

CITY OF LOCKPORT
CORPORATION PROCEEDINGS

Lockport Municipal Building

Regular Meeting
Official Record

October 17, 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.

101712.1

APPROVAL OF MINUTES

On motion of Alderman Kibler, seconded by Alderman Lombardi, the minutes of the Regular Meeting of October 3, 2012 and October 9, 2012 are hereby approved as printed in the Journal of Proceedings. Ayes 6. Carried.

PUBLIC HEARING

The Mayor announced a public hearing on Confirming Refuse & Recycling Re-levy.

The Mayor asked the City Clerk if any petitions or communications relative to said Re-levy have been received.

Recess for public input.

The Mayor closed the public hearing.

FROM THE MAYOR

Appointments:

10/12/12 Adrienne S. Kuzma, 245 Davison Road, Lockport, NY – appointed as a Commissioner of Deeds. Said term expires December 31, 2013.
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)

10/9/12 Gordon Fletcher, President, UAW Local 686, 524 Walnut Street, Lockport, NY – request permission to hold the annual Veteran’s Appreciation 5K run on November 3, 2012. Referred to the Committee of the Whole

Notice of Defect:

10/10/12 151 Lock Street, Lockport, NY – trees
Referred to the Director of Engineering.

Notice of Claim:

10/12/12 Mattie Johnson, 52 Bacon Street, Lockport, NY
10/15/12 Edwin Green, 175 Chestnut Street, Lockport, NY
10/15/12 Earlene S. Ben, 45 The Common, Lockport, NY
Referred to the Corporation Counsel.

MOTIONS & RESOLUTIONS

101712.2

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 21, 2012.

Seconded by Alderman Lombardi and adopted. Ayes 6.

101712.3

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.

101712.4

By Alderman Lombardi:

Resolved, that pursuant to their request, St. John’s Outreach is hereby granted permission to conduct a 3 mile run and 1 mile walk on Saturday, November 10, 2012, beginning at 10:30 a.m. subject to approval of the run and walk routes by the Police Chief and St. John’s Outreach filing a certificate of insurance with the City Clerk naming the City of Lockport as additional insured, and be it further

Resolved, that the Director of Engineering is hereby authorized and directed to arrange for delivery of barricades, traffic cones, and street closed signs to area of said walk prior to the event.

Seconded by Alderman Fogle and adopted. Ayes 6.

101712.5

By Alderman Genewick:

Resolved, that pursuant to their request, the United Auto Workers, Local 686 Veteran's Committee is hereby granted permission to conduct their Annual Veteran's Appreciation 5K run and barricade Vine Street from Walnut Street to Remick Parkway starting at approximately noon on November 3, 2012, subject to the U.A.W. Local 686 filing a certificate of insurance with the City Clerk naming the City of Lockport as additional insured and subject to approval of the race route by the Police Chief, and be it further

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

Seconded by Alderman Schrader and adopted. Ayes 6.

101712.6

By Alderman Lombardi:

Resolved, that pursuant to the request of R. E. Kelley, Inc., 33 Main Street, Bowmansville, NY, permission is hereby granted to install scaffolding in the City's right of way at 77 Main Street and 17 West Main Street for the purpose of re-pointing and installing awnings on the buildings until the end of November 2012. Said permission is subject to R. E. Kelley, 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 6.

101712.7

By Alderman Kibler:

WHEREAS, in 1970 Charles and Lydia Jones purchased 31 Reed Street, Lockport, New York (SBL # 109.15-1-55) aka Lot 3 and 33 Reed Street (SBL # 109.15-1-54) aka Lot 5, and

WHEREAS, in 1971 a single family home was built on 33 Reed Street (SBL # 109.15-1-54) aka Lot 5, and

WHEREAS, on or about 1973 31 Reed Street, Lockport, New York (SBL # 109.15-1-55) aka Lot 3 was assessed by the City as having a single family residence on it, and

WHEREAS, the home was built on 33 Reed Street (SBL # 109.15-1-54) aka Lot 5 and not 31 Reed Street, Lockport, New York (SBL # 109.15-1-55) aka Lot 3 as incorrectly reflected on the City's tax records, and

WHEREAS, in 1980 a garage was built on two separate parcels of adjoining land; 31 Reed Street, Lockport, New York (SBL # 109.15-1-55) aka Lot 3 and 33 Reed Street (SBL # 109.15-1-54) Lot 5, and

WHEREAS, in 2007 the City foreclosed by In Rem Tax proceeding on 33 Reed Street (SBL # 109.15-1-54) aka Lot 5 and 35 Reed Street, a vacant lot, (SBL#109.15-1-53) aka Lot 7, and

WHEREAS, Alana Shannon purchased 33 and 35 Reed Street from the City at said foreclosure sale for the sum of \$1,300 each (\$2,600 total), and

WHEREAS, the redemption date, September 12, 2012, has passed, and

WHEREAS, 31 and 33 Reed Street are encumbered by a mortgage in favor of Wells Fargo, and

WHEREAS, Lydia and Charles Jones have tendered the sum of \$4096.03 for outstanding taxes for the above parcels, and

WHEREAS, there is an outstanding tax bill for all three of the above parcels in the amount of \$9,434.13, and

WHEREAS, the Taxpayers and City wish to have all of the outstanding taxes paid and the tax records and roll corrected accordingly, and

WHEREAS, the City Attorney has recommended as part of an agreement with the City to resolve the aforesaid issue that the taxpayers record a deed with the Niagara County Clerk combining all three lots into one parcel of land,

NOW THEREFORE BE IT

RESOLVED, that the Mayor be and is hereby authorized to enter into an agreement with the above taxpayers to effectuate the above.

Seconded by Alderman Genewick and adopted. Ayes 6.

101712.8

By Alderman Kibler:

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

WHEREAS, the Common Council conducted a public hearing on October 17, 2012 at 6:00 P.M. in the Common Council Chambers, Lockport Municipal Building, One Locks Plaza, Lockport, New York in accordance with section 155-7 A (Solid Waste) of Chapter 158 of the City Code to confirm the delinquent accounts to re-levy.

NOW THEREFORE BE IT

RESOLVED, that the following delinquent accounts totaling \$279,614.80 are hereby confirmed and shall be inserted in the annual tax rolls and be a part of the annual tax upon said parcels against which such amounts are charged and shall be subject to all the provisions of the City Charter:

<u>Account Number</u>	<u>Amount</u>
012-0012-0391	\$279,614.80

Seconded by Alderman Lombardi and adopted. Ayes 6.

101712.9

By Alderman Schrader:

Resolved, that resolution #100312.10A adopted by the Common Council at their October 3, 2012 meeting, awarding the purchase of Two Compost Mixing Trucks bid to Hunter Buffalo Peterbilt be and the same is hereby amended by increasing the purchase price by \$3,611.20 to total purchase price of \$217,833.20 for the following reasons:

Addition of rear axle differential locks At City request	\$908.00 per truck
SPL 100 two bearing driveline, required for Locking differential	\$289.60 per truck
Backup alarm at City request	\$ 48.00 per truck
PTO driven hydraulic pump (original bid incorrectly specified)	\$560.00 per truck

Seconded by Alderman McCaffrey and adopted. Ayes 6.

101712.9A

By Alderman Kibler:

Resolved, that the Hydraulic Race Company be and the same is hereby authorized to place three directional signs for Haunted Cave 2012 near and around Main and Pine Streets and Pine, Lock, and Gooding Streets in the City's right-of-way, subject to the approval of the Traffic Captain.

Seconded by Alderman Genewick and adopted. Ayes 6.

101712.9B

By Alderman Schrader:

Resolved, that pursuant to Corporation Counsel approval, the Director of Utilities is hereby authorized to enter into a cooperative purchasing group with the Niagara Falls Water Board for the purchase of chemicals.

Seconded by Alderman Kibler and adopted. Ayes 6.

101712.9C

By Alderman Schrader:

Resolved, that pursuant to the request of Neth and Son, Inc., 146 Taylor Drive, Depew, NY, permission is hereby granted to install lifts in the City's right of way at 2 Main Street for the purpose of roof construction on the building beginning October 19, 2012. Said permission is subject to Neth and Son, Inc. filing a certificate of insurance with the City Clerk naming the City of Lockport as additional insured.

Seconded by Alderman Lombardi and adopted. Ayes 6.

101712.10

ADJOURNMENT

At 6:18 P.M. Alderman Kibler moved the Common Council be adjourned until 6:00 P.M., Wednesday, November 7, 2012.

Seconded by Alderman Genewick and adopted. Ayes 6.

RICHELLE J. PASCERI
City Clerk