

CITY COUNCIL MEETING

August 13, 2012

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

PRESENT: Mayor Nelson, Councillors Ashley, Cilley, Morley, Skamperle, Hosmer and Stevenson

ABSENT: None

PRESENTATION

1. Dave Leidy of U-Source made a presentation to Council regarding the purchase of the City's gas and electric supply. Mr. Leidy explained U-Source is an energy broker used to bring the buyer to qualified suppliers. (A copy of Mr. Leidy's presentation material follows these minutes.)

Councillor Morley asked what the term would be for an electric contract, and Mr. Leidy said it depends on the market. Councillor Morley asked if transmission charges are billed under the contract. Mr. Leidy said yes and added all suppliers have their own fee structure. Mr. Leidy said he needs to know if the City needs special billing terms or conditions. Interim City Manager Philip Cosmo said the City already participates in this type of shared service for the sewer plant, and the billing can be discussed during the fall strategy session to cut down on paper. Mr. Leidy said U-Source is a broker with fifteen suppliers and explained that using U-Source is efficient and will bring the costs down. Councillor Morley asked if there is a penalty for buying electric service elsewhere. Mr. Leidy said there is a merchant function charge. Councillor Hosmer asked how long the bids are good for. Mr. Leidy said one day and explained this is a live commodity bid and the contract has to be signed by close of business that same day. Mr. Cosmo said Council's approval will be needed to enter into a contract. Mr. Leidy explained that school districts give their Business Managers the authority to commit to the contract on the same day as the bids are available.

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Mr. Cosmo said Council could designate the City Comptroller to enter into a contract under New Business tonight. Mr. Leidy said September is a good time to look at bids. Councillor Morley asked how Council will compare current National Grid and U-Source pricing. Mr. Leidy explained it is a moving target and prices will most likely be more than what the City pays now. Mr. Leidy added he can look into fixed pricing, but the City would pay a slight premium for a fixed rate. Councillor Stevenson said the City may pay more in the first year but will save long term. Councillor Hosmer asked if U-Source charges a fee. Mr. Leidy said their fee is built into the supplier's fee, and added that the City will never receive a bill from U-Source.

PERSONAL APPEARANCE

1. Rena Mee, 1015 Mechanic Street, addressed Council regarding the placement of a bench and plaque in Groulx Park in memory of Nicolas Sovie, the young man from Ogdensburg who died serving his county. (A copy of Ms. Mee's letter follows these minutes.)

Councillor Cilley asked who owns Groulx Park, and Interim City Manager Philip Cosmo said the City. Councillor Morley asked if the City owns the monuments and benches, and Mr. Cosmo said the veterans groups own those items. Mayor Nelson moved this to New Business for action.

2. Doug Loffler, 311 Paddock Street, addressed Council regarding the search for a new City Manager. Mr. Loffler said after reading recent newspaper articles he questioned who developed the specifications for the position of City Manager. Mr. Loffler said the company hired to conduct the search for this position should have confirmed that all interviewed candidates met the qualifications.

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3. Steve Rose, 1702 Montgomery Street, addressed Council regarding the Beaverbrook properties. Mr. Rose asked if anyone has checked on the Kennedy School project to be sure the surface water drainage will not be a problem. Mr. Rose said the contractor was also supposed to follow-up with the State. Mr. Rose said a March 28, 2011 letter he submitted to Council explaining everything done for the Beaverbrook project was never read at a Council meeting. Mr. Rose said it has never been formally stated what was completed or omitted from the Beaverbrook project.

John Joly, 1700 Montgomery Street, addressed Council regarding the Beaverbrook properties. Mr. Joly asked Council to continue to improve the Beaverbrook area to avoid a future disaster. Mr. Joly said the School District is filling in the wetland near Kennedy School, and City staff was supposed to follow up with the school regarding this project's impact on the Beaverbrook area.

CONSENT AGENDA

Mayor Nelson moved that the claims as enumerated in General Fund Warrant #14-2012 in the amount of \$2,900,320.80 and Library Fund Warrant #14-2012 in the amount of \$44,873.20 and Capital Fund Warrant #14-2012 in the amount of \$136,545.74 and Community Development Fund Warrant #14-2012 in the amount of \$44,420.37 and Community Renewal Fund Warrant #14-2012 in the amount of \$95.06 and HOME Fund Warrant #14-2012 in the amount of \$0.00 and AHC Funds Warrant #14-2012 in the amount of \$0.00, RESTORE Program Warrant #14-2012 in the amount of \$0.00 and NSP Funds Warrant #14-2012 in the amount of \$0.00 and NY Main St. Program Warrant #14-2012 in the amount of \$55,924.50 as audited, be and the same are ordered paid and Councillor Skamperle seconded the motion.

The vote was:

CARRIED, AYES ALL

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Mayor Nelson read a Proclamation for the Fair Housing Task Force whose mission is to educate concerned citizens and the housing industry about making fair housing opportunities possible for all of our citizens.

ITEMS FOR COUNCIL ACTION

1. Mayor Nelson moved a resolution authorizing the City Manager to sign an agreement with National Grid to perform remediation work on property owned by the City of Ogdensburg, as directed by the New York State Department of Environmental Conservation, and Councillor Morley seconded to wit:

**RESOLUTION AUTHORIZING THE CITY MANAGER
TO EXECUTE AN AGREEMENT WITH NATIONAL GRID**

WHEREAS, under an agreement with the New York State Department of Environmental Conservation (NYSDEC), National Grid o/b/o Niagara Mohawk Corporation is implementing a program at a number of locations to investigate and, where necessary, remediate potential environmental contamination possibly remaining from coal gas manufacturing operation of the 19th and early 20th centuries, and

WHEREAS, in June 2006, the City of Ogdensburg entered into a Temporary License Agreement permitting entry on property at the following locations in the City of Ogdensburg:

Lincoln Avenue (Tax Parcels 48.078-5-48 and 48.078-5-18) and,
11 Rensselaer Avenue (Tax Parcel 48.078-5-20)

WHEREAS, in September 2007, the City of Ogdensburg entered into a license agreement modification with National Grid to include a monitoring well on the northeast corner of Lake and Mill Streets and an extension of the sampling time to December 31, 2012, and

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NOW, THEREFORE, BE IT RESOLVED, that the City Manager is hereby authorized to execute the attached agreement allowing National Grid to perform remediation work, on property owned by the City of Ogdensburg, as directed by the New York State Department of Environmental Conservation.

Interim City Manager Philip Cosmo explained there was a remediation of the land and National Grid needs to access the property south of the Cheese Plant for the actual clean up. Mr. Cosmo said Chuck Andrews and Steven Stuckler of National Grid are available for questions. Councillor Morley asked how long the cleanup work will take. Mr. Stuckler said work will begin around March 1, 2013, and the project is expected to be completed within nine months. Councillor Morley asked if there will be any cost to the City, and Mr. Stuckler said no.

The vote was:

CARRIED, AYES ALL

2. Councillor Skamperle moved a resolution approving the sale of 22 surplus City-owned real properties, and Councillor Morley seconded to wit:

RESOLUTION TO APPROVE THE SALE
OF CITY OWNED REAL PROPERTY

WHEREAS, the Ogdensburg City Council, on June 25, 2012, authorized the public auction of surplus City-owned real property, and

WHEREAS, the City held an auction on July 24, 2012 to sell said property, and

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

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

TAX MAP NO.	ADDRESS	MIN. BID	SALE PRICE	BUYER
48.058-4-21.1	Curtis	\$500	\$2,000	Christopher Cryer
48.058-3-12	Curtis	\$100	\$100	Kenyon J. Chase
48.058-3-13	416 1/2 John	\$100	\$550	Andrew M. Putman
48.065-4-5	524 Bigelow	\$20,000	\$20,100	John Boyer
48.064-2-41	214 Pero			
48.064-2-40	216 Pero	\$500	\$500	Paul Bouchard
48.071-6-4	917 Ford	\$5,000	\$5,000	Pierre J. Brisson and Jeremy C. Towe
48.073-4-2	701 Barre	\$500	\$1,050	Jeremiah D. Havens
48.078-5-18	Lincoln	\$50	\$50	Kenyon J. Chase
48.079-18-23	100 Ford	\$400,000	\$401,000	United Helpers
48.080-2-7	1026 Lafayette	\$5,000	\$5,000	William H. Kench
48.080-5-39	808 Paterson			
48.080-5-38	814 Paterson	\$3,000	\$6,200	Gene and Sheila Perrigo
48.078-7-16	Brown	\$100	\$1,000	Hollis J. Harris
48.078-5-42.1	17 Mill	\$100	\$400	Edgar Larry Boyer
48.078-5-39	216 Lake Street	\$500	\$500	Edgar Larry Boyer
48.078-4-29	115 Lake Street	\$500	\$550	Ramonda and Richard J. Breen
48.078-5-41	13-15 Mill Street	\$100	\$100	Edgar Larry Boyer
59.030-4-16	804/806 New York Av	\$500	\$500	Patricia K. Smithers
59.030-9-19	824 Madison Av	\$100	\$100	Nelson J. Woods
59.030-7-4	420 Pine	\$500	\$500	Sean Barber
TOTAL		\$437,150	\$445,200	

BE IT FURTHER RESOLVED, that the sale shall be subject to the terms of the June 25, 2012 resolution.

Councillor Ashley congratulated the City Planner and City Comptroller on the sale of these surplus properties. Interim City Manager Philip Cosmo said the City acquired four parcels in June that are all occupied and he recommends selling these parcels as soon as they are available.

The vote was:

CARRIED, AYES ALL

3. Councillor Ashley moved a resolution providing Council's consent to apply for funds through the 2012 Community Development Block Grant application, and Councillor Skamperle seconded to wit:

**RESOLUTION AUTHORIZING THE CITY MANAGER TO SUBMIT A
COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM**

WHEREAS, the City of Ogdensburg is considering an application for Community Development Block Grant (CDBG) funding, and

WHEREAS, the CDBG program provides funds to local governments for housing, economic development, and public facilities, with the principal beneficiaries being persons with low or moderate incomes, and

WHEREAS, the projects may also aid in eliminating slums and blight and in the meeting of community needs of a particular urgency, and

WHEREAS, the City with Development Authority of the North Country (DANC) has prepared an application for up to \$400,000 for single purpose housing rehabilitation in the Ford Street Gateway target area; and

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WHEREAS, the City has complied with the Housing and Community Development Act of 1977, as amended, and has held two public hearings that provided information about and has allowed for participation in the development of the grant application;

WHEREAS, the City is partnering with the St Lawrence County Weatherization Program and also intends to incorporate the New York State Green Jobs – Green New York assistance to maximize the resources available to make the homes assisted more energy efficient as well as a better place for individuals or families to live; and

BE IT FURTHER RESOLVED, that the overall goal of this program is to improve the living conditions in the City through the Rehabilitation of its existing housing stock and eliminate conditions that are or are likely to become hazardous to the health and safety of local residents.

NOW, THEREFORE, BE IT RESOLVED, that the Ogdensburg City Manager is hereby authorized to submit an application for Community Development Block Grant (CDBG) funds in the amount not to exceed \$400,000, and if received, to enter into any necessary contracts with Development Authority of the North Country (DANC) to administer the grant.

Councillor Morley asked if this program has provisions and requirements similar to the NSP Program. Interim City Manager Philip Cosmo said he is not aware of any special provisions. Interim City Manager Andrea Smith said Matthew Taylor of DANC is available to answer specific questions. Mr. Taylor said a detail sheet is prepared for all projects identified for the program and the State office determines the guidelines and requirements for each project. Council thanked Mr. Taylor for the quick response to the City's request for assistance with the grant application.

The vote was:

CARRIED, AYES ALL

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4. Councillor Stevenson moved a resolution authorizing the City Comptroller to amend the 2012 Police Department Budget to include the expense of an upgrade to the Police Department's telephone switching system in the amount of \$9,967.00, and Councillor Ashley seconded to wit:

RESOLUTION AUTHORIZING THE CITY COMPTROLLER TO
AMEND THE 2012 POLICE DEPARTMENT BUDGET TO INCLUDE
THE EXPENSE OF AN UPGRADE TO THE DEPARTMENT'S
TELEPHONE SWITCHING SYSTEM IN THE AMOUNT OF \$9,967.00.

WHEREAS, the Ogdensburg Police Department's telephone system plays an integral and vital role in providing law enforcement services to the public, and

WHEREAS, the Department's aging telephone switching system has reached beyond its anticipated life expectancy, and

WHEREAS, repairs to the existing system will not be possible due to the unavailability of parts and the incompatibility with the newer digital systems currently in use, and

WHEREAS, the expense for this upgrade was approved in the original budget but due to a clerical error the amount was not transferred into the phone expense line of the final draft of the Police Department's 2012 Budget,

NOW, THEREFORE, BE IT RESOLVED, that the City Comptroller is authorized to amend the 2012 Police Department budget to cover the expense of this upgrade, and

BE IT FURTHER RESOLVED, that the City Comptroller is authorized to transfer \$9,967.00 from the Contingency Fund account and add that amount to the Police Department's Office Equipment Expense Line item A3120.220 to cover the upgrade expense.

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Councillor Morley asked who provided the quote for the new telephone system. Chief Richard Polniak said the figure is based on a 2010 proposal from Dave Rishe at ADR.

The vote was:

CARRIED, AYES ALL

5. Councillor Hosmer moved a resolution authorizing the Interim City Manager to enter into an agreement on behalf of the City with Paragon Environmental, for a sum not to exceed \$25,000.00, for cleaning of a 12,000 gallon petroleum bulk storage tank and testing and removal of 36 drums of waste liquid located at the cheese plant, and Councillor Morley seconded to wit:

**RESOLUTION AUTHORIZING AWARD OF CONTRACT
FOR PETROLEUM BULK STORAGE TANK CLEANING AND
WASTE LIQUID TESTING & REMOVAL AT THE CHEESE PLANT**

WHEREAS, the City has received a Notice of Violation from the NYS Dept. of Environmental Conservation with regard to a petroleum bulk storage tank and 36 drums of waste liquid located at the cheese plant; and

WHEREAS, the City as owner of this property is under an agreement with Tubroburg, who has to date failed to live up to its contractual obligations thereby forcing the City as owner to make the repairs and bill Tubroburg for the cost; and

WHEREAS, the City solicited three quotes and received two responses for cleaning of the 12,000 gallon above-ground petroleum bulk storage tank and testing and removal of 36 drums of waste liquid; and

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

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NOW, THEREFORE, BE IT RESOLVED that Philip A. Cosmo, Interim City Manager, is authorized to enter into the following contract, for a sum not to exceed \$25,000.00, on behalf of the City; and

CONTRACTOR

Paragon Environmental Const.
5664 Mud Mill Road
Brewerton, NY 13029

BE IT FURTHER RESOLVED that the funds to pay for this work shall be derived from the City Self Insured Property Liability Insurance Fund.

Interim City Manager Philip Cosmo said the City intends to bill the current lease holder for the cost. Mr. Cosmo said DEC is requiring a quick turnaround time, and he hopes the cost won't exceed \$25,000.00. Mr. Cosmo said this was the lowest bid received but explained the firms were required to prepare their proposals quickly.

Councillor Stevenson asked if the cost of the cleanup could vary because of the thirty-six full drums, and Mr. Cosmo said yes. Councillor Ashley asked if DEC mentioned anything about the silos. Mr. Cosmo said no, adding the silos are a separate issue that was discussed with the City Attorney today. Mayor Nelson asked if all items listed on the notice of violation will be covered, and Mr. Cosmo said he believes so.

The vote was:

CARRIED, AYES ALL

6. Mayor Nelson moved a resolution establishing the standard work days for elected and appointed City of Ogdensburg officials and reporting the days worked to the New York State and Local Employee's Retirement System, and Councillor Skamperle seconded to wit:

Standard Work Day and Reporting Resolution
 For Elected and Appointed Officials

BE IT RESOLVED, that the City of Ogdensburg hereby establishes the following as standard work days for elected and appointed officials and will report the following days worked to the New York State and Local Employees' Retirement System based on the record of activities maintained and submitted by these officials to the clerk of this body:

Title	Name	Social Security Number (Last 4 digits)	Registration Number	Standard Work Day (Hrs/day)	Term Begins/Ends	Participates in Employer's Time Keeping System (Y/N)	Days/Month (based on Record of Activities)
Elected and Appointed Officials							
City Clerk	Kathleen A. Bouchard	xxxx	XXXXXX	7	*01/01/12-12/31/15	Y	20/22
City Councillor	Daniel E. Skamperle	xxxx	XXXXXX	6	01/01/2010-12/31/13	N	10
<i>Mayor</i>	William D. Nelson	xxxx	XXXXXX	6	01/01/12-12/31/15	N	18
City Comptroller	Philip A. Cosmo	xxxx	XXXXXX	7	*01/01/12-12/31/15	Y	20/22

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Deputy City Clerk	Cathy A. Jock	xxxx	XXXXXX	7	*01/01/12-12/31/15	Y	20/22
Director of Parks & Recreation	Matthew J. Curatolo	xxxx	XXXXXX	7	*01/01/12-12/31/15	Y	20/22
Director of Public Works	Kit W. Smith	xxxx	XXXXXX	7	*01/01/12-12/31/15	Y	20/22
Director of Planning & Development	Andrea L. Smith	xxxx	XXXXXX	7	*01/01/12-12/31/15	Y	20/22
Executive Director of Remington Art Museum	Edward A. LaVarnway	xxxx	XXXXXX	7	*01/01/12-12/31/15	Y	20/22
Executive Director of Public Library	Wayne L. Miller	xxxx	XXXXXX	7	*01/01/12-12/31/15	Y	20/22

* Appointing Authority Position Vacant

(Mayor's term used for purposes of this regulation only, not for internal use.)

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Interim City Manager Philip Cosmo explained that administrative individuals who are not Civil Service appointed are also included in the reporting requirements for the retirement system. Mayor Nelson said the City is not alone and this is affecting every city and village across the state.

The vote was:

CARRIED, AYES ALL

7. Mayor Nelson moved a resolution authorizing the City Manager to execute a Brownfield Site Cleanup agreement with NYS Dept. of Environmental Conservation for the former Standard Shade Roller site, and Councillor Morley seconded to wit:

RESOLUTION AUTHORIZING CITY MANAGER TO EXECUTE AN
AGREEMENT WITH THE NYS DEC FOR THE BROWNFIELDS
CLEANUP PROGRAM

WHEREAS, the City of Ogdensburg submitted an application to the NYS Dept. of Environmental Conservation's (NYS DEC) Brownfield Cleanup Program (BCP) for the former Standard Shade Roller property located at 541 Covington Street; and

WHEREAS, the NYS DEC has determined that the site and applicant are eligible to participate in the BCP;

NOW, THEREFORE, BE IT RESOLVED that the City Manager is hereby authorized to execute a Brownfield Site Cleanup agreement with NYS Dept. of Environmental Conservation.

Interim City Manager Philip Cosmo said this resolution is needed simply to correct a clerical error. Councillor Hosmer asked if DEC is doing the actual clean-up, and Mr. Cosmo said it is being done by the City.

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Mayor Nelson said the agreement also addresses DEC liability issues. Mr. Cosmo said there is no specific completion date yet.

The vote was:

CARRIED, AYES ALL

OLD BUSINESS

1. Councillor Stevenson asked for an update on the 2 Grove Street and 819 Knox Street sales. Interim City Manager Philip Cosmo said the purchaser of 2 Grove Street is having difficulty obtaining financial approval, and the City may need to do a lottery on that property. Mr. Cosmo said the City is ready to proceed with the sale of 819 Knox Street, but we are waiting on the buyer's attorney. Interim City Planner Andrea Smith said the proposed buyers of 2 Grove Street have until September 7th to become eligible. Ms. Smith said if these buyers cannot become eligible, the City will need new eligible applicants.

2. Councillor Stevenson asked for an update on the cleanup of the Crescent Hill. Interim City Manager Philip Cosmo said the State was unable to help and it was too late in the season to complete the project. Mr. Cosmo said he recommends it be put into the 2013 budget. Councillor Morley asked if the City can hire more recreation staff to maintain the hill. Mayor Nelson said Council previously recommended staff cuts.

3. Councillor Morley asked why the number of City boat slips was cut when the City received a grant and if the City received approval to reduce the number of boat slips from 64 to 12. Interim City Planner Andrea Smith said her office has not received a response on the \$50,000 matching funds grant application for transient docks but she will follow up on it.

4. Councillor Morley suggested the City buy wooden picnic tables instead of metal, citing recent damage to park picnic tables.

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5. Councillor Morley asked for an estimate to paint the new bridge. Councillor Stevenson said she would like to see the entire bridge project completed first. Interim City Manager Philip Cosmo said he will look into obtaining estimates.

6. Councillor Morley asked for an explanation of the equipment removed from the Cheese Plant. Interim City Manager Philip Cosmo said pictures were taken and explained that the equipment removed did not belong to the City. Mr. Cosmo said City Attorney Andy Silver will provide an explanation in Council's update.

7. Councillor Ashley said he read in the newspaper that Mr. Jones offered to donate the movie theatre to the City. Councillor Hosmer asked why the City can sell gas, but cannot own the movie theatre. Interim City Manager Philip Cosmo said a marina is a recreational facility that can sell gas to provide full service to its customers.

8. Councillor Cilley asked that someone follow up with the School District regarding the Kennedy School construction and Beaverbrook water issue. Interim City Manager Philip Cosmo said he will have Kit Smith follow-up with this and report back to Council.

9. Councillor Hosmer asked if the Oddfellow's Club has reached a decision on how they wish to proceed with their water issue. Interim City Manager Philip Cosmo said he has not received any response to his letter explaining what the City can do.

10. Mayor Nelson asked for an update on the landscaping plan for the new bridge area. Interim City Planner Andrea Smith said the Planning and Public Works Offices have jointly created a plan.

11. Mayor Nelson asked for an update on the safety handrails for the new bridge. Interim City Manager Philip Cosmo said he will follow-up with Kit Smith this week.

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12. Mayor Nelson asked if the LWRP draft plan has been submitted to the State, and Interim City Planner Andrea Smith said it is in the process of being distributed. Ms. Smith said there is a Steering Committee meeting on Thursday, August 16, 2012 at 4:30 p.m. at the Dobisky Center and the BOA interviews are being held on Wednesday, August 15th. Ms. Smith said Farcon, the company doing the tree inventory, is in Ogdensburg today through Friday, August 17th. Ms. Smith said Farcon will provide a summary after the site plan is completed and will meet with the Tree Commission at 9:30 a.m. on August 17th.

13. Councillor Ashley asked if another sale will be held once the four houses acquired at tax sale are vacated. Interim City Manager Philip Cosmo said he will request an update from City Attorney Andy Silver.

NEW BUSINESS

1. Mayor Nelson asked if the City planned to enter into an agreement with U-Source. Interim City Manager Philip Cosmo said a minimum two year contract would be needed to realize a savings or a slowing of rate increases. Mr. Cosmo said the report from U-Source will include the best price and duration and that he will get U-Source copies of our bills. Councillor Stevenson said to realize a savings the City needs to get away from its current supplier, and she would like to see a resolution to allow Mr. Cosmo to make the best judgment call.

Mayor Nelson moved a resolution to authorize the City Comptroller to enter into an agreement to purchase electricity and/or natural gas with U-Source for a term to be determined by the City Comptroller in the best interest of the City, and Councillor Hosmer seconded the motion.

The vote was:

CARRIED, AYES ALL

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2. Mayor Nelson moved a resolution to allow the installation of a bench and plaque in Groulx Park in honor of Nicolas Sovie, the first local soldier to die in the line of duty in the War on Terror, and Councillors Ashley, Cilley, Hosmer, Morley, Skamperle and Stevenson seconded the motion.

The vote was:

CARRIED, AYES ALL

3. Councillor Hosmer requested that the tour of the Ogdensburg Public Library be scheduled. There was a consensus of Council to meet at the Library at 6 p.m. on September 10th.

4. Councillor Hosmer asked for an explanation of the Charter amendment procedure. Interim City Manager Philip Cosmo said a city-wide vote will not be required because of the type of change requested. Mr. Cosmo said City Attorney Andy Silver suggests we make only the recommended change. Councillor Morley asked if a Public Hearing will be required, and Mr. Cosmo said yes. Mr. Cosmo asked if the format provided to Mr. Silver is the format Council wishes for him to use to draft the resolution, and Council said yes. Councillor Hosmer asked when Council can vote to hire a new City Manager if the resolution is prepared for the next meeting. Mr. Cosmo explained the resolution to call for a Public Hearing can be done at the first meeting in September with the Public Hearing to be held at the second meeting in September.

5. Mayor Nelson said there is a local government conference coming up in October. Mayor Nelson said NYCOM does team building with Council and staff and suggested an education session when the new City Manager is hired. Councillor Stevenson said the Zoning Board also wants more training.

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Mayor Nelson said ethics training will be held at the Potsdam Civic Center on Monday, August 27th at 1:30, and he encourages all Board members to attend this training session. Interim City Manager Philip Cosmo said the local government conference held in October is very well attended and has something for every department. Mayor Nelson said he will schedule a training session if there is a consensus of Council.

ITEMS FOR DISCUSSION

1. Interim City Manager Philip Cosmo said recreation equipment has been vandalized, and he recommends waiting until the next budget session to replace this equipment. Councillor Ashley asked for an update on an exercise equipment grant that was applied for last fall. Recreation Director Matthew Curatolo said the results have not yet been announced.

2. Interim City Manager Philip Cosmo asked for a consensus of Council regarding the Lockwood Arena zamboni. Councillor Ashley asked about the warranty on a new zamboni. Recreation Director Matthew Curatolo said a new zamboni will carry a five year warranty which includes the battery. Councillor Morley said a list of thirty available used zamboni machines were provided to Council and asked if all of them have been checked into. Mr. Curatolo said the used machines were older models with a variety of pricing and he needs direction from Council on what Council wants to purchase. Councillor Hosmer asked what the plans were for this year since a new machine will not get here until February. Mr. Curatolo said he is working on a backup plan. Councillor Ashley said the Recreation Committee recommended a new electric zamboni. Councillors Skamperle, Ashley, Stevenson and Hosmer said they agree with the purchase of a new electric zamboni. Interim City Manager Philip Cosmo recommended a lease purchase with the first payment due in 2014. Mr. Cosmo said we will have to see what the period of probable usefulness is for a conventional purchase. Councillor Ashley asked how long Mr. Cosmo recommends financing the zamboni. Mr. Cosmo said ten years will probably be the maximum, but he will obtain lease options and make a recommendation based on the returns.

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Councillor Morley said he will not support the purchase of a new zamboni. Councillor Morley said the arena was busy last season because the dome was closed and the City will now be competing with Canton ATC's new arena. Councillor Cilley said because of the 2% tax cap, the school may end up with a contingency budget and may have to close the dome. Councillor Cilley said he will not support buying somebody else's problems. Mayor Nelson said a used machine will cost the City \$133 per day while a new machine will cost the City about \$63 per day.

There was a consensus of Council to support the purchase of a new electric zamboni and bring a formal resolution to Council.

Mayor Nelson stated there was a need for Executive Session to discuss a potential legal action against the City and a personnel matter regarding the hiring of a new City Manager, and Councillor Skamperle seconded the motion.

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