

CITY OF LOCKPORT
CORPORATION PROCEEDINGS

Lockport Municipal Building

Regular Meeting
Official Record

November 2, 2011
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, Pasceri, Smith, McKenzie, Chapman, and Genewick.

RECESS

Recess for public input.

110211.1

APPROVAL OF MINUTES

On motion of Alderman Pasceri, seconded by Alderman Kibler, the minutes of the Regular Meeting of October 19, 2011 are hereby approved as printed in the Journal of Proceedings. Ayes 6. Carried.

PUBLIC HEARING

Proposed Local Law to Override Tax Levy

The Mayor announced a public hearing on a proposed local law to override tax levy limit established in General Municipal Law §3-c.

The Mayor asked the City Clerk if any petitions or communications relative to the proposed local law have been received.

Recess for public input.

The Mayor closed the public hearing.

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)

10/31/11 Richard P. Mullaney, City Clerk – notification that the Lockport Municipal Offices will be closed the following days in November:

Tuesday, November 8 th	Election Day
Thursday, November 11 th	Veteran's Day
Thursday & Friday November 24 th & 25 th	Thanksgiving Holiday.

The garbage collection schedule is as follows:

<u>Normal Pick Up Day</u>	<u>Holiday Pick Up Day</u>
Thursday, November 24 th	Friday, November 25 th
Friday, November 25 th	Saturday, November 26 th

Referred to the Media

Notice of Defect:

10/24/11 117 McIntosh Drive, Lockport, NY – tree

10/26/11 156 Allen Street, Lockport, NY – tree

Referred to the Highways & Parks Department.

Notice of Claim:

10/21/11 James A. Jones, 51 Genesee Street, Apt. 3, Lockport, NY

Referred to the Corporation Counsel.

Decision: (Small Claims Assessment Review)

10/21/11 David P. Scott, 300 Plank Road, Lockport, NY

10/21/11 Todd J. & Jean M. Alfonso, 1 Keswick Road, Lockport, NY

10/21/11 Michele J. Corrairie, 471 East Avenue, Lockport, NY

Referred to the City Assessor.

MOTIONS & RESOLUTIONS

110211.2

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 November 4, 2011.

Seconded by Alderman Pasceri and adopted. Ayes 6.

110211.3

By Alderman Kibler:

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 Genewick and adopted. Ayes 6.

110211.4

By Alderman Kibler:

City of Lockport

Local Law No. 5 of the year 2011

A local law authorizing a property tax levy in excess of the limit established in General Municipal Law §3-c

Be it enacted by the Common Council of the City of Lockport as follows:

Section 1. Legislative Intent

It is the intent of this local law to allow the City of Lockport to adopt a budget for the fiscal year commencing January 1, 2012 that requires a real property tax levy in excess of the "tax levy limit" as defined by General Municipal Law §3-c.

Section 2. Authority

This local law is adopted pursuant to subdivision 5 of General Municipal Law §3-c, which expressly authorizes a local government's governing body to override the property tax cap for the coming fiscal year by the adoption of a local law approved by a vote of sixty percent (60%) of said governing body.

Section 3. Tax Levy Limit Override

The Common Council of the City of Lockport, County of Niagara, is hereby authorized to adopt a budget for the fiscal year commencing January 1, 2012 that requires a real property tax levy in excess of the amount otherwise prescribed in General Municipal Law §3-c.

Section 4. Severability

If a court determines that any clause, sentence, paragraph, subdivision, or part of this local law or the application thereof to any person, firm or corporation, or circumstance is invalid or unconstitutional, the court's order or judgment shall not affect, impair, or invalidate the remainder of this local law, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this local law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

Section 5. Effective date

This local law shall take effect immediately upon filing with the Secretary of State.

Seconded by Alderman McKenzie. A roll call vote was taken which resulted as follows:

Alderman Chapman	VOTING	N
Alderman Genewick	VOTING	Y
Alderman Kibler	VOTING	Y
Alderman McKenzie	VOTING	Y
Alderman Pasceri	VOTING	Y
Alderman Smith	VOTING	N

The local law was thereupon declared duly adopted.

110211.5

By Alderman Kibler:

Resolved, that the Director of Engineering is hereby authorized and directed to sell at public auction, to the highest bidders, used vehicles and surplus equipment/supplies at the Highways & Parks Department, and be it further

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

Seconded by Alderman McKenzie and adopted. Ayes 6.

110211.6

By Alderman Chapman:

Resolved, that the City of Lockport 2012 Water Fund Budget containing appropriations for operating the City's Water Department, be and the same is hereby adopted as follows:

CITY OF LOCKPORT, NEW YORK **2012 WATER FUND BUDGET SUMMARY**

Appropriations:

Personal Services	\$ 1,382,496
Equipment	218,500
Contractual	852,350
Fringe Benefits	1,114,695
Debt Services	332,654
Special Items	83,500

Total Appropriations: \$ 3,984,195

Estimated Revenues: \$ 3,984,195

Seconded by Alderman Kibler and adopted. Ayes 6.

110211.7

By Alderman Chapman:

Resolved, that the City of Lockport 2012 Sewer Fund Budget containing appropriations for operating the City's Wastewater Treatment and Compost Facility, be and the same is hereby adopted as follows:

CITY OF LOCKPORT, NEW YORK
2012 SEWER FUND BUDGET SUMMARY

Appropriations:

Personal Services	\$1,402,636
Equipment	52,741
Contractual	1,110,725
Fringe Benefits	1,044,482
Debt Service	630,133
Special Items	84,000

Total Appropriations:	\$4,324,717
Estimated Revenues:	\$4,324,717

Seconded by Alderman Genewick and adopted. Ayes 6.

110211.8

By Alderman Pasceri:

Resolved, that the City tax budget for fiscal year 2012, containing appropriations for operating City departments, be and the same is hereby adopted as follows:

CITY OF LOCKPORT, NEW YORK
2012 GENERAL FUND BUDGET SUMMARY

Budget Appropriations:

Personal Services	\$ 11,877,266
Equipment	54,365
Contractual	2,622,430
Fringe Benefits	8,217,140
Undistributed	466,306

Total Appropriations:	\$ 23,237,507
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LESS: Estimated Revenues:	12,666,717
Estimated Fund Balance:	-

Amount to be raised through property taxation:	\$ 10,570,790
Assessed Valuation:	\$ 717,689,819

REAL PROPERTY TAX RATE: \$14.728912 per \$1,000 ASSESSED VALUATION

Seconded by Alderman McKenzie and adopted. Ayes4, Nays 2 (Chapman, Smith).

110211.8A

By Alderman Pasceri:

Resolved, that the City of Lockport 2012 Budget containing appropriations for operating the City's Refuse & Recycling, be and the same is hereby adopted as follows:

CITY OF LOCKPORT, NEW YORK
2012 SPECIAL REVENUE FUND – RECYCLING & REFUSE SUMMARY

Appropriations:

Personal Services	\$ -
Equipment	-
Contractual	1,230,000
Fringe Benefits	-

Total Appropriations: \$ 1,230,000

Estimated Revenues: \$ 1,230,000

Seconded by Alderman Kibler and adopted. Ayes 4, Nays 2 (Chapman, Smith).

110211.8B

By Alderman Chapman:

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

Seconded by Alderman Genewick and adopted. Ayes 6.

110211.8C

By Alderman McKenzie:

Resolved, that pursuant to the request of David Haylett, property owner of 289 Green Street, Lockport, NY, permission is hereby granted to erect and maintain a fence in the City's right-of-way at 289 Green Street, 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 fence 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 Pasceri and adopted. Ayes 6.

110211.8D

WITHDRAWN (Award bid for roof replacements)

110211.9

ADJOURNMENT

At 6:35 P.M. Alderman Pasceri moved the Common Council be adjourned until 6:00 P.M., Wednesday, November 16, 2011.

Seconded by Alderman Kibler and adopted. Ayes 6.

RICHARD P. MULLANEY
City Clerk