

CITY OF LOCKPORT
CORPORATION PROCEEDINGS

Lockport Municipal Building

Regular Meeting
Official Record

December 17, 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.

121714.1

APPROVAL OF MINUTES

On motion of Alderman Kibler, seconded by Alderman Lombardi, the minutes of the Regular Meeting of December 3, 2014 and the Special Meeting of December 12, 2014 are hereby approved as printed in the Journal of Proceedings. Ayes 6. Carried.

FROM THE MAYOR

Appointments:

12/3/14 William Steadman, 231 Niagara Street, Lockport, NY – re-appointed as a member of the Civil Service Commission. Said term expires May 31, 2020. Received and filed.

12/15/14 Allan Jack, 71 Erie Street, Lockport, NY – re-appointed as a member of the Zoning Board of Appeals. Said term expires November 15, 2017. Received and filed.

12/15/14 Sheila Tracy, 19 Grosvenor Street, Lockport, NY – re-appointed as a member of the Zoning Board of Appeals. Said term expires November 15, 2017. Received and filed.

12/15/14 David Wohleben, 145 Lincoln Avenue, Lockport, NY – re-appointed as a member of the Planning and Zoning Board. Said term expires October 14, 2017. Received and filed.

12/15/14 David Chamberlain, 10 Kingston Circle, Lockport, NY – re-appointed as a member of the Planning and Zoning Board. Said term expires October 14, 2017. 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)

12/17/14 Richelle J. Pasceri, City Clerk – notification that bid proposal for Water Meters were received on December 16, 2014 as follows:

Lock City Supply, 650 West Avenue, Lockport, NY

Automated Meter Reading System
Meter and Remote Module

5/8" Water Meter	206.92	per meter
3/4"	241.14	
1"	321.17	
1 1/2"	551.78	
2"	747.11	

Transmitter (less meter)

5/8" Water Meter	150.58	per transmitter
3/4"	150.58	
1"	150.58	
1 1/2"	156.90	
2"	156.90	

Referred to the Committee of the Whole

12/17/14 Richelle J. Pasceri, City Clerk – notification that the Lockport Municipal Offices will be closed on the following days in December and January for Christmas and New Years:

Wednesday, December 24 (closed at 12 noon)

Thursday, December 25

Wednesday, December 31 (closed at 12 noon)

Thursday, January 1, 2015

The garbage collection schedule is as follows:

Due to the Christmas and New Year's holidays, there will be no garbage collection on Thursday, December 25th & Thursday, January 1st.

Garbage scheduled for collection on December 25th through December 26th and January 1st through January 2nd will be collected on the day following regularly scheduled collection.

Bulk items will be collected the week of January 5th.
Referred to the Media

MOTIONS & RESOLUTIONS

121714.2

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 19, 2014 as follows:

General Fund	Account #001	\$153,237.64
Water Fund	Account #002	\$ 43,066.31
Sewer Fund	Account #003	\$ 31,548.77
Capital Fund	Account #004	\$ 21,969.02
Payroll	Pay Date 12/11/14	\$679,171.70

Seconded by Alderman Kibler and adopted. Ayes 6.

121714.3

By Alderman Genewick:

Resolved, that the City Treasurer be and the same is hereby authorized and directed to transfer funds from under expended appropriations accounts to over expended accounts in the 2014 General, Water, Sewer, and Refuse Fund budgets and to appropriate fund balance to the extent necessary to balance the budgets, and furthermore, report to the Common Council on those accounts having had transfers.

Seconded by Alderman Fogle and adopted. Ayes 6.

121714.4

By Alderman Genewick;

Resolved, that the City Treasurer is hereby authorized and directed to transfer any balances remaining in 2014 budgetary accounts 001-9000-8001, 002-9000-8001, and 003-9000-8001 (workers compensation) to their respective General, Water, and Sewer "Worker Compensation Reserve Fund" accounts.

Seconded by Alderman Franco and adopted. Ayes 6.

121714.5

By Alderman Genewick:

Resolved, that pursuant to the recommendation of the Board of Estimate & Apportionment the Manufacturers & Traders Trust Company, J. P. Morgan Chase & Co. Bank, Key Bank, First Niagara Commercial Bank and Citizens Bank be designated as depositories of City funds for fiscal year 2015, provided said banks comply with the terms and conditions as set forth in the City of Lockport's Investment Policy.

Seconded by Alderman Schrader and adopted. Ayes 6.

121714.6

By Alderman Schrader:

Resolved, that the bid proposal of Lock City Supply Inc., Lockport, NY, received on December 16, 2014 for water meters, being the only bid received, be accepted in the amount as reported in a communication from the City Clerk – report of bid proposals. Cost of same to be charged to account #002-8340-0270 Water Meters.

Seconded by Alderman Lombardi and adopted. Ayes 6.

By Alderman Schrader:

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

Seconded by Alderman Franco and adopted. Ayes 6.

121714.7

By Alderman Genewick:

Resolved, that the Lockport City Code, Chapter 66 BUILDING CONSTRUCTION ADMINISTRATION § 66-20. Definitions; building permit fees be deleted in its entirety and the following inserted therefore and in its place:

A. Definitions. For purposes of this section, the following definitions apply:

FLOOR AREA

The habitable floor, using exterior building dimensions, plus the floor area of any accessory structure, such as a garage, shed, tennis court, etc.

B. Building permit fees. The following fees shall be payable to the Department of Building Inspection before the issuance of a building permit, certificate of occupancy or home occupation:

(1) One- and two-family dwellings and additions:

(a) Six-hundred-fifty square feet or less: \$150.

(b) Each additional square foot: \$0.15.

(2) Multiple dwellings.

(a) Multiple dwelling, including three or more dwelling units, townhouses, apartment buildings and additions.

[1] First five units: \$0.15 per square foot.

[2] Next 10 units: \$50 each.

[3] Additional units: \$25 each.

(3) Detached residential storage buildings, porches, decks & miscellaneous structures/buildings.

[1] One hundred forty-four square feet or less: \$40.

[2] One hundred forty-four square feet to 360 square feet: \$75.

[3] Each additional square foot: \$0.10.

(4) Residential alterations and repairs:

(a) Up to \$1,000 of cost: \$35.

(b) For each \$1,000 over \$1,000 of cost: \$2.

(5) Swimming pools: \$50.

(6) Solid-fuel-burning devices and/or chimneys: \$50.

(7) Residential driveways:

(a) Not included with building permit: \$30.

(b) Resurface driveway: \$30.

(8) Nonresidential buildings, including buildings and structures accessory thereto and additions.

(a) Zero to 1,000 square feet of floor space: \$250.

(b) Over 1,000 square feet to 5,000 square feet of floor space: \$0.25 per square foot.

(c) Five thousand square feet and over: \$0.05 per square foot.

(9) Nonresidential alterations and repairs:

(a) Up to \$1,000: \$100.

(b) For each \$1,000 over \$1,000: \$2.

(10) Demolition of buildings:

(a) Residential:

[1] Up to 1,000 square feet: \$50.

[2] Over 1,000 to 2,000 square feet: \$75.

[3] Over 2,000 square feet: \$100.

[4] Detached accessory structure: \$25.

(b) Nonresidential:

[1] From zero to 5,000 cubic feet: \$75.

[2] Five thousand one to 10,000 cubic feet: \$100.

[3] Ten thousand one to 20,000 cubic feet: \$125.

[4] Twenty thousand one to 50,000 cubic feet: \$150.

[5] Fifty thousand one to 100,000 cubic feet: \$175.

[6] One hundred thousand one to 200,000 cubic feet: \$225.

[7] Two hundred thousand one to 500,000 cubic feet: \$300.

[8] Over 500,000 cubic feet: \$1,000.

(11) Fences: \$20.

(12) Signs:

(a) Permanent Sign (12 square feet or under) per face: \$25

(b) Permanent Sign (13 square feet and up) per face: \$50

(c) Alteration to or relocation of existing signs: \$30.

(d) Temporary signs: 30-day permit: \$50

(e) A Frame sign: \$50

(13) Plumbing fixtures:

(a) One to five: \$60.

(b) Six to 10: \$85.

(c) Eleven to 15: \$135.

(d) Over 15: \$225.

(14) Sewer laterals:

(a) First 100 feet: \$50.

(b) For each additional 50 feet: \$10.

(15) Water laterals:

(a) First 100: \$50.

(b) For each additional 50 feet: \$10.

(16) Hot Water Tanks & Furnaces: \$30

(17) Tanks:

(a) Aboveground: \$0.05 per gallon.

(b) Underground: \$0.05 per gallon.

(c) Removal of residential tanks: \$50

(d) Removal of commercial tanks: \$100

(18) Home occupation application fee: \$100.

(a) Annual fee: \$50.

(19) Temporary building or trailers: \$100.

(20) Certificates of compliance:

(a) Single family: \$100.

(b) Two-family: \$125.

(c) Multiple-family, each dwelling unit or sleeping room: \$25, with a minimum fee of \$150.

(d) Commercial, per tenant: \$75, with a minimum fee of \$250.

(e) Industrial, per tenant: \$125, with a minimum fee of \$500.

(f) Copy of any certificate: \$25.

(21) Recreation fees:

(a) Single-family dwelling or building lot: \$50.

(b) Two-family dwelling: \$75.

(c) Multiple-family (per unit): \$35.

(d) Multiple-family development (per acre or portion thereof): \$150.

(22) Parking lot: \$200.

(a) Resurface parking lot: \$100.

(b) Less than 25% of total area (ie: patch): \$50

(23) Operating Permits: \$50.

(24) Marking Property lines & Curb Box Location: \$50.

Seconded by Alderman Schrader and adopted. Ayes 6.

By Alderman Schrader:

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

Seconded by Alderman Franco and adopted. Ayes 6.

121714.8

By Alderman Kibler:

Resolved, that the City's Motor Vehicle Policy, adopted on April 17, 1996, and amended on February 17, 1999, is amended as follows:

CITY OF LOCKPORT
MOTOR VEHICLE SAFETY POLICY

1. PURPOSE

To establish rules and procedures for the prevention of injuries and the safe operation of all motor vehicle and motorized equipment owned or operated by the City of Lockport.

2. SCOPE

These provisions apply to **ALL** personnel operating or riding in City owned vehicles or privately owned vehicles operated for official City business.

3. DRIVING RULES AND REGULATIONS

All drivers of municipal vehicles and those using their personal vehicles in pursuit of municipal business will obey **ALL** applicable laws of the State of New York as well as any additional regulations of the City of Lockport.

A. EQUIPMENT

1. The driver and all passengers in City owned or operated motor vehicles/motorized equipment shall wear the appropriate passenger restraints while the vehicle/motorized equipment is in motion.
2. Vehicles used to transport employees and/or other passengers shall have seats firmly secured and adequate for the number of employees and/or passengers to be carried.
3. Vehicles/motorized equipment with moveable windshields are to have these windshields in the "closed" position while in operation.

4. Portable or detachable doors may not be removed from the vehicles/motorized equipment unless:
 - (a) It is necessary in order to perform the job
 - (b) Mirrors remain on the vehicle/motorized equipment when the doors are off.
5. Vehicles'/motorized equipments' doors are not to be left open while the vehicle/motorized equipment is in motion or standing. Nor are doors to be tied open.
6. Turn signals will be utilized by all drivers at all times in ample time to warn oncoming or following vehicles of the intent to turn.
7. All motor vehicles/motorized equipment will use yellow cautionary lights if the vehicle/motorized equipment are so equipped. *(NOTE: the yellow cautionary light is a cautionary device to protect our employees as well as alert the general public that work is being performed. This device should be used whenever applicable. Any non-working lights should be reported to the supervisor using standard procedures for repair)*
8. Drivers will ensure that the windows, headlights, taillights and windshield wipers are operational at all times.
9. Tailgates will be up and locked when vehicles equipped are in motion. If a vehicle's function requires that the tailgate remain in the open position, red flags will be attached to the outward corners of the gate.
10. If the vehicle does not have a tailgate, but is loaded, the driver of the vehicle will ensure that the load is secure on the truck and that overhangs are properly marked in accordance with applicable State and Local Laws. (Sec. 380 MVL)

B. GENERAL

1. No one shall operate a motor vehicle unless he/she is properly licensed to do so and properly trained for the operation of specialized motor vehicles or equipment.
2. Drivers will carry their State Drivers License at all times when operating City owned vehicle/motorized equipment or using their personal vehicle for City use. Suspension or loss of driving privileges will result in full-time drivers being temporarily reclassified if required until such time as their driving privileges are reinstated or temporary restricted license is issued.
3. Each employee who operates a vehicle regularly or occasionally is required to report any suspensions or revocation of his/her license to his/her supervisor immediately. Failure of any employee to report a change in license status will result in disciplinary action.
4. Before starting the vehicle, the driver shall make certain that all passengers are safely within the vehicle, in proper seats and properly restrained.
5. Visual inspection of each vehicle or motorized equipment will be conducted by the driver before operation each day. Any damage, defects, etc. shall be reported to the supervisor and City mechanics.

6. No person shall be allowed to stand in any motor vehicle while the vehicle is in motion unless said vehicle is designed to be operated in that manner.
7. No one shall get on or off a motor vehicle while it is in motion.
8. Passengers shall get in/on and out/off at the right curb only.
9. Riding on running boards is prohibited.
10. All City motor vehicles shall keep their headlights on at all times while in operation.
11. Posted speed limits shall be adhered to. This includes cautionary limits.
12. Drivers will direct their full attention to driving only. Inspections of streets, trees, sign. Etc. shall be made by a second person other than the driver unless the vehicle is parked.
13. Know and use all signals appropriate to your operation.
14. Obey all New York State vehicle and traffic laws.
15. Trailers are to be fastened securely to hitches. Safety pins in pestle locks will be used. Safety chains will be crossed under hitch and securely fastened before moving the vehicle.
16. Tools and materials shall be secured to prevent movement when transported.
17. No more than three (3) persons shall ride in the front seat of any vehicle. Where only two single seats exist, there is to be only one rider per seat.
 - a. No person shall sit in any area of a motor vehicle unless in a prescribed seat. No riding in back of trucks. (sec. 1213 MVL)
18. Consumption of alcohol beverages, narcotics, or other illegal drugs immediately prior to or during operation of a motor vehicle is prohibited.
19. No motor vehicle shall be operated by an employee under the influence of intoxicating beverages, legal drugs causing drowsiness or other impairments, or illegal drugs. (sec. 1192 MVL)
20. Backing up vehicles without a clear view of the area of the rear end will be done only with assistance of a guide. If a second person is in the vehicle, he/she will get out of the vehicle and guide the vehicle using the appropriate hand and voice signals. If the driver is alone and the situation warrants it, the driver will get out of the vehicle and inspect the area behind him before backing up the vehicle. Strict caution should be observed.
21. No municipal vehicle is to be left running unattended. If the vehicle is not in use, it should be turned off.
22. ALL City vehicles and motorized equipment shall be locked up when not in use.

C. SPECIAL EQUIPMENT

1. Special equipment such as tractors, backhoes, hi-lifts or any other unit which has special devices added for a specific type of work will require formal instruction prior to use by a driver.
2. Construction type equipment will travel at less than twenty (20) MPH without exception. This equipment will use the right-hand lane except

when making a left-hand turn. Right of way will be given to all other vehicles. Headlights will be on at all times when driving down the street, as well as yellow flashing lights and flashers if so equipped. Triangular orange-colored slow moving vehicle signs will be displayed on the rear of the vehicle.

3. Special equipment operators shall follow all rules under A and B.

D. VEHICLE IDENTIFICATION

1. All City owned (except unmarked police vehicles) shall be identified with a City decal on both sides of the vehicle. *(NOTE: Police and Fire Departments may utilize their respective departmental decal. All others shall use City decal).*
2. All City vehicles *(excepting unmarked police vehicle, and the City vehicle assigned to the Mayor (LP1))* shall bear identification numbers on both sides of the vehicle as well as the rear of the vehicle.

E. USE OF VEHICLE

All City vehicles are to be used only for official City business during the normal departmental working day. Vehicles are to be parked at the designated departmental parking area at the close of each working day. *(Exceptions: Mayor, Police Chief, Fire Chief, H/P Superintendent, Chief of Detectives, K-9 Officer.)*

4. IN CASE OF ACCIDENT

Applying the principles of defensive driving should help you avoid accidents. However, should you be involved in an accident involving City owned vehicles, the following procedure must be followed:

- A. Render First aid if necessary and call 911 immediately.
- B. Notify the Police Department immediately and request an investigation at the scene. (Make sure the accident exchange information forms are completed for all drivers.)
- C. **Notify your Department Head and/or Supervisor immediately.**
 - (a) **Within one (1) hour of the accident the city employee shall be transported by the Department Head or Supervisor to the City Physician for an evaluation and drug/alcohol screen.**
 - (b) **The Department Head and/or Supervisor shall report this accident to the City Clerk's Office and the Department of Civil Service by the end of that business day.**
- D. In the event the investigator fails to appear within a reasonable time, exchange names, drivers' license numbers and vehicle numbers with the other person(s) involved. Offer no information regarding the responsibility for the accident or what should have been done to avoid the accident. Proceed to the Police Department (suggest other driver(s) do the same) to report the accident.
- E. The City employee involved in an accident using a city vehicle shall submit the following to his/her Supervisor or Department Head:
 - (a) Accident Reporting Kit

- (b) Copy of Supervisor's/Department Head's Report of Motor Vehicle Accident Investigation.
- (c) Copy of Accident Report from the Police Department (MV104A)
- (d) Accident Exchange information form.

The Clerk upon receipt of the accident reporting kit shall copy same to each member of the Fleet Safety Committee. Any two (2) members of the Fleet Safety Committee may call for a meeting to investigate any accident. In the event of an accident the Fleet Safety Committee shall convene in a timely fashion. The Committee shall serve in an advisory capacity only and will examine the circumstances of the accident. The Fleet Safety Committee is charged with making recommendations to the Mayor and Supervisor's/Department Heads about what corrective measures may include but are not limited to training, disciplinary action, or the establishment of certain driving protocol. The Committee shall have the power to require the attendance of any City employee involved in an accident and also the Supervisors/Department Heads of said employee at an investigation meeting.

5. RATIONAL FOR MOTOR VEHICLE SAFETY POLICY

Municipal vehicles are easily identified and constitute a traveling advertisement seen by many citizens. They have what advertisers call "high exposure". In your relationship with other motorists and pedestrians while operating your vehicle, you control an important influence upon good or bad public relations with the municipality.

While administering any policy, questions will be asked that do not have clear-cut answers. It is expected that this will be the case with the Fleet Safety Policy. Questions or concerns that arise that deal with items such as safety and training, which are not resolved at the departmental level, may be referred to the Fleet Safety Committee or an applicable safety committee provided by a collective bargaining agreement. Department Heads are requested to exercise discretion in these matters.

It is recommended that each Department Head should designate at least one (1) Supervisor within the department to be responsible for coordinating fleet safety activities. Each Department Head or designee shall be responsible for reviewing the Motor Vehicle Safety Policy with each employee who may be assigned to operate a motor vehicle while working for the City. The Department Head or designee shall ask the employee if he/she understands the policy, and if the employee acknowledges he/she does, then the employee shall sign the Motor Vehicle Safety Policy Acknowledgement Form.

This policy is meant to be as inclusive as possible but not exclusive. Should departments wish to develop standard operating procedures that would supplement this policy they may. However, any departmental standard operating procedures already in place or to be developed should not be in conflict with this policy.

Questions referred to the Fleet Safety Committee may be referred to our insurance carrier for advice and guidance.

Enforcement of this policy, like any other, is the responsibility of the Department Head.

6. DEFENSIVE DRIVING PROGRAM

The Fleet Safety Committee shall have the power to establish a defensive driving program for all City employees engaged in the use of a motor vehicle in the performance of their job. Said program will be proactive, in that it is designated to raise the awareness of safe driving practices in an effort to avoid accidents. And it shall be reactive, in that any employee involved in an accident that is deemed to be a result of the employee's negligence said employee shall attend a driver's safety course.

Seconded by Alderman Fogle and adopted. Ayes 6.

By Alderman Kibler:

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

Seconded by Alderman Fogle and adopted. Ayes 6.

121714.9

By Alderman Genewick:

Resolved, pursuant to the request of the New York State Comptroller's Office, the City of Lockport will establish an Audit Committee Policy as follows:

Purpose

The purpose of the audit committee shall be to (1) assure that the City of Lockport (hereinafter referred to as "City") fulfills its responsibilities for the City's internal and external audit process, the financial reporting process and the system of risk assessment and internal controls over financial reporting; and (2) provide and avenue of communication between management, the independent auditors, the internal auditors, and Common Council.

Powers of the Audit Committee

It shall be the responsibility of the audit committee to:

- Appoint, compensate, and oversee the work of any public accounting firm employed by the City.
- Conduct or authorize investigations into any matters within its scope of responsibility.
- Seek any information it requires from City employees, all of whom should be directed by the Mayor to cooperate with committee request.
- Meet with City staff, independent auditors or outside counsel, as necessary.
- Retain, at the City's expense, such outside counsel, experts and other advisors as the audit committee may deem appropriate.

The city will ensure that the audit committee has sufficient resources to carry out duties.

Composition of the Committee and Selection of Members

The audit committee shall be established appointed by the Mayor. The audit Committee shall consist of at least three members of the public who are independent of City operations. The Mayor will appoint the audit members and the audit committee chair. Audit committee members shall be prohibited from being an employee of the City or an immediate family member of any employee of the City. In addition, audit committee members shall not engage in any private business transactions with the City, or be an immediate family member of an

individual that engages in private business transactions with the City or receives compensation from an entity that has material business relationships with the City.

Ideally, all members on the audit committee shall possess or obtain a basic understanding of governmental financial reporting and auditing.

The audit committee shall have access to the services of at least one *financial* expert; whose name shall be disclosed in the annual report of the City.

The audit committee's financial expert shall have 1) an understanding of generally accepted accounting principles and financial statements; 2) experience in preparing or auditing financial statements of comparable entities; 3) experience in applying such principles in connection with accounting for estimates, accruals and reserves; 4) experience with internal accounting controls and, 5) an understanding of audit committee functions.

Meetings

The audit committee will meet a minimum of twice a year, with the expectation that additional meeting may be required to adequately fulfill all the obligations and duties outlines in the charter.

Members of the audit committee are expected to attend each committee meeting, in the person or via telephone or videoconference. The audit committee may invite other individuals, such as members of management, auditors or other technical experts to attend meetings and provide pertinent information, as necessary.

The audit committee will meet with the City's independent auditor at least annually to discuss the financial statements of the authority.

Meeting agendas will be prepared for every meeting and provided to the audit committee members along with briefing materials 5 business days before the scheduled audit committee meeting. The audit committee will act only on affirmative vote of the majority of the members at a s meeting or by unanimous consent. Minutes of these meetings will be recorded.

Responsibilities

The audit committee shall:

- Appoint, compensate and oversee independent auditor retained by the City and pre-approve all audit services provided by the independent auditor.
- Establish procedures for the engagement of the independent auditor to provide permitted audit services. The City's independent auditor shall be prohibited from providing non-audit services unless having received previous written approval from the audit committee. Non- audit services include tasks that directly support the City's operations, such as bookkeeping or other services related to the accounting records or financial statements of the City , financial information systems design and implementation, appraisal or valuation services, actuarial services, investments banking services, and other tasks that may involve performing management functions or making management decisions.

- Review and approve the City's audited financial statements, associated management letter, report in internal controls and all other auditor communications.
- Review significant accounting and reporting issues, including complex or unusual transactions and management decisions, and recent professional and deregulatory pronouncements, and understand their impact on the financial statements.
- Meet with the independent audit firm on a regular basis to discuss any significant issues that may have surfaced during the course of the audit.
- Review and discuss any significant risks reported in the independent audit findings and recommendations and assess the responsiveness and timeliness of management's follow-up activities pertaining to the same.

A. Internal Auditors

The audit committee shall:

- Review with management and the internal audit director, the charter, activities, staffing and organizational structure of the internal audit function. The Mayor with Common Council approval shall have authority over the appointment, dismissal, compensation and performance reviews of the internal audit director
- Ensure that the internal audit function is organizationally independent from City operations.
- Review the reports of internal auditors, and have authority to review and approve the annual internal audit plan.
- Review the results of internal audits and approve procedures for implementing accepted recommendations of the internal auditor.

B. Internal Controls, Compliance and Risk Assessment

The audit committee shall:

- Review management's assessment of the effectiveness of the City's internal controls and review the report on internal controls by the independent auditor as a part of the financial audit engagement.

C. Special Investigations

The audit committee shall:

- Ensure that the City has an appropriate confidential mechanism for individuals to report suspected fraudulent activities, allegations of corruption, fraud criminal activity, conflicts of interest or abuse by the officers, or employees of the City or any persons having business dealings with the City or breaches of internal control.
- Develop procedures for the receipt, retention, investigation and or/ referral of complaints concerning accounting, internal controls and auditing to the appropriate body.

- Request and oversee special investigation and/or referral of complaints concerning accounting, internal controls and auditing to the appropriate body.
- Request and oversee special investigations as needed and/or refer specific issues to the appropriate body for further investigation (for example, issues maybe referred to the State Inspector General or, other investigatory organization.)
- Review all reports delivered to it by the Inspector General and serve as a point of contact with the Inspector General.

E. Other Responsibilities of the Audit Committee

The audit Committee shall:

- Present annually to the City’s board a written report of how it has discharged its duties and met its responsibilities as outlined in the charter.
- Obtain any information and training needed to enhance the committee members’ understanding of the role of internal audits and the independent auditor, the risk management process, internal controls and a certain level of familiarity in financial reporting standards and processes.
- Review the committee’s guidelines annually, reassess its adequacy, and recommend any proposed changes to the Mayor and Common Council. The audit committee guidelines will be updated as applicable laws, regulations, accounting and auditing standards change.
- Conduct an annual self-evaluation of its performance, including its effectiveness and compliance with the guidelines and request the Mayor and Common Council approval for proposed changes.

Seconded by Alderman Lombardi and adopted. Ayes 6.

121714.10

By Alderman Genewick:

Whereas, the New York State Comptroller’s Office recommended that the City of Lockport’s Procurement Policy included a Request for Proposal (RFP) of Independent External Auditing Services every three years. And

Whereas, the City of Lockport adopted a Procurement Policy on September 5, 2012 that excludes Professional Services from the RFP Process. Now therefore be it,

Resolved, the Procurement Policy be amended by adding the following language to the to Section V (Procedures) :

a. Professional services or services requiring special or technical skill, training or expertise. The individual or company must be chosen based on accountability, reliability, responsibility, skill, education and training, judgement, intergrity, and moral worth. These qualifications are not necessarily found in the individual or company that offers the lowest price and the nature of these services are such that they do not readily lend themselves to competitive procurement procedures. REQUEST FOR PROPOSAL FOR OUTSIDE

AUDITING SERVICES SHALL BE SOUGHT EVERY THREE (3) YEARS. NOTHING HEREIN SHALL PRECLUDE THE OUTSIDE AUDIT COMPANY FROM SUBMITTING A PROPOSAL TO CONTINUE SUCH SERVICES.

Seconded by Alderman Schrader and adopted. Ayes 6.

121714.11

By Alderman Schrader:

Resolved, that the following water rates for the City of Lockport shall be effective on all residential and commercial water consumption billed after January 1, 2015 and on all industrial water billed after January 1, 2015:

**CITY OF LOCKPORT - WATER RATES
EFFECTIVE JANUARY 1, 2015**

Each and every meter located in any building shall be classified as a separate meter account.

MONTHLY BILLS

Rates for all industrial users of water:

Rate for each meter in building \$35.00 per month, plus the following:

Minimum rate - \$15.00 per each one month period or fraction thereof:

First 50,000 cu. ft.	\$2.90 per 100 cu. ft.
Next 100,000 cu. ft.	2.65 per 100 cu. ft.
Over 150,000 cu. ft.	2.35 per 100 cu. ft.

QUARTERLY BILLS

Rates for commercial users of water are:

Minimum rate – As per City of Lockport Meter Fee Schedule effective January 1, 2015, and, a usage commodity charge of \$2.95 per 100 cu. ft.

Rates for residential users of water are:

Minimum rate – As per City of Lockport Meter Fee Schedule effective January 1, 2015, and, a usage commodity charge of \$2.90 per 100 cu. ft.

RURAL BILLS

Rates for all non-resident users of water - quarterly rate plus 50%

BULK WATER

\$4.00 per 1,000 gallons.

and, be it further

Resolved, that the following Meter Fee Schedule for all Residential and Commercial meters is as follows:

**CITY OF LOCKPORT METER FEE SCHEDULE
EFFECTIVE JANUARY 1, 2015**

Rate/Quarter	Meter	Size
\$42.50	A	5/8"
\$47.50	B	3/4"
\$52.50	C	1"
\$57.50	D	1 1/2"
\$62.50	E	2"
\$67.50	F	3"
\$72.50	G	4"

Seconded by Alderman Franco and adopted. Ayes 6.

121714.12

By Alderman Schrader:

Resolved that **§185-8F Water Rates** of the City Water Code be amended by deleting and replacing with the following:

185-8 F: Bills due the Department for water consumption, or any other service, if not paid within 30 days from the date of issue, shall be subject to a penalty of 10% per quarter on the unpaid balance such penalty to be collected together with the amount of the bill. Members of the armed forces activated by order of the United States government shall receive relief from any and all penalties during their period of active service.

Seconded by Alderman Franco and adopted. Ayes 5, No 1 – Alderman Genewick.

121714.13

By Alderman Genewick:

Resolved, that the Mayor, subject to Corporation Counsel approval, is hereby authorized to execute the 2015 agreement between the City of Lockport and Niagara Community Action Program, Inc. at a cost not to exceed \$2,500.00. Cost of same to be charged to account #001-8697-4325.

Seconded by Alderman Fogle and adopted. Ayes 5. Alderman Lombardi Abstained.

121714.14

By Alderman Kibler:

Resolved, that the Mayor and Common Council do hereby extend condolences to the family of John S. Trowbridge, a retired City of Lockport Police Captain who recently passed away.

Seconded by Alderman Franco and adopted. Ayes 6.

121714.14A

By Alderman Kibler:

Resolved, that the Mayor, subject to Corporation Counsel approval be and the same is hereby authorized and directed to renew the contract with Lockport City School District for continuation of a School Resource Officer.

Seconded by Alderman Lombardi and adopted. Ayes6.

121714.14B

By Alderman Genewick:

Resolved, that pursuant to the recommendation of the Civil Service Commission, the title Director of Finance be and the same is hereby approved.

Seconded by Alderman Kibler and adopted. Ayes 6.

121714.14C

By Alderman Genewick:

Resolved, that pursuant to the recommendation of the Civil Service Commission, the title Assistant Chief Operator/WWTP be and the same is hereby approved.

Seconded by Alderman Schrader and adopted. Ayes6.

121714.14D

By Alderman Franco:

WHEREAS, NYSE&G is in the process of installing gas service at Cornerstone Arena CFCU at 34 Chestnut Street, Lockport, New York, and

WHEREAS, the installation of the new gas service involves a new 4 inch riser that will be placed approximately one foot away from the building on the North West corner and two (2) 4 inch steel bollards in front of it to protect it, and

WHEREAS, a small portion of the above steel bollards will protrude into the 15 foot wide sidewalk but will not diminish or interfere with pedestrian traffic.

NOW THEREFORE BE IT

RESOLVED, that Lockport Ice Arena & Sports Center, Inc./Cornerstone Arena CFCU is hereby authorized to install a 4 inch riser along west side of their building with two 4 inch bollards in front of it to protect the gas service from being struck and be it further

RESOLVED, that the Grading and Drainage Plan by Advanced Design Group dated 7-3-13, Job No. 13-4783 is incorporated herein by reference, and be it further

RESOLVED, that aforesaid authorization is subject to approval by the Chief Building Inspector for the City of Lockport.

Seconded by Alderman Fogle and adopted. Ayes 6.

121714.15

ADJOURNMENT

At 6:33 P.M. Alderman Kibler moved the Common Council be adjourned until 5:00 P.M., Tuesday, December 30, 2014.

Seconded by Alderman Franco and adopted. Ayes 6.

RICHELLE J. PASCERI
City Clerk