

CITY COUNCIL MEETING

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

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

ABSENT: Councillors Cilley* and Stevenson

PUBLIC HEARING

1. A public hearing was held regarding an ordinance to lease municipal property at the Dobisky Visitors' Center. The following people spoke:

a) Trevor Brunet, 4458 County Route 6, Ogdensburg, said the big issue seems to be a liquor license and wanted to clarify that he does not wish to sell alcohol on the premises. Mr. Brunet explained that he would like to obtain a temporary liquor license for special events such as wine tasting.

Mayor Nelson asked Mr. Brunet if he was looking for a temporary license for just one event. Mr. Brunet said he is not looking to sell beer or wine on a daily basis, but would like to offer four 2 ounce tasters throughout a meal. Councillor Ashley asked Mr. Brunet how frequently he planned to hold these special events. Mr. Brunet said one or two times this year if the opportunity comes up. Councillor Skamperle questioned if what Mr. Brunet intends to do is similar to the Ogdensburg Chamber of Commerce's food and wine tasting event. Mr. Brunet said his events would be planned closer to winter with certain food dishes. Councillor Skamperle asked if Mr. Brunet operates a catering business on the side. Mr. Brunet said he does not, and added he works at St. Lawrence University. Mr. Brunet said questions have been asked about his numerous employment changes, and explained that in the culinary field a chef starts at the bottom and moves up. Councillor Ashley said the contract states he will not sell alcohol.

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Mr. Brunet said he does not plan to sell alcohol. Mr. Brunet said he would request a temporary license to have the alcohol on the premises, adding that a winery would be on-site to present their product. Councillor Morley stated he does not plan to support this resolution because of the alcohol, adding Mr. Brunet's plan is different from the Ogdensburg Chamber of Commerce's event because there will be consumption of alcohol on the premises. Mr. Brunet said he does not want to sell alcohol to get people intoxicated and added if the special events are not possible he won't hold the events. Councillor Skamperle said he believes it is a great idea and will add something special to the area, noting the special events will cater to a particular group of people. Mayor Nelson noted that to pass this ordinance six affirmative Council votes are required and added if Councillor Cilley does not make it to the meeting, it will not be brought up to a vote tonight.

PRESENTATION

1. Steve LeFever of Barton & Loguidice, PC made a presentation to Council concerning the Shade Roller site. (A copy of the presentation materials follows this cover sheet).

Councillor Skamperle asked if the tax credits were limited to five years. Mr. LeFever said the DEC website shows a summary of legislation, confirmed the five year limit for tax credits, but noted there is a ten year credit for tangible property. Mr. LeFever explained that SHIPPO is not allowing any excavation before further studies are completed. Councillor Morley asked for an estimate of the contaminated soil removal cost. Mr. LeFever said the estimate prepared to apply for the grant was \$120,000. Mr. LeFever explained the grant amount is \$200,000 with a 20% match and said they felt there would be enough money. Mr. LeFever said there is a map prepared by Surveyor Rick Jacobs that shows most of the sample sites and that the DEC will require further examination. Councillor Morley asked if the source of contamination was identified. Mr. LeFever said Shade Roller used cyanide zinc to produce the metal ends of the window shades and that is the source of contamination, adding twelve investigations were done at the site.

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Mr. LeFever said further testing has revealed contamination in the sediments of the dry wells below the maintenance garage, in a tank located near the maintenance garage which leaked and in the ground water. Mr. LeFever stated we need to gather proposals to remove the contamination and submit the application, adding he has everything prepared in draft form. Mr. LeFever explained the paperwork will require review by the City Attorney, and the City must agree to play by the State's rules. Mr. LeFever stated the contamination must be removed or a remedial analysis prepared outlining the best way to treat the contamination. Councillor Skamperle asked if the site will have the same post clean-up status to determine future use as Diamond International has now, and Mr. LeFever said yes. Councillor Skamperle questioned if part of the Brownfield project on this property is not cleaned up 100%, so tax break incentives can be offered to the developer. Mr. LeFever explained that developers do not like the amount of time needed to define the areas of contamination, adding they prefer the work completely done so there are no additional DEC regulations. Mr. LeFever estimated it will take until March 2013 to identify and/or remove all contamination or create a remedial analysis and remove the source areas. Councillor Hosmer questioned if the property will be in the same state as Diamond International is now. Mr. LeFever said it won't because all of the sites of contamination will be removed and added the Shade Roller project is not as complicated as the Diamond International site. Councillor Morley asked if there are enough funds to cover the cost, and Mr. LeFever referred to a document in his presentation titled "Estimate of Cleanup Project". (A copy follows these minutes.)

*Councillor Cilley arrived at this point in the meeting.

Mr. LeFever explained this document outlines the costs and source of funding. Mr. LeFever said the engineers cost estimate was \$757,000, adding he does not anticipate the engineer will be entitled to any more money. Councillor Morley questioned why the engineer could be entitled to more money. Mr. LeFever explained that the costs of decontamination of the engineer's equipment and fencing off the site were not included in the estimate.

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Mr. LeFever noted it is a long and tedious task, adding the City can now see the light at the end of the tunnel. Councillor Morley and Mayor Nelson agreed. Mr. LeFever said a work plan would be developed and the application kept at the Public Library for 45 days, adding if the public has comments or questions it will push beyond that timeframe. Councillor Skamperle asked if a developer will receive the tax breaks if most of the site is cleaned up. Mr. LeFever said yes, adding even if the City fronts the cleanup money and the property is “shovel ready” the developer can still take the tax credits. Mayor Nelson asked if the first step is the assessment phase, and Mr. LeFever said yes. Mayor Nelson said the public does not understand the entire clean-up process, adding it took ten years to clean up the Diamond International site. Mr. LeFever added the Diamond International site had a lot of large structures and contamination. Mr. LeFever said there has been a lot of investigative work done at the Shade Roller site at no cost to the City, adding it is nice to have that data.

PERSONAL APPEARANCE

1. Eileen Premo and Girl Scout Troup #50221 addressed Council regarding a Girl Scout project they implemented at Kid’s Kingdom. The troop advised Council that they created recycling bins at Kid’s Kingdom and challenged other groups to pick a park and do the same.

2. Joe Franche and Anthony Sweeney, representatives of the Oddfellow’s Club, addressed Council regarding the Club’s rusty water problem. Mr. Franche said they received a copy of the water report from Tisdell Associates and questioned where the report’s information came from. Mr. Franche said no one from the City of Ogdensburg has visited the club in several years, except Director of Public Works Kit Smith who visited the kitchen area. Mr. Franche said he does not believe reducing the water pressure down to 25 pounds will accommodate the building or that it will work with a 2 inch line.

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Mr. Franche presented a letter to Council from Ron Mandigo, of Howland Pump, with his recommendation and opinion of the proposed 2 inch line. Mr. Franche asked if the club would be responsible for the new line from inside the shut off, and if the City will replace the meter, valves, etc. Mr. Smith said the club will be responsible for the line from the shutoff and the cost of a new meter, but the City will replace the meter. Mr. Smith added the meter will be read like all other commercial buildings. Mr. Franche asked for the cost of the meter, and Mr. Smith said it will be between \$800 and \$1,200. Mayor Nelson said the club could hire Howland Pump to do the work if the club pays for it. Mr. Sweeney said the letter from Howland Pump states that running the line from Linden Street to Route 37 will not fix their problem and cost them \$3,500. Councillor Morley questioned the difference in distance from Linden Street to Route 37. Mr. Smith estimated it would be about 100 yards to come from the north side, adding the City would need to core under Route 37 and obtain an easement from New York State. Mr. Sweeney said a loop is needed because running the line will not clear up the water. Mr. Sweeney stated if the water is not flowing, they cannot drink it. Mr. Sweeney added that he believes as taxpayers do, that the City is supposed to provide clean water. Mr. Franche said millions of dollars are being spent to cleanup land and they just want water. Councillor Skamperle asked if there is a cost estimate to run the loop. Mr. Franche said the club does not want to pay if the City is not going to run a loop, adding they keep coming to Council but get nowhere. Mayor Nelson said there are different options to look at, noting the club will need to pay their portion of the cost either way. Mr. Sweeney said running the new line will help but not correct the problem. Mr. Franche said all they are asking for is an answer and clear water.

3. Steve Rose, 1702 Montgomery Street, addressed Council concerning property damage to the Beaverbrook area and City vandalism. Mr. Rose said he was unable to attend the last meeting but was very surprised when he watched the meeting on television and heard the Police Chief brief Council on the incident. Mr. Rose explained when he questioned the Ogdensburg Police Department about the damage done to his property, he was told it was an on-going investigation and information could not be released, but the matter was discussed at the last City Council meeting.

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Mr. Rose advised Council of the challenges he encountered with the prosecution of the individual who damaged his property, and the insurance claim. Mr. Rose said he would like to see a no-nonsense vandalism policy adopted by the City to deal with situations like this. Councillor Skamperle asked Mr. Rose if this matter has been resolved, and Mr. Rose said no. Councillor Skamperle recommended increased police surveillance of the area. Councillor Morley asked for an update on the repair of the damaged City-owned property. Interim City Manager Philip Cosmo said the individual is waiting for the area to dry up. Councillor Hosmer asked who will determine if the repair work is satisfactory, and Mr. Cosmo said the Department of Public Works will review the repair work. Councillor Skamperle asked Mr. Rose if people are entering through his property or City-owned property. Mr. Rose said people are entering on Barre Street and exiting on Lafayette Street.

CONSENT AGENDA

Mayor Nelson moved that the claims as enumerated in General Fund Warrant #9-2012 in the amount of \$787,617.93 and Library Fund Warrant #9-2012 in the amount of \$24,504.47 and Capital Fund Warrant #9-2012 in the amount of \$0.00 and Community Development Fund Warrant #9-2012 in the amount of \$2,822.50 and Community Renewal Fund Warrant #9-2012 in the amount of \$0.00 and HOME Fund Warrant #9-2012 in the amount of \$0.00 and AHC Funds Warrant #9-2012 in the amount of \$0.00, RESTORE Program Warrant #9-2012 in the amount of \$0.00 and NSP Funds Warrant #9-2012 in the amount of \$0.00 and NY Main St. Program Warrant #9-2012 in the amount of \$35,000.00 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 Skamperle moved an ordinance to lease municipal property at the Dobisky Visitors' Center, and Councillor Morley seconded to wit:

ORDINANCE #4 OF 2012
AN ORDINANCE TO AUTHORIZE A LEASE OF
MUNICIPAL PROPERTY

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

ITEM ONE: An ordinance to authorize a lease of municipal property at the Dobisky Visitors Center to Trevor Brunet.

ITEM TWO: The City Manager has presented the attached proposed agreement to lease space at the Dobisky Visitors Center.

ITEM THREE: The City Manager is hereby authorized to execute the attached lease agreement, hereby made part of this ordinance.

ITEM FOUR: Passage of this ordinance shall be by a vote of three-fourths (3/4) of all members of the City Council.

ITEM FIVE: This ordinance shall take effect ten (10) days after publication of notice that shall give the title and describe same in summary form.

Interim City Manager Philip Cosmo said the contract is a result of the discussions with Mr. Brunet and incorporates all changes requested by Council. Councillor Morley said he cannot support the lease with the wine tasting unless there is a limit on the number of events per year. Mr. Cosmo asked how Mr. Brunet's proposal is different from individuals who rent the room at the Dobisky Center and obtain a temporary license.

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Councillor Ashley stated he does not want to vote on a contract that will be changed afterwards. Mayor Nelson suggested negotiations not be done in public. Council discussed imposing a limit on the number of special events held each year, and Mr. Brunet said he would accept a limit. Police Chief Richard Polniak explained that someone with a liquor license who wishes to hold an event at a different location must apply for an off-premises license and receive approval from the Police Department. Chief Polniak stated it is still considered a sale when the licensed party gives away alcohol, noting private parties bring their own alcohol in the Dobisky Center. Mr. Cosmo said Mr. Brunet could agree to limit the number of special events and asked Council if that is the only change requested. Councillor Hosmer questioned how a security deposit cannot be required and stated he cannot approve the lease without a security deposit. Councillor Cilley said a security deposit has not been required in the past, and Mayor Nelson agreed. Mr. Cosmo said insurance will be required. Councillor Hosmer asked what happens if Mr. Brunet stops paying in September. Mr. Cosmo said it is essentially a month to month lease. Councillor Morley stated he is not satisfied with the amount of rent. Mr. Cosmo said the concession will be empty all summer if this lease is not approved. Mayor Nelson made a motion to move to Executive Session, Councillor Ashley seconded. Mayor Nelson said Council would discuss union negotiations at the same time.

All members of Council returned from Executive Session.

Mayor Nelson made a motion to amend the ordinance to include a limit of six special events during the term of the lease and Councillor Skamperle seconded the motion.

Councillor Hosmer suggested the equipment be inspected monthly.

The vote to amend was:

CARRIED, AYES ALL

Mayor Nelson moved the ordinance as amended and Councillor Skamperle seconded the motion.

The vote was:

CARRIED, AYES ALL

2. Councillor Ashley moved a resolution endorsing the efforts of “OPERATION... VETERANS” to secure the Pritchard Building and the old St. Joseph’s Nursing Home as Veterans Service Centers of the North Country, and Councillor Skamperle seconded to wit:

RESOLUTION ENDORSING THE EFFORTS OF
“OPERATION ... VETERANS” TO SECURE THE PRITCHARD
BUILDING AND THE OLD ST. JOSEPH’S NURSING HOME AS
VETERANS SERVICE CENTERS OF THE NORTH COUNTRY

WHEREAS, a new veterans group was formed with members from Massena to Ogdensburg named “Operation... Veterans”, and

WHEREAS, the mission of this group is to raise awareness of the needs and concerns of all veterans, and

WHEREAS, this group was formed to assist veterans with various health problems and obstacles, and

WHEREAS, this veterans group has recommended that the St. Lawrence Psychiatric Center’s Pritchard Building be utilized as a veterans hospital, and

WHEREAS, this veterans group has also recommended that the old St. Joseph’s Nursing Home on Lafayette Street be made into a long-term veterans care facility, and

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NOW, THEREFORE, BE IT RESOLVED that the Ogdensburg City Council urges our elected officials on the federal and state level to endorse developing veterans service centers in the North Country by utilizing vacant properties at the St. Lawrence Psychiatric Center and Ogdensburg, and

BE IT FURTHER RESOLVED that copies of this resolution be forwarded to Governor Andrew Cuomo, United States Senators Charles Schumer and Kristen Gillibrand, Congressman Bill Owens, State Senators Joseph Griffo, Patty Ritchie and Elizabeth Little, Assemblywoman Addie Russell and Assemblyman Kenneth Blankenbush.

Councillor Morley suggested the resolution also be forwarded to the Secretary of the Army John McHugh, and Councillor Skamperle agreed.

The vote was:

CARRIED, AYES ALL

3. Mayor Nelson moved a resolution to award a Professional Service Contract for the recruitment of a City Manager, and Councillor Morley seconded to wit:

RESOLUTION TO AWARD A
PROFESSIONAL SERVICE CONTRACT
FOR THE RECRUITMENT OF A CITY MANAGER

WHEREAS, the City of Ogdensburg has issued a Request for Proposals to Conduct a Recruitment for the position of City Manager, and

WHEREAS, three firms have responded to said Request for Proposals, and

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NOW, THEREFORE, BE IT RESOLVED, that the Ogdensburg City Council hereby directs the interim City Manager to execute a professional services agreement with the Bonadio Group, for a fee not to exceed \$15,000., plus direct expenses, and

BE IT FURTHER RESOLVED, that the City Comptroller is hereby directed to transfer \$15,000. from the Contingency Account A1990 to A1230.515, Consultants.

Councillor Morley said he believes the Bonadio Group is the best choice, adding they made the only presentation to Council. Mayor Nelson said Canandaigua will also be contracting with the Bonadio Group. Interim City Manager Philip Cosmo stated if the resolution is approved, he expects to meet with the Bonadio Group and department heads on May 29th and 30th.

The vote was:

CARRIED, AYES ALL

4. Mayor Nelson moved a resolution calling for a public hearing on an ordinance to amend Chapter 203 of the Code of the City of Ogdensburg, entitled "Taxicabs", and Councillor Morley seconded to wit:

RESOLUTION OF CITY COUNCIL CALLING FOR
A PUBLIC HEARING TO AMEND THE OGDENSBURG MUNICIPAL
CODE, CHAPTER 203 OF THE CITY OF OGDENSBURG
ENTITLED "TAXICABS"

BE IT RESOLVED, that Ordinance No ____ of 2012, entitled "Ordinance amending Chapter 203 entitled "Taxicabs", of the Code of the City of Ogdensburg, be and it hereby is introduced before the City Council of the City of Ogdensburg, New York, and

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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 at the Council Chambers in the City of Ogdensburg, New York, on Tuesday the 29th day of May 2012, 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 ordinance in summary form.

City Clerk Kathleen A. Bouchard explained the purpose of the resolution is to add livery and limousines to the Code of the City of Ogdensburg. Councillor Ashley asked if the vehicles are inspected and insured. Mrs. Bouchard explained a background check is done on the drivers/owners and information is collected on the vehicles including verification of insurance and inspection. Councillor Ashley asked if a visual inspection of the vehicles is performed, and Ms. Bouchard advised only if there is a complaint pursuant to the Municipal Code. Councillor Skamperle asked for an explanation of "fit and proper", and Mrs. Bouchard said a check for prior criminal convictions is done at the time of application by the Police Department.

The vote was:

CARRIED, AYES ALL

5. Councillor Morley moved a resolution authorizing the City Manager to enter into a contract with Troy and Banks to perform a utility rate review, and Councillor Hosmer seconded to wit:

RESOLUTION AUTHORIZING THE CITY MANAGER
TO ENTER INTO A CONTRACT FOR UTILITY RATE REVIEW

WHEREAS, the City has received a proposal to do a utility rate review, and

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WHEREAS, the review will include gas and electric rates, and

WHEREAS, the City will not pay any fees unless there are actual errors or overcharges found, and

WHEREAS, said fees will be in the form of a percentage of the errors or overcharges found,

NOW THEREFORE BE IT RESOLVED, that the City Manager is authorized to enter into a contract with the firm of Troy and Banks, Buffalo, New York to do said review.

Interim City Manager Philip Cosmo said this firm has done the review several times in the past and the City has also used other companies. Mr. Cosmo explained the normal fee is 50% of the errors or overcharges found, but this firm is only charging 25% of issues found and will also include the street lighting. Councillor Morley asked if the firm will count the street lights and determine what wattage is being used. Mr. Cosmo said yes and added they will also review the past six years.

The vote was:

CARRIED, AYES ALL

6. Councillor Cilley moved a resolution to amend the 2012 budget to allow for the use of 2010 Operation Stonegarden Grant funds, and Mayor Nelson seconded to wit:

A RESOLUTION TO AMEND THE 2012 GENERAL FUND BUDGET
IN CONNECTION WITH
2010 OPERATION STONEGARDEN GRANT FUNDS

WHEREAS, the City was awarded \$107,459 in Grant Funds from the Office of Homeland Security, for the 2010 Operation Stonegarden Program, and

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WHEREAS, the final contract for the award was received after approval of the 2012 Budget, and

WHEREAS, as a result of the late arrival of the contract, the 2012 Budget needs to be amended to reflect the receipt and use of those funds throughout 2012, and

WHEREAS, the awarded funds need to be documented as a Revenue and also broken down into expenses in various line items,

NOW, THEREFORE BE IT RESOLVED, that the City Council amends the 2012 budget to create a 2010 Operation Stonegarden Program Revenue account in the amount of \$107,459.00,

AND BE IT FURTHER RESOLVED that the following line items within the 2012 Police Department Budget be amended as follows:

\$107,459.00 be added to the Capital Equipment Line A3120.310

Councillor Morley asked for a breakdown on the funds. Police Chief Richard Polniak explained the funds will be used to purchase a new boat for the Police Department and to cover overtime, fuel, equipment maintenance and fringe benefits. Chief Polniak explained these expenses were not initially put into the budget, adding the contract was just signed. Councillor Morley questioned the size of the boat, adding he believes \$107,000 is a lot of money for a boat. Chief Polniak explained it is a 24' boat and includes all of the necessary equipment. Councillor Morley asked if the purchase was put out to bid and if this was the lowest bid. Chief Polniak said it was put out to bid but this is not the lowest bid received. Chief Polniak explained those figures were used to submit a proposal for the budget. Chief Polniak added the other boat is 20 years old.

The vote was:

CARRIED, AYES ALL

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7. Councillor Morley moved a resolution authorizing the City Manager to execute Addendum No. 3, in the amount of \$183,300., to the Agreement for Engineering Services between the City of Ogdensburg and Barton & Loguidice in connection with the Building Demolition and Hazardous Substances Abatement for the Former Shade Roller Building Project, and Councillor Skamperle seconded to wit:

RESOLUTION AUTHORIZING ADDENDUM NO. 3 TO THE AGREEMENT BETWEEN THE CITY OF OGDENSBURG AND BARTON & LOGUIDICE FOR ENGINEERING SERVICES IN CONNECTION WITH THE BUILDING DEMOLITION AND HAZARDOUS SUBSTANCES ABATEMENT FOR THE FORMER STANDARD SHADE ROLLER SITE

WHEREAS, the City of Ogdensburg has executed an Agreement and Addendums totaling \$180,925 with the firm of Barton & Loguidice (B&L) for the preparation of a Former Standard Shade Roller Site Building Demolition and Hazardous Substances Abatement Services; and

WHEREAS, it is the City's desire to enter the Former Standard Shade Roller site into the Brownfields Cleanup Program (BCP); and

WHEREAS, B&L has prepared, in draft form, all of the necessary documents that must be submitted to the NYS Dept. of Environmental Conservation for review and approval in order to gain acceptance into the BCP;

WHEREAS, additional services were required for the remedial construction oversight during the asbestos abatement, building demolition and contaminated soils activities and for the sampling and analysis of reclaimed concrete materials, and additional services will be required for the implementation of the Remedial Investigation Work Plan, for an estimated total project cost of \$364,225.;

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NOW, THEREFORE BE IT RESOLVED, that the City Manager is hereby authorized to execute Addendum No. 3, in the amount of \$183,300., to the Agreement for Engineering Services between the City of Ogdensburg and Barton & Loguidice in connection with the Building Demolition and Hazardous Substances Abatement for the Former Shade Roller Building Project, and;

BE IT FURTHER RESOLVED, that the funding for this project will come from Capital Fund H866602.518.

Mayor Nelson said Steve LeFever made a great presentation on the Shade Roller project. Councillor Cilley asked if there was an underestimate of the cost. Councillor Morley said Barton & Loguidice, PC, found additional issues with the property. Councillor Cilley asked where the additional money will come from, and Interim City Manager Philip Cosmo said it will be covered with budgeted funds. Councillor Cilley asked if anything will be left out of the project due to this additional cost, and Mr. Cosmo said he was not aware of anything at this time.

The vote was:

CARRIED, AYES ALL

8. Councillor Skamperle moved a resolution authorizing the City Manager to submit a Brownfield Cleanup Grant application to the U.S. Environmental Protection Agency for the former Standard Shade Roller property, and Councillor Ashley seconded to wit:

RESOLUTION AUTHORIZING THE CITY MANAGER TO SUBMIT
A BROWNFIELD CLEANUP GRANT APPLICATION TO THE
U.S. ENVIRONMENTAL PROTECTION AGENCY

WHEREAS, the City of Ogdensburg desires to clean up the former Standard Shade Roller property located at 541 Covington Street, a site that

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has been found to be contaminated by metal, volatile and semi-volatile organic compounds, including petroleum hydrocarbons; and

WHEREAS, this property lies in the City's Waterfront Redevelopment Area and requires remediation in order to prepare it for residential development, public green space and access to the river; and

WHEREAS for environmental review purposes, administration is a Type II action in accordance with SEQRA 6NYCRR, Part 617.5(c) (20) and as such no further action is necessary regarding the same;

NOW, THEREFORE, BE IT RESOLVED that the City Manager is hereby authorized and directed to submit a Brownfield Cleanup Grant application to the U.S. Environmental Protection Agency for the former Standard Shade Roller property and, upon approval of said request, to enter into and execute a project agreement with U.S. Environmental Protection Agency.

The vote was:

CARRIED, AYES ALL

OLD BUSINESS

1. Councillor Cilley asked for an update on the Lafayette Street fire damaged property. Interim City Manager Philip Cosmo said Code Enforcement Officer Gregg Mallette opened quotes today, noting there is quite a difference between the four bids. Mr. Cosmo said he expects the work to begin the first week of June, adding he will review the plan with the Fire Chief. Councillor Cilley said the neighbors are getting anxious, and Mr. Cosmo agreed it is frustrating.

2. Councillor Morley asked if the summer crew is working yet and mowing City-owned properties.

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DPW Director Kit Smith said one person started today. Councillor Morley said the corner of Lake Street & Grove Street needs to be mowed, and Councillor Hosmer said the Ford Street property looks bad. Mr. Smith said the crews were able to mow St. Joseph's, noting there is a lot to mow around town and one mower is currently being repaired. Mr. Smith advised he has three additional crew members coming in the next three weeks. Councillor Cilley questioned if the City mows near the cemetery, and Mr. Smith confirmed the crews cut Potter's Field. Councillor Cilley asked if it can be cut before Memorial Day, and Mr. Smith said yes.

4. Councillor Hosmer asked for an update on the Lake Street walking bridge and questioned what color the bridge will be painted. DPW Director Kit Smith said it will not be painted. Councillor Hosmer asked who decided the new bridge would not be painted, and Mr. Smith said the former City Manager, former City Planner and himself. Councillor Hosmer said he thinks the bridge is ugly and asked if people will get rust on their hands. Mr. Smith said no. Mayor Nelson added the bridge is the same color of those used in the Adirondack Region. Councillor Hosmer asked if vehicles will be permitted on the new bridge, and Mr. Smith said no. Councillor Hosmer suggested blocking off the end of the bridge near the arterial. Mr. Smith said this area will be fenced and landscaped when the project is completed. Councillor Hosmer said he believes all City projects should go through the Planning Board. Councillor Ashley asked if the sidewalks coming off the new bridge will be asphalt or concrete, and Mr. Smith said they will be concrete. Councillor Hosmer asked if the trail will still be asphalt, and Mr. Smith said they will and the approaches to the bridge will also be concrete.

5. Councillor Hosmer requested an update on the LWRP and asked if a Council presentation is being planned. Interim City Planner Andrea Smith stated she can give a presentation at a Council Meeting or a Council work session and noted the Steering Committee has reviewed revisions. Councillor Hosmer asked if the plans for the Diamond International site are changing, and Mrs. Smith said yes. Mrs. Smith explained the property will have a combination of uses including green space and development.

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Councillor Hosmer said the City already has a huge green space in the Greenbelt area. Councillor Morley added there is a need to increase the tax base. Mayor Nelson asked for a Council presentation with the revised plans. Mrs. Smith stated the next workshop is scheduled for June 14th. Mayor Nelson asked Mrs. Smith to prepare a Council presentation at the June 11th meeting.

6. Councillor Skamperle requested an update on the Crescent Hill cleanup, stating he believes the work can be done with a chainsaw and a laborer. DPW Director Kit Smith said the equipment needed to do this cannot be rented. Mr. Smith said he is waiting for a quote from another contractor and added that he doesn't believe he can safely put people on that hill. Councillor Morley asked if the City has tree crews, and Mr. Smith said yes but they normally work out of a bucket truck, not on a hill cutting and dragging. Mr. Smith said if Council wants to put people on the hill he will do it. Councillor Skamperle said part of the hill could easily be cleaned up, noting he wanted it done before it grew up. Councillor Ashley asked if a bucket truck can be placed at the base of the hill and the trees and brush cut from it. Mr. Smith said it could work or could make more of a mess. Councillor Cilley said he believes it is dangerous and is concerned about liability issues. Councillor Morley suggested that a Niagara Mohawk or tree preservation crew could do the work in about a week and asked Mr. Smith to get quotes to do the job. Mayor Nelson said he does not support putting our people on the hill and also expressed concerned about money being available in the budget to get the work done. Mayor Nelson suggested Council meet on the 29th to look at the hill and the bridge. There was a consensus of Council to meet at the Pump House at 6:00 p.m. on May 29th.

7. Councillor Skamperle discussed the Roethel property on Ford Street and asked if the City can become involved to support them. Interim City Manager Philip Cosmo said the issue has been ongoing for several years, adding the most the City can do is offer support. Councillor Hosmer said the environmental issues are not fair to property owners. Mayor Nelson said there is a petition posted on Facebook for people to sign and show their support. Mayor Nelson added it is very sad that the State is going after innocent people.

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Mayor Nelson said he had mentioned to the family that once the money being used for the Shade Roller project is paid back, perhaps those funds could be used to help the Roethel family with their situation, but those funds will be tied up for some time. Interim City Planner Andrea Smith said we would not be able to use the money from the Shade Roller project to help the Roethel family. Mrs. Smith explained that Brownfield laws did not exist then and there was no testing done when the Roethel family purchased the property. Mrs. Smith explained the funds cannot be loaned to someone that has not done due diligence and tested the property prior to purchase, adding every grant has restrictions and limitations. Mayor Nelson suggested reaching out to the Roethel family to ask what they want for assistance from the City.

8. Councillor Skamperle asked for an update on burning the brush pile at the old City dump. Interim City Manager Philip Cosmo said the Fire Chief said it was possible but DPW Director Kit Smith said no. Mr. Smith explained they had tried burning the brush in the past and received daily complaints about the smoke. Mr. Smith also explained if there is a fire on the fill and it goes underground he would need to bring in heavy equipment to put it out, adding one time it took five days to put out this type of fire. Mr. Smith said he strongly recommends against burning the brush, adding purchasing a tub grinder to make mulch was discussed in the past. Councillor Morley asked if a bi-weekly pickup schedule would offer any savings to the City. Mr. Smith said a study was done two years ago and said it cost about \$1,400 per day to collect brush. Mr. Smith said the crews have about 100 stops every Friday and whatever stops don't get picked up are done on Monday. Councillor Cilley said it will just take the crews twice as long to pick up every other week. Councillor Skamperle asked if it is the same people every week. Mr. Smith said yes, but added there are a lot of different people too. Councillor Morley suggested keeping the dump open so people could drop off their own brush. Mayor Nelson said when they changed the pickup schedule in the past; the crews were unable to keep up with the workload after a bad storm. Mayor Nelson said the crews would still be working and the trucks would still be operating so the savings would not be \$1,400.

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Councillor Hosmer added the service is just being moved around. Councillor Morley said if we don't do leaf pickup every Friday another job or project may get done quicker.

9. Councillor Skamperle asked for an update on the energy company at the Co-Gen plant. Interim City Manager Philip Cosmo said the company is not returning his calls. Mayor Nelson suggested contacting Senator Ritchie's office for assistance.

10. Councillor Skamperle asked if the Canadian group who contacted our Recreation Department about forming a Bi-Centennial War of 1812 Celebration committee have been in contact with Recreation Director Matthew Curatolo. Interim City Manager Philip Cosmo said he would check with the Mr. Curatolo.

11. Councillor Skamperle asked if we have received any notification regarding the asbestos removal money for the old St. Joseph's Nursing Home. Interim City Manager Philip Cosmo said we have not heard back on the grant application.

NEW BUSINESS

1. Councillor Ashley said he has received several complaints about City-owned vehicles without the appropriate City logo as defined in Administrative Regulation 31(b). Councillor Ashley asked Council to direct department heads to mark the vehicles. Councillor Skamperle agreed that all vehicles should be marked, and Councillor Morley also agreed. Interim City Manager Philip Cosmo said it will be taken care of.

2. Councillor Hosmer asked if there are any repercussions for non-customers parking in a business owner's lot. Police Chief Richard Polniak said if it is private property, the property owner can have the vehicle towed. Mayor Nelson said the property owner will also need to pay the fee to have it towed.

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Chief Polniak said the property owner could re-coup that towing cost when the vehicle is picked up by the owner. Councillor Cilley asked if it can be considered trespassing. Chief Polniak said no, because the property is open to the public.

3. Councillor Skamperle said the developer of the Ramada Inn property is concerned about his assessment, adding he understands we are trying to be at 100% for the State. Councillor Skamperle asked if there are any State programs available to assist the property owner while developing waterfront property. Interim City Manager Philip Cosmo said there were no programs available during the construction period. Mr. Cosmo added Council does not have a lot of say on what the property will be valued at following construction, adding there are no programs available to freeze the assessment value during construction. Councillor Hosmer asked if the capital improvement project incentive can be applied so the assessment value progresses over the years, and Mr. Cosmo said yes.

4. Councillor Skamperle asked if the new City Assessor will be giving a presentation to Council about being at 100% assessed value following his memo to Council. Interim City Manager Philip Cosmo said the State now agrees with being at 100%. Mr. Cosmo said the City Assessor is working on his final roll now and suggested an overview of pertinent information and future plans could be presented at the June meeting. Mayor Nelson suggested this presentation be done at the Committee of the Whole Meeting.

5. Mayor Nelson said he had attended the NYCOM Meeting and talked with the Dadras Brothers. Mayor Nelson said he invited Dadras Brothers to come back and make their full presentation to Council. Mayor Nelson said they will be contacting Interim City Manager Philip Cosmo to set it up. Mayor Nelson said they did a great job with their presentation at the NYCOM Meeting.

ITEMS FOR DISCUSSION

1. Interim City Manager Philip Cosmo said the list of City-owned property has been prepared and can be presented at the Committee of the Whole Meeting next Monday.

2. Mayor Nelson said there are many street lights not working around the City. Interim City Manager Philip Cosmo said he met with a National Grid representative, and he will get the electronic notification information to Council and the public so these faulty lights can be reported. Mayor Nelson also suggested this contact information be placed on the City website and a press release issued so the public can also report faulty street lights.

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