

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, Cilley, Hosmer, Morley and Skamperle

ABSENT: Councillor Stevenson

There was a consensus of Council to excuse Councillor Stevenson because she was out of town for a meeting.

Mayor Nelson read a Proclamation for the February 23, 2013 Battle of Ogdensburg re-enactment, adding he wants to get the information out to the public early.

Tim Cryderman of Forsythe Rifles thanked the City departments for their help and provided Council with a schedule of events, noting the street battle will take place on Saturday. Barbara O'Keefe said fireworks will be held in Prescott on Friday night. Mayor Nelson suggested the schedule and map be added to the City website.

CONSENT AGENDA

Mayor Nelson moved that the claims as enumerated in General Fund Warrant #3-2013 in the amount of \$882,354.89 and Library Fund Warrant #3-2013 in the amount of \$42,835.79 and Capital Fund Warrant #3-2013 in the amount of \$7,103.58 and Community Development Fund Warrant #3-2013 in the amount of \$110,390.82 and Community Renewal Fund Warrant #3-2013 in the amount of \$150.65 and HOME Fund Warrant #3-2013 in the amount of \$0.00 and AHC Funds Warrant #3-2013 in the amount of

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\$40,000.00, RESTORE Program Warrant #3-2013 in the amount of \$0.00 and NSP Funds Warrant #3-2013 in the amount of \$0.00 and NY Main St. Program Warrant #3-2013 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

Mayor Nelson welcomed and congratulated the City's new Fire Chief, Michael Farrell.

APPOINTMENTS

1. Mayor Nelson moved to appoint Gary Hammond to a two-year term on the Ogdensburg Growth Fund, term to expire 12/31/2015, and Councillor Skamperle seconded the motion.

The vote was:

CARRIED, AYES ALL

ITEMS FOR COUNCIL ACTION

1. Mayor Nelson moved a resolution calling for a public notice and public hearing with regard to an amendment to Chapter 209, Vehicles and Traffic, Section 209-38, entitled "Traffic Control Signals" of the Code of the City of Ogdensburg, and Councillor Morley seconded to wit:

RESOLUTION OF THE CITY COUNCIL INTRODUCING
AN AMENDMENT TO CHAPTER 209, VEHICLES AND TRAFFIC
AND PROVIDING FOR PUBLIC NOTICE AND PUBLIC HEARING

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BE IT RESOLVED that the ordinance entitled "Ordinance Amending Chapter 209 Entitled 'Vehicles and Traffic' of the City of Ogdensburg Municipal Code" be and it hereby is introduced before the City Council of the City of Ogdensburg, New York, and

BE IT FURTHER RESOLVED that the City Council shall hold a public hearing in the matter of the adoption of the aforesaid ordinance to be held in the City Council Chambers, City Hall, 330 Ford Street, Ogdensburg, New York, on Monday the 25th day of February, 2013, at 7:00 p.m., and

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

The vote was:

CARRIED, AYES ALL

2. Mayor Nelson moved a resolution calling for a public notice and public hearing on a proposed ordinance amending Chapter 209, Vehicles and Traffic, Section 209-45, Schedule VIII: entitled "Stop Intersections" of the Code of the City of Ogdensburg, and Councillor Ashley seconded to wit:

RESOLUTION OF CITY COUNCIL INTRODUCING AN ORDINANCE
AND PROVIDING FOR PUBLIC NOTICE
AND PUBLIC HEARING

BE IT RESOLVED, that Ordinance No. of 2013, entitled Ordinance amending Chapter 209, entitled "Vehicles and Traffic", Section 209-45, Schedule VIII: "Stop Intersections" of the Code of the City of Ogdensburg be and 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 the 25th day of February, 2013 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.

The vote was:

CARRIED, AYES ALL

3. Councillor Skamperle moved a resolution to authorize the filing of a Baseball Tomorrow Fund application, and Councillor Hosmer seconded to wit:

RESOLUTION SUPPORTING THE APPLICATION
FOR GRANT FUNDS THROUGH MAJOR LEAGUE BASEBALL'S
BASEBALL TOMORROW FUND

WHEREAS, Major League Baseball's Baseball Tomorrow Fund is dedicated to promoting the growth of youth baseball/softball in the U.S. and throughout the world by funding programs that encourage youth participation in the game, and

WHEREAS, Baseball Tomorrow Fund grants may be used to obtain equipment necessary for youth baseball or softball programs, and

WHEREAS, the Parks and Recreation Department is committed to providing the best possible playing surfaces for the youth of Ogdensburg at Montroy Park, a youth complex that has held Ogdensburg Kiwanis Club, Ogdensburg Boys and Girls Club and Parks and Recreation Department baseball programs since 1986, as well as all city-owned recreational fields, and

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WHEREAS, the Parks and Recreation Department is applying for \$18,000 in funds through the Baseball Tomorrow Fund to purchase field maintenance equipment to upgrade the city's youth recreational fields, and

NOW THEREFORE, BE IT RESOLVED, that the Ogdensburg City Council supports recreational programs for the youth of Ogdensburg and that it hereby authorizes the filing of a Baseball Tomorrow Fund application to secure funding to purchase field maintenance equipment for city-owned youth recreational fields.

Recreation Director Matthew Curatolo said the grant is funded by Major League Baseball and explained he wants to purchase a new gator with multiple tow behinds and an in-field groomer. Mr. Curatolo advised that no matching funds are required for this grant, and we will be using in-kind services. Councillor Morley asked when the City will receive an answer on the grant application. Mr. Curatolo said the City will apply by April 1st and should receive a response in July. Mr. Curatolo added if the City is successful, funds would arrive in August. Mr. Curatolo noted the new equipment would be used on all City fields. City Manager John Pinkerton said Mr. Curatolo submitted a letter describing what he wants to do with the grant and was selected to apply. Mr. Curatolo said they receive approximately 400 requests per year.

The vote was:

CARRIED, AYES ALL

4. Councillor Ashley moved a resolution to support the War of 1812 Battle of Ogdensburg bicentennial weekend, February 22-24, 2013, and Councillor Skamperle seconded to wit:

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RESOLUTION OF THE OGDENSBURG CITY COUNCIL
TO COMMERATE THE BATTLE OF OGDENSBURG
RE-ENACTMENT FEBRUARY 22-24, 2013

WHEREAS, the Ogdensburg City Council has been advised that Ogdensburg and Prescott will jointly commemorate the War of 1812 Battle of Ogdensburg bicentennial weekend February 22-24, 2013; and

WHEREAS, on Saturday, February 23, 2013, re-enactors from both communities will battle along the streets of Ogdensburg, following a route similar to the one taken in 1813 as they fought their way to the fort at Lighthouse Point; and

WHEREAS, the primary purpose of the War of 1812 Battle of Ogdensburg re-enactment is to promote a more general awareness of the history of said war throughout this state and among the citizens of the United States and Canada; and

NOW, THEREFORE, the Ogdensburg City Council hereby encourages the residents of Ogdensburg to experience a look back into Ogdensburg's history 200 years ago and attend the War of 1812 Battle of Ogdensburg bicentennial weekend activities.

Police Chief Rick Polniak said letters were mailed to residents along the battle route, and the battle will run for approximately half an hour with volunteers present along the route.

The vote was:

CARRIED, AYES ALL

5. Councillor Morley moved a resolution protesting the passage and enforcement of the Secure Ammunition and Firearms Enforcement Act (SAFE ACT) because it is an infringement of the second amendment of the Constitution of the United States, and Councillor Skamperle seconded to wit:

RESOLUTION TO PROTEST THE PASSAGE AND ENFORCEMENT
OF THE SAFE ACT
(SECURE AMMUNITION AND FIREARMS ENFORCEMENT)

WHEREAS, City Councillors, at the swearing in ceremony, take an oath to defend and protect the Constitution of the United States of America, and

WHEREAS, we, the City Council of the City of Ogdensburg, feel that the Secure Ammunition and Firearms Enforcement Act (SAFE ACT) is an infringement of the second amendment of the Constitution of the United States of America,

THEREFORE, we, The City Council of the City of Ogdensburg, request that our State representatives , including State Senators Ritchie, Griffo, and Little, and our Assembly People Russell and Blankenbush, and our Governor Andrew Cuomo move to overturn passage of the SAFE ACT.

Councillor Morley said he agrees with the mental health background check for a gun permit, but not every time ammunition is purchased. Mayor Nelson said he is against passing Bills in the dead of the night and noted there are a number of problems with this Bill. Councillor Ashley said it adds costs to the legal sportsman, noting numerous checks are required. Mayor Nelson said criminals are not going to abide by this law and advised that about 600 people were protesting in the Capitol courtyard area when he was there. Councillor Skamperle said this will leave law abiding citizens unsafe, does nothing to stop violent crime and goes against the Second Amendment. Councillor Cilley voiced concern about the \$36 million in the budget to enact and enforce this law when the school systems could use that money.

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The vote was:

CARRIED, AYES ALL

OLD BUSINESS

1. Councillor Skamperle asked if there is any Council support for a casino on Ogdensburg Bridge & Port Authority property. Councillor Ashley said it would bring jobs to the City. Councillor Morley said we need to see where OBPA stands first. City Manager John Pinkerton said the County Legislators confirmed the County is interested and are waiting to hear what the criteria for selection will be. Mayor Nelson advised that New York State statute says there cannot be another casino within sixty miles of an existing casino and this issue was raised in Albany. Councillor Cilley said it is a sad day when government relies on gambling and the weakest people in society for support. Councillor Cilley added the Constitution must be amended before anything can be done. Mayor Nelson said he thinks they have already selected the areas, but representatives from our City met with the Governor and made a point of upstate New York's interest. Mr. Pinkerton said Mayor Nelson does a great job representing us in Albany and his being the NYCOM President is also a great benefit for our City. Mayor Nelson said the Governor knows Ogdensburg is in the true upstate New York.

2. Councillor Skamperle asked for an update on the closed movie theatre cinema. Mr. Pinkerton said the owner made a Growth Fund application and there is a meeting scheduled for February 25th. Mr. Pinkerton explained that the application must go to the underwriter first. Mayor Nelson added there is a process to be followed and criteria to be met.

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3. Councillor Morley said he wants to look at the cost of installing new curbs on City streets, adding it would look nice and increase property values. Mr. Pinkerton said the City is a finalist for the Complete Streets Grant which can be used to address curbing.

NEW BUSINESS

1. Councillor Ashley said that during last week's snowstorm, the DPW did a great job. City Manager John Pinkerton said he was in Minneapolis during the storm and our streets were in better shape. Councillor Skamperle said he appreciates that the twin bridges sidewalks were cleared. Councilor Morley noted the DPW uses under truck plows and asked if a wing plow would be better. Public Works Director Kit Smith said the two-wing units are used at 11:30 p.m. and patrol plows are used during the day because there are too many cars on the road. Councillor Morley said New York Avenue is narrowing. Mr. Smith said they will identify the narrow streets and use the blower, adding his crews are doing the best they can. Mayor Nelson said he was in Albany where they received less snow than us and their streets were a mess. Councillor Cilley said he was out the night of the storm with the Rescue Squad and our streets were in better shape than the surrounding communities.

2. Mayor Nelson updated Council on the recent NYCOM legislative meeting, noting Pension Reform and Binding Arbitration were the big items of discussion. Mayor Nelson explained the pension initiative was introduced to help bring down pension rates and their impact over the next twenty five years. He added that the Comptroller plans to consider it. Mayor Nelson said there is also a Traffic Adjudication Amendment that will make mandatory surcharges on some speeding tickets and make them payable to the State instead of local municipalities. Mayor Nelson said he also spoke with Senators Griffo, Ritchie and Little about the sales tax increase, but they all said no to the increase as long as the initiative still showed an increase in property tax over 5 years.

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Councillor Skamperle said the biggest problem the County administration faces is that 94% of their budget is unfunded mandates from the State.

3. Councillor Hosmer reminded everyone that River Shiver starts this weekend in the City.

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