

CITY COUNCIL MEETING
February 25, 2013
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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,
Hosmer and Stevenson

ABSENT: Councillor Skamperle

PUBLIC HEARING

1. A public hearing regarding an ordinance to amend Chapter 209, Vehicles and Traffic, Section 209-38, entitled "Traffic Control Signals" of the Code of the City of Ogdensburg was held.

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

2. A public hearing regarding an ordinance to amend Chapter 209, Vehicles and Traffic, Section 209-45, Schedule VIII: entitled "Stop Intersections" of the Code of the City of Ogdensburg was held.

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

PERSONAL APPEARANCE

1. Norma Finley addressed Council regarding a problem with crows in the City. Mrs. Finley said there are approximately 200-300 crows in the Baptist Church area every evening and a few days ago, there were approximately 2,000 crows near Lighthouse Point. Mrs. Finley added there are very few song birds remaining in the City. Mrs. Finley said in addition to the noise and elimination of the smaller birds, the crows also leave their waste on cars and houses all over the City. Councillor Morley said he also has crows in the trees in his back yard and agreed we have a problem in the residential areas of the City.

CONSENT AGENDA

Mayor Nelson moved that the claims as enumerated in General Fund Warrant #4-2013 in the amount of \$201,039.18 and Library Fund Warrant #4-2013 in the amount of \$1,295.86 and Capital Fund Warrant #4-2013 in the amount of \$0.00 and Community Development Fund Warrant #4-2013 in the amount of \$3,311.44 and Community Renewal Fund Warrant #4-2013 in the amount of \$11,084.99 and HOME Fund Warrant #4-2013 in the amount of \$0.00 and AHC Funds Warrant #4-2013 in the amount of \$0.00, RESTORE Program Warrant #4-2013 in the amount of \$0.00 and NSP Funds Warrant #4-2013 in the amount of \$0.00 and NY Main St. Program Warrant #4-2013 in the amount of \$0.00 as audited, be and the same are ordered paid and Councillor Morley seconded the motion.

The vote was:

CARRIED, AYES ALL

ITEMS FOR COUNCIL ACTION

1. Councillor Cilley moved an ordinance to amend Chapter 209, Vehicles and Traffic, Section 209-38, entitled "Traffic Control Signals" of the Code of the City of Ogdensburg, and Councillor Stevenson seconded to wit:

RESOLUTION OF THE CITY COUNCIL INTRODUCING
AN AMENDMENT TO CHAPTER 209, VEHICLES AND TRAFFIC
AND PROVIDING FOR PUBLIC NOTICE AND PUBLIC HEARING

BE IT RESOLVED that the ordinance entitled "Ordinance Amending Chapter 209 Entitled 'Vehicles and Traffic' of the City of Ogdensburg Municipal Code" be and it hereby is introduced before the City Council of the City of Ogdensburg, New York, and

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BE IT FURTHER RESOLVED that the City Council shall hold a public hearing in the matter of the adoption of the aforesaid ordinance to be held in the City Council Chambers, City Hall, 330 Ford Street, Ogdensburg, New York, on Monday the 25th day of February, 2013, at 7:00 p.m., and

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

Councillor Hosmer asked how the traffic light can already be in use if Council has not approved it. City Manager John Pinkerton said Ogdensburg Bridge & Port Authority has all liability for the light until ten days after the ordinance is passed. Councillor Ashley said an ordinance should be passed before street lights are erected in the future and asked if OBPA can assume responsibility for City-owned property. City Attorney Andy Silver said they can voluntarily assume responsibility if they want to. City Comptroller Philip Cosmo said we required OBPA to build the light to our specifications, but we did not want to assume responsibility for it until it was built as required. Mr. Cosmo explained this is similar to what would be done when a new street is built. Mr. Cosmo said ownership will be turned over to the City once Public Works Director Kit Smith inspects the light, confirms it meets our specifications and the ordinance is passed. Councillor Morley said there was a concern about the stopping distance being too short on Ford Street, but Mayor Nelson said a police escort is used when large items are moved out of that Port.

The vote was:

CARRIED, AYES ALL

2. Councillor Stevenson moved an ordinance to amend Chapter 209, Vehicles and Traffic, Section 209-45, Schedule VIII: entitled "Stop Intersections" of the Code of the City of Ogdensburg, and Councillor Hosmer seconded to wit:

RESOLUTION OF CITY COUNCIL INTRODUCING AN ORDINANCE
AND PROVIDING FOR PUBLIC NOTICE
AND PUBLIC HEARING

BE IT RESOLVED, that Ordinance No. of 2013, entitled Ordinance amending Chapter 209, entitled “Vehicles and Traffic”, Section 209-45, Schedule VIII: “Stop Intersections” of the Code of the City of Ogdensburg be and 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 the aforesaid Ordinance to be held at the Council Chambers in the City of Ogdensburg, New York on the 25th day of February, 2013 at 7:00 p.m., and

BE IT FURTHER RESOLVED, that the City Clerk give notice of such public hearing by publication in the official newspaper at least seven (7) 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

3. Mayor Nelson moved a resolution to call for a public hearing and public notice regarding an ordinance to extend the lease of municipal property at 330 Ford Street (Basement) for the Satellite Office of Senator Patricia Ritchie, and Councillor Morley seconded to wit:

RESOLUTION OF CITY COUNCIL INTRODUCING ORDINANCE
AND PROVIDING FOR PUBLIC NOTICE
AND PUBLIC HEARING

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BE IT RESOLVED, that Ordinance No. of 2013, entitled "An Ordinance to Extend Lease of City-Owned Property " 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 the aforesaid ordinance to be held at the Council Chambers in the City of Ogdensburg, New York, on the 25th day of March, 2013, at 7:00 p.m., and

BE IT FURTHER RESOLVED, that the City Clerk give notice of such public hearing by publication in the newspaper so designated by the City Council of the City of Ogdensburg for legal and public notices at least seven (7) 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

4. Councillor Hosmer moved a resolution to authorize the City Manager to submit a St. Lawrence River Valley Redevelopment Agency ("RVRDA") Community Development and Environmental Improvement Fund grant application in an amount not to exceed \$28,750 for LED streetlights to replace the 86 City-owned metal streetlights in the Greenbelt and Marina area, and Councillor Stevenson seconded to wit:

RESOLUTION TO AUTHORIZE THE CITY MANAGER
TO SUBMIT A RVRDA GRANT APPLICATION

WHEREAS, the St. Lawrence River Valley Redevelopment Agency ("RVRDA") has announced that grant funds will be made available, and

WHEREAS, the City has 86 City-owned metal halide streetlights along the Maple City Trail and in the Greenbelt/Dobisky Visitors Center area, and

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WHEREAS, replacing these 86 metal halide streetlights with LED streetlights will result in 56,502 KWH electric energy reduction, and

WHEREAS, replacing these 86 metal halide streetlights with LED streetlights will reduce the carbon dioxide emission to 5.67 tons resulting in a reduction of 21.24 tons of carbon dioxide, a 70% decrease in emissions, and

NOW, THEREFORE, BE IT RESOLVED that the City Manager, John M. Pinkerton, is hereby authorized and directed to file an application for grant funds from the St. Lawrence River Valley Redevelopment Agency (“RVRDA”), in an amount not to exceed \$28,750., and execute a project agreement to replace 86 City-owned metal halide streetlights with LED streetlights.

Councillor Morley asked how the carbon savings was calculated. City Manager John Pinkerton said the savings was determined using a website showing the kilowatt per hour and the average input by each community in New York State.

The vote was:

CARRIED, AYES ALL

OLD BUSINESS

1. Councillor Hosmer asked when the sale of the Cobblestone building on Ford Street will be finalized. City Attorney Andy Silver said a closing should be completed in the next 2-3 weeks.

2. Councillor Ashley asked if 801 Washington Street will be auctioned again. Mr. Pinkerton said it is up to Council to set a price and suggested waiting until we auction the tax sale properties in June.

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NEW BUSINESS

1. Mayor Nelson turned the crow issue over to City Manager, John Pinkerton, for City staff to review.
2. Mayor Nelson asked to be excused from the March 11, 2013 Council meeting because he will be at a meeting in Washington.
3. Councillor Morley said the list of counties and towns opposing the SAFE Act is growing.

ITEMS FOR DISCUSSION

1. City Manager John Pinkerton explained if the sales tax is increased from 7 to 8% under the Amended Sales Tax Agreement between the City and St. Lawrence County, the distribution of the additional 1% will remain the same. City Attorney Andy Silver said the proposal is currently being reviewed by the NYS Comptroller. Mayor Nelson said it looks like the County will use the funds to reduce property tax. Mr. Silver said a resolution will be presented to Council after State Comptroller approval.
2. City Planning Director Andrea Smith said the application for the Great Lakes Restoration Initiative Grant is due on March 12, 2013. Ms. Smith explained there are no matching funds required for this grant, and \$30,000 - \$50,000 could be used in Program Area #1 for tree assessment, planting and maintenance. Ms. Smith said we could improve storm water run-off in the marina district at the foot of the pedestrian bridge where the City is looking to finish landscaping funded through a Dormitory Authority grant. Ms. Smith said this grant could provide additional funds for tree planting and bio retention areas. Ms. Smith explained we are only eligible because of the work we have already completed with a previous DEC grant. Councillor Morley asked if this grant could be used to remove infected ash trees in the City. Ms. Smith said we are not in a quarantined area, but a DEC grant with no matching funds required to administer the antidote to those mature ash trees may be available in the Spring.

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3. City Manager John Pinkerton said St. Lawrence County wants to apply for a grant to do a study on consolidating the 911 Dispatch Operations County-wide and needs our support to secure the grant. Police Chief Rick Polniak said County Dispatch relays calls to the police department by radio or phone and all calls come to 393-1551. Police Chief Polniak advised he has previously met with St. Lawrence County on this matter, and it is not feasible for Ogdensburg. Police Chief Polniak explained his department receives many walk-ins and without a dispatcher, he would have to put an officer at the front desk resulting in overtime. Mr. Pinkerton said the study also looks at making communication more consolidated between municipalities. Councillor Ashley said consolidation is not feasible because our dispatchers do more than answer the phone. Mayor Nelson said Council is not committing to consolidate dispatch services, just supporting the study. Fire Chief Mike Farrell said his department receives 911 calls from the County dispatch or the City Police Department. Mr. Pinkerton said he agrees with Police Chief Polniak that the dispatcher position is needed, but sees no harm in moving forward with the study.

There was a consensus of Council to add Agenda Bill #26 as an item for action.

Councillor Hosmer moved a resolution to authorize a 2012-2013 Local Government Efficiency Grant Application for the study of consolidated dispatch services in St. Lawrence County, and Councillor Stevenson seconded to wit:

**RESOLUTION AUTHORIZING A 2012-2013 LOCAL GOVERNMENT
EFFICIENCY GRANT APPLICATION FOR THE STUDY OF
CONSOLIDATED DISPATCH SERVICES IN
ST. LAWRENCE COUNTY**

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WHEREAS, funds are available through the New York State Department of State's 2012-2013 Local Government Efficiency (LGE) Grant Program for costs associated with planning or implementing projects related to structural reorganization, functional or service delivery consolidation, city or county charter revisions that include functional consolidation, cooperative service arrangements or developing mechanisms for regionalized service delivery, and

WHEREAS, St. Lawrence County has proposed the study of Consolidated Dispatch Services on a County-wide basis and the County will provide the grant's required 10% local match,

NOW, THEREFORE, BE IT RESOLVED that the Ogdensburg City Council does hereby authorize an LGE grant application requesting up to \$50,000 for a "Feasibility Study of Consolidated Dispatch Services in St. Lawrence County," and

BE IT FURTHER RESOLVED that St. Lawrence County will prepare and submit the application as Lead Applicant; the Lead Applicant Contact Person is St. Lawrence County Emergency Services Director Joe Gilbert, who is hereby authorized to execute all financial or administrative functions necessary for the purpose of the LGE grant and the resulting feasibility study, and

BE IT FURTHER RESOLVED that the City of Ogdensburg will participate as a Co-Applicant and provide all information necessary and enter into any necessary inter-municipal agreements for the purpose of carrying out this project, and

BE IT FURTHER RESOLVED that the Ogdensburg City Council will consider the resulting feasibility study and how its recommendations may or may not affect the provision of local dispatch services.

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The vote was:

AYES: Mayor Nelson and Councillors Ashley,
Hosmer, Morley and Stevenson

NAYS: Councillor Cilley

CARRIED, 5 TO 1

Councillor Morley asked Councillor Cilley why he voted no. Councillor Cilley explained he believes it is a waste of money to conduct a study on something that will never happen.

4. City Comptroller Philip Cosmo suggested the City borrow \$543,000 to purchase a zamboni (\$122,550), fire truck (estimated at \$300,000 to \$325,000) and library windows (\$95,000). Mr. Cosmo explained the library originally requested \$52,000 for windows but found asbestos problems. Mr. Cosmo recommended a bond anticipation note renewed for five years, explaining the City could pay it down and obtain a serial bond in the fifth year. Mr. Cosmo advised each item would have an amortization schedule and each debt would be paid off independently. Mr. Cosmo explained the next step would be to get an actual resolution written by our bond consultants which would state Council is authorizing borrowing money for these specific items not to exceed \$550,000. Mr. Cosmo explained the actual cost of the fire truck is unknown, and we would be committing to the upper level. Mr. Cosmo said he is asking if Council wants to move forward since two-thirds approval will be required. Councillor Ashley said former Fire Chief Steve Badlam brought a truck to a Council meeting last September that could have been purchased for \$175,000 and later showed Council a different truck for \$325,000. Councillor Ashley said the biggest complaint he receives is that the pumper trucks are being used to answer EMS calls. Councillor Ashley asked exactly what is wrong with the pumper truck that the Fire Department wants to replace. Chief Farrell said the small pumper truck has been out of service for months and has damage between the body and frame. Chief Farrell added his department needs a full size pumper truck.

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Councillor Ashley asked how many pumper trucks the department will have if a new truck is purchased. Chief Farrell said the Quint has a pump but is a million dollar truck that they try to preserve because replacing it would be very expensive. Chief Farrell said the department also uses the 2006 pumper truck which holds 1500 gallons and Engine 2 which holds 1250 gallons. Chief Farrell explained a larger pumper truck is built on a custom fire truck chassis and has a longer life. Chief Farrell said his department is running the Tahoe for calls, but added the larger pumper truck holds more hose and men. Councillor Cilley said the department does not need three full size engines and believes the current trucks do not meet the needs of the fire department. Councillor Cilley encouraged Chief Farrell to select a truck that meets the needs of the department with options for minimal manpower. Chief Farrell said the department has created an informal committee to discuss options for the new truck and agrees the Ford was not what the department needed. Chief Farrell explained the mini pumper truck is half the size of what his department needs. Councillor Morley said he has no problem with the fire department getting a new truck but the prices are climbing. Chief Farrell explained having a truck built could cost more than \$325,000 and take more than a year to complete. Councillor Morley said the fire department obtained a grant in the past to purchase a fire truck and encouraged Chief Farrell to search for grants.

Councillor Morley discussed the library windows and said painting and replacing the glaze is expensive. Councillor Morley said we learned from the NSP program that we can save money by simply replacing windows. City Comptroller Philip Cosmo said Council will need to address that issue with Library Director Wayne Miller. Councillor Hosmer said the library may be on the historical preserve and replacement of the windows may not be an option. Councillor Stevenson said Mr. Miller mentioned during Council's tour of the library that issues may come up with the windows. Mr. Cosmo said the resolution would state an amount not to exceed which would provide a ceiling.

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Mr. Cosmo explained the library windows are a \$52,000 line item that Council asked Mr. Miller to take out of his budget. Councillor Morley said he wants more information. Councillor Ashley asked if Mr. Miller can attend the next Council meeting. City Manager John Pinkerton asked if the library has a responsibility to pay the debt even if the City obtains the bond. Mr. Cosmo said the debt will be paid out of the library's budget, but the City has to be the borrower. Mr. Pinkerton said Mr. Miller is looking for grants and has an architect to do the work. Mr. Cosmo said his main concern is to pay for the zamboni since it will be delivered in March or April. Mr. Cosmo said he can ask Mr. Miller to attend the 3/11 Council meeting. There was a consensus of Council to move forward with the Bond Anticipation Note. Mr. Cosmo said he will have the resolution prepared for the 3/25 Council meeting. Councillor Morley asked what the yearly payment will be on a \$550,000 loan. Mr. Cosmo said the loan will be at 1% interest, and no more than 75% can be repaid in any one given year. Mr. Cosmo said a previous \$300,000 loan had a payment of \$30,000 - \$40,000 annually. Mr. Cosmo said he can ask for an amortization schedule on \$550,000. Mr. Cosmo explained the rate can go up with the one year renewable note but a serial bond has a fixed interest rate.

Councillor Ashley asked for a timetable on the fire truck. Chief Farrell said if we purchase a truck in stock it could be delivered in 90 days but it would take nine months to a year to build one. Councillor Morley asked what type of truck we looked at, and Chief Farrell said we looked at a demo with some miles. Councillor Cilley said they want to sell demos "as is", and it will probably not have all of the options the department will need. Councillor Cilley said he would rather see the department purchase a truck that can be used for 20 years. Chief Farrell agreed and said for example, a pumper truck used in upstate New York needs to have a heater.

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