

CITY OF LOCKPORT
CORPORATION PROCEEDINGS

Lockport Municipal Building

Regular Meeting
Official Record

October 2, 2013
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.

100213.1

APPROVAL OF MINUTES

On motion of Alderman McCaffrey, seconded by Alderman Lombardi, the minutes of the Regular Meeting of September 18, 2013 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)

9/30/13 Richelle J. Pasceri, City Clerk – Notification that the Lockport Municipal Offices will be closed on Monday, October 14, 2013 in observance of Columbus Day. There will be no change in the garbage pickup schedule.
Referred to the Media

Notice of Defect:

9/23/13 444 Washburn Street, Lockport, NY – tree
9/23/13 246 Garden Street, Lockport, NY – tree
Referred to the Director of Engineering.

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

9/16/13 Chetan LLC –vs- Assessor, City of Lockport AND The Board of Assessment Review of the City of Lockport, County of Niagara and State of New York AND Lockport City School District
Referred to the City Assessor.

MOTIONS & RESOLUTIONS

100213.2

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 October 4, 2013.

Seconded by Alderman Kibler and adopted. Ayes 6.

100213.3

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.

100213.4

By Alderman McCaffrey:

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>
Robert M. Lawson	5	Laborer
George W. Wiley IV	5	Laborer

Seconded by Alderman Fogle and adopted. Ayes 6.

100213.5

By Alderman Kibler:

Resolved, that the Mayor and Common Council do hereby extend condolences to the family of Eugene Sperduti, a retired City of Lockport Highway's and Parks Department employee who recently passed away.

Seconded by Alderman McCaffrey and adopted. Ayes 6.

100213.6

By Alderman Genewick:

Resolved, that resolution #091813.8 adopted by the Common Council at their September 18, 2013 meeting, regarding the Public Hearing relative to the proposed 2014 City Tax Budget, be and the same is hereby amended to change the Public Hearing date to Wednesday, October 23, 2013.

Seconded by Alderman Schrader and adopted. Ayes 6.

100213.7

By Alderman Fogle:

Resolved, that Thursday, October 31, 2013 is hereby designated as Halloween Day in the City of Lockport with the hours for trick or treating scheduled from 4:00 p.m. to 7:00 p.m.

Seconded by Alderman Genewick and adopted. Ayes 6.

100213.8

By Alderman Schrader:

Whereas, the City desires to purchase a used agitator and authorized said purchase on August 7 in resolution 080713.10E and

Whereas, the intent is to pay for this purchase from Fund Balance in the Sewer Fund and

and Whereas, a budget resolution needs to be done to move money from the Sewer Fund to Capital Projects to complete the transaction.

Resolved, the Treasurer is authorized to transfer cash (\$52,802) from the Sewer Fund to the Capital Fund and amend the city budget as follows:

Increase: Appropriations	003.0003.0960	\$52, 802
Increase: Inter-fund transfer	003.9500.9901.0903	\$52,802
Increase: Inter-Fund Transfer In	004.0004.5031	\$52,802
Increase: Capital Fund Expenditure	004.0004.0520.4146	\$52,802

Seconded by Alderman Kibler and adopted. Ayes 6.

100213.9

The following resolution was offered by Alderman Genewick, who moved its adoption, seconded by Alderman Lombardi, to-wit:

REVENUE ANTICIPATION NOTE RESOLUTION DATED OCTOBER 2, 2013.

A RESOLUTION DELEGATING TO THE TREASURER OF THE CITY OF LOCKPORT, NIAGARA COUNTY, NEW YORK, THE POWER TO AUTHORIZE THE ISSUANCE OF AND SELL REVENUE ANTICIPATION NOTES OF SAID CITY IN ANTICIPATION OF THE RECEIPT OF CERTAIN REVENUES DURING ANY FISCAL YEAR OF SAID CITY.

BE IT RESOLVED, by the Common Council of the City of Lockport, Niagara County, New York, as follows:

Section 1. Pursuant to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell, from time to time, revenue anticipation notes of the City of Lockport, Niagara County, New York, including renewals thereof, in anticipation of the receipt of sales tax, State and/or Federal grants in-aid, and moneys, rents, rates, charges and other income as defined in Section 25.00(a) of the Local Finance Law, for any year of said City, is hereby delegated to the Treasurer of said City, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner as may be determined by said Treasurer, pursuant to the provisions of the Local Finance Law.

Section 2. This resolution shall take effect immediately.

The question of the adoption of the foregoing ordinance was duly put to a vote on roll call, which resulted as follows:

Alderman Fogle	VOTING	YES
Alderman Genewick	VOTING	YES
Alderman Kibler	VOTING	YES
Alderman Lombardi	VOTING	YES
Alderman McCaffrey	VOTING	YES
Alderman Schrader	VOTING	YES

The resolution was thereupon declared duly adopted.

100213.9A

By Alderman McCaffrey:

WHEREAS, the City of Lockport and the Niagara Tourism and Convention Corporation (hereinafter "NTCC") entered into a certain Agreement dated February 20, 2003, and

WHEREAS, the Agreement has expired, and

WHEREAS, the parties to that Agreement desire to extend said Agreement from the original date of its expiration through June 18, 2014, and

WHEREAS, the pursuant to the Chapter 60, Article 29, Part I, Subpart A of Section 1202-o of the Tax Law of the State of New York the County of Niagara entered into a contract with NTCC for the promotion of tourism in the County, and

WHEREAS, pursuant to the aforesaid Tax Law the City of Lockport is obligated to pay to NTCC seventy-five percent of all hotel/motel tax collected, and

WHEREAS, the City of Lockport desires to engage NTCC to continue those services specified in said Agreement until June 18, 2014, and

WHEREAS, the NTCC is willing to provide such services until June 18, 2014.

NOW THEREFORE, BE IT

RESOLVED, that the Mayor be and is hereby authorized to enter into a contract for the period of one year until June 18, 2014 with the Niagara Tourism and Convention Corporation for the promotion of tourism in Niagara County.

Seconded by Alderman Kibler and adopted. Ayes 6.

1002013.9B

By Alderman Kibler:

Resolved, that the Mayor and Common Council do hereby extend condolences to the family of Horace I. Wolcott, Jr., a retired City of Lockport Police Captain who recently passed away.

Seconded by Alderman McCaffrey and adopted. Ayes 6.

100213.9C

By Alderman Kibler:

Resolved, that the Lockport Police Department is hereby authorized and directed to purchase a Chevrolet Caprice Police Patrol Vehicle at a cost of \$27,574.00. Cost of same to be charged to the DEA fund.

Seconded by Alderman Lombardi and adopted. Ayes 6.

100213.9D

By Alderman Lombardi:

Resolved, that pursuant to the request of Lake Effect Ice Cream, 79 Canal Street, Lockport, NY, permission is hereby granted to place tables and chairs in the City's right-of-way at 79 Canal Street 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 tables and chairs 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,

payment of the revocable permit fee of \$100.00 renewable annually.

Seconded by Alderman McCaffrey and adopted. Ayes 6.

100213.9E

By Alderman Genewick:

Resolved, that the City Clerk is hereby authorized and directed to prepare request for proposals for an External Independent Auditor, and be it further

Resolved, the City Clerk is authorized and directed to advertise for proposals for same.

Seconded by Alderman Fogle and adopted. Ayes 6.

100213.9F

By Alderman McCaffrey:

Resolved, that the Mayor, subject to Corporation Counsel approval is hereby authorized and directed to enter into agreement with Lawley Insurance for Healthcare Broker Services and named as the Broker of Record effective immediately.

Seconded by Alderman Schrader and adopted. Ayes 6.

100213.9G

By Alderman McCaffrey:

Whereas, students from the State University at Buffalo completed a downtown parking study, and,

Whereas, the Common Council has reviewed and accepted the parking study, now therefore be it

Resolved, that the Common Council will begin to implement the short term recommendations made by the parking study.

Seconded by Alderman Genewick and adopted. Ayes 6.

100213.10

ADJOURNMENT

At 6:25 P.M. Alderman McCaffrey moved the Common Council be adjourned until 6:00 P.M., Wednesday, October 16, 2013.

Seconded by Alderman Fogle and adopted. Ayes 6.

RICHELLE J. PASCERI
City Clerk