 2021. Mayor Skelly said he understood.

The vote was:

AYES: Mayor Skelly, Councillors Dillabough, Fisher, Kennedy, Powers and Skamperle

NAYS: None

ABSTAIN: Councillor Rishe

CARRIED, 6 TO 0

5. Councillor Fisher moved a resolution to extend the expiration date of the term of members of all Boards and Commissions with a term set to expire on December 31, 2020, and Mayor Skelly seconded to wit:

A RESOLUTION TO EXTEND THE EXPIRATION DATE OF THE TERM OF
MEMBERS OF ALL BOARDS AND COMMISSIONS WITH
A TERM SET TO EXPIRE ON DECEMBER 31, 2020.

WHEREAS, City Council is responsible for making appointments to all City Boards and Commissions, and

WHEREAS, there are some terms which are set to expire on December 31, 2020, and

WHEREAS, City Council would like time to review all appointments.

NOW, THEREFORE, BE IT RESOLVED, that the City Council hereby extends the term of the members of all Boards and Commissions set to expire on December 31, 2020 until January 31, 2021.

Councillor Skamperle questioned the purpose of the resolution. City Manager Stephen Jellie said the upcoming vacancies are Council approved. Mr. Jellie explained he wanted time to provide an overview as requested by some members of Council so Council members can make appointments as Council sees fit. Mr. Jellie said he believes it is important with four new members of Council that all committees, boards and commissions be reviewed to make sure the makeup is representational of what Council wants.

The vote was:

AYES: Mayor Skelly, Councillors Dillabough, Fisher and Rishe

NAYS: Councillors Kennedy, Powers and Skamperle

CARRIED, 4 TO 3

OLD BUSINESS

1. Councillor Skamperle said he wanted to discuss the Fire Department. Councillor Skamperle questioned what the plan is. Councillor Skamperle said now that the budget has passed, seven men will be lost and questioned when the layoffs will transpire. Councillor Skamperle questioned what the plan will be for fighting fires and asked if mutual aid agreements are in place. Councillor Skamperle questioned if any members of the Fire Department will be retiring. City Manager Stephen Jellie said some of the topics questioned are for Executive Session, and a special meeting could be held before the end of the year to discuss those issues. Mr. Jellie said there is an existing mutual aid agreement with St. Lawrence County, and the department will continue fighting fires the same as always. Mr. Jellie explained a memo had been issued to the Assistant Fire Chiefs to adjust staffing levels to four. Mr. Jellie said he hopes Local 1799 comes to sit down and talk to avoid layoffs. Mr. Jellie said he does not agree with the figures proposed by the Fire Department. Mr. Jellie explained the Fire Department has the highest average salary in the City plus an added EMT stipend. Mr. Jellie said the City has to reduce the size of the organization. Mr. Jellie explained the proposals from the Fire Department could have come to the City sooner and encouraged the Fire Department to come to the table and think of solutions. Councillor Powers said the agreement with the County will end up costing the City more, adding the Fire Department has mandates for staffing levels. Councillor Powers said the reductions will have a significant negative impact to the Hazmat team and first responders, adding Unit 1 needs to be rehabilitated. Councillor Powers said in his opinion the plan is negligent. Mr. Jellie said the City could have bought a fire truck in the past but did not budget for it. Mr. Jellie said the City did not invest anything in the Fire Department other than for salaries.

2. Councillor Kennedy said there was an incident at City Hall and asked to view the video. Councillor Fisher said he does not believe anyone can have the video because the State Police are investigating the incident. Councillor Kennedy said she was not referring to the incident with the Mayor, adding she was referring to an incident when Captain Mack was reprimanded.

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City Manager Stephen Jellie said Captain Mack was not reprimanded, adding Captain Mack was presented with a Notice of Charges, and there was an open investigation. Mr. Jellie said he will check with the City Attorney to determine if the video can be released. Councillor Kennedy questioned if the video was subject to FOIL and if Council members needed to file a FOIL request.

3. Councillor Rishe asked for a status on the Police Reform policy. City Manager Stephen Jellie said the key stakeholder's group will convene after the first of the year, and the mid-April deadline will be met.

NEW BUSINESS

1. Councillor Kennedy asked if the City could do signups for members of the community who wish to address Council in person at Council meetings, similar to what is being done for ice use at the Lockwood Arena. Councillor Kennedy said she was proposing people could sign up in advance, be given a time to arrive, address Council and then immediately leave. Councillor Powers said he would support that proposal. Mayor Skelly said he wasn't sure because several members of Council are participating from home. Councillor Kennedy said she would be more than willing to attend in person if citizens were permitted to sign up to speak. Councillor Rishe said it would be a safety issue. Mayor Skelly said City Hall may end up being closed to the public completely. Councillor Kennedy asked if it would be possible to do it while City Hall remained opened. Councillor Fisher said the public's opportunity to speak has never been taken away. Councillor Kennedy said some people like to be heard and look people in the eye when addressing them. Councillor Kennedy said she didn't believe it was appropriate to be doing signups for skating but not for meetings at City Hall. Councillor Fisher said he did not believe skating was a good idea either. Councillor Fisher said City Hall may soon become by appointment only. Mayor Skelly said it could not be done at this time. Councillor Skamperle suggested if it was not possible that citizens be permitted to speak.

CITIZEN PARTICIPATION

1. Molly Sargent addressed Council explaining that she and her husband were natives of Ogdensburg. Mrs. Sargent said Ogdensburg is now a joke and making Watertown look good. Mrs. Sargent said where else can you find a Mayor who is suing the municipality that he governs. Mrs. Sargent described Mayor Skelly's recent media statement, and said City Manager Stephen Jellie is not qualified to be City Manager. Mayor Skelly advised Mrs. Sargent that the time limit for her Citizen Participation had expired. Mrs. Sargent said she was not finished. Mayor Skelly instructed City Clerk Cathy Jock to terminate Mrs. Sargent's remote access to speak.

2. Michael Tooley addressed Council regarding the Charter Review Commission and explained the process to amend the Charter.

3. David Price addressed Council and said it is much different when people speak in person. Mr. Price said in person speaking by citizens cannot be disconnected. Mr. Price said Council is denying citizens the opportunity to speak, adding it is not a democracy.

4. Allen Rickett addressed Council regarding contract negotiations at the Fire Department. Mr. Rickett explained the contracts were finalized in November 2019, and the goal was to reach 24 positions. Mr. Rickett said the goal to reach 20 positions was never mentioned. Mr. Rickett said the contracts were negotiated in good faith, and Council has now voted to violate the contracts.

5. Scott McRoberts addressed Council explaining Council is limiting participation by citizens by moving the meeting start time to 6:00 pm. Mr. McRoberts said some members of Council as well as citizens expressed concerns over the change. Mr. McRoberts said Mayor Skelly screamed in the middle of a Council meeting last Fall, adding it was from the audience and not during personal appearances. Mr. McRoberts questioned who was leaking information to the press regarding the potential firing of employees.

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6. Brian Mitchell addressed Council regarding the City Manager's duties. Mr. Mitchell explained the website outlines the City Manager's duties and suggested those duties be reevaluated. Mr. Mitchell said the public update has become Facebook, but most of the City is blocked. Mr. Mitchell asked Mayor Skelly to unblock him on Facebook.

7. Jason Bouchard addressed Council regarding citizens being silenced. Mr. Bouchard said he wished members of Council would not silence people and would give people a chance to talk. Mr. Bouchard said the City was able to open the pool and the arena. Mr. Bouchard said people should be able to go to City Hall, address Council and then leave.

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

David Price Statement – December 14, 2020 Council Meeting

The actions taken by council since January 2020, have been contrary to economic common sense, and contrary to what the citizens voted for a year ago November.

This council wants us only to pay attention to our high tax rate, while ignoring the other economic factors which determine your taxes. They're trying to address the symptoms, without treating the disease.

The nearest city, Watertown, has a tax rate of \$9/1000 of assessed value, while Ogdensburg has a tax rate of \$19/1000. Those numbers seem way out of whack and they are the only numbers the current council wants you to focus upon. However, there is more to the property tax formula. The average property value in Watertown is \$126,600 and Ogdensburg's is \$69,900. So the average taxpayer in Watertown pays about \$1134 per year and the average taxpayer in Ogdensburg pays about \$1328. Roughly the same for the similar services provided in a city. So, our real problems are obvious, our property values are low, and we have too many tax exempt properties. So how does cutting positions and taking away services help those problems? It doesn't. In fact, the council's actions since January only serve to lower our property values. That will lead to a higher tax rate. This council will point to a budgeted reduction in the tax levy by 10% in 2021 as proof that they are helping the citizens. However, because they have cut city services, you are actually paying a little less to receive a lot less for your money. It's like the cable company saving you money by switching you to a plan with half the channels. By violating NYS Taylor Laws in violating contracts, this council's actions will cost the taxpayers way more in the near future. It just doesn't make economic sense.

In November 2019, the voters believed that they were voting for people who would lower their taxes, without cutting city employee positions. The voters were told, heard, and read that the people holding these jobs were our family, friends, and neighbors who would have increased job protection under new leadership. Because of those promises, new councillors and a mayor were elected. As we review the actual outcomes of the first year of leadership under a new regime, we see an entirely different picture than that which was promised. The entire parks and rec department has been destroyed, we no longer have a comptroller, a fire chief, or assessor. The police department has lost officer positions, as well as dispatchers. The fire department is being decimated by a loss of 7 positions, and is facing the threat to fire two more. A competent, qualified city manager was pushed out for conducting city business with integrity. Job security indeed! Everyone would like to spend less money in taxes, but not at the expense of our services. What this regime has done to the voters of this city, is called bait and switch in the world of business. Promise the world to get you to buy in, then steamroll you once you're there. It's shameful, and will only hasten our downward economic spiral. When lawsuits are brought to seek a lower tax assessment on an apartment complex, they don't reduce the tax burden, they shift it to other taxpayers. Is that what you voted for?

I won't use the remaining time to wait for answers to questions. It's become clear to all of us that it's not that you won't answer them, it's simply that you don't know the answers.