

**AGENDA**  
Council Meeting  
**Monday, November 23, 2015**  
**7:00 P. M.**

- I. Call to Order
- II. Pledge of Allegiance
- III. Proclamation
- IV. Public Hearing
  1. A public hearing regarding an ordinance to amend Chapter 221 entitled "Zoning" of the Ogdensburg Municipal Code. (Bill #92)
- 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. A resolution calling for public notice and a public hearing on a proposed EPA Brownfield Cleanup Application for 420 Lafayette Street. (Bill #97)
  2. A resolution to establish the Ogdensburg Journal as the official newspaper for the City of Ogdensburg for 2016. (Bill #98)
  3. A resolution designating the official City bank depositories for 2016. (Bill #99)
  4. A resolution designating the 2016 City Council Meeting Dates. (Bill #100)
  5. A resolution introducing a local law and providing for public notice and public hearing to authorize a property tax levy in excess of the amount otherwise prescribed in General Municipal Law §3-c. (Bill #101)

XI. Old Business

XII. New Business

XIII. Items for Discussion

XIV. Citizen Participation

XV. Executive Session

XVI. Adjournment

Business of the City Council  
City of Ogdensburg

SUBJECT: Resolution calling for public hearing and public notice.

FOR AGENDA OF: November 23, 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 calling for public notice and a public hearing on a proposed EPA Brownfield Cleanup Application for 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 OF THE CITY COUNCIL TO PROVIDE FOR  
PUBLIC NOTICE AND PUBLIC HEARING**

**WHEREAS**, the City of Ogdensburg intends to submit a cleanup grant application to the U.S. Environmental Protection Agency for 420 Lafayette Street; and

**WHEREAS**, the City Council and staff of the Department of Planning and Development are desirous of obtaining public input into the matter of the ongoing brownfield cleanup activities of the City; and

**WHEREAS**, a copy of this grant proposal, including the draft ABCA, is available for public review and comment in the Public Library and on the City's website under the Department of Planning and Development. Comments will be accepted in writing through December 7<sup>th</sup> at 4 PM and will also be accepted during the time of the public hearing.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council shall hold a public hearing on the matter of the ongoing brownfield cleanup activities specific to 420 Lafayette Street, to be held in the City Council Chambers at City Hall, Ogdensburg, New York, on the 7<sup>th</sup> day of December, 2015, at 7:00 PM; and

**BE IT FURTHER RESOLVED**, that the City Clerk give notice of such public hearings by publication in the newspaper so designated by the City Council of the City of Ogdensburg for legal and public notices at least seven (7) days before the hearing dates setting forth the time and place.

**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: Resolution to establish the 2016 Official Newspaper for legal and public notices  
APPROVED AS TO FORM BY CITY ATTORNEY \_\_\_\_\_  
EXHIBITS: resolution

FOR AGENDA OF: November 23, 2015  
BILL #: 98  
DEPT. OF ORIGIN: City Clerk  
DATE SUBMITTED: October 27, 2015  
CLEARANCES: \_\_\_\_\_  
APPROVED BY CITY MANAGER FOR SUBMITTAL

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

A resolution to establish the Ogdensburg Journal as the official newspaper for the City of Ogdensburg for 2016.

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 DESIGNATING THE  
2016 OFFICIAL NEWSPAPER

BE IT RESOLVED, that the official newspaper for the City of Ogdensburg for 2016 shall be the Ogdensburg Journal.

Business of the City Council  
City of Ogdensburg

SUBJECT: Resolution for 2016 designation of City Bank Depositories  
APPROVED AS TO FORM BY CITY ATTORNEY \_\_\_\_\_  
EXHIBITS: resolution \_\_\_\_\_  
APPROVED BY CITY MANAGER FOR SUBMITTAL

FOR AGENDA OF: November 23, 2015  
BILL #: 99  
DEPT. OF ORIGIN: City Comptroller  
DATE SUBMITTED: October 27, 2015  
CLEARANCES: \_\_\_\_\_

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

A resolution designating the official City bank depositories for 2016.

RECOMMENDED ACTION

Recommend approval.

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MOVED BY: \_\_\_\_\_ SECONDED BY: \_\_\_\_\_

VOTE ON ROLL CALL:

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



RESOLUTION  
DESIGNATING THE  
2016 OFFICIAL BANK DEPOSITORIES

BE IT RESOLVED, that Community Bank NA, NBT Bank NA, Upstate National Bank, Key Bank of Northern New York NA, and NYCLASS through Public Trust Advisors, LLC be designated as official depositories of City Funds for 2016.

Business of the City Council  
City of Ogdensburg

SUBJECT: Resolution to designate 2016 City Council Meeting Dates  
FOR AGENDA OF: November 23, 2015  
BILL #: 100  
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

SUMMARY STATEMENT

A resolution designating the 2016 City Council Meeting Dates.

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 \_\_\_\_\_

## 2016 CITY COUNCIL MEETING DATES

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

January	11, 25
February	8, 22
March	14, 28
April	11, 25
May	9, 23
June	13, 27
July	11
August	8
September	12, 26
October	11, 24
November	14, 28
December	5, 12

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

Business of the City Council  
City of Ogdensburg

SUBJECT: Resolution introducing a Local Law and providing for Public Hearing and Public Notice

FOR AGENDA OF: November 23, 2015

BILL #: 101

DEPT. OF ORIGIN: City Comptroller

DATE SUBMITTED: November 17, 2015

APPROVED AS TO FORM BY CITY ATTORNEY \_\_\_\_\_ CLEARANCES: \_\_\_\_\_

EXHIBITS: Resolution & Local Law

APPROVED BY CITY MANAGER FOR SUBMITTAL

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

A resolution introducing a local law and providing for public notice and public hearing to authorize a property tax levy in excess of the amount otherwise prescribed 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	_____		

RESOLUTION  
INTRODUCING LOCAL LAW # FOR 2015

BE IT RESOLVED that proposed Local Law # of the year 2015 entitled:

AMENDMENT to authorize an override of the property tax cap for 2016, be and it hereby is introduced before the City Council of the City of Ogdensburg, NY, and

BE IT FURTHER RESOLVED that copies of the aforesaid proposed Local Law be laid upon the desk of each member of the City Council, and

BE IT FURTHER RESOLVED, that the City Council hold a Public Hearing on said proposed Local Law at the City Council Chambers at 7:00 pm on Monday, December 7, 2015, and

BE IT FURTHER RESOLVED that the City Clerk publish or cause to be published a public notice in the official newspaper of the City of Ogdensburg of said public hearing at least seven days prior thereto.

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.