

CITY OF LOCKPORT
CORPORATION PROCEEDINGS

Lockport Municipal Building

Regular Meeting
Official Record

October 3, 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.

100312.1

APPROVAL OF MINUTES

On motion of Alderman Kibler, seconded by Alderman Lombardi, the minutes of the Regular Meeting of September 19, 2012 are hereby approved as printed in the Journal of Proceedings. Ayes 6. Carried.

FROM THE MAYOR

Appointments:

10/1/12 Brian Bower, 296 Lincoln Avenue, Lockport, NY – re-appointed as a member of the Planning Board. Said term expires October 14, 2015.
Received and filed.

10/1/12 Howard S. Luff, 105 Morrow Avenue, Lockport, NY – re-appointed as a member of the Planning Board. Said term expires October 14, 2015.
Received and filed.

10/1/12 Michael Hoffman, Sunrise Optimist Club – Request permission to use Kibler Park for a Columbus Day Cross Country event on Monday, October 8, 2012.
Referred to the Committee of the Whole

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)

9/28/12 Richelle J. Pasceri, City Clerk – Notification that the Lockport Municipal Offices will be closed on Monday, October 8, 2012 in observance of Columbus Day. There will be no change in the garbage pickup schedule.
Referred to the Media

9/28/12 Mayor Michael W. Tucker – recommendation that Christopher Dool be re-appointed to the Assessment Review Board for another 5-year term.
Referred to the Committee of the Whole.

Notice of Defect:

9/20/12 178 Pine Street, Lockport, NY – tree
9/24/12 11 Cleveland Place, Lockport, NY – tree
9/25/12 766 Walnut Street, Lockport, NY – tree
10/1/12 516 High Street, Lockport, NY – tree
10/3/12 63 Maple Street, Lockport, NY – tree
Referred to the Director of Engineering.

Notice of Claim:

9/6/12 Elmer A. Granchelli, 36 Pine Street, Lockport, NY
9/24/12 Amanda Dennis, 11 Cleveland Place, Lockport, NY
9/26/12 Burke International Tours., Inc. 4643 Hwy. 16 S., Maiden, NC
10/2/12 Lee R. Larson, 6150 Old Beattie Road, Lockport, NY
10/3/12 John Licata, 63 Maple Street, Lockport, NY
Referred to the Corporation Counsel.

MOTIONS & RESOLUTIONS

100312.2

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 5, 2012.

Seconded by Alderman Lombardi and adopted. Ayes 6.

100312.3

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 McCaffrey and adopted. Ayes 6.

100312.4 WITHDRAWN (permission to conduct a 5K road race)

100312.5

By Alderman Genewick:

Resolved, that a public hearing be held on Wednesday, October 17, 2012 starting at 6:00 p.m. in the Common Council Chambers, Lockport Municipal Building, One Locks Plaza, Lockport, NY for the purpose of allowing citizens to be heard relative to the proposed 2013 City tax budget, and be it further

Resolved, that the City Clerk is hereby authorized and directed to advertise notice of said public hearing.

Seconded by Alderman Schrader and adopted. Ayes 6.

100312.6

By Alderman Kibler:

Resolved, that Wednesday, October 31, 2012 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.

100312.7

By Alderman Fogle:

Resolved that the Municipal Building parking lot be closed beginning at noon on Friday October 26, 2012 for a Halloween Party from 5:00 to 8:00 p.m., and be it further

Resolved, that the Director of Engineering is hereby authorized and directed to arrange for delivery of the stage, barricades and waste receptacles to the area prior to the event.

Seconded by Alderman Lombardi and adopted. Ayes 6.

100312.8

By Alderman Kibler:

Resolved, that pursuant to the recommendation of Mayor Michael W. Tucker, Christopher E. Dool, 809 Willow Street, Lockport, NY is hereby re-appointed as a member of the City of Lockport Board of Assessment Review. Said term expires on September 30, 2017.

Seconded by Alderman McCaffrey and adopted. Ayes 6.

100312.9

By Alderman Kibler:

WHEREAS, The City of Lockport ("City") has an opportunity to participate in a project originated by Niagara County referred to as the "Niagara County Interoperable Communication System (NCICS)", and

WHEREAS, the NCICS involves the standardization of portable and mobile radios by the various police agencies in Niagara County to improve the ability to quickly and efficiently communicate with each other, and

WHEREAS, the project requires the City to turn in their portable and mobile radios in to the County in exchange for new radios which contain the updated technology and communication features, and

WHEREAS, there is no cost to the City for participation in the program at this time with the exception that there may be a cost in the future when the warranties on the new radios expire and the radios require update or replacement, now therefore be it

RESOLVED, that the Mayor be and is hereby authorized to execute an Interoperable Communication System User Agreement with the County of Niagara subject to Corporation Counsel approval.

Seconded by Alderman Schrader and adopted. Ayes 6.

100312.10

By Alderman Schrader:

WHEREAS, Housing Visions Consultants, Inc. (hereinafter "HVC") provides the necessary reinvestment in blighted neighborhoods to revitalize the community and quality affordable housing, and

WHEREAS, HVC is in the process of building several affordable housing complexes along Genesee Street, and

WHEREAS, on Wednesday, April 25, 2012, the Contractor for HVC excavated a portion of Genesee Street for the purpose of installing two lateral sewer lines to connect to the City Sewer Main, and

WHEREAS, upon excavation of the roadway it was discovered by the Contractor that no City sewer main exists for 153, 155, and 159 Genesee Street, and

WHEREAS, the Common Council has the power under Section 175 of the Charter to make or order and direct the making of such general or local improvements in the streets or public grounds of said city as it shall deem for the best interests of the said city and make, regulate and repair public sewers, drains and vaults, extend water mains in said city; and generally it may order and direct all public improvements and expenditures in the streets, sidewalks and public places in said city, and appropriate and expend all moneys raised by tax or assessment for such purposes in said city, and

WHEREAS, in accordance with Section 4 of the Charter the City of Lockport may take, purchase, hold sell and convey real and personal property by gift, grant, purchase, bequest, devise and by condemnation, and

WHEREAS, HVC by and through their contractor has offered to gift the materials and labor to the City necessary for the installation of a City Main, and

WHEREAS, the installation shall be in accordance with all applicable permits, ordinances and laws, and

WHEREAS, upon the completion of the installation of the sewer main by HVC the City shall take full control and ownership of said sewer main for the benefit of its residents,

NOT THEREFORE BE IT

RESOLVED, that the City of Lockport hereby accepts for dedication the sewer main installed by Housing Visions along the center line of Genesee Street and the City of Lockport shall be solely responsible for the care and maintenance of the same for the remainder of its life.

Seconded by Alderman Fogle and adopted. Ayes 6.

100312.10A

By Alderman Schrader:

Whereas, the City of Lockport desires to purchase two mixing trucks for the Compost Plant, and

Whereas, bids for said trucks were received and opened on August 24, 2012, now it therefore be

Resolved, that the bid be awarded to the lowest bidder, Hunter Buffalo Peterbilt, in the amount of \$214,222.00 to be charged to account #004-0004-0520-4120.

Seconded by Alderman Lombardi and adopted. Ayes 6.

100312.10B

By Alderman Kibler:

Resolved, that the Mayor and Common Council do hereby extend condolences to the family of Edmund E. VanDusen, a retired City of Lockport Streets Department employee who recently passed away.

Seconded by Alderman McCaffrey and adopted. Ayes 6.

100312.10C

By Alderman Genewick:

Resolved, that pursuant to their request, The Sunrise Optimist Club is hereby granted permission to conduct a cross country event at Kibler Park on October 8, 2012, from 9:00 a.m. until 12:00 p.m. subject to The Sunrise Optimist Club filing a certificate of insurance with the City Clerk naming the City of Lockport as additional insured.

Seconded by Alderman Kibler and adopted. Ayes 6.

100312.10D

By Alderman Kibler:

Resolved, that the City Clerk is hereby authorized and directed to prepare request for proposals for Health Insurance Broker services , and be it further

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

Seconded by Alderman Genewick and adopted. Ayes 6.

100312.10E

By Alderman Kibler:

WHEREAS, section 155-7 A (Solid Waste) of Chapter 158 of the City Code states that unpaid residential and commercial user fees for collection of refuse and recycling shall be the personal liability of the owner, and

WHEREAS, any delinquent assessment, penalty, charge or fee remaining unpaid by May 15 is added to the upcoming year's tax bill for the parcel of property against which it is a lien, and

WHEREAS, the amount added to taxes shall include late payment charges accrued through June 30 plus an additional administrative charge equal to \$15 for each delinquent account, and

WHEREAS, late payment charges shall not continue to accrue after June 30 against any assessment, penalty, charge or fee which is added to taxes, and

WHEREAS, the City Treasurer will submit to the City Council all delinquent assessments, penalties, charges or fees and any other amounts to be added to taxes, and

WHEREAS, upon receipt of such delinquent amounts the Council must hold a public hearing, and

WHEREAS, after making any amendments or corrections to the list of delinquent accounts the Common Council will by resolution confirm said amounts, and

WHEREAS, upon confirmation of said amounts the City will insert the delinquent accounts in the annual tax rolls and which shall become a part of the annual tax upon the respective parcels against which such amounts are charged and shall be subject to all the provisions of the City Charter

NOW THEREFORE BE IT

RESOLVED, that the Corporation Counsel is hereby authorized and directed to prepare a resolution listing the re-levies and the dollar amount to be added to the tax rolls, and be it further

RESOLVED, that a public hearing be held at the Common Council meeting on Wednesday, October 17, 2012 starting at 6:00 P.M. in the Common Council Chambers, Lockport Municipal Building, One Locks Plaza, Lockport, New York relative to said resolution for relevy, and be it further

RESOLVED, that the City Clerk is hereby authorized and directed to advertise notice of said public hearing.

Seconded by Alderman Fogle and adopted. Ayes 6.

100312.11

ADJOURNMENT

At 6:25 P.M. Alderman Kibler moved the Common Council be adjourned until 6:00 P.M., Wednesday, October 17, 2012.

Seconded by Alderman Genewick and adopted. Ayes 6.

RICHELLE J. PASCERI
City Clerk