

CITY OF LOCKPORT
CORPORATION PROCEEDINGS

Lockport Municipal Building

Regular Meeting
Official Record

September 19, 2012
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, Lombardi, McCaffrey, Fogle, Schrader, and Genewick.

RECESS

Recess for public input.

091912.1

APPROVAL OF MINUTES

On motion of Alderman Kibler, seconded by Alderman Lombardi, the minutes of the Regular Meeting of September 5, 2012 are hereby approved as printed in the Journal of Proceedings. Ayes 6. Carried.

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)

9/12/12 Dawn Wylke, Assistant Principal, Lockport High School, 250 Lincoln Avenue, Lockport, NY – requests permission to conduct a homecoming parade on Saturday, September 22, 2012.

Referred to the Committee of the Whole

Notice of Defect:

9/11/12 180 Pound Street, Lockport, NY – tree

9/17/12 55 Lakeview Parkway, Lockport, NY – tree

9/19/12 98 Grant Street, Lockport, NY – tree

Referred to the Director of Engineering.

MOTIONS & RESOLUTIONS

091912.2

By Alderman Genewick:

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 21, 2012.

Seconded by Alderman Kibler and adopted. Ayes 6.

091912.3

By Alderman Genewick:

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 Lombardi and adopted. Ayes 6.

091912.4

By Alderman Schrader:

Resolved, that pursuant to their request, Lockport High School is hereby granted permission to conduct a Homecoming Parade in the City of Lockport on Saturday, September 22, 2012, starting at 12 p.m., subject to approval of the parade route by the Police Chief and issuance of a parade permit by the City Clerk.

Seconded by Alderman McCaffrey and adopted. Ayes 6.

091912.5

By Alderman Lombardi:

Resolved, that pursuant to the request of The Palace Theater, permission is hereby granted to maintain awnings in the City's right-of-way at 2 East Avenue, Lockport, NY subject to the following provisions:

that upon motion of the Common Council, duly adopted by a majority vote only, and thirty days notice from the City Clerk, the awnings must be removed,

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 Fogle and adopted. Ayes 6.

091912.6

By Alderman Kibler:

WHEREAS, The City of Lockport herein called the "Applicant", after thorough consideration, has hereby determined that certain work, as described in its application and attachments, herein called the "Project", is desirable; and

WHEREAS, §970-r of the General Municipal Law authorizes State assistance to eligible parties for Brownfield Opportunity Areas Program grants by means of a State Assistance Contract (the contract) and the Applicant deems it to be in the public interest and benefit under this law to enter into a contract therewith;

NOW, THEREFORE, BE IT RESOLVED BY

The City of Lockport

1. That Michael W. Tucker is the representative authorized to act in behalf of all applicants in all matters related to State assistance under §970-r of the General Municipal Law for the Project. The representative is also authorized to: sign and submit the application; execute the contract; request payment advances and reimbursements; redistribute contract reimbursements as appropriate; submit Project documentation; and otherwise act for all applicants in all matters related to the Project and to State assistance;
2. That the Applicant agrees that it will complete the Project;
3. That the Applicant agrees that it will fund its portion of the Applicant's 10% share of the Project; and
4. That this Authorization take effect immediately.

Seconded by Alderman Schrader and adopted. Ayes 6.

091912.7

By Alderman Fogle:

Resolved, that the request for a special use permit made by Brian Gear for outdoor storage of materials to be located at 120 South Niagara Street, situated in an I-2 Zone, be and the same is hereby approved, subject to the following provisions:

1. The fence be out of the 30' triangle
2. The exclusive entrance way exist only at the east end of S. Niagara Street
3. The area be kept clear of brush and debris
4. No pile of material exceed 30' in height

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 Genewick and adopted. Ayes 6.

091912.7A

By Alderman Schrader:

Whereas, the City of Lockport holds title possession of lot at 3 Elm Court by In Rem / Tax Foreclosure proceeding, and

Whereas, 3 Elm Court is now a vacant lot due to a previous City ordered demolition, and

Whereas, the Mayor and Real Property Management Committee received correspondence from Terry Mikolaichik (Owner of adjacent property at 5 (five) Elm Court) to purchase said property for the sum of \$1000, and

Whereas, the City desires to return said property to the tax role in an improved condition. Now therefore be it

Resolved, that pursuant to Section C-61 of the City Charter, the Mayor be and is hereby authorized to execute a quit claim deed to Terry Mikolaichik for the sum of \$1000.

Seconded by Alderman Fogle and adopted. Ayes 6.

091912.8

ADJOURNMENT

At 6:10 P.M. Alderman Kibler moved the Common Council be adjourned until 6:00 P.M., Wednesday, October 3, 2012.

Seconded by Alderman Genewick and adopted. Ayes 6.

RICHELLE J. PASCERI
City Clerk