

## CITY COUNCIL MEETING

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Mayor Skelly called the meeting to order and asked the Clerk to call the roll:

PRESENT: Mayor Skelly, Councillors Dillabough, Fisher,  
Kennedy, Powers, Rishe and Skamperle

ABSENT: None

### PRESENTATION

1. Director of Planning and Development Andrea Smith made a presentation to Council regarding the proposed surplus real property auction and described each parcel to be auctioned. Councillor Rishe asked if the minimum bid on the 502 King Street parcel was based on square footage. Ms. Smith explained this is the fourth year the City has owned the parcel. Ms. Smith said the City advocated to the Board of Assessment and Review to reduce the assessed value of the property to \$5,000 because the City will now be responsible for paying County and school taxes on the parcel. Ms. Smith explained the City will need to do a demolition on the property very soon but noted the building could be saved if sold now. Ms. Smith said all of the other parcels are vacant, non-conforming lots. Councillor Rishe asked if the parcels are all primarily tax sale items. Ms. Smith said yes. Councillor Rishe asked if the City will still own the former Diamond National, former Shade and Roller and the former cheese plant properties as well as the lot across from the former Ramada Inn property. Ms. Smith said yes, noting the City has no interest in offering those properties for public auction at this time. Ms. Smith described each of the parcels the City will still own, describing the contamination issues with each. Councillor Kennedy asked if an offer was made on the 502 King Street parcel in 2019 and then withdrawn. Ms. Smith said yes and explained there is currently no off-street parking at 502 King Street because the former owner retained the side parcel that was previously used for off-street parking.

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Councillor Rishe asked if the other City entity owns 10 to 12 parcels. Ms. Smith explained the Ogdensburg Land Bank Corporation owns several parcels. Councillor Rishe asked if Council could receive an update on those parcels. Ms. Smith explained the Ogdensburg Land Bank Corporation provided Council with the annual update and report at a March 2021 Council meeting as required under Article 16. Ms. Smith then provided Council with an update on each of those parcels. Councillor Fisher asked if the former St. Joseph's property could be included in the proposed public auction. Ms. Smith said the resolution could be amended to include that parcel. Councillor Fisher said that parcel basically includes the whole block with the exception of the mansion. City Manager Stephen Jellie said staff should get an idea of the fair market value of that parcel and then move forward. Councillor Kennedy asked if there are any limitations on that parcel. Ms. Smith explained the parcel is zoned Moderate Density Residential and added it meets the minimum standard for a Planned Development District which is most advantageous.

Councillor Skamperle asked if the Adams Avenue parcel is in a business district with the Pepsi plant on one side of it and if there is a paper street on the opposite side of the Pepsi plant. Ms. Smith explained there are two paper streets surrounding that parcel. Councillor Skamperle asked if someone could build on that parcel. Ms. Smith said it meets the minimum dimensional standards, but a development plan or street extensions may be necessary. Councillor Skamperle asked if a business could be developed at 502 King Street, and Ms. Smith said yes. Councillor Skamperle asked if a business at that location was possible with parking limited to street parking. Ms. Smith said yes, but the parcel would require site plan review and a waiver of off-street parking requirements. Councillor Skamperle said he planned to propose an amendment to reduce the minimum price for the 502 King Street parcel because he would like to see the property sold. Councillor Rishe asked for an update on the marketing status for the former Diamond National property. Ms. Smith explained the Request for Proposals has been drafted and will be available by June 30, 2021. Ms. Smith said responses will be due back in mid-September.

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### PUBLIC HEARING

1. A public hearing seeking comment on the City's intent to apply to New York State Homes & Community Renewal under the 2021 CFA Community Development Block Grant Program was held. No one being present to speak, the hearing was declared closed.

2. A public hearing regarding an ordinance authorizing the City Manager to enter into a license agreement to operate the Dobisky Visitors' Center to the Greater Ogdensburg Chamber of Commerce was held.

Doug Loffler questioned the term of the license. Councillor Rishe said the lease would run through the end of the year. City Manager Stephen Jellie said a review would be done at that time to see if both parties are satisfied and wish to renew the lease. No one else being present to speak, the hearing was declared closed.

### PERSONAL APPEARANCE

1. Scott McCormick addressed Council and read a prepared statement. (A copy of his statement follows these minutes.) Councillor Rishe said Mayor Skelly was trying to convey a message with his comment about eliminating jobs at the Police Department, and he had not discussed it with other members of Council. Councillor Rishe added there was no plan to eliminate those positions. Mayor Skelly said it was not a message to the police or the community, adding it was a message the County. Mayor Skelly described the history of the negotiations with the County and how he intended to send a message to the County that the County will not benefit if it plans to take money from the City. Mayor Skelly said the County will need to take something else with it if the County plans to take money from the City. Mayor Skelly said the County needs to know there are consequences, and the County should appreciate our Police Department. Mayor Skelly the County does not repair roads or bridges located in the City and added we provide our own police services.

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Councillor Rishe said Ogdensburg is the only city in New York State that does not collect its own sales tax, and the County wants to bill the City for services. Councillor Rishe explained we all pay County taxes, but we do not receive the services of the Sheriff's Department. Councillor Rishe said the County takes money from the community and makes the community suffer but wants money to provide less services. Mayor Skelly said it makes everyone uneasy and added it is a tragedy for no reason. Mayor Skelly said the County should leave Ogdensburg alone and support us.

2. Mike Tooley addressed Council and read a prepared statement. (A copy of his statement follows these minutes.) Mayor Skelly said the City had an agreement with the County, and it turned out the New York State Department of Taxation and Finance has a rule that notification was necessary. Mr. Tooley asked why that requirement was unknown and added it should have been known before the decision to pre-empt was made. Mayor Skelly said he is not satisfied with the library performance, and he wants a different mindset with the library. Mr. Tooley questioned what that has to do with Mayor Skelly making the appointments.

3. David Price addressed Council and said two years ago a campaign promise was made to reduce taxes by 25%, and at that time he noted the only way to do that was to eliminate jobs. Mr. Price said he was called a liar, but then positions were cut. Mr. Price said people move away when someone says double digit cuts. Mr. Price explained Northern New York was a unionized industry and when that ended in the 1980's, public employment was the only major industry remaining. Mr. Price explained when public employment positions are cut, the lifeline of the North Country is cut. Mr. Price said businesses rely on those public employees. Mr. Price explained sales taxes is based on sales and cautioned Council to pay attention to what is going on. Mr. Price commended Mr. Tooley for his comments. Mayor Skelly said the Financial Restructuring Board indicated the City could not pay its bills, noting there was no toner at City Hall when he was first elected.

4. An individual who chose not to state her name addressed Council and said she was new to the area. The individual said she moved here thirty days ago and questioned the process to serve on the library Board of Trustees.

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Mayor Skelly said the individual could email him and also provided his phone number. The individual asked what qualifications are necessary to be appointed to the library Board of Trustees, and Mayor Skelly said he will go over that when she calls him.

5. Doug Loffler addressed Council and quoted a statement previously made by Councillor Dillabough. Mr. Loffler said Councillor Dillabough has not lived up to his comments. Mr. Loffler also quoted a statement previously made by Mayor Skelly. Mr. Loffler said Mr. Tooley and Mr. McRoberts had made great points regarding sales tax. Mr. Loffler explained when the first philosophy didn't work, Council should find new solutions. Mr. Loffler recommended Council stop blaming, get things together and try something different. Mr. Loffler said Mayor Skelly made comments to the press, but it was not the opinion of Council. Mr. Loffler asked if there is no communication among Council members. Mr. Loffler said the City has lost great workers in this community, adding the Police Department is being used as a scape goat while the Fire Department is being held hostage. Mr. Loffler said the difference between success and failure is the six inches between the ears. Mr. Loffler said good leadership inspires and motivates. Mr. Loffler explained the City has not kept the great talent, and bad leaders threaten good talent. Mr. Loffler said the City needs a bright future.

6. Richard Breen addressed Council and said he will have one of the available Council seats, noting people did not sign his petition because they claimed he was in the majority of Council's pocket. Mr. Breen said Councillors Skamperle, Powers and Kennedy started that rumor and suggested people talk if they question things. Mr. Rishe said former City Councillor Shawn Shaver wanted to put a beach near the Dobisky Center and questioned if people from the second ward would be bused to the City beach. Mr. Breen said he has no idea of the City Manager's qualifications for Fire Chief but noted the City needs a Fire Chief. Mr. Breen said if the acting Fire Chief actually drove by a fire in the City and if Council gives him a perfect score on his annual review, then Council is wrong. Mr. Breen said the acting Fire Chief does not wear a fire suit at an active fire.

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Mr. Breen said he taught firefighting on Navy ships for seven years, and he has the same qualifications as the acting Fire Chief. Mr. Breen questioned who is keeping track of all the maintenance on the firefighting equipment. Mr. Breen questioned where the new Recreation Director's office is located.

7. Jennifer Stevenson addressed Council and thanked members of the community for their contributions to the Community Garden. Ms. Stevenson explained the planting is being done and thanked former Mayors William Nelson and Wayne Ashley, Fort la Presentation and the Rotary Club for their support. Ms. Stevenson said the garden spaces are rented for \$25 for the season for personal use or donations to the food pantry and recommended that anyone who needs help contact her.

8. Gerald Mack addressed Council and said Mayor Skelly publicly stated he plans to do layoffs and asked Mayor Skelly if that was statement was true. Mr. Mack questioned if Mayor Skelly was going to answer his questions, noting Mayor Skelly had been talkative all night and he wanted it on record Mayor Skelly refused to answer his questions. Mr. Mack said Council passed a resolution on August 24, 2020 regarding department head appointments and questioned if when Council met recently to vote on a department head appointment, if that appointment was legal. Councillor Rishe said it was not a question-and-answer session, and Mr. Mack said he was not speaking to Councillor Rishe. Mr. Mack questioned how he should contact the City now that he has been blocked by City Manager Stephen Jellie. Mr. Mack questioned who has radio contact with boaters who need assistance or pump outs, and Councillor Rishe said Council will get back to Mr. Mack on that matter. Mr. Mack questioned since when the City allowed businesses to operate without proper permits and certifications such as the movie theater. Mr. Mack said he agreed with Mr. Breen's comments about acting Fire Chief Stephen Jellie and noted Mr. Jellie changed the Fire Chief qualifications with Civil Service. Mr. Mack asked when the change was made for Department Heads to take City-owned vehicles homes and noted Council ended that practice in the past to save money. Mr. Mack asked Mayor Skelly if Council is going to cut positions at the Police Department.

CONSENT AGENDA

Mayor Skelly moved that the claims as enumerated in General Fund Warrant #12-2021 in the amount of \$758,818.05 and Library Fund Warrant #12-2021 in the amount of \$8,737.54 and Capital Fund Warrant #12-2021 in the amount of \$0.00 and Community Development Fund Warrant #12-2021 in the amount of \$0.00 and Community Renewal Fund Warrant #12-2021 in the amount of \$0.00 as audited, be and the same are ordered paid and Councillor Rishe seconded the motion.

Councillor Rishe questioned the payment to the Development Authority of the North Country. City Manager Stephen Jellie explained the payment was for the water/sewer treatment plants in accordance with the technical support agreement. Councillor Rishe asked for the term of that contract, and Mr. Jellie said he would provide that information to Council. Councillor Powers questioned the payment to Porter Lee Corporation, and Mr. Jellie said he will provide that information to Council. Mr. Jellie said Council receives the agenda on the Thursday before Council meetings and if questions were sent to him in advance, he would be prepared to answer. Mr. Jellie said he has previously discussed this issue with Council and repeated attempts to make it look like staff do not know answers should stop. Councillor Kennedy asked for detailed information sorted by department for the Enterprise vehicle lease agreements, and Mr. Jellie said he would provide that information to Council.

The vote was:

CARRIED, AYES ALL

APPOINTMENTS

1. Mayor Skelly moved to appoint Paul Pirie, Mary Wills and Nikki Meyers to three-year terms on the Pride & Beautification Commission, terms to begin June 28, 2021 and expire on December 31, 2023, and Councillor Dillabough seconded the motion.

The vote was:

CARRIED, AYES ALL

ITEMS FOR COUNCIL ACTION

1. Councillor Rische moved an ordinance authorizing the City Manager to enter into a license agreement to operate the Dobisky Visitors' Center to the Greater Ogdensburg Chamber of Commerce, and Councillor Skamperle seconded to wit:

ORDINANCE #6 OF 2021  
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 at the Dobisky Visitors' Center to the Greater Ogdensburg Chamber of Commerce.

ITEM TWO: The City Manager has presented the attached proposed agreement to license space at the Dobisky Visitors' Center.

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 take effect immediately.



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Councillor Rishe asked if the initial term of the agreement is through December 2021, and City Manager Stephen Jellie said yes. Councillor Skamperle said there is no doubt the Chamber of Commerce should be at the Dobisky Visitors' Center but the Recreation Director should also be there. City Manager Stephen Jellie said the entire office space will be licensed to the Chamber of Commerce and added someone will be on premises to tend to the boaters. Mr. Jellie explained the Recreation Director has an office in the old Assessment Clerk's office, and the position will stay in that office. Councillor Skamperle said a home base for someone from the City is needed at the Dobisky Visitors' Center.

The vote was:

CARRIED, AYES ALL

2. Mayor Skelly moved a resolution authorizing the City Manager to hold a public auction of surplus real property, and Councillor Kennedy seconded to wit:

RESOLUTION AUTHORIZING THE CITY MANAGER TO HOLD A PUBLIC  
AUCTION OF SURPLUS REAL PROPERTY

WHEREAS, Staff has reviewed the following properties and recommend that the City Council declare as surplus City-Owned property fit for public sale at the recommended minimum sale price:

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Tax Map Number	Zoning	Address	Comments	Sale Price
48.078-5-31	R/B	12 Mill St	Vacant Land 20'x80	\$500
48.078-5-33	R/B	Mill St	Vacant Land 40'x80'	\$500
48.078-5-34	R/B	18-20 Mill St	Vacant Land 40'x80'	\$500
59.030-8-10	B	Adams Ave	Vacant Land (adj. to ball field) 150'x328	\$3,500
48.058-5-11	SFR	Dearborn St (Paper street)	Vacant Land 125'x132'	\$1,000
59.022-15-14	MDR	502 King St.	Commercial mix-used building 50'x53'	\$5,000
48.065-2-4	MDR	426 Champlain St.	Vacant Land 34'x120'	\$500
48.072-8-34	SFR	Plover Hill	Vacant Land	\$1,000
48.078-7-16	R/B	Brown St.	Vacant Land	\$500
48.078-7-15	R/B	Brown St.	Vacant Land	\$500
59.022-5-9	MDR	618 Lake St.	Vacant Land	\$1,000
59.021-6-8	SFR	207 Adams Ave	Vacant Land	\$500

BE IT FURTHER RESOLVED, that the above list shall be published for sale by public auction, to be held at City Hall at 2:00 PM on July 14, 2021.

Councillor Skamperle made a motion to amend the minimum price of 502 King Street to \$3,500, and Councillor Rishe seconded the motion. Councillor Rishe asked for each of the minimum prices when this parcel was offered for public auction in the past, and Ms. Smith provided that information. Councillor Rishe said he was interested in getting the property back on the tax rolls and questioned if the minimum amount can be outbid. Ms. Smith said yes.

The vote to amend the resolution was:

CARRIED, AYES ALL

The amended resolution now reads:

**RESOLUTION AUTHORIZING THE CITY MANAGER TO HOLD A PUBLIC AUCTION OF SURPLUS REAL PROPERTY**

WHEREAS, Staff has reviewed the following properties and recommend that the City Council declare as surplus City-Owned property fit for public sale at the recommended minimum sale price:

Tax Map Number	Zoning	Address	Comments	Sale Price
48.078-5-31	R/B	12 Mill St	Vacant Land 20'x80	\$500
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48.078-7-15	R/B	Brown St.	Vacant Land	\$500
59.022-5-9	MDR	618 Lake St.	Vacant Land	\$1,000
59.021-6-8	SFR	207 Adams Ave	Vacant Land	\$500

BE IT FURTHER RESOLVED, that the above list shall be published for sale by public auction, to be held at City Hall at 2:00 PM on July 14, 2021.

The vote on the amended resolution was:

CARRIED, AYES ALL

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### OLD BUSINESS

1. City Manager Stephen Jellie said the prices on surplus property are set in hopes that the City does not end up with the property again. Mr. Jellie explained the list is down to the last twelve parcels owned by the City and added staff will bring a resolution to Council to auction the former St. Joseph's property. Mr. Jellie said any parcels not sold at the auction will be combined with the County's property auction.

2. City Manager Stephen Jellie said staff has not heard any feedback from Council regarding the CFA grant application. Mr. Jellie explained Director of Planning and Development Andrea Smith is hard at work with grant applications. Councillor Rishe said staff knows the sentiments of Council, and he wished there were more grant applications and grant money. Councillor Rishe said he wants to see a greater effort reaching out to businesses and the Industrial Development Agency. Councillor Rishe said more information needs to be provided to businesses other than the link to the State website for grant applications. Councillor Rishe said the City needs to assist people with their projects.

3. City Comptroller Angela Gray provided Council with a 2021 budget update. Mrs. Gray reviewed the budget reports provided to Council. Councillor Rishe questioned the annual solar revenue. Mrs. Gray explained credits were applied to offset the bill. Councillor Rishe questioned if the credits were annual, and Mrs. Gray said that information will be provided to Council. Mrs. Gray said the 2020 audit is being finalized and will be provided to Council soon. Mrs. Gray explained the deadline to confirm the City wishes to receive the stimulus funding is July 9, 2021 and described the ways the funding could be used. Councillor Kennedy asked if the audit company is the same company used in the past, and Mrs. Gray said yes. Mrs. Gray explained the audit report should be available for the Audit Committee to review in a week or two. Councillor Skamperle questioned if the City was getting proper credits for the solar lighting. Mrs. Gray explained she is reaching out to the proper people to discuss that issue. Mayor Skelly said he has seen the same issues with his personal solar account.

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Councillor Rishe questioned the process moving forward regarding the stimulus funding. City Manager Stephen Jellie said there will be a mid-year budget review in July, and a determination will be made where the City could use the funding that is within the guidelines. Mr. Jellie noted the City could also chose to hold on to the funding. Councillor Skamperle questioned if the determination must be made by July 9, 2021. Mr. Jellie explained the City only needs to opt out of the funding by July 9, 2021, adding more information will be provided to Council at the July Council meeting. Mr. Jellie explained recommendations will be made for where the funding can be used most appropriately.

4. City Manager Stephen Jellie provided Council with an update on the sales tax pre-empt process. Mr. Jellie provided Council with a background on the issue. Mr. Jellie explained the City has received all of the required information except when the City could begin sales tax collection. Mr. Jellie said there is no additional information since Council was updated at the last Council meeting. Mr. Jellie explained the additional 1% may be authorized if there is a special session of the State Legislature held before the end of the year but noted he believes it is a political issue. Councillor Rishe said he personally spent a lot of time of the issue and noted those political figures he had reached out to on behalf of the City. Councillor Rishe said he hopes all parties will regroup because there is still a possibility that it will pass and noted County support is lacking. Councillor Skamperle said the County previously requested that the City pass a resolution regarding the collection of the additional 1% and questioned how the County could continue to collect that without the City's consent. Councillor Rishe said the County has the authorization. Councillor Skamperle questioned how the County could set it if the City had to initially support it. Mr. Jellie said he was glad to hear the engagement from Council members and provided a background of the history and negotiations. Mr. Jellie said he is happy to discuss the issue, noting it is important to get the information out. Mr. Jellie said some members of the St. Lawrence County Legislature are determined to change the formula and take money from the City. Mr. Jellie said the request has been made to the St. Lawrence County Legislature to give an extension and described the different options available.

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5. City Manager Stephen Jellie said there was no new update on the property tax collection/foreclosure process, adding he hoped the County would take action at their meeting that night.

6. City Manager Stephen Jellie said the City is inching closer to the opening of the City beach. Mr. Jellie explained there is a delay with the New York State Department of Health approvals, noting representatives are on site. Mr. Jellie said approximately \$18,000 has been spent on the City beach to date which includes employee labor. Mr. Jellie explained a couple of tests results are not yet available, and it appears the City will pass the water tests. Mr. Jellie said he will keep Council updated. Councillor Rishe asked if the State was aware of the City's interest to open the City beach this weekend, and Mr. Jellie said yes. Councillor Rishe asked if the City will be ready to move forward when the necessary approvals are obtained, and Mr. Jellie said yes. Mr. Jellie explained lifeguards will be staffed at the pool as well as the City beach but noted both locations will not be open simultaneously because of the lack of lifeguards. Mr. Jellie noted the State has been very cooperative. Councillor Kennedy asked if there is a plan for ADA accessibility. Mr. Jellie said the City will advertise a telephone number to assist people with disabilities as well as apply for a grant for an engineer to evaluate the location.

### NEW BUSINESS

1. City Manager Stephen Jellie explained the deadline to opt out of New York's Marihuana Regulation and Taxation Act is December 31, 2021. Mr. Jellie said Council has been provided with a summary of the policy and asked Council to review that information. Mr. Jellie explained the map provided to Council shows the areas within the City that would be excluded if Council decides to move forward with approving dispensaries and sales. Mr. Jellie said Council must opt out if the majority of Council does not wish to approve the dispensaries and retail sales in the City. Councillor Fisher questioned if the matter would need to go to public referendum. Director of Planning and Development Andrea Smith said if Council decides to opt out, the community could force a public referendum. Ms. Smith explained if Council opts in, no permissive referendum is necessary. Ms. Smith also explained the City would automatically opt in if Council fails to act by December 31, 2021.

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Ms. Smith said if Council wishes to opt out, now is the time to act so the community has time to move forward with a public referendum. Ms. Smith explained the State has adopted the law and noted it is a potentially lucrative sales tax opportunity for the City. Councillor Skamperle asked if there is an additional local tax available to the City, and Ms. Smith said yes. Ms. Smith explained the sales tax breakdown between the City and County on these types of sales. Councillor Skamperle said these types of sales are already being conducted on the Akwesasne Reservation and noted the revenue is quite lucrative. Ms. Smith noted the Akwesasne Reservation has a different set of regulations. Councillor Rishe questioned if amendments to the City's zoning regulations will be required. Ms. Smith said Council would definitely need to look at that, noting the Ogdensburg Municipal Code simply states retail sales. Councillor Rishe asked if there would just be line-item changes. Ms. Smith explained it would depend of the preference of the majority of Council. Ms. Smith said a special use permit could be an option and explained that process. Councillor Skamperle asked if Council could impose regulations, and Ms. Smith said yes. Mr. Jellie said the issue could be revisited in August, and Council could move forward in the desired direction. Ms. Smith explained the map provided to Council follows the New York State Education Law and outlined the areas where dispensaries would not be permitted. Councillor Rishe questioned how the allowable areas were determined, and Ms. Smith explained it is based on property class.

### ITEMS FOR DISCUSSION

1. City Manager Stephen Jellie reviewed the Fire Department outline provided to Council and said he will have outlines for all departments to Council by the end of the week. Mr. Jellie said those outlines will be posted to the City website after they are provided to Council. Mr. Jellie explained he has been noting questions from the public made at Council meetings and providing answers to those questions to Council members to be provided to their constituents. Councillor Skamperle questioned if the proposed changes to the dispatcher's room at the Fire Department noted on the handout were in the room upfront. Mr. Jellie said yes. Councillor Skamperle asked if a new dispatcher's room will be developed. Mr. Jellie said the room will be made into a Captain's office. Councillor Skamperle asked if all communications are done with radios.

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Mr. Jellie said yes and offered to provide Councillor Skamperle with a tour of the facility. Councillor Rishe questioned the requirements of a Fire Chief. Mr. Jellie explained the Fire Chief exam was offered, and no one took the exam. Councillor Rishe questioned if the exam was only offered one time per year. Mr. Jellie explained the exam has been requested again, noting Civil Service exams are now again being offered following COVID-19 restrictions. Mr. Jellie noted there was no sense in making a provisional appointment.

2. Councillor Kennedy said there are several trees obstructing views of stop signs in the City due to overgrown and hanging branches and asked if there was a plan in place to address this issue. City Manager Stephen Jellie said the City fields calls every day regarding this matter and added there is an extensive list. Mr. Jellie recommended people call DPW or the City Clerk's office to report locations that need trimming.

3. Councillor Fisher noted there are bicycles in the City with motors attached that travel 30 to 40 mph, waking people up in the night. Councillor Fisher questioned the regulations regarding these bicycles. Police Chief Robert Wescott said those types of bicycles fall under the same regulations as mopeds, noting his department is answering calls and stopping those bicycles when they can. Councillor Fisher suggested something be advertised in the newspaper to educate the public.

## CITIZEN PARTICIPATION

1. David Price addressed Council and questioned why the County picked the fight over sales tax with the City. Mr. Price said the majority of Council has lost the public's trust with the behind-the-scenes meetings and other actions as well as statements. Mr. Price said the City Manager serves at the will of Council, and his outburst tonight directed at a member of Council was insubordination and a show of incompetence.



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2. Doug Loffler addressed Council and suggested Council members go to Albany to seek support for the 1% sales tax collection. Mr. Loffler said the stimulus funding could be used to help businesses, noting all small business were hurt by the pandemic. Mr. Loffler said it is a disservice to the public for the Recreation Director not to have an office at the Dobisky Visitors' Center. Mr. Loffler questioned what will happen to all of the summer help when the Chamber of Commerce occupies the office space at the Dobisky Visitors' Center.

3. Scott McRoberts addressed Council and suggested notes be made on the accounts payable report so Council knows what is being paid. Mr. McRoberts questioned how the City will force the County to take over services and asked for a response to his question by email. Mr. McRoberts questioned where the buck stops with the Home Rule not passing. Mr. McRoberts said COVID-19 funding could be used to hire back employees, noting he understands the recommendation is not to use the funding for recurring expenses. Mr. McRoberts said he does not want to see more police positions cut. Councillor Skamperle said more police officers are needed.

4. Mike Tooley addressed Council and said he appreciated the update from City Manager Stephen Jellie regarding the sales tax pre-empt issue. Mr. Tooley suggested a sample letter be placed on the City website for citizens to write letters for support for the legislation for the City to collect the 1% sales tax.

5. Richard Breen addressed Council and said he was born and raised in Ogdensburg. Mr. Breen questioned if this is home for some elected members of Council. Mr. Breen said he is not sure how City Manager Stephen Jellie was able to change the requirements for Fire Chief and noted he wanted Mr. Jellie to answer the question, not the members of Council. Mr. Breen suggested all members of Council meet with a mediator. Mr. Breen said all changes to the City Charter need to be done at the same time. Mr. Breen said there is a Charter Review Commission appointed every ten years. Councillor Skamperle said a Charter review is now done every six years.

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6. Penny Sharrow addressed Council and questioned if City Manager Stephen Jellie went to Waddington and asked questions about a beach. Mayor Skelly said someone from Waddington offered assistance to the City. Mrs. Sharrow said no one in the City was asked about the beach even though there are many with experience right here in the City. Mrs. Sharrow said the opening of the beach is being done too quickly and noted handicapped individuals should not have to call for assistance. Mrs. Sharrow recommended putting the opening of the beach out by one year and doing it right. Mrs. Sharrow said the Dobisky Visitors' Center was named after Ed Dobisky, and the Recreation Director and the Chamber of Commerce should be able to share the building. Mrs. Sharrow questioned if there will be custodial staff at that facility and who will open the building. Mrs. Sharrow said the motorized bikes are out at night, and the City needs the police at night. Mrs. Sharrow said people pay taxes, and safety should be the first priority rather than a beach that was rushed into. Mrs. Sharrow asked Council members to think about the citizens.

Mayor Skelly said there was a need for Executive Session to discuss proposed, pending or current litigation and Councillor Dillabough seconded the motion.

The vote to adjourn to Executive Session was:

CARRIED, AYES ALL

City Manager Stephen Jellie advised there was no longer a need for the second Executive Session noted on the agenda.

On a motion duly made and seconded, the meeting was adjourned.

Good evening, I'd like to address a recent news article in the Watertown Daily Times regarding possible staffing cuts to the Ogdensburg Police Department. In the article, a city representative states, "We've worked the numbers and it's just an idea. I don't see a different or better idea and I've thought a lot about it." Since your comments, I've thought a lot about it as well. It's clear that the County will not be stepping up patrols or taking over our 3<sup>rd</sup> shift. Again, making comments about the County in the press does not seem to be working so you might want to try a different approach. Anyway, back to my ideas.

Based on your calculations on estimated sales tax revenue without home rule, the worst-case scenario would see roughly \$2,533,090 in revenue, a decrease of \$1,184,145 from the 2021 Budget. If another \$1.99 tax rate cut (that's 11.1% not 10%) is implemented in 2022, that will result in another \$501,252 decrease in revenue based on a Total Assessed Valuation of \$291,000,000. The total decrease in revenue for 2022 would be \$1,685,397. You might want to think about holding off on the tax cut for a year until we see actual numbers on the sales tax receipts.

For 2022, the City will no longer be funding the library, a savings of \$162,000. In addition, there are now only 18 firefighters, and it does not look like any of the positions will be filled to bring them back to their budgeted amount of 21. Based on the salary and benefits savings, this will result in an additional \$212,001 in savings for 2021. This assumes that the FRB is paying for the retirement incentive as previously stated. The City will also be receiving \$1,140,000 from the federal government as part of the COVID-19 relief bill. I know at a prior council meeting it was stated that the uses for this money have not been clarified but in a press release from Senator Schumer on March 8, 2021, he stated, "New York's counties and municipalities were loud and clear: they needed help and they needed it now to keep frontline workers on the job and to prevent brutal service cuts." That leads me to believe that the money can be used to provide services to the taxpayers, including the Police Department. I know this is a one time windfall from the federal government that will not be a revenue source again but it does allow us to keep adequate services for at least another year until we see where the sales tax revenues really end up.

Now if we take the savings stated above along with the COVID-19 relief money, that gives you a total of \$1,514,001. This leaves a gap in revenues of \$171,396 which could be taken from the 2020 Useable Year End General Fund Balance of \$3,142,554. This still allows for your tax cut and maintains the staffing levels at the Police Department that most taxpayers would like to see.

Anyway, hope you consider this rather than devastating another 10 families and forcing them to leave this community. On top of that, crime will undoubtedly rise, likely making other families decide to leave and making it far less likely that families would want to re-locate into the city. This might put a damper on ensuring the survival of the city while working equally as hard on the revival of the city.

Please think about it and thank you.

Scott McRoberts

2020 USEABLE YEAR END GENERAL FUND BALANCE	\$3,142,554
2020 TAX LEVY	\$5,666,720
2021 TAX LEVY AFTER 10% TAX CUT (\$1.99)	\$5,123,438
2022 TAX LEVY AFTER \$1.99 TAX RATE CUT (11.1%) (base on Total Assessed Valuation = \$291,000,000 an increase of 1.5% which is in line with recent years.)	\$4,622,186
<b>ESTIMATED DECREASE IN TAX LEVY REVENUE IF TAX CUT IS IMPLEMENTED FOR 2022</b>	<b>\$501,252</b>
2021 BUDGETED SALES TAX RECEIPTS	\$3,717,235
2022 ESTIMATED SALES TAX RECEIPTS WITH NO HOME RULE LEGISLATION	\$2,533,090
<b>ESTIMATED DECREASE IN SALES TAX REVENUE</b>	<b>\$1,184,145</b>
<b>TOTAL ESTIMATED DECREASE IN REVENUE</b>	<b>\$1,685,397</b>
<b><u>SAVINGS FROM 2021 BUDGET THAT CAN BE FACTORED IN TO 2022 BUDGET</u></b>	
CITY FUNDING TO LIBRARY	\$162,000
SAVINGS AT FIRE DEPARTMENT (only 18 firefighters for 6 months) Salaries, Fire Retirement, Social Security Expense, Health Insc. (\$1,649,616 + \$1,318,401.63 = \$2,968,017.63) Average = \$141,334.17/firefighter (\$141,334.17 x 3 ea.) x 0.5 year = \$212,001.26 *This assumes the Financial Restructuring Board is paying for the retirement incentive.	\$212,001
COVID-19 RELIEF BILL FUNDING	<u>1,140,000</u>
<b>TOTAL REVENUE</b>	<b>\$1,514,001</b>
<b>PROJECTED 2022 GAP IN REVENUE</b>	<b>\$171,396</b>

Scott McRoberts

Good evening, my name is Michael Tooley, I live at 214 Hamilton Street in Ogdensburg, I appreciate the opportunity to address City Council this evening.

First, I speak to the issue of filling the three vacancies existing on the Library Board. As was pointed out at the last council meeting, in January City Council made four appointments to the Planning Board, five appointments to the Zoning Board of Appeals, and three appointments to the Land Bank. On February 8, when the city council had on its agenda the reappointment of Mike Frary to the Vacancy Committee, but allegedly learned that day that Mr. Frary was ineligible for reappointment, rather than canvass the community to see if anyone might be interested in the position, after some discussion that evening City Council appointed Mark Knowlton. No objection to Mr. Knowlton's appointment, I believe if this committee must ever act on a vacancy on City Council that he will act responsibly, but my point in bringing this up is that each of these openings was dealt with in a timely or on an expedited manner, yet the Library Board has waited six months for Mayor Skelly to fill its three vacancies.

While it might not be an apples-to-apples comparison, in that City Council action was required to make the appointments earlier this year but in the case of the Library Board the Mayor makes the appointments, the inconsistency in treatment of making appointments to these open seats is embarrassing. The power may rest with the mayor to make the Library Board appointments, but this six-month delay in making these appointments to me constitutes an abuse of power by the mayor. I encourage other members of City Council to try to persuade Mayor Skelly to fill the three open Library Board seats now.

Next, a comment about the mayor's suggestion for significant cuts in the Ogdensburg Police Force next year. I will not take time tonight to speak in detail about my opposition to this suggestion, nor to offer alternatives to deal with the uncertainty of the amount of Sales Tax revenue in 2022. I prefer instead to wait to hear from other members of City Council and the City Manager about their opinion of the mayor's suggestion to cut the police force in 2022. It is not a good strategy to consider OPD cuts or to mention as a consequence. I hope all of you will not give serious consideration to this idea. Personally, I believe most citizens in the City of Ogdensburg want to maintain staffing in our police force to provide 24/7 coverage; I hope the rest of you agree.

Finally, speaking to the uncertainty of sales tax revenue in 2022, in an article on NNY360 posted on June 16, St. Lawrence County Attorney Stephen Button is quoted as stating staff at the State Department of Taxation and Finance indicated to county officials that the county can continue to collect the additional 1% of sales tax after Ogdensburg pre-empts. Question: has either the City Manager or the City Attorney contacted the State Department of Taxation and Finance to see if this is indeed the position of the state? If yes, what were we told? If not, why haven't city officials asked this question?

Further, in the same news article Mr. Button offered an opinion that notice requirements might prohibit the City of Ogdensburg from beginning its sales tax collection through pre-emption until March 1, 2022. I searched the internet for NYS law or regulation about this issue, without success. I read Mr. Jellie's comments in this article that the city disagrees with Mr. Button's opinion, that the city can begin collecting 1.5% sales tax on December 1. I encourage City Council to meet with the city attorney soon in executive session to ask about this, to obtain references to law and regulation on the issue, so you can give the City Manager informed direction about this matter. As I interpret Mr. Button's comments, in theory it appears the city might have exposure whereby it could not generate sales tax revenue between December 1 and March 1. If the County does not have to share after November 30, but the City cannot begin collections until March 1, that is a serious problem. Obviously, catastrophic to the city. If I am misinterpreting Mr. Button's comments, please straighten me out.

Thank you.