

CITY OF LOCKPORT
CORPORATION PROCEEDINGS

Lockport Municipal Building

Regular Meeting
Official Record

August 4, 2010
6:00 P.M.

Mayor Michael W. Tucker called the meeting to order.

ROLL CALL

The following Common Council members answered the roll call:

Aldermen Kibler, Pasceri, McKenzie, Chapman, and Genewick.
Absent: Smith

RECESS

Recess for public input.

080410.1

APPROVAL OF MINUTES

On motion of Alderman Pasceri, seconded by Alderman Kibler, the minutes of the Regular Meeting of July 21, 2010 are hereby approved as printed in the Journal of Proceedings. Ayes 5. Carried.

FROM THE MAYOR

Appointments:

7/26/10 Jason Dool, 493 West Avenue, Lockport, NY appointed as Chief Building Inspector effective July 15, 2010. Said appointment is permanent and subject to the City of Lockport Municipal Civil Service Rules and Regulations. Received and filed.

7/26/10 Clayton C. Dimmick, 27 Outwater Drive, Lockport, NY appointed as Senior Building Inspector effective July 15, 2010. Said appointment is permanent and subject to the City of Lockport Municipal Civil Service Rules and Regulations. Received and filed.

7/26/10 David J. Miller, 35 Park Lane Circle, Lockport, NY appointed as Building Inspector effective July 15, 2010. Said appointment is permanent and subject to the City of Lockport Municipal Civil Service Rules and Regulations. Received and filed.

8/3/10 William C. Beshaw, 15 Briarwood Drive, Lockport, NY appointed as a member of the Traffic Advisory Committee. Said term expires June 1, 2015. Received and filed.

FROM THE CITY CLERK

The Clerk submitted payrolls, bills for services and expenses, and reported that the Department Heads submitted reports of labor performed in their departments. Referred to the Finance Committee.

Communications (which have been referred to the appropriate City officials)

7/26/10 Paul Entwistle, President, Amalgamated Local 686 UAW, 524 Walnut Street, Lockport, NY – request permission to close Vine Street between Walnut Street and Remick Parkway from 9:00 a.m. until 5:00 p.m. for their 13th Annual Buy American Day and Car Show on September 11, 2010.

Referred to the Committee of the Whole

8/3/10 Roselle Murrell, Postmaster, United States Postal Service, Lockport, NY - requests that residents of the City of Lockport restrain their pets for the safety of mail carriers. Received and filed.

Notice of Claim:

7/23/10 Louise Jenkins, 201 Church Street, Lockport, NY

7/27/10 William & Hilda Hemmerling, 811 Freeman Street, N. Tonawanda, NY

Referred to the Corporation Counsel.

Notice of Petition: (To review real property tax assessment pursuant to Article 7 of the Real Property Tax Law)

7/30/10 GM Components Holdings LLC -vs- City of Lockport

7/30/10 Professional Park LLC -vs- The Board of Assessment Review for The City of Lockport, The Assessor, and the City of Lockport

8/3/10 M & M Space, Inc. –vs- Assessor, City of Lockport & The board of Assessment Review of the City of Lockport, County of Niagara and state of New York.

8/3/10 F. W. Roberts MFG. Co., Inc. & L.G. Industries Inc. –vs- Assessor, City of Lockport & The board of Assessment Review of the City of Lockport, County of Niagara and state of New York.

Referred to the City Assessor

Petition: (Small Claims Assessment Review)

07/29/09 Ryan Mulvey, 385 Elmwood Avenue, Lockport, NY

Referred to the City Assessor.

MOTIONS & RESOLUTIONS

080410.2

By Alderman Kibler:

Resolved, that the Mayor and City Clerk be authorized to issue orders in favor of the claimants for payrolls, bills, and services to be paid on August 6, 2010.

Seconded by Alderman Pasceri and adopted. Ayes 5.

080410.3

By Alderman Kibler:

Resolved, that claims authorized for payment by the Director of Community Development, and subsequently paid from the Community Development Escrow Account, be and the same are hereby approved.

Seconded by Alderman McKenzie and adopted. Ayes 5.

080410.4

By Alderman Pasceri:

Resolved, that the Mayor and Common Council do hereby extend congratulations and appreciation to the following City employees for their years of dedicated service to the City of Lockport:

<u>Employee</u>	<u>Years of Service</u>	<u>Title</u>
Gregory C. Eckert	35	WWTP Instrument Technician
William M. Riley	35	Senior Water Treatment Plant Operator
Martin C. Stoll	30	Senior Bldg Maintenance Mechanic
Douglas C. Nicholson	15	Firefighter
Douglas E. Haak Jr	15	Police Lieutenant
Dennis C. Sobieraski	15	Police Officer
Adam R. Piedmont	05	Police Officer
Matthew T. Streckewald	05	Police Officer

Seconded by Alderman Genewick and adopted. Ayes 5.

080410.5

By Alderman McKenzie:

Resolved, that Sterling Carroll is hereby granted permission to conduct "Until The Wheels Fall Off" on Saturday, September 4, 2010 from 8:00 a.m. until 6:00 p.m. at Railyard Skate Park, subject to adherence to established rules and regulations for City parks, and be it further

Resolved, that the Highways & Parks Department is hereby authorized and directed to deliver picnic tables and garbage cans, and arrange to have the restroom facilities opened and the electricity turned on for said event.

Seconded by Alderman Kibler and adopted. Ayes 5.

080410.6

By Alderman McKenzie:

Resolved, that pursuant to their request, Amalgamated Local 686 UAW is hereby granted permission to barricade Vine Street from Walnut Street to Remick Parkway on September 11, 2010 from 9 a.m. to 5 p.m. for their 12th Annual Buy American Day and 11th Annual UAW Car Cruise, and be it further

Resolved, that the Highways & Parks Department is hereby authorized and directed to deliver barricades to said area prior to the event.

Seconded by Alderman Pasceri and adopted. Ayes 5.

080410.7

By Alderman Pasceri:

Resolved, that the Corporation Counsel be and the same is hereby authorized and directed to prepare a local law regarding the State of New York's Retirement Incentive program and be it further,

Resolved, that a public hearing be held at the Common Council meeting of August 18, 2010, starting at 6:00 P.M. in the Common Council Chambers, Lockport Municipal Building, One Locks Plaza, Lockport, NY relative to said local law, an be it further,

Resolved, that the City Clerk is hereby authorized and directed to advertise notice of said public hearing.

Seconded by Alderman McKenzie and adopted. Ayes 5.

By Alderman Kibler:

Resolved, that the reading of the foregoing resolution be and the same is hereby waived.

Seconded by Alderman McKenzie and adopted. Ayes 5.

080410.8

By Alderman Pasceri:

Resolved, that the City of Lockport 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	Standard Work Day (hrs/day)	Term Begins/Ends	Participates In Employer's Time Keeping System (Y/N)	Days-Month (based on Record of Activities)
<i>ELECTED</i>					
Mayor	M. Tucker	7	1/1/08-12/31/11	N	21
Treasurer	M. White	7	1/1/08-12/31/11	N	21
<i>APPOINTED</i>					
Clerk	R. Mullaney	7	6/30/07-6/30/2012	N	21
Corporation Counsel	J. Ottaviano	7	1/1/10-12/31/2010	N	21
1st Deputy Counsel	D. Blackley	3.50	1/1/10-12/31/2010	N	10.5
2nd Deputy Counsel	M. Brooks	3.5	1/1/10-12/31/2010	N	10.5
3rd Deputy Counsel	M. Norris	1.5	1/1/10-12/31/2010	N	4.5

Seconded by Alderman Genewick and adopted. Ayes 5.

080410.9

By Alderman Chapman:

Resolved, that pursuant to his request and presentation at the Committee of the Whole on July 29, 2010, Christopher Parada, be and the same is hereby given permission to construct a 'Santa Claus House' at Altro Park and be it further

Resolved, that said permission is subject to the approval of the Chief Building Inspector and any and all City permit fees be waived.

Seconded by Alderman Kibler and adopted. Ayes 5.

080410.10

By Alderman Pasceri:

Whereas, resolution #102208.9C authorized the City of Lockport to enter into a State Assistance Contract for the completion of a Brownfield Opportunity Area Program Step 2, and

Whereas, the State Assistance Contract has a 10% local share cost of \$41,200, now therefore be it

Resolved, the City Treasurer be and the same is hereby authorized and directed to make the following transfer to fund the City's local share requirement, with the balance paid by the use of in-kind City of Lockport staff time:

\$30,000 from Account # 004 0520 0086 to Account # 004 0200 0108

Seconded by Alderman McKenzie and adopted. Ayes 5.

080410.10A

By Alderman Pasceri:

Resolved, that the Corporation Counsel be and the same is hereby authorized and directed to prepare a local law relative to the continuance of the bed tax, and be it further

Resolved, that a public hearing be held at the Common council meeting of August 18, 2010 starting at 6:00 P.M. in the Common Council Chambers relative to said proposed local law, and be it further

Resolved, that the City Clerk is hereby authorized and directed to advertise notice of said public hearing.

Seconded by Alderman Kibler and adopted. Ayes 5.

080410.10B

By Alderman Pasceri:

Resolved, that pursuant to their request, Resurrection Racing is hereby granted permission to use the rest room facilities and pavilion at Nelson C. Goehle Wide Waters Marina for overnight use on Saturday, August 21, and Sunday, August 22, 2010, for a resting shelter for the Beast of Burden race. Said permission is subject to Resurrection Racing filing a certificate of insurance with the City Clerk naming the City of Lockport as additional insured, and be it further

Resolved, that The Highways and Parks Department is hereby authorized and directed to deliver traffic cones and barricades to close off the parking lot.

Seconded by Alderman Genewick and adopted. Ayes 5.

080410.10C

By Alderman Kibler:

Resolved, that the Superintendent of Highways and Parks be and the same is hereby authorized to purchase via state a new 6 ton Dump Truck, 4x2 Cab & Chassis with 10' Dump body, front and wing trip edge plows, and Tarp System for a total cost not to exceed \$135,626.45 to be charged to CHIPS fund.

Seconded by Alderman Pasceri and adopted. Ayes 5.

080410.10D

By Alderman Kibler

Resolved, that pursuant to the request of Corporation Counsel, the following bid proposals for a 1500 GMP CAFS Pumper Rescue Fire Apparatus are hereby rejected:

Churchville Fire Equipment Corp. Churchville, NY	\$ 529,074
Gorman Emergency Vehicles Elma, NY	\$449,606
Fire Equipment Sales & Service Inc. Crimson Fire Westfield, NY	no bid

And be it further

Resolved, that the Fire Chief, be and the same is hereby authorized and directed to prepare bid specifications for same, subject to Corporation Counsel approval, and be it further

Resolved, that upon receipt of said specifications, the City Clerk is authorized and directed to advertise for bid proposals for same.

Seconded by Alderman Chapman and adopted. Ayes 5.

080410.11

ADJOURNMENT

At 6:10 P.M. Alderman Pasceri moved the Common Council be adjourned until 6:00 P.M., Wednesday, August 18, 2010.

Seconded by Alderman Kibler and adopted. Ayes 5.

RICHARD P. MULLANEY
City Clerk