

CITY COUNCIL MEETING

August 22, 2022

Page 279

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

Councillor Powers participated in this meeting remotely from 255 Patroon Creek Blvd., Albany, NY 12209.

PRESENTATION

1. City Manager Stephen Jellie said he plans to present a series of preliminary budgets for Council. Mr. Jellie explained the draft water budget is being presented tonight, and his goal is to allow Council ample time to review all portions of the budget. Mr. Jellie provided Council with the dates of the planned introductions and presentations, adding it is important for Council to look at each portion of the budget as three entities. Mr. Jellie noted some of the information provided will be based on estimates, and the data will change.

Public Works Director Shane Brown made a presentation to Council regarding the 2023 Water Treatment Program. (A copy of the presentation follows these minutes.) Mr. Jellie asked Council to digest what Mr. Brown had detailed, adding more information will be provided to Council.

City Comptroller Angela Gray made a presentation to Council regarding the 2023 draft preliminary budget. (A copy of the presentation follows these minutes.) Ms. Gray explained the information provided is based on estimates of data provided as of that date and guaranteed the numbers will change. Ms. Gray said the information provided that night provides 90% of what the City is anticipating.

Mr. Jellie said the information is being provided to Council early, and staff is looking for suggestions and recommendations over the next few weeks to present the water budget to Council prior to November 1, 2022. Mr. Jellie explained the water fund is in good shape except for a capital fund.

CITY COUNCIL MEETING

August 22, 2022

Page 280

Councillor Powers asked if there are any grants available without matching funds required. Councillor Rishe said a City in distress is eligible for funding with no match or a lower match requirement. Mr. Jellie said the City cannot continue to plan to find funding that will not require a contribution. Councillor Powers asked if Council could receive the engineering report by the end of next week. Mr. Jellie explained we anticipate having the final report before the final budget is presented to Council. Councillor Powers asked if the City is working with outside agencies on the project. Mr. Jellie said the City is now working with EDR and DANC.

PUBLIC HEARING

1. A public hearing regarding the City's proposed RESTORE NY 6 grant application(s) and Property Assessment List for strategic to demolish, deconstruct, rehabilitate and/or reconstruct vacant, abandoned, condemned and surplus properties within the City's designated Brownfield Opportunity Area was held.

Robert Noble spoke in support of the RESTORE NY 6 grant application for 1223 Pickering Street and read a prepared statement. (A copy of his statement follows these minutes.) Councillor Skamperle thanked Mr. Noble for his desire to invest in the building, adding the City needs sales tax revenue and a business like the former Hackett's store. Mayor Skelly also thanked Mr. Noble. Councillor Rishe said it is a great project, and the City will do everything it can to help. Councillor Powers agreed, adding it will be very beneficial to the City and the City looks forward to working together.

James Reagen spoke in support of the RESTORE NY 6 grant application for 1223 Pickering Street and read a prepared statement. (A copy of his statement follows these minutes.)

No one else being present to speak, the hearing was declared closed.

CITY COUNCIL MEETING

August 22, 2022

Page 281

PERSONAL APPEARANCE

1. Molly Sargent addressed Council and suggested the public be provided with copies of handouts referred to at Council meetings. Mrs. Sargent said City Manager Stephen Jellie has advised that he plans to resign and asked where we are in the search for a new city manager.

2. Margaret Haggerty addressed Council and recognized anyone carrying a heavy burden and said they should not feel alone. Ms. Haggerty said she had planned to make one comment, and she would wait until she had the full attention of all members of Council. Ms. Haggerty said someone has stated they will be leaving and that person's termination has been demanded. Ms. Haggerty asked for the status of hiring a new city manager.

3. Maureen Brashaw addressed Council and asked for the purpose of not telling the public the status of the search for a new city manager. Mrs. Brashaw said OBPA publicly announced their search for new staff. Mrs. Brashaw asked why the current city manager has not yet been terminated and where his resignation letter is. Mrs. Brashaw said games are being played, and it is disgraceful.

4. Doug Loffler addressed Council and said City Manager Stephen Jellie has been very vocal about the perks some employees receive, but he receives the biggest perk of all by being allowed to work remotely. Mr. Loffler said the people cannot afford it anymore. Mr. Loffler explained if former City Manager Sarah Purdy's contract had contained a clause for her to work remotely, she would have been removed immediately.

5. Penny Sharrow addressed Council and asked if there is anything else contained under the fringe benefits category and why it is referred to as fringe benefits. Mrs. Sharrow said those benefits are earned. Mrs. Sharrow said there is a big void in the current city manager's contract by allowing him to work from home.

CORRESPONDENCE

1. City Clerk Cathy Jock read a letter from the St. Lawrence Carp Marathon. (A copy of the letter follows these minutes.)
2. City Clerk Cathy Jock read a letter from Reverend Christopher Carrara. (A copy of the letter follows these minutes.)

CONSENT AGENDA

Mayor Skelly moved that the claims as enumerated in General Fund Warrant #15-2022 in the amount of \$465,581.88 and Library Fund Warrant #15-2022 in the amount of \$0.00 and Capital Fund Warrant #15-2022 in the amount of \$6,715.35 and Community Development Fund Warrant #15-2022 in the amount of \$200.86 and Community Renewal Fund Warrant #15-2022 in the amount of \$0.00 as audited, be and the same are ordered paid and Councillor Dillabough seconded the motion.

The vote was:

AYES: Mayor Skelly, Councillors Dillabough, Fisher,
Kennedy, Powers and Rishe

NAYS: Councillor Skamperle

CARRIED, 6 TO 1

ITEMS FOR COUNCIL ACTION

1. Councillor Rishe moved a resolution to call for a special City Council Meeting on Monday, October 3, 2022 at 6:00 p.m. at City Hall, City Council Chambers, Ogdensburg, NY, and Mayor Skelly seconded to wit:

RESOLUTION

BE IT RESOLVED, that there will be a special City Council Meeting held on Monday, October 3, 2022 at 6:00 pm in the City Hall Council Chambers, Ogdensburg, NY, on the following topic:

See attached Agenda.

AGENDA
Special Council Meeting
Monday, October 3, 2022
6:00 P.M.

Remote attendance for this meeting will be offered via videoconferencing using GoToWebinar.com.

The public will have an opportunity to participate in the meeting remotely in accordance with §AR-17(G) of the Ogdensburg Municipal Code using the following link: <https://attendee.gotowebinar.com/register/4595935939493177614> or by calling 1-562-247-8321 and entering Access Code #400-850-927. The public can preregister to attend the meeting by using the link above.

In accordance with New York State Legislation, all meeting material must be made available to the public with the agenda and no less than 24 hours in advance of a meeting. Any correspondence should therefore be submitted to City Clerk Cathy Jock by email at cjock@ogdensburg.org or by mail to 330 Ford Street, Room #4, Ogdensburg, NY 13669 before 4pm on the Wednesday before a regularly scheduled meeting. Any correspondence received after that time will be included in the next regularly scheduled meeting.

- I. Pledge of Allegiance
- II. Call to Order

III. Presentation

1. DRAFT 2023 Preliminary City of Ogdensburg General Fund Budget

IV. Adjournment

Councillor Skamperle made a motion to amend the resolution to include Public Appearance, and Councillor Kennedy seconded the motion.

The vote to amend the resolution was:

CARRIED, AYES ALL

The vote on the amended resolution was:

CARRIED, AYES ALL

The amended resolution now reads:

RESOLUTION

BE IT RESOLVED, that there will be a special City Council Meeting held on Monday, October 3, 2022 at 6:00 pm in the City Hall Council Chambers, Ogdensburg, NY, on the following topic:

See attached Agenda.

AGENDA
Special Council Meeting
Monday, October 3, 2022
6:00 P.M.

Remote attendance for this meeting will be offered via videoconferencing using GoToWebinar.com.

CITY COUNCIL MEETING

August 22, 2022

Page 285

The public will have an opportunity to participate in the meeting remotely in accordance with §AR-17(G) of the Ogdensburg Municipal Code using the following link: <https://attendee.gotowebinar.com/register/4595935939493177614> or by calling 1-562-247-8321 and entering Access Code #400-850-927. The public can preregister to attend the meeting by using the link above.

In accordance with New York State Legislation, all meeting material must be made available to the public with the agenda and no less than 24 hours in advance of a meeting. Any correspondence should therefore be submitted to City Clerk Cathy Jock by email at cjock@ogdensburg.org or by mail to 330 Ford Street, Room #4, Ogdensburg, NY 13669 before 4pm on the Wednesday before a regularly scheduled meeting. Any correspondence received after that time will be included in the next regularly scheduled meeting.

I. Pledge of Allegiance

II. Call to Order

III. Presentation

1. DRAFT 2023 Preliminary City of Ogdensburg General Fund Budget

IV. Personal Appearance

V. Adjournment

2. Councillor Rishe moved a resolution to call for a special City Council Meeting on Tuesday, November 1, 2022 at 6:00 p.m. at City Hall, City Council Chambers, Ogdensburg, NY, and Mayor Skelly seconded to wit:

RESOLUTION

BE IT RESOLVED, that there will be a special City Council Meeting held on Tuesday, November 1, 2022 at 6:00 pm in the City Hall Council Chambers, Ogdensburg, NY, on the following topic:

See attached agenda.

AGENDA
Special Council Meeting
Tuesday, November 1, 2022
6:00 P.M.

Remote attendance for this meeting will be offered via videoconferencing using GoToWebinar.com.

The public will have an opportunity to participate in the meeting remotely in accordance with §AR-17(G) of the Ogdensburg Municipal Code using the following link: <https://attendee.gotowebinar.com/register/1859031595633309966> or by calling 1-914-614-3221 and entering Access Code #431-641-308. The public can preregister to attend the meeting by using the link above.

In accordance with New York State Legislation, all meeting material must be made available to the public with the agenda and no less than 24 hours in advance of a meeting. Any correspondence should therefore be submitted to City Clerk Cathy Jock by email at cjock@ogdensburg.org or by mail to 330 Ford Street, Room #4, Ogdensburg, NY 13669 before 4pm on the Wednesday before a regularly scheduled meeting. Any correspondence received after that time will be included in the next regularly scheduled meeting.

I. Pledge of Allegiance

II. Call to Order

III. Presentation

1. A resolution to accept the 2023 Preliminary General Fund Budget and direct that the Preliminary General Fund Budget be filed with the City Clerk and the Comptroller of the City of Ogdensburg. (Bill #TBD)

2. A resolution to establish a public hearing date for the 2023 Preliminary General Fund Budget for the City of Ogdensburg. (Bill #TBD)

IV. Adjournment

Councillor Kennedy made a motion to amend the resolution to include Public Appearance and change Presentation to Items for Council Action, and Councillor Rishe seconded the motion.

The vote to amend the resolution was:

CARRIED, AYES ALL

The vote on the amended resolution was:

CARRIED, AYES ALL

The amended resolution now reads:

RESOLUTION

BE IT RESOLVED, that there will be a special City Council Meeting held on Tuesday, November 1, 2022 at 6:00 pm in the City Hall Council Chambers, Ogdensburg, NY, on the following topic:

See attached Agenda.

AGENDA
Special Council Meeting
Tuesday, November 1, 2022
6:00 P.M.

Remote attendance for this meeting will be offered via videoconferencing using GoToWebinar.com.

CITY COUNCIL MEETING

August 22, 2022

Page 288

The public will have an opportunity to participate in the meeting remotely in accordance with §AR-17(G) of the Ogdensburg Municipal Code using the following link: <https://attendee.gotowebinar.com/register/1859031595633309966> or by calling 1-914-614-3221 and entering Access Code #431-641-308. The public can preregister to attend the meeting by using the link above.

In accordance with New York State Legislation, all meeting material must be made available to the public with the agenda and no less than 24 hours in advance of a meeting. Any correspondence should therefore be submitted to City Clerk Cathy Jock by email at cjock@ogdensburg.org or by mail to 330 Ford Street, Room #4, Ogdensburg, NY 13669 before 4pm on the Wednesday before a regularly scheduled meeting. Any correspondence received after that time will be included in the next regularly scheduled meeting.

I. Pledge of Allegiance

II. Call to Order

III. Personal Appearance

IV. Items for Council Action

1. A resolution to accept the 2023 Preliminary General Fund Budget and direct that the Preliminary General Fund Budget be filed with the City Clerk and the Comptroller of the City of Ogdensburg. (Bill #TBD)

2. A resolution to establish a public hearing date for the 2023 Preliminary General Fund Budget for the City of Ogdensburg. (Bill #TBD)

V. Adjournment

3. Councillor Rishe moved a resolution authorizing the City Manager to enter into a contract with TJ Fiacco Construction, LLC for improvements associated with RED Project SJ.19302, and Mayor Skelly seconded to wit:

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A
CONTRACT WITH TJ FIACCO CONSTRUCTION, LLC

WHEREAS, the City of Ogdensburg solicited bids to for REDI project SJ. 19302, also referred to as Dobisky Center, Municipal Marina & Morrisette Park Shoreline Resiliency Improvements; and

WHEREAS, TJ Fiacco Construction, LLC a New York State corporation having offices in Norwood, NY has proven their capacity and ability to perform the work to the City's satisfaction;

WHEREAS, Ramboll Engineers, as the engineers representing the City of Ogdensburg, have reviewed the Qualifications Statement (EJCDC C-451) submitted by TJ Fiacco Construction, LLC and contracted references to discuss the contractor's capabilities and performance; and

WHEREAS, Ramboll is satisfied that TJ Fiacco Construction, LLC appears to be qualified and to have the experience necessary to perform the work of this contract and Ramboll recommends that the City award Contract No. 1 to TJ Fiacco Construction, LLC at the Total Bid Price of \$7,526,400.

NOW, THEREFORE BE IT RESOLVED that the City Manager or his designee is authorized to enter into a contract with TJ Fiacco Construction, LLC for a sum not to exceed \$7,526,400, for the Dobisky Center, Municipal Marina & Morrisette Park Shoreline Resiliency Improvements; and

BE IT FURTHER RESOLVED that expenses for this project will be charged to REDI project SJ.19302 and capital account H876001.518.

Councillor Rishe asked how much of the required funding is State funded and how much is the local requirement. Director of Planning and Development Andrea Smith said the spreadsheet provided reflects the total amount awarded. Councillor Rishe asked if \$1,225,220 is the required local money, and Ms. Smith said yes. Councillor Rishe asked if a BAN has been done for the required funding.

CITY COUNCIL MEETING

August 22, 2022

Page 290

City Comptroller Angela Gray said Council has authorized the BAN for the required amount, but the BAN has not yet been completed. City Manager Stephen Jellie said the BAN amounts are temporary. Mayor Skelly said the BAN authorization for the higher amount was done to include all amenities. Councillor Skamperle asked if Council can proceed with the base bid or with the alternates and if the plan included in kind services. Ms. Smith explained the proposal does not include in kind services from DPW because that is not how the bid was put out. Ms. Smith said Council as a whole elected not to include in kind DPW services in 2019 because it takes away from other duties DPW must complete. Councillor Skamperle asked if the base bid stands. Ms. Smith explained the base bid is basically the dirt work, and those items are not optional. Ms. Smith said if the City only completes the core items, we would not receive the full grant amount. Councillor Rishe asked if the number of pickleball and tennis courts are being reduced. Ms. Smith explained there will be the same number of pickleball and tennis courts. Mayor Skelly said a lot of people contributed to the construction of Kids Kingdom and have asked to retrieve the boards with names engraved on them. Councillor Kennedy said she has also received calls regarding those boards. Ms. Smith said staff will work with Council to design a program for people to retrieve those boards. Councillor Kennedy asked if the amount reflected is the actual playground part. Ms. Smith the proposal contains the designs we were given, and handicap accessibility changes were made. Councillor Kennedy asked if the playground will have a solid surface, and Ms. Smith said yes. Councillor Powers asked if members of Council were reviewing new drawings. Ms. Smith explained the printouts provided to Council members were nothing new and were only provided for Council reference.

The vote was:

CARRIED, AYES ALL

4. Councillor Rishe moved a resolution authorizing the City Manager to enter into a contract with Underwater Solutions, Inc. for the cleaning and clearing of the water intake pipe. Request for Bids #2022-006, and Councillor Skamperle seconded to wit:

CITY COUNCIL MEETING

August 22, 2022

Page 291

RESOLUTION AUTHORIZING THE CITY MANAGER
TO ENTER INTO A CONTRACT WITH
UNDERWATER SOLUTIONS, INC.

WHEREAS, the City of Ogdensburg solicited bids to perform the cleaning and clearing of the water intake pipe; and

WHEREAS, Underwater Solutions, Inc. of Mattapoisett, MA has proven their capacity and ability to perform the work to the Coty's satisfaction; and

WHEREAS, this project will improve the water intake as well as provide necessary information as to the condition of this critical component of the water system.

NOW, THEREFORE, BE IT RESOLVED that the City Manager is hereby authorized to enter into a contract with Underwater Solutions, Inc., for a total contract sum not to exceed \$34,900, for the cleaning and clearing of the water intake pipe; and

BE IT FURTHER RESOLVED, that expenses for this project will be charge to FY2022 Water Fund account number F8320.498.

The vote was:

CARRIED, AYES ALL

OLD BUSINESS

1. City Comptroller Angela Gray provided Council with an update on sales tax. (A copy of the presentation follows these minutes.) Ms. Gray explained the August calculations have been completed by the State, and the anticipated amount is \$205,604. Ms. Gray said the anticipated amount from the County is \$68,534 for a total of \$274,138. Councillor Skamperle asked if the amount reflected is for July sales tax revenue.

CITY COUNCIL MEETING

August 22, 2022

Page 292

Ms. Gray explained it is calculated for different months. Councillor Skamperle asked if the State Comptroller amount reflects July revenue. Ms. Gray said yes if the August amount is reviewed as July. Councillor Skamperle asked what month the State Comptroller report reflects. Ms. Gray explained if you review the State Comptroller report there is another detailed sheet which does not only reflect the month of July. Councillor Rishe asked if Ms. Gray documents the revenue in the month it is received, and Ms. Gray said yes. Councillor Rishe asked for the July numbers. Ms. Gray explained July is when NYS does the logarithm, and a reconciliation is done in the third month. Ms. Gray said the August amount reflects the first month of the next three months. Councillor Rishe asked for the new total sales tax revenue. Ms. Gray said the year-to-date total is \$2,005,909. Councillor Rishe asked if that amount is through the month of July. Ms. Gray said that amount is through the month of August.

2. City Manager Stephen Jellie provided Council with an update on the property tax foreclosure process. Mr. Jellie explained that the appellate court ruled in favor of the City, and no stay was put in place. Mr. Jellie said the City will make the last payment to the County on September 1, 2022 for the past due tax money per the agreement. Mr. Jellie said to clarify there was never an opportunity to not pay this money to the County, and there was never any way the City would not pay this money. Mr. Jellie said there has been a great effort by the City to clean up this debt. Mr. Jellie explained the City will present the County with the tax bills on September 1, 2022, and the County will owe money to the City for the unpaid amounts. Mr. Jellie said this process is not welcomed by the County.

3. City Manager Stephen Jellie provided Council with an update on the ARPA Individual Assistance Program. Mr. Jellie explained four to seven projects have been funded, and an additional nine to twelve programs have been approved. Mr. Jellie said all projects funded and approved are within the first income bracket, and projects were separated by criticality. Mr. Jellie said he anticipates final approvals will be completed in August, and the second income level will be reviewed in September. Mr. Jellie explained he does not believe there will be much funding left over for the third income bracket, noting there were over 400 applications and a lot of leg work to process all of the applications.

CITY COUNCIL MEETING

August 22, 2022

Page 293

Mayor Skelly thanked staff for taking on the extra work for the program, noting it made a difference to families in the City. Councillor Rishe said it just shows there is a need for home improvement funding, adding the City needs to start applying for CDBG and other home grant funding.

4. Councillor Skamperle asked if the properties listed on the RESTORE NY grant presentation are prioritized in that order. Director of Planning and Development Andrea Smith explained the instructions for the grant application require the properties to be listed based on demolition or site restoration. Ms. Smith reviewed the properties listed with Council. Ms. Smith explained both projects are eligible, but the City can only submit the application for one project. Ms. Smith explained both projects are standard projects, and Council will need to choose at the September Council meeting, noting staff will have resolutions for Council to consider. Councillor Skamperle said he believes the priority should be the rehabilitation of 1223 Pickering Street, and Councillor Rishe agreed. There was a consensus of Council to proceed with the rehabilitation of the 1223 Pickering Street property for the application.

5. Chief Mark Kearns provided Council with an update regarding the people living on the Maple City Trail and in the City parks. Chief Kearns explained Ogdensburg Bridge & Port Authority owns the Oswegatchie side of the Maple City Trail and will post the property. Chief Kearns said all subjects will be removed, nothing some of the people refuse services. Chief Kearns explained all entities are on the same page, and a directive was issued today for the Greenbelt to be closed to the public from 11:00 p.m. to 5:00 a.m. which aligns with the regulations for all of the other parks in the City. Chief Kearns said damage has been done to the NOAH center and the Dobisky Center, and patrols have been directed to ask individuals to leave the park area. Chief Kearns noted marina boat slips are not included in the directive, and renters can stay on their boats all night long. Chief Kearns said all playgrounds close at dusk, and Library Park and the crescent will no longer be accessible after 11:00 p.m. Chief Kearns said a resolution to make the directive permanent will be presented to Council at the next meeting. Chief Kearns explained a stakeholders committee has been established by the Behavioral Health Urgent Care center, and all agencies are involved to address concerns of what services are needed.

CITY COUNCIL MEETING

August 22, 2022

Page 294

Chief Kearns said they are hoping they can help individuals before the weather gets cold and advise them of the resources available. Councillor Skamperle said it is a shame that the State is planning to turn off the heat at the prison facility that just closed where all those beds are available. Chief Kearns said he has had discussions with Assemblyman Mark Walczyk regarding a regional homeless shelter. Mayor Skelly said the County was going to use the former adult home as a COVID facility and said that would be a perfect location. Chief Kearns said the next committee meeting is scheduled for tomorrow. Councillor Rishe asked if the available resources are provided by the County. Chief Kearns said yes, noting there are some local agencies such as Step By Step. Councillor Rishe asked if the programs are offered through the Department of Social Services. Chief Kearns said yes, adding some of the individuals know where they will be sent, including Bob's Motel outside of Waddington, and do not want to go to those locations.

ITEMS FOR DISCUSSION

1. City Manager Stephen Jellie said he was approached by the ICMA with a request to spotlight the City, adding the City did not solicit the request. Mr. Jellie explained the City has been selected for a video to be developed with interviews as a way to showcase the City. Mr. Jellie said the contract stipulations and cost will be discussed in Executive Session.

2. City Manager Stephen Jellie said he received a proposed resolution from Councillor Rishe regarding a pilot program for stormwater bioretention planters (rain gardens) to begin addressing the City's overflowing combined sewer system and placed it on the agenda under Items for Discussion to advise Council of the proposal. Mr. Jellie explained this topic will be addressed in more detail in the future, noting it is worth exploring but not done easily. Councillor Rishe explained the City has a serious problem similar to most communities in New York State, noting it has been a problem. Councillor Rishe said the Wastewater Treatment Plant Capital Improvement Project does not address this issue, and the proposal would be a less expensive way to divert water off the streets. Councillor Rishe said the topic is worth exploring, and he hopes it is discussed in the future.

CITY COUNCIL MEETING

August 22, 2022

Page 295

Councillor Rishe explained the proposal was to do a pilot program to see how it works. Councillor Skamperle said it is a good idea that would beautify the City as well. Councillor Fisher said it was proposed that the wastewater treatment plant would be a regional plant, and there have been discussions about Heuvelton coming on board. Councillor Fisher explained MCI has been doing work on Caroline and Franklin Streets, and he is hopeful there will be a decrease in sewer rates. Councillor Fisher said he likes Councillor Rishe's idea, noting it seems people are complaining where there are pump stations. Councillor Rishe said a vote could be taken that night. Councillor Powers agreed with the proposal, noting there is a similar problem in Canton. Mr. Jellie said he did not see a necessity to pass a resolution, stating this proposal will be addressed with the upcoming sewer presentation. Mr. Jellie said we have miles of these pipes going through the City and creating a basin here and there will not make a difference. Mr. Jellie explained there is a need to separate the systems. Councillor Rishe said the City is the problem, noting businesses are regulated. Mr. Jellie said the City needs to get separate lines, adding there is no qualified information in the resolution and no cost referenced. Mayor Skelly agreed. Councillor Rishe said Mr. Jellie does not understand how the proposal works, and Mayor Skelly asked how it would make a difference. Councillor Rishe explained the proposal has been explored for years. Mr. Jellie said it is not a problem for staff to review. Mr. Jellie explained money would have to be taken from the sewer budget to develop the program and questioned if Council wants money appropriated for it in 2023. Councillor Rishe said the piping does not have to be removed from the ground. Councillor Powers asked if there are any concepts available with the DEC for a pilot program to check feasibility. Mr. Jellie said the City will likely see another consent order, and the problem is that the City has not done anything for years. Director of Planning and Development Andrea Smith reminded Council that the City just submitted a \$3 million grant application to do exactly this in the downtown area. Councillor Rishe said that proposal does not address the combined systems. Ms. Smith explained it addresses the sheet flow from the asphalt, noting it uses stormwater retention in one area of the City. Ms. Smith said the grant application was submitted in July for the downtown Mall area, and the City may receive it. Councillor Skamperle asked if the City was required to submit the concept report. Ms. Smith explained the City was required to submit an engineering report.

CITY COUNCIL MEETING

August 22, 2022

Page 296

Mr. Jellie said the problem is that the stormwater and sewer lines are combined and contaminated water is being dumped into the river. Mr. Jellie explained the whole idea for the ponds is to filter water and make it cleaner. Councillor Rishe disagreed.

3. Councillor Skamperle said a citizen had requested that the documents provided to Council for meetings be provided to the public. City Manager Stephen Jellie said everything is posted with the agenda, and a handful of copies could be printed for the public attending the meeting in person. Councillor Kennedy suggested fifteen printed copies.

4. Councillor Kennedy said the IAFF arbitration was scheduled for August 24, 2022 and asked if a new date has been scheduled. City Manager Stephen Jellie said he will provide Council with the new date.

5. Councillor Kennedy said she saw that the firefighter agility testing took place and asked for an update. City Manager Stephen Jellie said he anticipates a Civil Service list will be available within ninety days.

CITIZEN PARTICIPATION

1. Greg McNamara addressed Council and said he has been denied access to City Hall, but he has still not received documentation from the City Attorney or City Manager. Mr. McNamara said he filed a FOIL request for the documentation but was advised he had to wait until September 16, 2022. Mr. McNamara questioned why City employees would have told him that he was not allowed at City Hall. Mr. McNamara said he hopes Council realizes the severity of this situation, nothing he has been allowed back in City Hall after he reached out and asked. Mr. McNamara said under the current city manager an individual is being allowed to park vehicles on City-owned property which he has complained about several times.

2. Mike Tooley addressed Council and said it is wise to use the proposal by City Manager Stephen Jellie to address the 2023 budget. Mr. Tooley thanked Council for adding Personal Appearance to the agendas for both special meetings.

CITY COUNCIL MEETING

August 22, 2022

Page 297

Mr. Tooley said he understands the public's frustration regarding the lack of a search for a new city manager.

3. Penny Sharrow addressed Council and questioned if the Recreation Commission has reviewed the proposal for no tennis courts in the City. Councillor Kennedy explained the plan is to have one tennis court and one pickleball court. Mrs. Sharrow said she did not hear that in the comments. Mrs. Sharrow recommended regulation basketball court backboards. Mrs. Sharrow said she hopes City Manager Stephen Jellie is not permitted to hand pick volunteers to speak on the proposed video about the City. Mrs. Sharrow asked for an update on the new police officer approved by Council.

Mayor Skelly said there was a need for Executive Session to discuss the medical, financial, credit or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation, and Councillor Rishe seconded the motion.

The vote to adjourn to Executive Session was:

CARRIED, AYES ALL

Upon returning from Executive Session, all member of Council were still present.

Mayor Skelly moved a resolution to approve an employment buyout agreement and release between the City of Ogdensburg, New York and Stephen P. Jellie, and Councillor Fisher seconded to wit:

RESOLUTION TO APPROVE AN EMPLOYMENT BUYOUT AGREEMENT
AND RELEASE BETWEEN THE CITY OF OGDENSBURG, NEW YORK
AND STEPHEN P. JELLIE

WHEREAS, City Attorney Scott B. Goldie has prepared an employment buyout agreement and release between the City of Ogdensburg, New York and Stephen P. Jellie as requested; and

CITY COUNCIL MEETING

August 22, 2022

Page 298

WHEREAS, Stephen P. Jellie intends to resign from the position of City Manager effective November 30, 2022; and

WHEREAS, City Council intends to accept the resignation of Stephen P. Jellie;

NOW, THEREFORE, BE IT RESOLVED, that City Council hereby approves an employment buyout agreement and release between the City of Ogdensburg, New York and Stephen P. Jellie.

The vote was:

CARRIED, AYES ALL

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

Thank you for inviting me to speak tonight. For those of you who do not know me, my name is Robert A. Noble. I grew up here in Ogdensburg. My mother was a teacher at Ogdensburg Free Academy. My father was a vice president of sales at the Augsbury Corporation. I graduated from Ogdensburg Free Academy.

Over the years, I built a successful career as a minister and as the owner of a small chain of successful Noble ACE Hardware stores in Vermont, New York and New Hampshire. My stores are noted for paying above industry wages and benefits that have helped me build an experienced and loyal workforce.

I would just like to publicly thank St. Lawrence County Legislator Jim Reagen and the St. Lawrence County Industrial Development Agency for their hard work over the past year to help me develop my plan to open a major, retail hardware, sporting goods, gifts, and clothing store in the former Hackett's store.

My project will help:

- Save a deteriorating Ogdensburg landmark.
- Put a major retail store back on the Ogdensburg real property tax rolls.
- Help generate a new source of sales tax revenue for the city of Ogdensburg.
- Assist the Ogdensburg Volunteer Rescue Squad by reducing their annual operational costs, helping them to devote more resources to their primary mission of providing emergency services to the people of Ogdensburg and St. Lawrence County.
- Create new, good paying, long-term jobs for the community.
- Help bring new visitors and shoppers to Ogdensburg from the surrounding area.
- Provide more competition, and better customer service to the community.

- Help convince Canadian shoppers to return to Ogdensburg, bringing new customers to area restaurants and retailers

I would also like to thank St. Lawrence County Industrial Development Agency Executive Director Patrick Kelly, John Pinkerton, City Planning and Development Director Andrea Smith, the City of Ogdensburg, the officers, and board of directors of the Ogdensburg Volunteer Rescue Squad, Doyle Builders, and others who have been working with me on this project which I believe is critical in our efforts to revitalize Ogdensburg.

That's why I am here tonight to ask you to support applying for a \$1.1 million Restore New York grant to help make this project a reality. The portion of the building I want to make into a major retail center has sat vacant for 12 years since Hacketts closed. During that time, it has deteriorated and requires major renovation work to save it from further deterioration and to transform it back into a major retail center.

Under my plan, I will purchase the building from the Ogdensburg Volunteer Rescue Squad by paying off the \$1.2 million loan owed to the U.S. Department of Agriculture's Rural Development office. I will provide a long-term lease to the Rescue Squad that allows them to reduce the cost of operations in their current facility and protects their long-term interests.

My company brings to the table an experienced team that can help with purchasing, marketing, payroll and accounting services to this project. My company and the Ace Hardware Cooperative will pay the cost of stocking the store with a variety of goods that will make it a major shopping destination for Ogdensburg and Northern New York.

However, I want to be honest with you. Due to the deteriorated state of the building, my project will probably not be able to move forward without the help that a Restore New York grant can provide to help pay the costs of renovating the building, repairing the flooring, roof,

lighting, bathrooms, parking lot, and installing a sprinkler system to bring the structure into compliance with current building regulations.

I believe I can build a successful company here in Ogdensburg, but unfortunately, the building I want to use has sat too long. It has deteriorated too much and needs extensive rehabilitation work to save this important structure and help transform it back into a successful retail business center again. If you look at the criteria for the Restore New York grant program, you will find my business proposal meets all the goals of the program. It's why Restore New York was created. By working together, we can save this important Ogdensburg landmark before it falls into further deterioration.

That's why I am here tonight. That's why I am asking you, as the members of the Ogdensburg City Council, and your planning office to work with me and the St. Lawrence County Industrial Development Agency and the Ogdensburg Volunteer Rescue Squad to revitalize this building and help us save it before it is too late and it becomes just another derelict building that once played an important role in this community, but was allowed to decay and sit abandoned.

Together, we can work together to begin the task of making Ogdensburg a major retail center in Northern New York once again. Thank you for your consideration.

Rob Noble

August 22, 2022

For those of you who do not know me, my name is Jim Reagen and I am a member of the St. Lawrence County Legislature from District 1, Ogdensburg. I am a member of the board of directors of the St., Lawrence County Industrial Development Agency's board of directors and I am an Ogdensburg business owner. My wife and I own the Sherman Inn.

Thank you for holding this public hearing tonight.

I wanted to come tonight to urge City Council to work with Mr. Noble, his company and the St. Lawrence County Industrial Development Agency to bring a major new retail center to Ogdensburg.

As all of you are aware, Ogdensburg needs to encourage the creation of new jobs. We need new retail stores to boost our community's economy. We need new sources of sales tax and we need to work together to find ways to put properties back on the tax rolls whenever we can.

We also need to find innovative ways to work with and help agencies like the Ogdensburg Volunteer Rescue Squad to reduce their operational costs so they and their members can focus on providing outstanding emergency care to the citizens of Ogdensburg.

This is a great proposal that achieves many of these goals.

- I am familiar with Mr. Noble's company. They pay above the industry average for wages. They have a reputation for keeping employees by providing good training, good wages and benefits.
- This project will save a deteriorating Ogdensburg landmark.
- It will put a major retail store back on the Ogdensburg real property tax rolls at a time when our community needs to broaden our tax base.

Bringing a new retail center to the vacant portion of the Hackett's building will help bring new visitors and shoppers back to Ogdensburg from the surrounding area.

A clothing and hardware store will provide more retail competition, and spur better customer service for the community.

Plus, it will help convince more Canadian shoppers to return to Ogdensburg, bringing new customers to area restaurants, retailers and other businesses.

Some people will ask why should we do this project. I say it's important for the future of our community. I believe we need to work together to save our landmark buildings and get them back on the property rolls and help transform them from deteriorating derelicts into repurposed economic engines to help get our community moving again.

Will this project solve all of our problems. No. Of course not. But it will help us make Ogdensburg a place where more people will want to visit. It will give them another place to shop. And it will show that Ogdensburg is a place where people believe in the future of this community and are willing to work together to make life better for all of our citizens.

Thank you.