

**AGENDA**  
Council Meeting  
**Monday, March 9, 2015**  
**7:00 P. M.**

I. Call to Order

II. Pledge of Allegiance

III. Presentation

1. Director of Planning and Development Andrea Smith and City Attorney Andrew Silver regarding the Adaptive Reuse District.

IV. Public Hearing

1. A public hearing regarding an ordinance to the sell City-owned property located at 801 Washington Street. (Bill #16)
2. A public hearing regarding an ordinance to amend Chapter 73, Animals, Article II, Dog Licensing, §73-6 entitled "Fees for Licensing Dogs" of the Code of the City of Ogdensburg. (Bill #17)

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 sell City-owned property located at 801 Washington Street. (Bill #16)
2. An ordinance to amend Chapter 73, Animals, Article II, Dog Licensing, §73-6 entitled "Fees for Licensing Dogs" of the Code of the City of Ogdensburg. (Bill #17)

3. A resolution to authorize the extension of the City Manager's employment agreement with the City of Ogdensburg. (Bill #18)
4. A resolution introducing an ordinance and providing for public notice and public hearing with regard to the sale of City-owned property. (Bill #19)
5. A resolution to approve the issuance of a Bond Ordinance in the amount of \$370,000. to cover the CSO Weir Modifications and Improvements Project. (Bill #20)
6. A resolution authorizing the City Manager to submit an application to the St. Lawrence River Valley Redevelopment Agency for \$50,000 under the 2015 Community Development and Environmental Improvement Program. (Bill #21)
7. A resolution supporting legislation to repeal the New York Secure Ammunition and Firearms Enforcement (SAFE) Act of 2013. (Bill #22)
8. A resolution to authorize the City Manager to enter into a contract with Continental Construction, LLC for the CSO Weir Modifications & Improvements Project, for a sum not to exceed \$298,563. (Bill #23)

XI. Old Business

XII. New Business

XIII. Items for Discussion

XIV. Executive Session

XV. Adjournment

Business of the City Council  
City of Ogdensburg

SUBJECT: An Ordinance to offer City-Owned Property for sale at Public Auction  
FOR AGENDA OF: March 9, 2015  
BILL #: 16  
DEPT. OF ORIGIN: City Manager  
DATE SUBMITTED: February 19, 2015  
APPROVED AS TO FORM BY CITY ATTORNEY  
EXHIBITS: Ordinance  
APPROVED BY CITY MANAGER FOR SUBMITTAL

---

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

---

SUMMARY STATEMENT

This ordinance provides for the sale of City-owned property located at 801 Washington Street at public auction.

RECOMMENDED ACTION

**Approval of this ordinance.**

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

VOTE ON ROLL CALL:

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

ORDINANCE #      of 2015  
AN ORDINANCE TO OFFER FOR SALE AT PUBLIC AUCTION  
CITY OWNED PROPERTY

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

SECTION ONE: The following property shall be offered for sale at public auction by the City of Ogdensburg:

<u>TAX MAP #</u>	<u>LOCATION</u>	<u>MINIMUM PURCHASE PRICE</u>
48.071-4-5	801 Washington Street	\$ 10,750.00 (amount includes estimated \$400. Attorney fee & \$350. SLC Recording Fee)

SECTION TWO: The terms of this sale are as follows:

1. This deed to any sale will contain a permanent restrictive covenant to run with the land that the premises may not be used as a three family residence and that the maximum occupancy shall be limited to either a one or two family residence.

2. An abstract of title and current survey will not be provided by the City. Each shall be the responsibility of the Buyer if required by the Buyer.

3. The City makes no representations or warranties of any kind as to the property or any structure upon it or to any of the systems on the premises. Buyer shall assume responsibility for and indemnify and hold harmless City from any adverse conditions, environmental or otherwise, including hazardous substances on the premises, following a sale not caused by the City. The Deed shall contain such an indemnification provision.

SECTION THREE: The City does not guarantee clear property title in the transfer of property by auction and conveyance will be made by Quit Claim Deed. The City Council reserves the right to reject any or all bids or to withdraw any parcel from sale.

SECTION FOUR: This ordinance shall become effective ten days after publication.

Business of the City Council  
City of Ogdensburg

SUBJECT:  
An Ordinance amending Chapter 73,  
"Animals", of the Code of the City of  
Ogdensburg.

FOR AGENDA OF: March 9, 2015  
BILL #: 17  
DEPT. OF ORIGIN: City Clerk  
DATE SUBMITTED: February 9, 2015  
EXHIBITS: Ordinance

APPROVED AS TO FORM BY CITY  
ATTORNEY

APPROVED BY CITY MANAGER FOR SUBMITTAL

EXPENDITURE  
REQUIRED: 0

AMOUNT  
BUDGETED: 0

APPROPRIATION  
REQUIRED: 0

SUMMARY STATEMENT

An Ordinance amending Chapter 73, "Animals", Article II, "Dog Licensing, §73-6 entitled "Fees for Licensing of Dogs" of the Code of the City of Ogdensburg.

RECOMMENDED ACTION

Approval.

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

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

VOTE ON ROLL CALL:

MAYOR NELSON \_\_\_\_\_

COUNCILLOR ASHLEY \_\_\_\_\_

COUNCILLOR HOSMER \_\_\_\_\_

COUNCILLOR MITCHELL \_\_\_\_\_

COUNCILLOR MORLEY \_\_\_\_\_

COUNCILLOR SKAMPERLE \_\_\_\_\_

COUNCILLOR STEVENSON \_\_\_\_\_

**ORDINANCE # -2015**  
**AMENDING CHAPTER 73, "ANIMALS", ARTICLE II, "DOG LICENSING",**  
**SECTION 73-6, ENTITLED "FEES FOR LICENSING OF DOGS"**  
**OF THE MUNICIPAL CODE OF THE CITY OF OGDENSBURG**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF OGDENSBURG AS FOLLOWS:**

**ITEM ONE:** That Chapter 73 entitled "Animals", Article II entitled "Dog Licensing", Section 73-6.(B) entitled "Fees for licensing of Dogs", is hereby deleted in its entirety and replaced with the following:

- B)** A late fee of \$10. will be charged if dog license is not renewed within sixty (60) days of license expiration date.
- C)** 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.

**ITEM TWO:** This ordinance shall take effect June 1, 2015.

Business of the City Council  
City of Ogdensburg

SUBJECT: A resolution to authorize  
the extension of an employment  
agreement.

FOR AGENDA OF 03/09/2015 BILL #18

DEPT OF ORIGIN: City Clerk

DATE SUBMITTED: 02/25/15

CLEARANCES: \_\_\_\_\_

APPROVED AS TO FORM  
BY CITY ATTORNEY

EXHIBITS: Resolution

APPROVED BY CITY MANAGER FOR  
SUBMITTAL

EXPENDITURE  
REQUIRED:

AMOUNT  
BUDGETED:

APPROPRIATION  
REQUIRED:

---

SUMMARY STATEMENT

A resolution to authorize the extension of the City Manager's employment agreement with the City of Ogdensburg.

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 TO AUTHORIZE  
THE EXTENSION OF THE CITY MANAGER'S EMPLOYMENT AGREEMENT  
WITH THE CITY OF OGDENSBURG**

**WHEREAS**, the employment agreement dated September 17, 2012 between the City of Ogdensburg and City Manager John Pinkerton is scheduled to expire June 30, 2015; and

**WHEREAS**, the City of Ogdensburg and City Manager John Pinkerton desire to extend the employment agreement past June 30, 2015 as per the terms of this Extension Agreement; and

**NOW THEREFORE, BE IT RESOLVED**, that Mayor Nelson is hereby authorized to execute said attached Extension Agreement with City Manager John Pinkerton.



Business of the City Council  
City of Ogdensburg

SUBJECT:	FOR AGENDA OF:	<u>March 9, 2015</u>
Resolution providing for public notice and public hearing	BILL #:	<u>19</u>
	DEPT. OF ORIGIN:	<u>City Manager</u>
	DATE SUBMITTED:	<u>February 25, 2015</u>
APPROVED AS TO FORM BY CITY ATTORNEY	EXHIBITS:	<u>Resolution, Ordinance</u>

---

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

---

APPROVED BY CITY MANAGER FOR SUBMITTAL

SUMMARY STATEMENT

A resolution introducing an ordinance and providing for public notice and public hearing with regard to the sale of City-owned property.

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 CITY COUNCIL INTRODUCING AN ORDINANCE

AND PROVIDING FOR PUBLIC NOTICE

AND PUBLIC HEARING

BE IT RESOLVED, that Ordinance No.       entitled "An Ordinance to Offer for Sale at Public Auction City-Owned Property " be and it hereby is introduced before the City Council of the City of Ogdensburg, New York, and

BE IT FURTHER RESOLVED, that the City Council shall hold a public hearing in the matter of the adoption of the aforesaid ordinance to be held at the Council Chambers in the City of Ogdensburg, New York, on the 23rd day of March, 2015, at 7:00 p.m., and

BE IT FURTHER RESOLVED that the City Clerk give notice of such public hearing by publication in the official newspaper at least seven (7) days before the hearing date of a notice setting forth the time and place and describing the proposed ordinance in summary form.

ORDINANCE # of 2015  
AN ORDINANCE TO OFFER FOR SALE AT PUBLIC AUCTION  
CITY OWNED PROPERTY

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

SECTION ONE:

The following properties shall be offered for sale at public auction by the City of Ogdensburg:

<u>TAX MAP #</u>	<u>LOCATION</u>	<u>MINIMUM PURCHASE PRICE</u>	<u>RESTRICTION(S)</u>
48.058-5-7	Hayward Street	\$ 6,450. (includes estimated \$400. Attorney, \$ 350. SLC recording fees & \$700. Survey fees )	
48.080-5-5.1	909, 915 Lafayette St	\$13,950. (includes estimated \$400. Attorney, \$ 350. SLC recording fees & \$700. Survey fees)	
59.022-8-7	505 New York Avenue	\$ 8,950. (includes estimated \$400. Attorney, \$ 350. SLC recording fees & \$700. Survey fees)	
59.029-1-6	16 Woodford Avenue	\$ 1,750. (includes estimated \$400. Attorney, \$ 350. SLC recording fees & \$700. Survey fees)	Demo & removal within 12 months

SECTION TWO: The City does not guarantee clear property title in the transfer of property by auction and conveyance will be made by Quit Claim Deed. The City Council reserves the right to reject any or all bids or to withdraw any parcel from sale.

SECTION THREE: This ordinance shall become effective ten days after publication.

Business of the City Council  
City of Ogdensburg

SUBJECT: Resolution authorizing the issuance of a Bond Ordinance  
FOR AGENDA OF: March 9, 2015  
BILL #: 20  
DEPT. OF ORIGIN: City Comptroller  
DATE SUBMITTED: March 5, 2015  
APPROVED AS TO FORM BY CITY ATTORNEY  
EXHIBITS: resolution  
APPROVED BY CITY MANAGER FOR SUBMITTAL

---

EXPENDITURE	AMOUNT	APPROPRIATION
REQUIRED: \$0	BUDGETED: \$0	REQUIRED: \$0

---

SUMMARY STATEMENT

A resolution to approve the issuance of a Bond Ordinance in the amount of \$370,000. to cover the CSO Weir Modifications and Improvements Project.

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	_____		

BOND ORDINANCE DATED MARCH 9, 2015.

AN ORDINANCE AUTHORIZING THE CSO WEIR MODIFICATIONS AND IMPROVEMENTS PROJECT IN AND FOR THE CITY OF OGDENSBURG, ST. LAWRENCE COUNTY, NEW YORK, AT A MAXIMUM ESTIMATED COST OF \$370,000, AND AUTHORIZING THE ISSUANCE OF \$370,000 SERIAL BONDS OF SAID CITY, TO PAY THE COST THEREOF.

BE IT RESOLVED, by the Common Council of the City of Ogdensburg, St. Lawrence County, New York, as follows:

Section 1. The CSO Weir Modifications and Improvements Project in and for the City of Ogdensburg, St. Lawrence County, New York, including incidental improvements and expenses, is hereby authorized at a maximum estimated cost of \$370,000.

Section 2. The plan for the financing thereof is by the issuance of \$370,000 serial bonds of said City hereby authorized to be issued therefor pursuant to the provisions of the Local Finance Law.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is forty years, pursuant to subdivision 4 of paragraph a of Section 11.00 of the Local Finance Law.

Section 4. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the serial bonds herein authorized, including renewals of such notes, is hereby delegated to the City Comptroller, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said City Comptroller, consistent with the provisions of the Local Finance Law.

Section 5. The faith and credit of said City of Ogdensburg, St. Lawrence County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such obligations as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year. There shall annually be levied on all the taxable real property of said City, a tax sufficient to pay the principal of and interest on such obligations as the same become due and payable.

Section 6. Such bonds shall be in fully registered form and shall be signed in the name of the City of Ogdensburg, St. Lawrence County, New York, by the manual or facsimile signature of the City Comptroller and a facsimile of its corporate seal shall be imprinted or impressed thereon and may be attested by the manual or facsimile signature of the City Clerk.

Section 7. The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the City Comptroller, who shall advertise such bonds for sale, conduct the sale, and award the bonds in such manner as the City Comptroller shall deem best for the interests of the City.

Section 8. All other matters, except as provided herein relating to such bonds, including determining whether to issue such bonds having substantially level or declining debt service and all matters related thereto, prescribing whether manual or facsimile signatures shall appear on said bonds, prescribing the method for the recording of ownership of said bonds, appointing the fiscal agent or agents for said bonds, providing for the printing and delivery of said bonds (and if said bonds are to be executed in the name of the City by the facsimile signature of the City Comptroller, providing for the manual countersignature of a fiscal agent or of a designated official of the City), the date, denominations, maturities and interest payment dates, place or places of payment, and also including the consolidation with other issues, shall be determined by the City Comptroller. It is hereby determined that it is to the financial advantage of the City not to impose and collect from registered owners of such serial bonds any charges for mailing, shipping and insuring bonds transferred or exchanged by the fiscal agent, and, accordingly, pursuant to paragraph c of Section 70.00 of the Local Finance Law, no such charges shall be so collected by the fiscal agent. Such bonds shall contain substantially the recital of validity clause provided for in section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals in addition to those required by section 52.00 of the Local Finance Law, as the City Comptroller shall determine.

Section 9. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said City is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this ordinance are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 10. This ordinance shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this ordinance, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 11. This ordinance, which takes effect immediately, shall be published in summary form in the official newspaper, together with a notice of the City Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

Business of the City Council  
City of Ogdensburg

SUBJECT: Resolution to apply for 2015 SLRVRA funding. FOR AGENDA OF: March 9, 2015  
BILL #: 21  
DEPT. OF ORIGIN: Planning and Development  
DATE SUBMITTED: March 4, 2015  
APPROVED AS TO FORM BY CITY ATTORNEY EXHIBITS: resolution  
APPROVED BY CITY MANAGER FOR SUBMITTAL

---

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

---

SUMMARY STATEMENT

A resolution authorizing the City Manager to submit an application to the St. Lawrence River Valley Redevelopment Agency for \$50,000 under the 2015 Community Development and Environmental Improvement Program.

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 2015  
ST. LAWRENCE RIVER VALLEY REDEVELOPMENT AGENCY APPLICATION**

**WHEREAS**, the purpose of the Community Development and Environmental Improvement Program is to assist communities in St. Lawrence County that are planning to undertake a project that will provide a clear and demonstrable economic or community benefit; and

**WHEREAS**, the City of Ogdensburg is an eligible entity; 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 spur economic reinvestment; and

**WHEREAS**, the City has received an engineer's estimate that Asbestos Abatement of the Building for Renovation Purposes would be approximately \$250,000.

**NOW, THEREFORE BE IT RESOLVED**, that the Ogdensburg City Council hereby authorizes the filing of a 2015 Community Development and Environmental Improvement Program Grant Application to secure \$50,000 in funding to complete the asbestos abatement at 420 Lafayette Street; and

**BE IT FURTHER RESOLVED**, that the City Manager, is hereby authorized to submit the application, and if awarded, to administer the program, including executing all necessary documents relating to the application or administration of the program.



Business of the City Council  
City of Ogdensburg

SUBJECT: Resolution supporting legislation to repeal NY SAFE Act  
FOR AGENDA OF: March 9, 2015  
BILL #: 22  
DEPT. OF ORIGIN: Councillor Skamperle  
DATE SUBMITTED: March 5, 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 supporting legislation to repeal the New York Secure Ammunition and Firearms Enforcement (SAFE) Act of 2013.

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 SUPPORTING LEGISLATION TO REPEAL THE NEW YORK SECURE  
AMMUNITION AND FIREARMS ENFORCEMENT (SAFE) ACT OF 2013

WHEREAS, several bills have been introduced in the New York State Senate and Assembly in 2015 which would repeal all or part of the New York Secure Ammunition and Firearms Enforcement Act of 2013, and;

WHEREAS, these bills include Senate bills S511 introduced by Senator Michael Nozzolio, S1193 by Katherine Marchione, Assembly bill A3943 by Assemblyman David DiPietro, and Senate and Assembly Bills S2611, A5628, S2612, S2613, A5629, and S2614 by Senator James L. Seward and Assemblyman Anthony Brindisi, and;

WHEREAS, the Second Amendment of the United States provides for the “right of the people to keep and bear arms” as a natural right which is a necessity for the security of a free state, and further states that this right “shall not be infringed”, and

WHEREAS, members of the Ogdensburg City Council, being elected to represent the people of Ogdensburg, are duly sworn by their oath of office to uphold the Constitution of the United States, and;

WHEREAS, members of the New York State Assembly and the New York State Senate, being elected by the people of New York State, are duly sworn by their oath of office to uphold the Constitution of the United States, and;

WHEREAS, the Civil Rights Law of the State of New York states in Article 2 Section 4, “Right to keep and bear arms. A well regulated militia being necessary to the security of a free state, the right of the people to keep and bear arms cannot be infringed” and;

WHEREAS, this legislative body voted to oppose the New York Secure Ammunition and Firearms Enforcement Act of 2013 in RESOLUTION NO. 23-2013 of the Ogdensburg City Council meeting on February 12, 2013 because it is “unconstitutional” by nature, and;

WHEREAS, the lawful ownership of firearms is a recreational benefit to our residents through hunting and target shooting, along with an economic and environmental benefit to our region with several locally owned and operated gun/sporting businesses, and;

WHEREAS, the New York State Secure Ammunition and Firearms Enforcement (NY SAFE Act) of 2013 which was rushed to passage by the New York State Senate, Assembly and Governor, will have a detrimental effect on law-abiding hunters, sportsmen and gun owners, creating a hostile environment both for them and for the sale and manufacture of legal firearms and ammunition, and;

WHEREAS, the legislation severely impacts the possession and use of firearms now employed by the residents of Ogdensburg and New York State for the defense of life, liberty and property, and;

WHEREAS, the legislation severely impacts the possession and use of firearms now employed for safe forms of recreation including, but not limited to hunting and target shooting, and;

WHEREAS, this legislation effectively treats countless New York State law-abiding gun owners as criminals, and;

WHEREAS, the enactment of the NY SAFE Act has engendered significant controversy over both the undemocratic process by which it was enacted and certain provisions contained within, and;

WHEREAS, the manner in which this legislation was brought forward for vote in the State Legislature is disturbing to the Ogdensburg City Council;

NOW, THEREFORE, BE IT RESOLVED, that the Ogdensburg City Council does hereby support Senate and Assembly bills S511-2015, S1193-2015, A3943-2015, S2611-2015, A5628-2015, S2612-2015, S2613-2015, A5629-2015 and S2614-2015 to repeal all or part of the New York Secure Ammunition and Firearms Enforcement Act of 2013, and

BE IT FURTHER RESOLVED, that the Ogdensburg City Council supports efforts by the New York State Legislature to remove funds for enforcement of the New York Secure Ammunition and Firearms Act of 2013 from the New York State Budget, and;

BE IT FURTHER RESOLVED, that certified copies of this Resolution be forwarded to the Governor of the State of New York, Senator Patty Ritchie, Senator Joseph Griffo, Senator Elizabeth Little, Assemblyman Ken Blankenbush, Assemblyman Marc Butler, Assemblywoman Addie Russell, Assemblywoman Janet Duprey, St Lawrence County Sheriff Kevin Wells, NYS Sheriffs' Association president Sheriff Christopher Moss, Superintendent of the NY State police Joseph A. D'Amico, Congresswomen Elise Stefanik and the New York State Conference of Mayors.

Business of the City Council  
City of Ogdensburg

SUBJECT: Resolution Authorizing Award of Contract for the CSO Weir Modifications & Improvements Project

FOR AGENDA OF: March 9, 2015

BILL #: 23

DEPT. OF ORIGIN: Engineering/Public Works

DATE SUBMITTED: March 3, 2015

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

EXHIBITS: Resolution, Letter

APPROVED BY CITY MANAGER FOR SUBMITTAL \_\_\_\_\_

---

EXPENDITURE	AMOUNT	APPROPRIATION
REQUIRED: \$298,563.	BUDGETED: -0-	REQUIRED: \$298,563.

---

SUMMARY STATEMENT

A resolution to authorize the City Manager to enter into a contract with Continental Construction, LLC for the CSO Weir Modifications & Improvements Project, for a sum not to exceed \$298,563. Funds for this project are to come from Capital Project - CSO Weir Modification & Improvement Project.

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 AWARD OF  
CONTRACT FOR THE  
CSO WEIR MODIFICATIONS & IMPROVEMENTS PROJECT**

WHEREAS, bids have been solicited and received for the CSO Weir Modifications & Improvements Project; and

WHEREAS, the City's Consulting Engineer, GHD Consulting Services, Inc. has evaluated the bids received and recommended the contract be awarded to the lowest bidder; and

NOW, THEREFORE, BE IT RESOLVED that John M. Pinkerton, City Manager, is authorized to enter into the following contract, for a sum not to exceed \$298,563.00, on behalf of the City; and

CONTRACTOR	BID AMOUNT	CONTINGENCY
Continental Construction, LLC 2125 State Hwy 812 Gouverneur, NY 13642	\$277,563.00	\$21,000.00

BE IT FURTHER RESOLVED that the funds to pay for this contract will come from following source:

Capital Project - CSO Weir Modification & Improvement Project \$298,563.



February 26, 2015

Mr. Scott A. Thornhill  
Director of Public Works  
City of Ogdensburg  
330 Ford Street  
Ogdensburg, NY 13669

Re: Contract No. 1 – Bid Results  
CSO Weir Modifications and Improvements  
City of Ogdensburg, NY  
GHD No. 8616531.0

Dear Mr. Thornhill:

Sealed bids were received by the City for the CSO Weir Modifications and Improvements, Contract No. 1, and opened on February 24, 2015 at 2:30 p.m. The bids received are summarized on the enclosed Bid Tabulation prepared by the City.

Four bid proposals were received with the apparent low Total Bid Price (lump sum base bid plus contingent unit price bid items) of \$277,563 from Continental Construction, LLC. The second apparent lowest bid of \$294,952 was from Grant Street Construction Co., Inc. The other two higher bids received of \$424,300 and \$468,000, were from Marcellus Construction Company, Inc., and J.E. Sheehan Contracting Corp., respectively.

A minor arithmetic error in Continental's submitted bid was made in the sum of their Total Bid Price, where the addition of the Schedule A amount of \$254,172, and the Schedule B amount of \$23,391, was added incorrectly; as their Total Bid Price submitted was written as \$277,172. The correct sum is \$277,563, and as provided in the Bid Form, this amount will govern. Additionally, Continental did not initially submit numerous attachments to their bid, including as listed in Article 8, Bidder's Qualification Statement, List of Proposed Subcontractors, Non-Collusive Bidding Certification, and Equal Employment Opportunity Policy Statement. After being notified that these attachments were not included, Continental produced each within 24 hours. Continental did initially submit a properly completed and signed Bid Form and Bid Security in the form of a Bid Bond.

We have contacted both Continental and Grant Street, and they both indicated they are confident with their bid proposals and are willing and prepared to enter into an agreement with the City for the construction of the project. Continental indicated they would intend to start construction soon after Notice to Proceed and once started, continually work towards substantial completion of the entire project. They indicated they do not foresee any issues in meeting the contract times.

Based upon our review of the bid proposals and discussions with each contractor, we see no issues of such significance for the City not to award the contract to Continental Construction, LLC.

Upon selection of a bid proposal by the City, the City should send the Notice of Award to the selected lowest responsible bidder, so the Contractor may prepare to enter into a Contract with the City of Ogdensburg.



Mr. Scott A. Thornhill  
February 26, 2015

We also suggest the City consult with Legal Counsel regarding these Bid Proposals, prior to awarding the Construction Contract. Please note that our evaluation does not include an assessment of the financial status of the above Contractor.

Should you have any questions or concerns, please do not hesitate to contact me.

Sincerely,

GHD CONSULTING SERVICES INC.

A handwritten signature in black ink, appearing to read "Joseph H. Dodd", written in a cursive style.

Joseph H. Dodd, P.E.  
Project Engineer

JHD/mrv

Enclosure

cc: John Pinkerton, City Manager, City of Ogdensburg (w/enc.)  
Jennifer Ashley, City of Ogdensburg (w/enc.)  
Philip Cosmo, City of Ogdensburg (w/enc.)  
John LaGorga, P.E., GHD Consulting Services Inc. (w/enc.)  
Howard LaFever, P.E., GHD Consulting Services Inc. (w/enc.)

**BID TABULATION**

RE: CSO Weir Modifications & Improvements

City of Ogdensburg  
Department of Public Works

#	Item	Estimated Quantity	Continental Constr Gouverneur, NY	Grant Street Const Cortland, NY	Marcellus Constr Adams, NY	J.E. Sheehan Potsdam, NY
1	Lump Sum Bid Items	1	\$ 277,172.00	\$ 294,952.00	\$ 424,300.00	\$ 468,000.00
	<b>TOTAL BID PRICE</b>		<b>\$ 277,172.00</b>	<b>\$ 294,952.00</b>	<b>\$ 424,300.00</b>	<b>\$ 468,000.00</b>

Entered by \_\_\_\_\_  
Checked by \_\_\_\_\_

Date of Bid Opening

24-Feb-15

Approved

Scott A. Thornhill, Director