



## MOTIONS & RESOLUTIONS

### 070611.2

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 July 8, 2011.

Seconded by Alderman Pasceri and adopted. Ayes 6.

### 070611.3

By Alderman Kibler:

Resolved, that claims authorized for payment by the Department 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 6.

### 070611.4

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>
John Walsh Jr	10	Motor Equipment Operator
Jon B. Fredrickson	5	Firefighter
Christopher C. Lane	5	Firefighter
James M. Scapelliti	5	Firefighter
Scott A. Cercone	5	Motor Equipment Operator

Seconded by Alderman Genewick and adopted. Ayes 6.

### 070611.5

By Alderman Pasceri:

Resolved, that resolution # 080410.8 adopted on August 4, 2010, is hereby be amended as follows:

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)
<b><i>ELECTED</i></b>					
Mayor	<b>Michael Tucker</b>	7	1/1/08-12/31/11	N	21
Treasurer	<b>Michael White</b>	7	1/1/08-12/31/11	N	21

<b>APPOINTED</b>					
Clerk	<b>Richard Mullaney</b>	7	6/30/07- 6/30/2012	N	21
Corporation Counsel	<b>John Ottaviano</b>	7	1/1/10- 12/31/2010	N	21
1st Deputy Counsel	<b>David Blackley</b>	7	1/1/10- 12/31/2010	N	10.5
2nd Deputy Counsel	<b>Matthew Brooks</b>	7	1/1/10- 12/31/2010	N	10.5
3rd Deputy Counsel	<b>Michael Norris</b>	7	1/1/10- 12/31/2010	N	4.5

Seconded by Alderman Kibler and adopted. Ayes 6.

**070611.6**

By Alderman Pasceri:

Resolved that, the Greater Lockport Development Corporation, pursuant to their variance, is hereby granted permission to erect a ground sign on Ontario Street in the city's right-of-way.

Seconded by Alderman McKenzie and adopted. Ayes 6.

**070611.7 WITHDRAWN** (Award bid – Enhanced Blower System Demo Project)

**070611.8**

By Alderman Kibler:

Resolved, that pursuant to the recommendation of the Director of Engineering, the bid proposals received on June 3, 2011, for the Asbestos Abatement and Structure Demolition of the Dussault Building located at 8 and 10 Washburn Street be rejected, and be it further

Resolved, that the Director of Engineering is hereby authorized and directed to prepare new bid specifications for said project, 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 Pasceri and adopted. Ayes 6.

**070611.9**

By Alderman McKenzie:

Resolved, that pursuant to the request of the Monday Night Cruise Optimist Club, permission is hereby granted to erect and maintain a sign at Ida Fritz Park, subject to approval of the Chief Building Inspector.

Seconded by Alderman Kibler and adopted. Ayes 6.

**070611.10**

By Alderman Pasceri:

Resolved that the 2011 Refuse budget be amended by creating 4 seasonal laborer positions at a cost of \$8.00 per hour, for 40 hours per week, for 12 weeks. Cost of same to be charged to account # 012-8260-100.

Seconded by Alderman McKenzie and adopted. Ayes 5, Nay 1 – Ald. Smith.

**070611.11**

By Alderman McKenzie:

Resolved, that resolution # 011911.4 adopted by the Common Council at their January 19, 2011 meeting, is hereby amended as follows:

Resolved, that the Mayor, subject to Corporation Counsel approval, be and the same is hereby authorized and directed to execute a ~~three (3)~~ **four (4)** year renewal contract with the Niagara County SPCA for City dog control holding center services at the following rates:

<b>2011</b>	<b><del>\$27,594.00</del></b>	<b>\$22,075.20</b>
<b>2012</b>	<b><del>\$27,594.00</del></b>	<b>\$22,075.20</b>
<b>2013</b>	<b><del>\$28,973.40</del></b>	<b>\$22,075.20</b>
<b>2014</b>		<b>\$22,075.20</b>

Seconded by Alderman Genewick and adopted. Ayes 6.

**070611.12**

By Alderman Pasceri:

Whereas, pursuant to General Municipal Law §120-w Contracts and Agreements for Solid Waste Management, Collection and Disposal, the City of Lockport advertised for proposals to provide Refuse Collection and Disposal and Recyclable Materials Collection and Processing, and

Whereas, the City of Lockport Refuse and Recycling Committee has reviewed the bid proposals submitted on May 20, 2011 by Allied Republic, Kenmore, NY; Modern Disposal Services, Inc., Model City, NY; and Waste Management, West Seneca, NY, now therefore be it

Resolved, that the City of Lockport Refuse and Recycling Committee, pursuant to the aforementioned General Municipal Law, recommends that the bid for refuse collection and disposal and recyclable material collection and processing be awarded to Modern Disposal Services Inc., and be it further

Resolved, that the Mayor, subject to Corporation Counsel approval, be and the same is hereby authorized and directed to enter into an agreement with Modern Disposal Inc. for same.

Seconded by Alderman Genewick and adopted. Ayes 5, Nay 1 – Ald. Smith.

**070611.13**

By Alderman Pasceri:

Whereas, the City of Lockport issued a bid request to supply wheeled refuse carts in approximately 35, 65, and 95-gallon size, and

Whereas, the City received bids from the following vendors on June 10, 2011:

- Toter, Statesville, NC
- Rehrig Pacific Co., Erie, PA
- Cascade Engineering, Woodbury, CT
- Otto Environmental Systems, Charlotte, NC

And,

Whereas, the City of Lockport Refuse and Recycling Committee has reviewed the above referenced bid proposals, and recommends the bid be awarded to Cascade Engineering, now therefore be it

Resolved, that the Mayor, subject to Corporation Counsel approval, be and the same is hereby authorized and directed to enter into an agreement with Cascade Engineering for same.

Seconded by Alderman McKenzie and adopted. Ayes 5, Nay 1 – Ald. Smith.

**070611.14**

By Alderman Pasceri:

Whereas, application is being made by the Historic Palace Theatre for Greenway funding for an exterior renovation project to include pointing of the brick exterior and the installation of new windows and awnings and a new marquee on Main Street in downtown Lockport, and

Whereas, the Historic Palace Theatre was constructed in 1925 and was one of the most beautiful and modern theatres of its time, and

Whereas, the Theatre has fundraised and invested significant funds over the last ten years to make numerous improvements to the building including roof replacement, installation of a new heating and cooling system, renovation of the bathrooms, new carpeting, new stage ropes and rigging, and

Whereas, the Palace Theatre has become essential to the economic and cultural health of the City of Lockport, and

Whereas, the proposed exterior renovation will improve the aesthetics and functionality of the Theatre, benefitting Lockport's downtown core, now therefore be it

Resolved, that the City of Lockport hereby approve and sponsor the application of the Historic Palace Theatre for Greenway funding for the Exterior Renovation Project, and be it further

Resolved, that the City of Lockport will work with the Niagara County Standing Committee to ensure the Historic Palace Theatre Restoration Project be completed in accordance with Niagara River Greenway Principles and Standards, and be it further

Resolved, that the City of Lockport will work with the Greater Lockport Development Corporation to provide signage consistent with the Niagara County Greenway template to direct people to highlight the Palace Theatre and other local projects receiving Greenway funds.

Seconded by Alderman Kibler and adopted. Ayes 6.

**070611.15**

By Alderman Pasceri:

Resolved, that pursuant to their request, Christina Pratz is hereby granted permission to have a DJ at Outwater Park on August 27, 2011.

Seconded by Alderman Genewick and adopted. Ayes 6.

**070611.16**

By Alderman Pasceri:

Resolved, that the Corporation Counsel is hereby authorized and directed to prepare a Local Law relative to Refuse, and be it further

Resolved, that a public hearing be held at the Common Council meeting of July 20, 2011, starting at 6:00 P.M. in the Common Council Chambers, Lockport Municipal Building, One Locks Plaza, Lockport, NY relative to said 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 6.

**070611.16A**

By Alderman Pasceri:

Resolved, that pursuant to their request, SEIU United Healthcare Workers East is hereby granted permission to erect a tent at Veteran’s Park on July 12, 2011 subject to filing a certificate of insurance with the City Clerk naming the City of Lockport as additional insured.

Seconded by Alderman Genewick and adopted. Ayes 6.

**070611.16B**

By Alderman Smith:

Resolved, that pursuant to the request of David Etherton, owner of Young and Exclusive, permission is hereby granted to display two mannequins for advertising purposes in the City’s right-of-way at 50b Locust Street, subject to the following provisions:

The mannequins are to be displayed only during hours of operation,

The mannequins do not create a public hazard,

filing a certificate of insurance with the City Clerk naming the City of Lockport as additional insured, leaving the City free and clear of all liability in connection therewith.

Seconded by Alderman Kibler and adopted. Ayes 6.

**070611.16C**

By Alderman McKenzie:

Resolved, that pursuant to their request, permission is hereby granted to the Navy-Marine Club to barricade Park Avenue from the Navy-Marine Club to Hawley Street on August 13, 2011 for their annual picnic, 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 Pasceri and adopted. Ayes 6.

**070611.16D**

By Alderman Smith:

Resolved, that pursuant to the request of Sweet 16 Cafe, permission is hereby granted to erect a sign in the city’s right of way at 16 W. Main Street, and be it further

Resolved, that permission is hereby granted to place table and chairs on the sidewalk in the city’s right-of-way subject to the following provision:

Use of the city’s right-of-way only during hours of operation,

There is no interference with pedestrian traffic,

filing a certificate of insurance with the City Clerk naming the City of Lockport as additional insured, leaving the City free and clear of all liability in connection therewith,

and be it further

Resolved, that the Director of Engineering is hereby authorized and directed to remove the park bench at 16 W Main Street and relocate at a site to be determined.

Seconded by Alderman McKenzie and adopted. Ayes 6.

**070611.17**

**ADJOURNMENT**

At 7:13 P.M. Alderman Pasceri moved the Common Council be adjourned until 6:00 P.M., Wednesday, July 20, 2011.

Seconded by Alderman McKenzie and adopted. Ayes 6.

RICHARD P. MULLANEY  
City Clerk