

CITY COUNCIL MEETING

March 12, 2012

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

PRESENT: Councillors Ashley, Cilley*, Morley,
Skamperle, Hosmer and Stevenson

ABSENT: Mayor Nelson

Deputy Mayor Morley advised that Mayor Nelson is in Washington, DC and will return for the next meeting. There was a consensus of Council to excuse Mayor Nelson.

PRESENTATION

1. Andrea Smith, Planning & Development Program Manager, made a presentation to City Council regarding the options for advancing the City's Economic Development Study. Ms. Smith stated that on September 12, 2011 City Council allocated \$35,000 to fund research for the Economic Development Study with an 18 month plan and a 5 year long-term business plan. Ms. Smith advised Council that she prepared a memo to Interim City Manager Philip Cosmo outlining three options, adding she doesn't believe the City needs to spend the full \$70,000. (A copy follows these minutes.)

*Councillor Cilley left at this point in the meeting.

Ms. Smith explained option #1 is to perform a complete economic and market trend analysis study as required by BOA and explained the pro's and con's of this option. Ms. Smith stated option #2 is to revise the research agreement with Clarkson to include the BOA requirements and explained the pro's and con's of option #2. Ms. Smith stated the final option available is option #3 which would conduct two separate studies. Ms. Smith explained the pro's and con's of this option also.

Ms. Smith stated she recommends option #1 but requested direction from Council on how to proceed.

Deputy Mayor Morley suggested discussing this matter when Mayor Nelson and Councillor Cilley could be present.

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Interim City Manager Philip Cosmo suggested matters be combined for discussion at one meeting. Ms. Smith advised the matter has already been delayed, adding it will take approximately six months for the study to be completed.

Councillor Skamperle questioned if there is a connection between this study and the Governor's plan. Ms. Smith advised there may have been a connection and it could be a way to forge a relationship with the Governor, but it was the former City Manager's plan, not hers. Councillor Skamperle asked if there is a October 31st deadline. Mr. Cosmo advised the plan was to do both surveys under the same budget. Mr. Cosmo added the plan was not to complete the entire project with the \$35,000 BOA funds. Ms. Smith stated the next round has not yet been announced and it is not possible to have this study completed by then. Ms. Smith added it will help us in the future when it is completed. Ms. Smith also advised that by revising the plan with Clarkson, we will spend less money, receive the product quicker, and move to the next step sooner. Ms. Smith stated she recommends option #1, but believes Council should hold a work session meeting for more information. Mr. Cosmo stated he will have his secretary contact Council to set up this meeting. Councillor Hosmer asked if the City's \$35,000 contribution has been budgeted, and Mr. Cosmo said yes.

PERSONAL APPEARANCE

1. Joe Cosentino, 612 Lee Road, addressed Council regarding the formation of a new veterans group which includes members from Massena to Ogdensburg. Mr. Cosentino stated this group was named Operation Veterans, and was formed to assist veterans with various problems and obstacles. Mr. Cosentino advised Council that they want to recommend using the St. Lawrence Psychiatric Center, Pritchard Building, for a veterans hospital. Mr. Cosentino added they would also like the old St. Joseph's Nursing Home on Lafayette Street to be made into a long-term veterans care facility.

Lawrence Caufield, 503 Elizabeth Street, added that the group intends to keep Council informed and offer open communication. Mr. Caufield stated the group's mission is to raise awareness of the needs and concerns of all veterans, adding the group is just getting started and asking for support.

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2. Patricia Biggs, a Canton resident, addressed Council regarding the City's hiring process and passed out a packet she prepared to Council. Deputy Mayor Morley reminded Mrs. Biggs that her issue with James O'Neil of C.W. Augustine, Inc. is not with the City. Deputy Mayor Morley advised that Council will review the packet Mrs. Biggs prepared. (A copy of this informational packet follows these minutes.)

3. Fred Biggs a Canton resident, addressed Council regarding the City's housing program. Mr. Biggs advised that he received a copy of the City's contract with C.W. Augustine, Inc. following his recent FOIL request, and asked if Council had read that contract. Deputy Mayor Morley noted Council had no knowledge of the contract signed by the previous City Manager. Mr. Biggs questioned if the City Attorney had reviewed the contract, and Interim City Manager Philip Cosmo responded he was not aware if the City Attorney had reviewed the contract. Mr. Biggs referred to paragraph G of the contract, specifically the portion which indicates the City would provide legal representation to C.W. Augustine, Inc. Deputy Mayor Morley advised that all employees receive legal coverage for acts performed while on the job. Mr. Biggs asked Council to make all of the 819 Knox Street and 2 Grove Street NSP files available to the public. Deputy Mayor Morley advised that Councillor Ashley previously requested a breakdown of all expenses for these projects from C.W. Augustine, Inc., and has not received them. Mr. Cosmo advised he would follow-up on that request. Councillor Hosmer added he has not seen the actual costs.

4. Wayne Ladouceur, VIP Productions, addressed Council regarding Time Warner's airing of Council meetings. Mr. Ladouceur informed Council that the meetings are aired four times per week, on Wednesdays and Fridays at noon and 7 p.m. Councillor Stevenson added that the airing times are now listed on the City's website. Mr. Ladouceur explained that he spoke with a local Time Warner representative who agreed to run the meetings for an extra week. Mr. Ladouceur stated that they also agreed to list the airing schedule on their schedule of events. Mr. Ladouceur suggested announcing the airing times in the Journal Newspaper.

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Interim City Manager Philip Cosmo said he met with a production company that does web streaming and that company is putting some options together. Mr. Cosmo explained that some conversion may be necessary due to space limitations, but the cost will be a deciding factor. Mr. Cosmo advised we are also looking at purchasing more space with the current website company.

CONSENT AGENDA

Deputy Mayor Morley moved that the claims as enumerated in General Fund Warrant #5-2012 in the amount of \$456,602.57 and Library Fund Warrant #5-2012 in the amount of \$21,285.17 and Capital Fund Warrant #5-2012 in the amount of \$0.00 and Community Development Fund Warrant #5-2012 in the amount of \$7,528.78 and Community Renewal Fund Warrant #5-2012 in the amount of \$1,148.80 and HOME Fund Warrant #5-2012 in the amount of \$2,061.58 and AHC Funds Warrant #5-2012 in the amount of \$0.00, RESTORE Program Warrant #5-2012 in the amount of \$0.00 and NSP Funds Warrant #5-2012 in the amount of \$0.00 and NY Main St. Program Warrant #5-2012 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

APPOINTMENTS

1. Deputy Mayor Morley moved to appoint Kevin J. Wilder to the Zoning Board of Appeals for a 3-year term to expire 12/31/2014, and Councillor Ashley seconded the motion.

The vote was:

CARRIED, AYES ALL

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2. Deputy Mayor Morley moved to appoint Misty Smith to the Zoning Board of Appeals for a 3-year term to expire 12/31/2014, and Councillor Hosmer seconded the motion.

The vote was:

CARRIED, AYES ALL

ITEMS FOR COUNCIL ACTION

1. Deputy Mayor Morley moved a resolution appointing an Interim Director of Planning & Development, effective March 12, 2012, and Councillor Ashley seconded to wit:

**RESOLUTION TO APPROPRIATE FUNDS FOR THE INTERIM
DIRECTOR OF PLANNING & DEVELOPMENT POSITION**

WHEREAS, a vacancy in the position of Director of Planning & Development exists, and

WHEREAS, the City Manager desires to appoint an Interim Director of Planning & Development up to and until the effective appointment date of a new Director of Planning & Development, and

WHEREAS, a stipend of \$8,000 is required,

BE IT FURTHER RESOLVED, that funds to accommodate said stipend be appropriated from the General Fund Contingency Account.

Councillor Hosmer noted Ms. Smith is doing two jobs now. Deputy Mayor Morley agreed and stated this is well deserved.

The vote was:

CARRIED, AYES ALL

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2. Councillor Hosmer moved a resolution authorizing the NYSDOT to utilize Fine Street as a detour while replacing the concrete bridge deck on NYS Route 37 over NYS Route 812, and Councillor Stevenson seconded to wit:

RESOLUTION

WHEREAS, the New York State Department of Transportation proposes to replace the concrete decks on BIN 1023830, NYS Route 37 over NYS Route 970E in St. Lawrence County. The project begins on NYS Route 37, 50 feet west of the west bridge joint and ends 50 feet east of the east bridge joint, and

WHEREAS, in conformance with Section 104 and Section 10, Subdivision 19 of the New York State Highway Law, the New York State Department of Transportation proposes to utilize the following roads as a detour during the period from the summer of 2012 to the fall of 2012 or from the spring of 2013 to the fall of 2013: from westbound NYS Rte 37, proceeding to NYS Rte 970E via the NYS Rte 37 westbound ramp to NYS Rte 970E and a temporary ramp, approximately 1,280 feet, proceeding northbound on NYS Rte 970E, approximately 950 feet, to Fine Street, proceeding westbound on Fine Street, approximately 730 feet, to the ramp for NYS Route 37 and proceeding to westbound NYS Route 37, approximately 350 feet. The following describes the detour for eastbound NYS Rte 37: from eastbound NYS Rte 37, proceeding to Fine Street via a temporary ramp from, approximately 350 feet, proceeding eastbound on Fine Street, approximately 730 feet, to NYS Rte 970E, proceeding southbound on NYS Rte 970E, approximately 975 feet, to the ramp for NYS Rte 37, proceeding to eastbound NYS Rte 37, approximately 1335 feet. Two temporary traffic signals will be installed one at the intersection of Fine Street and NYS Rte 970E and the other at the end of the ramp where eastbound NYS Rte 37 intersects NYS Rte 970E, and

WHEREAS, the New York State Department of Transportation will erect and maintain detour signs, and

NOW, THEREFORE BE IT RESOLVED, that the City Council of the City of Ogdensburg City hereby authorizes the New York State Department of Transportation to utilize the above mentioned Fine Street as a detour and maintains

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traffic on them in accordance with subsection 619 of its Standard Specifications during the period of necessity;

BE IT FURTHER RESOLVED: that the City of Ogdensburg will continue to provide routine maintenance on the section of the detour that is under maintenance jurisdiction of the City of Ogdensburg, including snow and ice control;

AND BE IT FURTHER RESOLVED: that the Clerk of the City Council of the City of Ogdensburg is hereby directed to transmit five (5) certified copies of this resolution to:

New York State Department of Transportation
317 Washington Street
Watertown, NY 13601
Attn: Brian A. Baxter, P.E.

Interim City Manager Philip Cosmo explained that the project is scheduled for this year and is expected to last one season. Councillor Stevenson added it is good that traffic signals will be installed for pedestrians.

The vote was:

CARRIED, AYES ALL

3. Councillor Skamperle moved a resolution authorizing the City Manager to sign an amendment to the Cooperative Liquid Asset Securities System Municipal Cooperation Agreement, and Councillor Hosmer seconded to wit:

A RESOLUTION AUTHORIZING THE CITY MANAGER TO SIGN AN
AMENDMENT TO THE COOPERATIVE LIQUID ASSET SECURITIES
SYSTEM MUNICIPAL COOPERATION AGREEMENT

WHEREAS, the City of Ogdensburg is currently a participant of the NYCLASS program;

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WHEREAS, the City of Ogdensburg has been notified of an amendment to the Cooperation Agreement governing NYCLASS which reflects that the Village of Potsdam will become the new Lead Participant and provides for changes to the Investment Advisor from time to time as determined by the Governing Board of NYCLASS (the form of such Amendment which is attached hereto);

WHEREAS, the City Manager recommends that the City Council approve an Amendment to the Cooperative Liquid Assets Securities System Municipal Cooperation Agreement, in which certain terms are modified to reflect the change in the Lead Participant and Investment Advisor for the program.

NOW, THEREFORE BE IT RESOLVED, that the City Council of the City of Ogdensburg does hereby authorize the City Manager to execute the amendment.

Interim City Manager Philip Cosmo explained that idle funds have been pooled into this portfolio account for the past twenty years by St. Lawrence schools and municipalities to give it a better return on their money and allow day to day access to those funds. Mr. Cosmo explained that an amendment is necessary to change the investment company managing the account and the Village of Potsdam is now being appointed as the lead participant for the account. Mr. Cosmo added the City has removed most of its funds from the account, but still have \$500,000. in it and should not close it out completely. Mr. Cosmo explained that the City will never lose its investment and the principal is always secure.

The vote was:

CARRIED, AYES ALL

OLD BUSINESS

1. Councillor Hosmer asked if estimates were given by the companies suggested for the search for a new City Manager. Interim City Manager Philip Cosmo advised he has spoken with the New York State City Manager's Association who advises the City could spend anywhere between \$20,000 to \$30,000 by using one of the suggested companies. Mr. Cosmo stated he wasn't sure how involved Council wanted him to be.

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Mr. Cosmo suggested the City use a retired City Manager, similar to Watertown using John Krol for their search. Mr. Cosmo stated we used the Bennett Yager firm last time, but it is no longer active. Mr. Cosmo stated that the New York State City Manager's Association Executive Director recommends using former City Managers. Councillor Hosmer stated Council needs to meet on this matter immediately. Mr. Cosmo said he will have his secretary coordinate a time for Council to meet. Councillors Skamperle and Hosmer stated they have already reviewed the suggested company websites. Councillor Ashley stated the City should use John Krol. Mr. Cosmo advised that he has contacted Mr. Krol but has not received any proposals from him. Mr. Cosmo added Mr. Krol is not opposed to helping the City and there are also other retired City Managers available. Deputy Mayor Morley stated Mr. Krol knows what the City needs. Councillor Ashley agreed and stated that Mr. Krol knows the job and what is expected. Councillor Hosmer suggested Mr. Krol give a presentation at the next Council meeting. There was a consensus of Council to hold a Meeting of the Whole as soon as possible.

2. Councillor Hosmer asked for an update on Mr. LaFave's situation at 315 Grant Street. Interim City Manager Philip Cosmo advised that the Code Enforcement Officer, Gregg Mallette, went to Mr. LaFave's home last week and is preparing a memo. Councillor Hosmer suggested taking before and after photos of all City rehabilitation projects, and Mr. Cosmo agreed. Councillor Stevenson stated she thought it was a requirement, and Mr. Cosmo said he would check into it.

3. Councillor Hosmer stated Council needs to discuss the City's housing program. Councillor Hosmer requested a cost analysis comparison on an in-house agency running the program versus an outside agency. Interim City Manager Philip Cosmo agreed. Deputy Mayor Morley explained that he originally requested that this issue appear on the agenda for tonight, but had it be removed because he was unsure if all Councillors would be present tonight. Councillor Stevenson disclosed she is a member of the Board of Directors for the Housing Council and intends to abstain from any voting regarding the Housing Council.

4. Councillor Hosmer requested an update on the Dobisky Center concession stand. Interim City Manager Philip Cosmo advised we are accepting applications for a couple more weeks.

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Councillor Hosmer questioned what will happen if no proposals are submitted. Deputy Mayor Morley suggested it could be used by facility renters who pay a deposit. Councillor Stevenson suggested that local service clubs consider running it, share the schedule and put money back into the community. Councillor Hosmer asked if the Recreation Director is developing a plan in case no applications are submitted. Mr. Cosmo advised that we don't want to run it ourselves and we have concerns on the proper use and cleaning of the kitchen equipment by the general public because it's not regular kitchen equipment.

5. Councillor Hosmer requested an update on the designation of abandoned buildings. Interim City Manager Philip Cosmo stated that Fire Chief Steve Badlam is still working on this and we will keep Council updated.

6. Councillor Skamperle requested an update on the Growth Fund meeting New York State requirements. Interim City Manager Philip Cosmo advised there is movement with our attorney's recommended changes to the by-laws and incorporation documents to meet their requirements. Councilor Hosmer asked if there is a timetable for compliance, and Mr. Cosmo said no.

7. Councillor Skamperle said several fisherman have complained to him about the confusing parking lot signs at the old boat ramp. Councillor Skamperle advised the signs imply that there is no parking near the boat ramp and all trucks with trailers must park in the mall parking lot. Interim City Manager Philip Cosmo said he will look at the signs.

8. Councillor Stevenson suggested setting up a Council work session each month which could be cancelled if not needed. Councillor Hosmer agreed, adding a work session is needed at least on a short-term basis due to the volume of current issues. Interim City Manager Philip Cosmo agreed, adding it would be a good opportunity for new Council members to ask questions, and Deputy Mayor Morley agreed. Mr. Cosmo suggested topics be specific with a set agenda. Councillor Hosmer said setting up the agenda would be easy if the meeting is already scheduled.

There was a consensus of Council to schedule regular work sessions on off Mondays.

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The Council requested the first meeting address the following:

1. Economic Development Study
2. Boating Infrastructure Grant
3. Search for a new City Manager

9. Deputy Mayor Morley questioned who enforces the fishing restriction between the Oswegatchie Dam and the U.S. Customs House. Interim City Manager Philip Cosmo stated he believes DEC does, but will confirm it.

NEW BUSINESS

1. Councillor Ashley stated there are issues with the current Council chamber microphones and asked if they can be replaced. Interim City Manager Philip Cosmo stated that he received a quote and planned to put money into the budget next year. Councillor Ashley stated we provide a public service and residents need to be able to view and listen to Council meetings. Deputy Mayor Morley added the microphones should be replaced now. Wayne Ladouceur, VIP Productions advised that Kit Smith's staff can install the new microphones which would be compatible with the current equipment. Mr. Cosmo asked Mr. Ladouceur to get a written quote from the vendor.

2. Councillor Ashley requested an update on the Patterson Street road project. Interim City Manager Philip Cosmo advised the project is on schedule as NYS DOT is currently doing preliminary engineering work. Mr. Cosmo said he is not sure when the actual project will start but the work is on their 2012 agenda. Councillor Ashley stated it will be a massive project. Deputy Mayor Morley asked when the Bridge & Port Authority road project will begin. Mr. Cosmo advised it is scheduled to start this spring.

3. Councillor Hosmer asked if the City has a spring clean-up day. Interim City Manager Philip Cosmo advised there are two brush clean-ups per year, one in the spring and one in the fall.

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Mr. Cosmo explained that the City no longer collects appliances because it became too expensive. Councillor Skamperle stated the transfer station takes refrigerators and air conditioners.

ITEMS FOR DISCUSSION

1. Interim City Manager Philip Cosmo advised Council that he spoke with a representative from the Jefferson County Cornell Cooperative Extension Association regarding free or low-cost energy audits through NYSERDA's Home Performance ENERGY STAR Program. Mr. Cosmo explained the representative wants to do a 10-minute presentation at a Council meeting to reach many people. Councillor Stevenson and Deputy Mayor Morley agreed it was a good idea. Councillor Hosmer asked if the program could audit the City. Mr. Cosmo explained this is a home program, but we do audits now and are currently evaluating our street lighting. Mr. Cosmo added the last time we did one we received a refund from Time Warner Cable.

2. Interim City Manager Philip Cosmo advised he received an email on Friday from our Fiscal Advisors regarding the City's bond indebtedness and specifically two outstanding bonds. Mr. Cosmo explained these bonds are now callable and can be refinanced, adding his recommendation is to refinance these bonds. Mr. Cosmo prepared a handout for Council to review. Mr. Cosmo advised Fiscal Advisors highly recommends we refinance this bond, explaining it will result in a \$14,000 - \$18,000 savings per year and approximately \$195,000 in savings between now and 2023. Mr. Cosmo advised a resolution will be needed prior to the June 15th payment due date. Mr. Cosmo added this resolution will need a 2/3 affirmative vote to pass. There was a consensus of Council to bring forward a resolution at the next meeting.

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