

AGENDA
Council Meeting
Monday, September 10, 2012
7:00 P.M.

I. Call to Order

II. Pledge of Allegiance

III. Public Hearing

1. A public hearing to amend the City Charter, Article IV entitled City Manager, Section C-18 entitled Appointment; term; compensation; qualifications. (Bill #52)

IV. Presentation

1. Daughter's of America Revolution Proclamation Declaring September 17 – 22 as National Constitution Week.
2. Andrea L. Smith, Interim Director of Planning & Development - update on the Main Street Programs and LWRP drafts

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

1. Reappoint James Morrison to a five year term on the Board of Assessment and Review, term will expire 09/30/17. (Mr. Morrison has served on this board since 01/22/01.)

IX. Items for Council Action

1. A Local Law to amend the City Charter, Article IV entitled "City Manager", Section C-18 entitled "Appointment: Term; compensation; qualifications". (Bill #52)

2. A resolution authorizing the City Manager to sign an agreement to extend the Snow and Ice Control Agreement between the City of Ogdensburg and St. Lawrence County. (Bill #53)
3. A resolution providing the City Council's continued endorsement and support of the Paterson Street Reconstruction Project as preliminarily proposed to the NYS Dept. of Transportation by the firm of Barton & Loguidice, P.C. (Bill #54)
4. A resolution authorizing the Interim City Manager to enter into a purchase contract with J & C Ice Technologies, Inc. for a sum not to exceed \$122,550 for the purchase of a new Zamboni for the Richard G. Lockwood Civic Center. (Bill #55)

X. Old Business

XI. New Business

XII. Items for Discussion

1. Requests to purchase tax sale acquired property.
2. Dadras Presentation

XIII. Executive Session

XIV. Adjournment

Business of the City Council
City of Ogdensburg

SUBJECT: FOR AGENDA OF 09/10/12 BILL # 52

A Local Law amending C-18
of the City Charter

DEPT OF ORIGIN: City Attorney

DATE SUBMITTED: 08/15/12

CLEARANCES: _____

APPROVED AS TO FORM
BY CITY ATTORNEY

EXHIBITS: Local Law

APPROVED BY CITY MANAGER. FOR
SUBMITTAL

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

This Local Law amends the Ogdensburg City Charter, Article IV entitled City Manager, Section C-18 entitled Appointment; term; compensation; qualifications.

RECOMMENDED ACTION

Approval of Local Law.

MOVED BY: _____

SECONDED BY: _____

VOTE ON ROLL CALL:

MAYOR NELSON _____

COUNCILLOR ASHLEY _____

COUNCILLOR CILLEY _____

COUNCILLOR HOSMER _____

COUNCILLOR MORLEY _____

COUNCILLOR SKAMPERLE _____

COUNCILLOR STEVENSON _____

LOCAL LAW #1 of 2012
AMENDING THE OGDENSBURG CITY CHARTER

A Local Law providing for changes in the Ogdensburg City Charter as recommended by the Ogdensburg City Council.

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

SECTION 1. Article IV, of the City Charter of the City of Ogdensburg entitled City Manager be and the same is amended as follows:

§ C-18. Appointment; term; compensation; qualifications.

The City Council shall appoint a City Manager ~~for an indefinite term and fix his compensation~~ **who shall hold office during and at the pleasure of the Council and receive compensation fixed by the Council.** Prior to appointment, the person shall be qualified by at least one (1) year's special training in public administration and finance, and by at least three (3) years' experience in a responsible executive position in governmental administration, or by any equivalent training or combination of experience and training sufficient to indicate capacity for effective governmental administration. The person need not be a resident of the city or state at the time of the appointment but must reside within the city while in office.

SECTION II: Effective Date.

This local law shall take effect on filing with the Secretary of State.

Business of the City Council
City of Ogdensburg

SUBJECT: FOR AGENDA OF 09/10/12 BILL # 53

A resolution authorizing the City Manager to sign an agreement between the City and St. Lawrence County.

DEPT OF ORIGIN: DPW

DATE SUBMITTED: 8/24/12

CLEARANCES: _____

APPROVED AS TO FORM
BY CITY ATTORNEY

EXHIBITS: Resolution and 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 an agreement to extend the Snow and Ice Control Agreement between the City of Ogdensburg and St. Lawrence County.

RECOMMENDED ACTION

Recommend approval.

MOVED BY: _____

SECONDED BY: _____

VOTE ON ROLL CALL:

MAYOR NELSON _____

COUNCILLOR ASHLEY _____

COUNCILLOR CILLEY _____

COUNCILLOR HOSMER _____

COUNCILLOR MORLEY _____

COUNCILLOR SKAMPERLE _____

COUNCILLOR STEVENSON _____

**A RESOLUTION AUTHORIZING THE CITY MANAGER
TO SIGN AN AGREEMENT BETWEEN THE CITY OF OGDENSBURG
AND ST. LAWRENCE COUNTY**

BE IT RESOLVED, that the City Manager is authorized to sign the attached extended Snow and Ice Control Agreement between the City of Ogdensburg and St. Lawrence County for the 2012-2013 Season.

AGREEMENT TO EXTEND SNOW AND ICE CONTROL AGREEMENT

BETWEEN ST. LAWRENCE COUNTY
AND
THE MUNICIPALITY OF City of Ogdensburg

This agreement made this _____ day of _____
by and between the County of St. Lawrence (hereinafter referred to
as County), and the City of Ogdensburg, (hereinafter referred to
as "MUNICIPALITY.") as follows:

WHEREAS the County of St. Lawrence and the Municipality have
entered into an Agreement entitled "Snow and Ice Agreement between
St. Lawrence County and the Municipality of City of Ogdensburg
dated July 1986; and

WHEREAS, the term of the said Agreement is for a period of
three years commencing July 1, 1987 and the said Agreement
provides that the parties may at the end of each year of the term
of the Agreement extend such term for an additional year; and

WHEREAS, the present term of the Agreement, as extended,
expires June 30, 2012; and

WHEREAS, Section 6 of the said Agreement provides that the
County shall furnish the Municipality with a suitable map for each
term of the Agreement, or for any extended term thereof, modified
to show changes, if any to the State Highways affected by this
Agreement; and

WHEREAS, Section 9 of the said Agreement provides for an
annual update of the estimated expenditure to be determined by the
County subject to the provisions of Section 9, at the time for
extension of the Agreement;

WHEREAS, Section 10 of the said Agreement provides for the
County to make 3 interim payments to the Municipality of 25% of
the estimated expenditures after receiving a voucher from the
Municipality on or after the 10th day of December, January, and
February;

NOW THEREFORE, in consideration of the mutual covenants and
benefits between the parties,

WITNESSETH: 1. The aforementioned "Snow and Ice Agreement
Between St. Lawrence County and the Municipality" is hereby
extended for a period of one year; now to expire on June 30, 2013
unless further extended.

2. The State highway or parts thereof affected by this agreement are as delineated on the attached map which shall be effective for the remainder of this agreement and all extensions thereof unless changed by future agreement between the County and the Municipality.

3. The County will annually solicit bids for sand mixed with 10% salt and for pure salt F.O.B. the Municipality's storage site and notify the Municipality of the result of the bids. The Municipality will purchase the salt and sand for use on State roads from the vendor awarded the bid by the County.

4. In lieu of making three interim payments of 25% each of the estimated expenditure, as specified in Section 7 of the aforementioned agreement, the County will make one advance payment in October. The cost will be calculated at the prices resulting from bids let by the County.

5. The Municipality will submit Monthly Claim Vouchers for the actual expenditures for labor, equipment and materials on or after the 15th day of the month following the incurrence of such expenditures. The amount of the advance payment will be used as payment of the incurred expenses. When such amount has been used, the County will reimburse the Municipality for further expenses.

IN WITNESS WHEREOF, this Agreement has been executed by the County acting by and through the Chair of the St. Lawrence County Board of legislators and the Municipality, which has caused this Agreement to be executed by its duly authorized officer on the date and year first above written.

ST. LAWRENCE COUNTY

By _____
Sallie A. Brothers
Chair, Board of Legislators

MUNICIPALITY City of Ogdensburg

By _____

STATE OF NEW YORK)
COUNTY OF ST. LAWRENCE)

On the _____ day of _____ in the year of 2011, before me personally came Sallie A. Brothers to me known and known to me to be the Chair of the **St. Lawrence County Board of Legislators**, the person who executed the foregoing instrument and he duly acknowledged to me that he executed the same as such Chair, for the purpose therein mentioned.

NOTARY PUBLIC

STATE OF NEW YORK)
) SS.
COUNTY OF ST. LAWRENCE)

On the _____ day of _____ in the year 20____, before me personally came _____ to me known, who being by me duly sworn, did depose and say that he resides in _____, New York; that he is the _____ of the City of Ogdensburg, the **Municipality** described in and which executed the above instrument; that he executed said instrument by the order of the Governing Body of said municipality pursuant to a resolution which was duly adopted on _____ 20____; a certified copy of such resolution attached and hereto made a part hereof.

NOTARY PUBLIC

Business of the City Council
City of Ogdensburg

SUBJECT: Resolution Endorsing the Paterson Street Reconstruction Project as Originally Proposed
FOR AGENDA OF: September 10, 2012
BILL #: 54
DEPT. OF ORIGIN: Public Works/Engineering
DATE SUBMITTED: September 5, 2012
APPROVED AS TO FORM BY CITY ATTORNEY
EXHIBITS: Resolution
APPROVED BY CITY MANAGER FOR SUBMITTAL

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

This resolution provides for the City Council's continued endorsement of their support of the Paterson Street Reconstruction Project as preliminarily proposed to the NYS Dept. of Transportation by the firm of Barton & Loguidice, P.C.

RECOMMENDED ACTION

Approval of this resolution.

MOVED BY: _____ SECONDED BY: _____

VOTE ON ROLL CALL:

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

RESOLUTION ENDORSING THE
PATERSON STREET RECONSTRUCTION PROJECT
AS ORIGINALLY PROPOSED

WHEREAS, the City Council has appropriated money and passed resolutions to support the preliminary proposal for the Paterson Street Reconstruction Project; and

WHEREAS, the City Council continues to commit funding and support for the Paterson Street Reconstruction Project as originally proposed; and

WHEREAS, construction is anticipated in the construction season of 2013;

NOW, THEREFORE, BE IT RESOLVED that the City Council continues to endorse their support of the Paterson Street Reconstruction Project as preliminarily proposed to the NYS Dept. of Transportation by the firm of Barton & Loguidice, P.C.

Business of the City Council
City of Ogdensburg

SUBJECT: Resolution Authorizing Award of Contract for Purchase of New Zamboni
FOR AGENDA OF: September 10, 2012
BILL #: 55
DEPT. OF ORIGIN: Recreation
DATE SUBMITTED: September 5, 2012
APPROVED AS TO FORM BY CITY ATTORNEY
EXHIBITS: Resolution
APPROVED BY CITY MANAGER FOR SUBMITTAL

EXPENDITURE REQUIRED: \$ 122,550	AMOUNT BUDGETED: -0-	APPROPRIATION REQUIRED: \$122,550
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SUMMARY STATEMENT

This resolution authorizes the Interim City Manager to enter into a purchase contract with J & C Ice Technologies, Inc. for a sum not to exceed \$122,550 for the purchase of a new Zamboni for the Richard G. Lockwood Civic Center.

RECOMMENDED ACTION

Approval of this resolution.

MOVED BY: _____ SECONDED BY: _____

VOTE ON ROLL CALL:

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

**RESOLUTION AUTHORIZING AWARD OF CONTRACT
FOR PURCHASE OF NEW ZAMBONI**

WHEREAS, bids have been solicited and received for the purchase of a new Zamboni for the Richard G. Lockwood Civic Center; and

WHEREAS, City staff have evaluated the bids and recommended the contract be awarded to the responsible low bidder;

NOW, THEREFORE, BE IT RESOLVED that Philip A. Cosmo, Interim City Manager, is authorized to enter into the following purchase contract, for a sum not to exceed \$122,550, on behalf of the City; and

<u>SUPPLIER</u>	<u>BID AMOUNT</u>
J & C Ice Technologies, Inc. 180 Gold Mine Road, Unit 5 Flanders, NJ 07836	\$122,550

BE IT FURTHER RESOLVED that the funds to pay for the Zamboni shall be derived from a capital borrowing.

