

CITY COUNCIL MEETING

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Mayor Nelson introduced Nolan Hogle and Storm Sears, members of Cub Scout Weblo Troop 2, and asked them to lead the Pledge of Allegiance. Mayor Nelson advised that he met with both scouts before this meeting about community service, and Storm Sears told him he wants to run for Mayor someday.

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

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

ABSENT: Councillor Vaugh

Councillor Morley stated that Councillor Vaugh is absent tonight due to a family medical issue. There was a consensus of Council to excuse Councillor Vaugh from this meeting.

PUBLIC HEARING

1. A public hearing on a Local Law to amend Chapter 73 (Articles II, III and IV) of the OMC entitled "Animals" was held. No one being present to speak, the hearing was declared closed.

PERSONAL APPEARANCE

1. Doug Loffler, addressed Council regarding the recent changes to the Recreation Director's job duties, reduced recreation budget and lack of non-athletic youth and senior citizen activities.

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2. Steve Rose, 1702 Montgomery Street, addressed Council regarding the recently released Stearns and Wheler report on the Beaver Brook area. Mr. Rose stated there is a problem with this report, because it omits Catch Basin B from the corrective action plan.

PRESENTATION

1. Jack McGrath, Ogdensburg Chamber of Commerce President, gave a presentation regarding the Chamber's mission, agreement with the City and 2011 plans. (A copy follows these minutes.)

CONSENT AGENDA

Mayor Nelson moved that the claims as enumerated in General Fund Warrant #20-2010 in the amount of \$399,124.44 and Library Fund Warrant #20-2010 in the amount of \$23,462.43 and Capital Fund Warrant #20-2010 in the amount of \$108,249.69 and Community Development Fund Warrant #20-2010 in the amount of \$14,209.60 and Community Renewal Fund Warrant #20-2010 in the amount of \$43,550.30 and HOME Fund Warrant #20-2010 in the amount of \$0.00 and AHC Funds Warrant #20-2010 in the amount of \$10,000.00, RESTORE Program Warrant #20-2010 in the amount of \$0.00 and NSP Funds Warrant #20-2010 in the amount of \$15,159.00 as audited, be and the same are ordered paid and Councillor Morley seconded the motion.

The vote was:

CARRIED, AYES ALL

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ITEMS FOR COUNCIL ACTION

1. Mayor Nelson introduced a Local Law to amend Chapter 73 (Articles II, III and IV) of the OMC entitled "Animals", and Councillor Morley seconded to wit:

LOCAL LAW # 2 of 2010

Title: The title of this Local Law shall be the Dog Licensing and Control Law of the City of Ogdensburg.

Authority: This Local Law is enacted pursuant to the provisions of (*Article 7, Chapter 59; Part T*) of the Agriculture and Markets Law and the Municipal Home Rule Law of the State of New York.

Purpose: The City Council of the City of Ogdensburg, County of St. Lawrence hereby finds and declares that the purpose of this article is to provide for the licensing and identification of dogs, the control and protection of the dog population and the protection of persons, property, domestic animals from dog attack and damage.

Section 1. Definition of Terms: As used in this Local Law the following words shall have the following respective meanings, unless otherwise expressly stated or unless the context or subject matter requires otherwise:

- a. "Agriculture and Markets Law": The Agriculture and Markets Law of the State of New York in effect as of the effective date of this Chapter, as amended by this Chapter, and as thereafter amended.
- b. "Adoption" means the delivery to any natural person eighteen years of age or older, for the limited purpose of harboring a pet, of any dog, seized or surrendered.
- c. "Clerk" means the clerk of City of Ogdensburg where licenses are validated or issued pursuant to this article.

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d. "Dog" means any member of the species *canis familiaris*.

e. "Dog control officer" means an individual appointed by the City of Ogdensburg to assist in the enforcement of this article under contract with the City to assist in the enforcement of this article.

f. "Euthanize" means to bring about death by a humane method.

g. "Guide dog" means any dog that is trained to aid a person who is blind and is actually used for such purpose, or any dog owned by a recognized guide dog training center located within the state during the period such dog is being trained or bred for such purpose.

h. "Harbor" means to provide food or shelter to any dog.

i. "Identification tag" means a tag issued by the licensing municipality which sets forth an identification number, together with the name of the municipality, the state of New York, contact information, including telephone number, for the municipality and such other information as the licensing municipality deems appropriate.

j. "Municipality" means City of Ogdensburg.

k. "Owner" means any person who harbors or keeps any dog.

l. "Hearing dog" means any dog that is trained to aid a person with a hearing impairment and is actually used for such purpose, or any dog owned by a recognized training center located within the state during the period such dog is being trained or bred for such purpose.

m. "Service dog" means any dog that has been or is being individually trained to do work or perform tasks for the benefit of a person with a disability, provided that the dog is or will be owned by such person or that person's parent, guardian or other legal representative.

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n. "Dangerous dog" means any dog which without justification attacks a person or companion animal, and causes physical injury or death, or behaves in a manner which a reasonable person would believe poses a serious and unjustified imminent threat of serious physical injury or death to one or more persons or companion animals.

o. "Run at Large" means to be in a public place or on private land without the knowledge, consent and approval of the owner of such lands.

p. "Dog Enumeration" means an individual authorized and paid by the City to go door by door within the City counting the number of dogs domiciled in the City and determining if they are licensed or not. If a dog is not licensed, a notice is issued to the owner explaining that a license must be secured within 10 days. If not, a summons is issued for the owner to appear in court. Before a dog license can be issued, proof that the animal has an up-to-date rabies vaccination is required. Dog licensing is done through the City Clerk's office. There is a \$5.00 fee added for dogs licensed as a result of enumeration.

Section 2. Licensing of Dogs:

- (a) No person shall own or possess a dog within the City unless such dog is licensed and identified as provided in Article 7 of the Agriculture and Markets Law and laws of the City.
- (b) All dogs in the City of Ogdensburg must be licensed with the City Clerk by the age of 4 months and are required to present a current Certificate of Rabies at the time of licensing or the renewal of an existing license.
- (c) All dog licenses will be for a period of one year and will expire at the end of the month one year from the date of issue.
- (d) The City of Ogdensburg will not require a license for any guide dog, service dog, hearing dog or detection dog.

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- (e) The City of Ogdensburg does not allow the licensing of dogs by a shelter. The shelter **MUST** send the adoptive dog owners who reside in the City of Ogdensburg to the City Clerk for licensing and for adoption purposes.
- (f) All dog licenses may be purchased by visiting the City Clerk's office or by regular mail. If licensing or renewing a license by mail, the appropriate fee must accompany the forms. There will be **NO** refund of fees.
- (g) All fees will be used in funding the administration of the Dog Control Law of the City of Ogdensburg.

Section 3. Issuance of license; identification tag.

- (a) Upon validation by the City Clerk of the City, a dog license shall be issued and a record of its issuance retained in the office of the City Clerk of the City.

Such record shall be made available upon request to the State Commissioner of Agriculture and Markets, or successor thereof.

- (b) No license shall be transferable. Upon the transfer of ownership of any dog, the new owner shall immediately apply for a new license for the dog. A license cannot be transferred to another dog.

- (c) Change of Ownership, Lost or Stolen Dogs

Upon the transfer of ownership of any dog, the new owner shall immediately make application for a license for such dog. The original issued identification tag shall remain the same for the life of the dog.

In the event of a change in ownership of any dog which has been assigned an official identification number or in the event of a change of address of the owner of record of any such dog, the owner of record shall, within ten days of such change, notify the City Clerk.

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If any dog which has been assigned an official identification number is lost or stolen, the owner of record shall, within ten days of the discovery of such loss or theft, notify the City Clerk.

In the case of a dog's death, the owner of record shall so notify the City Clerk either prior to renewal of license or upon the time of such renewal.

(d) Identification tag.

- i. The City Clerk shall assign a City permanent official identification number to a dog when it is first licensed. Such identification number shall be carried by the dog on an identification tag which shall be affixed to the collar of the dog at all times.
- ii. An identification tag is not required to be worn while the dog is participating in a dog show.
- iii. The official permanent identification number shall constitute the official identification of the dog to which it is assigned, regardless of changes of ownership, and the number shall not be reassigned to any other dog during the lifetime of the dog to which it is assigned.
- iv. No tag carrying an identification number shall be affixed to the collar of any dog other than the one to which the number has been assigned
- v. At the time a dog is first licensed, one identification tag shall be furnished to the owner at no additional charge. Any replacement tag shall be obtained by the owner at the owner's expense. Any person wishing to replace a tag previously issued shall pay the sum of
\$ 3.00 to the City Clerk for a replacement tag.

Section 4. Fees for Licensing of Dogs.

- (a) The following license fees shall be charged:

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- (1) Spayed female dog: ten dollars (\$10.00)
- (2) Neutered male dog: ten dollars (\$10.00)
- (3) Unspayed female dog over 4 months: eighteen dollars (\$18.00)
- (4) Unneutered male dog over 4 months: eighteen dollars (\$18.00)

(b) Dog License fees will be reviewed by the City Council periodically and may be changed by a resolution of the City Council, if deemed necessary.

Section 5. Enumeration fee:

- (a) When the City Council determines the need for a dog enumeration, a fee of \$5.00 will be assessed to all dogs found unlicensed or renewed at the time the enumeration is conducted.
- (b) Dog enumeration fees will be reviewed by the City Council periodically and may be changed by a resolution of the City Council, if deemed necessary.

Section 6. Purebred License: The City of Ogdensburg will not be issuing Purebred or Kennel Licenses. All dogs must be licensed individually as per fee system stated above.

Section 7. Impoundment Fees:

- (a) fifteen dollars for the first impoundment of any dog owned by that person; or
- (b) twenty-five dollars for the second impoundment, within one year of the first impoundment, of any dog owned by that person; or
- (c) thirty-five dollars for the third and subsequent impoundments, within one year of the first impoundment, of any dog owned by that person.
- (d) Dog seizure fees will be reviewed by the City Council periodically and may be changed by a resolution of the City Council, if deemed necessary.

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Section 8. Adoption Fee:

- (a) A \$5.00 adoption fee must be paid to the City Clerk's office by all new dog owners for all dogs brought to the shelter by the Ogdensburg Police Department whether or not they are to be released within the City limits.
- (b) Dog adoption fees will be reviewed by the City Council periodically and may be changed by a resolution of the City Council, if deemed necessary.

Section 9: Maximum impoundment; euthanasia.

- (a) The City of Ogdensburg grants the Society for the Prevention of Cruelty to Animals permission to retain unclaimed dogs for a maximum period of seven days beyond the period as defined by Agriculture and Markets Law § 118.
- (b) The City of Ogdensburg delegates the responsibility of euthanization of any dog not redeemed or adopted within the time frame as defined herein to the Society for the Prevention of Cruelty to Animals.
- (c) Under certain conditions (defined by §374 of the Agriculture and Markets Law), and upon the recommendation of the Ogdensburg Police Department a dog will be euthanized at the expiration of the time period as defined by §118 of the Agriculture and Markets Law.

Section 10. Running at large; leashing.

Any person owning or harboring a dog shall not suffer or allow it to run at large in any of the streets or public places of the City, or upon premises of anyone other than the owner or keeper, unless the owner or occupant of such premises grants permission; and no dog shall be permitted in any public place or street within the City, unless it be effectively and actually restrained by a chain or leash not exceeding six feet in length and be attended by a person of adequate ability to properly control it's actions.

Section 11. Stores and restaurants.

Dogs are prohibited in any grocery, store or restaurant where food or other perishable goods are sold except a Seeing Eye dog when serving as such.

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Section 12. Owners' responsibilities; nuisances; dangerous dogs.

- (a) Owner's responsibility. An owner of a dog or dogs shall not permit such dog or dogs to become a public nuisance.
- (b) Acts which constitute a public nuisance. A dog shall be considered a public nuisance if it shall:
 - (1) Consistently or persistently bark or howl.
 - (2) Cause personal injury.
 - (3) Cause damage to personal property.
 - (4) Transport trash or create impairment of lawns, hedges, flower beds and gardens on property other than that of the owner or anyone having the dog in custody.
 - (5) Persistently bark or chase pedestrians who are using the sidewalks while the dog is on the property of the owner or harborer.
- (c) Removal of defecations; responsibility of owner to remove defecation. It shall be the responsibility of every person owning, boarding or otherwise keeping or having in his custody a dog within the City of Ogdensburg to immediately remove from any street, sidewalk or other public place or privately owned property (other than the dog owner's property) any defecation made by such dog.
- (d) Dangerous dog. A dog shall be considered a dangerous dog if it is capable of inflicting death or serious injury on a person or another animal and which:
 - (1) Has, without provocation, bitten a person engaged in a lawful activity;
 - (2) Has, while off the property of its owner and without provocation, killed or seriously injured another animal.
 - (3) Has, without provocation, chased, confronted, threatened or approached a person off the property of its owner in a menacing fashion such as would put a reasonable person in fear of attack; or

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(4) Has exhibited a propensity, tendency or disposition to attack while off the property of its owner, to cause injury or to threaten the safety of persons or other animals without provocation.

(e) Complaints. Any person may make a verbal or written complaint to the Dog Control Officer of a dog which the complainant believes to be dangerous. The Dog Control Officer shall immediately inform the complainant of his/her right to commence a proceeding under this section. The Dog Control Officer shall follow the procedures set forth in Subdivisions 4 through 13 of § 121 of the New York State Agriculture and Markets Law and, if there is reason to believe the dog is a dangerous dog, the officer shall forthwith commence such proceeding himself

Section 13. Care of dogs.

It shall be unlawful for any owner of a dog or dogs to fail to provide such dog or dogs with adequate food, water and shelter at all times.

Section 14. Conditions to be sanitary.

Every person, who owns or harbors a dog or dogs, shall, at all times, keep the area wherein the dog or dogs are kept, possessed or harbored, in a neat, clean and sanitary condition and in accordance with the regulations of the Board of Health and Public Health Laws of the State of New York and such area shall be open to inspection by the proper City and health officials at all reasonable times.

Section 15. Dog Control Officer.

Pursuant to § 113 of the Agriculture and Markets Law, the position of Dog Control Officer is hereby created, who shall be appointed by the City Manager and shall be removed at the pleasure of the City Manager. The Dog Control Officer, in addition to all other powers and duties prescribed by law, shall have the authority to issue an appearance ticket in accordance with Article 150 of the Criminal Procedure Law.

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Section 16. Exceptions.

- (a) Nonresidents, exhibitors and Seeing Eye dogs. This article shall not apply to a dog owned by a nonresident, while passing through the City of Ogdensburg, nor to dogs brought into the City of Ogdensburg for a period not exceeding 15 days, if entered in any exhibition at any dog show therein, and confined and in immediate charge of the exhibitor, or a dog commonly known as a "Seeing Eye dog" while guiding its master.
- (b) Societies and hospitals. This article shall not apply to dogs actually confined to the premises of incorporated societies devoted to the care or hospital treatment of lost, strayed or homeless animals, or confined to the premises of public or private hospitals devoted to the treatment of sick animals.

Section 17. Penalties for Offenses

- (a) Any person who shall violate any provision of this chapter shall be guilty of a violation and shall, upon conviction thereof, be subject to:
 - (1) A fine of not less than \$50 nor more than \$350.00 and/or imprisonment for up to 14 days.
- (b) Additionally, any dog may be ordered by the court to be permanently removed from the City of Ogdensburg after a third violation of this chapter within a six-month period.

Section 18: Separability: Each separate provision of this Local Law shall be deemed independent of all other provisions herein and if any provisions shall be deemed or declared invalid, all other provisions hereof shall remain valid and enforceable.

Section 19: Repealer: This Local Law shall supersede all prior Local Laws, Ordinances, Rules and Regulations relative to the control of dogs within the City of Ogdensburg, and they shall be upon the effectiveness of this Local Law, null and void.

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Section 20: Effective Date: This Local Law shall be effective January 1, 2011 after filing with the Secretary of State.

The vote was:

CARRIED, AYES ALL

2. Councillor Skamperle introduced a resolution to temporarily adjust the salary of the Director of Public Works to reflect added duties required as temporary Recreation Director, and Councillor Sholette seconded to wit:

RESOLUTION TO TEMPORARILY ADJUST THE SALARY
OF THE DIRECTOR OF PUBLIC WORKS TO REFLECT ADDED DUTIES
FROM THE RECREATION DEPARTMENT

WHEREAS, the City of Ogdensburg Director of Public Works was appointed on August 9, 2010 to the position of interim Director of Recreation; and

WHEREAS, there has been an added workload related to that appointment; and

WHEREAS, there has been a formula negotiated with the Manager and Director of Public Works that reflects the time it takes each day to perform said duties; and

WHEREAS, the City Manager recommends this temporary salary adjustment retroactive to August 9, 2010.

NOW, THEREFORE, BE IT RESOLVED, that the City Comptroller is hereby authorized to adjust the Director of Public Works' salary to reflect the formula approved by the City Manager, as follows, \$34.58 x1 hour per day retro to August 9, 2010; and

BE IT FURTHER RESOLVED, this rate will continue until the appointment of a new Recreation Director; and

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BE IT FURTHER RESOLVED, the Director of Public Works will be paid for this retro in a separate check provided to him by the Comptroller devised from funds in the salary line of Recreation Administration salary appropriations (A7020.110).

Councillor Skamperle questioned if Mr. Smith has put in extra time for this or is it part of his eight-hour day. Councillor Morley asked if Mr. Smith works ten-hour days.

Kit Smith, Director of Public Works, explained that extra time was required in the Recreation Department to restructure the department, prepare and fine tune the 2011 budget and work getting the ice arena ready. Mr. Smith added that he also acquired the Buildings and Grounds maintenance duties.

The vote was:

AYES: Mayor Nelson, Councillors Cilley, Powers,
Sholette and Skamperle

NAYS: Councillor Morley

APPROVED, 5 to 1

3. Mayor Nelson introduced a resolution authorizing the City Manager to enter into an agreement for Professional Services for the design and preparation of contract specifications for the replacement of a storm drainage pipe within a specified area in Beaver Brook, and Councillor Powers seconded to wit:

RESOLUTION AUTHORIZING CITY MANAGER TO IMPLEMENT
THE FINDINGS BY STEARNS & WHELER IN THEIR TECHNICAL
MEMORANDUM, BEAVER BROOK DEVELOPMENT, HYDROLOGIC AND
HYDRAULIC ANALYSIS FOR STORM WATER IMPROVEMENTS

WHEREAS, the development is served by separate storm and sanitary sewers;
and

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WHEREAS, during periods of heavy rainfall and/or accelerated snowmelt some residents have reported basement flooding due to high groundwater surrounding their foundations seeping in through the floor and joints in the walls; and

WHEREAS, some residents have also reported basement flooding from their footer drains backing up into their basements; and

WHEREAS, the residences along Montgomery Street in the Beaver Brook neighborhood have reported the highest frequency of basement flooding; and

WHEREAS, an analysis of the Beaver Brook Development, surrounding watershed, and the storm sewer system in the Beaver Brook Development was completed using standard engineering practices and industry standard software; and

WHEREAS, it was found that there are many contributing factors leading to basement flooding in the development, some contributing factors are at the household level and some are at a broader watershed level; and

WHEREAS, a combination of localized and broad-scale projects are recommended; and

WHEREAS, recommended improvements are outlined in the Projects and Summary of Costs in the Technical Memorandum, Beaver Brook Development, Hydrologic and Hydraulic Analysis; and

WHEREAS, recommended improvements include private property improvements, storm sewer system capacity improvements, clean and conduct CCTV Inspections of sewer systems, remove catch basin "C" from Beaver Brook storm sewer system, improve drainage swale along Picquet Drive to catch basin "A", and State Route 37 maintenance and improvements requests to New York State Department of Transportation;

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NOW, THEREFORE, BE IT RESOLVED, the City Manager is hereby directed and authorized to implement the findings in the Technical Memorandum, Beaver Brook Development, Hydrologic and Hydraulic Analysis, for storm water improvements as outlined in the Technical Memorandum; and

BE IT FURTHER RESOLVED that the expenditure required for this work shall be derived from bonding for this entire project.

Mayor Nelson explained that Council met with Stearns and Wheler at a Council work session last Monday that was scheduled at the November 8th meeting. Mayor Nelson said if this is approved, work will be done throughout the winter and will be completed in May 2011.

Councillor Morley questioned if this \$29,500. is in addition to the \$15,000. we have already paid Stearns and Wheler. City Manager, Arthur Sciorra stated the \$15,000. was for the study, and the \$29,500. is for the pipe, the installation of the pipe and the swale work. Councillor Morley stated \$29,500. is too high, and we should have bid this project out. Councillor Sholette agreed and stated that we have \$44,000. into this project, and the shovel hasn't gone into the ground. Councillor Skamperle stated that Stearns and Wheler has put a lot of work into this project and questioned if a new company would have to start over. Mr. Sciorra stated a new firm would have to familiarize themselves with the entire project, and by using Stearns and Wheler we are trying to expedite this project and do the work this winter. Mr. Sciorra also explained that if we bid the engineering work out it could come in lower, but the engineering rate is generally 10% of the project and the pre-engineering estimated cost of the entire project as outlined in the report is \$240,000. Councillor Morley stated that we're not doing the full project. Mr. Sciorra read a section of the agreement outlining the six projects summary of costs and the timeframe for completion. (A copy of the services agreement follows these minutes.)

Mayor Nelson said the engineering design was \$17,900., bidding assistant \$3,700., home inspection protocol \$2,000. and data analysis \$3,500. for a total of \$27,100.

Councillor Skamperle stated the original report called for replacing six deficient pipes, and the new report is only replacing four pipes. Mr. Sciorra stated that was correct.

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Councillor Skamperle added that it looks like we are replacing pipes which aren't under asphalt, and Mr. Sciorra said that is also correct. Mr. Sciorra stated that there's a lot to be gained through this replacement; and the measures outlined here may correct the problem, but we will have to measure afterwards to see what the results are. Mr. Sciorra explained that a sagging pipe will be repaired and upsized from an 18" pipe to a 24" pipe; and the swale will convert water around the entire Beaver Brook area that's coming from the south basins and remove a considerable amount of water that will no longer go into that pipe. Councillor Skamperle mentioned this would alleviate a lot of stress on the capacity of the entire Beaver Brook area by diverting water coming from the south end into four catch basins of the project area and upsizing the pipe in the main conveyance that goes to Barre Street, which is an upsized pipe.

Councillor Skamperle stated that Catch Basin B needs to be addressed, adding that Mr. Rose pointed out that the pipe is broken and constantly catching both surface and ground water and is taxing the 10" section of pipe that runs under Montgomery Street. Councillor Skamperle stated we need to take care of Catch Basin B or we're asking for constant problems. Councillor Skamperle asked Kit Smith, Director of Public Works, if he has seen Catch Basin B. Mr. Smith stated yes, and he has been in contact with Stearns and Wheler and advised them that there are a couple of catch basins and a section of 36" pipe that we want to look at. Mr. Smith said this resolution is basically authorization to pursue a design. Mr. Smith added that his department will utilize their CT Camera and do the camera work along with a portion of the project to save \$10,000. Mr. Smith added that we are looking at adding a finger off the 36" pipe; however, it will entail acquiring a right-of-way on private property, because they can't get elevations to tie into the main trump line but can run a smaller pipe and get elevation to go to an area that will take water away from Catch Basin B which may alleviate stress in the 10" pipe.

Councillor Powers stated that he was concerned that Catch Basin B was not in the follow-up report.

Councillor Skamperle questioned if the resolution needed to be amended to add Catch Basin B. Mayor Nelson said no, this resolution authorizes the City Manager to enter into an agreement.

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Councillor Sholette questioned if Catch Basin B is not mentioned in the resolution, is there authorization to look at it and fix it. City Manager, Arthur Sciorra stated that Stearns and Wheler will work closely with Kit Smith, and this can become part of the design.

Councillor Powers questioned if the School's Capital Project had been addressed with our engineer and the schools. Mr. Sciorra said he met with Mr. Vernsey after last week's meeting and will continue to work with the school through the site plan review and the SEQR process to be involved in their design work.

Councillor Morley stated that he's not against the project; but \$29,000. is a lot of money, and this project should have been bid out. Councillor Skamperle said he agreed with Councillor Morley that it should have been bid out, but he will vote yes to get this area corrected. Councillor Skamperle added he wanted Catch Basin B addressed, and Council took those steps tonight.

Mayor Nelson said when this issue came up in January, Council brought in an engineer to collect data and information on where the problem was so we could fix it and do the project the right way.

The vote was:

AYES: Mayor Nelson, Councillors Cilley, Powers,
Sholette and Skamperle

NAYS: Councillor Morley

APPROVED, 5 to 1

4. Councillor Powers moved a resolution authorizing the City Manager to submit a Youthbuild Grant Application to the United States Department of Labor, and Councillor Morley seconded to wit:

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RESOLUTION AUTHORIZING THE CITY MANAGER
TO SUBMIT A YOUTHBUILD GRANT APPLICATION TO THE
UNITED STATES DEPARTMENT OF LABOR

WHEREAS, the City of Ogdensburg, in partnership with St. Lawrence-Lewis BOCES, and the St. Lawrence County One-Stop Career Center are partnering together to create a Green Jobs Program that will provide introductory training, skill development and mentorship placements in the trades; and

WHEREAS, the St. Lawrence County Youth Bureau will also partner in the program as it applies to youth and young adults; and

WHEREAS, the United States Department of Labor provides funding for these types of programs for disadvantaged young adults through the Youthbuild Grant Program; and

WHEREAS, the City will be the lead agency submitting a grant application, and if successful managing a program to provide introductory training, skill development and mentorship placements for disadvantaged young adults between the ages of 18 and 24; and

WHEREAS, BOCES has agreed to develop the curriculum, permit use of the Ogdensburg facilities, as well as hire a grant funded instructor for the program; and

WHEREAS, the One-Stop Career Center and the St. Lawrence County Youth Bureau will assist with outreach and recruitment of eligible participants to the program; and

WHEREAS, the One-Stop Career Center will also assist with coordinating services as well as tracking and reporting outcomes; and

WHEREAS, the City will provide mentorship opportunities by placing participants with qualified contractors in the City's Housing Rehab Program, as well as providing certain foreclosed properties to be used for rehab or new construction;

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NOW, THEREFORE, BE IT RESOLVED that the Ogdensburg City Council hereby authorizes the City Manager to submit a Youthbuild Grant application, and if awarded, to enter into the necessary agreements to implement the program.

Councillor Cilley questioned why older people or middle aged individuals aren't eligible for this. Justin Woods, Director of Planning and Development, stated that he has been working with these partners to develop a jobs program for the last 6 weeks, and this is the first step in the development of mini-programs along these lines. Mr. Woods stated that this particular funding source is targeted to young adults, but we are also looking at an EPA grant application in January that will be targeted to other adults.

Councillor Morley questioned if the City is going to provide City-owned properties for them to work on. Mr. Woods said yes, we will provide linkage through the contractors and through our rehab program. Mr. Woods said the wages and workmen's compensation will be covered by the grant, if we're funded. Councillor Morley questioned who is responsible for carrying workmen's compensation and liability insurance on the youth in this program. Mr. Woods stated the City. Councillor Skamperle agreed with Councillor Morley and said the liability issue is a concern. Mayor Nelson asked if there is a deadline for the grant application, and Mr. Woods stated December 3rd. Mayor Nelson stated if Council agrees, he will call for a special meeting next Monday, November 29th to obtain additional information regarding the liability issue.

After much discussion amongst Council, Mayor Nelson moved to table this resolution and Councillor Powers seconded the motion.

The vote to table was:

CARRIED, AYES ALL

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OLD BUSINESS

1. Councillor Powers asked Director of Planning & Development, Justin Woods if we will apply for 2011 CDBG grants and added that he heard Carthage wasn't successful. Mr. Woods said we will be applying and that announcement about Carthage was for 2010. Councillor Powers said the criteria Carthage used focused on the number of homes with a detailed working budget on each house instead of target areas and asked which one we are applying for. Mr. Woods stated we apply for both. Mr. Woods stated we have a waiting list, and we do case studies from target areas. Mr. Woods said applications just came out and are due in March or April.

Councillor Morley questioned who will be writing these grants. Mr. Woods stated his office and the grant administrator, CW Augustine.

Councillor Sholette requested an update on what CW Augustine has been paid.

Councillor Powers asked if the Kiwanis property site investigations are on track for the 12/01/10 timeline. Mr. Woods said we are on schedule and should have reports by the spring.

2. Councillor Sholette requested an update on the Lake Street bridge project and when the bids will be going out.

3. Councillor Sholette asked when we are going to hire a new Recreation Director. City Manager, Arthur Sciorra stated after the budget process is completed.

4. Councillor Sholette said he would like all outside services bid out to keep people honest.

5. Councillor Skamperle questioned if we have the funds for the Lake Street bridge reconstruction. Mr. Sciorra stated that the money has been approved by the State, we have to bid the project and submit for payments to receive the funds.

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NEW BUSINESS

1. Mayor Nelson moved a resolution to call for a special meeting, and Councillor Morley seconded to wit:

RESOLUTION

BE IT RESOLVED, that there will be a Special Council Meeting held on Monday, November 29, 2010 at 7:00 p.m. in the City Hall Council Chambers to act on a resolution authorizing the City Manager to submit a Youthbuild Grant Application to the United States Department of Labor and a work session on the draft Workplace Violence Prevention Policy.

The vote was:

CARRIED, AYES ALL

2. Councillor Skamperle said he received a call from a man who owns property at the end of the Maple City Trail near the two cement bunkers. Councillor Skamperle said the man has horses, and four wheeler operators are cutting his fence to go through his property and letting the horses out. Councillor Skamperle said he is requesting cement barriers be placed where his property meets the end of trail. Councillor Skamperle suggested talking to this man about a extending our walkway across his Morley's Trailer Park property. Councillor Skamperle said he would pass this man's name on to Mr. Sciorra to contact.

ITEMS FOR DISCUSSION

1. Councillor Powers said we have some law enforcement and public safety issues in the City. Councillor Powers stated the Police Department is understaffed to combat all the drug dealers and we need community involvement. Councillor Powers added that the Rockefeller Drug Laws had a better handle on drug activities and asked the community to please call someone if they see suspicious activities.

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Councillor Skamperle stated we need to re-organize the Police Department as we don't have any detectives who work the hours when these activities are occurring. Mayor Nelson disagreed and stated they don't just work 7-3 and are very involved members of the SLC Drug Task Force. Mayor Nelson added this drug problem is all over St. Lawrence County, and we need the entire community's help to combat this problem. Mayor Nelson stated we're not law enforcement and need to let the professionals run the Police Department. **Councillor Skamperle stated he would stand by that correction. Councillor Skamperle said his point is that they don't have a regular shift, they are working at a cost of over-time when it could be their regular shift.**

Councillor Powers stated the PD is doing a great job with the resources they have. Councillor Powers added that we're the compromise of the state, letting drug dealers out of prison with no deterrents to allow them to infiltrate our young and break into elderly homes.

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