

AGENDA
Council Meeting
Monday, December 7, 2015
7:00 P. M.

I. Call to Order

II. Pledge of Allegiance

III. Proclamation

IV. Public Hearing

1. A public hearing for the Preliminary 2016 Budget for the City of Ogdensburg. (Bill #91)
2. A public hearing regarding a Local Law to amend Chapter 215 (Sections 39, 40 and 41) of the Code of the City of Ogdensburg entitled "Water Rates". (Bill #93)
3. A public hearing regarding a grant application to the Environmental Protection Agency (EPA) in the amount of \$200,000 under the 2016 Brownfield Cleanup Program for remedial work at 420 Lafayette Street. (Bill #97)
4. A public hearing regarding a local law authorizing a property tax levy in excess of the limit established in General Municipal Law §3-c. (Bill #101)

V. Personal Appearance

(Anyone wishing to address the Council should notify the Clerk prior to the meeting)

VI. Correspondence

VII. 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

VIII. Appointments

IX. Items for Council Action

1. An ordinance to amend Chapter 221 entitled 'Zoning', Section 221-8, entitled "Zoning Map". (533 Canton Street to be rezoned from Moderate Density Residential (MDR) to Business (B) under the provisions of Article. PH was held on 11/23/15) (Bill #92)
2. A resolution authorizing the City Manager to submit a grant application to the Environmental Protection Agency (EPA) in the amount of \$200,000 under the 2016 Brownfield Cleanup Program for remedial work at 420 Lafayette Street. (Bill #97)

3. A resolution authorizing the City Comptroller to transfer funds from the Contingency Fund to pay for the emergency installation of an overhead door at the Richard G. Lockwood Civic Center and authorizing the City Manager to enter into an agreement with Overhead Door Company of Massena to perform said emergency installation. (Bill #102)
4. A local law authorizing a property tax levy in excess of the limit established in General Municipal Law §3-c. (Bill #101)
5. A resolution to adopt the Preliminary 2016 Budget, as amended. (Bill #91)
6. A Local Law to amend Chapter 215 (Sections 39, 40 and 41) of the Code of the City of Ogdensburg entitled "Water Rates". (Bill #93)

X. Old Business

XI. New Business

XII. Items for Discussion

XIII. Citizen Participation

XIV. Executive Session

XV. Adjournment

RESOLVED: That the claims as enumerated in General Fund Warrant #21-2015 in the amount of \$382,515.95 and Library Warrant #21-2015 in the amount of \$24,961.05 and Capital Fund Warrant #21-2015 in the amount of \$505,443.73 and Community Development Fund Warrant #21-2015 in the amount of \$0.00 and Community Renewal Fund Warrant #21-2015 in the amount of \$0.00, as audited, be and the same hereby are ordered paid.

DATED: December 4, 2015

Business of the City Council
City of Ogdensburg

SUBJECT: FOR AGENDA OF: December 7, 2015
An ordinance to amend Chapter 221 BILL #: 92
entitled Zoning. DEPT. OF ORIGIN: Planning
DATE SUBMITTED: October 30, 2015
APPROVED AS TO FORM BY CITY EXHIBITS: current Zoning Map
ATTORNEY
APPROVED BY CITY MANAGER FOR SUBMITTAL

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

SUMMARY STATEMENT

An ordinance to amend Chapter 221 entitled 'Zoning', Section 221-8, entitled "Zoning Map". (533 Canton Street to be rezoned from Moderate Density Residential (MDR) to Business (B) under the provisions of Article.) **(PH was held on 11/23/15)**

RECOMMENDED ACTION

Approval of resolution.

MOVED BY: _____ SECONDED BY: _____

VOTE ON ROLL CALL:

MAYOR NELSON _____ COUNCILLOR ASHLEY _____
COUNCILLOR HOSMER _____ COUNCILLOR MITCHELL _____
COUNCILLOR MORLEY _____ COUNCILLOR SKAMPERLE _____
COUNCILLOR STEVENSON _____

**ORDINANCE AMENDING CHAPTER 221 ENTITLED “ZONING”
OF THE CITY OF OGDENSBURG MUNICIPAL CODE**

BE IT ORDAINED AND ENACTED by the City Council of the City of Ogdensburg, New York, as follows:

ITEM ONE: Amendment of Chapter 221, Section 221-8, entitled “Zoning Map”

That Section 221-8 entitled “Zoning Map” is hereby amended to read as follows:

That Section No. 59.023, Block No. 7, Lot No. 37, with frontage on Canton Street, in the City of Ogdensburg, which is zoned Moderate Density Residential (MDR), is hereby rezoned to Business (B).

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

Business of the City Council
City of Ogdensburg

SUBJECT: Resolution to apply for
2016 EPA Cleanup Grant funding.

FOR AGENDA OF: December 7, 2015

BILL #: 97

DEPT. OF ORIGIN: Planning and Development

DATE SUBMITTED: November 4, 2015

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 authorizing the City Manager to submit a grant application to the Environmental Protection Agency (EPA) in the amount of \$200,000 under the 2016 Brownfield Cleanup Program for remedial work at 420 Lafayette Street.

RECOMMENDED ACTION

Approval of resolution.

MOVED BY: _____

SECONDED BY: _____

VOTE ON ROLL CALL:

MAYOR NELSON _____

COUNCILLOR ASHLEY _____

COUNCILLOR HOSMER _____

COUNCILLOR MITCHELL _____

COUNCILLOR MORLEY _____

COUNCILLOR SKAMPERLE _____

COUNCILLOR STEVENSON _____

**RESOLUTION AUTHORIZING THE CITY MANAGER TO SUBMIT
A 2016 BROWNFIELD CLEANUP GRANT APPLICATION TO
THE U.S. ENVIRONMENTAL PROTECTION AGENCY (U.S.EPA)**

WHEREAS, the purpose of Brownfield Cleanup Grants is to provide funds to conduct cleanup activities at a specific brownfield site owned by the applicant; and

WHEREAS, the City of Ogdensburg is an eligible entity having provided public notice and public hearing on this application on December 7, 2015 with all testimony duly recorded and having accepted written comment in addition; and

WHEREAS, the City has received a qualified estimate that Asbestos Abatement of the building and required demolition would be approximately \$350,000; and

WHEREAS, the City has been awarded a National Grid grant for 25% of project costs, up to \$300,000 that can be applied to the EPA required match; and

WHEREAS, the City of Ogdensburg is presently seeking \$200,000 from the U.S. EPA for environmental cleanup at 420 Lafayette Street, formerly St. Joseph's Nursing Home to protect health and human safety in the surrounding residential neighborhood and secure redevelopment opportunities; and

NOW, THEREFORE BE IT RESOLVED, that the Ogdensburg City Council hereby authorizes the City Manager to file a 2016 Brownfield Cleanup Program Grant Application to secure \$200,000 in funding to complete the asbestos abatement and demolition of 420 Lafayette Street, and if awarded, to administer the program, including executing all necessary documents relating to the application or administration of the program; and

BE IT FURTHER RESOLVED, that the required 20% EPA match will consist of in-kind staff services (grant administration, waste disposal, etc.) and National Grid awarded funds.

Business of the City Council
City of Ogdensburg

SUBJECT:	FOR AGENDA OF:	<u>December 7, 2015</u>
Resolution to transfer funds to pay for the installation of new overhead door at Lockwood Arena.	BILL #:	<u>102</u>
	DEPT. OF ORIGIN:	<u>Parks & Recreation</u>
	DATE SUBMITTED:	<u>December 4, 2015</u>
APPROVED AS TO FORM BY CITY ATTORNEY	EXHIBITS:	<u>Resolution</u>

EXPENDITURE	AMOUNT	APPROPRIATION
REQUIRED: \$7,100.	BUDGETED: -0-	REQUIRED: \$7,100.

APPROVED BY CITY MANAGER FOR SUBMITTAL

SUMMARY STATEMENT

A resolution authorizing the City Comptroller to transfer funds from the Contingency Fund to pay for the emergency installation of an overhead door at the Richard G. Lockwood Civic Center and authorizing the City Manager to enter into an agreement with Overhead Door Company of Massena to perform said emergency installation.

RECOMMENDED ACTION

Approval of resolution.

MOVED BY: _____ SECONDED BY: _____

VOTE ON ROLL CALL:

MAYOR NELSON	_____	COUNCILLOR ASHLEY	_____
COUNCILLOR HOSMER	_____	COUNCILLOR MITCHELL	_____
COUNCILLOR MORLEY	_____	COUNCILLOR SKAMPERLE	_____
COUNCILLOR STEVENSON	_____		

A RESOLUTION TO TRANSFER FUNDS TO PAY FOR
THE EMERGENCY INSTALLATION OF OVERHEAD DOOR
AT RICHARD G. LOCKWOOD CIVIC CENTER

WHEREAS, an inside overhead door leading to the Zamboni room at the Richard G. Lockwood Civic Center, located at 141 West River St., has broken down and due to its age is unable to be fixed; and

WHEREAS, the inside overhead door is instrumental in keeping the department's electric Zamboni from freezing during the winter months; and

WHEREAS, due to this emergency situation the City has not advertised for quotes and has chosen an available contractor, Overhead Door Company of Massena to install the new overhead door;

NOW, THEREFORE, BE IT RESOLVED that the City Council authorizes the City Manager to enter into an agreement with Overhead Door Company of Massena to purchase and perform said emergency overhead door installation; and

BE IT FURTHER RESOLVED, that the City Comptroller is hereby authorized to transfer funds not to exceed \$7,100. from Contingency Fund (A1990.498) to the Parks & Recreation Department, Arena Account (A7181.450) to pay for this work.

Overhead Door Company of Massena

Division of Walter F DeMane Inc
 10164 State Highway 56
 Massena NY 13662
 (315) 769-8025 (800) 924-0777
 Fax: (315) 764-0225

Federal ID 14-1502866
 ODCMassena@gmail.com

The Genuine. The Original.



Proposal #: 1-10807
 Q 650

PROPOSAL SUBMITTED TO: CITY OF OGDENSBURG				Date 12/4/2015	Attention				
STREET				Job Name LOCKWOOD					
City		State	Zip Code	Job Location					
Phone Number		Fax Number		Job Phone					
ITEM #	QTY	SERIES	DOOR WIDTH	DOOR HEIGHT	OPENING WIDTH	OPENING HEIGHT	OPERATION	MOUNTING	JAMB TYPE
1	1	625	12' 0"	14' 0"	12' 0"	14' 0"			
2	1	RSX-J							

FURNISH AND INSTALL:

The above sized 625 series rolling door(s) as manufactured by the Overhead Door Corporation. Door standard features to include the following: Curtain to consist of double interlocking slats with foamed-in-place insulation. Curtain will be provided with malleable iron endlocks on alternate slats. Windlocks will be used as required to meet design wind load, minimum 20 psf. Guides will be three structural steel angles with weatherstripping on exterior side. Brackets will be hot rolled steel plate to support the barrel, counterbalance and hood. Hood will include baffle. Counterbalance will be helical torsion springs housed in a steel pipe with a deflection limited to .03" per foot of span (width) and adjustable by means of an external tension wheel. All non-galvanized, exposed, ferrous surfaces will receive one coat of rust inhibitive primer. Curtain to have baked enamel prime finish. Note: Hot dipped galvanized steel angle guides, bellmouths, bottom bars, head plates, operator mounting plates, rolled guides, tension wheels, release mechanisms (for fire doors) and wall mounting tubes can NOT be painted, NOR powder coat finished.. The galvanizing process will not allow the additional applied finish to adhere properly to the metal.

RSX models are available in RSX Trolley, Center-mount Trolley and Dual Trolley for Sectional, and RSX Jackshaft with and without hoist for Rolling Steel.

All RSX Standard Duty models are available in Single phase 115vac, 208vac, 230vac, Three phase 208vac, 230vac, 460vac, and Three phase 575vac; 1/2, 3/4 and 1 Hp, Open, Drip Proof (ODP) continuous duty (60 cycles per hour at peak usage), Totally Enclosed Non Ventilated Motor (TENV), Totally Enclosed Fan Cooled Motor (TEFC), and NEMA 4 and 4X with enclosed brake and sealed electrical box.

Trolley models are available with or without brake on 1/2 hp models. Sidemount and Centermount direct couple to the door shaft with or without hoist. Hoist models are left hand or right hand. The RSX Trolley will operate Standard Lift Doors, and the Sidemount series will operate Lift Clearance and Vertical Lift Sectional Doors up to 24' high with a maximum weight of 1120 lbs for 1/2hp, 1370 lbs for 3/4 hp, and 1620 lbs for 1 hp. Trolley Rails for door heights up to 12' are standard.

Rolling Steel models are available with or without hoist, front of hood, top of hood, wall- mount. Hoist models are left hand or right hand. The Rolling Steel series will operate Rolling Steel doors up to 24' high and with a maximum weight of 998 lbs for 1/2hp, 1220 lbs for 3/4 hp, and 1440 lbs for 1 hp

New electrical and mechanical features for all models include:

Easy limit setting with Limit Lock™ - a patent pending electro/mechanical limit sensor that makes it easy to

set and maintain limits.

Voltage freedom with Voltamatic™ - one unit for single phase voltages (115/208/230V), one unit for three phase voltages (208/230/460V) and one unit for three phase 575V.

Extra door system durability with Progressive Braking - DC brake system brings the door to a soft stop for less wear and tear on the system.

Control system features a delay on reverse operating protocol

Easy installation and trouble-shooting with Einstein Logic™ - intelligent menu structure and expanded self-diagnostics

Extra safety and security with Advanced Radio Receiver System – stores up to 250 CodeDodger® transmitters including the new commercial dual frequency cycle versions

Primary reduction is Super Belt™ with automatic tensioning (secondary reduction is by chain and sprocket) RSX operator comes with a Two Year Limited Warranty

PROPOSAL TO INCLUDE THE FOLLOWING:

Item 2 above to feature the following:

- (1) Commercial Photo Eye Kit (OPAKPE.S).
- (2) Single Channel Dual Frequency Transmitter - 315/390Mhz (OCDFX1.S).

We hereby propose to complete in accordance with above specification, for the sum of:

Seven Thousand Thirty Five Dollars and No Cents

7,035.00

Signature _____

Mike Merry, Manager

Direct Dial: 315.769.8025

TERMS AND CONDITIONS

Payment to be made as follows:

Prices subject to change if not accepted in 30 days.

Purchaser agrees that doors shall remain in Seller's possession until paid in full. In the event Purchaser breaches or defaults under the terms and provisions of this Agreement, the Purchaser shall be responsible for the costs of collection, including reasonable attorneys' fees. The Seller shall be entitled to full and final payment on the Purchase Order. There shall be a 1 1/2% service charge per month for all payments due and owing after 30 days. (Agreements are contingent upon strikes, accidents, or delays beyond our control.)

NOTICE: You, the purchaser, may cancel this transaction at any time prior to midnight of the third business days after the date of this transaction. BY OTHERS:

Jambs, spring pads, all wiring to motors and control stations, unless otherwise stated above, are specifically not included.

ACCEPTANCE: Terms, Price, and specifications on all pages of this proposal are hereby accepted and the work authorized.

Purchaser: _____

Signature

Title

Date of Acceptance

Business of the City Council
City of Ogdensburg

SUBJECT: FOR AGENDA OF: December 7, 2015
A Local Law to override the property tax cap. BILL #: 101
DEPT. OF ORIGIN: City Comptroller
DATE SUBMITTED: November 17, 2015
APPROVED AS TO FORM BY CITY ATTORNEY CLEARANCES: _____
EXHIBITS: Local Law
APPROVED BY CITY MANAGER FOR SUBMITTAL

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

SUMMARY STATEMENT

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

RECOMMENDED ACTION

Passage of this resolution.

MOVED BY: _____ SECONDED BY: _____

VOTE ON ROLL CALL:

MAYOR NELSON _____ COUNCILLOR ASHLEY _____
COUNCILLOR HOSMER _____ COUNCILLOR MITCHELL _____
COUNCILLOR MORLEY _____ COUNCILLOR SKAMPERLE _____
COUNCILLOR STEVENSON _____

Local Law No. of the year 2015

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 1/1/2016 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.

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 1/1/2016 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.

Business of the City Council
City of Ogdensburg

SUBJECT: Adoption of the 2016 Budget for the City of Ogdensburg
FOR AGENDA OF: December 7, 2015
BILL #: 91
DEPT. OF ORIGIN: City Clerk
DATE SUBMITTED: October 27, 2015
APPROVED AS TO FORM BY CITY ATTORNEY
CLEARANCES:
EXHIBITS: resolution
APPROVED BY CITY MANAGER FOR SUBMITTAL

EXPENDITURE REQUIRED: 0	AMOUNT BUDGETED: 0	APPROPRIATION REQUIRED: 0
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SUMMARY STATEMENT

Adoption of the Preliminary 2016 Budget, as amended.

RECOMMENDED ACTION

Recommend approval.

MOVED BY: _____ SECONDED BY: _____

VOTE ON ROLL CALL:

MAYOR NELSON	_____	COUNCILLOR ASHLEY	_____
COUNCILLOR HOSMER	_____	COUNCILLOR MITCHELL	_____
COUNCILLOR MORLEY	_____	COUNCILLOR SKAMPERLE	_____
COUNCILLOR STEVENSON	_____		

**RESOLUTION TO ADOPT
THE CITY OF OGDENSBURG'S 2016 BUDGET**

THEREFORE BE IT RESOLVED, that the City of Ogdensburg adopts the 2016 Preliminary Budget as amended in the attached schedules,

BE IT FURTHER RESOLVED, that the following rates shall be in effect for 2016:

1. The City Real Property Tax Rate for 2016 shall be

\$_____ per thousand dollars of assessed valuation.

Business of the City Council
City of Ogdensburg

SUBJECT: FOR AGENDA OF: December 7, 2015
A Local Law to Amend Chapter 215 of the OMC Entitled "Water Rates" BILL #: 93
DEPT. OF ORIGIN: City Comptroller
DATE SUBMITTED: November 2, 2015
APPROVED AS TO FORM BY CITY ATTORNEY CLEARANCES: _____
EXHIBITS: Local Law
APPROVED BY CITY MANAGER FOR SUBMITTAL

EXPENDITURE REQUIRED: 0	AMOUNT BUDGETED: 0	APPROPRIATION REQUIRED: 0
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SUMMARY STATEMENT

A local law to allow for the changes in the OMC Chapter 215 entitled "Water Rates" as dictated by the adoption of the 2016 Budget.

RECOMMENDED ACTION

Recommend approval.

MOVED BY: _____ SECONDED BY: _____

VOTE ON ROLL CALL:

MAYOR NELSON	_____	COUNCILLOR ASHLEY	_____
COUNCILLOR HOSMER	_____	COUNCILLOR MITCHELL	_____
COUNCILLOR MORLEY	_____	COUNCILLOR SKAMPERLE	_____
COUNCILLOR STEVENSON	_____		

Local Law # of 2015

§ 215-39 Rates for metered service; meter reading, installation and repair.

A. The following schedule of rates for metered water service is hereby fixed and established effective the first billing date after January 1, 2016, and upon filing with the Secretary of State:

Meter Size (inches)	Water Allowed (gallons)	Minimum Quarterly Rate
5/8	20,300	\$ 83.50
3/4	27,000	\$ 111.00
1	40,600	\$167.00
1 1/4	53,900	\$221.50
1 1/2	67,600	\$278.00
2	135,300	\$556.50
3	204,100	\$838.00
4	272,200	\$1,119.00

\$4.11 per 1,000 gallons of water used

- B. Meters shall be read and billed monthly or quarterly at the discretion of the City.
- C. Meters shall be installed and repaired by the City of Ogdensburg. The cost of such installation and repair for all meters is to be charged to the customer.

§ 215-40. Flat-rate charges.

The following schedule of rates for flat-rate service is hereby fixed and established effective the first billing date after January 1, 2016, and upon filing with the Secretary of State:

- A. Single-family residence, per year: \$334.
- B. Multifamily residence for each family unit or each tenant, per year: \$334.
- C. Rooming houses (private homes with additional rooms to rent or commercial rooming houses):
- (1) Minimum annual rent: \$334.
 - (2) Additional rooms to hire (annual rent): \$83.50
- D. Commercial or office units in a commercial/residential mixed structure (where metering is determined impractical by the City Engineer), per commercial or office unit per year: \$334.

§ 215-41. Miscellaneous charges.

The following schedule of rates is hereby fixed and established for the period effective the first billing after January 1, 2016, and upon filing with the Secretary of State:

Type	Rate
Fire protection for unoccupied metered or unmetered premises or where service is shut off and/or meter is removed by DPW employees. If this type of service is performed by other than DPW personnel, the property owner is not entitled to the fire protection rate.	\$167
Fire hydrant on private property	\$334
Swimming pools (filling of), per occasion	\$111
Circus (in advance), per day	\$111
Service disconnect or seal by the City, per occasion	\$ 46
Service reconnection by the City, per occasion	\$ 46
Water service turnoff, per occasion	\$ 41
Annual rooms to hire (annual rent)	\$ 83.50