

CITY OF LOCKPORT
CORPORATION PROCEEDINGS

Lockport Municipal Building

Regular Meeting
Official Record

March 6, 2019
5:30 P.M.

Mayor Michelle M. Roman called the meeting to order.

ROLL CALL

The following Common Council members answered the roll call:

Aldermen Abbott, Devine, Eggert, Farrell, Oates and Wohleben.

MAYOR'S UPDATE

RECESS

Recess for public input.

030619.1

APPROVAL OF MINUTES

On motion of Alderman Devine, seconded by Alderman Eggert, the minutes of the Regular Meeting of February 20, 2019 are hereby approved as printed in the Journal of Proceedings. Ayes 6. Carried.

FROM THE MAYOR

Appointments:

2/22/19 Anne H. Orr, 125 Church Street, Youngstown, NY appointed as Commissioner of Deeds. Said term expires December 31, 2020.
Received and filed.

2/26/19 Mark P. Davis, 8464 Ridge Rd., Gasport, NY appointed as Water Distribution Maintenance Supervisor effective February 26, 2019. 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)

2/20/19 Taren LaGamba, Western New York Historic Parks Associates, Inc. – permission to write and submit a grant to the William G. Mayne, Jr. Grant Fund for Community enhancement.
 Referred to the Committee of the Whole.

2/21/19 Lynn Harrington, Stephen C. Harrington Memorial Erie Canal Fishing Derby – requests permission to hang two banners to promote the 2019 Erie Canal Fishing Derby.
 Referred to the Committee of the Whole.

Notice of Defect:

2/22/19 372 High Street, Lockport, NY – trees.
 3/6/19 142 & 154 Irving Street, Lockport, NY – trees.
 Referred to the Director of Streets and Parks.

Notice of Claim:

3/4/19 Michele J. Corrairie, 471 East Avenue, Lockport, NY
 3/5/19 Susan Wolf, 2785 Albright Road, Ransomville, NY
 Referred to the Corporation Counsel.

MOTIONS & RESOLUTIONS

030619.2

By Alderman Eggert:

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 March 6, 2019 as follows:

2018 Expenses

General Fund	Fund A	\$ 11,704.17
Sewer Fund	Fund G	\$ 1,800.00
Capital Projects	Fund H	\$ 971.00

2019 Expenses

General Fund	Fund A	\$229,731.52
Water Fund	Fund FX	\$ 46,996.80
Sewer Fund	Fund G	\$ 44,487.77
Refuse Fund	Fund CL	\$ 485.45
Payroll	Pay Date 2/21	\$453,153.49

Seconded by Alderman Wohleben and adopted. Ayes 6.

030619.3

By Alderman Eggert:

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>
Laura K. Schuler	10	Police Lieutenant
Steven J. Tarnowski	10	Police Lieutenant

Seconded by Alderman Abbott and adopted. Ayes 6.

030619.4

By Alderman Farrell:

Whereas, the City Court Clerk has indicated that the courts are in need of new shutters for the court windows located in the Lockport Municipal Building; and

Whereas, the New York State Unified Court System reimburses the City 100% of approved tenant work; and

Whereas, the new shutters have been an approved purchase by NYS and are not budgeted in the 2019 Building Maintenance budget; now, therefore, be it

Resolved, that the 2019 General Fund Budget is hereby amended as follows:

Revenue:

Increase:

A.1620.33021	State Aid Court Facilities	\$1,950
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Expense:

Increase:

A.1620.54076	Property Repairs	\$1,950
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Seconded by Alderman Abbott and adopted. Ayes 6.

030619.5

By Alderman Abbott:

Resolved, that pursuant to their request, the Erie Canal Fishing Derby is hereby granted permission to erect a banner at least 17' from the ground across Lake Avenue at Olcott Street and on East Avenue at Davison Road to promote the Erie Canal Fishing Derby which will be held from July 3rd through July 14th, 2019. Banners are to be erected for a minimum of two weeks prior to the event dates based on a schedule approved by the City Clerk, and be it further

Resolved, that said permission is subject to the Erie Canal Fishing Derby filing a certificate of insurance with the City Clerk naming the City of Lockport as additional insured and subject to payment of \$50 for each banner to be erected, and be it further

Resolved, that the City Clerk is hereby authorized and directed to make arrangements with city forces to erect the banners.

Seconded by Alderman Eggert and adopted. Ayes 6.

030619.6

By Alderman Devine:

Resolved, that Taren LaGamba be and the same is hereby authorized to submit an application on behalf of the City of Lockport to the 2019 William G. Mayne, Jr. Grant Fund for a grant to be used for community enhancement.

Seconded by Alderman Farrell and adopted. Ayes 6.

030619.7

By Alderman Wohleben:

Whereas, the City has developed a Capital Plan designed to, among other things, plan the replacement of its vehicles; and

Whereas, it has been estimated that by leasing passenger and work truck vehicles, the City can reduce its maintenance and operational costs by approximately \$300,000 over a ten year period; and

Whereas, the City of Lockport will be piggy-backing on a cooperative purchasing group lease agreement entered into with Enterprise Fleet Management through Sourcewell, formally known as NJPA; Now, therefore, be it

Resolved, that the Mayor, subject to Corporation Counsel approval, is hereby authorized and directed execute any and all documents related to the proposed lease of vehicles through Enterprise Fleet Management as prescribed by the vendor and as funded by the 2019 Budget and this resolution; and, be it further

Resolved, that the 2019 Budget is hereby amended as follows:

Expense:

Increase:

A.7140.54065	Equip. Lease	\$950
A.3410.54065	Equip. Lease	\$7,650
A.3120.54065	Equip. Lease	\$38,500
A.5110.54065	Equip. Lease	\$8,850
FX.8340.54065	Equip. Lease	\$7,860
G.8130.54065	Equip. Lease	\$10,300

Decrease:

A.3620.54065	Equip. Lease	\$5,500
A.1355.54065	Equip. Lease	\$1,850
A.1440.54065	Equip. Lease	\$2,100
A.3120.52070	Public Safety Equip.	\$46,500
FX.1900.54775	Contingency	\$7,860
G.8130.54623	Electricity	\$10,300

Seconded by Alderman Eggert and adopted. Ayes 6.

030619.8

By Alderman Wohleben:

WHEREAS the City of Lockport believes that all residents of Lockport should have safe housing and safe neighborhoods; and

WHEREAS, the City of Lockport is dedicated to insure safe housing through enforcement of Local and State Housing Codes and Laws; and

WHEREAS, the City of Lockport has found it difficult to collect unpaid housing code violation penalties, costs and fines imposed by the judicial system; and

WHEREAS, the City of Lockport needs the ability to levy unpaid housing code violation penalties, costs and fines imposed by the judicial system on the City's annual tax levy; and

WHEREAS, the several anticipated benefits of levying unpaid housing code violation penalties, costs and fines imposed by the judicial system on the City's annual tax levy are:

1. Further encourage all property owners to comply with all Local and State Housing Codes and Laws;
2. Reduce the resources expended by the City that have been historically used to seek collection of penalties, costs and fines;

3. Increase actual revenue collected by the City of Lockport;

and

NOW THEREFORE BE IT RESOLVED the City of Lockport Common Council requests the State of New York Legislature draft a bill for the purposes of permitting the City of Lockport to collect any unpaid housing, building and fire code violation penalties, costs and fines through placement on the City's annual tax levy;

AND BE IT FURTHER RESOLVED that in order to be eligible for placement on the City of Lockport's annual tax levy such unpaid code violation penalties, costs and fines shall have been adjudicated and imposed through a judgment in a court of competent jurisdiction, on an Owner of real property within the City and recorded by the County Clerk, as certified by the City's Corporation Counsel to the City Treasurer and have remained unpaid for one year after the final adjudication and exhaustion of all appeals relating to the imposition of the fines for a code violation preceding the placement on the City's tax levy.

Seconded by Alderman Farrell and adopted. Ayes 6.

030619.9

By Alderman Eggert:

Whereas, the Salvation Army provides warm shelter for the homeless or persons without heat when the temperature goes below 15 degrees overnight calling for a "Code Blue", and

Whereas, there has been an unusually high number of nights that the Salvation Army has stayed open for the "Code Blue" program in the 2018-2019 winter months, and

Whereas, a request has been made by the Salvation Army to help fund the "Code Blue" program in the amount of \$2,500 and

Whereas, the donation was not budgeted necessitating an amendment to the 2019 General Fund budget, now therefore be it

Resolved, the 2019 General Fund Budget be amended as follows:

Expense:

Increase:

A.8510.54075	Service Contracts	\$2,500
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Decrease:

A.1900.54475	Contingency	\$2,500
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Seconded by Alderman Oates and adopted. Ayes 6.

030619.9A

By Alderman Eggert:

Resolved, that the Mayor and Common Council do hereby extend condolences to the family of Christ S. Sposito, a retired City of Lockport WWTP Attendant who recently passed away.

Seconded by Alderman Oates and adopted. Ayes 6.

030619.9B

By Alderman Eggert:

Resolved, that the Mayor and Common Council do hereby extend condolences to the family of John J. Quinones, a retired City of Lockport Motor Equipment Operator who recently passed away.

Seconded by Alderman Oates and adopted. Ayes 6.

030619.9C

By Alderman Eggert:

Whereas, Section C-45 of the city charter requires employees to become a resident of the City of Lockport within six months of the commencement of service, and

Whereas, Section C-45 (8) (a) permits a waiver of the residency requirement in instances where the City of Lockport has difficulty hiring the most qualified person because of its residency requirements, and

Whereas, the Mayor and Common Council have determined that it is in the best interest of the city to waive the residency requirement for the position of Water and Sewer Billing and Service Coordinator for the City of Lockport Water Administration Department, now therefore be it

Resolved, that the Mayor and Common Council having considered all of the aspects of the residency requirement and for the reason of lack of qualified candidates within the City limits hereby determines that the Water and Sewer Billing and Service Coordinator position shall be exempt from said residency requirement for the Lockport Water Department.

Seconded by Alderman Farrell and adopted. Ayes 4. Alderman Abbott, Devine voted no.

030619.9D

By Alderman Oates:

Resolved, that a public hearing be held at the Common Council Meeting of March 20, 2019 starting at 5:30 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 Todd & Karla Chenez, for approval to erect a portable sign for 60 days and to erect two banner signs on the dumpster enclosure and east side of the building to be located at 21 Main Street, situated in a B-2 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.

030619.9E

By Alderman Wohleben:

WHEREAS, the State of New York Hudson River Valley Greenway Commission (Greenway Commission) received a grant from the Ralph Wilson Foundation in the amount of \$500,000 to enhance the Empire State Trail Gateway in the City of Lockport along Canal Street on City land, and

WHEREAS, the City of Lockport has approved the Greenway Commission to make various enhancements on Canal Street as part of the Empire State Trail Gateway in the City of Lockport, and

WHEREAS, the Greenway Commission has provided the City of Lockport with a Letter of Intent, which states each parties' responsibilities, and

WHEREAS, the Letter of Intent states that it is the Greenway Commission's responsibility to fund and complete the design, environmental review, and construction of the Gateway and will require contractors to name the City of Lockport as additional insured, and

WHEREAS, the Letter of Intent also states that it is the City of Lockport's responsibility to accept ownership of the improvements and is responsible for future maintenance, will hold the Greenway Commission and its contractors harmless, and will ensure the Gateway is reasonably publicly accessible.

NOW, THEREFORE, BE IT

RESOLVED, that the City of Lockport does hereby accept the future maintenance and operation of the Gateway, as described in the Letter of Intent and,

RESOLVED, that the Mayor is hereby authorized and directed to execute the Letter of Intent supplied by the Greenway Commission.

Seconded by Alderman Eggert and adopted. Ayes 6.

030619.10

ADJOURNMENT

At 6:12 P.M. Alderman Devine moved the Common Council be adjourned until 5:30 P.M., Wednesday, March 20, 2019.

Seconded by Alderman Eggert and adopted. Ayes 6.

RICHELLE J. PASCERI
City Clerk