

## CITY COUNCIL MEETING

March 24, 2008

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

PRESENT: Mayor Nelson, Councillors Flynn, Hannan,  
Morley, Powers, Sholette and Vaugh

ABSENT: None

### PUBLIC HEARING

1. A third public hearing with the purpose of obtaining public input into the ongoing Community Development Program was held. No one being present to speak, the hearing was declared closed.

### PERSONAL APPEARANCE

1. Lynn and Charlene Widrick, 525 Ford Street, addressed Council regarding un-shoveled sidewalks.

Mayor Nelson explained that un-shoveled sidewalks are responded to on a complaint basis. Mayor Nelson suggested staff prepare a press release to remind citizens to shovel their sidewalks.

### CONSENT AGENDA

Mayor Nelson moved that the claims as enumerated in Warrant #06-2008 in the amount of \$493,034.04, and Library Warrant #06-2008 in the amount of \$23,405.58 and Community Development Fund Warrant #06-2008 in the amount of \$36,543.83 as audited, be and the same are ordered paid and Councilor Flynn seconded the motion.

The vote was:

CARRIED, AYES ALL

APPOINTMENTS

1. Mayor Nelson moved an appointment of Don Brown to a three year term on the Tree Commission, and Councillor Hannan seconded the motion.

The vote was:

CARRIED, AYES ALL

ITEMS FOR COUNCIL ACTION

1. Councillor Powers moved a resolution to authorize the sale of surplus City-owned personal property, and Councillor Morley seconded to wit:

A RESOLUTION TO AUTHORIZE THE SALE OF  
SURPLUS CITY OWNED PERSONAL PROPERTY

WHEREAS, the City of Ogdensburg is the owner of a bridge which has been taken out of service and which formerly crossed a portion of the Oswegatchie River adjacent to the pump house; and

WHEREAS, the City Manager has recommended that said bridge be deemed surplus personal property subject to sale pursuant to administrative regulation AR-33; and

WHEREAS, said bridge, if purchased new, would have a purchase price of \$34,000.00; and

WHEREAS, said bridge has been owned by the City of Ogdensburg for fourteen years and has an estimated fair value of between \$15,000.00 and \$20,000.00; and

WHEREAS, the City has undertaken negotiations with the Town of VanBuren for the sale of the bridge;

NOW, THEREFORE, BE IT RESOLVED that the bridge is hereby determined to be surplus personal property no longer needed for use by the City of Ogdensburg; and

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BE IT FURTHER RESOLVED that pursuant to §AR 33 (b) (4) the City Manager is hereby authorized to enter into a contract for the sale and to execute the necessary bill of sale of said bridge to the Town of VanBuren for the sum of \$17,000.00.

The vote was:

CARRIED, AYES ALL

2. Councillor Flynn moved a resolution to increase the fee the City charges for returned checks from \$15.00 to \$20.00, and Councillor Hannan seconded to wit:

RESOLUTION  
TO ADJUST RETURNED CHECK SERVICE FEE

Whereas, the City of Ogdensburg currently charges a fifteen dollar fee for payments received which are later returned, due to insufficient funds, and

Whereas, said fee is regulated by General Municipal Law Section 85, and

Whereas, GML Section 85 has been amended to increase the allowable fee to twenty dollars,

NOW, THEREFORE BE IT RESOLVED, that the City Comptroller is authorized to increase the fee, immediately, to twenty dollars for all items returned for insufficient funds.

The vote was:

CARRIED, AYES ALL

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### OLD BUSINESS

1. Councillor Morley stated that he was approached by a resident with a winter and summer car on his property which have to be kept covered with a tarp, but four wheelers, campers, boats and motorcycles don't. There was a consensus of Council to discuss this at the next meeting under Items for Discussion.

2. Councillor Vaugh stated that Public Works Director Kit Smith sent a letter to NYSDOT regarding Paterson Street and asked if he had received a response. Mr. Smith stated that he hasn't heard anything yet, but will keep Council updated. Mr. Smith said he will need to do heavy patching on Paterson Street this year and will try to obtain federal funds.

3. Mayor Nelson asked Mr. Smith to address the un-shoveled sidewalk issue. Mr. Smith stated that we have received five months of winter with 149 inches of snow. Mr. Smith added that he has expended all but \$30,000. of his 2008 snow budget which will be used in November and December. Mr. Smith said he agrees with Mrs. Widrick's complaint and explained the current complaint process. Mr. Smith added that he sent out only eight complaint letters this year because sidewalks weren't a priority. After much discussion among Council, Mr. Smith said he would meet with Code Enforcement and set up a procedure such as they did with the weed ordinance offenders for un-shoveled sidewalks.

4. Councillor Sholette stated that Walter Reilling submitted an RFP for the Dobisky Center concession before he became a Councillor and questioned if Council reviewed the RFP's. Mayor Nelson said Council doesn't get involved with reviewing RFP's, they are done by the department requesting them. City Attorney Katherine Wears stated that before a contract is entered into, Council approves the contract. Mrs. Wears said that she doesn't know the details of this RFP nor does she know the reason it was rejected. Mrs. Wears added that another RFP is in the works. Councillor Sholette stated that he has a copy of the Reilling RFP and it conforms. Mayor Nelson stated that is not our role and noted that at the last meeting staff was directed to put out new RFP's and get a concession open.

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5. Councillor Powers questioned the School Resource Officer situation at the school. City Comptroller Philip Cosmo explained that the School Resource Officer position was originally funded with a three year grant and the fourth year was to be funded by the school. Mr. Cosmo added that the position is funded through the 6/30/08 school budget; we budgeted through 3/31/08 and will bill them for the cost of the replacement officer from 4/1 through 6/30/08. Mr. Cosmo said the school budget proposal for 08/09 does not have the School Resource Officer in their budget.

### NEW BUSINESS

1. Councillor Hannan questioned if any Councillors will be on vacation for the April 14 meeting, or should the date be changed. There was a consensus of Council to keep the April 14, 2008 meeting date.

2. Councillor Hannan stated that the County received a grant to look at tax collection in the County. City Comptroller Philip Cosmo stated that County representatives are coming to his office on Wednesday to look at our system to see if it's compatible with theirs. Mr. Cosmo will keep Council updated.

3. Councillor Flynn stated that he met with Keith Zimmerman and Nancy Robare regarding the County bus and questioned if they could fill up with fuel at our City pumps and be billed. Councillor Flynn explained that the County owns the buses and would like to fill up at the end of the route in Ogdensburg, rather than go all the way back to Canton. Mayor Nelson turned this request over to staff to review.

4. Councillor Powers passed out copies of a proposed State Assembly Bill called the New York State Property Taxpayers Protection Act. Councillor Powers asked Council to review it and discuss it at the next meeting. Councillor Powers added that this proposed bill has been supported by 39 other municipalities across New York State. (A copy of the proposed bill follows these minutes.)

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5. Councillor Flynn said he read the NYCOM news release regarding Governor Paterson's proposal to reduce our 2008-2009 local aid by \$37,114. Councillor Flynn said he would like Council to send the Governor and our representatives a letter opposing this cut. Mayor Nelson said he will draft a letter.

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