

CITY OF LOCKPORT
CORPORATION PROCEEDINGS

Lockport Municipal Building

Regular Meeting
Official Record

June 4, 2014
6:00 P.M.

Mayor Anne E. McCaffrey called the meeting to order.

ROLL CALL

The following Common Council members answered the roll call:

Aldermen Kibler, Lombardi, Fogle, Franco, Schrader, and

Absent: Alderman Genewick.

MAYOR'S UPDATE

RECESS

Recess for public input.

Minutes correction – May 21, 2014

Common Council resolution 052114.2

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 May 23, 2014 as follows:

General Fund	Account #001	\$ 205,582.28
Water Fund	Account #002	\$ 37,414.96
Sewer Fund	Account #003	\$ 51,859.48
Refuse Fund	Account #012	\$ 90,295.88
Payroll	Pay Date 5/29/14 5/15/14	\$654,554.02

060414.1

APPROVAL OF MINUTES

On motion of Alderman Kibler, seconded by Alderman Lombardi, the minutes of the Regular Meeting of May 21, 2014 are hereby approved as printed in the Journal of Proceedings. Ayes 5. Carried.

FROM THE MAYOR

Appointment:

5/29/14 Francesca Gariano, 1335 94th Street, Niagara Falls, NY – appointed as Commissioner of Deeds. Said term expires December 31, 2014.
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)

Notice of Defect:

5/19/14 187 Lock Street – tree Stump
5/19/14 High Street (in front of Roy B Kelly School) – potholes
5/22/14 Intersection of Cottage & High Streets – potholes
5/22/14 State Street – potholes
5/29/14 5 Blackley Court – pothole
Referred to the Assistant Director of Engineering.

Notice of Claim:

5/19/14 James Rhodes, 40 Pennsylvania Ave, Lockport, NY
5/19/14 Clara Thompson, 1810 Coomer Rd, Barker, NY
5/19/14 John Peracciny, 9425 Chestnut Ridge Rd, Middleport, NY
5/20/14 William & Donna Beshaw, 15 Briarwood Dr, Lockport, NY
5/20/14 Kimberly Y. Olson, 6828 Forestview Dr, Lockport, NY
5/20/14 David W. Olson, 6828 Forestview Dr, Lockport, NY
5/21/14 Ralph Williams, 125 Lock St, Apt 4, Lockport, NY
5/22/14 Lauren Wolf, 5159 Oakwood Pl, N Tonawanda, NY
5/29/14 Georgia Just, 5 Blackley Ct, Lockport, NY
Referred to the Corporation Counsel.

MOTIONS & RESOLUTIONS

060414.2

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 June 6, 2014 as follows:

General Fund	Account #001	\$107,879.43
Water Fund	Account #002	\$ 30,820.95
Sewer Fund	Account #003	\$ 25,435.20
Refuse Fund	Account #012	\$ 0
Payroll	Pay Date 5/29/14	\$506,410.72

Seconded by Alderman Franco and adopted. Ayes 5.

060414.3

By Alderman Kibler:

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

Seconded by Alderman Fogle and adopted. Ayes 5.

060414.4

By Alderman Kibler:

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>
Kevin T. Ryan	25	Firefighter
Daniel T. Cole	20	Heavy Equipment Operator

Seconded by Alderman Lombardi and adopted. Ayes 5.

060414.5

By Alderman Lombardi:

Resolved, that the request for a special use permit made by Jordan Bork to operate an E-Cigarette Store, located at 343 Walnut Street, situated in a B-4 Zone, be and the same is hereby approved, subject to the following provisions:

- No change in character of neighborhood.
- No excessive noise or disturbance of neighborhood.
- No appreciable change in traffic.
- No outside storage of materials.
- Special permits can be indefinite or limited to a specific time.

The special permit shall go to the applicant only and shall terminate on the sale or transfer of the property, and further it terminates if the use permitted is abandoned for more than one year, if any of the conditions enumerated herein have changed, and in the discretion of the Common Council make such use unsuitable.

Seconded by Alderman Fogle and adopted. Ayes 4, Noes 1 – Ald. Franco

060414.6

By Alderman Lombardi:

Resolved, that pursuant to their request, permission is hereby granted to Groff's Tavern to barricade Union Street from Washburn Street to Ann Street on June 21, 2014 for a fundraising event and be it further

Resolved, that the Assistant Director of Engineering be and the same is hereby authorized and directed to arrange for delivery barricades and refuse containers to said area prior to said event.

Seconded by Alderman Schrader and adopted. Ayes 5.

060414.7

By Alderman Kibler:

WHEREAS, on Wednesday, September 25, 2013, the New York State Comptroller's office classified the City of Lockport as a fiscally stressed municipality in the "moderately" stressed category, and

WHEREAS, on Wednesday, October 2, 2013, the Common Council gave the City Treasurer authority to issue \$2,700,000 one-year Revenue Anticipation Notes to raise the necessary quick cash to pay a cash flow shortfall and an anticipated fund balance of zero due to increases in employee health and pension benefits, and

WHEREAS, on November 12, 2013, Council President Anne E. McCaffrey raised concerns about the City's finances and distributed to Mayor Michael W. Tucker and the Common Council a plan for restructuring the Department of Youth and Recreation (a copy of which is incorporated herein by reference), and

WHEREAS, on Wednesday, November 20, 2013, the City adopted the 2014 Budget and eliminated seven (7) Firefighters, one (1) Sr. Account Clerk, one (1) Building Inspector, one (1) Highways and Parks employee, one (1) Youth Bureau Aid, and the \$80,000 plus annual summer Labatt Canal Concert Series, and

WHEREAS, on Thursday, May 2, 2014, the City of Lockport Fire Board imposed a reduction in minimum staffing levels from nine (9) firefighters to a minimum of seven (7) firefighters by taking one of the City's two ambulances out of service and by having two paramedics attend each call instead of three paramedics due to anticipated over time exceeding \$1,000,000, and

WHEREAS, the Common Council and the Mayor have decided not to fill the recently vacated position of City Engineer in an effort to offset increased personnel costs, address cash flow shortfalls and restore the fund balance, and

WHEREAS, the Mayor and Common Council recently filled the vacant position of Secretary to the Mayor at an annual salary of \$10,000 less than the previous Secretary to the Mayor, and

WHEREAS, the Mayor and Common Council continue to examine the possibility of transferring emergency dispatch from the City to the County as another cost cutting measure, and

WHEREAS, the Mayor and Common Council are also examining the possibility of not filling the recently vacated position of K-9 officer in the police department as another cost saving measure, and

WHEREAS, the City's cash flow is still being monitored by the presence of two New York State Auditors on site at City Hall, and

WHEREAS, there is no other sources of revenue at this time to the City to offset projected increases in personnel costs such as health care and pensions, and

WHEREAS, the New York State Comptroller's Office recommends a minimum fund balance of 5% of expenditures to cover unanticipated contingencies and the City's fund balance is zero.

NOW THEREFORE BE IT

RESOLVED, that the operations of City Government be modified as follows:

1. The position of Director of Youth and Recreation is hereby abolished from the budget.
2. The City shall coordinate youth oriented activities with local Non-Profit organizations.
3. The City shall examine the feasibility of restoring the position of Youth Coordinator on a part time basis under another department.
4. The Corporation Council shall research and recommend whether any changes need to be made to the City Charter and Code to effectuate the above.

Seconded by Alderman Fogle and adopted. Ayes 4, Noes 1 – Ald. Schrader

060414.7A

By Alderman Fogle:

Resolved, that pursuant to their request, the National Adult Baseball Association Inc. is hereby granted permission to use the baseball field at Outwater Park for their 2014 summer league subject to approval of the schedule by the Highways & Parks Department and the National Adult Baseball Association Inc. filing a certificate of insurance with the City Clerk naming the City of Lockport as additional insured.

Seconded by Alderman Kibler and adopted. Ayes 5.

060414.7B

By Alderman Lombardi:

Resolved, that the Mayor and Common Council do hereby extend condolences to the family of Thomas B. London, a retired City of Lockport Highways & Parks employee who recently passed away.

Seconded by Alderman Franco and adopted. Ayes 5.

060414.7C

By Alderman Lombardi:

Resolved, that pursuant to their request, permission is hereby granted the Lakeview Parkway Association to barricade Lakeview Parkway on Saturday, June 28, 2014 for a block party, and be it further

Resolved, that the Assistant Director of Engineering be and the same is hereby authorized and directed to arrange for delivery of barricades, picnic tables and trash barrels to the area prior to said event.

Seconded by Alderman Franco and adopted. Ayes 5.

060414.7D

By Alderman Fogle:

Whereas, the family of the late Sara J. Person, aka Mrs. Rib's, has requested permission to host a fundraising event at Ida Fritz Park in honor/recognition of Mrs. Rib's to raise money for organizations such as Niagara Hospice, Church Groups, etc., now therefore be it

Resolved, that the permission is hereby granted to conduct the 1st Annual Mrs. Rib's Family Reunion BBQ Festival in Ida Fritz Park on Saturday, July 26, 2014 from 12:30 p.m. to 8:30 p.m., and be it further

Resolved, that said permission includes the following:

1. to operate a market place at the park for the sale of food and drink
2. to barricade West Avenue and Park Avenue at Hawley Street to North Transit Street and Hawley Street between Park Avenue and West Avenue
3. to have entertainment including a contemporary blues band, a DJ, and Gospel singers

and, be it further

Resolved, that said permission is subject to Mrs. Rib's Family Reunion BBQ Festival filing a certificate of insurance with the City Clerk naming the City of Lockport as additional insured, and be it further

Resolved, that the Assistant Director of Engineering is hereby authorized and directed to arrange for delivery of barricades, traffic cones, street closed signs and extra picnic tables to the area prior to the events.

Seconded by Alderman Lombardi and adopted. Ayes 5.

060414.8 ADJOURNMENT

At 6:29 P.M. Alderman Kibler moved the Common Council be adjourned until 6:00 P.M., Wednesday, June 18, 2014.

Seconded by Alderman Fogle and adopted. Ayes 5.

RICHELLE J. PASCERI
City Clerk