

**CITY OF LOCKPORT**  
**CORPORATION PROCEEDINGS**

Lockport Municipal Building

Regular Meeting  
Official Record

September 1, 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, Smith, McKenzie, Chapman, and Genewick.  
Absent: Pasceri

**RECESS**

Recess for public input.

**090110.1**

**APPROVAL OF MINUTES**

On motion of Alderman Kibler, seconded by Alderman McKenzie, the minutes of the Regular Meeting of August 18, 2010 and the Special Meeting of August 30, 2010 are hereby approved as printed in the Journal of Proceedings. Ayes 5. Carried.

**CANCELLED PUBLIC HEARING: PLUMBING RULES & REGULATIONS**

**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)

8/25/10 Richard P. Mullaney, City Clerk – Notification that the Lockport Municipal Offices will be closed on Monday, September 6, 2010 in observance of Independence Day. Garbage scheduled to be collected on Monday, September 6<sup>th</sup> will be picked-up on Tuesday, September 7<sup>th</sup>. Referred to the Media.

8/30/10 Richard P. Mullaney, City Clerk – report of bid proposals received on August 27, 2010 for Niagara Street Crack and Seat PCC Pavement as follows:

Keeler Construction Co., Inc. Albion, NY	\$68,546.00
Scott Lawn Yard, Inc. Sanborn, NY	81,650.00

Referred to the Committee of the Whole

8/31/10 Orleans County Department of Planning and Development, Niagara County Department of Economic Development – Notification of Land Use Training for Municipal Officials on Wednesday, September 29, 2010 from 5:00 p.m. until 9:00 p.m. at Medina Clifford Wise Middle School Auditorium. Received and filed.

## **MOTIONS & RESOLUTIONS**

### **090110.2**

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 September 3, 2010.

Seconded by Alderman McKenzie and adopted. Ayes 5.

### **090110.3**

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 Genewick and adopted. Ayes 5.

### **090110.4**

By Alderman Genewick:

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>
Lawrence M. Eggert	30	Police Chief
David P. Barrancotta	30	Police Lieutenant
Jeffrey H. Brodsky	30	Police Captain
Roger LaRoach	20	Heavy Equipment Operator
Kevin M. Watier	15	Firefighter
Norman D. Allen	05	Director of Engineering

Seconded by Alderman Kibler and adopted. Ayes 5.

**090110.5**

By Alderman Kibler:

Resolved, that the 2010 General Fund Budget be and the same is hereby amended by creating the position of Student Intern (seasonal) in the 01 1440.100 budget, for a period not to exceed 18 weeks at \$10.00 per hour at 35 hours per week, and be it further

Resolved, that the City Treasurer be and the same is hereby authorized and directed to transfer \$6,300.00 from account 01 1620.100 to 01 1440.100 to pay for said position.

Seconded by Alderman McKenzie and adopted. Ayes 4. Nays 1 Alderman Smith.

**090110.6**

By Alderman Kibler:

Whereas, the City of Lockport presently bills charges for all ambulance claims directly to the insurance provider, and

Whereas, a large portion of the claims submitted by the City are not paid in full leaving the balance due from the citizen, and

Whereas, Multiplan Inc. has agreed to act as an intermediary and negotiate in favor of the citizen the amount covered by the insurance carrier, and

Whereas, Multiplan Inc. has agreed to provide such service for 5% of the billed charges as payment-in-full for all non-contract claims submitted to Multiplan Inc., now therefore be it

Resolved, that the Mayor is hereby authorized to enter into a contract with Multiplan, Inc. for the sum of 5% of the billed charges for non-contract claims.

Seconded by Alderman Genewick and adopted. Ayes 4. Nays 1 Alderman Chapman.

**090110.7**

By Alderman Kibler:

Whereas, the Common Council on March 3, 2010, authorized and directed the Mayor to submit to the New York State Division of Housing and Community Renewal (DHCR) an application for assistance under the New York State HOME Program, and

Whereas, the Mayor has been notified by DHCR that said application has been approved for funding in the amount of \$300,000.00 and has been forwarded a Grant Agreement Amendment for execution, now, therefore, be it

Resolved, that the Mayor is hereby authorized and directed to execute and deliver the Grant Agreement Amendment to DHCR, and to take all acts and execute and deliver any and all documents.

Seconded by Alderman McKenzie and adopted. Ayes 5.

**090110.8**

By Alderman McKenzie:

Resolved, that Section 190-94 of the City Code Parking Restrictions be amended by adding the following:

- D. Prior legal non-conforming impervious surfaces such as blacktop, concrete, or brick may be repaired, resurfaced or replaced with the same or similar impervious material such as concrete, blacktop or brick subject to the approval of the Chief Building Inspector. The dimensions of the prior legal non-conforming impervious use shall not be changed.

Seconded by Alderman Kibler and adopted. Ayes 5.

**090110.9**

By Alderman McKenzie:

Whereas, the City of Lockport is engaged in the administration of the Federal HOME Investment Partnership Program, and

Whereas, the City has established as a primary goal the provision of safe, decent and sanitary housing, and

Whereas, the Lockport Common Council is desirous of establishing a HOME Housing Rehabilitation Program to further the City's primary goal; now, therefore, be it

Resolved, that said HOME Housing Rehabilitation Program (Performance Based Initiative) be hereby adopted and that the Director of Community Development be authorized to administer those 2010 funds budgeted for said program.

Seconded by Alderman Genewick and adopted. Ayes 5.

**090110.10**

By Alderman Genewick:

Resolved, that the Common Council of the City of Lockport does hereby elect to provide the additional pension benefits of Section 41-j of the Retirement and Social Security Law, as presently or hereafter amended, and be it further

Resolved, that the effective date of such shall be the 30<sup>st</sup> day of September, 2010.

Seconded by Alderman Kibler and adopted. Ayes 4. Nays 1 Alderman Chapman.

**090110.10A**

By Alderman Kibler:

Resolved, that pursuant to their request, permission is hereby granted the residents of Lock Street to barricade Lock Street from Monroe Street to the dead end on September 11, 2010, for a block party, and be it further

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

Seconded by Alderman Genewick and adopted. Ayes 5.

**090110.10B**

By Alderman Kibler:

Whereas, the Common Council on April 7, 2010, authorized and directed the Mayor to submit to the New York State Office of Community Renewal an application for assistance under the Small Cities Community Development Block Grant Program; and

Whereas, the Mayor has been notified that said application has been approved for funding in the amount of \$400,000.00 and has been forwarded a Grant Agreement for execution, now, therefore, be it

Resolved, that the Mayor be and he hereby is authorized and directed to execute and deliver the Grant Agreement to the New York State Office of Community Renewal, and to take all acts and execute and deliver any and all documents.

Seconded by Alderman McKenzie and adopted. Ayes 5.

**090110.10C**

By Alderwoman McKenzie:

Whereas, the City of Lockport is engaged in the administration of the Community Development Block Grant Program, and

Whereas, the City of Lockport has established a Homeownership Program for the City of Lockport residents, now, therefore, be it

Resolved, that the Director of Community Development be authorized to administer those 2010 Community Development funds budgeted for the Homeownership Program, as approved by the New York State Office of Community Renewal.

Seconded by Alderman Genewick and adopted. Ayes 5.

**090110.10D**

By Alderman Kibler:

Resolved, that pursuant to the recommendation of the Director of Engineering, the bid proposal of Keeler Construction, Inc., 13519 West Lee Road, Albion, NY, received on August 27, 2010, for Niagara Street Crack and Seat PCC Pavement be accepted in the amount of \$68,546.00. Cost of same to be charged to account #004-0520-0082.

Seconded by Alderman McKenzie and adopted. Ayes 5.

**090110.10E**

By Alderman Kibler:

Resolved, that pursuant to the request of the Superintendent of Highways and Parks, the City Treasurer be and the same is hereby authorized and directed to transfer funds for parking lot resurfacing materials not to exceed \$5,000 from account #001-1900-1910 to account 001-5110-489 and \$22,000 for equipment repairs from account #001-1900-1910 to Account #001-5130-451.

Seconded by Alderman Genewick and adopted. Ayes 5.

**090110.10F**

By Alderman Smith:

Resolved, that the Superintendant of Highways and Parks be and the same is hereby authorized and directed to make arrangements to deliver the City stage to Upson Park on September 11, 2010 by 9:00 a.m. and to be picked up on September 13, 2010, and be it further

Resolved, that all fees are hereby waived.

Seconded by Alderman Kibler and adopted. Ayes 5.

**090110.11**

**ADJOURNMENT**

At 6:12 P.M. Alderman Kibler moved the Common Council be adjourned until 6:00 P.M., Wednesday, September 15, 2010.

Seconded by Alderman McKenzie and adopted. Ayes 5.

RICHARD P. MULLANEY  
City Clerk