

**CITY OF LOCKPORT**  
**CORPORATION PROCEEDINGS**

Lockport Municipal Building

Regular Meeting  
Official Record

November 5, 2014  
6:00 P.M.

Mayor Anne E. McCaffrey called the meeting to order.

**ROLL CALL**

The following Common Council members answered the roll call:

Aldermen Kibler, Lombardi, Fogle, Franco, Schrader, and Genewick.

**INVOCATION**

**MAYOR'S UPDATE**

**RECESS**

Recess for public input.

**Minutes Correction – June 18, 2014**

Common Council Resolution 061814.12B

. . . Resolved, that the Mayor, subject to Corporation Counsel approval, be and the same is hereby authorized and directed to enter into a contract with the Conestoga-Rovers Associates, 285 Delaware Avenue, Suite 500, Buffalo, NY 14202 to prepare bid specifications for the Main Street Water Main Project at a cost not to exceed \$5,250.00 to be charged to ~~account #001-1440-0434~~ **account #001-1440-4427.**

**Minutes Correction – October 1, 2014**

Common Council Resolution 100114.8D

. . . Resolved, that the Mayor, subject to Corporation Counsel approval, be and the same is hereby authorized and directed to enter into a contract with the Conestoga-Rovers Associates, 285 Delaware Avenue, Suite 500, Buffalo, NY 14202 to provide construction support services for the Main Street Water Main Project at a cost not to exceed \$4,800.00 to be charged to ~~account #001-1440-0434~~ **account #001-1440-4427.**

On motion of Alderman Kibler, seconded by Alderman Lombardi, the minutes of the Regular Meeting of October 15, 2014 are hereby approved as printed in the Journal of Proceedings. Ayes 6. Carried.

**PUBLIC HEARING**

The Mayor announced a public hearing on a proposed Local Law amending the City of Lockport Budget Adoption Date.

The Mayor asked the City Clerk if any petitions or communications relative to said Local Law have been received.

Recess for public input.

By Alderman Schrader:

Resolved, that the Common Council recess.

Seconded by Alderman Lombardi and adopted. Ayes 6.

The Mayor closed the public hearing.

**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 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)

**Notice of Defect:**

- 10/3/14 Grant Street (east of Beattie Avenue) – storm sewer
- 10/20/14 338 West Avenue – tree
- 10/20/14 11 Grosvenor Street – tree
- 10/23/14 31 Orchard Street – tree
- 10/24/14 50 Beverly Avenue – tree
- 10/24/14 124 Spalding Street – tree

Referred to the Director of Engineering.

## MOTIONS & RESOLUTIONS

### 110514.2

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 November 7, 2014 as follows:

General Fund	Account #001	\$ 69,964.99
Water Fund	Account #002	\$ 8,504.83
Sewer Fund	Account #003	\$ 73,660.51
Refuse Fund	Account #012	\$ 20.00
Payroll	Pay Date 10/16/14	\$ 467,276.66
	Pay Date 10/30/14	\$ 471,733.79

Seconded by Alderman Kibler and adopted. Ayes 6.

### 110514.3

By Alderman Genewick:

Resolved, that claims authorized for payment in the amount of \$75,000.00 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.

### 110514.4

By Alderman Kibler:

Resolved, that the Mayor and Common Council do hereby extend congratulations and appreciation to the following City employee for their years of dedicated service to the City of Lockport:

<u>Employee</u>	<u>Years of Service</u>	<u>Title</u>
Rodney J. Livergood	20	Heavy Equipment Operator

Seconded by Alderman Franco and adopted. Ayes 6.

By Alderman Franco:

Resolved, that the reading of the foregoing resolution be and the same is hereby waived.

Seconded by Alderman Schrader and adopted. Ayes 6.

### 110514.5

By Alderman Genewick:

Resolved that the following Local Law be and the same is hereby adopted:

City of Lockport

Local Law No. 2 of the year 2014

A local law amending the City of Lockport Budget Adoption Date

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

Chapter C. CHARTER

Article V. City Finances; City Treasurer; Board of Estimate and Apportionment; Issue and Sale of Bonds

§ C-102. Annual estimate; tax budget.

On or before the 15th day of September preceding the expiration of each fiscal year, the Board of Estimate and Apportionment shall make an estimate of the probable revenues to be received by the city during the said fiscal year, and also an estimate of the several sums of money which it deems necessary to pay the expenses of conducting the business of the city in each department and office thereof and for the various purposes contemplated by this act, and otherwise by law for the succeeding fiscal year, and, also, to pay the principal and interest of any city indebtedness falling due during said year and not otherwise provided for and the cancellation of judgments against the city, provided that nothing herein contained shall prevent the provision of funds for the payment of such judgments, in whole or in part, pursuant to §§ 24.00 and 29.00 of the Local Finance Law. After it has made such estimates, it shall submit them in writing, with such reasons for them in detail as it may have to give, to the Common Council, which shall convene and consider such estimates. The Common Council shall hear any taxpayer who wishes to be heard in reference thereto. After such hearing, it may adopt such estimates so submitted to it, may add items thereto or increase, diminish or reject any item therein contained except such as relates to the city indebtedness or the estimated revenue. On or before the last regular meeting of the Common Council of the City of Lockport held in the month of November preceding the expiration of each fiscal year, the Common Council shall, by separate resolution for the General, Water, Sewer and Debt Service Funds, adopt the estimates as thus amended. When it shall have adopted the sums as herein provided, the same shall be entered at large in its minutes and published in its proceedings. The several sums contained in the final estimates of revenue to be received by the city, applicable for such purpose, and of moneys necessary to be raised by tax in addition thereto, to pay the expenses of conducting the business of the city, shall be and become appropriated in the amounts and for the several departments, offices and purpose named therein for the following fiscal year.

The several amounts specified in such fiscal estimate as necessary to pay the expenses of conducting the business of the city and for the various purposes contemplated by this act and otherwise by law for the following fiscal year, after deducting that portion of the estimated revenues applicable for such purpose, shall constitute the tax budget, and the amount of such budget shall be levied, assessed and raised by tax upon the real and personal property liable to taxation in the city, in the manner herein provided. If, after said certificate is received, it is ascertained that more than a sufficient amount has been included in the annual tax budget to pay the sum called for, the Board of Estimate and Apportionment shall deduct the surplus from its next estimate of the probable amount needed to defray the expense to be incurred for any other lawful purposes specified in this act

**EFFECTIVE DATE**

This local law shall take effect immediately.

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

Alderman Fogle	VOTING	YES
Alderman Franco	VOTING	YES
Alderman Genewick	VOTING	YES
Alderman Kibler	VOTING	YES
Alderman Lombardi	VOTING	YES
Alderman Schrader	VOTING	NO

The Local Law was thereupon declared duly adopted.

**110514.6**

By Alderman Genewick:

Resolved, that a public hearing be held on Wednesday, November 12, 2014 starting at 5:00 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 2015 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 Franco and adopted. Ayes 6.

**110514.7**

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 November 5, 2014 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 \$235,090.73 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:

**Account Number**

012-0012-0391

**Amount**

\$235,090.73

Seconded by Alderman Lombardi and adopted. Ayes 6.

**110514.7A**

By Alderman Schrader:

Resolved, that pursuant to their request, permission is hereby granted to the family and friends of PFC Albert R. Jex, an Army specialist who died in the line of duty in Iraq in 2009, to install a memorial bench at Children’s Park.

Seconded by Alderman Franco and adopted. Ayes 6.

**110514.7B**

By Alderman Genewick:

Resolved, that the Corporation Counsel is hereby authorized and directed to prepare a Local Law relative to overriding the tax levy established in General Municipal Law §3-c, and be it further

Resolved, that a public hearing be held at the Common Council meeting of November 19, 2014 starting at 6:00 P.M. in the Common Council Chambers, Lockport Municipal Building, One Locks Plaza, Lockport, NY relative to said local law, 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.

**110514.7C**

By Alderman Schrader:

Whereas, the City of Lockport disconnected an abandoned water service at Lockport High School, and

Whereas, the Water Department billed and has received a check for \$5,000.00 for the disconnect, now therefore be it

Resolved, that the City Treasurer is hereby authorized and directed to amend the 2014 budget as follows:

Increase:

002-0002-2144	Water Misc. Billing	\$5,000.00
002-8340-4722-0205	System Reform Hydrants & Valves	\$5,000.00

Seconded by Alderman Franco and adopted. Ayes 6.

**110514.8**

**ADJOURNMENT**

At 7:05 P.M. Alderman Kibler moved the Common Council be adjourned until 6:00 P.M., Wednesday, November 19, 2014.

Seconded by Alderman Lombardi and adopted. Ayes 6.

RICHELLE J. PASCERI  
City Clerk