

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

Lockport Municipal Building

Regular Meeting  
Official Record

December 5, 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.

**120512.1**

**APPROVAL OF MINUTES**

On motion of Alderman Kibler, seconded by Alderman Lombardi, the minutes of the Regular Meeting of November 21, 2012 are hereby approved as printed in the Journal of Proceedings. Ayes 6. Carried.

**PUBLIC HEARING**  
**REQUEST FOR A SPECIAL USE PERMIT FOR BENDERSON DEVELOPMENT**  
**FOR A CAR RENTAL BUSINESS**

The Mayor announced a public hearing on a proposed Special Use Permit.

The Mayor asked the City Clerk if any petitions or communications relative to said Special Use Permit have been received.

Recess for public input.

The Mayor closed the public hearing.

## FROM THE MAYOR

### Appointment:

11/29/12 Dale W. Lawson Jr., 373 Pine Street, Lockport, NY appointed as Water District Maintenance Supervisor effective November 29, 2012. Said appointment is provisional and subject to the City of Lockport Municipal Civil Service Rules and Regulations.  
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)

### Notice of Defect:

11/29/12 341 Clinton Street, Lockport, NY – tree  
Referred to the Director of Engineering.

### Notice of Claim:

11/26/12 Cheryl & Filiberto Nieves, 143 Continental Drive, Lockport, NY  
11/28/12 Felicia R. Sherrell, 94 Niagara Street, Lockport, NY  
12/3/12 Billie Jean Darrell, 42 Ashley Place, Lockport, NY  
12/3/12 Tod M. Main, 5646 Young Road, Lockport, NY  
12/4/12 Beth A. Arajs, as Executrix of the Estate of Jeanette A. Lombardi, deceased –vs.-  
the City of Lockport  
Referred to the Corporation Counsel.

## MOTIONS & RESOLUTIONS

### 120512.2

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 December 7, 2012.

Seconded by Alderman Lombardi and adopted. Ayes 6.

### 120512.3

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.

**120512.4**

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>
Mark A. Smith	5	Water Treatment Plant Operator
Eric P. Heineman	5	Water Treatment Plant Operator

Seconded by Alderman Fogle and adopted. Ayes 6.

**120512.5**

By Alderman Schrader:

Resolved, that the request for a special use permit made by Benderson Development to operate a car rental business, located at 477 South Transit Street, situated in a B-2 Zone, be and the same is hereby approved, subject to the following provisions:

- No change in character of neighborhood.
- No excessive noise or disturbance of neighborhood.
- No appreciable change in traffic.
- Special permits can be indefinite or limited to a specific time.
- A maximum of 15 vehicles to be stored on the property for car rental use.
- No sales, service or storage of unregistered vehicles on the property.

The special permit shall go to the applicant only and shall terminate on the sale or transfer of the property, and further it terminates if the use permitted is abandoned for more than one year, if any of the conditions enumerated herein have changed, and in the discretion of the Common Council make such use unsuitable.

Seconded by Alderman Genewick and adopted. Ayes 6.

**120512.6**

By Alderman Schrader:

Whereas, the City of Lockport’s Public Utilities Department desires to purchase a rebuilt agitator for the Compost Facility, and

Whereas, the agitator is available for purchase from Siemens Industry Inc. at a cost of \$140,000, now therefore be it

Resolved, that the Director of Public Utilities is authorized and directed to make said purchase to be charged to account 004-052-0073.

Seconded by Alderman Kibler and adopted. Ayes 6.

**120512.6A**

By Alderman Schrader:

Whereas, the City desires to place a Guide Rail on Lincoln Avenue just South of Pine Street, and

Whereas, the Director of Engineering desires to utilize the low bidder of the 2012 Niagara County Purchasing Contract Bid No. 2012 – 11 Guide Railings, Posts and Concrete Barriers, and

Whereas, Pavilion Drainage Supply, Co., is the low bidder of said Contract, now therefore be it

Resolved, that the Mayor, subject to Corporation Counsel approval, be and the same is hereby authorized and directed to execute a contract with Pavilion Drainage Supply Co., for Guide Rail installation on Lincoln at Pine at a cost of \$3,906.25 plus a 10% contingency to be charged to account # 001-5110-0412.

Seconded by Alderman McCaffrey and adopted. Ayes 6.

**120512.6B**

By Alderman Schrader:

Whereas, the City of Lockport holds title and possession of lot at 137 Elm Street by IN Rem / Tax Foreclosure proceeding, and

Whereas, 137 Elm Street is now a vacant lot due to a previous ordered demolition, and

Whereas, the Mayor and Real Property Management Committee received correspondence from Sugar Ray Robinson (Owner of property at 138 Elm Street) to purchase said property for the sum of \$1,000 and

Whereas, the City desires to return said property to the tax role in an improved condition. Now therefore be it

Resolved, that pursuant to Section C-61 of the City Charter the Mayor be and is hereby authorized to execute a quit claim deed to Sugar Ray Robinson for the sum of \$1000, and be it further

Resolved, that the purchaser shall be responsible for the preparation and submission to the City for recording and filing by the purchaser all title documents such as the Quit Claim Deed, Equalization Form, and the Transfer Gains Form and closing must be within sixty days of the date of this resolution.

Seconded by Alderman Lombardi and adopted. Ayes 6.

**120512.6C**

By Alderman McCaffrey:

Resolved, that the City Clerk is hereby authorized and directed to prepare a request for proposals for Budget Consultant Services.

Seconded by Alderman Genewick and adopted. Ayes 6.

**120512.7**

**ADJOURNMENT**

At 6:16 P.M. Alderman Kibler moved the Common Council be adjourned until 6:00 P.M., Wednesday, December 19, 2012.

Seconded by Alderman Schrader and adopted. Ayes 6.

RICHELLE J. PASCERI  
City Clerk