

CITY OF LOCKPORT
CORPORATION PROCEEDINGS

Lockport Municipal Building

Regular Meeting
Official Record

February 3, 2016
6:30 P.M.

Mayor Anne E. McCaffrey called the meeting to order.

ROLL CALL

The following Common Council members answered the roll call:

Aldermen Abbott, Devine, Oates, O'Shaughnessy, Mullane, and Wohleben.

MAYOR'S UPDATE

INVOCATION

TREASURER'S REPORT

RECESS

Recess for public input.

020316.1

APPROVAL OF MINUTES

On motion of Alderman Wohleben, seconded by Alderman Devine, the minutes of the Regular Meeting of January 20, 2016 are hereby approved as printed in the Journal of Proceedings. Ayes 6. Carried.

PUBLIC HEARING

AMENDMENT TO § 166, ART III - SENIOR CITIZENS TAX EXEMPTION

The Mayor announced a public hearing on a proposed amendment to § 166, Article III – Senior Citizens Tax Exemption.

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

1/22/16 Cynthia Scheer Landrigan, 33 Priscilla Lane, Lockport, NY – in favor of increasing the income level for the exemption.

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)

1/20/16 Bridgett Borek, Lockport In Bloom Chair – request permission to conduct the 12th Annual Lockport In Bloom Garden Walk, and request permission to install signage to promote the Garden Walk. Referred to the Committee of the Whole

1/21/16 Mayor Anne E. McCaffrey – I, Anne E. McCaffrey, Mayor of the City of Lockport do hereby acknowledge receipt of resolutions 012016.6 and 012016.8 duly certified by the City Clerk on 1/21/16 and in accordance with Sections 65 and 66 of the City of Lockport Charter I hereby veto resolutions 012016.6 and 012016.8. Referred to the Committee of the Whole

1/28/16 Richelle J. Pasceri, City Clerk – notification that the Lockport Municipal Offices will be closed as follows in the month of February in observance of the President's birthdays:

Monday, February 8^h
Monday, February 15th

There will be no change in the garbage pickup schedule.
Referred to the Media

1/28/16 Frank Movalli, Principal, Lockport High School – request permission to conduct a 5K road race on Saturday May, 21, 2016. Referred to the Committee of the Whole

2/3/16 Richelle J. Pasceri, City Clerk – notification that bid proposals for Locks District Gateway Signage were received on January 29, 2016 as follows:

Yarussi Construction	base	\$395,000.00
Niagara Falls, NY	inlay	8,700.00
Northern Dreams Construction	base	\$450,000.00
Cheektowaga, NY	inlay	11,000.00
Scott Lawn Yard	base	\$312,000.00
Sanborn, NY	inlay	10,000.00
Gardenville Landscape & Nursery	base	\$329,000.00
West Seneca, NY	inlay	7,500.00
Modern Surface Solutions	base	\$327,000.00
Lockport, NY	Inlay	6,930.00
Nichols Long & More Construction	base	\$332,442.00
Lancaster, NY	inlay	10,800.00

Referred to the Committee of the Whole

Notice of Defect:

1/25/16 192 Erie Street, Lockport, NY – tree
Referred to the Director of Streets and Parks.

Notice of Claim:

2/1/16 Marissa M. Sheron, 193 Church Street, Lockport, NY
Referred to the Corporation Counsel.

MOTIONS & RESOLUTIONS

020316.2

By Alderman Wohleben:

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 February 5, 2016 as follows:

2015 Expenses:

General Fund	Account #001	\$ 102,569.52
Water Fund	Account #002	\$ 30,510.06
Sewer Fund	Account #003	\$ 29,149.20
Capital Projects	Account #004	\$ 571.95

2016 Expenses:

General Fund	Account #001	\$ 86,004.04
Water Fund	Account #002	\$ 22,104.59
Sewer Fund	Account #003	\$ 12,475.14
Payroll	Pay Date 1/21/16	\$ 460,119.52

Seconded by Alderman Devine and adopted. Ayes 6.

020316.3A

By Alderman Abbott:

WHEREAS, on December 16, 2015, the Common Council passed resolution No. 121615.5 to enter into a shared services agreement with the City of Niagara Falls, and

WHEREAS, on January 20, 2016, the Common Council passed resolution No. 012016.6 to rescind resolution No. 121615.5, and

WHEREAS, on January 21, 2016, the City Clerk in accordance with Section C-65 of the City Charter presented certified resolution 012016.6 to the Mayor within 24 hours for signature and the Mayor on January 21, 2016 vetoed resolution No. 012016.6 and returned it with her objections to the City Clerk within five days after she received it, and

WHEREAS, the City Clerk reported the Mayor’s veto and veto message to the Common Council at the next regular meeting on February 3, 2016, and

WHEREAS, the Common Council having reconsidered the same desires to override said veto and pass the same.

NOW THEREFORE BE IT

RESOLVED, that resolution No. 012016.6 be and the same is hereby readopted and it shall take effect as if it had duly received the Mayor’s signature.

Seconded by Alderman O’Shaughnessy. A roll call vote was taken which resulted as follows:

Alderman Abbott	VOTING	YES
Alderman Devine	VOTING	YES
Alderman Mullane	VOTING	YES
Alderman Oates	VOTING	YES
Alderman O’Shaughnessy	VOTING	YES
Alderman Wohleben	VOTING	NO

The resolution was thereupon declared duly adopted.

020316.3B

By Alderman O’Shaughnessy:

WHEREAS, on January 20, 2016, the Common Council passed resolution No. 012016.8, to create a full-time City Assessor position within the 2016 Budget effective immediately; and amend the 2016 Budget as follows:

INCREASE

Expense:

001.1355.0100	Personal Services – Regular	\$43,000
001.1355.0800	Retirement	\$ 6,665
001.1355.0802	FICA	\$ 3,290
001.1355.8001	Workers Compensation	\$ 3,960
001.1355.8004	Health Insurance	\$20,143

DECREASE:

Expense:

001.1420.4200	Counsel Fees (City Attorney)	\$77,058
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and

WHEREAS, on January 21, 2016, the City Clerk in accordance with Section C-65 of the City Charter presented certified resolution 012016.8 to the Mayor within 24 hours for signature and the Mayor on January 21, 2016 vetoed resolution No. 012016.8 and returned it with her objections to the City Clerk within five days after she received it, and

WHEREAS, the City Clerk reported the Mayor veto and veto message to the Common Council at the next regular meeting on February 3, 2016, and

WHEREAS, the Common Council having reconsidered the same desires to override said veto and pass the same.

NOW THEREFORE BE IT

RESOLVED, that resolution No. 012016.8 be and the same is hereby readopted and it shall take effect as if it had duly received the Mayor's signature.

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

Alderman Abbott	VOTING	YES
Alderman Devine	VOTING	YES
Alderman Mullane	VOTING	YES
Alderman Oates	VOTING	YES
Alderman O'Shaughnessy	VOTING	YES
Alderman Wohleben	VOTING	NO

The resolution was thereupon declared duly adopted.

020316.4

By Alderman Abbott:

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>
Joseph J. Kane	30	Tree Crew Leader
Michael J. Barnwell	20	Firefighter
Thomas A. Glenn	20	Fire Lieutenant
Todd M. Wheeler	15	WWTP Attendant
David A. Yourdon	15	Municipal Worker
William E. Jones	5	Police Officer

Seconded by Alderman Mullane and adopted. Ayes 6.

020316.5

By Alderman Oates:

Resolved, that pursuant to their request, Soccer Shots Buffalo is hereby granted permission to conduct a Summer Soccer Program at Altro Park beginning April 9, 2016 through October 29, 2016, subject to Soccer Shots Buffalo filing a certificate of insurance with the City Clerk naming the City of Lockport as additional insured.

Seconded by Alderman Wohleben and adopted. Ayes 6.

020316.6

By Alderman Abbott:

Resolved, that income eligibility for City tax exemption for qualifying property owners over 65 years of age be increased from the present \$25,420 annually to \$29,000 for exemption from 50 percentum of assessed valuation for City tax purposes, as provided for in Section 467 of the Real Property Tax Law of the State of New York. Said increased eligibility to be applicable to the 2016 final assessment roll which will produce 2017 General City Tax, and be it further

Resolved, that the any person otherwise qualifying under this section shall not be denied the exemption under this section if he becomes sixty-five years of age after the appropriate taxable status date and on or before December thirty-first of the same year.

Seconded by Alderman Devine and adopted. Ayes 6.

020316.7

By Alderman Mullane:

Resolved, that pursuant to their request, the Lockport in Bloom committee is hereby granted permission to conduct their 12th annual Lockport In Bloom "City Garden Tour 2016" event the weekend of Saturday, July 9th and Sunday, July 10th, 2016 from 10:00 a.m. to 4:00 p.m., and from 6:30 – 9:00 pm on Saturday, July 10th, and be it further

Resolved, that permission is also granted to hang signs advertising the event on the four Historic Lockport entrance signs beginning June 22nd to July 10th and to erect 18" X 24" Lockport in Bloom garden signs in Ida Fritz Park, Locust Street Park, Children’s Memorial Park and Veteran’s Memorial Park, and be it further

Resolved, that permission is hereby granted to erect a vinyl banner across East Avenue at Davison Road at least 17 feet from the ground to promote Lockport in Bloom weekend. Banners are to be erected for a minimum of two weeks prior to the event based on a schedule approved by the City Clerk, and be it further

Resolved, that the City Clerk is hereby authorized and directed to make arrangements to erect the banner.

Seconded by Alderman Oates and adopted. Ayes 6.

020316.8

By Alderman Devine:

Resolved, that pursuant to their request, #MSSUCKS is hereby granted permission to conduct a 5K run “Cinco-K” and barricade Vine Street from Walnut Street to Remick Parkway starting at approximately noon on May 1, 2016, subject to #MSSUCKS filing a certificate of insurance with the City Clerk naming the City of Lockport as additional insured and subject to approval of the race route by the Police Chief, and be it further

Resolved, that the Director of Streets and Parks is hereby authorized and directed to arrange for delivery of barricades to said area prior to the event.

Seconded by Alderman Abbott and adopted. Ayes 6.

020316.9

By Alderman Wohleben:

Whereas, the City Council has authorized the creation of an account clerk position within the City Treasurer’s Office through the adoption of resolution No. 010616.9H, and

Whereas, the 2016 budget must be amended to effectuate that; Now Therefore be it

Resolved, that the 2016 Budget is hereby amended as follows:

Decrease:		
001.1900.1990	Contingency	\$39,058
Increase:		
001.1325.0100	Personal Services – Regular	\$28,500
001.1325.0800	Retirement	\$ 4,418
001.1325.0802	FICA	\$ 2,180
001.1325.8001	Workers Compensation	\$ 3,960

Seconded by Alderman Abbott and adopted. Ayes 6.

020316.10 WITHDRAWN (Amend Budget re: Flag Pole Capital Project)

020316.11

By Alderman Oates:

Whereas, the City participated in a New York Power Authority (NYPA) Energy Service program through which NYPA conducted an energy study and funded, in the first instance, energy efficiency measures designed to reduce the City’s energy costs; and

Whereas, the City Council, through adoption of Resolution 021914.4, authorized the City’s participation with repayment to NYPA at an annual cost not to exceed \$11,220 until the year 2024; and

Whereas, the actual annual amount totals \$20,915 due to changes in scope of service and increased fixture costs; Now Therefore, Be it

Resolved that Resolution 021914.4 is hereby amended to increase the annual cost authorized to \$20,915 to be paid from the Utilities line item within the City’s annual budget.

Seconded by Alderman Wohleben and adopted. Ayes 6.

020316.12

By Alderman Abbott:

WHEREAS, the City applied for and received a Police Traffic Services -2016 Lockport City PD-00234-(032) (Highway Safety) Grant, and

WHEREAS, activities related to the grant were not budgeted for the year 2016, now therefore be it

RESOLVED, that the 2016 budget be amended for the appropriation of expenditures made relative to the grant as follows:

INCREASE APPROPRIATIONS:

001-3120-0101-3439	Overtime/Highway Safety	\$7,800.00
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Seconded by Alderman Mullane and adopted. Ayes 6.

020316.13

By Alderman Abbott:

WHEREAS, the City received a HOLIDAY DWI (DWI Road Checks) Grant for 2016, and
 WHEREAS, revenues and activities related to the grant were not budgeted for the year 2016, now therefore be it

RESOLVED, that the 2016 budget be amended for the receipt of revenue and appropriation of expenditures made relative to the grant as follows:

INCREASE REVENUES:
001-0001-4389-3438 STOP D.W.I. \$8,751.00

INCREASE APPROPRIATIONS:
001-3120-0101-3438 Overtime/STOP D.W.I. \$8,751.00

Seconded by Alderman Devine and adopted. Ayes 6.

020316.14 WITHDRAWN (Authorize Mayor to enter into agreement for Engineering Services for the Flight of Five project)

020316.15

By Alderman Wohleben:

Resolved, that pursuant to their request, Lockport High School is hereby granted permission to conduct a 5K Road Race on Saturday, May 21, 2016, subject to approval of the race route by the Police Chief and subject to filing a certificate of insurance with the City Clerk naming the City of Lockport as additional insured, and be it further

Resolved, that the Director of Streets and Parks is hereby authorized and directed to arrange for delivery of barricades and cones as required, and be it further

Resolved, that the Traffic Captain is hereby directed to arrange for police support for said event.

Seconded by Alderman O'Shaughnessy and adopted. Ayes 6.

020316.15A

By Alderman Oates:

Resolved, that a public hearing be held at the Common Council Meeting of February 17, 2016 starting at 6:00 P.M. in the Common Council Chambers, Lockport Municipal Building, One Locks Plaza, Lockport, NY relative to a request for a Special Use Permit made by All Saints RC Parish of Lockport, for approval for to add a 145.6' x 150' cemetery expansion on the east side of the property located at 23 Glenwood Avenue, situated in an RA Zone, and be it further

Resolved, that the City Clerk is hereby authorized and directed to advertise notice of said public hearing.

Seconded by Alderman Wohleben and adopted. Ayes 6.

020316.15B

By Alderman Abbott:

Resolved, that the Police Chief is hereby authorized and directed to sell via online auction, to the highest bidders, three vehicles that were seized through Asset Forfeiture, and be it further

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

Seconded by Alderman Mullane and adopted. Ayes 6.

020316.15C

By Alderman Wohleben:

WHEREAS, The New York State Office of Community Renewal (the "OCR") fielded applications for Planning Grants through the Consolidated Funding Application (CFA) process to fund, among other things, community needs assessments of economic development initiatives, and

WHEREAS, the City applied for funding for a community needs assessment, and
WHEREAS, the City was awarded a \$50,000 grant through the OCR for a community
needs assessment, now therefore be it

RESOLVED, that the Mayor is hereby authorized to execute the grant agreement and
all related documents associated with the OCR grant, subject to review by the City Attorney,
and be it further

RESOLVED, that the 2016 budget be amended to reflect the same.

Seconded by Alderman Oates and adopted. Ayes 6.

020316.16

ADJOURNMENT

At 7:20 P.M. Alderman Wohleben moved the Common Council be adjourned until 6:30
P.M., Wednesday, February 17, 2016.

Seconded by Alderman Devine and adopted. Ayes 6.

RICHELLE J. PASCERI
City Clerk