

**AGENDA**  
**Council Meeting**  
**Monday, January 13, 2014**  
**7:00 P. M.**

I. Call to Order

II. Pledge of Allegiance

III. Presentation

IV. Public Hearing

V. Personal Appearance

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

1. Ted Zoli, regarding the low City Marina rates

VI. Correspondence

VII. Executive Session

1. Negotiations
2. Litigation

VIII. 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

IX. Appointments

1. Appoint Dr. Michael A. O'Donnell to fill the unexpired term of Ameer Longbottom on the Ogdensburg Library Board, term to expire 12/31/14.

X. Items for Council Action

1. A resolution urging the NYS Attorney General to obtain additional funding from Exxon Mobil for a claim Fort de la Presentation filed with the New York State Comptroller's Office seeking damages for the setbacks experienced waiting for the property to be cleaned up. (Bill #1)
2. A resolution to re-appoint Dr. Mark Chalom as the City's Public Health Officer for a four-year term. (Bill #2)
3. A resolution authorizing the City Manager to enter into an agreement with GHD Consulting Services, Inc., for a sum not to exceed \$65,000., for design services for the CSO Weir Modifications and Hydraulic Improvements. (Bill #3)

XI. Old Business

XII. New Business

XIII. Items for Discussion

1. February 10, 2014 Council Meeting/NYCOM Meeting
2. Request for 4 way stop light at State and Washington Street intersection (when pedestrian crossing button is pushed)

IXV. Adjournment

Business of the City Council  
City of Ogdensburg

SUBJECT: FOR AGENDA OF 01/13/14 BILL #1  
Resolution urging the NYS Attorney General to help Fort La Presentation  
DEPT OF ORIGIN: City Manager  
DATE SUBMITTED: 12/13/13  
CLEARANCES: \_\_\_\_\_  
APPROVED AS TO FORM BY CITY ATTORNEY \_\_\_\_\_  
EXHIBITS: Resolution  
APPROVED BY CITY ADMIN. FOR SUBMITTAL \_\_\_\_\_

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EXPENDITURE REQUIRED: N/A	AMOUNT BUDGETED: N/A	APPROPRIATION REQUIRED: N/A
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SUMMARY STATEMENT

This resolution urges the NYS Attorney General to obtain additional funding from Exxon Mobil for a claim Fort de la Presentation filed with the New York State Comptroller's Office seeking damages for the setbacks experienced waiting for the property to be cleaned up.

RECOMMENDED ACTION

Approval of Resolution

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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	_____		

A RESOLUTION URGING NYS ATTORNEY GENERAL  
TO OBTAIN ADDITIONAL FUNDING FROM EXXON MOBIL CORPORATION  
FOR FORT de la PRESENTATION

WHEREAS, Exxon Mobile Corporation owned and operated a major oil storage facility on Lighthouse Point, a site presently owned by the Fort La Presentation Association and,

WHEREAS, petroleum contamination was discovered in 2001 at the spill site when investigators encountered contaminated soil on a parcel adjacent to the main terminal facility and near underground pipelines connecting the terminal to the Oswegatchie River and,

WHEREAS, the site was cleaned up between Fall 2006 and 2007 overseen by the New York State Department of Environmental Conservation and was paid for by the State Oil Spill Fund and,

WHEREAS, the New York State Attorney General's Office pursued legal action against Exxon Mobil Corp to reimburse the Oil Spill Fund, and the Fort Association filed a claim with the New York State Comptroller's Office seeking damages for the setbacks it has experienced waiting for the property to be cleaned and,

WHEREAS, in 2006 a settlement was reached between Exxon Mobile, the Comptroller's Office and the Fort Association that included compensation to the Fort Association for its claims; that settlement was rejected by the NYS Attorney General's Office, and

WHEREAS, the NYS Attorney General recent announced that a settlement with ExxonMobil has been reached with the oil company agreeing to pay \$8.05 million to the Oil Spill Fund, and

WHEREAS, the Fort Association's claims remain outstanding, and

WHEREAS, ExxonMobil has refused to participate in negotiations to reach a joint settlement that includes the claims of the Fort Association.

NOW, THEREFORE, BE IT RESOLVED that the Ogdensburg City Council strongly urges the NYS Attorney General to use all possible legal means to reach a resolution that includes restitution from ExxonMobil to the Fort Association, the people of Ogdensburg and St. Lawrence County for the losses incurred by the City and County as a consequence of the Exxon Mobile contamination.

BE IT FURTHER RESOLVED that copies of this resolution be sent to N.Y. Govovernor Cuomo; N.Y. Senator Griffo; N.Y. Senator Ritchie; N.Y.S. Assemblywoman Russell; and Assemblyman Blankenbush, NYS Attorney General Eric T. Schneiderman, New York State Comptroller Thomas P. DiNapoli, and Fort La Presentation Association President Barbara J. O'Keefe.

Business of the City Council  
City of Ogdensburg

SUBJECT: FOR AGENDA OF: 1/13/14  
Re-appointment of a Public Health Officer  
BILL #: 2  
DEPT. OF ORIGIN: City Clerk  
DATE SUBMITTED: 12/31/13  
APPROVED AS TO FORM BY CITY ATTORNEY EXHIBITS: resolution  
APPROVED BY CITY MANAGER FOR SUBMITTAL

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EXPENDITURE	AMOUNT	APPROPRIATION
REQUIRED: \$500.	BUDGETED: \$500.	REQUIRED: -0-

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SUMMARY STATEMENT

This resolution would re-appoint Dr. Mark Chalom as the City's Public Health Officer for a four-year term.

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 REAPPOINTING  
DR. MARK CHALOM  
AS PUBLIC HEALTH OFFICER**

WHEREAS, Dr. Mark Chalom currently serves as the Public Health Officer for the City of Ogdensburg, and

WHEREAS, Dr. Chalom's term of office expired December 31, 2013,

NOW, THEREFORE, BE IT RESOLVED, that Dr. Mark Chalom is hereby re-appointed as the City of Ogdensburg's Public Health Officer for a four-year term, effective January 1, 2014, and

BE IT FURTHER RESOLVED, that the annual stipend for this service is established at \$500.

Business of the City Council

City of Ogdensburg

SUBJECT:  
Resolution Authorizing City Manager to  
Enter Into Agreement With GHD  
Consulting Services, Inc. for Design  
Services for the CSO Weir Modifications  
and Hydraulic Improvements

FOR AGENDA OF: January 13, 2014

BILL #: 3

DEPT. OF ORIGIN: Engineering

DATE SUBMITTED: January 8, 2014

APPROVED AS TO FORM BY CITY  
ATTORNEY

EXHIBITS: Resolution, GHD Agreement

APPROVED BY CITY MANAGER FOR SUBMITTAL

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EXPENDITURE	AMOUNT	APPROPRIATION
REQUIRED: \$65,000	BUDGETED: \$65,000	REQUIRED: \$66,000

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SUMMARY STATEMENT

This resolution authorizes the City Manager to enter into an agreement with GHD Consulting Services, Inc., for a sum not to exceed \$65,000., for design services for the CSO Weir Modifications and Hydraulic Improvements.

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 CITY MANAGER TO  
ENTER INTO AGREEMENT WITH GHD CONSULTING SERVICES, INC.  
FOR DESIGN SERVICES FOR THE  
CSO WEIR MODIFICATIONS AND HYDRAULIC IMPROVEMENTS

WHEREAS, the City is obligated to meet the requirements of the Long-Term Control as approved by the US EPA and NYS DEC; and

WHEREAS, the City desires to improve the collection of stormwater within the City's sanitary system; and

WHEREAS, the City desires to limit overflows to the St. Lawrence River; and

WHEREAS, GHD Consulting Services, Inc. has submitted a proposal to provide design services for the CSO weir modifications and hydraulic improvements;

NOW, THEREFORE, BE IT RESOLVED, that the City Manager is hereby authorized to enter into an agreement with GHD Consulting Services, Inc., for a sum not to exceed \$65,000., for design services for the CSO weir modifications and hydraulic improvements; and

BE IT FURTHER RESOLVED that funding for these services will come from the Sewer Fund Water Pollution Control Capital Construction – G8130.330.