

CITY COUNCIL MEETING

November 25, 2013

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

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

ABSENT: Councillor Cilley

Mayor Nelson welcomed Heuvelton Boy Scout Troop #9 and Vinny Molinari, a Government student from Ogdensburg Free Academy.

PRESENTATION

1. Judy Tyo and Zachary Zuckerman, of First Niagara Benefits Consulting, made a presentation to Council regarding the Medicare Eligible Option for City of Ogdensburg retirees. (A copy of the presentation material follows these minutes.)

PUBLIC HEARING

1. A public hearing regarding an ordinance amending Chapter 209, Section 209-48, Schedule XI: "Parking Prohibited at All Times" and Section 209-57, Schedule XX: "Handicapped Parking" of the Code of the City of Ogdensburg was held. No one being present to speak, the hearing was declared closed.

2. A public hearing regarding a Local Law to authorize a property tax levy in excess of the amount otherwise prescribed in General Municipal Law §3-c was held. No one being present to speak, the hearing was declared closed.

CONSENT AGENDA

Mayor Nelson moved that the claims as enumerated in General Fund Warrant #20-2013 in the amount of \$373,594.08 and Library Fund Warrant #20-2013 in the amount of \$19,701.15 and Capital Fund Warrant #20-2013 in the amount of \$212,976.68 and Community Development Fund Warrant #20-2013 in the amount of \$3,687.75 and Community Renewal Fund Warrant #20-2013 in the amount of \$12,784.50 and HOME Fund Warrant #20-2013 in the amount of \$0.00 and AHC Funds Warrant #20-2013 in the amount of \$0.00 and NSP Funds Warrant #20-2013 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

ITEMS FOR COUNCIL ACTION

1. Councillor Skamperle moved an ordinance amending Chapter 209, Section 209-48, Schedule XI: "Parking Prohibited at All Times" and Section 209-57, Schedule XX: "Handicapped Parking" of the Code of the City of Ogdensburg, and Councillor Morley seconded to wit:

ORDINANCE #__ OF 2013
AN ORDINANCE AMENDING CHAPTER 209 ENTITLED
"VEHICLES AND TRAFFIC"
OF THE CODE OF THE CITY OF OGDENSBURG

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

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ITEM ONE: That Chapter 209, Section 209-48, Schedule XI: “Parking Prohibited at All Times” of the Code of the City of Ogdensburg, is hereby amended to delete the following:

<u>Name of Street</u>	<u>Side</u>	<u>Location</u>
Franklin Street	West	From a point 81 feet south of the south curbline of Ford Street to a point 105 feet south therefrom

ITEM TWO: That Chapter 209, Section 209-48, Schedule XI: “Parking Prohibited at All Times” of the Code of the City of Ogdensburg, is hereby amended to add the following:

<u>Name of Street</u>	<u>Side</u>	<u>Location</u>
Franklin Street	West	From a point 130 feet south of the south curbline of Ford Street to a point 155 feet south therefrom

ITEM THREE: That Chapter 209, Section 209-57, Schedule XX: “Handicapped Parking” of the Code of the City of Ogdensburg, is hereby amended to delete the following:

<u>Name of Street</u>	<u>Side</u>	<u>Location</u>
Franklin Street	West	From a point 105 feet south of the south curbline of Ford Street to a point 20 feet south therefrom

ITEM FOUR: That Chapter 209, Section 209-57, Schedule XX: “Handicapped Parking” of the Code of the City of Ogdensburg, is hereby amended to add the following:

<u>Name of Street</u>	<u>Side</u>	<u>Location</u>
Franklin Street	West	From a point 155 feet south of the south curbline of Ford Street to a point 20 feet south therefrom

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

The vote was:

CARRIED, AYES ALL

2. Councillor Ashley moved a Local Law to authorize a property tax levy in excess of the amount otherwise prescribed in General Municipal Law §3-c, and Councillor Skamperle seconded to wit:

Local Law No.1 of the year 2013
City of Ogdensburg, County of St. Lawrence

A local law authorizing a property tax levy in excess of the limit established in General Municipal Law §3-c

Section 1. Legislative Intent

It is the intent of this local law to allow the City of Ogdensburg to adopt a budget for the fiscal year commencing 1/1/2014 that requires a real property tax levy in excess of the “tax levy limit” as defined by General Municipal Law § 3-c.

Section 2. Authority

This local law is adopted pursuant to subdivision 5 of General Municipal Law §3-c, which expressly authorizes a local government’s governing body to override the property tax cap for the coming fiscal year by the adoption of a local law approved by a vote of sixty percent (60%) of said governing body.

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Section 3. Tax Levy Limit Override

The City Council of the City of Ogdensburg, County of St. Lawrence, is hereby authorized to adopt a budget for the fiscal year commencing 1/1/2014 that requires a real property tax levy in excess of the amount otherwise prescribed in General Municipal Law §3-c.

Section 4. Severability

If a court determines that any clause, sentence, paragraph, subdivision, or part of this local law or the application thereof to any person, firm or corporation, or circumstance is invalid or unconstitutional, the court's order or judgment shall not affect, impair, or invalidate the remainder of this local law, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this local law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

Section 5. Effective date

This local law shall take effect immediately upon filing with the Secretary of State.

Councillor Stevenson said she did not support this last year and will not support it this year. City Comptroller Philip Cosmo explained the tax cap is not 2% it is 1.66%. Mr. Cosmo explained this is a safety net and he would be more comfortable next year when audited if this was in place. Mr. Cosmo said if the audit showed a mathematical error in excess of 1.66%, that money collected over the 1.66% must be used in the levy next year. Mr. Cosmo added five affirmative votes are needed to pass this local law. Mayor Nelson said this is a safeguard in case of errors that could end up costing taxpayers money. Councillor Hosmer said he also does not support this legislation.

Councillor Morley made a motion to table the resolution, and Councillor Ashley seconded.

The vote to table the resolution was:

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

NAYS: Councillor Stevenson

CARRIED, 5 TO 1

3. Mayor Nelson moved a resolution to establish the Ogdensburg Journal as the official newspaper for the City of Ogdensburg for 2014, and Councillor Morley seconded to wit:

RESOLUTION DESIGNATING THE
2014 OFFICIAL NEWSPAPER

BE IT RESOLVED, that the official newspaper for the City of Ogdensburg for 2014 shall be the Ogdensburg Journal.

The vote was:

CARRIED, AYES ALL

4. Councillor Morley moved a resolution designating the official City bank depositories for 2014, and Councillor Skamperle seconded to wit:

RESOLUTION DESIGNATING THE
2014 OFFICIAL BANK DEPOSITORIES

BE IT RESOLVED, that Community Bank NA, NBT Bank NA, Upstate National Bank, Key Bank of Northern New York NA, and NYCLASS through PT Asset Management be designated as official depositories of City Funds for 2014.

BE IT RESOLVED, that Community Bank NA, NBT Bank NA, Upstate National Bank, Key Bank of Northern New York NA, and NYCLASS through PT Asset Management be designated as official depositories of City Funds for 2014.

The vote was:

CARRIED, AYES ALL

5. Councillor Hosmer moved a resolution designating the 2014 City Council Meeting Dates, and Councillor Stevenson seconded to wit:

2014 CITY COUNCIL
MEETING DATES

BE IT RESOLVED, that the regular City Council meetings for the City of Ogdensburg, shall be on the second and fourth Mondays, of each month except July, August and December, and unless such date is a legal holiday, in which event the meeting will be held on the next business day. The dates of these meetings are listed below:

January	13, 27
February	10, 24
March	10, 24
April	14, 28
May	12, 27
June	9, 23
July	14
August	11
September	8, 22
October	14, 27
November	10, 24
December	1, 8

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BE IT FURTHER RESOLVED, all the meetings will be held at 7:00 pm in the City Council Chambers, City Hall or at such other places as may be designated by the City Council. All meetings are open to the public.

Councillor Ashley asked why the meetings in December are a week apart. Mayor Nelson explained the next year's budget issues are addressed in December. Mayor Nelson added that this allows time for additional budget meetings if needed, and the City Charter states Council must adopt a budget by December 20.

The vote was:

CARRIED, AYES ALL

6. Mayor Nelson moved a resolution authorizing the City Manager to execute Addendum No. 5, in the amount of \$18,750., 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 Stevenson seconded to wit:

RESOLUTION AUTHORIZING ADDENDUM NO. 5 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 \$424,315 with the firm of Barton & Loguidice (B&L) for the Former Standard Shade Roller Site Building Demolition and Hazardous Substances Abatement; and

WHEREAS, the Former Standard Shade Roller site has been accepted into the Brownfields Cleanup Program (BCP); and

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WHEREAS, additional services will be required for the preparation of a Self-Implementing Cleanup Plan and Concrete Slab Characterization, and the preparation of the BUD permit application portion of the project, for an estimated total project cost of \$443,065.;

NOW, THEREFORE BE IT RESOLVED, that the City Manager is hereby authorized to execute Addendum No. 5, in the amount of \$18,750., 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 funding for this project will come from Capital Fund H866602.518.

Councillor Morley asked if a start date has been set for this project. City Manager John Pinkerton said once this is approved, the project will begin.

The vote was:

CARRIED, AYES ALL

OLD BUSINESS

1. Councillor Stevenson requested an update on the pedestrian crosswalk for the Maple City Trail and bridge established by the DOT. City Manager John Pinkerton said NYS DOT is requesting that we widen and expand the sidewalks, install curbing in the median, make it handicapped accessible and install caution lights for drivers at the center of the bridge.

At this time in the meeting Mayor Nelson invited members of Boy Scout Troop #9 and their parents, and Vinny Molinari to the front of Council Chambers to urge the public to support the fight to keep the SLPC (St. Lawrence Psychiatric Center).

ITEMS FOR DISCUSSION

1. Councillor Morley said he wants to find a way to keep the parks in the Greenbelt area clean. Councillor Stevenson said citizens have also approached her regarding the Hamilton Street Park. Councillor Skamperle said there needs to be more community pride. City Manager John Pinkerton said we had a cleanup day in 2013 for the Maple City Trail, and he would like to schedule another one in 2014. Councillor Skamperle said people need to take pride in our community and suggested adding signs in the parks. Councillor Stevenson suggested we get volunteers to cleanup all of the parks.

2. Mayor Nelson said there will be a Save the SLPC fundraiser with celebrity bartenders this Saturday at Hosmer's Marina and encouraged everyone to come out and show their support. Councillor Hosmer added there will be a band performing 4-8 p.m. and a DJ from 8 p.m. to closing.

Mayor Nelson and Council wished everyone a Happy Thanksgiving.

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