

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

PRESENT: Mayor Nelson, Councillors Morley,  
Powers, Sholette, Skamperle and Vaugh

ABSENT: Councillor Cilley \*

#### PROCLAMATION

1. Mayor Nelson proclaimed May 2, 2010 through May 8, 2010 as Municipal Clerks Week.

#### PRESENTATION

1. John LaGorga and Joe Dodd, Stearns & Wheler, presented Council with the City's Long-Term Water/Sewer Control Plan for the City of Ogdensburg. (A copy of the plan follows these minutes.)

\* Councillor Cilley arrives at this point in the meeting.

2. Patrolman Danielle Pryce presented to Council an outline of the Crime Prevention Program. (A copy of which follows these minutes.)

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### PERSONAL APPEARANCE

1. Tony Seldombridge thanked City Council for allowing him and his employees for the opportunity to serve the residents of Ogdensburg. Mr. Seldombridge also thanked Phil Clemens and the employees of the Dobisky Community Center and Code Enforcement Officer Gregg Mallette, for their professionalism and added they were great to work with. Mr. Seldombridge stated his initial proposal for the concession did not include alcohol or catering but at the suggestion of the City Manager, he submitted a second proposal including alcohol and catering. Mr. Seldombridge stated that due to public outrage over the possibility of alcohol or a catering business at the Community Center, his business took a brow-beating and no one stood up to defend him. Mr. Seldombridge added last September he was arrested by Ogdensburg City Police for the first time in his life and added that this was due to a build up of frustration over the alcohol permit, patio space and the use of the meeting rooms. Mr. Seldombridge explained that what occurred with Mr. Justin Woods at the summit was not due to anything Mr. Woods did, but was directed toward the City Manager.

### CONSENT AGENDA

Mayor Nelson moved that the claims as enumerated in General Fund Warrant #9-2010 in the amount of \$2,313,681.02 and Library Fund Warrant #9-2010 in the amount of \$21,279.08, Capital Fund Warrant #9-2010 in the amount of \$76,611.49 and Community Development Fund Warrant #9-2010 in the amount of \$20,815.82 and Community Renewal Fund Warrant #9-2010 in the amount of \$0.00 and HOME Fund Warrant #9-2010 in the amount of \$0.00 and AHC Funds Warrant #9-2010 in the amount of \$13,185.25 and RESTORE Program Warrant #9-2010 in the amount of \$11,627.25 as audited, be and the same are ordered paid and Councillor Powers seconded the motion.

The vote was:

CARRIED, AYES ALL

Mayor Nelson moved to adjourn to Executive Session and Councillor Powers seconded the motion.

Upon returning from Executive Session, all members of Council were still present.

ITEMS FOR COUNCIL ACTION

1. Councillor Morley introduced an ordinance to sell an undeveloped portion of Barre Street, north of Ford Street, to the Ogdensburg Bridge and Port Authority to facilitate construction of an alternative access road to the Port of Ogdensburg, and Councillor Skamperle seconded to wit:

ORDINANCE NO. 6 of 2010

AN ORDINANCE TO SELL CITY-OWNED PROPERTY

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

SECTION ONE:

The Ogdensburg Bridge & Port Authority has requested to purchase paper Barre Street, north of Ford Street, for the purpose of developing an alternative access road to the Port of Ogdensburg in advance of the Paterson Street Reconstruction Project, and which has been deemed to be in the best interest of the citizens of Ogdensburg.

SECTION TWO:

The following property shall be sold to the Ogdensburg Bridge & Port Authority by the City of Ogdensburg:

ADDRESS

A .14 acre parcel of paper Barre Street, from the north curb line of Ford Street to approximately 116 feet north.

Minimum price - \$1.00

SECTION THREE:

The City Council reserves the right to withdraw any parcel from sale. Conveyance is to be made by Quit Claim Deed. The City does not guarantee clear property title in the transfer of property by auction and conveyance will be made by Quit Claim Deed.

SECTION FOUR:

This ordinance shall become effective ten days after publication.

The vote was:

CARRIED, AYES ALL

2. Councillor Powers moved a resolution to amend the official City Map to delete an undeveloped portion of Barre Street, north of Ford Street, to facilitate construction of an alternative access road to the Port of Ogdensburg, and Councillor Skamperle seconded to wit:

RESOLUTION TO AMEND  
OFFICIAL CITY MAP

WHEREAS, the City desires to amend the Official Map of the City of Ogdensburg by deleting a portion of paper Barre Street from the north curb line of Ford Street to approximately 116 feet north therefrom to allow the OBPA to develop an alternative access road to the Port of Ogdensburg; and

WHEREAS, notice and public hearing on the proposed change to the official Map have been filed and held per Section 29 of General City Law;

NOW, THEREFORE, BE IT RESOLVED, that the Ogdensburg City Council hereby amends the Official City Map of the City of Ogdensburg to delete that portion of paper Barre Street from the north curb line of Ford Street to approximately 116 feet north therefrom.

The vote was:

CARRIED, AYES ALL

3. Mayor Nelson moved a resolution to call for a public hearing on a proposed ordinance to lease municipal property at the Dobisky Visitors' Center Concession, and Councillor Powers seconded to wit:

A RESOLUTION CALLING FOR A PUBLIC NOTICE AND PUBLIC HEARING  
REGARDING THE LEASE OF CITY-OWNED PROPERTY IN  
THE CITY OF OGDENSBURG

WHEREAS, the City of Ogdensburg requested proposals from qualified vendors to operate a seasonal food and beverage concession at the Dobisky Community Center

WHEREAS, the City has received proposals from two separate interested parties; one of whom, Mark C. Morley, dba H.T. on the Water, provided a proposal to operate a profitable business; and

WHEREAS, H.T. on the Water has submitted a food and soft drink menu to meet the needs of families with children, seniors, downtown office workers, boaters and fishermen; and

WHEREAS, H.T. on the Water has demonstrated the experience and expertise to support this type of food service; and

WHEREAS, H.T. on the Water has offered \$400.00 per month as payment for the lease to operate the concession June 1, 2010 through September 1, 2010; and

WHEREAS, the City Council hereby accepts the proposal of H.T. on the Water to operate a concession located in the Dobisky Visitors' Center, subject to approval of lease;

WHEREAS, the City Charter mandates that a Lease be finalized only after giving public notice in a local newspaper and conducting a public hearing;

BE IT FURTHER RESOLVED, that the City Council shall hold a public hearing on the 24th day of May, 2010 at 7:00 p.m., at the Council Chambers in the City of Ogdensburg, New York, regarding this proposed Lease of City-owned property; and

BE IT FURTHER RESOLVED, that the City Clerk give notice of such public hearing by publication in the newspaper so designated by the City Council of the City of Ogdensburg for legal and public notices 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.

Councillor Sholette moved to table this resolution until more information can be obtained, and Councillor Morley seconded to the motion.

The vote to table was:

CARRIED, AYES ALL

4. Councillor Sholette moved a resolution authorizing the City Manager to sign a contract for a Shared Municipal Purchasing Agreement, and Councillor Morley seconded to wit:

RESOLUTION AUTHORIZING THE CITY MANAGER TO SIGN A CONTRACT  
FOR A SHARED PURCHASING AGREEMENT ON BEHALF OF  
THE CITY OF OGDENSBURG

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WHEREAS, it is the desire of the City of Ogdensburg to cooperate, share and coordinate expenses and costs with the ten Municipal Corporations who were recently awarded NYSERDA RFP10 and RFP1613 grants; and

WHEREAS, it is common and makes fiscal sense to utilize one municipal corporation's purchasing services to purchase supplies and materials for similar purposes; and

WHEREAS, it is the desire of the City of Ogdensburg, the Town of Clayton, Town of Alexandria, Town of Orleans, Town of Rodman, Village of Gouverneur, City of Watertown, the TI Central School District, the Lafargeville Central School District, and the Jefferson-Lewis-Hamilton-Herkimer-Oneida BOCES to authorize the Town of Clayton's Supervisor, when advertising for bids on behalf of the Town of Clayton, to include the aforementioned parties as parties who may utilize the bids; and

WHEREAS, it is required by law that the Town of Clayton have an agreement with the aforementioned parties to designate the Town of Clayton Supervisor as Purchasing Agent for the aforementioned parties; and

NOW, THEREFORE, LET IT BE RESOLVED, that the Town of Clayton Supervisor be and hereby is authorized to execute Agreements of Intermunicipal Cooperation pursuant to the provisions of the General Municipal Law; and

BE IT FURTHER RESOLVED, that upon execution of the referenced agreements by the parties thereto, the Town of Clayton's Supervisor be and hereby is, authorized to advertise for bids in the name of the City of Ogdensburg, the Town of Clayton, Town of Alexandria, Town of Orleans, Town of Rodman, Village of Gouverneur, City of Watertown, the TI Central School District, the Lafargeville Central School District, and the Jefferson-Lewis-Hamilton-Herkimer-Oneida BOCES; said agreements to commence and become effective from the date of execution, and to remain in effect through December 31, 2012.

The vote was:

CARRIED, AYES ALL

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5. Councillor Sholette moved a resolution authorizing the City Comptroller to appropriate \$5,000. to fund the Northern Corridor Transportation Group's marketing campaign, and Councillor Skamperle seconded to wit:

RESOLUTION TO SUPPORT THE MARKETING CAMPAIGN BEING UNDERTAKEN BY THE NORTHERN CORRIDOR TRANSPORTATION GROUP WITH FUNDING TO HELP FACILITATE THE DEVELOPMENT OF A FOUR-LANE, LIMITED-ACCESS HIGHWAY BUILT TO INTERSTATE STANDARDS IN ST. LAWRENCE, FRANKLIN, LEWIS, JEFFERSON AND CLINTON COUNTIES WITH FOUR-LANE SPURS TO MASSENA, OGDENSBURG, LOWVILLE AND POSSIBLY PLATTSBURGH

WHEREAS, the economic impact of North Country transportation improvements is a key component to the North Country Transportation Study concluded in 2002, and

WHEREAS, an economic development impact analysis has been performed by Northern Corridor Transportation Group which has measured the value to the regional economy of efficiency gains through user benefits such as reductions in travel time, reductions in operating costs and reductions in accidents due to improved safety derived from such a highway, and

WHEREAS, gains through social and economic development opportunities due to improved transportation access derived from such a highway will reduce regional and local unemployment rates, reduce government transfer payments, increase local per capita incomes, decrease the number of people living below the poverty line both locally and regionally, increase access for advances in local educational attainment, increase employment, commence business and industrial opportunities and will eventually lead to the retention of our youth, and

WHEREAS, such a highway will create opportunities to generate low-cost green energy and develop natural resources throughout the region in a more cost efficient and competitive manner due to reductions in the costs associated with transportation and will create local jobs, improve the likelihood of energy independence, help the state meet energy policy goals, reduce the overall tax burden for all residents of New York including those of the City of Ogdensburg, and

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WHEREAS, the construction of a four-lane, limited-access highway built to Interstate standards within the boundaries of St. Lawrence, Franklin, Lewis, Jefferson and Clinton Counties with four-lane spurs to Massena, Ogdensburg, Lowville and possibly Plattsburgh will begin to address the transportation improvements necessary to foster such economic growth in and around the City of Ogdensburg, and

WHEREAS, more than 200 municipal and civic organizations, including more than 135 taxing jurisdictions, have passed resolutions in support of the construction of this highway including the City of Ogdensburg, and

WHEREAS, the Northern Corridor Transportation Group has been recognized as the primary advocacy organization responsible for the advancement of this project and has five permanent voting members being: The Business Development Corporation for a Greater Massena, the St. Lawrence County IDA, the Ogdensburg Bridge & Port Authority, the Plattsburgh-Saranac Lake Building and Construction Trades Council and the Development Authority of the North Country, and

WHEREAS, the Northern Corridor Transportation Group has recently undertaken a fundraising campaign with a goal of raising more than \$150,000 to educate the public and to foster continued local, regional, state and national support for this project, and

WHEREAS, the City has an established Publicity Fund created in part to promote the general commercial and industrial welfare of the City of Ogdensburg pursuant to Section 13-b of the General City Law, and

WHEREAS, Section 20-5 of the General City Law permits the City to spend money for any public or municipal purpose, and

WHEREAS, Section 21 of the General City Law defines “public or municipal purpose” to include the development or expansion of business, commerce, industry or job opportunities, and

WHEREAS, the construction of a four lane highway within St. Lawrence, Franklin, Lewis, Jefferson and Clinton Counties will develop and expand business, commerce, industry and job opportunities in and around the City of Ogdensburg, and

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WHEREAS, the City's payment of \$5,000.00 to Northern Corridor Transportation Group will help facilitate the development of such a four lane highway, and

WHEREAS, the City Charter empowers a City with all powers conferred on the City by the Constitution and the Laws of the State of New York,

NOW, THEREFORE, BE IT RESOLVED, that the City of Ogdensburg's City Comptroller is hereby authorized to transfer \$5,000 in funds from the Publicity Fund to the account that has been established by the St. Lawrence County Industrial Development Agency for and on behalf of the Northern Corridor Transportation Group for the purpose of facilitating the four lane, limited access highway built to interstate standards in St. Lawrence, Franklin, Lewis, Jefferson and Clinton Counties with four land spurs to Massena, Ogdensburg, Lowville and possibly Plattsburgh, and

BE IT FURTHER RESOLVED that copies of this resolution be forwarded to the Counties of St. Lawrence, Franklin, Lewis, Jefferson and Clinton; the St. Lawrence County IDA; and the Northern Corridor Transportation Group.

The vote was:

CARRIED, AYES ALL

OLD BUSINESS

1. Councillor Morley asked if there has been any follow-up on the rodent problem at 907 Main Street. City Manager Arthur Sciorra stated he will get that information for Council.

2. Councillor Morley asked if there is any way the Farmer's Market could be moved to the arena if there is bad weather similar to what was experienced last weekend. City Manager Arthur Sciorra stated he would check with the Chamber and Recreation Department.

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3. Councillor Morley questioned if the ice arena had a net loss of \$5,011. Mr. Sciorra said he sent Council the arena's financial report for the operating months in March. Mr. Sciorra said the usage increased and we raised the rental rates. Councillor Cilley requested an update on the agenda or schedule of events when the ice is up. Mr. Sciorra stated he would supply that information to Council.

4. Councillor Morley questioned how the City will be funding the City dock repair. Mr. Sciorra said he needs to look at the report and will update Council. Councillor Skamperle questioned if the section of dock being repaired was the section that was to be repaired last winter. Director of Public Works, Kit Smith stated that the section of dock repaired last winter by the DPW was the aluminum docks in the marina. Mr. Smith added that the section of dock being repaired now is the face of the Morrissette dock. Mr. Smith stated that the funding is available and low water levels make this a very favorable time to do this project.

5. Councillor Sholette asked if the City Wastewater Treatment Plant is currently at a 50 or 75% capacity rate. Mr. Smith explained we are currently at 79% capture of storm water, which along with combined sewer gives us a total capacity of about 80 to 90%. Mr. Smith said sometimes after a large storm the plant will exceed that amount, and will go into a bypass mode. Mr. Smith explained that right now most of the City's storm water goes to the plant, but DEC and DOH would like us to have an 85<sup>th</sup> capture percentile and not exceed our plant limit. Mr. Smith added the plant is designed for 19 million gallons per day. Councillor Sholette asked what is the amount treated at the plant daily. Mr. Smith stated five million gallons or less; but in a situation where we have a combination of rain or ice/snow melt, that level can increase substantially. Mr. Smith added that we are currently passing all the storm water through the plant, separating, pre-treating and storing it. Mr. Smith said there will be mechanisms in place after separating and pre-treating the stormwater to send it out into the river because it won't have any sanitary water in it.

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6. Councillor Sholette asked if the Lake Street property pending possible rezoning will create restrictions for future businesses that might like to locate there. City Manager Arthur Sciorra stated there are restrictions, and he will supply Council with that list. Mayor Nelson also requested a copy of the current I/I zoning restrictions and what the restrictions will be if this property is rezoned.

7. Councillor Powers stated he noticed there was a submerged dock in the Oswegatchie River. Director of Public Works, Kit Smith stated it floated into the Patterson Street boat launch, and DPW workers transported it to the landfill.

8. Councillor Vaugh requested an update on the Visitors' Center remaining grant funds. Mr. Sciorra said he will provide this information to Council.

### NEW BUSINESS

1. Councillor Powers stated he would like to send a letter to the IJC (International Joint Commission) because the St. Lawrence River water levels are very low. Mayor Nelson stated Council has previously sent letters and certified resolutions, and he has attended meetings regarding the St. Lawrence River water levels. Mayor Nelson stated this year's water levels seem to be related to the lack of rainfall on the lakes and river. Mayor Nelson stated he will revise the letter Council sent last year along with the certified resolutions.

2. Councillor Sholette stated two weekends ago it was the beginning of walleye fishing and thanked all the walleye fisherman who patronized our Ogdensburg and surrounding area businesses. Councillor Sholette asked City Clerk Kathleen Bouchard to contact the health department for information to accompany our peddler permits to make any food peddlers aware that they also need a permit from the Department of Health.

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Councillor Sholette stated that the St. Lawrence Valley Sportsman's Club, as well as numerous other food vendors, were written up for health department violations that weekend.

City Manager Arthur Sciorra asked Mrs. Bouchard to check with the Department of Health to see if there is a pamphlet that can be given with the permit.

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