AGENDA
Council Meeting
Monday, March 25, 2019
7:00 P.M.

I. Pledge of Allegiance

II. Call to Order

III. Voting and Appointment of City Council Member

1. A resolution to appoint a replacement for the vacant Council seat. (Bill #24)

IV. Executive Session

1. Current Litigation

V. Presentation


VI. Proclamation

1. Fair Housing Month, April 2019
2. Library Week, April 7-13, 2019

VII. Public Hearing

1. A public hearing regarding a Local Law to amend Article III of the City Charter. (Bill #22)

VIII. Personal Appearance
(Anyone wishing to address the Council should notify the Clerk prior to the meeting)

IX. Correspondence

X. Consent Agenda
(All Matters listed under this item are considered to be routine and will be enacted by one motion in the form below without separate discussion. If discussion is desired, the item will be removed from the consent agenda and considered separately.)

1. Approval of previous minutes
2. Approval of warrant

XI. Appointments

XII. Items for Council Action

1. A Local Law to amend Article III of the City Charter. (Bill #22)
2. A resolution authorizing the City Manager to enter into an agreement with Griffin Commercial UD Trucks for the purchase of a 2007 Ford Step Van for a sum not to exceed $28,000. (Bill #25)

3. A resolution authorizing the City Manager to sign a Retainer Agreement with Napoli Shkolnik Attorneys at Law to represent the interests of the City of Ogdensburg in the coordinated litigation against the manufacturers and distributors of opioids. (Bill #26)

XIII. Old Business

XIV. New Business

XV. Items for Discussion

1. Waterfront Projects

XVI. Citizen Participation

XVII. Executive Session

XIX. Adjournment
Business of the City Council
City of Ogdensburg

SUBJECT:
A resolution to appoint a replacement for vacant Council seat.

FOR AGENDA OF: March 25, 2019
BILL #: 24
DEPT. OF ORIGIN: City Clerk
DATE SUBMITTED: March 18, 2019
CLEARANCES:

APPROVED AS TO FORM BY CITY ATTORNEY

EXHIBITS: Resolution
APPROVED BY CITY MANAGER FOR SUBMITTAL

EXPENDITURE REQUIRED: 0
AMOUNT BUDGETED: 0
APPROPRIATION REQUIRED: 0

SUMMARY STATEMENT
A resolution to appoint a replacement for the vacant Council seat.

RECOMMENDED ACTION
Passage of this resolution.

MOVED BY: ____________ SECONDED BY: ____________

VOTE ON ROLL CALL:
MAYOR ASHLEY __________
COUNCILLOR KENNEDY __________
COUNCILLOR DAVIS __________
COUNCILLOR PRICE __________
COUNCILLOR SKAMPERLE __________
COUNCILLOR STEVENSON __________
RESOLUTION TO APPOINT REPLACEMENT FOR VACANT COUNCIL SEAT

WHEREAS, the City of Ogdensburg presently has a vacant position on the City Council, and

WHEREAS, the Ogdensburg City Charter provides that a replacement for the vacant Council seat be appointed by the remaining members of Council,

NOW, THEREFORE, BE IT RESOLVED, that the Ogdensburg City Council hereby appoints ________________ to fill the vacant Council seat, term to expire December 31, 2019.
February 26, 2019
Kenneth J. Gardner, CC-EMTP, EMT-P
Chief of Emergency Services
2018 Annual Report to the Public

2018 Annual Report to The Public

In a very critical time in the New York State Emergency Medical Services, The Ogdensburg Volunteer Rescue squad continues to maintain its commitment to service the communities we serve. In 2018 in the State of New York, 22 Emergency Medical Services Departments have ceased operation, mostly due to inadequate reimbursement rates from Medicare and Medicaid and lack of volunteers. The latest being the Fulton County Ambulance who suddenly closed its doors on a Friday afternoon with no notice to the public or their employees.

CALLS

During the 2018 calendar year, which is our 59th year of service, The Ogdensburg Volunteer Rescue Squad was requested to respond to a total of 2800 calls for service that include Medical calls, Stand-by's, Fire Calls, Transports and special requests for our services from many different organizations. This resulted in 2448 actual patient care reports. OVRS averaged 7.6 calls a day, 233 calls a month with the busiest month being August. The OVRS responded to 1745 in the City of Ogdensburg, 240 in the Town of Oswegatchie, 129 in the Town of Lisbon, 109 in the Village of Heuvelton, 62 in the Town and Village of Morristown, 36 in the Town and Village of Waddington, 62 in the Town and Village of Hammond, 14 in the Town of Depeyster. We also took calls in the Town of Macomb, Russell, Hermon, Gouverneur, Dekalb, Madrid, Massena, Potsdam and Rossie. In addition, we responded to the Village of Rensselaer Falls and were available to many other agencies for ALS intercepts. OVRS also made itself available for 197 transfers from hospital to hospital, for critically ill patients, usually to Syracuse or Burlington VT.

The Ogdensburg Volunteer Rescue Squad treated patients for the following complaints:
Abdominal Pain – 66, Allergic Reactions – 17, Altered Mental Status – 88, Assaults – 15,
Hemorrhage/Lacerations – 51, Overdose – 38, Pain – 104, Traffic Accidents – 89, Traumatic Injuries – 58, Stroke/CVA – 35, Unconscious/Fainting – 76 and many other miscellaneous calls for service. OVRS had an increase in altered mental status, Cardiac calls, falls and altered mental status calls. On a great note, the number of overdose calls dropped significantly.

On average, Ogdensburg Volunteer Rescue Squad was enroute to a call within 2.86 minutes and arrived on scene in less than 4.16 minutes of dispatch in the 13669-zip code. When you include all surrounding areas we service, our on-scene time is an amazing 5.31 minutes, especially considering many of our travel times are well over 20 minutes.

The Members of OVRS are extremely thankful for all of our First Responders, especially the City of Ogdensburg and the Village of Heuvelton. They are an intricate part of the EMS Services
that are provided to their local Communities. Our working relationships are outstanding and enable our Community Members to receive excellent Medical Services.

SERVICE AREA

The Ogdensburg Volunteer Rescue Squad provides emergency ambulance service in a primary district consisting of the City of Ogdensburg, Town of Oswegatchie, Town of Depeyster, Village of Heuvelton, the Village and Town of Morristown, the Village and Town of Hammond, the Village and Town of Waddington, as well as the Town’s of Dekalb and Macomb. Mutual Aid and Advanced Life Support assistance is provided to the ambulance services in Lisbon, Morristown, Hammond, Waddington, Hermon, Madrid, and Rensselaer Falls as needed. The Off-Shore Rescue Team responds to water related incidents throughout the county with the St. Lawrence County Underwater Recovery Team. Our Rescue/Vehicle Extrication Team has responded to numerous incidents also throughout St. Lawrence County.

MEMBERS AND STAFF

Our current roster includes 43 volunteers. At a time when the majority of Emergency Medical Services Agencies around New York State continue to drop in volunteer members, the Ogdensburg Volunteer Rescue Squad continues to maintain our membership and cover our volunteer crews both day and night. These very dedicated volunteers donated in excess of 22,378 hours to their communities in 2018. At the current average rate for paid providers, this represents a savings of over $643,104 to the communities we serve in salary and benefits such as health insurance and pensions. The Volunteers of the Ogdensburg Volunteer Rescue Squad receive no compensation for their service to their community. There is one (1) with Forty-Five Years of service, four (4) volunteers with 30 years+ of service, six (6) with over 25 years of service, eight (8) with over 20 years of service, three (3) with 15-19 years of service, two (2) with 10-14 years of service, nine (9) with 5-9 years of service and 10 with fewer than five years of service.

The volunteer membership consists of: One (1) Paramedic, Five (5) Advanced Critical Care EMT’s, Fifteen (15) Basic EMT’s and Eighteen (18) Certified Drivers, Eighteen (18) Certified Divers and Eighteen (18) members of the specialized extrication team. The Ogdensburg Volunteer Rescue Squad also has a paid staff that consists of one Advanced Life Support provider that is on duty 24 hours and another from 3pm-11pm, seven days a week and one (1) Basic EMT that is on duty from 7am-7pm, seven days a week. Of this paid staff there is one Critical Care Paramedic, four (4) Paramedics, six (6) Advanced Critical Care EMT’s and three (3) Basic EMT’s. All of the Volunteer members and paid staff must stay current with the latest technologies and medications in the field of Emergency Medicine by recertifying with New York State every three years through either the Continuing Medical Education program or through the New York State Recertification program. The members and employees of the Ogdensburg Volunteer Rescue Squad maintain their skills and knowledge through a monthly training program supplemented by multiple outside training courses. In 2018, New York State has significantly changed the way they will continue to support the AEMT-CC certification. NYS is dropping the certification through attrition and will no longer offer original certification or renewal courses for AEMT-CC. New York State will offer an accelerated AEMT-CC to Paramedic course. For Volunteers this will require at least 20 hours a week in self study and testing. In 2018, the Ogdensburg Volunteer Rescue Squad sent members to trainings sponsored by the New York State Department of Health’s Emergency Medical Services Division in Regional
trainings in Rochester, St. Lawrence, Jefferson County, Mountain Lakes Regional Training, Finger Lakes Regional training, Lewis County and finally the North Country Emergency Medical Services Program Agency’s annual “Spring Fling” EMS training in Alexandria Bay. Many different topics were discussed and many more Continuing Medical Education hours of training were credited. The Ogdensburg Volunteer Rescue Squad updated its members and employee’s, as they must every two years for the American Heart Association CPR Guidelines and in 2018 OVRS added two new American Heart Association Advanced Life Support and three Pediatric Life Support Instructors.

In 2018, The Ogdensburg Volunteer Rescue Squad was very proud to have one it’s own named “Citizen of the Year” by the Ogdensburg Chamber of Commerce. Mr. Robert “Storm” Cilley earned this prestigious award through his numerous dedicated hours to the citizens of the City of Ogdensburg. Storm has served with OVRS for over thirty-seven (37) years. He also served on the City of Ogdensburg City Council and was a teacher for the Ogdensburg City School District.
Many of our members and employees serve as preceptors for EMS students in the SUNY Canton and varies other Paramedic programs. In 2018, OVRS had the opportunity to provide a preceptor on-site to students from the EMT-B, AEMT, AEMT-CC and Paramedic programs.

OFFICERS

The 2019 Officers of the Ogdensburg Volunteer Rescue Squad are:
President - Michael Paige
Vice President - Bruce Lewis
Treasurer - R. Storm Cilley
Secretary - David Ford
Board Member - William Greene
Board Member - John Porter
Board Member - Matt McDonald
Chief of Emergency Services - Kenneth Gardner
Assistant Chief - David Montroy
Assistant Chief - Nicole Livingston
Extrication Coordinator - Matt McDonald
Offshore Rescue Coordinator - John Porter
Training Coordinator - Ann Smith

HIGHLIGHTS

In 2018, the Ogdensburg Volunteer Rescue Squad has continued to ensure our future in our current facility by repairing roof issues and the entire main portion of the Hackett’s Department Store and the 18,000 sq./ft. available for lease or purchase to a private company. The Rescue Squads operations currently occupy the 21,000 sq./ft. of what was originally the Hackett’s, Rental & small engine repair portion of the old building. The Ogdensburg Volunteer Rescue Squad continues to strive to be financially responsible and has sold our land on Rt. 812, to the Ogdensburg Bridge and Port Authority. OVRS does continue to train on the land as well.

In 2018, the Ogdensburg Volunteer Rescue Squad members participated in many community events such as the Polar Plunge. OVRS works with the Chamber of Commerce to put on a fun event that allows participants and spectators a chance to come have some fun and laughs for good causes. The members of Ogdensburg Volunteer Rescue Squad are responsible for cutting the hole in the ice, getting and maintaining the hot tub for the participants to warm up in and most importantly for the safety of all participants. Members harness each participant and provide the lifeline so no one gets injured. The day is a great success. In 2019 the event will be held on March 9th.
OVRS Members also participate in community events such as, Chamber of Commerce's Car-B-Q, Seaway Festival, Chamber of Commerce's Oktoberfest. OVRS also participate in many Fire Department Events, Parades and Public requests for services.

The Ogdensburg Volunteer Rescue Squad's Members also continue to be an advocate in the fight against diabetes and heart disease. Every Friday, volunteer Members make themselves available to the public for blood pressure and heart rate checks. The Members also conduct Blood Glucose checks. These medical checks are open to any Member of the public at the OVRS Building. Our Members also participate in Career Days at SUNY Canton and Thank's to the sponsorship of Mort Backus and Sons, we participate in the The Ogdensburg Boys and Girls Club Expo to help further our commitment to health education in the community.

OVRS volunteers and paid staff continue to make early education a top priority. We participate with our local school systems to make children aware of what we do as well as participating "DWI" drills. OVRS works with the Claxton-Hepburn Medical Center staff and with different fire departments by participating in training drills.

A fundraising endeavor that began in 2012 and continues today with numerous different giving opportunities available, that include the purchasing of bricks to be placed in the "Debbie Abel Memorial Gardens" as well as bricks attached to the OVRS Building at the Public Entrance. Volunteers from the Rescue Squad donate their time to do all of this fundraising work.
In 2018, we were very saddened to lose one OVRS’s most stanch advocates, Mr. Charles “Chuck” Kelly. In 2014, The Ogdensburg Volunteer Rescue Squad named our Community Room after this amazing man. In the “Charles E. Kelly” Community Room, OVRS has held many open trainings for the general public as well as municipalities, these include CPR and First Aid trainings as well as many other Medical Trainings. In 2018, OVRS held a full EMT class in which 14 brand new EMT’s graduated and will make a great contribution in providing emergency medical care with local departments throughout St. Lawrence County, this class was taught by one of our own instructors, Ann Smith. The Ogdensburg Volunteer Rescue Squad continues to maintain a staff of Certified Lab Instructors as well as Certified Classroom
Instructors. We also maintain a staff of American Heart Association Instructors who teach many classes ranging from CPR to Advanced and Pediatric Life support.

The Charles E. Kelly Community Room, has also been used almost every weekend for Bridal Showers, Baby Showers and Children’s Birthday Parties. This room continues to be available for usage by the general public. The Community room allows the Ogdensburg Volunteer Rescue Squad to train extensively to be able to continue supplying the highest possible level of care to the citizens of the many areas we serve. The New York State Police use the facility on a constant basis to practice and refine their self-defense tactics making them safer in the carrying out of their very dangerous day to day responsibilities. The Community room has also held the AARP Tax return preparations for the past three years. These are held every Thursday beginning in February and ending the last Thursday before April 15th. They are done free of charge and numerous citizens take advantage of this service.

OFFSHORE RESCUE

In 2018, The Ogdensburg Volunteer Rescue Squad Off-Shore Rescue Team responded to 18 emergency calls for service. These calls included Boaters in Distress to Search and Rescue of individuals throughout St. Lawrence County. The OVRS Dive team is comprised of 18 divers of different skill levels. Current certifications include Dive Instructor, Dive Master, Rescue Diver, Basic and Advanced Open Water Diver, Ice Diver, Deep Water Diver and Wreck Diver, Rapid Recovery Diver and Boat Operators. In 2018, our Dive Team added new members as well and all members received their certifications as Open Water Divers and continued on and received their Advanced Diver certifications. We further have other members that received their Rescue Diver and well as completing a search and rescue course. These Members of this specialized skilled team, train continuously all year around in local pools to be prepared whenever called upon.
THE EXTRICATION TEAM

The OVRS Extrication Team responded to 73 calls for service in 2018. A number of those calls required the use of the “Jaws of Life” to remove a patient. The rescue team operates a heavy rescue truck that is equipped with AMKUS Ultimate System for extrication of trapped occupants. This unit carries hydraulic cutters, spreaders and rams. A full set of air bags and rescue jacks are also carried for lifting and stabilizing. The Ogdensburg Volunteer Rescue Squad continues to be a leader in the region with its Rescue Truck providing extrication services in the City of Ogdensburg and mutual aid to surrounding agencies. These specially trained personnel participated in different training exercises. These trainings teach the latest techniques in vehicle extrication, which allows us to be able to free a trapped patient quickly thus allowing the ambulance crew to get them to a medical facility quicker.

In 2018, The Ogdensburg Volunteer Rescue Squad trained on their land on Rt. 812. In 2018, the Extrication Team was involved in a countywide Mass Causality Drill involving a possible plane crash and used numerous departments from St. Lawrence County. This event is designed to stress the resources available in the County and to learn where the weaknesses are. We also continued to maintain our extrication equipment. This equipment enables OVRS to extricate people faster who are trapped in vehicles during motor vehicle collisions or any other situation that may find people trapped in.
EQUIPMENT

In 2018, we had to continue to upgrade our equipment to meet the increased demand for transports, we purchased a new ambulance and we have currently sent out one of our older ambulances to be remounted, the costs of these to the Ogdensburg Volunteer Rescue Squad is approximately $400,000. Unfortunately, in 2018, Phillips ECG Monitors and defibrillators have decided to no longer service their cardiac monitors beginning in 2020. Therefore, in the near future, OVRS will need to purchase five (5) new Cardiac Monitors at a cost of $40,000 each or a total of at least $200,000. The Ogdensburg Volunteer Rescue Squad also has installed a fully modernized patient care reporting. This will enable us to have better patient record keeping and better patient information security.

The Ogdensburg Volunteer Rescue Squad currently operates four (4) ambulances equipped to provide Advanced Life Support, a motor vehicle extrication truck, a four-wheel drive ALS/Offshore Rescue response vehicle, and a boat used for water related emergencies.

COMMUNITY SUPPORT

The Ogdensburg Volunteer Rescue Squad continues to enjoy tremendous support from the individuals and organizations within the communities that we serve. The membership thanks everyone in the community who has supported the Ogdensburg Volunteer Rescue Squad during the past year by donating to the annual letter drive, making a regular donation, making
a donation in memory of a loved one, or leaving a bequest in their will. This support is very important to us. The funds that we receive from the contracts with municipalities and through billing are not enough. Your donations allow us to purchase improved equipment and keep the Ogdensburg Volunteer Rescue Squad responding to your calls for help.

We would like to thank the Ogdensburg Police Department, the St. Lawrence County Sheriff's Department, The New York State Police, The Border Patrol, The Ogdensburg, Lisbon, Morristown, Heuvelton, Rensselaer Falls, Waddington, Hermon, Hammond, Brier Hill, Morley, and Canton Rescue Squads, First Responder Units, and Fire Departments for their assistance throughout the year.

The membership appreciates the support of the citizens in City of Ogdensburg, Village of Heuvelton, Town of Oswegatchie, Town of Depeyster, and County of St. Lawrence during the past year.

Each and every member of the communities that we serve is important to us. The continued support of people in the communities that we serve make it possible for the Ogdensburg Volunteer Rescue Squad to exist, obtain the best quality equipment and training, and provide you with Ambulance and Rescue Service. THANK YOU!!

INTERESTED IN JOINING?

The Ogdensburg Volunteer Rescue Squad is the ultimate community service organization. The rewarding experience of serving your fellow citizens in their time of need is unmatched. The Ogdensburg Volunteer Rescue Squad is always looking for new members. If you are at least 18 years of age, a licensed driver, of good moral character, and interested in helping others we are interested in you as a member. We will provide you with the opportunity to serve your community in a very rewarding way. We will provide you with the opportunity to become trained in CPR and Pre-hospital Emergency Medical Care. You will also have the opportunity to take training as a SCUBA diver, EMS Instructor, and other rewarding areas of EMS. If you are interested please contact the Chief at (315) 393-0837 or stop by the Rescue Squad Building at 1223 Pickering Street to meet the duty crew, tour the building and vehicles, learn more about the Ogdensburg Volunteer Rescue Squad, and pick up an application to a very rewarding experience. More information and applications can also be found on the Ogdensburg Volunteer Rescue Squads web site at www.ogdensburgrescue.org.

CALL 911

All citizens are reminded that the best way to get emergency medical help is to call 911. 911 provides fast access to well-trained dispatchers, who will get the appropriate EMS units on the way quickly and will provide emergency medical directions on the phone.
Office of the Mayor
Ogdensburg, New York

Proclamation

WHEREAS, April 11, 2019 marks the 51st anniversary of the Federal Housing Act of 1968, which prohibits discrimination in housing because of race, color, sex, religion, national origin, handicap and familial status; and

WHEREAS, the City of Ogdensburg and St. Lawrence County Planning Department partner to operate the Fair Housing Task Force, whose mission it is to educate concerned citizens and the housing industry about making fair housing opportunities possible for all our citizens, and

WHEREAS, the Housing Task Force does this by educating and encouraging others to abide by the letter and the spirit of the fair housing laws; and

WHEREAS, by supporting and promoting fair housing and equal opportunity, we are positively contributing to the health of our City, County and State; and

WHEREAS, this year’s Fair Housing activities including hosting a Fair Housing and Housing Advocacy Training Workshop on April 3, 2019 from 10 AM – 2 PM at St. Lawrence University.

NOW, THEREFORE, I, Mayor Wayne L. Ashley, do hereby support city-wide fair housing activity, and I urge our citizens, brokers, landlords and bankers to rededicate themselves to ensuring that fair housing laws are always upheld and citizens are protected against discrimination.

In witness whereof I have hereunto set my hand and caused this seal to be affixed.

Wayne L. Ashley

Wayne L. Ashley, Mayor

Attest: [Signature]

Date: March 25, 2019
Office of the Mayor
Ogdensburg, New York

Proclamation

WHEREAS, today’s libraries are not just about books but what they do for and with people;

WHEREAS, libraries of all types are at the heart of cities, towns, schools and campuses;

WHEREAS, libraries have long served as trusted and treasured institutions where people of all backgrounds can be together and connect;

WHEREAS, libraries and librarians build strong communities through transformative services, programs and expertise;

WHEREAS, libraries, which promote the free exchange of information and ideas for all, are cornerstones of democracy;

WHEREAS, libraries promote civic engagement by keeping people informed and aware of community events and issues;

WHEREAS, librarians and library workers partner with other civic organizations to make sure their community’s needs are being met;

WHEREAS, libraries and librarians empower their communities to make informed decisions by providing free access to information;

WHEREAS, libraries are a resource for all members of the community regardless of race, ethnicity, creed, ability, sexual orientation, gender identity or socio-economic status, by offering services and educational resources that transform lives and strengthen communities;

WHEREAS, libraries, librarians, library workers and supporters across America are celebrating National Library Week.

NOW, THEREFORE, be it resolved that I, Wayne L. Ashley, proclaim National Library Week, April 7-13, 2019. I encourage all residents to visit the Ogdensburg Public Library this week and explore what’s new at your library, and engage with your librarian. Because of you and our library leaders, Libraries Transform.

In witness whereof I have hereunto set my hand and caused this seal to be affixed.

Wayne L. Ashley, Mayor

Attest: Coralee Barrett

Date: March 25, 2019
RESOLVED: That the claims as enumerated in General Fund Warrant #06-2019 in the amount of $545,176.76 and Library Warrant #06-2019 in the amount of $25,121.97 and Capital Fund Warrant #06-2019 in the amount of $3,867.28 and Community Development Fund Warrant #06-2019 in the amount of $0.00 and Community Renewal Fund Warrant #06-2019 in the amount of $1,905.09, as audited, be and the same hereby are ordered paid.

DATED: March 21, 2019
Business of the City Council
City of Ogdensburg

SUBJECT:
A local law to amend the City Charter.

FOR AGENDA OF: March 25, 2019
BILL #: 22
DEPT. OF ORIGIN: City Clerk
DATESubmitted: February 19, 2019
EXHIBITS: Local Law

APPROVED AS TO FORM BY CITY ATTORNEY

APPROVED BY CITY MANAGER FOR SUBMITTAL

EXPENDITURE REQUIRED: -0-
AMOUNT BUDGETED: -0-
APPROPRIATION REQUIRED: -0-

SUMMARY STATEMENT
A Local Law to amend Article III of the City Charter.

RECOMMENDED ACTION
Approval of Local Law.

MOVED BY: ____________________ SECONDED BY: ____________________

VOTE ON ROLL CALL:
MAYOR ASHLEY __________ COUNCILLOR DAVIS __________
COUNCILLOR KENNEDY __________ COUNCILLOR PRICE __________
COUNCILLOR SKAMPERLE __________
COUNCILLOR STEVENSON __________
LOCAL LAW #__ OF 2019

A Local Law providing for changes to the Ogdensburg City Charter.

Be it enacted by the City Council of the City of Ogdensburg as follows:

SECTION I. Article III of the City Charter of the City of Ogdensburg entitled City Council and Mayor be and the same is amended as follows:

§ C-10. Vacancies; forfeiture of office.

C. Filling of vacancies.

(2) Vacancies in the office of Mayor or Councillor, caused other than by the expiration of the terms thereof, shall be filled, within 30 days, by the remaining members of the City Council according to the following procedures:

(e) If such vacancy occurs before July 25 of the current year, the term of the appointed Mayor or Councillor shall be for the balance of such calendar year.

SECTION 2. Effective Date: This local law shall take effect immediately upon filing in the office of the New York State Secretary of State.
Business of the City Council
City of Ogdensburg

SUBJECT:
Resolution authorizing the City Manager to enter into an agreement with Griffin Commercial UD Trucks for a 2007 Ford Step Van.

FOR AGENDA OF: 3/25/2019
BILL #: 25
DEPT. OF ORIGIN: DPW
DATE SUBMITTED: 03/18/2019
EXHIBITS: Resolution, bid sheet and quotations
APPROVED BY CITY MANAGER FOR SUBMITTAL

APPROVED AS TO FORM BY CITY ATTORNEY

EXPENDITURE REQUIRED: $28,000.00
AMOUNT BUDGETED: -0-
APPROPRIATION REQUIRED: $28,000.00

SUMMARY STATEMENT

A resolution authorizing the City Manager to enter into an agreement with Griffin Commercial UD Trucks for the purchase of a 2007 Ford Step Van for a sum not to exceed $28,000.

RECOMMENDED ACTION

Approval of resolution.

MOVED BY: ____________________  SECONDED BY: ____________________

VOTE ON ROLL CALL:

MAYOR ASHLEY
COUNCILLOR DAVIS
COUNCILLOR KENNEDY
COUNCILLOR PRICE
COUNCILLOR SKAMPERLE
COUNCILLOR STEVENSON
RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH GRIFFIN COMMERCIAL UD TRUCKS FOR THE PURCHASE OF A 2007 FORD STEP VAN

WHEREAS, a Department of Public Works Chevy Step Van has broken down due to its age and is unable to be fixed; and

WHEREAS, a Step Van is instrumental in keeping the City’s sidewalk crew organized and efficient during the sidewalk season; and

WHEREAS, the City has chosen Griffin Commercial UD Trucks to purchase the 2007 Ford Step Van;

NOW, THEREFORE, BE IT RESOLVED that the City Council authorizes the City Manager or her designated representative to enter into an agreement with Griffin Commercial UD Trucks to purchase the 2007 Ford Step Van; and

BE IT FURTHER RESOLVED, that the City Comptroller is hereby authorized to transfer funds not to exceed $28,000.00 from General, Water, and Sewer Funds to A5410.310 (Sidewalk-Capital Equipment) to pay for this purchase.
Business of the City Council
City of Ogdensburg

SUBJECT: Resolution authorizing the City Manager to sign a Retainer Agreement with Napoli Shkolnik Attorneys at Law.

FOR AGENDA OF: 3/25/2019
BILL #: 26
DEPT. OF ORIGIN: City Manager
DATESubmitted: 03/19/2019
EXHIBITS: Memo, Retainer Agreement & PowerPoint
APPROVED AS TO FORM BY CITY ATTORNEY
APPROVED BY CITY MANAGER FOR SUBMITTAL

EXPENDITURE REQUIRED: $0.00
AMOUNT BUDGETED: -0-
APPROPRIATION REQUIRED: $0.00

SUMMARY STATEMENT

A resolution authorizing the City Manager to sign a Retainer Agreement with Napoli Shkolnik Attorneys at Law to represent the interests of the City of Ogdensburg in the coordinated litigation against the manufacturers and distributors of opioids.

RECOMMENDED ACTION

Approval of resolution.

MOVED BY: ____________________ SECONDED BY: ____________________

VOTE ON ROLL CALL:

MAYOR ASHLEY COUNCILLOR DAVIS
COUNCILLOR KENNEDY COUNCILLOR PRICE
COUNCILLOR SKAMPERLE
COUNCILLOR STEVENSON
RESOLUTION AUTHORIZING THE CITY MANAGER TO SIGN A RETAINER AGREEMENT WITH NAPOLI SHKOLNIK ATTORNEYS AT LAW

WHEREAS, deceptive marketing practices by manufacturers and distributors of opioid pain medications have contributed to a nationwide opioid addiction epidemic, and

WHEREAS, Napoli Shkolnik Attorneys at Law of New York City has been selected to assist in the coordinated litigation by New York Counties and Cities, claiming that the manufacturers and distributors of opioids have violated state consumer protection acts and fair business practices, have created a public nuisance, have been negligent in failing to report suspicious opioid orders, and have committed fraud, and

WHEREAS, as a result cities, counties and New York State spend millions of dollars each year to provide and pay for health care and addiction treatment costs as well as criminal justice and victimization costs,

NOW, THEREFORE, BE IT RESOLVED, that the City Manager of the City of Ogdensburg is hereby authorized to enter into a Retainer Agreement with Napoli and Shkolnik to represent the interests of the City of Ogdensburg in the coordinated litigation by New York Counties and Cities against the manufacturers and distributors of opioids.
TO: Ogdensburg City Council

SUBJECT: Opioid Litigation

DATE: March 21, 2019

At Council’s March 11 meeting, Councillor Price inquired about the possibility of joining the coordinated lawsuit effort statewide against manufacturers and distributors of opioids for what is seen as fraudulent and negligent marketing and distribution of opioids. Interest in this lawsuit is prompted, in part, by the burden the addiction to opioids and their derivatives is placing on the City’s public safety operations.

The New York State Association of Counties has been involved in coordinating the participation of counties, including St Lawrence County, in this legal action. Cities also are eligible to participate, so I am therefore bringing forward for Council’s consideration the Retainer Agreement necessary to join this coordinated legal challenge. City Attorney Andy Silver has reviewed and approves of the Agreement.

The law firm of Napoli Shkolnik PLLC of New York City is handling the coordinated litigation for municipal jurisdictions throughout New York. The principle litigators are Salvatore Badala and Joseph Ciaccio, both of whom I spoke with this week. They informed me that the first New York trial is currently scheduled for March of 2020.

There is no cost to joining the litigation. Any costs will be paid for through settlement proceeds at the conclusion of the litigation. Specifically, the Retainer Agreement calls for 25% of the gross proceeds to be allocated to the law firm. There is no estimate at this time of what the full value of settlement proceeds might be as that would be speculative.

A resolution authorizing the City Manager to sign the Retainer Agreement is on your March 25 agenda. In addition to this memo, I also have attached a PowerPoint presentation from Napoli Shkolnik on the opioid epidemic and the firm’s role in litigation efforts. In case anyone wants to read it, I also have a copy of the 248-page Master Long Form Litigation Complaint filed by Napoli Shkolnik in October of 2017 in Suffolk County Supreme Court, which is the basis of the coordinated legal action.
WATERFRONT PROJECTS TENTATIVE SCHEDULE

SPRING/ EARLY SUMMER
Boat launch repairs begin – start at Paterson Street launch
Caroline Street Traffic Circle repairs begin
Municipal Boardwalk repairs begin

SUMMER
Boat launch repairs continue – Little Park second
Caroline Street Traffic Circle repairs continue
Municipal Boardwalk repairs continue
Potential for two trial-run weekends of Prescott-Ogdensburg passenger ferry

LATE SUMMER/EARLY FALL
Boat launch repairs finish unless additional damage discovered
Caroline Street Traffic Circle repairs finish unless additional damage discovered
Municipal Boardwalk repairs finish unless additional damage discovered
Wastewater Treatment Plant project starts
OBPA harbor expansion project starts – precision blasting
East River Pump Station (Oswegatchie River) repairs take place after Labor Day
As a result of the 2017 Lake Ontario St. Lawrence River Flooding event, several of the City's waterfront amenities including the Paterson Street and Little Park Boat Launches, Municipal Boardwalk, East River Pump Station and Caroline Street Traffic Circle sustained damage. The City has been working with FEMA and New York State Homes and Community Renewal to secure funding to complete repairs to these facilities, and with consulting engineers to provide technical assistance and engineering. This memo provides an update on each of the projects along with the projected timeline for completing repairs.

While interruptions to services are anticipated as a result of the repairs; City staff and consulting engineers have collaborated to establish individual project timelines that will minimize disruption to the greatest extent practical. An update on these projects will be presented under items for discussion at the March 25, 2019 City Council meeting.

**Paterson Street and Little Park Boat Launch** – The City's two St. Lawrence River boat launches were severely damaged by prolonged high water levels, and wave action. The scope of repairs generally consists of the removal and replacement of existing dock surfaces to replace lost crib material, shoreline stabilization and topsoil, and seed and mulch of settled areas. Additionally, the City will install a floating center pier dock extension at the Paterson Street launch.

Work is to be performed at the Paterson Street boat launch first and Little Park boat launch second. Contractors have been instructed that half of the Paterson Street Launch must remain accessible throughout repairs, and at no time will work be performed simultaneously at both sites.

We have also provided, in the instruction to bidders, a list of known fishing tournaments and festival dates. While work is not prohibited during these times, it has been provided so that interested contractors can schedule work accordingly.
Waterfront Flood Repairs
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New York State Department of Environmental Conservation (NYSDEC) has issued permits to complete these repairs. The Municipal General Permits do not have any warm water timing restrictions.

**Municipal Boardwalk** – The Boardwalk, located adjacent to the City Marina, provided protection to the City’s harbor area and floating docks, but as a result, sustained substantial erosion of the subsurface structures causing differential settling and damage to the surface concrete and pavers. The scope of repairs generally consists of the removal and replacement of the existing Marina Boardwalk surface as well as the placement of additional rip rap along the breakwall.

Repairs for the boat launches and boardwalk were published for bid on Wednesday, March 13, 2019. The tentative date for the bid opening is Thursday, April 11th at 2 PM in the City Council Chambers. There will be an optional pre-bid conference for interested contractors on March 28th. Contractors will have until Friday, November 15th for substantial completion. Final closeout is scheduled no later than Monday, December 2, 2019.

**East River Pump Station** – Sustained high water levels in the Oswegatchie River exposed deficiencies in this area of the City’s collection system from the inadequate design of the lift station to the unexpected infiltration that was experienced. This station was pumping and treating river water at a rate of 500,000 gallons per day during the May to July 2017 flooding event. This extended demand resulted in two pump failures that will be replaced with funds from NYS Homes and Community Renewal’s CDBG Imminent Threat program.

The bid opening was held on March 4, 2019 at 2 PM. The City received two competitive bids (complete bid tabulation attached) which were both reviewed by the City’s consulting engineer, Charles Prior of EDR. EDR has issued a recommendation to award the low bid to Northeast Concrete, Corning & Cutting, Inc.; an award letter was issued on Tuesday, March 12, 2019.

On site construction for these repairs will begin after Labor Day 2019 in accordance with easement restrictions and contractors will have until October 18, 2019 for final completion.

**Caroline Street Traffic Circle** – Similar to the Boardwalk, much of the damage to the traffic circle is not visible from the surface. Subsurface analysis, using Ground Penetrating Radar (GPR) has revealed anomalies in the subsurface that indicate areas where sediments have been removed by wave action. The removal of subsurface materials has compromised the structural integrity of the pavement and pedestrian walkways causing this area to be closed to the public since the summer of 2017.

The City received nine (9) responses from contractors at the bid opening on February 7, 2019 (complete bid tabulation attached). Tisdel Associates, the City’s consulting engineer on the project, reviewed the bids and has recommended award to the low bidder, T.J. Fiacco Construction, LLC. A notice to award was issued on February 19, 2019 to T.J. Fiacco Construction, LLC.

Substantial completion of Traffic Circle repairs is required by July 31st with final closeout no later than August 14, 2019. Due to the timeline for these repairs we have initiated early conversations with the Seaway Festival Committee to inform them of the need to consider alternate locations for
launching the annual fireworks. At this time the committee is exploring adjacent properties as potential alternatives.
## BID TABULATION REVISED

**RE:** 2017 Flooding Repairs - Caroline Street Traffic Circle

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**Total**

|               | $279,900.00       | $304,491.00       | $304,260.00       | $321,800.00       | $295,906.00       | $363,260.00       | $362,300.00       | $367,800.00       | $489,300.00       |

Entered by   ika  
Checked by   ALS  
Date of Bid Opening   Feb 7, 2019  
Approved   Andrea L Smith, Director

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## BID TABULATION

**RE:** East River Pump Station Rehabilitation

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<th>#</th>
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</table>

**Total**

|               | $244,000.00       | $298,726.00       |

Entered by   ika  
Checked by   ALS  
Bid Opening   Mar 4, 2019  
Approved   Andrea L Smith, Director

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