

AGENDA
Council Meeting
Monday, April 25, 2016
7:00 P. M.

I. Pledge of Allegiance

II. Call to Order

III. Presentation

IV. Public Hearing

1. A public hearing regarding a Local Law to amend Chapter 215 (Section 41) of the Ogdensburg MC entitled "Water Rates". (Bill #37)

V. Personal Appearance

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

VI. Correspondence

1. A letter from American Legion requesting permission to hold Memorial Day Parade on Monday, May 30, 2016.

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 local law to amend the Ogdensburg Municipal Code, Chapter 215 entitled "Water Rates", §215-41. entitled "Miscellaneous Charges". (Bill #37)
2. A resolution introducing an ordinance and providing for public notice and public hearing with regard to the license of City-owned property in the Greenbelt to M&T's Concession, operated by Mary Jo and Tom Montana. (Bill #42)
3. A resolution to authorize the City Manager to sign a NYSDOT Undertaking Agreement to allow the Memorial Day Parade route to be designated as State Street (Route 68). (Bill #43)

4. A resolution to approve the sale of 801 Washington Street, for \$5,750.00 to Shabana Kanwal and Shakil Ahmad. (Bill #44)
5. A resolution to approve the sale of 8 Spring Street, for \$2,750.00 to Ryan Woodard. (Bill#45)

X. Old Business

XI. New Business

XII. Items for Discussion

XIII. Citizen Participation

XIV. Executive Session

XV. Adjournment



MEETING 2ND THURSDAY OF
EACH MONTH

THE AMERICAN LEGION

HANBIDGE POST NO. 69
OGDENSBURG, N. Y. 13669

P.O. Box 1454
~~HOME 328 FRANKLIN STREET~~
~~TELEPHONE 393-1790~~

Rec'd
4-8-16
KLB

April 5, 2016

City Clerk's Office
City Hall
Ogdensburg, N.Y. 13669

Dear sir;

Memorial Day is one of the most American of traditions. Pursuant to this, American Legion Post 69, in cooperation with Amvets Post 19 and VFW Post 2936, respectfully request permission to hold the Memorial Day Parade and Ceremony again this year. This year's date will be May 30th, 2016.

Our plans call for the parade to start, as in past years, by Library Park at 10 A.M. and proceed up State Street to the cemetery, where the ceremony will be held at the veteran's plot. The Mayor and all city officials are cordially invited to attend this function.

Please respond by May 18th so our plans can be finalized. Please note that our mailing address is P.O. box 1454, Ogdensburg, N.Y. 13669. In case of inclement weather the parade will be canceled and the ceremony held at the local Amvets building. Soup and sandwiches will be available afterwards at the Amvets. If you have any questions, you can call me at 393-7904.

Thank you.

Allan Mooney

Adjutant, Post 69

RESOLVED: That the claims as enumerated in General Fund Warrant #8-2016 in the amount of \$619,535.19 and Library Warrant #8-2016 in the amount of \$22,655.51 and Capital Fund Warrant #8-2016 in the amount of \$9,659.59 and Community Development Fund Warrant #8-2016 in the amount of \$0.00 and Community Renewal Fund Warrant #8-2016 in the amount of \$0.00, as audited, be and the same hereby are ordered paid.

DATED: April 21, 2016

Business of the City Council
City of Ogdensburg

SUBJECT: FOR AGENDA OF: April 25, 2016
A Local Law to Amend Chapter 215 of BILL #: 37
the OMC Entitled "Water Rates" DEPT. OF ORIGIN: City Comptroller
DATE SUBMITTED: April 6, 2016
APPROVED AS TO FORM BY CITY CLEARANCES: _____
ATTORNEY EXHIBITS: Local Law
APPROVED BY CITY MANAGER FOR SUBMITTAL

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

SUMMARY STATEMENT

A local law to amend the Ogdensburg Municipal Code, Chapter 215 entitled "Water Rates", §215-41. entitled "Miscellaneous Charges".

RECOMMENDED ACTION

Recommend approval.

MOVED BY: _____ SECONDED BY: _____

VOTE ON ROLL CALL:

MAYOR ASHLEY	_____	COUNCILLOR DAVIS	_____
COUNCILLOR MITCHELL	_____	COUNCILLOR MORLEY	_____
COUNCILLOR PRICE	_____	COUNCILLOR SKAMPERLE	_____
COUNCILLOR STEVENSON	_____		

LOCAL LAW #__ of 2016
AMENDING THE OGDENSBURG MUNICIPAL CODE

A Local Law providing for changes in the Ogdensburg Municipal Code, Chapter 215 entitled “Water” as recommended by the Director of Public Works.

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

§ 215-41. Miscellaneous charges.

The following schedule of rates is hereby fixed and established for the period effective the first billing after April 25, 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 turn on or off, per occasion regular work hours	\$ 46
Water service turn on or off, per occasion after work hours	\$165
Annual rooms to hire (annual rent)	\$ 83.50

Current OMC

§ 215-41. Miscellaneous charges. [Last amended 12-7-2015 by L.L. No. 5-2015]

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
X Water service turnoff, per occasion	\$ 41 X
Annual rooms to hire (annual rent)	\$ 83.50

215:54

09-30-2015

X
→ this deleted + the following added

+ Water service turn on/off, per occasion
regul. work hours = \$46

↓

+ "

" after work
HOURS
\$ 165.

Business of the City Council
City of Ogdensburg

SUBJECT: A Resolution Calling for Public Hearing and Public Notice Regarding the License of Municipal Property

FOR AGENDA OF: April 25, 2016

BILL #: 42

DEPT. OF ORIGIN: Recreation Department

DATE SUBMITTED: April 18, 2016

APPROVED AS TO FORM BY CITY ATTORNEY _____

CLEARANCES: _____

EXHIBITS: Resolution, Ordinance

APPROVED BY CITY ADMIN. FOR SUBMITTAL _____

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

This resolution calls for a public notice and public hearing on a proposed ordinance to license municipal property in the Greenbelt to M&T's Concession operated by Mary Jo and Tom Montana.

RECOMMENDED ACTION

Passage of this resolution.

MOVED BY: _____ SECONDED BY: _____

VOTE ON ROLL CALL:

MAYOR ASHLEY _____	COUNCILLOR DAVIS _____
COUNCILLOR MITCHELL _____	COUNCILLOR MORLEY _____
COUNCILLOR PRICE _____	COUNCILLOR SKAMPERLE _____
COUNCILLOR STEVENSON _____	

**A RESOLUTION CALLING FOR A PUBLIC NOTICE AND PUBLIC HEARING
REGARDING THE LICENSE OF CITY-OWNED PROPERTY IN
THE CITY OF OGDENSBURG**

WHEREAS, the City of Ogdensburg has received interest from a qualified vendor, M&T's Concession operated by Mary Jo and Tom Montana, to operate a seasonal food and beverage concession in the Greenbelt

WHEREAS, the City Council hereby accepts the proposal of M&T's Concession to operate a concession located in the Greenbelt, subject to approval of license;

WHEREAS, the City Charter mandates that a License be finalized only after giving public notice in a local newspaper and conducting a public hearing;

BE IT FURTHER RESOLVED, that the City Council shall hold a public hearing on the 9th day of May, 2016 at 7:00 p.m., at the Council Chambers in the City of Ogdensburg, New York, regarding this proposed License of City-owned property; and

BE IT FURTHER RESOLVED, that the City Clerk give notice of such public hearing 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 date of a notice setting forth the time and place and describing the proposed ordinance in summary form.

ORDINANCE # OF 2016
AN ORDINANCE TO AUTHORIZE A LICENSE OF
MUNICIPAL PROPERTY

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF
OGDENSBURG, NEW YORK, AS FOLLOWS:

ITEM ONE: An ordinance to authorize a license of municipal property in the Greenbelt to M&T's Concession, Mary Jo and Tom Montana.

ITEM TWO: The City Manager has presented the attached proposed agreement to license space at the asphalt pad in the Greenbelt on Riverside Avenue, commonly referred to as the "Concession Stand Area".

ITEM THREE: The City Manager is hereby authorized to execute the attached license agreement, hereby made part of this ordinance.

ITEM FOUR: Passage of this ordinance shall be by a vote of three-fourths (3/4) of all members of the City Council.

ITEM FIVE: This ordinance shall become effective after public notice has been published at least once each week for three weeks in the official City newspaper.

**M & T's Concession
Ogdensburg, NY 13669**

February 15, 2016

**Office of Parks & Recreation Department
Dobisky Visitors' Center
100 Riverside Avenue
Ogdensburg, NY 13669**

Dear Mr. Curatolo:

M&T's Concession stand the former (Noah's Strader Concession) is pleased to submit a proposal to be a vendor for the "concession stand area" in the Greenbelt on Riverside Avenue for the months of May 1, 2016 to August 31, 2016. My daily hours of operation will be 11:00am to 8:00pm Monday through Sunday.

I will continue to serve the people of this city and the visitors in the same manner as I have done for the past several years as having been a worker/ sole manager for Scott Strader in his absence. I have a very good relationship with the customers in the Ogdensburg area and years of experience in the concession business.

My menu will consist of hamburgs, Hoffmann hotdogs, fresh cut French fries, fried bread dough, philly cheese steaks, sweet Italian sausages with peppers and onions, nachos, sno cones, canned soda and bottled water.

Trash removal will be done daily along with removal of used concession oil. M&T's Concession will be fully insured.

The staff operating the concession will be family members. The family members have experience in working the concession as they previously worked for Scott Strader.

I, Mary Jo Montana have put in many hours in previous years to make the concession successful for the people of the city of Ogdensburg and our visitors. I have on many occasions made sure the concession opened on time and closed while holding a full time job. I will continue to do this as owner of M&T's Concession. I have developed a very good relationship with the customers who come back on a daily basis and would very much love to continue this relationship. Thank you for your consideration.

Sincerely,


Mary Jo Montana

Business of the City Council
City of Ogdensburg

SUBJECT: A City Council Resolution Authorizing the City Manager to Sign an NYSDOT Undertaking Agreement

FOR AGENDA OF: April 25, 2016

BILL #: 43

DEPT. OF ORIGIN: City Clerk

DATE SUBMITTED: April 8, 2016

APPROVED AS TO FORM BY CITY ATTORNEY _____

CLEARANCES: _____

EXHIBITS: Resolution & undertaking agreement

APPROVED BY CITY MANAGER FOR SUBMITTAL

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

SUMMARY STATEMENT

This resolution authorizes the City Manager to sign a NYSDOT Undertaking Agreement to allow the Memorial Day Parade route to be designated as State Street (Route 68).

RECOMMENDED ACTION

Passage of this resolution.

MOVED BY: _____ SECONDED BY: _____

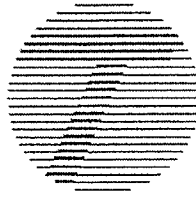
VOTE ON ROLL CALL:

MAYOR ASHLEY	_____	COUNCILLOR DAVIS	_____
COUNCILLOR MITCHELL	_____	COUNCILLOR MORLEY	_____
COUNCILLOR PRICE	_____	COUNCILLOR SKAMPERLE	_____
COUNCILLOR STEVENSON	_____		

RESOLUTION TO AUTHORIZE THE CITY MANAGER
TO SIGN A NYSDOT UNDERTAKING AGREEMENT

WHEREAS, the New York State Department of Transportation (NYSDOT) requires an Undertaking Agreement to allow the Memorial Day Parade route to be designated as State Street (Route 68), and

NOW, THEREFORE, BE IT RESOLVED that the City Manager, Sarah Purdy, is hereby authorized and directed to sign an Undertaking Agreement with the NYSDOT to allow the Memorial Day Parade route to be designated as State Street (Route 68).



**State of New York
Department of Transportation**

PERM 33c

**Application
for the Use of
State Highway/NYSDOT Property
When an event is regulated by the
City/Village/Town(s)**

For events such as parades, processions, assemblages, walk-a-thons, festivals, civic or cultural events, single-county races, etc.

A PERM 33c is required when an event such as a parade, procession, assemblage, walk-a-thon, festival, civic or cultural event, single-county race, etc., is planned to take place on state highway right-of-way, the local Municipality is regulating the event, and the event will either require placing items (signs, barricades, etc) within the state highway right-of-way, or it will block traffic on a state highway.

**NEW YORK STATE DEPARTMENT OF TRANSPORTATION
APPLICATION FOR SPECIAL USE**

Complete this application form and Operation and Safety Plan Checklist in this packet and submit the original a minimum of 1 month prior to the event date to NYSDOT for approval. Also keep a copy for your records. Upon approval, one copy will be returned to you that will serve as permission for the Special Use.

Return the application to:

New York State Department of Transportation - Regional Traffic Engineer, NYSDOT Region ____

1. Special Use Event: Memorial Day Parade +

Date(s)	Time(s)	# of Participants
May 30, 2016	10:00 a.m.	100

2. Type of Special Use Event:

- Parade or Procession Assemblage Walk-a-thon Festival Single-county race Other _____

3. Location (specify highways by route number and/or street name, by municipality):

Route 68 (State Street), Ogdensburg, NY

4. Applicant Information:

City of Ogdensburg
 Applicant (city/town/village)
330 Ford Street
 Mailing Address
Ogdensburg, NY 13669
 City, State, Zip Code
spurdy@ogdensburg.org
 Email Address

 Authorized Representative
(315) 393-6100
 Telephone (including area code)
(315) 573-2700
 Cell Phone (including area code)

 Email Address (if different from Applicant)

 Web Site Address (if appropriate)

Acknowledgment. On behalf of the applicant, I hereby request permission for a Special Use, and do acknowledge and agree to the terms and conditions and obligations set forth in this application and warrant compliance therewith. The attached documents are also made a part hereof and attached hereto:

Application Received by:

 Applicant or Authorized Representative's Signature

 Date

 NYSDOT Representative's Signature

 Date Received by NYSDOT

Business of the City Council
City of Ogdensburg

SUBJECT: Resolution to approve the sale of City-owned property.
FOR AGENDA OF: 04/25/2016
BILL #: 44
DEPT. OF ORIGIN: City Comptroller
DATE SUBMITTED: 04/18/2016
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 sale of 801 Washington Street, for \$5,750.00 to Shabana Kanwal and Shakil Ahmad. **(Requires six affirmative votes to approve.)**

RECOMMENDED ACTION

Approval of resolution.

MOVED BY: _____ SECONDED BY: _____

VOTE ON ROLL CALL:

MAYOR ASHLEY	_____	COUNCILLOR DAVIS	_____
COUNCILLOR MITCHELL	_____	COUNCILLOR MORLEY	_____
COUNCILLOR PRICE	_____	COUNCILLOR SKAMPERLE	_____
COUNCILLOR STEVENSON	_____		

ORDINANCE #7 of 2016
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	\$ 5,750. (amount includes estimated \$400. Attorney fee & \$350. SLC Recording Fee)

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

1. At the time of sale, the property is zoned Single-Family Residential. Any future use of the property shall comply with the provisions of the single-family residential zoning district, per Article III, of Chapter 221 entitled Zoning.
2. An abstract of title and current survey will not be provided by the City.
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 after public notice has been published at least once each week for three weeks in the official City newspaper.

Passed 3-28-16

Date Received: April 13, 2016

Receipt Number: 232140

Received from: *Shabana*
..SHABONA & AHMAD

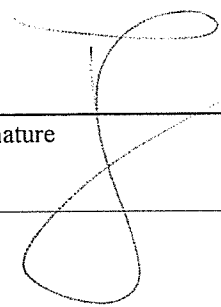
For: DEPOSIT FOR SALE OF CITY OWNED PROPERTY @ 801 WASHINGTON \$575.00
ST CHECK #560 BALANCE DUE \$5175.00

Type: Check Amount: \$575.00

This receipt is void if the check is returned by the bank.

Change issued:

Authorized Signature



(Below for office use only)

Fund	Account Description	Account	Amount
T	Deposits	T30	\$575.00
		Total : T200	\$575.00

Date Received: April 13, 2016

Receipt Number: 232140

Received from: SHABONA & AHMAD

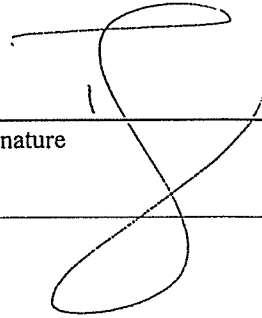
For: DEPOSIT FOR SALE OF CITY OWNED PROPERTY @ 801 WASHINGTON ST CHECK #560 BALANCE DUE \$5175.00 \$575.00

Type: Check Amount: \$575.00

This receipt is void if the check is returned by the bank.

Change issued:

Authorized Signature



(Below for office use only)

Fund	Account Description	Account	Amount
T	Deposits	T30	\$575.00
		Total :	T200 \$575.00

Business of the City Council
City of Ogdensburg

SUBJECT: Resolution to approve the sale of City-owned property.
FOR AGENDA OF: 04/25/2016
BILL #: 45
DEPT. OF ORIGIN: City Comptroller
DATE SUBMITTED: 04/18/2016
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 sale of 8 Spring Street, for \$2,750.00 to Ryan Woodard. **(Requires six affirmative votes to approve.)**

RECOMMENDED ACTION

Approval of resolution.

MOVED BY: _____ SECONDED BY: _____

VOTE ON ROLL CALL:

MAYOR ASHLEY	_____	COUNCILLOR DAVIS	_____
COUNCILLOR MITCHELL	_____	COUNCILLOR MORLEY	_____
COUNCILLOR PRICE	_____	COUNCILLOR SKAMPERLE	_____
COUNCILLOR STEVENSON	_____		

RESOLUTION TO APPROVE THE SALE OF TAX PARCEL 59.022-5-4
TO RYAN WOODARD

WHEREAS, the Ogdensburg City Council, on March 28, 2016, authorized the public auction of surplus City-owned real property, and

WHEREAS, the City held an auction on April 13, 2016 to sell said property, and

WHEREAS, the City received bids that met the minimum bids set by City Council,

NOW THEREFORE BE IT RESOLVED, that the City Council approves the following sale of:

<u>TAX MAP #</u>	<u>LOCATION</u>	<u>MINIMUM PURCHASE PRICE</u>
59.022-5-4	8 Spring Street	\$ 2,750. (amount includes estimated \$400. Attorney fee & \$350. SLC Recording Fee)

BE IT FURTHER RESOLVED, that the sale shall be subject to the terms of the March 28, 2016 resolution.

ORDINANCE #8 of 2016
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>
59.022-5-4	8 Spring Street	\$ 2,750.

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 after public notice has been published at least once each week for three weeks in the official City newspaper.

Passed 3/28/16

Date Received: April 13, 2016

Receipt Number: 232139

Received from: RYAN WOODARD

For: BID DEPOSIT FOR 8 SPRING STREET, TAX MAP#59.022-5-4

\$275.00

Type: Cash 280 - 5-

Amount: \$275.00

Change issued:

_____ 

Authorized Signature

(Below for office use only)

Fund	Account Description	Account	Amount
T	Deposits	T30	\$275.00
		Total : T200	\$275.00