

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

Lockport Municipal Building

Regular Meeting  
Official Record

November 7, 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, and Genewick.

Absent: Alderman Schrader

**RECESS**

Recess for public input.

**Minutes Correction – August 1, 2012**

Common Council Resolution 080112.13 E

... RESOLVED, that the Mayor be and is hereby authorized to enter into a contract of sale for the conveyance of 51 Canal Street, Lockport, New York to the GLDC and or the Douglas Zimmerman for one and no more dollars for the sum of \$75,000 payable to GLDC upon the following conditions:

- (1) a right of first refusal for a period of five years from the date of the deed to the present tenant;
- (2) a permanent easement to use the parking lot adjacent to and immediately north of the premises by the City of Lockport to Purchaser;
- (3) one designated parking spot for the owner; and
- (4) such other easements that may be necessary for utilities and compliance with the New York State Fire Prevention and Building Code That at closing the warranty deed from the GLDC and related closing documents contain a reversion clause that in the event ~~the Hydraulic Race~~ **Douglas Zimmerman** does not obtain a certificate of occupancy within six (6) months of closing the subject property shall revert to the GLDC.

**APPROVAL OF MINUTES**

On motion of Alderman Kibler, seconded by Alderman Lombardi, the minutes of the Regular Meeting of October 17, 2012 and the Special Meeting of October 24, 2012 are hereby approved as printed in the Journal of Proceedings. Ayes 5. Carried.

**FROM THE MAYOR****Appointments:**

11/7/12 Lynn Harper, 30 Corinthia Street, Lockport, NY – re-appointed as a member of the Zoning Board of Appeals. Said term expires November 15, 2015.

Received and filed.

11/7/12 William K. Foltz, 94 North Transit Street, Lockport, NY – re-appointed as a member of the Zoning Board of Appeals. Said term expires November 15, 2015.

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)

10/31/12 Richelle J. Pasceri, City Clerk – notification that the Lockport Municipal Offices will be closed the following days in November:

Tuesday, November 6 <sup>th</sup>	Election Day
Monday, November 12 <sup>th</sup>	Veteran's Day
Thursday & Friday, November 22 <sup>nd</sup> & 23 <sup>rd</sup>	Thanksgiving Holiday

The garbage collection schedule will remain the same for November 6<sup>th</sup> and 12<sup>th</sup>.

For the Thanksgiving Holiday, garbage collection will be as follows:

<u>Normal Pick Up Day</u>	<u>Holiday Pick Up Day</u>
Thursday, November 22 <sup>nd</sup>	Friday, November 23 <sup>rd</sup>
Friday, November 23 <sup>rd</sup>	Saturday, November 24 <sup>th</sup>

Referred to the Media

11/2/12 Richelle J. Pasceri, City Clerk – notification of bids received and opened on November 2, 2012 for Foundry Sand Removal at 2 & 10 Washburn Street:

Pinto Construction Buffalo, NY	\$55,670.00
NewCal Construction Inc. Darien, NY	\$59,970.00
Pro Construction Bergen, NY	\$62,500.00
Regional Environmental Demolition Inc. Niagara Falls, NY	\$72,200.00
Scott Lawn Yard Sanborn, NY	\$79,685.00
CTS Contracting, Inc. Cheektowaga, NY	\$85,375.00

Referred to the Director of Engineering

**Notice of Defect:**

- 10/23/12 16 Regent Street, Lockport, NY – tree
- 10/25/12 30 Roosevelt Drive, Lockport, NY - tree
- 10/26/12 344 Green Street, Lockport, NY – tree
- 10/29/12 165 Elmwood Avenue, Lockport, NY – tree
- 10/29/12 221 Price Street, Lockport, NY – tree
- 10/30/12 32 Maple Street, Lockport, NY – tree

Referred to the Director of Engineering.

**Notice of Claim:**

- 10/23/12 Beverly Honeyman, 16 Regent Street, Lockport, NY
- 10/30/12 Heidi Hundshamer, 30 Millar Place, Lockport, NY

Referred to the Corporation Counsel.

**MOTIONS & RESOLUTIONS**

**110712.2**

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 9, 2012.

Seconded by Alderman Kibler and adopted. Ayes 5.

**110712.3**

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 5.

**110712.4**

By Alderman Lombardi:

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>
Peter L. Richardson	25	Firefighter
Clifford J. Holmes	25	Firefighter

Seconded by Alderman Fogle and adopted. Ayes 5.

**110712.5**

By Alderman Kibler:

Resolved, that pursuant to the request of William Hall, property owner of 25 Nicholls Street, Lockport, NY, permission is hereby granted to erect a fence in the City’s right-of-way at 25 Nicholls 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 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 McCaffrey and adopted. Ayes 5.

**110712.6**

By Alderman Kibler:

Resolved that the Municipal Building parking lot be closed beginning at 8:00 a.m. on Saturday, December 1, 2012 for Light Up Lockport, and be it further

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

Seconded by Alderman Genewick and adopted. Ayes 5.

**110712.6A**

By Alderman Kibler:

Whereas, the City of Lockport desires to partially remove spent foundry sand contained within the Old Hydraulic Raceway located at the Old Dussault Foundry site, 2 & 10 Washburn Street, Lockport, NY 14094, and,

Whereas, bids were received on Friday, November 2, 2012 for said work, and

Whereas, the Director of Engineering / Public Works has reviewed said bids and interviewed the lowest bidder, and

Whereas the, Director of Engineering / Public Works recommends award to the lowest bidder, Pinto Construction Services, Inc., 1 Babcock Street, Buffalo, NY 14210, and

Whereas, the Niagara County Brownfields Development Corporation will fund the work up to \$130,000, now it therefore be

Resolved, that the Mayor, subject to Corporation Counsel approval, be and the same is hereby authorized and directed to execute a contract with Pinto Construction Services, 1 Babcock Street, Buffalo, NY 14210 for Foundry Sand Removal, 2 & 10 Washburn Street, Lockport, NY 14094 at a cost of \$55,670 with authorization to increase the Contract value using the unit pricing contained within the Contract Documents not to exceed \$130,000 to be charged to account # 004-0004-0520-0092.

Seconded by Alderman McCaffrey and adopted. Ayes 5.

**110712.7**

**ADJOURNMENT**

At 6:11 P.M. Alderman Kibler moved the Common Council be adjourned until 6:00 P.M., Wednesday, November 21, 2012.

Seconded by Alderman Genewick and adopted. Ayes 5.

RICHELLE J. PASCERI  
City Clerk