

CITY COUNCIL MEETING

November 9, 2009

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

PRESENT: Mayor Nelson, Councillors Hannan,
Morley, Powers, Sholette and Vaugh

ABSENT: Councillor Flynn*

PERSONAL APPERANCE

1. Wanda Middlemiss, Ford Street, representing the Parents for Child Safety Group, updated Council on the progress the group has made by obtaining additional signage at the City schools. Ms. Middlemiss stated Justin Woods, Director of Planning and Development is helping her develop a resolution letter to send our state representatives for crossing lights at Madill and Sherman Schools. Ms. Middlemiss also requested that a deaf child sign be placed at Madill School. Ms. Middlemiss asked for information on the distance of a speed zone.

2. Robert Flavin, 116 Ogden Street, handed out and updated Council about a Save The River study that was done on the St. Lawrence River water levels. Mr. Flavin stated the river needs to be returned back to its natural flow. (A copy of the Save the River E-News follows these minutes.)

* Councillor Flynn arrives at this point in the meeting.

CONSENT AGENDA

Mayor Nelson moved that the claims as enumerated in General Fund Warrant #19-2009 in the amount of \$424,446.37 and Library Fund Warrant #19-2009 in the amount of \$23,770.93, Capital Fund Warrant #19-2009 in the amount of \$2,729.07 and Community Development Fund Warrant #19-2009 in the amount of \$0.00 and Community Renewal Fund Warrant #19-2009 in the amount of \$0.00 and HOME Fund Warrant #19-2009 in the amount of \$0.00 and AHC Funds Warrant #19-2009 in the amount of \$0.00 and RESTORE Program Warrant #19-2009 in the amount of \$0.00 as audited, be and the same are ordered paid and Councillor Flynn seconded the motion.

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The vote was:

CARRIED, AYES ALL

ITEMS FOR COUNCIL ACTION

1. Councillor Morley moved a resolution to accept the preliminary budget for 2010, and Councillor Powers seconded to wit:

RESOLUTION TO ACCEPT THE
2010 PRELIMINARY BUDGET

WHEREAS, as required by the City Charter, the City Manager has submitted a preliminary budget for fiscal year 2010 to the City Council on or before November 1, 2009,

NOW, THEREFORE, BE IT RESOLVED, that the City Council hereby accepts the preliminary budget and directs that the preliminary budget be filed with the City Clerk and the City Comptroller, and

BE IT FURTHER RESOLVED, and noted, that the preliminary budget is a public record and is available for inspection by the general public at the Office of the Comptroller.

The vote was:

CARRIED, AYES ALL

2. Mayor Nelson moved a resolution to establish a public hearing date for the 2010 preliminary budget, and Councillor Vaugh seconded to wit:

RESOLUTION ESTABLISHING A PUBLIC HEARING FOR THE 2010
PRELIMINARY BUDEGT OF THE CITY OF OGDENSBURG

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BE IT RESOLVED, that the Ogdensburg City Council hereby establishes a public hearing on the Preliminary Budget of the City of Ogdensburg for 2010, said public hearing to be held at 7:00 pm on December 7, 2009 in the City Council Chambers, City Hall, and

BE IT FURTHER RESOLVED, that the City Clerk give notice of such public hearing by publication, in the newspaper so designated for the publication of legal notices, at least seven days before the hearing date, of a notice setting forth the time and place and describing the proposed resolution in summary form.

The vote was:

CARRIED, AYES ALL

3. Councillor Hannan moved a resolution to establish the 2010 Official Newspaper for legal and public notices, and Councillor Flynn seconded to wit:

RESOLUTION DESIGNATING THE
2010 OFFICIAL NEWSPAPER

BE IT RESOLVED, that the official newspaper for the City of Ogdensburg for 2010 shall be the Ogdensburg Journal.

The vote was:

CARRIED, AYES ALL

4. Councillor Vaugh moved a resolution designating the 2010 City Bank Depositories, and Councillor Powers seconded to wit:

RESOLUTION DESIGNATING THE
2010 OFFICIAL BANK DEPOSITORIES

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BE IT RESOLVED, that Community Bank, NA, NBT Bank, NA, Upstate National Bank, Key Bank of Northern New York NA, Chase Bank and CLASS through Municipal Investors' Service Corp., MBIA be designated as official depositories of City Funds for 2010.

The vote was:

CARRIED, AYES ALL

5. Councillor Powers moved a resolution to designate the 2010 City Council Meeting Dates, and Councillor Flynn seconded to wit:

2010 CITY COUNCIL MEETING DATES

BE IT RESOLVED, that the regular City Council meetings for the City of Ogdensburg, shall be on the second and fourth Mondays of each month, except July, August and December, and unless such date is a legal holiday, in which event the meeting will be held on the next business day. The date of these meetings are listed below:

January	11, 25
February	8, 22
March	8, 22
April	12, 26
May	10, 24
June	14, 28
July	12
August	9
September	13, 27
October	12, 25
November	8, 22
December	6, 13

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BE IT FURTHER RESOLVED, all the meetings will be held at 7:00 pm in the City Council Chambers, City Hall or at such other places as may be designated by the City Council. All meetings are open to the public.

The vote was:

CARRIED, AYES ALL

6. Mayor Nelson moved a resolution calling for a public hearing to amend Chapter 177 of the Ogdensburg Municipal Code entitled "Sewer Rates", and Councillor Vaughn seconded to wit:

RESOLUTION INTRODUCING
LOCAL LAW # 1 OF 2009

BE IT RESOLVED that proposed Local Law #1 of the year 2009 entitled:

Amendment to the OMC Chapter 177 Entitled Sewer Rates be and it hereby is introduced before the City Council of the City of Ogdensburg, NY, and

BE IT FURTHER RESOLVED that copies of the aforesaid proposed Local Law be laid upon the desk of each member of the City Council, and

BE IT FURTHER RESOLVED, that the City Council hold a Public Hearing on said proposed Local Law at the City Council Chambers at 7:00 pm on Monday, December 7, 2009, and

BE IT FURTHER RESOLVED, that the City Clerk give notice of such public hearing by publication, in the newspaper so designated for the publication of legal notices, at least seven days before the hearing date, of a notice setting forth the time and place and describing the proposed Local Law in summary form.

The vote was:

CARRIED, AYES ALL

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7. Mayor Nelson moved a resolution calling for public hearing and public notice regarding an Ordinance amending Chapter 203 of the Code of the City of Ogdensburg, and Councillor Morley seconded to wit:

RESOLUTION INTRODUCING AN ORDINANCE
AND PROVIDING FOR PUBLIC NOTICE AND PUBLIC HEARING

BE IT RESOLVED, that Ordinance No. 14 of 2009 entitled Ordinance amending Chapter 203 entitled "Taxicabs", of the Code of the City of Ogdensburg be and it hereby is introduced before the City Council of the City of Ogdensburg, New York, and

BE IT FURTHER RESOLVED, that the City Council shall hold a public hearing in the matter of the adoption of aforesaid Ordinance to be held at the Council Chambers in the City of Ogdensburg, New York, on Monday, the 23rd day of November 2009, at 7:00 p.m., and

BET IT FURTHER RESOLVED, that the City Clerk give notice of such public hearing by publication in the newspaper so designated for the publication of legal notices, at last seven days before the hearing date, of a notice setting forth the time and place and describing the proposed ordinance in summary form.

The vote was:

CARRIED, AYES ALL

8. Councillor Flynn moved a resolution requesting the installation of a street light at the farthest south section of the 600 block of Kenrick Street, and Councillor Powers seconded to wit:

RESOLUTION REQUESTING THE INSTALLATION OF A STREET LIGHT
ON THE SOUTHERN END OF KENRICK STREET

WHEREAS, there have been concerns over the safety of handicapped residents at night in the 600 block of Kenrick Street, and

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WHEREAS, there has been reports of many juveniles loitering in this darkened area, and

WHEREAS, one of the primary functions of local and state government is to serve and protect its' citizens' lives and property from injury,

NOW THEREFORE, BE IT RESOLVED, that the City of Ogdensburg hereby requests the National Grid Company to install and maintain a pole and lighting device in the 600 block, farthest south section of Kenrick Street.

The vote was:

CARRIED, AYES ALL

9. Councillor Morley moved a resolution authorizing the City Manager to sign an agreement between the City of Ogdensburg and St. Lawrence County, and Councillor Sholette seconded to wit:

RESOLUTION APPROVING THE SUCESSOR AGREEMENT BETWEEN THE COUNTY OF ST. LAWRENCE AND THE CITY OF OGDENSBURG IN RELATION TO THE ALLOCATION AND DISTRIBUTION OF MONEY COLLECTED FROM THE SALES AND COMPENSATING USE TAXES IMPOSED PURSUANT TO ARTICLES 28 AND 29 OF THE TAX LAW

WHEREAS, St. Lawrence County and the City of Ogdensburg are parties to a sales tax agreement ("Agreement") concerning the allocation and distribution of money collected from the sales and compensating use taxes covering the period commencing December 1, 2000 and ending November 30, 2010, and

WHEREAS, St. Lawrence County and the City of Ogdensburg have negotiated a successor agreement pursuant to the paragraph 3 of the Agreement, and

WHEREAS, a copy of the proposed successor agreement is attached hereto and make a part hereof,

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WHEREAS, the City Council of the City of Ogdensburg desires to approve the successor agreement with St. Lawrence County and continue the method of sales tax distribution previously agreed upon,

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Ogdensburg approves the proposed successor agreement with St. Lawrence County in form and content as presented with this resolution, and

BE IT FURTHER RESOLVED that the City Council of the City of Ogdensburg directs the City Manager to sign the successor agreement and forward the signed agreement to St. Lawrence County for execution by the County, and

BE IT FURTHER RESOLVED that this agreement, when executed by both parties, is subject to the approval of the Comptroller of the State of New York.

The vote was:

CARRIED, AYES ALL

OLD BUSINESS

1. Councillor Hannan requested an update on the demolition of Park Plaza. City Manager Arthur Sciorra advised that the Tractor Supply Store building plans have been approved by the Planning Board and the next step will be for the Park Plaza owners to apply for a demolition permit from Code Enforcement. Councillor Hannan questioned if the demolition will take place by December 31st, and Mr. Sciorra said yes.

NEW BUSINESS

1. Mayor Nelson congratulated Mike Morley and the two new City Councillors, Robert Storm Cilley and Daniel Skamperle, who were successful in the recent election.

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2. Councillor Morley said Wanda Middlemiss requested a deaf child sign and questioned where it is needed. Director of Public Works Kit Smith, stated the resident lives at 504 St. Lawrence Avenue.

3. Councillor Morley asked Mr. Sciorra to contact the County Planning Department and obtain information on what it would cost the City to have them take over our Planning Department functions. Councillor Flynn also requested that Mr. Sciorra compile the advantages and disadvantages of out-sourcing our Planning Department. There was a consensus of Council to obtain this information. Councillor Powers stated that because the County Planning Department is a much bigger department than ours, he is not sure how quick we will get these numbers. City Manager Arthur Sciorra stated he will have to first check to see if the County is interested before he obtains numbers.

4. Councillor Powers said he received an email from Molly Wolahan who came here for the summit and asked if we have received her final assessment of the Housing Department. City Manager Arthur Sciorra stated we have received the preliminary report and expect the final report this Friday, November 13th.

5. Councillor Hannan asked why the Village of Heuvelton declined the emergency mutual aid assistance from our Fire Department. Mr. Sciorra stated Fire Chief Steven Badlam received a letter from Mayor Lashua nullifying our agreement. City Clerk Kathleen Bouchard read the letter aloud. Fire Chief Steven Badlam stated this letter came as a surprise and when he contacted Mrs. Lashua to schedule a meeting, she stated there was no need. (A copy of Mrs. Lashua's letter follows these minutes.)

6. Councillor Hannan requested that staff look at instituting no parking on Main Street, from Ghizes' to Ron Bell's on the corner of Jefferson Avenue, as two cars cannot pass a parked car without crossing the double line.

7. Councillor Sholette asked if the City's assessment information can be put the City's website. City Manager Arthur Sciorra stated he would take a look at this. Councillor Hannan stated this update will increase the number of hits to our website.

ITEMS FOR DISCUSSION

1. Councillor Sholette thanked Senator Gillibrand for her help with the Brownfield Grant application. Councillor Sholette added that it is good to see that the Brownfield Grant funding is being restored.

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