

SPECIAL CITY COUNCIL MEETING

October 26, 2023

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

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

ABSENT: None

*Councillor Fisher participated in this meeting remotely from 2225 Sea Island Circle N, Lakeland, FL 33810.*

EXECUTIVE SESSION

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

The vote to adjourn to Executive Session was:

CARRIED, AYES ALL

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

Councillor Powers moved a resolution to authorize the Interim City Manager to authorize payment to affected IAFF Local 1799 bargaining unit members, and Councillor Dillabough seconded to wit:

A RESOLUTION TO AUTHORIZE THE INTERIM CITY MANAGER TO  
AUTHORIZE PAYMENT TO AFFECTED IAFF LOCAL 1799  
BARGAINING UNIT MEMBERS

WHEREAS, PERB Case A2020-324, City of Ogdensburg, NY v. IAFF Local 1799, Manpower levels – class action pay-back calculation has been awarded by Arbitrator Timothy W. Gorman; and

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WHEREAS, after submitting payment to the law firm of Blitman & King, LLP on July 25, 2023 Blitman & King on behalf of the IAFF Local 1799 filed a petition dated August 2, 2023; and

WHEREAS, on October 16, 2023 Hon. Mary M. Farley “ordered, adjudged and decreed that pursuant to CPLP Section 5002, interest is awarded from April 14, 2023 to the date of entry of this order and judgment”; and

WHEREAS, Hon. Mary M. Farley further ordered that the city “is required to pay back-pay directly to the affected bargaining unit members”; and

WHEREAS, it is in the best interest of the City of Ogdensburg to resolve this matter with respect to defendants without further litigation and shall settle all debts against the defendants to avoid protracted litigation.

NOW, THEREFORE, BE IT RESOLVED, that the award in the amount of \$519,680.68 shall be paid, in accordance with Hon. Mary M. Farley’s decree along with 9% interest equaling \$24,987.39 for payments totaling \$544,668.07 to the individual bargaining members of the IAFF Local 1799 as follows:

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<b>City of Ogdensburg</b>	
<b>Ogdensburg Firefighters Association,</b>	
<b>Local 1799, A.F.L., C.I.O., I.A.F.F</b>	
<b>Arbitration Award</b>	
<b>NYS PERB Case No. A2020-324</b>	
<b>Bargaining Unit Member</b>	<b>Total Due</b>
Ron Bouchard	\$234.30
Jarred Wells	\$290.44
Randy Petell	\$2,383.43
Blair Roethel Estate	\$5,085.60
Raymond LaRock	\$5,216.35
Jayson Smith	\$18,250.13
Donald McCarthy	\$18,364.11
Jason Bouchard	\$30,927.73
Eric Brunet	\$30,927.73
Aaron Charlton	\$30,927.73
Charles Irvin	\$30,927.73
Brian Kirby	\$30,927.73
Jamie Ladouceur	\$30,927.73
Charles Langley	\$30,927.73
Patrick LeClair	\$30,927.73
Scott McCormick	\$30,927.73
Allen Rickett	\$30,927.73
Michael Robinson	\$30,927.73
Brian Sias	\$30,927.73
Joseph Sovie	\$30,927.73
Timothy Stevenson	\$30,927.73
Daniel Stader	\$30,927.73
Kenneth Stull	\$30,927.73
<b>TOTAL</b>	<b>\$544,668.07</b>

NOW, THEREFORE, BE IT RESOLVED, that the City of Ogdensburg will need to appropriate funds for estimated related payroll taxes in an amount not to exceed \$39,755.57.

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BE IT FURTHER RESOLVED, that the execution and delivery on behalf of and in the name of the City of Ogdensburg by Interim City Manager Andrea Smith, is hereby authorized, subject to the recommendation and approval of Counsel Coughlin & Garhart, LLP, and directed to execute the proposed payments in a form substantially similar thereto and execute such other documents as may be necessary and appropriate to effectuate settlement with said defendants.

BE IT FURTHER RESOLVED that payment of this award shall be paid from Fiscal Year 2022, A3410.120 and A3410.830, for the arbitration award and taxes, respectively.

The vote was:

CARRIED, AYES ALL

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