CITY OF LOCKPORT

**CORPORATION PROCEEDINGS**

Lockport Municipal Building

Annual Meeting

Official Record

January 7, 2015

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, Mullane, Fogle, Schrader, and Genewick.

By Alderman Kibler:

Resolved, that the Rules & Orders governing Common Council meetings be and the same are hereby waived for this meeting.

Seconded by Alderman Genewick and adopted. Ayes 6.

**INVOCATION**

**OFFICIAL SWEARING IN CEREMONY**

**Conducted by the Honorable Judge William Watson**

**MAYOR’S UPDATE**

**010715.1** **APPROVAL OF MINUTES**

On motion of Alderman Kibler, seconded by Alderman Lombardi, the minutes of the Regular Meeting of December 17, 2014 and the Special Meeting of December 30, 2014 are hereby approved as printed in the Journal of Proceedings. Ayes 6. Carried.

**FROM THE MAYOR**

**Appointments:**

1/2/15 Richard Clark, 289 Washington Street, Lockport, NY – appointed as a member fo the Traffic Advisory Committee. Said term expires on June 1, 2019.

Received and filed.

1/6/15 David Pynn, 7901 Chestnut Ridge Road, Gasport, NY – reappointed as a member of the Plumbing Board. Said term expires December 31, 2017.

Received and filed.

1/6/15Under and by virtue of the authority conferred on me by the Charter of the City of Lockport, I, Anne E. McCaffrey, Mayor of the City of Lockport, do hereby make the following appointments:

**For the term of one year expiring on December 31, 2015:**

President of the Common Council Joseph C. Kibler

Corporation Counsel John J. Ottaviano

Deputy Corporation Counsel (1st) David E. Blackley

Deputy Corporation Counsel (2nd) Matthew E. Brooks

Niagara Community Action Program John Lombardi III

Traffic Advisory Committee Matthew E. Brooks

**2015 Common Council Standing Committees:**

**Finance Committee** – Alderman Genewick, Chairman

Members: Aldermen Lombardi, Kibler, Fogle, Schrader, and Mullane,

City Treasurer, City Auditor, City Budget Consultant

**Public Health & Safety Committee** – Alderman Kibler, Chairman

Members: Aldermen Lombardi, Kibler, Genewick, Fogle, Schrader, and Mullane,

Fire Chief, Chief Building Inspector, Police Chief

**Highways & Parks Committee** – Alderman Lombardi, Chairman

Members: Aldermen Kibler, Fogle, Genewick, Schrader, and Mullane,

City Engineer

# Water & Sewer Committee – Alderman Schrader, Chairman

# Members: Aldermen Kibler, Genewick, Lombardi, Fogle, and Mullane,

Water Superintendent, Waste Water Superintendent, City Engineer

**Youth Committee** – Alderman Fogle, Chairman

Members: Aldermen Schrader and Genewick,

City Engineer

**Personnel Committee** – Alderman Genewick, Chairman

Members: Aldermen Kibler, Fogle, Lombardi, Mullane, and Schrader,

City Clerk, Civil Service Secretary

**Washington Hunt Committee** – Mayor McCaffrey, Chairman

Members: Aldermen Schrader and Genewick.

**Commissioner of Deeds:**

For the term of two years expiring on December 31, 2016

Wendy J. Roberson, PO Box 733, Olcott, NY 14126

Patricia H. Nodine, 255 East Avenue, Lockport, NY 14094

Kenneth V. Lederhouse, 138 Continental Dr., Lockport, NY 14094

Gerald K. Farnham, Sr., 5460 Hinman Road, Lockport, NY 14094

William McNall, 739 Willow Street, Lockport, NY 14904

Kevin Clark, 10 Hi-Point Drive, Lockport, NY 14094

Anthony Nemi, 67 South New York Street, Lockport, NY 14094

James Budde, 7665 Highland Avenue, Gasport, NY 14067

Richard Shipley, 119 Autumnvale, Lockport, NY 14094

Alan F. Brooks, 707 Pletcher Road, Lewiston, NY 14092

Daniel Pluff, 4672 Lockport Road, Lockport, NY 14094

Lisa M. Kessler, 6542 Charlotteville Road, Newfane, NY 14108

Kevin McDonough, 70 Lakeview Parkway, Lockport, NY 14094

Donald Jablonski, 5705 Jennifer Drive West, Lockport, NY 14094

Patricia Dufour, 5937 Wynkoop Rd, Lockport, NY 14094

Kathryn (Kitty) Fogle, 35 Bacon St, Lockport, NY 14094

Francesca Gariano, 1335 94th St, Niagara Falls, NY 14304

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)

12/10/14 Ed Sandusky, Optimist Club of Lockport – request permission to conduct the 40th Annual Outdoor Arts & Craft Festival on June 27th and 28th 2015.

Referred to the Committee of the Whole

12/10/14 Chris Niziol, President, Diamonds in the Ruff Animal Rescue Inc., in conjunction with the Niagara County SPCA – request permission to conduct a joint fundraiser softball game at Outwater Park on Sunday, June 28, 2015.

Referred to the Committee of the Whole

12/23/14 Jeff Tracy, Race Director, Lockport Family YMCA, 19 East Avenue, Lockport, NY – request permission to conduct the 44th annual Y-10 Open Road Race on February 4, 2015.

Referred to the Committee of the Whole

1/2/15 Steven Harrington, 7963 Telegraph Road, Gasport, NY – request permission to erect two banners to promote the 2015 Erie Canal Fishing Derby.

Referred to the Committee of the Whole

**Notice of Defect:**

12/3/14 645 Locust Street, Lockport, NY – tree stump

12/3/14 377 Vine Street, Lockport, NY – tree

12/26/14 695 Walnut Street, Lockport, NY – tree

12/29/14 83 Ransom Street, Lockport, NY – tree

12/29/14 39 Irving Street, Lockport, NY – tree

Referred to the Director of Engineering.

**Notice of Claim:**

12/23/14 Zachary Smith –vs- City of Lockport, City of Lockport Police department, and Officer Wasik, Lieutenant Belling, and Chief Lawrence Eggert

1/2/15 Michael J. Barnwell, 33 Morrow Avenue, Lockport, NY

1/5/15 Carlton T. Winters, 78 Ransom Street, Lockport, NY

Referred to the Corporation Counsel

## MOTIONS & RESOLUTIONS

**010715.2**

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 January 9, 2015 as follows:

General Fund Account #001 $104,061.00

Water Fund Account #002 $ 11,118.32

Sewer Fund Account #003 $ 32,306.12

Refuse Fund Account #012 $ 87,307.55

Payroll Pay Date 12/24/14 $ 443,895.09

Seconded by Alderman Kibler and adopted. Ayes 6.

**010715.3 WITHDRAWN (Community Cable Commission Appointment)**

**010715.4**

By Alderman Lombardi:

Resolved, that pursuant to their request, Great Lakes Racing, LLC is hereby granted permission to use the rest room facilities and pavilion at Nelson C. Goehle Wide Waters Marina on Saturday, January 24, and Saturday, August 8, 2015, for the annual Winter and Summer Beast of Burden Ultra Marathons. Said permission is subject Great Lakes Racing, LLC filing a certificate of insurance with the City Clerk naming the City of Lockport as additional insured, and be it further

Resolved, that the Assistant Director of Engineering is hereby authorized and directed to arrange for the preparation of the restroom facilities for said event and to arrange for delivery of barricades to close off the parking lot.

Seconded by Alderman Kibler and adopted. Ayes 5. Alderman Genewick abstained.

**010715.5**

By Alderman Fogle:

Resolved, that pursuant to their request, Diamonds in the Ruff Animal Rescue Inc. in conjunction with the Niagara County SPCA is hereby granted permission to conduct a fundraiser softball game at Outwater Park on Sunday, June 28, 2015. Said permission is subject to Diamonds in the Ruff Animal Rescue, Inc. filing a certificate of insurance with the City Clerk naming the City of Lockport as additional insured.

Seconded by Alderman Lombardi and adopted. Ayes 6.

**010715.6**

By Alderman Schrader:

Resolved, that permission is hereby granted the Optimist Club of Lockport to conduct their 40th Annual Lockport Optimists Arts and Craft Festival on June 27th and 28th 2015 from 10:00 A.M. until 5:00 P.M. (street closing from 8:00 A.M. until 7:00 P.M.) with the following provisions:

1. The Lockport Optimist Club shall issue exhibitor's permits to arts and crafts exhibitors, vendors and peddlers, and to insure public safety and order and to avoid overcrowding of the exhibit areas, no other exhibits, displays, vendors or peddlers shall be permitted within the show area, whether located on public or private property, and the Lockport Optimist Club shall enforce this ban with the cooperation of the Lockport Police Department.
2. The Police Department is hereby directed to enforce the removal of all concessionaires, vendors, or peddlers from the show area not possessing an exhibitor’s permit.

(3) The show area shall include the blocks on Main Street from Washburn Street west to Saxton Street.

1. The Lockport Optimist Club shall file a certificate of insurance with the City Clerk naming the City of Lockport as additional insured, subject to the approval of the Corporation Counsel, and be it further

Resolved, that the Assistant Director of Engineering is hereby authorized and directed to arrange for delivery and pick-up of City barricades and trash receptacles as needed, and be it further

Resolved, that permission is granted the Optimist Club to use the Police Garage for storage of a golf cart overnight on Friday and Saturday night, June 26th and 27th subject to the approval of the Chief of Police.

Seconded by Alderman Fogle and adopted. Ayes 6.

**010715.7**

By Alderman Lombardi:

Resolved, that pursuant to their request, the Lockport Family Y.M.C.A. is hereby granted permission to conduct their 44th annual Y-10 Open Road Race and to close Market Street during the race and close East Avenue from Washburn Street to Elm Street at the beginning and end of the race on Saturday, February 14, 2015, subject to approval of the race route by the Police Chief and subject to the Lockport Family Y.M.C.A filing a certificate of insurance with the City Clerk naming the City of Lockport as additional insured, and be it further

Resolved, that the Assistant Director of Engineering is hereby authorized and directed to arrange for salting the streets in the City’s portion of the race route if necessary, and to deliver barricades, cones, and "street closed" signs 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 Mullane and adopted. Ayes 6.

**010715.7A**

By Alderman Kibler:

Resolved, that the Mayor, subject to Corporation Counsel approval is hereby authorized to enter into an employment agreement with Michael Hoffman as Director of Streets and Parks.

Seconded by Alderman Fogle and adopted. Ayes 5. Alderman Mullane abstained.

**010715.7B**

By Alderman Kibler:

Resolved, that the Mayor, subject to Corporation Counsel approval is hereby authorized to enter into an agreement with Sunnking, 1800 Broadway, Buffalo, NY 14212 for electronics recycling.

Seconded by Alderman Schrader and adopted. Ayes 6.

**010715.8** **ADJOURNMENT**

At 6:22 P.M. Alderman McCaffrey moved the Common Council be adjourned until 6:00 P.M., Wednesday, January 21, 2015.

Seconded by Alderman Lombardi and adopted. Ayes 6.

RICHELLE J. PASCERI

City Clerk

CITY OF LOCKPORT

**CORPORATION PROCEEDINGS**

Lockport Municipal Building

Regular Meeting

Official Record

January 21, 2015

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, Mullane, Fogle, Schrader, and Genewick.

**INVOCATION**

**MAYOR’S UPDATE**

**RECESS**

Recess for public input.

**012115.1** **APPROVAL OF MINUTES**

On motion of Alderman Kibler, seconded by Alderman Lombardi, the minutes of the Regular Meeting of January 7, 2015 are hereby approved as printed in the Journal of Proceedings. Ayes 6. Carried.

**FROM THE MAYOR**

**Appointments:**

1/21/15 Christopher Prucha, 10 Berkley Drive, Lockport, NY – appointed as a member of the Fire Board. Said term expires December 31, 2018.

Received and filed.

1/21/15 Paul Mullane, 15 Continental Drive, Lockport, NY – appointed as Chairman of the Audit Committee.

Received and filed.

1/21/15 David Sholk, 432 Willow Street, Lockport, NY – appointed as a member of the Audit Committee.

Received and filed.

1/21/15 Brian Ranney, 222 Niagara Street, Lockport, NY – appointed as a member of the Audit Committee.

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:**

1/5/15 184 High Street, Lockport, NY – tree

1/8/15 234 Park Avenue, Lockport, NY – tree

1/12/15 203 Union Street, Lockport, NY – tree

1/16/15 273 Lock Street, Lockport, NY – tree

1/15/15 767 & 801 Market Street, Lockport, NY – clean/repair wastewater & storm sewer lines

Referred to the Director of Engineering.

**Notice of Claim:**

1/2/15 Allstate Insurance, Subrogation Claim for Deborah Yaple, 6103 Corwin Avenue, Newfane, NY

Referred to the Corporation Counsel.

1/8/15 Gia Coone, Executive Director, Cystic Fibrosis Foundation, 1775 Wehrle Drive, Suite 150, Williamsville, NY – request permission to use the pavilion at Nelson C. Goehle park on Saturday, May 16, 2015 for their Annual Great Strides Walk Event.

Referred to the Committee of the Whole

## MOTIONS & RESOLUTIONS

**012115.2**

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 January 23, 2015 as follows:

2014 Expenses:

General Fund Account #001 $181,515.59

Water Fund Account #002 $118,105.45

Sewer Fund Account #003 $ 40,657.86

Capital Fund Account #004 $ 3,500.00

Refuse Fund Account #012 $ 88,925.68

2015 Expenses:

General Fund Account #001 $ 40,557.48

Water Fund Account #002 $ 6,124.39

Sewer Fund Account #003 $ 2,414.38

Payroll Pay Date 1/8/2015 $ 480,920.26

Seconded by Alderman Kibler and adopted. Ayes 6.

**012115.3**

By Alderman Kibler:

WHEREAS, the City applied for and received a Operation IMPACT Tools Grant and

Activities related to the grant have not been completed and State Reimbursement is still available

WHEREAS, revenues and activities related to the grant were not budgeted for the year 2015, now therefore be it

RESOLVED, the budget needs to be amended for the receipt of revenue and appropriation of expenditures made relative to the grant.

INCREASE:

Revenue Public Safety Revenue/State $30,000.00

(001.0001.4389.3450)

Appropriations: Personal Services/Overtime $30,000.00

(001.3120.0101.3450)

Seconded by Alderman Mullane and adopted. Ayes 6.

**012115.4**

By Alderman Kibler:

Whereas, the City has received a donation for the G.R.E.A.T. Program of $25,000 from the “Moore for Kids” Foundation for the period of March 20, 2014 to May 31, 2015 and

Whereas, these funds were not included in the 2015 budget, and

    Whereas, the unused portions necessary to add the donation to the 2015 budget, now therefore be it

                Resolved, that the following budget amendment needs to be made:

                INCREASE REVENUES:

                001-0001-1589-3449                             G.R.E.A.T. Program                 $19,240.45

                INCREASE APPROPRIATIONS:

                001-3120-4375.3449                          G.R.E.A.T. Expenses/

                                         Training, Teaching Materials, Field Trips, T-Shirts        $9,620.23

                001-3120-0101-3449                 Overtime/G.R.E.A.T.

G.R.E.A.T. Program $9,620.22

Seconded by Alderman Fogle and adopted. Ayes 6.

**012115.5**

By Alderman Schrader:

Resolved, that pursuant to their request, the Lockport Monday Night Cruise Optimist Club is hereby granted permission to conduct Monday night car cruises in Ida Fritz Park. Beginning May 11, 2015 from 5:30 pm to 8:30 pm, (Memorial Day and Labor Day Super Cruises begin at 3:30 pm and it be further

Resolved, that said permission includes the following:

1. The Lockport Monday Night Cruise Optimist Club shall issue vendors and exhibitors permits to operate the market place at the Ida Fritz Park for the sale of food and drink items including alcoholic beverages, crafts and related items. This is to insure public safety and order in the park, no other vendors or exhibition displays shall permitted within the park area whether located on public or private property. The Lockport Monday Night Cruise Optimist Club shall enforce this ban with the help of and cooperation of the Lockport Police Department. The Lockport Police Department is hereby directed to enforce the removal of all concessioners, vendors, peddlers from the park area not possessing the proper permit from the Lockport Monday Night Cruise Optimist Club.
2. The cruise area shall include the blocks of West Avenue to Hawley Street, Park Avenue to the Niagara County Court House parking lot and Hawley Street from West Avenue to Niagara Street.
3. Resolved that the Common Council hereby designates the aforesaid event as a temporary event as defined by Section 53-1 of the City Code (alcoholic Beverages) which shall terminate/lapse upon the completion of said event, and be it further,

Resolved, that said permission is subject to the Lockport Monday Night Cruise Optimist Club filling a certificate of insurance with the City Clerk naming the City of Lockport as additional insured, and be it further,

Resolved, that the City of Lockport Director of Engineering is hereby authorized and directed to arrange for delivery of barricades, street closing signs and extra picnic tables to the area prior to the events, and be it further,

Resolved, that the City of Lockport hereby prohibits entry to Ida Fritz Park all bicycles, skateboards, and dogs on Cruise Nights during the events due to the expected heavy pedestrian traffic, and be it further

Resolved, that the Police Department is hereby directed to remove problem visitors to the Cruise.

Seconded by Alderman Lombardi and adopted. Ayes 6.

**012115.6**

By Alderman Kibler:

Resolved, that the Mayor, subject to Corporation Counsel approval, be and the same is hereby authorized and directed to execute a two (2) year renewal contract with the Niagara County SPCA for City dog control holding center services at a annual rate of $22,737.46 for 2015 and 2016.

Seconded by Alderman Schrader and adopted. Ayes 6.

**012115.7**

By Alderman Lombardi:

WHEREAS, the City applied for and received a FFY 2014 STOP Violence Against Women (Domestic Violence), and

WHEREAS, revenues and activities related to the grant were not budgeted for the year 2015, now therefore be it

RESOLVED, the budget needs to be amended for the receipt of revenue and appropriation of expenditures made relative to the grant.

INCREASE REVENUES:

001-0001-4389-0361 Domestic Violence $21,450.23

INCREASE APPROPRIATIONS:

001-3120-4375-0361 Grant Expenses/

Domestic Violence $12,056.00

001-3120-0101-0361 Overtime/Domestic

Violence $9,394.23

Seconded by Alderman Mullane and adopted. Ayes 6.

**012115.8**

By Alderman Schrader:

Whereas, the position of Director of Engineering was vacated on May 24, 2014, and

Whereas, the City of Lockport received Statements of Qualification for Engineering Services on July 15, 2014, and

Whereas, after interviewing the top four engineering firms, the committee recommended that the City of Lockport enter into an agreement with CRA Engineering in accordance with their submitted proposal, now therefore be it

Resolved, that the Mayor, subject to Corporation Counsel approval, is hereby authorized and directed to enter into a contract with CRA Engineering for a cost not to exceed the budgeted amount of $50,000.00, to be charged to account 001-1440-4427.

Seconded by Alderman Fogle and adopted. Ayes 6.

**012115.9**

By Alderman Lombardi:

Resolved, the following stage rental and banner installation fees are hereby approved and effective February 1, 2015:

Banner installation and removal $50 per instance

Stage Rental

For use within City Limits $400.00

For use outside City limits $500.00 + $ .75 per mile

And be it further

Resolved, that 501(C)3 organizations are exempt from stage rental fees for use within City Limits.

Seconded by Alderman Schrader and adopted. Ayes 6.

**012115.10**

By Alderman Mullane:

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 8:30 AM on May 3, 2015, 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 Lombardi and adopted. Ayes 6.

**012115.11**

By Alderman Schrader:

Resolved, that pursuant to their request, Soccer Shots Buffalo is hereby granted permission to conduct a Summer Soccer Program at Altro Park on Thursday afternoons beginning Thursday, April 16th through Thursday, October 15th, 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 Mullane and adopted. Ayes 6.

**012115.12**

By Alderman Lombardi:

Resolved, that pursuant to their request, the Cystic Fibrosis Foundation is hereby granted permission to use the pavilion at Nelson C. Goehle Park for their annual Great Strides Walk Event on Saturday, May 16, 2015.

Seconded by Alderman Fogle and adopted. Ayes 6.

**012115.13**

By Alderman Fogle:

Resolved, that pursuant to their request, New Era Park Depew is hereby granted permission to use the baseball field at Outwater Park for the 2015 New Era Cap Classic summer tournament subject to approval of the schedule by the Highways & Parks Department and New Era Park filing a certificate of insurance with the City Clerk naming the City of Lockport as additional insured.

Seconded by Alderman Kibler and adopted. Ayes 6.

**012115.14**

By Alderman Schrader:

Resolved, that the Mayor, subject to Corporation Counsel approval, is hereby authorized and directed to enter into contract with United Business Systems, 316 Seneca Street, Buffalo, NY 14204 for Copier services.

Seconded by Alderman Genewick and adopted. Ayes 6.

**012115.14A**

By Alderman Kibler:

Resolved, that the Mayor, subject to Corporation Counsel approval is hereby authorized and directed to execute a contract and sign all requisite forms relating to CDBG grants  663CRF-ME830-14 and 663CRF-ME828-14 awarded in December 2014.

Seconded by Alderman Lombardi and adopted. Ayes 6.

**012115.14B**

By Alderman Schrader:

Whereas, the City Council of the City of Lockport is proposing a Raw Water Pumping Station Screen Replacement; and

Whereas, pursuant to Article 8 of the Environmental Conservation Law and the regulations contained in 6 NYCRR Part 617, hereafter SEQRA, the City Council has determined this action to be treated as a Type II Action; and

Whereas, this action is taken after careful consideration of all possible impacts that this action might have on air, water, and natural resources, and all other natural an manmade environments in or around the City of Lockport; and the City Council has set forth such consideration on forms on file in the City Clerk’s Office.

Now therefore be it resolved as follows:

1. The City Council of the City of Lockport hereby determines that the Raw Water Pumping Station Screen Replacement Project to be a Type II Action and will have no significant effect on the environment.

2. The City Clerk shall maintain a file of this determination in the permanent records of the City of Lockport, make the same available for public inspection, and notify all involved agencies as required by law.

Seconded by Alderman Genewick and adopted. Ayes 6.

**012115.14C**

By Alderman Schrader:

**Whereas**, the Chief Operator of the Waste Water Treatment Plant and the Assistant Director of Engineering have informed the Mayor that two of the four final clarifiers tanks at the Waste Water Treatment Plant are in immediate need of repair; and

**Whereas**, STC Construction, Inc. and CRA Infrastructure & Engineering, Inc. inspected and evaluated the damage of the tanks finding that the rake mechanism and the complete sludge blanket removal through in both clarifier tanks is heavily damaged and in need of foundation repair and part replacements; and

**Whereas**, STC Construction proposed to repair the tanks for an amount of $189,000.00 including repair construction costs and part replacements; and

**Whereas**, CRA Infrastructure & Engineering, Inc. proposed to provide engineering assistance and inspection during the assessment and repair of the tanks for an amount no greater than $19,400.00.

**Now, Therefore**, be it **resolved** as:

1. The Mayor, subject to Corporation Counsel approval, is hereby authorized and directed to declare an emergency declaration and is also hereby authorized to enter into contract with STC Construction, Inc., 63 Zoar Valley Road, Springville, NY 14141, and with CRA Infrastructure & Engineering, Inc., 285 Delaware Ave., Suite 500, Buffalo, NY 14202, to repair said clarifier tanks on a time and materials proposed by the engineering firms, and authorize the transfer of funds from sewer account # 003.0003.0200 to expenditure account # 004.0004.0520.4162 Clarifier Tank Repair.

Seconded by Alderman Fogle and adopted. Ayes 6.

**012115.14D**

By Alderman Genewick:

Resolved, that pursuant to the recommendation of the Civil Service Commission, the job specifications for Director of Streets and Parks are hereby approved.

Seconded by Alderman Kibler and adopted. Ayes 6.

**012115.15** **ADJOURNMENT**

At 6:27 P.M. Alderman Kibler moved the Common Council be adjourned until 6:00 P.M., Wednesday, February 4, 2015.

Seconded by Alderman Kibler and adopted. Ayes 6.

RICHELLE J. PASCERI

City Clerk

CITY OF LOCKPORT

**CORPORATION PROCEEDINGS**

Lockport Municipal Building

Regular Meeting

Official Record

February 4, 2015

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, Mullane, Fogle, Schrader, and Genewick.

**INVOCATION**

**MAYOR’S UPDATE**

**RECESS**

Recess for public input.

**020415.1** **APPROVAL OF MINUTES**

On motion of Alderman Kibler, seconded by Alderman Lombardi, the minutes of the Regular Meeting of January 21, 2015 are hereby approved as printed in the Journal of Proceedings. Ayes 6. Carried.

**FROM THE MAYOR**

**Resignation:**

1/22/15 Kevin Clark, 10 Hi Point Drive, Lockport, NY – resigned as a Commissioner of Deeds.

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)

1/29/15 Maria D. Batt, Senior Campaign Manager, National Multiple Sclerosis Society, Upstate New York Chapter, 4245 Union Road, Suite 108, Buffalo, NY 14225 – request permission to conduct “Lockport Walk MS” on Sunday, May 3, 2015.

Referred to the Committee of the Whole

2/2/15 Mickey Boucher, Secretary, Lockport Midget League, PO Box 1506, Lockport, NY 14095 – request permission to use the baseball diamonds at Outwater Park for the 2015 Lockport Midget Baseball League.

Referred to the Committee of the Whole.

2/3/15 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 9th

Monday, February 16th

There will be no change in the garbage pickup schedule.

Referred to the Media

## MOTIONS & RESOLUTIONS

**020415.2**

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 February 6, 2015 as follows:

2014 Expenses:

General Fund Account #001 $ 62,088.36

Water Fund Account #002 $ 12,822.11

Sewer Fund Account #003 $ 12,985.20

2015 Expenses:

General Fund Account #001 $ 296,637.97

Water Fund Account #002 $ 33,087.20

Sewer Fund Account #003 $ 34,405.03

Capital Fund $ 60,357.00

Payroll Pay Date 1/22/15 $ 442,312.54

Seconded by Alderman Kibler and adopted. Ayes 6.

**020415.3**

By Alderman Kibler:

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:

Employee Years of Service Title

Steven F. Cutter 35 Sr. Water Treatment Plant Operator

Barbara A. Parker 25 Sr. Account Clerk

Anthony J. Palumbo 20 Police Captain

John F. Sakowski 20 Fire Lieutenant

Seconded by Alderman Kibler and adopted. Ayes 6.

**020415.4**

By Alderman Kibler:

WHEREAS, the City applied for and received a Police Traffic Services (Highway Safety) Grant, and

WHEREAS, revenues and activities related to the grant were not budgeted for the year 2015, now therefore be it

RESOLVED, the budget needs to be amended for the receipt of revenue and appropriation of expenditures made relative to the grant.

INCREASE REVENUES:

001-0001-4389-3439 Highway Safety $8,800.00

INCREASE APPROPRIATIONS:

001-3120-0101-3439 Overtime/Highway

Safety $8,800.00

Seconded by Alderman Fogle and adopted. Ayes 6.

**020415.5**

By Alderman Kibler:

WHEREAS, the City applied for and received a STOP DWI (DWI Road Checks) Grant for 2015. The Lockport Police Department was notified of an increase to the STOP D.W.I. Grant monies, and

WHEREAS, revenues and activities related to the grant were not budgeted for the year 2015, now therefore be it

RESOLVED, the budget needs to be amended for the receipt of revenue and appropriation of expenditures made relative to the grant.

INCREASE REVENUES:

001-0001-4389-3438 STOP D.W.I. $6,348.00

INCREASE APPROPRIATIONS:

001-3120-0101-3438 Overtime/STOP D.W.I. $6,348.00

Seconded by Alderman Genewick and adopted. Ayes 6.

**020415.5A**

By Alderman Kibler:

WHEREAS, City of Lockport’s Police Department desires to purchase two new 2015 Chevy Tahoe vehicles, and

WHEREAS, these vehicles will be paid for from the City of Lockport’s Police Department’s Asset Forfeiture Account at a total of $65,816.20, and

WHEREAS the 2015 Chevy Tahoe vehicles are available through the Cattaraugus County bid # E-11-14-PFTH. There are no longer any State Bids for Police Vehicles available. Said vehicles to be purchased through Basil Chevrolet, Inc., now therefore be it

RESOLVED, that the Chief of Police is authorized and directed to make said purchase to be paid from the Asset Forfeiture Account – Lockport Police Department in the amount of $65,816.20.

Seconded by Alderman Schrader and adopted. Ayes 6.

**020415.5B**

The following ordinance was offered by Councilmember Schrader, who moved its adoption, seconded by Councilmember Kibler, to wit:

BOND ORDINANCE DATED FEBRUARY 4, 2015.

AN ORDINANCE AUTHORIZING THE ISSUANCE OF $208,600 BONDS OF THE CITY OF LOCKPORT, NIAGARA COUNTY, NEW YORK, TO PAY COST OF THE RECONSTRUCTION OF CLARIFIERS AT THE WASTEWATER TREATMENT PLANT, IN AND FOR SAID CITY.

By Alderman Mullane:

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

Seconded by Alderman Lombardi and adopted. Ayes 6.

WHEREAS, the capital project hereinafter described has been determined to be a Type II Action pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act, the implementation of which as proposed, such regulations provide, will not result in a significant environmental effect; NOW, THEREFORE,

BE IT ORDAINED, by the affirmative vote of not less than two-thirds of the total voting strength of the Common Council of the City of Lockport, Niagara County, New York, as follows:

Section 1. The reconstruction of clarifiers at the Wastewater Treatment Plant, in and for the City of Lockport, Niagara County, New York, including incidental improvements and expenses in connection therewith, is hereby authorized at a maximum estimated cost of $208,600.

Section 2. It is hereby determined that the plan for the financing of said specific object or purpose is by the issuance of $208,600 bonds of said City hereby authorized to be issued therefor pursuant to the provisions of the Local Finance Law.

Section 3. It is hereby further determined that the period of probable usefulness of the aforesaid specific object or purpose is forty years, pursuant to subdivision 4 of paragraph (a) of Section 11.00 of the Local Finance Law.

Section 4. The faith and credit of said City of Lockport, Niagara County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such obligations as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year. There shall annually be levied on all the taxable real property of said City, a tax sufficient to pay the principal of and interest on such obligations as the same become due and payable.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the serial bonds herein authorized, including renewals of such notes, is hereby delegated to the City Treasurer, the chief fiscal officer of said City. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said City Treasurer, consistent with the provisions of the Local Finance Law.

Section 6. The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the City Treasurer, who shall advertise such bonds for sale, conduct the sale, and award the bonds in such manner as he shall deem best for the interests of said City, including, but not limited to, the power to sell said bonds to the New York State Environmental Facilities Corporation; provided, however, that in the exercise of these delegated powers, he shall comply fully with the provisions of the Local Finance Law and any order or rule of the State Comptroller applicable to the sale of municipal bonds. The receipt of the City Treasurer shall be a full acquittance to the purchaser of such bonds, who shall not be obliged to see to the application of the purchase money.

Section 7. All other matters, except as provided herein relating to such bonds herein authorized including date, denominations, maturities, interest payment dates, and whether said bonds shall be repaid in accordance with a schedule providing for substantially level or declining annual debt service, within the limitations prescribed herein and the manner of execution of the same and also including the consolidation with other issues, shall be determined by the City Treasurer, the chief fiscal officer of such City. Such bonds shall contain substantially the recital of validity clause provided for in section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals in addition to those required by section 52.00 of the Local Finance Law, as the City Treasurer shall determine consistent with the provisions of the Local Finance Law.

Section 8. The City Treasurer is hereby further authorized, at his sole discretion, to execute a project finance and loan agreement, and any other agreements with the New York State Department of Environmental Conservation and/or the New York State Environmental Facilities Corporation, including amendments thereto, and including any instruments (or amendments thereto) in the effectuation thereof, in order to effect the financing or refinancing of the specific object or purpose described in Section 1 hereof, or a portion thereof, by a bond, and/or note issue of said City in the event of the sale of same to the New York State Environmental Facilities Corporation.

Section 9. The power to issue and sell notes for said specific object or purpose to the New York State Environmental Facilities Corporation pursuant to Section 169.00 of the Local Finance Law is hereby delegated to the City Treasurer. Such notes shall be of such terms, form and contents as may be prescribed by said City Treasurer consistent with the provisions of the Local Finance Law.

Section 10. This ordinance shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this ordinance, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 11. The validity of such bonds and bond anticipation notes may be contested only if:

1) Such obligations are authorized for an object or purpose for which said City is not authorized to expend money, or

2) The provisions of law which should be complied with at the date of publication of this bond ordinance are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 12. This ordinance, which takes effect immediately upon the adoption thereof, shall be published in summary form in the official newspaper of said City, together with a notice of the City Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

The question of the adoption of the foregoing ordinance was duly put to a vote on roll call, which resulted as follows:

Alderman Fogle VOTING YES

Alderman Genewick VOTING YES

Alderman Kibler VOTING YES

Alderman Lombardi VOTING YES

Alderman Mullane VOTING YES

Alderman Schrader VOTING YES

The ordinance was thereupon declared duly adopted.

**020415.5C**

By Alderman Schrader:

Resolved, that resolution 012115.14C be amend as follows:

Whereas, the Chief Operator of the Waste Water Treatment Plant and the Assistant Director of Engineering have informed the Mayor that two of the four final clarifiers tanks at the Waste Water Treatment Plant are in immediate need of repair; and

Whereas, STC Construction, Inc. and CRA Infrastructure & Engineering, Inc. inspected and evaluated the damage of the tanks finding that the rake mechanism and the complete sludge blanket removal through in both clarifier tanks is heavily damaged and in need of foundation repair and part replacements; and

Whereas, STC Construction proposed to repair the tanks for an amount of **~~$189,000.00~~ $189,200.00** including repair construction costs and part replacements; and

Whereas, CRA Infrastructure & Engineering, Inc. proposed to provide engineering assistance and inspection during the assessment and repair of the tanks for an amount no greater than $19,400.00.

Now, Therefore, be it resolved as:

1. The Mayor, subject to Corporation Counsel approval, is hereby authorized and directed to declare an emergency declaration and is also hereby authorized to enter into contract with STC Construction, Inc., 63 Zoar Valley Road, Springville, NY 14141, and with CRA Infrastructure & Engineering, Inc., 285 Delaware Ave., Suite 500, Buffalo, NY 14202, to repair said clarifier tanks on a time and materials proposed by the engineering firms**, ~~and authorize the transfer of funds from sewer account # 003.0003.0200 to expenditure account # 004.0004.0520.4162 Clarifier Tank Repair.~~ and a bond ordinance has been approved to finance this project which will support the following budget modification:**

**Increase Project Estimated Revenue:**

**004.0004.5710.4162 Bond proceeds, Clarifier Tank Replacement $208,600**

**Increase Project Appropriations:**

**004.0004.0520.4162 Waste Water Treatment,**

**Clarifier Tank Replacement $208,600**

Seconded by Alderman Genewick and adopted. Ayes 6.

**020415.6** **ADJOURNMENT**

At 6:15 P.M. Alderman Kibler moved the Common Council be adjourned until 6:00 P.M., Wednesday, February 18, 2015.

Seconded by Alderman Lombardi and adopted. Ayes 6.

RICHELLE J. PASCERI

City Clerk

CITY OF LOCKPORT

**CORPORATION PROCEEDINGS**

Lockport Municipal Building

Regular Meeting

Official Record

February 18, 2015

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, Mullane, Fogle, Schrader, and Genewick.

**INVOCATION**

**MAYOR’S UPDATE**

**RECESS**

Recess for public input.

On motion of Alderman Lombardi, seconded by Alderman Schrader, the Common Council moved to Executive Session with Acting Fire Chief Brady at 6:30 PM. Ayes 6. Carried.

On motion of Alderman Lombardi, seconded by Alderman Schrader, the Common Council ended Executive Session at 6:47 PM. Ayes 6. Carried.

**021815.1** **APPROVAL OF MINUTES**

On motion of Alderman Kibler, seconded by Alderman Lombardi, the minutes of the Regular Meeting of February 4, 2015 are hereby approved as printed in the Journal of Proceedings. Ayes 6. Carried.

**FROM THE MAYOR**

**Resignation:**

2/17/15 Matt Adams resigned as a member of the City of Lockport Plumbing Board effective January 29, 2015.

Received and filed

**Appointment:**

2/3/15 James Nunnari – appointed as Assistant Chief Operator for the City of Lockport Waste Water Treatment Plant effective January 30, 2015. 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)

2/10/15 Rev. Wayne Dent, Faith Tabernacle Church, 5676 Beattie Avenue, Lockport, NY – request permission to conduct a “Meet at City Hall” prayer gathering on May 7, 2015.

Referred to the Committee of the Whole

## MOTIONS & RESOLUTIONS

**021815.2**

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 February 20, 2015 as follows:

2014 Expenses:

General Fund Account #001 $ 8,349.00

2015 Expenses:

General Fund Account #001 $ 151,461.16

Water Fund Account #002 $ 34,726.19

Sewer Fund Account #003 $ 17,791.35

Payroll Pay Date 2/5/15 $ 445,283.80

Seconded by Alderman Kibler and adopted. Ayes 6.

**021815.3**

By Alderman Lombardi:

Resolved, that pursuant to their communication, the National Multiple Sclerosis Society is hereby granted permission to conduct their annual MS Walk in the City on Sunday, May 3, 2015 subject to approval of the walk route by the Police Chief and the Multiple Sclerosis Society filing a certificate of insurance with the City Clerk naming the City of Lockport as additional insured.

Seconded by Alderman Schrader and adopted. Ayes 6.

**021815.4**

By Alderman Kibler:

Resolved, that pursuant to their request, the Lockport Midget Baseball League is hereby granted permission to use the baseball diamonds at Outwater and Kibler Parks during the 2015 season subject to approval of the schedule by the Highways & Parks Department and subject to filing a certificate of insurance with the City Clerk naming the City of Lockport as additional insured.

Seconded by Alderman Fogle and adopted. Ayes 6.

**021815.5**

By Alderman Schrader:

Resolved, that pursuant to their request, permission is hereby granted to the Salvation Army to temporarily barricade the sidewalk in front of the Salvation Army on Cottage Street beginning February 19, 2015 for construction work. Said permission is subject to the Salvation Army filing a certificate of insurance with the City Clerk naming the City of Lockport as additional insured.

Seconded by Alderman Lombardi and adopted. Ayes 6.

**021815.6**

By Alderman Kibler:

Resolved, that the Mayor, subject to Corporation Counsel approval, be and the same is hereby authorized and directed to execute a lease agreement with Pitney Bowes for a postage meter to be charged to account #001-1670-4326.

Seconded by Alderman Mullane and adopted. Ayes 6.

**021815.7**

By Alderman Fogle:

Resolved, that the Mayor, subject to Corporation Counsel approval, be and the same is hereby authorized and directed to execute a contract with Little Loop Football for use of Exchange Field for their 2015 season.

Seconded by Alderman Genewick and adopted. Ayes 6.

**021815.8**

By Alderman Kibler:

Resolved, that the Acting Fire Chief is hereby authorized and directed to submit the SAFER Grant application for the purpose of retaining firefighters.

Seconded by Alderman Genewick and adopted. Ayes 4, Noes 2 – Aldermen Mullane and Schrader voted no.

**021815.9**

By Alderman Mullane:

Resolved, that the Acting Fire Chief is hereby authorized and directed to submit the SAFER Grant application for the purpose of re-hiring firefighters.

Seconded by Alderman Schrader. Ayes 3, Noes 3 – Aldermen Lombardi, Kibler and Genewick voted no. The Mayor then voted in the negative, and the motion failed.

**021815.10**

By Alderman Lombardi:

Resolved, that pursuant to their request, the American Cancer Society is hereby granted permission to conduct their annual Mother's Day Breast Cancer Canal Walk on Sunday, May 10, 2015 and to barricade Market Street from North Adam Street to Wide Waters Marina between the hours of 12:30 p.m. – 2:30 p.m. and to erect a tent at Nelson C. Goehle Park for said event, subject to approval of the walk route by the Police Chief and the American Cancer Society 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 make arrangements to deliver barricades, traffic cones, and street closed signs and arrange to have the restroom open at the park on said date.

Seconded by Alderman Fogle and adopted. Ayes 6.

**021815.11**

By Alderman Fogle:

Resolved, that pursuant to their request, Niagara Jr. Thunder Wolves is hereby granted permission to use the baseball field at Outwater Park for their baseball tournament subject to approval of the schedule by the Highways & Parks Department and Niagara Jr. Thunder Wolves filing a certificate of insurance with the City Clerk naming the City of Lockport as additional insured.

Seconded by Alderman Genewick and adopted. Ayes 6.

**021815.12**

By Alderman Lombardi:

Resolved, that pursuant to their request, the Lockport Evangelical Minister's Association is hereby granted permission to conduct their annual "Meet at City Hall" prayer gathering in front of the Lockport Municipal Building on Thursday, May 7, 2015 starting at noon to 1:00 p.m. in conjunction with the "National Day of Prayer".

Seconded by Alderman Kibler and adopted. Ayes 6.

**021815.13**

By Alderman Lombardi:

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 on June 22nd until July 13th, 2015 to promote the Erie Canal Fishing Derby which will be held from July 1st through July 12th, 2015. 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 Mullane and adopted. Ayes 6.

**021815.14**

By Alderman Lombardi:

Resolved, that pursuant to their request, Cornell University Cooperative Extension is hereby granted permission to erect a banner across East Avenue at Davison Road from July 22nd until August 9th, 2015 at least 17 feet from the ground to promote the 2015 Niagara County Fair. Said permission is subject to the Cornell University Cooperative Extension filing a certificate of insurance with the City Clerk naming the City of Lockport as additional insured and subject to payment of $50 for the banner to be erected, and be it further

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

Seconded by Alderman Schrader and adopted. Ayes 6.

**021815.15**

By Alderman Schrader:

Resolved, that the WWTP Chief Operator is hereby authorized and directed to prepare bid specifications for Kiln Dried Wood Chips, and be it further

Resolved, that upon receipt of said specifications, the City Clerk is authorized and directed to advertise for bid proposals for same.

Seconded by Alderman Genewick and adopted. Ayes 6.

**021815.16**

By Alderman Genewick:

Resolved, that the Mayor, subject to Corporation Counsel approval is hereby authorized to sign a Memorandum of Agreement with CSEA related to an extension of the Collective Bargaining Agreement which expired on December 12, 2012.

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

**021815.17**

By Alderman Lombardi:

Resolved, that pursuant to their request, permission is hereby granted Lockport Express to barricade a portion of Chestnut Street between Market Street and Charles Street to conduct a “Party in the Plaza” on March 7, 2015. Said permission is subject to Lockport Express filing a certificate of insurance with the City Clerk naming the City of Lockport as additional insured, and be it further

Resolved, that the Common Council hereby designates the aforesaid event as a temporary event as defined by Section 53-1 of the City Code (alcoholic Beverages) which shall terminate/lapse upon the completion of said event, and be it further,

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

Seconded by Alderman Fogle and adopted. Ayes 6.

**021815.18**

By Alderman Genewick:

**WHEREAS,** on June 17, 2014, the Common Council adopted Resolution No. 06172014.3 requesting the New York State Legislature to adopt Legislation identified as Bill S. 7874 and A. 10131 entitled “An Act to Authorize the City of Lockport, In the County of Niagara, to finance a certain deficit by the issuance of bonds, and

**WHEREAS**, the Mayor and Common Council would like to request the New York State Legislature to adopt Legislation amending Chapter 332 of the laws of 2014 relating to authorizing the City of Lockport, in the county of Niagara, to finance a certain deficit by the issuance of bonds, in relation to adoption of the budget by the city of Lockport.

**NOW THEREFORE BE IT**

**RESOLVED**, that the city of Lockport hereby requests the New York State Legislature adopt Legislation identified as Bill S. 1692 and A. 3546 amending Chapter 332 of the laws of 2014 relating to authorizing the City of Lockport, in the county of Niagara, to finance a certain deficit by the issuance of bonds, in relation to adoption of the budget by the city of Lockport.

Seconded by Alderman Lombardi and adopted. Ayes 6.

**021815.19** **ADJOURNMENT**

At 7:08 P.M. Alderman Kibler moved the Common Council be adjourned until 6:00 P.M., Wednesday, March 4, 2015.

Seconded by Alderman Lombardi and adopted. Ayes 6.

RICHELLE J. PASCERI

City Clerk

CITY OF LOCKPORT

**CORPORATION PROCEEDINGS**

Lockport Municipal Building

**Special Meeting**

Official Record

February 25, 2015

5:53 P.M.

A Special Meeting was called by Mayor Anne E. McCaffrey to authorize the submission of application to the Office of Community Renewal for the CDBG Program.

Mayor Anne E. McCaffrey called the meeting to order.

**ROLL CALL**

The following Common Council members answered the roll call:

Aldermen Kibler, Lombardi, Mullane, Fogle, Schrader, and Genewick.

**022515.1**

By Alderman Kibler:

Resolved, that the Rules and Orders of the Common Council be and the same are hereby waived for this meeting.

Seconded by Alderman Lombardi. Ayes 6.

**022515.2**

By Alderman Genewick:

WHEREAS, the City of Lockport has been invited by the NYS Homes and Community Renewal Office of Community Renewal to submit application for a Single Purpose Plan under the New York State administered Community Development Block Grant (CDBG) Program; and

WHEREAS, the City of Lockport is desirous of applying for a homeownership assistance program to assist low and moderate income first-time homebuyers; and

WHEREAS, two public hearings have been conducted to obtain citizen input regarding the utilization of CDBG funds; and

WHEREAS, a program has been prepared that meets those community needs that have been identified, now therefore be it

RESOLVED, that the Mayor be, and she is hereby authorized to execute and submit an application to the Office of Community Renewal for the CDBG Program.

Seconded by Alderman Schrader and adopted. Ayes 6.

**022515.3** **ADJOURNMENT**

At 5:55 P.M., Alderman Kibler moved the Common Council be adjourned until 6:00 P.M., March 4, 2015.

Seconded by Alderman Lombardi and adopted. Ayes 6.

RICHELLE J. PASCERI

City Clerk

CITY OF LOCKPORT

**CORPORATION PROCEEDINGS**

Lockport Municipal Building

Regular Meeting

Official Record

March 4, 2015

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, Mullane, Fogle, Schrader, and Genewick.

**INVOCATION**

**MAYOR’S UPDATE**

**RECESS**

Recess for public input.

**Minutes correction** – December 17, 2014

Common Council resolution 121714.6

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 004-0004-0520-4127** Water Meters.

**030415.1** **APPROVAL OF MINUTES**

On motion of Alderman Kibler, seconded by Alderman Lombardi, the minutes of the Regular Meeting of February 18, 2015 and the Special Meeting of February 25, 2015 are hereby approved as printed in the Journal of Proceedings. Ayes 6. Carried.

**FROM THE MAYOR**

**Appointments:**

2/25/15 John Lombardi III, 329 Chestnut Street, Lockport, NY – appointed as a Commissioner of Deeds. Said term expires December 15, 2015.

Received and filed.

2/25/15 Rick Hamilton, 7068 Akron Road, Lockport, NY – appointed as a member of the Plumbing Board to fill the unexpired term of Matt Adams who resigned. Said term expires December 31, 2016.

Received and filed.

3/3/15 Maria Updegraph, 150 Spalding Street, Lockport, NY – appointed as a Commissioner of Deeds. Said term expires December 31, 2016.

Received and filed.

3/3/15 Vince Sandonato, 824 91st Street Niagara Falls, NY – appointed as a Commissioner of Deeds. Said term expires December 31, 2016.

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)

2/19/15 Frank Movalli, Principal, Lockport High School – request permission to conduct a 5K road race on May 30, 2015.

Referred to the Committee of the Whole

2/25/15 Major Jose Santiago, Commanding Officer, Lockport NY Corps, Salvation Army, 50 Cottage Street, Lockport, NY – request permission to use the Youth Center at Altro Park for their “Bridging the Gap” program.

Referred to the Committee of the Whole

2/27/15 Elizabeth Taylor, President, B. Leo Dolan American Legion Auxiliary, Unit 410, 42 Niagara Street, Lockport, NY – request permission to conduct a walk/run a-thon on Saturday, May 2, 2015.

Referred to the Committee of the Whole

**Notice of Defect:**

2/17/15 142 Waterman Street, Lockport, NY – tree

2/20/15 342 Michigan Street, Lockport, NY – trees

2/25/15 68 Regent Street, Lockport, NY – tree

Referred to the Assistant Director of Engineering.

**Notice of Claim:**

1/22/15 New York State Division of Human Rights, 65 Court Street, Buffalo, NY 14202

Re: Melissa Junke vs. City of Lockport

Referred to the Corporation Counsel.

## MOTIONS & RESOLUTIONS

**030415.2**

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 March 6, 2015 as follows:

General Fund Account #001 $ 125,741.82

Water Fund Account #002 $ 32,506.98

Sewer Fund Account #003 $ 11,146.86

Trust Fund Account #005 $ 100.00

Refuse Fund Account #012 $ 989.45

Payroll Pay Date 2/19/15 $ 460,294.03

Seconded by Alderman Kibler and adopted. Ayes 6.

**030415.3**

By Alderman Kibler:

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:

Employee Years of Service Title

Kevin J. McDonough 25 Rehab Coordinator

Dale W. Lawson Jr. 25 Water Distribution Maintenance Supervisor

Charles J. Morello Jr. 20 Firefighter

Todd A. Chenez 15 Police Lieutenant Detective

Yvonne M. Prica 15 Senior Account Clerk

David P. Pytlik Jr. 5 Police Officer

Seconded by Alderman Mullane and adopted. Ayes 6.

**030415.4**

By Alderman Schrader:

Resolved, that pursuant to their request, The Salvation Army is hereby granted permission to use the Youth Center at Altro Park for curriculum classes, meeting and recreation space for their “Bridging the Gap” program. Said permission is subject to the Salvation Army filing a certificate of insurance with the City Clerk naming the City of Lockport as additional insured.

Seconded by Alderman Fogle and adopted. Ayes 6.

**030415.5**

By Alderman Schrader:

Whereas, the City of Lockport terminated a leaking water service at 85 Beattie Avenue, and

Whereas, the Water Department has billed and received a check for $1,219.90 for the termination, now therefore be it

Resolved, that the City Treasurer is hereby authorized and directed to amend the 2015 budget as follows:

Increase:

002-0002-2144 Water Misc Billing $1,219.90

Increase:

002-8340-4568 Resurfacing Materials $1,219.90

Seconded by Alderman Genewick and adopted. Ayes 6.

**030415.6**

By Alderman Schrader:

Resolved, that pursuant to their request, Lockport High School is hereby granted permission to conduct a 5K Road Race on Saturday, May 30, 2015, 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 Lombardi and adopted. Ayes 6.

**030415.7 WITHDRAWN – (Grant permission for Sweet Sweet Summer 2015)**

**030415.8**

By Alderman Schrader:

Resolved, that the City Treasurer is hereby authorized and directed to transfer funds in the amount of $911.90 from Revenue Account #001-0001-2665 to Public Safety Equipment Account #001-3410-0260 to make repairs at the Outwater Park Building.

Seconded by Aldermen Genewick and adopted. Ayes 6.

**030415.9**

By Alderman Kibler:

Resolved, that the Mayor, subject to Corporation Counsel approval, be and the same is hereby authorized and directed to execute a contract with Joe Cassenti for IT Services for a period of six months in accordance with an hourly rate proposal not to exceed $20,000.

Seconded by Alderman Fogle and adopted. Ayes 6.

**030415.9A**

By Alderman Kibler:

WHEREAS, the Niagara Frontier Transportation Authority (NFTA) is the public transit and aviation service provider for the Buffalo Niagara region; and

WHEREAS, the NFTA provides over 30 million rides on public transit each year, supports close to 100 non-stop flights per day, employs 1,500 Western New Yorker’s and provides transportation to and throughout the region for residents and tourists; and

WHEREAS, the public transit and aviation services provided by the NFTA enable Western New York’s counties, cities, towns, and villages to achieve the mobility and quality of life goals and objectives collectively embraced and adopted in local and regional comprehensive plans; and

WHEREAS, the NFTA is faced with a multi-million dollar deficit in the fiscal year set to begin on March 31, 2015 and increasing deficits in future fiscal years because New York State public transit operating and capital assistance has not been provided at a level that is required to meet the public transit needs of Western New York’s municipalities;

WHEREAS, a 2013 financial assessment of the NFTA by the federal government concluded that the “NFTA has managed its operations efficiently and effectively, but has been hampered by zero growth in the revenue sources used to provide operating assistance;” and

WHEREAS, New York State public transit operating assistance to Downstate systems has increased over 8.5 percent since 2008 while the NFTA’s state transit operating assistance has increased by only 2.5 percent over that same 6 year time period;

WHEREAS, New York State public transit capital assistance is essential to the effective and efficient operation of the NFTA’s public transit assets and frequently been budgeted for the NFTA, but not released; and

WHEREAS, the NFTA does not have taxing ability and therefore is reliant upon user fees and federal, state, and local operating and capital assistance to provide services;

WHEREAS, additional New York State public transit operating and capital assistance is required to prevent further deterioration in the availability of public transit service that Western New Yorkers rely on to get to work, school or health care; and

NOW, THEREFORE, BE IT RESOLVED that the City of Lockport relies on the public transit and aviation services provided by the NFTA to improve its economy and quality of life; and

NOW, THEREFORE, BE IT RESOLVED that the City of Lockport calls on New York State to provide the additional capital and operating assistance necessary to prevent further negative impacts on public transit and aviation services that are critical to the economy and quality of life in Western New York.

Seconded by Alderman Mullane and adopted. Ayes 6.

**030415.10** **ADJOURNMENT**

At 6:36 P.M. Alderman Kibler moved the Common Council be adjourned until 6:00 P.M., Wednesday, March 18, 2015.

Seconded by Alderman Lombardi and adopted. Ayes 6.

RICHELLE J. PASCERI

City Clerk

CITY OF LOCKPORT

**CORPORATION PROCEEDINGS**

Lockport Municipal Building

Regular Meeting

Official Record

March 18, 2015

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, Mullane, Fogle, Schrader, and Genewick.

**INVOCATION**

**MAYOR’S UPDATE**

**RECESS**

Recess for public input.

**Minutes correction** – April 2, 2014

Common Council resolution 040214.11D

Whereas, the City of Lockport is desirous to audit dependent eligibility for participants on the City of Lockport healthcare plan, and

Whereas, the City Clerk has obtained written quotes and Bonadio & Co., LLP was the lowest responsible quote, now therefore be it

Resolved that the Mayor subject to Corporation Counsel is hereby authorized and directed to enter into contract with Bonadio & Co., LLP at a cost not to exceed $8,505 to be charged to **account # 001-9000-0804 001-9000-8004.**

**031815.1** **APPROVAL OF MINUTES**

On motion of Alderman Kibler, seconded by Alderman Lombardi, the minutes of the Regular Meeting of March 4, 2015 are hereby approved as printed in the Journal of Proceedings. Ayes 6. Carried.

**FROM THE MAYOR**

**Appointments:**

3/13/15 Patrick Brady, 247 Center Street, Lockport, NY – appointed as Fire Chief for the City of Lockport Fire Department effective March 13, 2015. Said appointment is permanent 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)

3/5/15 Raymond Pierce, Chairman, VFW Post 2535, 112 Caledonia Street, Lockport,

NY – request permission to conduct a Memorial Day Parade on Sunday, May 24, 2015.

Referred to the Committee of the Whole

**Notice of Defect:**

3/13/15 341 Clinton Street, Lockport, NY – broken sewer pipe

Referred to the Director of Engineering.

**Notice of Claim:**

3/2/15 Kevin Jordan, 164 Vine Street, Lockport, NY

3/9/15 Mark Rougeaux, 95 Grant Street, Lockport, NY

Referred to the Corporation Counsel.

## MOTIONS & RESOLUTIONS

**031815.2**

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 March 20, 2015 as follows:

2014 Expenses:

General Fund Account #001 $ 39,784.94

Water Fund Account #002 $ 19,687.46

Sewer Fund Account #003 $ 13,052.73

Refuse Fund Account #012 $ 3,256.74

2015 Expenses:

General Fund Account #001 $185,024.12

Water Fund Account #002 $ 48,282.62

Sewer Fund Account #003 $ 45,652.89

Capital Fund Account #005 $ 69,862.52

Refuse Fund Account #012 $169,935.51

Payroll Pay Date 3/5/15 $457,579.34

Seconded by Alderman Kibler and adopted. Ayes 6.

**031815.3**

By Alderman Fogle:

Resolved, that Taren Lagamba be and the same is hereby authorized to submit an application on behalf of the City of Lockport to the 2015 William G. Mayne, Jr. Business/Community Enhancement Program for a grant to be used for an ADA compliant drinking fountain.

Seconded by Alderman Schrader and adopted. Ayes 6.

**031815.4**

By Alderman Lombardi:

Resolved, that pursuant to their request, permission is hereby granted to the B. Leo Dolan American Legion to conduct a walk-a-thon fundraiser on Saturday, May 2, 2015 beginning at 10:00 a.m. at the American Legion Post, subject to approval of the walk route by the Police chief and 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 barricades and waste receptacles to the area prior to the event.

Seconded by Alderman Kibler and adopted. Ayes 6.

**031815.5**

By Alderman Kibler:

Whereas, the WEC Main Street Program has been established to assist cities and villages in developing a public/private effort to revitalize traditional central business district areas, and

Whereas, the City of Lockport has been successfully represented in said program since 2008 by Lockport Main Street, Inc, and

Whereas Lockport Main Street, Inc. has shown a six year track record of success bringing events activities, and business support to the Lockport Central Business District, and

Whereas, Lockport Main Street, Inc. has provided the City of Lockport with detailed financial and programmatic reporting demonstrating the responsible use of City financial commitments, now, therefore be it

Resolved, that the Mayor be and is hereby authorized to enter into a funding agreement with Lockport Main Street Inc. for the sum of $52,500 payable in equal annual payments of $17,500 for the years 2015 through 2017, and be it further

Resolved, that the City recognizes that a commitment to commercial district revitalization is an ongoing process requiring long-term attention, community support and involvement, and a full public/private partnership.

Seconded by Alderman Mullane and adopted. Ayes 6.

**031815.6**

By Alderman Genewick:

Resolved, that the Mayor, subject to Corporation Counsel approval is hereby authorized to extend the contract with Mary Smith as an accounting consultant on a month to month basis, at a cost to be charged to account #001-1320-0100 and account #001-1325-4428, subject to approval by CSEA.

Seconded by Alderman Fogle and adopted. Ayes 6.

**031815.7**

By Alderman Genewick:

Resolved, that the Mayor, subject to Corporation Counsel approval is hereby authorized to extend the employment contract with Robert Turner as part time Laborer.

Seconded by Alderman Kibler and adopted. Ayes 6.

**031815.8**

By Alderman Genewick:

Resolved, that the Mayor, subject to Corporation Counsel approval is hereby authorized to enter into Memorandum of Agreement with CSEA related to duties of the Chief Building Inspector.

Seconded by Alderman Fogle and adopted. Ayes 6.

**031815.9**

By Alderman Lombardi:

Resolved, that pursuant to their request, the VFW Post 2535 is hereby granted permission to conduct a Memorial Day Parade in the City of Lockport on Sunday, May 24, 2015 subject to approval of the parade route by the Police Chief. Said parade will form at noon at Veteran’s Park on East Avenue where a brief Memorial Service will be conducted. At approximately 1:00 p.m. the parade units will proceed west on East Avenue/Main Street using the right side of Main Street and terminate at the County Courthouse, and be it further

Resolved, that the Director of Streets and Parks is hereby authorized and directed to arrange for delivery of barricades and no parking signs to keep the right side of Main Street clear where dividers occur, and be it further

Resolved, that the City Clerk is hereby authorized and directed to issue a parade permit for said event, and be it further

Resolved, that the City Clerk is hereby authorized to purchase 12 monument wreaths to be used for Memorial Day ceremonies. Cost of same to be charged to account #001-8510-4379.

Seconded by Alderman Kibler and adopted. Ayes 6.

**031815.9A**

By Alderman Lombardi:

**RESOLUTION**

**RENAMING A PORTION OF CHESTNUT STREET TO GRIGG LEWIS WAY**

**WHEREAS**, the Grigg Lewis Foundation was established in 1968 through a gift by Henrietta Grigg Lewis, and

**WHEREAS**, prior to her passing on May 16, 2003, Mrs. Lewis was very active in the community by serving on various boards and founding the Lockport Junior Service League. She also served as a Trustee of Wyndham Lawn Home for Children, created a scholarship program through the First Presbyterian Church, and was instrumental in restoring the interior of the Kenan House, and

**WHEREAS**, since her passing on May 16, 2003, the Foundation carries on her tremendous legacy through its far reaching support of charitable entities of all shapes, sizes and functions, and

**WHEREAS**, the Grigg Lewis Foundation has affected thousand’s of people’s lives and contributed to making our community a better place to live, work and play for more than 45 years, and

**WHEREAS**, Cornerstone CFCU Arena would not have been possible without the support of the Grigg Lewis Foundation Board of Directors with a grant of $4,000,000, and

**WHEREAS**, in appreciation for what the Grigg Lewis Foundation has done for the Cornerstone CFCU Arena and the entire community over the past 45 years the City of Lockport would like to rename that portion of Chestnut Street from Market Street to Charles Street to “Grigg Lewis Way”.

**NOW THEREFORE BE IT**

**RESOLVED**, that Chestnut Street from Market Street to Charles Street be and is hereby renamed to “Grigg Lewis Way”, and be it further

**RESOLVED**, that all corresponding Charter provisions, Code provisions, maps, appendices and indexes be amended to reflect the same.

Seconded by Alderman Schrader and adopted. Ayes 6.

**031815.9B**

By Alderman Mullane:

**Resolution Authorizing the Mayor to Declare a “Code Blue”**

**Whereas**, a community group led by the Salvation Army, Dale Association, The Chapel, St. John’s Outreach, Grace Episcopal, The City of Lockport, The Lockport Police Department, Grigg-Lewis Foundation and Lockport Cares are leading an effort to care for the homeless, those living in conditions with low or no heat and elderly whose homes have broken furnaces or water pipes. And,

**Whereas**, a warming center can prevent death or injury occurring related to exposure of the elements when temperatures or a combination of precipitation, wind chill, wind and temperature become dangerously inclement. And,

**Whereas**, a Code Blue Warming Center will be operational in the City of Lockport from October 1 – March 31st every year with the option to extend those dates if needed. And,

**Whereas**, the warming center will be located at the Dale Association through 2016 and will move to the Salvation Army after completion of their building expansion project. Now therefore be it,

**Resolved**, the Mayor is hereby authorized to declare a “Code Blue” when the weather conditions indicate the temperature will drop below 15 degrees overnight and shall notify the lead agency to open the Code Blue Warming Center. This resolution shall take effect immediately.

Seconded by Alderman Fogle and adopted. Ayes 6.

**031815.9C**

By Alderman Genewick:

Resolved, that the Mayor is hereby authorized to finalize the terms of employment with Scott Schrader as Director of Finance.

Seconded by Alderman Kibler and adopted. Ayes 6.

**031815.10** **ADJOURNMENT**

At 6:24 P.M. Alderman Kibler moved the Common Council be adjourned until 6:00 P.M., Wednesday, April 1, 2015.

Seconded by Alderman Lombardi and adopted. Ayes 6.

RICHELLE J. PASCERI

City Clerk

CITY OF LOCKPORT

**CORPORATION PROCEEDINGS**

Lockport Municipal Building

Regular Meeting

Official Record

April 1, 2015

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, Mullane, Fogle, Schrader, and Genewick.

**INVOCATION**

**MAYOR’S UPDATE**

**RECESS**

Recess for public input.

**040115.1** **APPROVAL OF MINUTES**

On motion of Alderman Kibler, seconded by Alderman Lombardi, the minutes of the Regular Meeting of March 18, 2015 are hereby approved as printed in the Journal of Proceedings. Ayes 6. Carried.

**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)

3/26/15 Richelle J. Pasceri, City Clerk – notification that the Lockport Municipal Offices will be closed on Friday, April 3, 2015 in observance of Good Friday. There will be no change in garbage pick up.

Referred to the Media.

3/31/15 Richelle J. Pasceri, City Clerk – notification of bids received and opened on

March 27, 2015 for Kiln Dried Wood Chips:

Willow Creek Farm Kiln Dried wood chips: $12.00 / cubic yard

Clarence Center, NY Fuel Surcharge: $0

Referred to the WWTP Chief Operator

**Notice of Defect:**

3/18/15 447 Pine Street, Lockport, NY – tree

3/23/15 Various locations - Pine, Locust, Willow & Market Streets – potholes

3/24/15 342 Michigan Street, Lockport, NY – tree

3/24/15 68 Lakeview Parkway, Lockport, NY – tree

3/31/15 274 Washington Street, Lockport, NY – tree

Referred to the Director of Streets and Parks.

**Notice of Claim:**

3/30/15 Michele Tomkinson, 164 Allen Street, Lockport, NY

Referred to the Corporation Counsel.

## MOTIONS & RESOLUTIONS

**040115.2**

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 April 3, 2015 as follows:

General Fund Account #001 $365,129.58

Water Fund Account #002 $ 56,793.92

Sewer Fund Account #003 $ 67,621.45

Refuse Fund Account #012 $ 37,543.42

Payroll Pay Date 3/19/15 $438,747.99

Seconded by Alderman Kibler and adopted. Ayes 6.

**040115.3**

By Alderman Kibler:

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:

Employee Years of Service Title

Stephen R. Anderson 35 Heavy Equipment Operator

Michael J. Costello 25 Municipal Worker

James G. Dilaura 25 Heavy Equipment Operator

Scot C. Snaith 15 Police Officer

Seconded by Alderman Fogle and adopted. Ayes 6.

**040115.4**

By Alderman Lombardi:

Resolved, that pursuant to their request, permission is hereby granted to the Sesquicentennial Committee to barricade a portion of Main Street near Elm Street on Saturday, April 11, 2015 beginning at 9:20 p.m. for the Sesquicentennial Celebration, and be it further

Resolved, that the Director of Streets and Parks is hereby authorized and directed to make arrangements to deliver barricades, temporary no parking signs, and street closed signs to area prior to said event.

Seconded by Alderman Mullane and adopted. Ayes 6.

**040115.5**

By Alderman Fogle:

Resolved, that pursuant to their request, permission is hereby granted to the YWCA of Niagara to conduct a “Walk a Mile in Her Shoes” fundraising event on Saturday, April 25, 2015 beginning at 11:00 a.m. at the YWCA of Niagara, subject to approval of the walk route by the Police chief and 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 to the area prior to the event.

Seconded by Alderman Genewick and adopted. Ayes 6.

**040115.6**

By Alderman Fogle:

Resolved, that pursuant to their request, permission is hereby granted to Lockport Main Street, Inc. to conduct an Easter egg hunt on Saturday, April 4, 2015 beginning at 1:00 p.m. at Outwater Park, and be it further

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

Seconded by Alderman Schrader and adopted. Ayes 6.

**040115.7**

By Alderman Lombardi:

Resolved, that pursuant to her request, Ellen Martin be and the same is hereby given permission to use the City’s right-of-way to conduct the following events for “Sweet Sweet Summer 2015”:

● Paint a poem on Canal Street

● Use of Pine Street Parking lot July 11th – 13th for “Sweet Chalk Festival”

● Use of City’s right of way to place bike racks in various locations for “Lock & Key Bike Racks”

● Use of City’s right of way to place Moais for short intervals for “Moai Not?”

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 locations prior to said events.

Seconded by Alderman Mullane and adopted. Ayes 6.

**040115.8**

By Alderman Genewick:

Resolved, that the Mayor is hereby authorized and directed to negotiate an agreement with the GLDC for the employment of Brian Smith.

Seconded by Alderman Kibler and adopted. Ayes 6.

**040115.8A**

By Alderman Kibler:

Resolved that the Assistant City Engineer be and the same is hereby authorized to arrange for the installation of a 400-watt street light on line 54, pole #12W, aim due east, at the intersection of Washburn Street and Works Place Alley.

Seconded by Alderman Mullane and adopted. Ayes 6.

**040115.8B**

By Alderman Schrader:

Resolved, that the bid proposal of Willow Creek Farm, 10270 Rapids Road, Clarence Center, NY received on March 27, 2015, for Kiln Dried Wood Chips be accepted in the amount of $12.00 per cubic yard. Cost of same to be charged to account #003-8160-4564.

Seconded by Alderman Genewick and adopted. Ayes 6.

**040115.9** **ADJOURNMENT**

At 6:13 P.M. Alderman Kibler moved the Common Council be adjourned until 6:00 P.M., Wednesday, April 15, 2015.

Seconded by Alderman Lombardi and adopted. Ayes 6.

RICHELLE J. PASCERI

City Clerk

CITY OF LOCKPORT

**CORPORATION PROCEEDINGS**

Lockport Municipal Building

Regular Meeting

Official Record

April 15, 2015

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, Mullane, Fogle, Schrader, and Genewick.

**INVOCATION**

**MAYOR’S UPDATE**

**RECESS**

Recess for public input.

**041515.1** **APPROVAL OF MINUTES**

On motion of Alderman Kibler, seconded by Alderman Lombardi, the minutes of the Regular Meeting of April 1, 2015 are hereby approved as printed in the Journal of Proceedings.

Ayes 6. Carried.

**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:**

3/25/15 60 Grant Street, Lockport, NY – tree

3/31/15 274 Washington Street, Lockport, NY – tree

4/2/15 Trowbridge Street, Lockport, NY – sewage lines

Referred to the Director of Streets and Parks.

**MOTIONS & RESOLUTIONS**

**041515.2**

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 April 17, 2015 as follows:

General Fund Account #001 $ 83,745.44

Water Fund Account #002 $ 17,616.35

Sewer Fund Account #003 $ 31,289.86

Refuse Fund Account #012 $ 9,863.87

Payroll Pay Date 4/2/15 $438,943.47

Seconded by Alderman Kibler and adopted. Ayes 6.

**041515.3**

By Alderman Lombardi:

Resolved, that pursuant to his request, Pete Robinson DBA Winter Wonderland Project is hereby granted permission to conduct the “Winter Wonderland Project” along Market Street between Exchange Street Bridge and Cold Springs Bridge on daily, from 4:00 pm until 10:00 pm beginning November 30, 2015 through December 31, 2015, and be it further

Resolved that said permission includes the following:

1. Allow on street parking along Market Street during event times.

2. Use of the restroom facilities at Wide Waters Marina,

3. Allow decorative lights to be hung on city owned property along the canal.

And be it further,

Resolved, that the Director of Streets and Parks be and the same is hereby authorized and directed to arrange for delivery of barricades and refuse containers to said area prior to said event, and be it further

Resolved, that said permission is subject to the Winter Wonderland Project filing a certificate of insurance with the City Clerk naming the City of Lockport as additional insured.

Seconded by Alderman Fogle and adopted. Ayes 6.

**041515.4**

By Alderman Kibler:

Resolved, that pursuant to their request, Lockport Police Department is hereby granted permission to erect a banner on the front of the Municipal Building through December 31, 2015 to celebrate their 150th year anniversary.

Seconded by Alderman Schrader and adopted. Ayes 6.

**041515.5**

By Alderman Mullane:

Resolved, that pursuant to their request, the American Cancer Society is hereby granted permission to conduct a 5K Run Glow Run event on Friday, June 19, 2015 beginning at 6:00 PM, 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 Fogle and adopted. Ayes 6.

**041515.6**

By Alderman Lombardi:

Resolved, that pursuant to the request of the Niagara County Soil & Water Conservation District, permission is hereby granted to install either 18” x 24” aluminum wildlife identification signs along the trail within the Rollin T. Grant Gulf Wilderness Park.

Seconded by Alderman Kibler and adopted. Ayes 6.

**041515.7**

By Alderman Lombardi:

Resolved, that resolution #021815.12 adopted by the Common Council at their February 18, 2015 meeting, regarding the Meet at City Hall Prayer gathering to be held on May 7, 2015, be and the same is hereby amended to change the location to the Gazebo on Canal Street.

Seconded by Alderman Schrader and adopted. Ayes 6.

**041515.8**

By Alderman Lombardi:

Whereas, the owners of 107 East Avenue have requested to install a sidewalk in the City right of way between the sidewalk and the Street for customer foot traffic, and

Whereas, the owners have agreed that the City Charter and City Code with respect to liability, maintenance and clearing shall apply to the newly installed sidewalk in the right of way, and

Whereas, the owners shall install the same at their expense, now therefore be it

Resolved, that the owners of 107 East Avenue be and are hereby authorized to install a sidewalk at their expense in the city right of way between the sidewalk and the city street, and be it further

Resolved, that said sidewalk shall be governed by the City Charter and City Code with respect to liability, maintenance and clearing, and be it further

Resolved, that said permission is subject to the filing of a certificate of insurance with the City Clerk naming the City of Lockport as additional insured.

Seconded by Alderman Genewick and adopted. Ayes 6.

**041515.9**

By Alderman Kibler:

Resolved, that pursuant to their request, the Lockport in Bloom committee is hereby granted permission to conduct their annual Lockport In Bloom "City Garden Tour 2015" event the weekend of Saturday, July 11th and Sunday, July 12th, 2015 from 10:00 a.m. to 4:00 p.m., and from 6:30 – 9:00 pm on Saturday, July 11th , 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 20th to July 14th 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 from June 1st until June 22nd, 2015 to promote Lockport in Bloom weekend, and be it further

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

Seconded by Alderman Lombardi and adopted. Ayes 6.

**041815.10**

By Alderman Lombardi:

Whereas, the New York State Department of Transportation proposes to paint Exchange Street bridge over the Erie Barge Canal in the City of Lockport, and

Whereas, the New York State Department of Transportation proposes to utilize Market Street, Matt Murphy Way, and Clinton Street as part of a detour during the period of construction, and

Whereas, the New York State Department of Transportation will provide traffic control devices and the Department’s maintenance responsibility will be limited to those devices, now therefore be it

Resolved, that the Common Council of the City of Lockport does hereby authorize the New York State Department of Transportation to utilize the above mentioned roads as part of a detour during the period of construction, and be it further

Resolved, that the City of Lockport will continue to provide routine maintenance on the above mentioned roads, including snow and ice control, and be it further

Resolved, that the Clerk of the City of Lockport is hereby directed to transmit five (5) certified copies of this resolution to the New York State Department of Transportation.

Seconded by Alderman Schrader and adopted. Ayes 6.

**041515.10A**

By Alderman Fogle:

Resolved, that the Mayor, subject to Corporation Counsel approval, be and the same is hereby authorized and directed to enter into contract with the DEA for the “Game Changers 2015” program.

Seconded by Alderman Mullane and adopted. Ayes 6.

**041515.10B**

By Alderman Fogle:

Resolved, that the Mayor, subject to Corporation Counsel approval, be and the same is hereby authorized and directed to execute a contract with Rampage Football for use of Exchange Field for their 2015 season.

Seconded by Alderman Schrader and adopted. Ayes 6.

**041515.10C**

By Alderman Lombardi:

Whereas, the City of Lockport applied for and was awarded a New York State Department of Transportation Multi-Modal Grant in the amount of $800,000 for the restoration and upgrade of roadways and drainage structures on various City roads; and

Whereas, the City wishes to accept this grant to upgrade drainage structures and mill, stabilize, and replace driving surfaces along Niagara Street, Bewley Parkway, Grove Avenue, VanBuren Street, Ohio Street, Chestnut Street, Market Street and Vine Street; and

Whereas, the 2015 Budget did not contain the construction materials or the contractual service expenses nor the grant revenue and must be amended; now therefore be it

Resolved, that the City hereby accepts this grant and hereby authorizes the Mayor to execute any and all agreements related to this award; and be it further

Resolved, that the 2015 Budget is hereby amended as follows:

Increase:

Revenue 04-0004-3510 Highway Improvement $800,000

State Aid

Revenue 01-0001-1510 Fees for Service – Highway $175,000

Expense 04-0004-0520 Highway Improvements $800,000

Decrease:

0599 Appropriated Fund Balance $175,000

Seconded by Alderman Genewick and adopted. Ayes 6.

**041515.10D**

By Alderman Schrader:

Whereas, the Chief Operator of the Waste Water Treatment Plant and the Assistant Director of Engineering have informed the Mayor that the thickener tank has had a failure and it is not operable, and

Whereas, there is not back up equipment for the tank in the daily removal of sludge solids from the treatment plant and a temporary contingency plan has been implemented, and

Whereas, STC Construction, Inc. and CRA Infrastructure & Engineering, Inc. have been called to evaluate the damage of the thickener tank and estimate the cost of repair, now therefore be it

Resolved, that pursuant to General Municipal Law, Article 5.A Public Contracts, Section 103, paragraph 4, the Engineering Department is hereby authorized and directed to take the necessary steps to implement emergency corrective actions to procure and install thickener tanks, and be it further

Resolved, that the Mayor, subject to Corporation Counsel approval, is hereby authorized and directed enter into contract with STC Construction, Inc., 63 Zoar Valley Road, Springville, NY 14141, and with CRA Infrastructure & Engineering, Inc., 285 Delaware Ave., Suite 500, Buffalo, NY 14202, to repair said thickener tank on a time and materials proposed by both engineering firms, and for a cost to be determined after a full evaluation of the damages is completed.

Seconded by Alderman Genewick and adopted. Ayes 6.

**041515.10E**

By Alderman Schrader:

                Whereas, the Chief Operator of the Waste Water Treatment Plant and the Assistant Director of Engineering have informed the Mayor that two primary pumps are 26 years old and are in poor working condition, and

                Whereas, the pumps are critical in the removal of sludge from the primary tanks to the thickener tank where the solids are processed and dewatered for composting; both pumps work daily and cannot be down for more than one week before the plant processes start to deteriorate, now therefore be it

                Resolved, that the Assistant Director of Engineering is authorized to prepare bid specifications and contractual documents for the purchase of two new primary pumps.

                Seconded by Alderman Mullane and adopted. Ayes 6.

**041515.10F**

By Alderman Kibler:

Resolved, that the Mayor and Common Council do hereby extend condolences to the family of fallen Ocala, Florida Police Officer Jared Forsyth, former resident of Lockport, New York.

Seconded by Alderman Schrader and adopted. Ayes 6.

**041515.10G**

By Alderman Lombardi:

Resolved, that the Lockport Police Department is authorized and directed to place temporary No Parking signs on and around Chestnut Street on April 17, 2015 for the funeral service for fallen Officer Jared Forsyth.

Seconded by Alderman Kibler and adopted. Ayes 6.

**041515.11** **ADJOURNMENT**

At 6:28 P.M. Alderman Kibler moved the Common Council be adjourned until 6:00 P.M., Wednesday, May 6, 2015.

Seconded by Alderman Lombardi and adopted. Ayes 6.

RICHELLE J. PASCERI

City Clerk

CITY OF LOCKPORT

**CORPORATION PROCEEDINGS**

Lockport Municipal Building

**Special Meeting**

Official Record

April 29, 2015

5:00 P.M.

A Special Meeting was called by Mayor Anne E. McCaffrey to appoint an Acting Assessor

Mayor Anne E. McCaffrey called the meeting to order.

**ROLL CALL**

The following Common Council members answered the roll call:

Aldermen Kibler, Lombardi, Mullane, Fogle, Schrader, and Genewick.

**042915.1**

By Alderman Kibler:

Resolved, that the Rules and Orders of the Common Council be and the same are hereby waived for this meeting.

Seconded by Alderman Lombardi. Ayes 6.

**042915.2**

By Alderman Kibler:

**WHEREAS**, the City of Lockport does not have an Assessor for the upcoming assessment roll, and

**WHEREAS**, Section 314 (1) of the New York State Real Property Tax Law authorizes a municipality to appoint an Acting Assessor for more than six (6) months so long as he or she meets the minimum qualification standards and obtain certification as required by the New York State Real Property Tax Law, and

**WHEREAS**, the City of Lockport desires to employ Michael S. Hartman, the Assessor for the Town of Hartland, on a part-time basis as an employee to serve as Acting Assessor for a period of 14 weeks from April 30, 2015 through September 1, 2015, at a salary of $10,000.

**NOW THEREFORE BE IT**

**RESOLVED**, that the Mayor be and is hereby authorized to employ Michael S. Hartman as Acting Assessor from April 30, 2015 through September 1, 2015, at a salary of $10,000, and be it further

**RESOLVED**, that he shall provide all assessing services required under the laws of the State of New York including but not limited to:

1. The Preparation of the Annual Assessment Roll and Certification thereof;
2. Appear at all meetings of the Lockport Board of Assessment Review and at periodic meetings of the Lockport Common Council as required;
3. Assist in the overall administration of the department;
4. Conduct field investigations and meet with property owners;
5. Assist the Corporation Counsel’s office with all Article 7 Proceedings;
6. Assist in the review and determination of tax exemption and “STAR” applications; and
7. Appear at SCAR proceedings for $150.00 per case by voucher.

Seconded by Alderman Genewick and adopted. Ayes 5 – Alderman Mullane abstained.

**042915.3** **ADJOURNMENT**

At 5:15 P.M., Alderman Kibler moved the Common Council be adjourned until 6:00 P.M., May 6, 2015.

Seconded by Alderman Lombardi and adopted. Ayes 6.

RICHELLE J. PASCERI

City Clerk

CITY OF LOCKPORT

**CORPORATION PROCEEDINGS**

Lockport Municipal Building

Regular Meeting

Official Record

May 6, 2015

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, Mullane, Fogle, Schrader, and Genewick.

**INVOCATION**

**MAYOR’S UPDATE**

**RECESS**

Recess for public input.

**050615.1** **APPROVAL OF MINUTES**

On motion of Alderman Kibler, seconded by Alderman Lombardi, the minutes of the Regular Meeting of April 15, 2015 and the Special Meeting of April 29, 2015 are hereby approved as printed in the Journal of Proceedings. Ayes 6. Carried.

**FROM THE MAYOR**

**Appointments:**

4/14/15 Under and by virtue of the authority conferred on me by the Charter of the City of Lockport, I, Anne E. McCaffrey, Mayor of the City of Lockport, do hereby make the following re-appointments to the License Revocation Board:

Brian Bull, 179 Irving Street, Lockport, NY

James M. Palladino, 101 Webb Street, Lockport, NY

Daniel Sheehan, 189 Willow Street, Lockport, NY

This Board is under Chapter 66-22, Building Construction Administration – Building Contractors. Said term expires March 21, 2017.

Received and filed.

4/14/15 Maria Updegraph, 150 Spalding Street, Lockport, NY re-appointed as a member of the Housing Authority. Said term expires April 26, 2020.

Received and filed.

4/24/15 James Nunnari - appointed as Assistant Chief Operator for the City of Lockport Waste Water Treatment Plant effective February 26, 2015. Said appointment is permanent and subject to the City of Lockport Municipal Civil Service rules and regulations.

Received and filed.

4/30/15 Brian Smith – appointed as Director of Planning and Development for the City of Lockport Community Development effective April 30, 2015. Said appointment is provisional and subject to the City of Lockport Municipal Civil Service rules and regulations.

Received and filed.

5/6/15 Under and by virtue of the authority conferred on me by the Charter of the City of Lockport, I, Anne E. McCaffrey, Mayor of the City of Lockport, do hereby make the following appointments to the Youth Board:

For a term expiring December 31, 2015:

Kathryn Fogle, 35 Bacon Street, Lockport, NY

Patrick Schrader, 32 Gaffney Road, Lockport, NY

For a term expiring May 1, 2018:

Melissa Niver, 44 LeVan Avenue, Lockport, NY

Lewie Cunningham Jr., 14 Bewley Parkway, Lockport, NY

Flora Hawkins, 199 West Avenue, Lockport, NY

Douglas Haak, Jr., One Locks Plaza, Lockport, NY

William Agronin, 11 Berkley Drive, Lockport, NY

Dennis Stachera, 20 Regent Street, Lockport, NY

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)

4/15/15 Jennifer L. Serrano, Jenny Marketing Group LLC, 3477 Beebe Road, Newfane, NY – request permission to conduct the 15th annual Taste of Lockport on Sunday, July 5, 2015. Referred to the Committee of the Whole

4/29/15 Mary F. Murphy, Murphy Insurance Agency, 111 Pine Street, Lockport, NY – request permission to conduct the annual DeSales Race for Fitness 5K run and 1 mile fun run on Saturday, May 9, 2015. Referred to the Committee of the Whole

**Notice of Defect:**

4/7/15 131 Church Street & 156 Vine Street, Lockport, NY – trees

4/9/15 142 Waterman Street, Lockport, NY – tree

4/16/15 123 Pennsylvania Avenue, Lockport, NY – sinkhole

4/16/15 251 High Street, Lockport, NY - trees

4/16/15 134 Waterman Street, Lockport, NY – tree

4/20/15 315 Chestnut Street, Lockport, NY – tree

4/23/15 58 VanBuren Street, Lockport, NY – tree

4/24/15 327 N. Transit Street, Lockport, NY – trees

4/24/15 40 Cleveland Place, Lockport, NY – trees

Referred to the Director of Streets and Parks.

**Notice of Claim:**

4/8/15 Debra L. Myers, 14 Allen Street, Lockport, NY

Referred to the Corporation Counsel.

## MOTIONS & RESOLUTIONS

**050615.2**

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 May 8, 2015 as follows:

General Fund Account #001 $ 96,899.83

Water Fund Account #002 $ 40,944.06

Sewer Fund Account #003 $ 29,823.19

Capital Projects Account #004 $ 962.50

Refuse Fund Account #012 $ 88,247.39

Payroll Pay Date 4/16/15 $ 448,472.44

Pay Date 4/30/15 $ 425,400.49

Seconded by Alderman Kibler and adopted. Ayes 6.

**050615.3**

By Alderman Genewick:

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:

Employee Years of Service Title

Jeffrey Bower 30 Public Works Equipment Mechanic

Victoria A. Haenle 30 W. W. Industrial Pretreatment Coordinator

Mark J. DuPont 25 Sr. Water Treatment Plant Operator

Dominic J. Esposito 25 Municipal Worker

Lucas P. Herman 25 Firefighter

Erick M. Hinton 10 Meter Reader

Seconded by Alderman Lombardi and adopted. Ayes 6.

**050615.4**

By Alderman Lombardi:

Resolved, that the Lockport Business Association is hereby granted permission to use Ida Fritz Park and Main Street to conduct “A Taste of Lockport” on Sunday, July 5, 2015 from 11:00 a.m. to 7:00 p.m., and be it further

Resolved, that permission is granted to barricade West Avenue and Park Avenue at Hawley Street to North Transit Street and Hawley Street between Park Avenue and West Avenue. Permission is also granted to barricade Main Street from North Transit Street to Washburn Street from 7:30 a.m. to 9:00 p.m., and be it further

Resolved, that the Common Council hereby designates the aforesaid event as a temporary event as defined by Section 53-1 of the City Code (alcoholic beverages) which shall terminate/lapse upon completion of said event, and be it further

Resolved, that said permissions are subject to the Taste of Lockport 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 trash receptacles to the area prior to the event.

Seconded by Alderman Schrader and adopted. Ayes 6.

**050615.5**

By Alderman Genewick:

Resolved, that the Director of Finance be and the same is hereby authorized and directed to transfer $2,635.09 from Contingency Account #001-1900-1990 to account #001-8510-4379 for the purchase of Memorial Day Flags.

Seconded by Alderman Fogle and adopted. Ayes 6.

**050615.6**

By Alderman Schrader:

Resolved, that the Director of Finance be and the same is hereby authorized and directed to amend the 2015 Budget for Marina operations as follows:

Increase Expense Accounts:

#001-7185-0100 Personnel $7,000.00

#001-7185-4561 Gasoline $5,000.00

Increase Revenue Accounts:

#001-7185-2088 Marina Fuel $7,000.00

#001-7185-2089 Marina Docking Fees $5,000.00

Seconded by Alderman Lombardi and adopted. Ayes 6.

By Alderman Fogle:

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

Seconded by Alderman Schrader and adopted. Ayes 6.

**050615.7**

By Alderman Schrader:

Resolved, that the Farmers’ Market is hereby established for the 2015 season and the following rules and regulations are hereby adopted:

# CITY OF LOCKPORT FARMERS MARKET

# RULES AND REGULATIONS

**1. Location/Dates/Hours** The 2015 Farmers Market season will be from May 15, 2015 through November 30, 2015 in the South Lot on Walnut Street, west of Pine Street (City parking lot #5), from 9:00 a.m. to 9:00 p.m. daily.

**2. Fees** Farmers shall obtain a Farmer’s Market permit at a cost of $35.00 for the season. Upon approval of application and crop plan by the Market Manager, the City Clerk shall issue a permit and collect fees.

**3. Number of Spaces Occupied by Individual** The sale of spaces shall be limited to two per individual/family with the provision that individuals/families be prohibited from occupying more than two spaces. Sub-letting or loaning of a market space is prohibited.

**4. Produce/Merchandise Offered for Sale** Permits shall be issued for the sale of edible items, horticultural products, and homemade baked goods. Alcoholic beverages or products containing alcohol are strictly forbidden.

Selling of produce and/or merchandise will only be conducted during market hours.

**5. Eligibility of Farmers**

1. Farmers must be bona fide New York State farmers who individually grow and harvest fresh fruits and vegetables and market them directly to consumers.

B. Farmers participating in the market must grow 50% or more of the fruits and vegetables they offer for sale on any market day.

C. Farmers must be willing to participate in the Farmers Market Nutrition Program.

D. Participating farmers must be bona fide producers of fresh fruit and vegetables and must submit a crop plan (on required form) listing items to be grown for sale at the market, acreage or row feet of production, and months of availability.

E. Farmers must be able to supply a sufficient volume and variety of high quality, locally grown fresh fruits and vegetables to meet the needs of WIC participants in the community.

**6. Compliance with Laws/Display of Permits/Parking Lot Clean-up**

Vendors/farmers are responsible for complying with state and local laws and regulations regarding the sale of fresh and processed food and agricultural products, including sanitary packaging, labeling, weights and measures, and sales tax regulations. Vendors/farmers also must display, at all times, their NYS Tax ID number for taxable items and Health Department Permits for foods requiring same and the City of Lockport Market Permit.

Each vendor/farmer is responsible each day for the clean up of their space.

There shall be no overnight storage of vehicles or products.

**7. Display of Products** Products will be displayed in a way that will only encompass the participant’s space and will not endanger the public or obstruct the area where customers will walk. Farmers may, at their own expense, erect a removable shelter.

**8. Conduct of Participants/Revocation of Permit** All vendors/farmers are expected to conduct themselves in an orderly manner. Any conflicts, including harassment, name-calling, profane language, or fighting will result in revocation of the Farmer’s Market Permit.

**9. Advertising Prohibited** No spaces may be used for the promotion of political candidates or for the sole purpose of distribution of literature or to solicit signatures or addresses for home appointments of any kind. No farmer shall erect any signage.

**10. Market Manager** The designated market manager is the City Clerk.

**11. Permit Application/Crop Plan** Each vendor/farmer agrees to abide by these Rules and Regulations and complete the application and crop plan on required forms available at the Clerk's Office.

**12. Breach of Regulations** Any breach of these regulations may result in dismissal from the market.

The City Clerk, subject to Corporation Counsel approval, is authorized to execute an

agreement with the New York State Department of Agriculture & Markets to administer the Farmers' Market Nutrition Program.

The City Clerk is authorized and directed to develop any necessary guidelines he feels

appropriate. and, be it further

Resolved, that the Director of Streets and Parks is hereby authorized and directed to arrange for installing signage denoting the Farmers’ Market.

Seconded by Alderman Genewick and adopted. Ayes 6.

**050615.8**

By Alderman Fogle:

Resolved, that the City Clerk is hereby authorized and directed to forward a communication to the Lockport City School District requesting permission to conduct the fireworks display at North Park Middle School, and be it further

Resolved, that the fireworks display shall be conducted on Saturday, July 4, 2015, with rain date being Sunday, July 5, 2015.

Seconded by Alderman Lombardi and adopted. Ayes 6.

**050615.9**

By Alderman Fogle:

Resolved, that the Sesquicentennial Committee is hereby granted permission to conduct an Independence Day Parade on Friday, July 3, 2015, commencing at 6:00PM at Lockport High School, north on Locust Street to Ulrich City Centre, subject to the approval of the Parade route by the Police Chief and issuance of a parade permit by the City Clerk.

Seconded by Alderman Schrader and adopted. Ayes 6.

**050615.10**

By Alderman Lombardi:

Resolved, that pursuant to their request, Diamonds in the Ruff is hereby granted permission to conduct a 5K road race on Saturday, June 28, 2015 beginning at 10:00 AM, 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 prior to the event.

Seconded by Alderman Fogle and adopted. Ayes 6.

**050615.11**

By Alderman Genewick:

Resolved, that pursuant to their request, permission is hereby granted to DeSales Catholic School to conduct their Annual DeSales Race for Fitness, a 5K run and a 1 mile fun run, on Saturday, May 9, 2015 beginning at 10:00 a.m. subject to approval of the race route by the Police Chief, and 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 street closed signs to the area prior to the event.

Seconded by Alderman Mullane and adopted. Ayes 6.

**050615.12**

By Alderman Lombardi:

Resolved, that pursuant to their request, permission is hereby granted All Saints Parish to barricade Church Alley between Church and Lock Streets on Thursday, June 11, 2015, for a fundraising event, and be it further

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

Seconded by Alderman Schrader and adopted. Ayes 6.

**050615.13**

By Alderman Mullane:

**WHEREAS**, the Assessment Office is an important element to the generation of revenue for the City of Lockport by ensuring property assessments and exemptions are fair, current and accurate, and

**WHEREAS**, the City would like to know whether the Assessment Department is operating effectively and efficiently and it would therefore like a review by an outside agency.

**NOW THEREFORE BE IT**

**RESOLVED**, that the City of Lockport hereby requests an immediate audit of the Assessment Department by the Office of the New York State Comptroller, the Office of the Attorney General and the Office of Real Property Services.

Seconded by Alderman Schrader. Ayes 2. Noes 4. Motion Failed.

Alderman Genewick, Fogle, Lombardi and Kibler voted no.

**050615.13A**

By Alderman Lombardi:

Resolved, that pursuant to their request, permission is hereby granted to A Hand Up Inc. to paint a mural on the concrete wall on Clinton Street

Seconded by Alderman Fogle and adopted. Ayes 6.

By Alderman Lombardi:

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

Seconded by Alderman Mullane and adopted. Ayes 6.

**050615.13B**

By Alderman Schrader:

**WHEREAS**, the City of Lockport (“City”) is a New York Municipal Corporation with offices at One Locks Plaza, Lockport, New York, 14094 and the Greater Lockport Development Corporation (“GLDC”), is a Local Development Corporation with offices also at One Locks Plaza, Lockport, New York, 14094, and

**WHEREAS**, the City and the GLDC initially acquired the 3 Niagara Street, 16 Church Street, 49 Richmond Avenue, 51 Richmond Avenue, 53, Richmond Avenue, 57 Richmond Avenue, 69 Richmond Avenue, 79 Richmond Avenue and 81 Richmond Avenue from private owners by negotiated sale on November 6, 2001, May 24, 1999, January 11, 2002, and August 2, 2001.  The street was then renamed from “Richmond Avenue” to “Canal Street.” Canal Street is located in the center of the City, one city block east from City Hall and one City block north of Main Street, and

**WHEREAS**, prior to the City's acquisition of the block, the buildings were in varied states of disrepair and required extensive environmental remediation, demolition, renovation and restoration to buildings 51, 57, 78 and 81 Canal Street, and

**WHEREAS**, on August 28, 1997, the City received a grant from the U.S. Department of Housing and Urban Development (“HUD”), Canal Corridor Initiative, Section 108 Loan Guarantee Program, number B-97-DH-36-0043, for $1,000,000.  The HUD grant was used to conduct architectural and environmental studies, complete asbestos surveys and start the site work for phase I of the project – the repair of the roofs on buildings 51, 57, 79 and 81 Canal Street. The City and the GLDC also received a U.S. Department of Housing and Urban Development Community Development Block Grant for Small Cities in 1999 in the amount of $144,455, to complete the above roof repair and $50,300 for street and site improvements for Phase II.  On January 25, 2002 the City received a grant for the New York State Department of Environmental Conservation (“NYSDEC”), 1996 Clean Water/Clean Air Bond Act, Environmental Restoration Project, Title 5, Project B00154-9, for $270,000.  On November 7, 2002 the City received an additional $187,500 and 131,185 in funding by grant amendments.  The above NYSDEC funds were used to clean up environmental contamination on the block, remove asbestos and demolish some of the buildings.  The GLDC spent $77,725 to clean up environmental contaminants and $75,685 to remove asbestos and demolished some buildings and rehabilitated buildings 51, 57, 78 and 81, and

**WHEREAS**, in addition to the above improvements by the GLDC, the City and the GLDC made certain street and site improvements during Phase I and II of the project with funding from Senator Maziarz’s Member Item of $234,000, $515,416 from the New York State Department of State Environmental Projection Fund and Quality Community Grant, $200,000 from the Capital Highway Improvement Program (“CHIPS”), $109,929 from the City Bed Tax revenue, and $50,000 from the Department of Housing and Community Renewal for $50,000, and

**WHEREAS**, the City of Lockport is the titled owner to the subject premises by deed dated April 26, 2001, and recorded in the Niagara County Clerk’s Office on April 30, 2001 in Liber 3113 of Deeds at page 182, and

**WHEREAS**, the City of Lockport leased the subject premises to the Greater Lockport Development Corporation dated June 29, 2006 and recorded in the Niagara County Clerk’s office on July 7, 2006 in Liber 3364 of Deeds at page 315 for a period of forty-two (42) years for purposes of redevelopment, leasing and eventual sale, and

**WHEREAS,** on June 29, 2006 the GLDC retained Benton Kendig (Richlock, LLC) as the Preferred Developer for the block and entered into a (i) Lease Agreement, (ii) Development Agreement, (iii) Site Management Agreement, and (iv) Loan Agreement with Richlock, LLC to rehabilitate buildings 51, 57, 78 and 81 Canal Street.  Once the rehabilitation was completed, the City and the GLDC terminated Richlock’s obligations in May 2008 and purchased all of Richlock’s right, title and interest in (i) the Lease Agreement, (ii) the Development Agreement, (iii) the Site Management Agreement, (iv) the Loan Agreement, (v) any and all permits, licenses and approvals used or usable in connection with the Premises, and (vi) all plans and specifications, lists of contractors, warranties, lists of all materials used such as doors and windows, all vendors and suppliers and a description of contracts pertaining thereto, drawings, surveys, environmental studies, books and records, engineering reports and other written documentation prepared, used or usable in connection with the construction and maintenance of the Premises, and

**WHEREAS**, at the conclusion of the remediation and restoration project, the R.W. Bronstein Corp. appraised 57 Canal Street at $355,000, and

**WHEREAS**, since re-acquiring the Developer’s interests in the block, except for the lease of the third floor of the building it has sat vacant for years, and

**WHEREAS**, the area is in need of economic development, jobs and pedestrian traffic, and

**WHEREAS**, in an effort to generate interest in the block, the GLDC retained a realty company several years ago that placed signage in front of the buildings, advertised on a national commercial real estate website known as LoopNet, made property information available on it’s website, produced a color marketing piece that has been distributed to target audiences and the commercial brokerage industry throughout Upstate new York, and

**WHEREAS**, through the successful marketing efforts by the GLDC the GLDC and City received an contract for purchase and sale of improved land from Iskalo Development Corp. for the sum of $375,000.

**NOW THEREFORE BE IT**

**RESOLVED**, that the Mayor be and is hereby authorized to convey 57 Canal Street, Lockport, New York to Iskalo Development Corp. for the sum of $375,000 payable to the GLDC, and be it further

**RESOLVED**, that this resolution shall be subject to the adoption of a resolution by the GLDC releasing its rights to the subject parcel and building.

Seconded by Alderman Genewick and adopted. Ayes 6.

**050615.14** **ADJOURNMENT**

At 6:38 P.M. Alderman Kibler moved the Common Council be adjourned until 6:00 P.M., Wednesday, May 20, 2015.

Seconded by Alderman Lombardi and adopted. Ayes 6.

RICHELLE J. PASCERI

City Clerk

CITY OF LOCKPORT

**CORPORATION PROCEEDINGS**

Lockport Municipal Building

Regular Meeting

Official Record

May 20, 2015

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, Mullane, Fogle, Schrader, and Genewick.

**INVOCATION**

**MAYOR’S UPDATE**

**RECESS**

Recess for public input.

By Alderman Schrader:

Resolved, that the Common Council recess.

Seconded by Alderman Mullane and adopted. Ayes 6.

**052015.1** **APPROVAL OF MINUTES**

On motion of Alderman Kibler, seconded by Alderman Lombardi, the minutes of the Regular Meeting of May 6, 2015 are hereby approved as printed in the Journal of Proceedings. Ayes 6. Carried.

**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:**

5/1/15 192 Erie Street, Lockport, NY – tree

5/14/15 172 Locust Street, Lockport, NY - tree

5/15/15 297 Church Street, Lockport, NY – tree

Referred to the Director of Streets and Parks.

## 5/4/15 Vanessa Bates-Mixson, Community Health Center of Buffalo Outreach Coordinator – request permission to conduct a community health education and awareness event on August 13, 2015. Referred to the Committee of the Whole

5/11/15 US Army Corps of Engineers, Buffalo District – Public Notice re: The New York State Canal Corporation proposed maintenance dredging of the navigational channel of the Barge Canal on an as-needed basis to address re-silting of the navigation channel over a ten year period. Referred to the Committee of the Whole

5/12/15 Watler E. Moxham, Jr., Vietnam Veterans Chapter 268, request permission to conduct a 5K road race on Sunday, October 4, 2015. Referred to the Committee of the Whole

5/19/15 Richelle J. Pasceri, City Clerk – notification that the Lockport Municipal Offices will be closed on Monday, May 25, 2015 in observance of Memorial Day. For the entire week of May 25th, garbage will be collected on the day following regularly scheduled collection.

Referred to the Media.

## MOTIONS & RESOLUTIONS

**052015.2**

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 May 22, 2015 as follows:

General Fund Account #001 $105,333.04

Water Fund Account #002 $ 17,062.10

Sewer Fund Account #003 $ 53,388.38

Capital Projects Account #004 $ 41,065.00

Refuse Fund Account #012 $ 91,810.97

Payroll Pay Date 5/14/15 $443,585.26

Seconded by Alderman Kibler and adopted. Ayes 6.

**052015.3**

By Alderman Schrader:

Resolved, that pursuant to their request, the Community Health Center of Buffalo is hereby granted permission to conduct a community health education and awareness event on Heritage Court on August 13, 2015 from 9:30 AM until 3:00 PM. Said permission is subject to Community Health Center of Buffalo 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 be and the same is hereby authorized and directed to arrange for delivery of barricades to said area prior to said event.

Seconded by Alderman Fogle and adopted. Ayes 6.

**052015.4**

By Alderman Mullane:

Resolved, that pursuant to their request, Vietnam Veterans Chapter 268 is hereby granted permission to conduct a 5K road race on Sunday, October 4, 2015 beginning at 9:00 AM, 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 prior to the event.

Seconded by Alderman Lombardi and adopted. Ayes 6.

**052015.5**

By Alderman Genewick:

Whereas, on Monday, May 4, 2015, the Committee to Review the Duties and Salary of the Treasurer met to vote on a final recommendation to the Mayor and Common Council, and

Whereas, the Committee voted unanimously to recommend to the Mayor and Common Council that the duties changed to:

1. The collection on water and sewer fees and refuse fees;

2. The collection of taxes (real property, hotel/motel, utility and sales);

3. To act as custodian of all municipal funds;

4. To participate in the Board of Assessment Review in accordance with section C-101 of the City Charter;

5. Continue to act as the officer for purposes of borrowing;

6. Collect unpaid City taxes and fees in accordance with Article XI of the Charter;

7. Collection of assessments for local improvements in accordance with Article X of the Charter, and

Whereas, the Committee voted to recommend a reduction in the salary of the Treasurer from $82,000.00 a year to $50,000.00 a year in the month of July preceding the general election at which candidates for such office are to be voted pursuant to Section C-15 of the Charter and afford the same health insurance and retirement benefits, now therefore be it

Resolved, that the Corporation Counsel be and is hereby directed and authorized to prepare, submit for consideration and file all resolutions, local laws and referenda necessary to effectuate the above duty and salary changes for the next general election and calendar year 2016.

Seconded by Alderman Kibler and adopted. Ayes 4, Noes 1. Alderman Mullane voted no.

Alderman Lombardi abstained.

**052015.5A**

By Alderman Kibler:

Resolved, that the 2015 Marina Slip Rates are as follows:

- No Electric or Water $10.00 per foot

- No Electric with Water $12.50 per foot

-Electric and Water $20.00 per foot

-Daily (Transient) $ .50 per foot

Seconded by Alderman Schrader and adopted. Ayes 6.

**052015.5B**

By Alderman Schrader:

Resolved, that the Assistant Director of Engineering is hereby authorized and directed to prepare bid specifications for a correlator for water leak detection, and be it further

Resolved, that upon receipt of said specifications, the City Clerk is authorized and directed to advertise for bid proposals for same.

Seconded by Alderman Fogle and adopted. Ayes 6.

**052015.5C**

By Alderman Schrader:

Resolved, that the 2015 budget be amended to increase the Fire Chief Salary to $76,000 effective June 5, 2015.

Seconded by Alderman Genewick and adopted. Ayes 6.

**052015.5D**

By Alderman Kibler:

Resolved, that the Mayor, subject to Corporation Counsel approval, be and the same is hereby authorized and directed to execute a contract with Donegal Construction Corporation, 1235 Marguerite Lake Road, Greensburg, PA 15601 for Milling of Roads to be charged to the CHIPS fund and the Multi-Modal Grant.

Seconded by Alderman Mullane and adopted. Ayes 6.

**052015.5E**

By Alderman Schrader:

Whereas, the New York State Department of Transportation is rehabilitating the Main Street Bridge over the Erie Canal, and

Whereas, the New York State Department of Transportation proposes to adjust a water valve box elevation at the corner of Church and Main Street, and

Whereas, the adjustment will be done by the State’s contractor at no cost to the City, now therefore be it

Resolved, that the Common Council of the City of Lockport does hereby authorize the New York State Department of Transportation to make necessary adjustments to the water valve box, and be it further

Resolved, that the Clerk of the City of Lockport is hereby directed to transmit four (4) certified copies of this resolution to the New York State Department of Transportation.

Seconded by Alderman Fogle and adopted. Ayes 6.

**052015.6** **ADJOURNMENT**

At 7:17 P.M. Alderman Kibler moved the Common Council be adjourned until 6:00 P.M., Wednesday, June 3, 2015.

Seconded by Alderman Lombardi and adopted. Ayes 6.

RICHELLE J. PASCERI

City Clerk

CITY OF LOCKPORT

**CORPORATION PROCEEDINGS**

Lockport Municipal Building

**Special Meeting**

Official Record

May 27, 2015

6:15 P.M.

A Special Meeting was called by Mayor Anne E. McCaffrey to authorize an Emergency Declaration for repair of CSO-8

Mayor Anne E. McCaffrey called the meeting to order.

**ROLL CALL**

The following Common Council members answered the roll call:

Aldermen Kibler, Lombardi, Mullane, Fogle, Schrader, and Genewick.

**052715.1**

By Alderman Kibler:

Resolved, that the Rules and Orders of the Common Council be and the same are hereby waived for this meeting.

Seconded by Alderman Fogle. Ayes 6.

**052715.2**

By Alderman Schrader:

Whereas, the Assistant Director of Engineering recommends an Emergency Declaration for a repair of CSO-8, and

Whereas, three companies were asked to provide written quotes for said repairs, and

Whereas, Yarussi Construction Inc., 5650 Simmons Avenue, Niagara Falls, NY 14304 was the lowest responsible bidder, 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 Yarussi Construction Inc. for an amount not to exceed $93,000.00 and a 15% contingency to be charged to a Capital Account.

Seconded by Alderman Kibler and adopted. Ayes 6.

**052715.3** **ADJOURNMENT**

At 6:24 P.M., Alderman Kibler moved the Common Council be adjourned until 6:00 P.M., June 3, 2015.

Seconded by Alderman Mullane and adopted. Ayes 6.

RICHELLE J. PASCERI

City Clerk

CITY OF LOCKPORT

**CORPORATION PROCEEDINGS**

Lockport Municipal Building

Regular Meeting

Official Record

June 3, 2015

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, Mullane, Fogle, Schrader, and Genewick.

**INVOCATION**

**MAYOR’S UPDATE**

**RECESS**

Recess for public input.

**060315.1** **APPROVAL OF MINUTES**

On motion of Alderman Kibler, seconded by Alderman Lombardi, the minutes of the Regular Meeting of May 20, 2015 and the Special Meeting of May 27, 2015 are hereby approved as printed in the Journal of Proceedings. Ayes 6. Carried.

**FROM THE MAYOR**

**Appointment:**

6/1/15 Mary Schaffert – appointed as Police Department Records Data Coorinator for the City of Lockport Police Department effective May 19, 2015. Said appointment is permanent 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)

5/21/15 Darcee Rae Hughes, Lockport Family YMCA, 19 East Avenue, Lockport, NY – requesting permission to conduct a “Fitness in the Parks” program sponsored by Independent Health and the Buffalo Niagara YMCA.

Referred to the Committee of the Whole

5/26/15 Joanne Braun, Niagara/Orleans District Order of the Eastern Star, Lockport Chapter #73 – request permission to use a portion of the city owned parking lot behind 1 Cottage Street for motorcycle parking on August 11, 2015.

Referred to the Committee of the Whole

6/3/15 Elaine Farchione-Sobieraski, Orleans Monument Co. – request permission to place a bronze plaque at Veteran’s Park in honor of Albert Jex.

Referred to the Committee of the Whole

**Notice of Defect:**

5/21/15 33 Gaffney Road, Lockport, NY – tree

5/26/15 307 Green Street, Lockport, NY – tree

Referred to the Director of Streets and Parks.

**Notice of Claim:**

6/1/15 Division of Human Rights - Determination and order after an investigation.

Referred to the Corporation Counsel

## MOTIONS & RESOLUTIONS

**060315.2**

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 June 5, 2015 as follows:

General Fund Account #001 $ 27,843.08

Water Fund Account #002 $ 26,368.44

Sewer Fund Account #003 $ 2,298.44

Capital Projects Account #004 $ 66,865.13

Small Cities Account #013 $ 660.00

Payroll Pay Date 5/28/15 $ 452,481.50

Seconded by Alderman Kibler and adopted. Ayes 6.

**060315.3**

By Alderman Genewick:

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:

Employee Years of Service Title

Stephen A. Goerss 25 Deputy City Treasurer

Steven K. Abbott 20 Police Lieutenant

Seconded by Alderman Fogle and adopted. Ayes 6.

**060315.4**

By Alderman Fogle:

Resolved, that a public hearing be held at the Common Council Meeting of Wednesday, June 17, 2015 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 Redland Quarries N.Y. Inc. / Continental Placers Inc., for approval to operate a stone quarry at 400 Hinman Road, situated in an I-3 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 Mullane and adopted. Ayes 6.

**060315.5**

By Alderman Kibler:

Resolved, that the Mayor, subject to Corporation Counsel approval, be and the same is hereby authorized and directed to execute a contract with TDS Services, 6265 Dorchester Road, Lockport, NY for cutting grass on privately owned parcels.

Seconded by Alderman Genewick and adopted. Ayes 6.

**060315.6**

By Alderman Lombardi:

Resolved, that pursuant to their request, the Lockport Family YMCA, is hereby granted permission to conduct “Fitness in the Parks” at Nelson C Goehle Marina Park on Mondays and Wednesdays for a period of ten weeks beginning Monday, June 22, 2015 subject to filing a certificate of insurance with the City Clerk naming the City of Lockport as additional insured.

Seconded by Alderman Schrader and adopted. Ayes 6.

**060315.7**

By Alderman Kibler:

WHEREAS, the City applied for and received a Police Traffic Services (Highway Safety) Grant, and

WHEREAS, revenues and activities related to the grant were not budgeted for the year 2015, now therefore be it

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

INCREASE REVENUES:

001-0001-3389 Highway Safety Equipment $1,300.00

INCREASE APPROPRIATIONS:

001-3120-0260 Highway Safety Equipment $1,300.00

Seconded by Alderman Fogle and adopted. Ayes 6.

**060315.7A**

By Alderman Kibler:

                Resolved, that a public hearing be held at the Common Council Meeting of June 17, 2015 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 Hydraulic Race Co., for approval to operate a zip line adventure attraction to be located at 5 Gooding Street, situated in an I-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 Schrader and adopted. Ayes 6.

**060315.7B**

By Alderman Genewick:

                Resolved, that a public hearing be held at the Common Council Meeting of June 17, 2015 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 Robert Soemann, for approval for a 4' x 8' temporary sign to be located at 360 Davison Road, situated in a 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 Mullane and adopted. Ayes 6.

**060315.7C**

By Alderman Lombardi:

Resolved, that pursuant to their request, permission is hereby granted to the Niagara/Orleans District Order of the Eastern Star to barricade a portion of the city owned parking lot behind 1 Cottage Street on August 11, 2015 for motorcycle parking, and be it further

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

Seconded by Alderman Schrader and adopted. Ayes 6.

**060315.7D**

By Alderman Schrader:

Whereas, the Assistant Director of Engineering has informed the Mayor that approximately 1,500 feet of storm and sanitary sewer on Market Street are in need of video inspection and cleaning, and

Whereas, the Engineering Department has received quotes to perform video inspection and heavy cleaning of the sewer lines on Market Street, from Kandey Co. for an amount of $18,000.00 and from J. A. Brudage, Drain Doctor, Inc. for an amount of $27,000.00, and

Whereas, the Assistant Director of Engineering has informed the Mayor that the storm sewer outlet to the Eighteen Mile Creek at the intersection of Water Street and Clinton Street has collapsed and is eroding the bank of the Creek, and

Whereas, the Engineering Department has received a quote to repair the storm sewer outlet to the Eighteen Mile Creek for an amount not to exceed $2,000.00, now therefore be it

Resolved, that the Mayor, subject to the Corporation Counsel approval, is hereby authorized and directed to enter into contract with Kandey Co. Inc, 19 Ransier Drive, West Seneca, NY 14224 to video inspect and clean the sanitary sewer on Market Street for an amount of $18,000.00, and

Resolved, that the Assistant Director of Engineering is hereby authorized and directed to repair the storm sewer outlet at the intersection of Water Street and Clinton Street and to pay the Contractor an amount not to exceed $2,000.00, and

Resolved, that the Common Council transfer funds from account # 003.8125.4571 to account 003.8110.4733 in the amount of $20,000.00 to cover the costs of video inspecting sewer lines at Market Street and to repair the sewer outlet at Water and Clinton.

Seconded by Alderman Genewick and adopted. Ayes 6.

**060315.7E**

By Alderman Kibler:

Resolved, that pursuant to their request, permission is hereby granted to Orleans Monument Co. to place a 12” x 24” bronze plaque under the Vietnam Bronze Memorial at Veteran’s Park in honor of Albert Jex.

Seconded by Alderman Genewick and adopted. Ayes 6.

**060315.7F**

By Alderman Kibler:

Resolved, that in accordance with Section 11-C of the New York Domestic Relations Law, the Common Council of the City of Lockport appoints Richelle J. Pasceri, City Clerk as a Marriage Officer for the City of Lockport for a term of one year.

Seconded by Alderman Lombardi and adopted. Ayes 6.

**030615.7G**

By Alderman Genewick:

Resolved, that the 2015 budget be amended for the cost of carpeting for Lockport City Court as follows:

INCREASE REVENUE:

001-0001-3330 State Aid Court Maintenance $13,496.00

INCREASE APPROPRIATIONS:

001-1620-4705 Building Maintenance $13,496.00

Seconded by Alderman Mullane and adopted. Ayes 6.

**060315.8** **ADJOURNMENT**

At 6:31 P.M. Alderman Kibler moved the Common Council be adjourned until 6:00 P.M., Wednesday, June 17, 2015.

Seconded by Alderman Lombardi and adopted. Ayes 6.

RICHELLE J. PASCERI

City Clerk

CITY OF LOCKPORT

**CORPORATION PROCEEDINGS**

Lockport Municipal Building

**Special Meeting**

Official Record

June 10, 2015

5:00 P.M.

A Special Meeting was called by Mayor Anne E. McCaffrey to authorize the execution of an agreement with CSEA retires regarding Medicare Part B reimbursements.

Mayor Anne E. McCaffrey called the meeting to order.

**ROLL CALL**

The following Common Council members answered the roll call:

Aldermen Kibler, Lombardi, Mullane, Fogle, and Schrader.

Absent – Alderman Genewick.

**061015.1**

By Alderman Kibler:

Resolved, that the Rules and Orders of the Common Council be and the same are hereby waived for this meeting.

Seconded by Alderman Lombardi. Ayes 5.

**061015.2**

By Alderman Kibler:

Be it resolved that, the Stipulation of Settlement, a copy of which is attached,  between the City of Lockport, the Civil Service Employees Association, Local 1000,  and certain retirees from the City of Lockport is hereby approved and the Mayor shall be and hereby is authorized to execute the Stipulation of Settlement on behalf of the City of Lockport upon receipt of the Stipulation of Settlement containing the signature of all Plaintiffs in the action or a sufficient number of Plaintiffs in the action as determined solely by the City Council.

Seconded by Alderman Schrader and adopted. Ayes 5.

**061015.3** **ADJOURNMENT**

At 5:05 P.M., Alderman Kibler moved the Common Council be adjourned until 6:00 P.M., June 17, 2015.

Seconded by Alderman Lombardi and adopted. Ayes 5.

RICHELLE J. PASCERI

City Clerk

CITY OF LOCKPORT

**CORPORATION PROCEEDINGS**

Lockport Municipal Building

Regular Meeting

Official Record

June 17, 2015

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, Mullane, Fogle, and Genewick.

Alderman Schrader joined the meeting at 6:55 P.M.

**INVOCATION**

**MAYOR’S UPDATE**

**RECESS**

Recess for public input.

**061715.1** **APPROVAL OF MINUTES**

On motion of Alderman Kibler, seconded by Alderman Lombardi, the minutes of the Regular Meeting of June 3, 2015 and the Special Meeting of June 10, 2015 are hereby approved as printed in the Journal of Proceedings. Ayes 5. Carried.

PUBLIC HEARING

The Mayor announced a public hearing on a request for a Special Use Permit made by Redland Quarries N.Y. Inc. for approval to operate a stone quarry at 400 Hinman Road.

Recess for public input.

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

1/7/14 Charlene Seekins-Smith, Chairman, Lockport Planning and Zoning Board – the Board recommends that the request for a special use permit be approved with the following stipulation:

The City Engineer is satisfied that the blasting operation poses no threat to the City water main.

The Mayor closed the public hearing.

PUBLIC HEARING

The Mayor announced a public hearing on a request for a Special Use Permit made by Hydraulic Race Co. for approval to operate a zip line adventure attraction at 5 Gooding Street.

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

6/11/15 Charlene Seekins-Smith, Chairman, Lockport Planning and Zoning Board – the Board recommends that the request for a special use permit be approved with the following stipulation:

Documentation from the NYS Canal Corporation is provided to the City of Lockport regarding their approval of the zip line adventure.

6/17/15 Heather Peck, Program Manager, Lockport Main Street Inc. – Lockport Main Street endorses Adventure Ride Lockport and wishes Hydraulic Race Co. the best in achieving its stated goals.

Recess for public input.

The Mayor closed the public hearing.

PUBLIC HEARING

The Mayor announced a public hearing on a request for a Special Use Permit made by Robert Soemann for approval for a temporary sign to be located at 360 Davison Road.

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

6/11/15 Charlene Seekins-Smith, Chairman, Lockport Planning and Zoning Board – the Board recommends that the request for a special use permit be approved with the following stipulation:

The sign shall not be lit after 11 p.m.

Recess for public input.

The Mayor closed the public hearing.

**FROM THE MAYOR**

**Appointments:**

6/3/15 David Wohleben, 145 Lincoln Avenue, Lockport, NY – appointed as a Commissioner of Deeds. Said term expires on December 31, 2016.

Received and filed.

6/3/15 Matthew Parish, 732 East Robinson Street, North Tonawanda, NY – appointed as a Commissioner of Deeds. Said term expires on December 31, 2016.

Received and filed.

6/4/15 Todd Chenez, Lockport Police Detective/Lieutenant – appointed as a Commissioner of Deeds. Said term expires on December 31, 2016.

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:**

5/29/15 64 Rochester Street – tree

5/29/15 184 Waterman Street – tree

6/11/15 376 Ohio Street – tree

6/12/15 19 Summer Street – tree

Referred to the Director of Streets and Parks.

**Notice of Claim:**

6/5/15 Cheryl L. Chunco, 3340 Hartland Road, Gasport, NY

Referred to the Corporation Counsel.

6/10/15Duane W. Priset, Senior Pastor, Emmanuel United Methodist Church – request

permission to conduct their annual block party on July 22, 2015.

Referred to the Committee of the Whole

## MOTIONS & RESOLUTIONS

**061715.2**

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 June 19, 2015 as follows:

General Fund Account #001 $ 66,648.93

Water Fund Account #002 $ 31,640.05

Sewer Fund Account #003 $ 44,860.19

Refuse Fund Account #012 $ 96,047.96

Payroll Pay Date 6/11/15 $ 461,561.72

Seconded by Alderman Kibler and adopted. Ayes 6.

**061715.3**

By Alderman Genewick:

Resolved, that the request for a special use permit made by Robert Soemann for The Sandtrap Restaurant to utilize a portable sign from April 1st until October 31st located at 360 Davison Road, situated in an R-A Zone, be and the same is hereby approved, subject to the following provision:

The sign shall not be lit after 11 p.m.

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 Mullane and adopted. Ayes 6.

**061715.4**

By Alderman Lombardi:

Resolved, that pursuant to their request, the Sesquicentennial Committee is hereby granted permission to conduct an outdoor concert on July 3, 2015 following the Independence Day Parade, and it be further

Resolved, that said permission includes the following:

1. Sale of food and drink items including alcoholic beverages, crafts and related items.
2. Barricade Elm Street between Main Street and Walnut Street.
3. Resolved that the Common Council hereby designates the aforesaid event as a temporary event as defined by Section 53-1 of the City Code (alcoholic Beverages) which shall terminate/lapse upon the completion of said event, and be it further,

Resolved, that the Director of Streets and Parks is hereby authorized and directed to arrange for delivery of barricades, street closed signs, and trash bins to the area prior to the event.

Seconded by Alderman Fogle and adopted. Ayes 6.

**061715.5**

By Alderman Lombardi:

Resolved, that pursuant to their request, the Palace Theater is hereby granted permission to barricade a portion of Main Street between Elm Street and Charles Street to conduct a Bootleggers Ball on July 15, 2015 from 6:00 p.m. until 10:00 p.m., and be it further

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

Seconded by Alderman Genewick and adopted. Ayes 6.

**061715.6**

By Alderman Fogle:

Whereas, the City has received grant from the Grigg Lewis Foundation for Summer Youth and Recreation programs, and

Whereas, revenues related to the grant were not budgeted for the year 2015, now therefore be it

Resolved, that the 2015 budget be amended as follows:

INCREASE REVENUE:

001-0001-2189 Youth & Recreation Funding $30,000.00

INCREASE EXPENSE:

001-7310-4378 Youth & Recreation Programs $30,000.00

Seconded by Alderman Mullane and adopted. Ayes 6.

**061715.7**

By Alderman Fogle:

Whereas, the City has received a Grant from the Drug Enforcement Administration for the Game Changers Program in the amount of $18,000.00, and

Whereas, the revenues and activities related to the grant were not budgeted for the year 2015, now therefore be it

Resolved, that 2015 be amended as follows:

INCREASE REVENUES:

001-0001-4389 Game Changers Program $18,000.00

INCREASE APPROPRIATIONS:

001-3120-4428 Game Changers Program Expenses/

Consultants, Equipment, T-Shirts     $18,000.00

Seconded by Alderman Kibler and adopted. Ayes 6.

**061715.8**

By Alderman Genewick:

Resolved, that pursuant to their request, the Lockport Fire Department is hereby granted permission to conduct a Community Picnic Day at Altro Park on August 2, 2015 beginning at 12:00 p.m., and be it further

Resolved, that the Director of Streets and Parks is hereby authorized and directed to arrange for delivery of extra trash bins prior to the event.

Seconded by Alderman Lombardi and adopted. Ayes 6.

**061715.9**

By Alderman Lombardi:

Resolved, that pursuant to their request, permission is hereby granted the Emmanual United Methodist Church to barricade Wakeman Alley on Wednesday, July 22, 2015, for a block party, and be it further

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

Seconded by Alderman Mullane and adopted. Ayes 6.

**061715.10**

By Alderman Lombardi:

Whereas, the Lockport City Planning Board approved a recommendation for a Special Use Permit for a zip line adventure attraction over the Erie Canal, and

Whereas, the Hydraulic Race Company, Inc., owners of the Lockport Cave & Underground Boat Ride, are proposing to build a platform next to their 5 Gooding Street building and two other platforms on state property, and

Whereas, the zip line is expected to increase tourism and pedestrian foot traffic in the downtown area, now therefore be it

Resolved, that the Hydraulic Race Company, Inc. is hereby granted a Special Use Permit effective upon filing with the City Clerk a letter from the NYS Canal Corporation approving/authorizing the use of state property for the location of the zip line project, and be it further

Resolved, that 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.

Seconded by Alderman Kibler and adopted. Ayes 6.

**061715.10A**

By Alderman Lombardi:

Resolved, that pursuant to their request, Lockport Main Street, Inc. is hereby granted permission to have a community market on Canal Street each Saturday beginning July 4th and running through October 3rd, 2015, and be it further

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

Seconded by Alderman Fogle and adopted. Ayes 6.

**061715.10B**

By Alderman Lombardi:

Whereas, the Historic Lockport Mill Race, Inc., a 501(c)(3) tax exempt organization, is seeking funding from multiple sources to restore and renovate the mill race and former Lockport Gas & Electric building, and requires a legal possessory interest in the building to obtain said funding, to complete necessary repairs and maintenance to preserve the building, and to begin the planning stages of both restoration and renovation efforts, it is hereby

Resolved, that pursuant to Section 61 of the City Charter the Mayor be and is hereby authorized to enter into the attached one (1) year lease with the Historic Lockport Mill Race, Inc. for the sum of one (1) and no more dollars.

Seconded by Alderman Kibler and adopted. Ayes 6.

**061715.10C**

By Alderman Schrader:

Whereas, on November 22, 2014, a vehicle struck city fire hydrant #170 in front of 157 Park Lane Circle, and

Whereas, the Water Department has billed and received a check for $1,498.05 for repairs to the fire hydrant, now therefore be it

Resolved, that the 2015 budget be amended as follows:

Increase: 002-0002-2144 Water Misc Billing $1,498.05

Increase: 002-8340-4722-0203 Hydrants & Valves $1,498.05

Seconded by Alderman Genewick and adopted. Ayes 6.

**061715.11** **ADJOURNMENT**

At 7:45 P.M. Alderman Kibler moved the Common Council be adjourned until 6:00 P.M., Wednesday, July 1, 2015.

Seconded by Alderman Lombardi and adopted. Ayes 6.

SHIRLEY M. BROWNING

Deputy City Clerk

CITY OF LOCKPORT

**CORPORATION PROCEEDINGS**

Lockport Municipal Building

Regular Meeting

Official Record

July 1, 2015

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, Mullane, Fogle, Schrader, and Genewick.

By Alderman Kibler:

Resolved, that the Rules and Orders of the Common Council be and the same are hereby waived for this meeting.

Seconded by Alderman Lombardi. Ayes 6.

**SESQUINCENTENNIAL CEREMONY**

**INVOCATION**

**MAYOR’S UPDATE**

**070115.1** **APPROVAL OF MINUTES**

On motion of Alderman Kibler, seconded by Alderman Lombardi, the minutes of the Regular Meeting of June 17, 2015 are hereby approved as printed in the Journal of Proceedings. Ayes 6. Carried.

**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)

6/25/15 Richelle J. Pasceri, City Clerk – Notification that the Lockport Municipal Offices will be closed on Friday, July 3, 2015 in observance of Independence Day.

There will be no change in garbage collection

Referred to the Media.

6/30/15 Richelle J. Pasceri, City Clerk – Notification of bids received for Correlator for Water Leak Detection The following bid proposal for the above referenced were received and opened on June 26, 2015:

Pow-R Mole Sales, LLC $20,394.00

Lancaster, NY

Matchpoint, Inc. $24,749.00

Wilmington, NC

Lock City Supply Inc. $30,686.25

Lockport, NY

Referred to the Assistant City Engineer

**Notice of Defect:**

6/19/15 17 Scovell Street – tree

6/24/15 247 Locust Street – tree

6/24/15 360 Ohio Street – damaged storm drainage pipe

6/29/15 High Street, West of Erie Street – road condition

Referred to the Director of Streets and Parks.

**Notice of Claim:**

6/19/15 Katherine C. Tomtishen, 6129 Ketchum Avenue, Newfane, NY

7/1/15 Steve Santangelo, 881 Willow Street, Lockport, NY

Referred to the Corporation Counsel.

## MOTIONS & RESOLUTIONS

**070115.2**

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 July 6, 2015 as follows:

General Fund Account #001 $ 412,362.88

Water Fund Account #002 $ 63,740.47

Sewer Fund Account #003 $ 52,721.28

Capital Projects Account #004 $ 7,645.38

Small Cities Account #013 $ 8,275.00

Payroll Pay Date 6/25/15 $ 477,652.58

Seconded by Alderman Kibler and adopted. Ayes 6.

**070115.3**

By Alderman Genewick:

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:

Employee Years of Service Title

Russell J. Sprung 10 Motor Equipment Operator

Jessica E. Stopa 10 Sr. Account Clerk

Seconded by Alderman Fogle and adopted. Ayes 6.

**070115.4**

By Alderman Kibler:

Resolved that the Director of Planning and Development is hereby authorized and directed to apply for a $50,000 grant through the Consolidated Funding Application process for a Community Needs Assessment Said grant requires a 5% match from the City.

Seconded by Alderman Genewick and adopted. Ayes 6.

**070115.5**

By Alderman Genewick:

Resolved, that a public hearing be held at the Common Council Meeting of July 15, 2015 starting at 6:00 P.M. in the Common Council Chambers, Lockport Municipal Building, One Locks Plaza, Lockport, NY relative to a proposed amendment to §C-90 General Duties of City Treasurer, and be it further

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

Seconded by Alderman Mullane and adopted. Ayes 6.

**070115.6**

By Alderman Lombardi:

Resolved, that pursuant to their request, permission is hereby granted to Groff’s Tavern to barricade Union Street from Washburn Street to Ann Street on August 8, 2015 for a fundraising event and be it further

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

Seconded by Alderman Schrader and adopted. Ayes 6.

**070115.7**

By Alderman Schrader:

Resolved, that pursuant to their request, permission is hereby granted to Boy Scout Troop 4 to barricade the Municipal Building Parking Lot and parking spaces on Main Street in front of the Municipal Building on Thursday, July 2, 2015 for a flag retirement ceremony beginning at 6:00 PM, and be it further

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

Seconded by Alderman Fogle and adopted. Ayes 6.

**070115.8**

By Alderman Fogle:

Resolved, that pursuant to their request, permission is hereby granted to the Sesquicentennial Committee to conduct a Family Fun Day at Outwater Park on Saturday, July 4, 2015 beginning at 12:00 PM until 3:00 PM.

Seconded by Alderman Mullane and adopted. Ayes 6.

**070115.9**

By Alderman Lombardi:

Resolved, that the Mayor, subject to Corporation Counsel approval be and the same is hereby authorized and directed to enter into agreement with the Discovery Center for operation of the Tourism Center to be funded with Bed Tax and exercise the option to renew pursuant to the lease agreement.

Seconded by Alderman Genewick and adopted. Ayes 6.

**070115.10**

By Alderman Fogle:

Resolved, that pursuant to their request, permission is hereby granted to the Navy-Marine Club to barricade Park Avenue from the Navy-Marine Club to Hawley Street on August 15, 2015 for their annual picnic, 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 said event.

Seconded by Alderman Lombardi and adopted. Ayes 6.

**070115.11**

By Alderman Schrader:

Whereas, on February 1, 2015, a vehicle struck city fire hydrant #109 on Walnut Street, and

Whereas, the Water Department has billed and received a check for $1,982.90 for repairs to the fire hydrant, now therefore be it

Resolved, that the 2015 budget be amended as follows:

Increase: 002-0002-2144 Water Misc Billing $1,982.90

Increase: 002-8340-4722-0203 Hydrants & Valves $1,982.90

Seconded by Alderman Genewick and adopted. Ayes 6.

**070115.12** **ADJOURNMENT**

At 6:18 P.M. Alderman Kibler moved the Common Council be adjourned until 6:00 P.M., Wednesday, July 15, 2015.

Seconded by Alderman Lombardi and adopted. Ayes 6.

RICHELLE J. PASCERI

City Clerk

CITY OF LOCKPORT

**CORPORATION PROCEEDINGS**

Lockport Municipal Building

**Special Meeting**

Official Record

July 8, 2015

5:10 P.M.

A Special Meeting was called by Mayor Anne E. McCaffrey to authorize the execution of an agreement with Police and Fire retirees regarding Medicare Part B reimbursements.

Acting Mayor Joseph C. Kibler called the meeting to order.

**ROLL CALL**

The following Common Council members answered the roll call:

Aldermen Lombardi, Mullane, Fogle, Schrader, and Genewick

**070815.1**

By Alderman Lombardi:

Resolved, that the Rules and Orders of the Common Council be and the same are hereby waived for this meeting.

Seconded by Alderman Schrader. Ayes 5.

**070815.2**

By Alderman Genewick:

Whereas, retired firefighters and police officers commenced an action against the City of Lockport regarding health care and retirement issues, and

Whereas, the retirees asserted various claims under various collective bargaining agreements entered into by the Lockport Professional Firefighters Association and the Hickory Club P.B.A. and the City of Lockport on the other hand. Now therefore be it,

Resolved, that the Mayor be and is hereby authorized and directed to execute a Stipulation of Settlement Agreement to pay the sum of $170,000 in two equal payments of $85,000 on July 15, 2015 and March 1, 2016.

Seconded by Alderman Mullane and adopted. Ayes 5.

**070815.3** **ADJOURNMENT**

At 5:13 P.M., Alderman Kibler moved the Common Council be adjourned until 6:00 P.M., July 15, 2015.

Seconded by Fogle and adopted. Ayes 5.

RICHELLE J. PASCERI

City Clerk

CITY OF LOCKPORT

**CORPORATION PROCEEDINGS**

Lockport Municipal Building

Regular Meeting

Official Record

July 15, 2015

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, Mullane, Fogle, Schrader, and Genewick.

**INVOCATION**

**MAYOR’S UPDATE**

**RECESS**

Recess for public input.

**071515.1** **APPROVAL OF MINUTES**

On motion of Alderman Kibler, seconded by Alderman Lombardi, the minutes of the Regular Meeting of July 1, 2015 and the Special Meeting of July 8, 2015 are hereby approved as printed in the Journal of Proceedings. Ayes 6. Carried.

PUBLIC HEARING

The Mayor announced a public hearing on a proposed local law to amend Section 90 of the Charter of the City of Lockport respecting General Duties of the Treasurer.

Recess for public input.

Alderman Genewick introduced “Local Law No. 1 of 2015 Position Paper” - an explanation for the purpose of Local Law #1 supported by the Mayor and the majority of the Common Council.

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

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)

6/30/15 Rev. Craig Campbell, Faith Tabernacle Church, 5676 Beattie Avenue, Lockport, NY – request permission to barricade a portion of Ontario Street for a “Neighborhood Appreciation Picnic” on Wednesday, July 22, 2015.

Referred to the Committee of the Whole

7/6/15 Ecology and Environment, Inc., Buffalo Corporate Center, 368 Pleasant View Drive, Lancaster, NY – Riparian Owner/User notification letter for the use of an aquatic herbicide in Tonawanda Creek/Erie Canal.

Referred to the Committee of the Whole

**Notice of Defect:**

6/24/15 479 Hawley Street – tree

7/7/15 49 West Remick Parkway – tree

7/8/15 24 Nicholls Street – tree

Referred to the Director of Streets and Parks

**Notice of Claim:**

7/13/15 Joanne Ryder, 141 Windermere Road, Lockport, NY

Referred to the Corporation Counsel

## MOTIONS & RESOLUTIONS

**071515.2**

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 July 17, 2015 as follows:

General Fund Account #001 $ 96,818.87

Water Fund Account #002 $ 21,356.02

Sewer Fund Account #003 $ 21,046.08

Refuse Fund Account #012 $ 92,037.24

Small Cities Account #013 $ 10,000.00

Payroll Pay Date 7/9/15 $ 512,091.34

Seconded by Alderman Kibler and adopted. Ayes 6.

**071515.3**

By Alderman Schrader:

Whereas, on May 27, 2015, the Common Council passed a resolution regarding an Emergency Declaration for a repair of CSO-8, and

Whereas, the cost for the concrete road base for the repair exceeded the 15% contingency amount by $5,041.00, now therefore be it

Resolved, that resolution 052715.2 be amended to include said amount.

Seconded by Alderman Mullane and adopted. Ayes 6.

**071515.4**

By Alderman Kibler:

**WHEREAS**, in December 2013, the Office of the State Comptroller issued a Fiscal Stress Report that classified the City of Lockport as in moderate fiscal stress, and

**WHEREAS**, the Common Council and the Mayor created the position of Director of Finance to assist with the City with its financial affairs, and

**WHEREAS**, it is the desire of the Mayor and Common Council to retain the position of Treasurer in the Charter but limit certain powers and duties, and

**WHEREAS**, pursuant to Section C-10 of the City Charter the Treasurer is an elected officer, and

**WHEREAS**, pursuant to Section C-15 of the City Charter the salary of an elective officer may be changed by the Common Council in the month of July, preceding the general election at which candidates for such office are to be voted for, but at no other time, and such change in salary shall not become effective until the first day of January following such election, and

**WHEREAS**, in 2006 the salary of the Treasurer was $45,000.

**NOW THEREFORE BE IT RESOLVED**, that the salary of the Treasurer shall be Fifty Five Thousand Dollars ($55,000) per year effective January 1, 2016.

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

Alderman Kibler VOTING YES

Alderman Lombardi VOTING YES

Alderman Mullane VOTING NO

Alderman Fogle VOTING YES

Alderman Schrader VOTING YES

Alderman Genewick VOTING YES

The resolution was thereupon declared duly adopted.

**071515.5**

By Alderman Fogle:

Resolved, that pursuant to their request, permission is hereby granted to Faith Tabernacle Church to barricade a portion of Ontario Street in front of the Community Garden on Wednesday, July 22, 2015, for a Neighborhood Appreciation Picnic, and be it further

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

Seconded by Alderman Schrader and adopted. Ayes 6.

**071515.6**

By Alderman Kibler:

City of Lockport

Local Law No. 1 of the year 2015

A local law amending Section 90 of the Charter of the City of Lockport respecting General Duties of the Treasurer.

Be it enacted by the Common Council of the City of Lockport as follows:

§ 1. Section 90 of Article V of the Charter of the City of Lockport (Chapter 870 of the Laws of 1911, as amended) is hereby further amended by deleting the same in its entirety and substituting therefor a new Section 90 to read as follows:

“Section 90. General Duties of the City Treasurer. It shall be their duty, personally, to receive all county, city and local taxes or assessments which may be paid at his office, and to retain there, and not elsewhere the possession of all warrants and assessment rolls which may from time to time be delivered to them by the Common Council and the Niagara County Legislature or by the Clerk of the city; they shall enter daily, in suitable books, the sum received by them for taxes or otherwise, with the name of the person on whose account and on what account the same is paid, and shall when required exhibit the same in their office to the Mayor, Director of Finance and Committee of Finances for inspection; they shall be the general custodian of and be responsible, with their surety, for all moneys, bonds, obligations or other evidence of debt belonging to said city; they shall receive all moneys belonging to the city and be responsible for all banking and investments in accordance with Common Council policies. They shall perform all the duties hereinafter mentioned in and pertaining to the collection of taxes and tax sales, and such other duties pertaining thereto and to the finances of the city as the Common Council may direct. All fees, percentages or interest moneys received by the Treasurer, including all interest moneys which they may receive for the use of moneys in their hands, shall be paid by them into the treasury of the city. They shall also be the collector of county taxes in said city.

§ 2. Sections 92 (L. 1911, c. 870; amended by L.L. No. 1-1960), 94 (L. 1911, c. 870), 95 (L. 1911, c. 870; amended by L. 1934, c. 53), 96 (L. 1911, c. 870), and 97 (L. 1911, c. 870) of Article V of the Charter of the City of Lockport are hereby deleted in their entirety.

§ 3. This local law shall be subject to a mandatory referendum and the City Clerk and the Corporation Counsel are hereby directed to submit a separate proposition respecting this local law for inclusion on the ballot in the 2015 General Election.

§ 4. This law shall take effect January 1, 2016 as provided by law following the referendum held as set forth in Section 3 above.

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

Alderman Fogle VOTING YES

Alderman Genewick VOTING YES

Alderman Kibler VOTING YES

Alderman Lombardi VOTING YES

Alderman Mullane VOTING NO

Alderman Schrader VOTING YES

The local law was thereupon declared duly adopted.

**071515.7**

By Alderman Lombardi:

Resolved, that pursuant to their request, permission is hereby granted to Mills Jewelers to barricade a portion of the Main Street parking lot beginning Saturday, August 1, 2015 for the “Mural on Main Street” project, and be it further

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

Seconded by Alderman Schrader and adopted. Ayes 6.

**071515.8**

By Alderman Schrader:

Resolved, that the Common Council does hereby amend Resolution #052015.5E to include additional language as required by the State of New York in relation to the Utility Work Agreement, Form HC-140, dated June 9, 2015, PIN 5812.79, for adjustment of a water valve box located at the East corner of the Main Street Bridge, with the State of New York, acting through the Commissioner of Transportation in connection with that particular project, to grant the State of New York authority to perform the adjustments for the City of Lockport and the City of Lockport agrees to maintain facilities adjusted via State-let contract.

Seconded by Alderman Mullane and adopted. Ayes 6.

**071515.8A**

By Alderman Schrader:

Whereas, the Water Maintenance Supervisor and the Assistant Director of Engineering have informed the Mayor that an 80 year old cast iron water main running east on Lincoln Avenue from Beattie Avenue has severe water leaks and is in need of replacement, and

Whereas, the Niagara County Department of Public Works is reconstructing Lincoln Avenue from Beattie Avenue to Akron Road and has a signed contract with Accadia Site Contracting, Inc. to perform all work involved in said reconstruction, and

Whereas, Accadia Site Contracting, Inc. has proposed the City to replace approximate 175 lineal feet of the old cast iron pipe with a 6 inch PVC pipe for a cost of $31,200.00, and be it further

Resolved, that the Mayor, subject to Corporation Counsel approval, is hereby authorized and directed enter into contract with Accadia Site Contracting, Inc., 5636 Transit Road, Depew, New York 14043, to replace approximate 175 lineal feet of the cast iron water pipe with a 6 inch PVC water main, including all accessories and residence water connections to put the new line in service, for a cost of $31,200 plus 10% of contingency to be charged to City Capital Improvements, be it further

Resolved, that the cost of project shall be bonded.

Seconded by Alderman Fogle and adopted. Ayes 6.

**071515.8B**

By Alderman Kibler:

Whereas, Lockport City Court is in the process of renovating the court room in the Municipal Building, and

Whereas, the Chief Building Inspector has determined that it would be beneficial to the City to sell the used chairs and supplies from the renovations as scrap rather than at public auction, now therefore be it

Resolved, that the Chief Building Inspector is hereby authorized and directed to sell the used chairs and supplies removed from the court room for scrap.

Seconded by Alderman Lombardi 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.

**071515.8C**

By Alderman Genewick:

Whereas, the Finance Committee has reviewed policies that were prepared by the Director of Finance relating to Budget Modification, Preparation and Management of the Petty Cash and Change Fund Accounts, and Cash Management and Handling at their July 1, 2015 meeting, and

Whereas, the Finance Committee has unanimously agreed that said polices be adopted by the Common Council, now therefore be it

Resolved, that the following polices be adopted:

**City of Lockport**

**Policy and Procedures**

**Budget Modifications**

1. **Purpose:**

To provide for appropriate budgetary controls and to promote the effective, efficient and economical management of appropriated funds.

1. **Policy:**

It is the policy of City of Lockport that all modifications of the adopted budget, both appropriation and revenue accounts, shall be requested consistent with the procedures contained herein and shall utilize the standard Adopted Budget Modification Request. The level of authorization required is contingent upon the amounts and accounts involved, as detailed herein. These procedures shall apply to a transfer of funds, an increase in appropriations and revenues, and establishment of new accounts. In all instances said requested modifications shall maintain a balanced budget.

**3.** **Procedure:**

1. The Adopted Budget Modification Request (ABMR) attached hereto and made a part of this policy, shall be prepared for all transfers of funds and adjustments to the adopted budget.
2. All ABMR’s shall be typewritten and completed with all the required information. The ABMR shall reflect the department and action requested; transfer of funds, increases in appropriations and revenues, and/or the establishment of new accounts.
3. The ABMR shall contain an explanation and justification of the action requested. It shall contain sufficient detail to provide an adequate understanding and discussion of the requested action.
4. When completing the ABMR the account numbers and account descriptions contained in the Chart of Accounts shall be utilized. All dollar amounts shall be reflected as whole dollars, cents are not used in this format. Account numbers, descriptions and amounts transferred "From" shall be on a separate line from the accounts being transferred "To." The amounts reflected as the "From" account shall be in parenthesis to indicate this is a withdrawal from the respective account. All transactions shall maintain a balanced budget.
5. The ABMR shall reflect the level of authorization being requested. The following levels of authorization are applicable:
6. Up to $25,000:

The Director of Finance and Administration shall have the authorization:

1. To approve requests for the transfer of funds, not to exceed $25,000, within and between the contractual, capital, and benefit expense items of a department budget, including the creation of new line items, provided said administrative transfers do not exceed total appropriations for the departmental budget as adopted or amended by the City Council.
2. To approve requests for the transfer of funds, not to exceed $25,000, within the Personal Services account or from Personal Services to Equipment and Contractual, provided said authority is further limited to modifications for temporary, overtime and/or shift differential appropriations, which shall not result in the creation of permanent full time or part-time positions.
3. Up to $50,000:

The Director of Finance and Administration, with the concurrence of the Mayor shall have the authorization:

1. To approve requests for the transfer of funds which exceed $25,000 but are less than $50,000 within and between the equipment and contractual areas of the department budget, including the creation of new line items, provided said administrative transfers do not exceed total appropriations for the departmental budget as adopted or amended by the City Council.
2. To approve requests for the transfer of funds which exceed $25,000 but are less than $50,000 within the Personal Services account or from Personal Services to Equipment and Contractual, provided said authority is further limited to modifications for temporary, overtime and/or shift differential appropriations, which shall not result in the creation of permanent full time or part-time positions.
3. Other –Finance Committee and City Council Approval needed:

City Council approval shall be required for all other budget amendments to include the following:

1. Requests which provide for the transfer of funds between funds or departments shall be subject to a Resolution approved by the Finance Committee and City Council.

In all instances, there shall be no splitting of transfer amounts to avoid the next level of authorization.

6. Upon completion of the ABMR the authorization process shall be contingent upon the required level of authorization. The process shall be:

A. Department head’s review and recommendation.

B. Director of Finance and Administration’s review, recommendation and authorization.

C. Mayor’s review and recommendation, when applicable.

C. Finance Committee’s review and recommendation, when applicable.

D. City Council’s review and authorization, when applicable.

1. Upon securing the necessary authorization, the Director of Finance and Administration shall initiate the authorized transaction and make the approved modifications to the adopted budget and accounting system within five (5) business days.
2. All budget modifications and transfers shall be reported to the Finance Committee following the end of each quarter.
3. Any questions relative to the intent or clarification of the policy and procedures contained herein shall be subject to a determination of the Mayor, Finance Committee or the City Council, if determined to be necessary and appropriate.

**\*\*\*\*\*\*\*\*\*\*\*\*\*\*\***

Policy, Procedures and Instructions

**for the Preparation and Management of the**

Petty Cash and Change Fund Accounts

1. **Purpose and Intent.**

A petty cash fund is established through an advance of funds by the Treasurer’s Office. Departments can seek approval to establish a petty cash fund to make change during cash transactions and/or to handle small, unanticipated purchases from vendors when immediate payment is required and the formal City purchasing and billing procedures are impractical or cannot be used.

Petty cash must not be used to pay vendors when a Purchase Order or Electronic Payment can be used. All Petty Cash purchases and reimbursements must adhere to the City of Lockport Purchasing Policies and Procedures

1. **Types of Petty Cash Funds.**
2. **Change Fund:** established for the sole purpose of making change for customers. The authorized amount should not exceed what is needed to support required cash drawers.
3. **General Petty Cash Fund**: established for departmental use for emergency purchases where alternative means (e.g. Purchase Orders) are not feasible. The authorized amount will be limited to one month’s purchases.
4. **Procedures:**
5. **Establishing a Petty Cash Fund (excluding Research Participant Fund):**

To establish a petty cash fund, a requesting department must complete and submit to the Treasurer’s Office the “Application for Petty Cash/Change Fund” form and a letter of explanation addressing the need for the fund, including an analysis justifying the dollar amount requested. Upon approval, the Treasurer’s Office will make arrangements to prepare a check payable to the petty cash or change fund custodian. This initial issue is not charged to your departmental expense account, but is maintained as part of the overall petty cash account of the Treasurer’s Office. The fund must remain intact either in cash or in cash and authorized receipts purchases.

*The custodian must be a full-time employee of the City of Lockport. The custodian must accept personal responsibility for the safety, proper usage and return of the funds entrusted. In rare circumstances the actual handling of the funds may be delegated but the responsibility of the funds remains with the custodian.*

The form must be signed by the custodian and Department Head and the Director of Finance as reconciler of the funds (Reconciler). The form must be completed in its entirety to be processed.

1. **Operating a Fund; Custodian Responsibilities:**

The custodian of the fund is fully responsible for the safekeeping of the fund and for its proper usage. The custodian must exercise caution in the administration and protection of the fund in their position. Access to the fund should be limited to the petty cash custodian. Petty cash funds must not be commingled with any other funds (including but not limited to personal funds) or used for any purpose than requested on the application. Any discrepancies in the fund are the responsibility of the custodian and/or Department Head that approved the request. It is the responsibility of the custodian to follow current City policies and procedures in maintaining the petty cash fund. The funds should be in a locked office safe, file safe or reinforced lockable file or desk with padlock that secures all drawers at all times and the key should be kept in the custodian’s possession. At no time should the funds be left in unlocked desk drawers or cabinets. Receipts should be logged and maintained as the expenses occur. Receipts should be submitted to the Accounts Payable Department in a timely manner. When submitting expenses for reimbursement please be aware that the vendor name on the check request should be listed ‘Your Name, Petty Cash Custodian’.

1. **Reimbursements:**

Checks based on expense accounting (or ACH transactions to petty cash account) are used to replenish the petty cash fund. This avoids the need to request additional amounts from the Treasurer’s Office. Excess funds should be returned to the Treasurer’s Office to reduce the outstanding balance.

1. **Loss of Theft of Funds:**

If a loss or theft occurs such loss must be refunded to the City of Lockport. Loss from negligence will be the custodian’s personal responsibility. Any overage and shortage should be reported to the Director of Finance and the Treasurer’s Office immediately. All petty cash funds must be reimbursed at fiscal year-end or the end of the purpose for which the fund was established.

1. **Reconciling a Fund - Reconciler Responsibilities:**

A monthly reconciliation is required for all petty cash accounts. These reconciliations should be independently reviewed. Both reconciler and reviewer should sign off on the reconciliation. The total of all paid receipts, reimbursements in transit and cash on hand must agree with the authorized amount of the funds at all times. Signed reconciliations are required to be turned into the Treasurer’s Office 2 times per year (July and January) although upon the request of the Treasurer’s Office they may be requested throughout the year. The appropriate “City of Lockport Petty Cash Fund Reconciliation” form must be used in the reconciling process.

1. **Modifying a Fund:**
2. **Change of custodian:**

When changing the custodian, a reconciliation of the fund must be provided to the Treasurer’s Office. This must be reviewed and signed by the current custodian and the Department Head and the Director of Finance. A new “Application for Petty Cash or Change Fund” establishing the new custodian must be completed and submitted to the Treasurer’s Office and Director of Finance for approval.

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1. **Request for increase in fund:**

To increase a petty cash fund, a new “Application for Petty Cash or Change Fund” must be completed and submitted to the Treasurer’s Office along with a letter of explanation addressing the need for the increase in the fund, including an analysis justifying the dollar amount requested.

1. **Closing a Fund:**

The custodian should fully reimburse the fund by submitting all receipts to the Accounts Payable Department for reimbursement. All upfront and excess funds need to be returned directly to the Treasurer’s Office. All rec­onciliation procedures will still apply.

1. **Audit of a Fund:**

Petty Cash funds must be made available upon request of the Director of Finance and external auditors who will make periodic audits to aid the department in proper handling of the funds.

1. **Misuse of Petty Cash Funds:**

Petty cash funds must not be commingled with any other funds (including but not limited to personal funds) or used for any purpose than requested on the application. Any person, including but not limited to a supervisor, who knowingly assists another person in violating this policy will be subject to disciplinary measures and may face criminal charges and penalties. Violations of this policy shall include the submission of fraudulent requests for expense reimbursement.

**Forms/Instructions:**

Application for Petty Cash or Change Funds;

Itemized Use of Petty Cash Register

Master Petty Cash Reimbursement Re­quest;

City of Lockport Petty Cash Fund Reconciliation..

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**Policy and Procedure**

**Cash Management and Handling**

**1. Authority**.

The City Treasurer of the City of Lockport shall be responsible for the day to day handling and management of all funds received and expended on behalf of the City. The Director of Finance shall retain the primary role in overseeing the handling of and accounting for City funds and shall have the authority to promulgate rules and regulations not inconsistent with this policy.

**2. Purpose and Intent.**

All Departments involved in the collection or handling of funds in connection with the conduct of official City business shall be subject to regulations and procedures which in every reasonable way provide for full accountability and control so as to insure the security and safeguarding of those funds. Departments and Offices which have responsibility for directly collecting, handling or disbursing funds shall perform this responsibility within a uniform set of regulations and procedures and in doing so shall be subject to appropriate oversight and audit.

**3. Policy and Procedures.**

3.1 Collection of City Fees and Payments.

Department Heads shall be responsible for the collection of fees and payments due to the City either as a result of goods or services delivered or provided by their department or pursuant to that department's other duly authorized or designated governmental responsibility. City fees and payments collected shall be at rates established by law or regulation, as provided for in duly authorized contracts or as otherwise established by the City Council.

Unless otherwise prescribed by law or regulation, payment for goods or services delivered by a department for which a fee is collectable shall generally be due upon delivery of the good or service. In the event that collection of a fee or payment shall not be appropriate at the time of delivery of the good or service, the department shall promptly issue invoices or bills for such goods or services. Except as otherwise approved in writing by the Director of Finance, invoices or bills shall be issued on at least a monthly basis and shall be in a form approved by the Director of Finance. Where possible, departments shall issue invoices and bills on a more frequent basis. Invoices and bills shall instruct that checks shall be made payable to the "City of Lockport".

The City Attorney's Office shall provide legal assistance to a department necessary to enforce collection of delinquent payment of bills and invoices issued by a department.

The Director of Finance shall be notified at the close of each fiscal year in writing as to the amount of and status of invoices or bills issued and outstanding. The Director of Finance may require that such information be provided on a more frequent basis when appropriate for accounting purposes.

3.2 Fees and Payments Collected and Held on Behalf of Others.

In cases where funds collected in the form of fees or payments are to be held by the City on behalf of another government agency or private concern pursuant to the provisions of State or Federal statutes or regulations or pursuant to a court order, such funds shall be collected, handled, accounted for and disbursed in accordance with the requirements of such statutes, regulations or court order. To the extent that this policy does not conflict with such statutes, regulations or court order, such funds shall be collected, handled, accounted for and disbursed in accordance with this policy.

3.3 Form of Payment.

Department heads shall accept as payment of funds owed to the City as provided in Section 1, either cash, check or other warrant except as provided in Section 7 herein. All checks and warrants which provide for payment of funds owed to the City shall be made payable to the "City of Lockport."

3.4 Receipts to be Provided, Restrictive Endorsement.

Departments collecting funds on behalf of the City or another government agency, or holding funds in custody for a private concern shall provide written or mechanically generated receipts for all fees collected or monies otherwise received when such fees or monies are in the form of cash or when requested by the paying party. Written receipts shall be preprinted and numbered and shall be issued in numerical order. Copies of all receipts issued shall be kept on file in the office of the collecting department.

All checks or warrants received shall be restrictively endorsed immediately upon receipt by the collecting department. Checks or warrants shall be restrictively endorsed by the collecting department as follows: "For Deposit Only, City of Lockport."

3.5 Handling and Accounting for Funds Collected

Departments collecting or receiving monies on behalf of the City, or otherwise collecting funds in accordance with this section shall maintain a system of record keeping and internal controls which shall fully account for funds received and shall provide a system to properly secure such funds until released from the custody of the Department.

3.6 Payment and Deposit of City Funds Collected.

A. Daily Payment of City Funds Collected to City Treasurer.

Except as provided in paragraph B, City funds in the form of fees collected or payments otherwise received shall be paid over to the City Treasurer for the City of Lockport on a daily basis. Each time monies are paid over they shall be accompanied by a statement, on a form prescribed by the Director of Finance, signed by the Department Head or their designee identifying the general source of the funds, identifying the period of time during which the funds were collected and certifying that the amount of funds turned over represent all such funds collected during the specified time period. Upon receiving City funds from the Department, the City Treasurer’s Office shall provide an appropriate receipt therefore.

B. Temporary Holding and Deposit of City Funds Collected

Written approval from the Director of Finance must be obtained in cases where daily delivery or payment to the City Treasurer of City funds collected is not practical or is prohibited by law or regulation (as determined by the Director of Finance

3.7 Checks Returned for Insufficient Funds.

Checks which comprise City funds paid over to a department which are returned for insufficient funds shall be subject to a service charge as determined by the Director of Finance. In cases where a party has previously tendered payment by check or warrant which has been returned for insufficient funds, the department may require that future payments from such party shall be made in cash or by certified check.

3.8 Refunds of City Fees and Payments Erroneously Collected.

Refunds of fees or monies erroneously collected on behalf of the City and paid over to the City Treasurer shall be made by the City Treasurer payable to the party from whom funds were originally received upon receipt of a statement by the department head, verified by the Director of Finance attesting to the validity of such refund.

3.9 Departmental Petty Cash Funds.

A. General Requirements

Petty cash funds established within departments on behalf of the City may be used for the purposes specified in the document establishing the fund. The Department Head shall be the cashier and custodian of any petty cash fund within the department and shall be responsible for its maintenance and accounting.

B. Documentation and Procedures

Numbered preprinted petty cash slips shall be generated by the cashier and signed by the recipient for each disbursement from a petty cash fund. Each slip shall be completed in ink and shall state in numbers and words the amount of funds being disbursed. All disbursements from a petty cash fund shall be subject to submission of appropriate receipts or statements which fully document expenses incurred. Reconciliation of each petty cash fund shall be accomplished at least once per month or each time replenishment of the fund is requested on forms provided by the Director of Finance.

C. Petty Cash Advances

Advances may be made from a petty cash fund subject to a timely reconciliation after the actual expense is determined and documented.

D. Auditing of Petty Cash Funds

The City Treasurer or Director of Finance shall have the authority to audit any petty cash fund at any time.

E. Other

The Director of Finance may issue guidelines, not inconsistent with this policy, which provide further direction and guidance in the administration of petty cash funds.

3.10 Establishment and Maintenance of Bank Accounts

Unless specifically required by law, regulation or court order, establishment of bank accounts by departments and officers shall be subject to approval of the City Treasurer and Director of Finance. Every effort shall be made to minimize the number of bank accounts established. For every bank account currently in existence, or hereafter established, for deposit of funds within the custody of a department, whether such funds shall be the property of the City or another government or private concern, the Department Head shall file with the City Treasurer and Director of Finance, a statement signed by the custodial Department Head which outlines the need for the account and the purpose or purposes for which it exists or was established. Such statement shall also identify the authorized signatories for the given account or those authorized to otherwise withdraw funds from the account. Department Heads shall update the statement on file with the City Treasurer and Director of Finance at such time as there is a significant change in information relating to the account.

Whenever possible and economically beneficial bank accounts established pursuant to this Section shall be interest bearing accounts. In evaluating whether to open an interest bearing account the department shall take into consideration projected interest earnings as well as service fees. All funds deposited in a departmental bank account shall be fully secured by insurance of the Federal Deposit Insurance Corporation or obligations of the State of New York, obligations of the United States, or obligations of federal agencies the principle and interest of which are guaranteed by the United States.

Once each month or as frequently as may be agreed to by the Director of Finance, the Department Head shall provide the Director of Finance with a copy of the bank statement for all bank accounts within their custody for reconciliation. Where appropriate, the Department Head shall provide a statement in a form prescribed by the Director of Finance generally describing to what extent the funds are the property of the City are held in a fiduciary capacity for another government or private concern. The Director of Finance may periodically require that cancelled checks be produced by the Department Head in support of bank statements and reconciliation forms.

Departments authorized to establish a bank account pursuant to this Section shall, whenever possible and practical, require two signatures on all checks disbursing funds from a checking account.

All disbursements from checking accounts established pursuant to this Section and all withdrawals from any other City bank account shall be supported by appropriate documentation which shall be kept on file in the department

3.11 Audit of Departmental Accounts and Records.

All records and accounts in the custody of the City Treasurer or a department head of the City which relate to funds collected on behalf of the City shall be subject to audit at any time by the Director of Finance or their designee, were and when appropriate. The Director of Finance shall report any findings of noncompliance with these regulations and procedures to the Mayor and Finance Committee of the City Council.

3.12 Clarification of Policy

Any questions relative to the intent or clarification of the policy and procedures contained herein shall be subject to a determination of the Mayor, Finance Committee or the City Council, if determined to be necessary and appropriate.

Seconded by Alderman Schrader and adopted. Ayes 6.

**071515.9** **ADJOURNMENT**

At 7:03 P.M. Alderman Kibler moved the Common Council be adjourned until 6:00 P.M., Wednesday, August 5, 2015.

Seconded by Alderman Lombardi and adopted. Ayes 6.

RICHELLE J. PASCERI

City Clerk

CITY OF LOCKPORT

**CORPORATION PROCEEDINGS**

Lockport Municipal Building

Regular Meeting

Official Record

August 5, 2015

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, Mullane, Fogle, Schrader, and Genewick.

Absent – Alderman Lombardi.

**INVOCATION**

**MAYOR’S UPDATE**

**RECESS**

Recess for public input.

**080515.1** **APPROVAL OF MINUTES**

On motion of Alderman Kibler, seconded by Alderman Genewick, the minutes of the Regular Meeting of July 15, 2015 are hereby approved as printed in the Journal of Proceedings. Ayes 5. Carried.

**FROM THE MAYOR**

**Appointment:**

7/21/15 John W. Haenle IV, 40 Cleveland Place, Lockport, NY – appointed as Sign Maintenance Worker/OC effective July 21, 2015. Said appointment is permanent and subject to the City of Lockport Municipal Civil Service rules and regulations.

Received and filed.

**Resignation:**

7/30/15 Thomas Rotondo, Jr., 312 West Avenue, Lockport, NY – resigned as a member of the Lockport Housing Authority.

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)

7/21/15 Richelle J. Pasceri, City Clerk – Notification of bids received for WWTP Primary Sludge Pump Station. The following bid proposal for the above referenced were received and opened on July 10, 2015:

Koester Associates, Inc. $41,773.00

Canastota, NY

Referred to the Assistant City Engineer

## 7/21/15 Jeff Tracy, Race Director, Score This!!! – request permission to conduct a 1-mile road race on September 17, 2015.

Referred to the Committee of the Whole

## 7/22/15 Mary Jo Tamburlin, Clerk, Niagara County Legislature, 175 Hawley Street, Lockport, NY – notification of public hearing on August 4, 2015 re: requested inclusions into Agricultural Districts #4 and #6 within Niagara County.

Referred to the Committee of the Whole

## 7/27/15 Felicia Patterson, Lockport New Beginnings, Inc. – request permission to conduct a “Stepping Up Project of 2015” on August 29, 2015.

Referred to the Committee of the Whole

7/27/15 Michael J. Allport, Sec./Board Member, Niagara County Historical Society, 215 Niagara Street, Lockport, NY – request permission to conduct the annual Gala at the Erie Canal Discovery Center on August 13, 2015.

Referred to the Committee of the Whole

## 7/29/15 Stephen Eggleston, City of Lockport Police and Fire Fighters Retiree Association representative – expression of thanks for correction of issues concerning health care benefits.

Referred to the Committee of the Whole

7/31/15 Maria Fava, Molinaro’s Ristorante, 90 Walnut Street, Lockport, NY – request permission to conduct the 14th Annual Italian Festival on August 9, 2015.

Referred to the Committee of the Whole

**Notice of Defect:**

7/15/15 467 Pine Street – sidewalk

7/29/15 228 Union Street – tree

7/29/15 84 Beattie Avenue – trees

7/31/15 233 Waterman Street – sinkhole

Referred to the Director of Streets and Parks.

**Notice of Claim:**

7/22/15 Steve Huston, 342 Michigan Street, Lockport, NY

Referred to the Corporation Counsel.

**Notice of Petition:**

7/20/15 State of New York, County of Niagara – In the matter of : A.) The proposed annexation of territory from the City of Lockport, County of Niagara State of New York, to the Town of Lockport County of Niagara, State of New York; B.) The proposed extension of Town of Lockport Sewer District #3, Water District #3 and Refuse District #1; and C.) The proposed Extension of the Town of Lockport Fire Protection District.

Referred to the Corporation Counsel.

**Notice of Petition:** (To review real property tax assessment pursuant to Article 7 of the Real Property Tax Law)

7/14/15 LaFarge North America, Inc. Redland Quarries NY Inc. –vs- Assessor for the City of Lockport, NY, Board of Assessment Review for the City of Lockport, NY and the City of Lockport, NY

7/23/15 Rite Aid of New York, Inc #03496-02 –vs- City of Lockport

7/29/15 FBBT/US Properties, LLC –vs- The Board of Assessment Review for the City of Lockport; The Assessor of the City of Lockport and The City of Lockport, New York

7/29/15 Renee A. Granchelli –vs- The Board of Assessment Review for the City of Lockport; The Assessor of the City of Lockport and The City of Lockport, New York

7/29/15 Velco Inc. –vs- The Board of Assessment Review for the City of Lockport; The Assessor of the City of Lockport and The City of Lockport, New York

7/29/15 Renee Granchelli –vs- The Board of Assessment Review for the City of Lockport; The Assessor of the City of Lockport and The City of Lockport, New York

7/29/15 Centennial Development LTD –vs- The Board of Assessment Review for the City of Lockport; The Assessor of the City of Lockport and The City of Lockport, New York

7/29/15 Elmer A. Granchelli and Elmer A. Granchelli for himself and as agent-in-fact for Patrick M. Granchelli and Joseph J. Granchelli –vs- The Board of Assessment Review for the City of Lockport; The Assessor of the City of Lockport and The City of Lockport, New York

7/30/15 South Park Manor Apartments, -vs- City of Lockport

7/30/15 Lockport Professional Park, LLC –vs- City of Lockport

7/30/15 Brenda E. O’Shaughnessy –vs- City of Lockport

7/30/15 M & M Space, Inc. –vs- City of Lockport

Referred to the City Assessor

## MOTIONS & RESOLUTIONS

**080515.2**

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 August 7, 2015 as follows:

General Fund Account #001 $ 217,233.61

Water Fund Account #002 $ 66,155.28

Sewer Fund Account #003 $ 75,081.21

Capital Projects Account #004 $ 304,106.56

Refuse Fund Account #012 $ 979.35

Payroll Pay Date 7/23/15 $ 517,790.97

Seconded by Alderman Kibler and adopted. Ayes 5.

**080515.3**

By Alderman Genewick:

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:

Employee Years of Service Title

Douglas C. Nicholson 20 Firefighter

Douglas E. Haak Jr. 20 Police Captain

Dennis C. Sobieraski 20 Police Officer

Adam R. Piedmont 10 Police Lieutenant

Matthew T. Streckwald 10 Police Officer

Seconded by Alderman Mullane and adopted. Ayes 5.

**080515.4**

By Alderman Schrader:

Resolved, that pursuant to their request, permission is hereby granted the Salvation Army to barricade Cottage Street from Walnut Street to Genesee Street on Saturday, August 15, 2015, for a Community Carnival, and be it further

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

Seconded by Alderman Fogle and adopted. Ayes 5.

**080515.5**

By Alderman Schrader:

Resolved, that pursuant to their request, permission is hereby granted to Lockport New Beginnings, Inc. to barricade city parking lot #5 on Saturday, August 29, 2015 for the Stepping Up Project of 2015, and be it further

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

Seconded by Alderman Genewick and adopted. Ayes 5.

**080515.6**

By Alderman Kibler:

Resolved, that pursuant to their request, permission is hereby granted to the Niagara County Historical Society to barricade the west side of the parking lot at the Erie Canal Discovery Center on Saturday, August 15, 2015, for their annual Gala, and be it further

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

Seconded by Alderman Fogle and adopted. Ayes 5.

**080515.7**

By Alderman Schrader:

Resolved, that pursuant to their request, Molinaro’s Ristorante is hereby granted permission to close Pine Street from South Street to Walnut Street and to use City parking lot #5 on Sunday, August 9, 2015 from 9:00 a.m. to 9:00 p.m. to conduct an Italian Festival, and be it further

Resolved, that the Common Council hereby designates the aforesaid event as a temporary event as defined by Section 53-1 of the City Code (alcoholic beverages) which shall terminate/lapse upon completion of said event, and be it further

Resolved, that said permission is subject to Molinaro’s 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 "street closed" signs, barricades, and traffic cones to the area prior to the event.

Seconded by Alderman Mullane and adopted. Ayes 5.

**080515.8**

By Alderman Genewick:

Whereas, New York State Real Property Tax Law, section 554 and section 556, provides for an administrative correction of error process that assists property owners in obtaining refunds and/or corrections for real property tax payments or billings, and

Whereas, certain clerical errors, unlawful entries and errors in essential fact, as defined in the New York State Real Property Tax Law, are permitted to be corrected by a taxing jurisdiction based upon the recommendations of the Director of Real Property Tax Services, and

Whereas, the taxing jurisdiction can delegate by resolution, on an annual basis, to an official who is empowered to authorize payment of bills without prior audit, the authority to perform the duties of the tax levying body in regard to Real Property Tax Law, sections 554 and 556, now therefore be it

Resolved, that the City of Lockport Treasurer is hereby delegated the authority to perform the duties of the tax levying body during 2015 when Real Property Tax Directors recommended refund and/or correction is twenty-five hundred dollars or less, and be it further

Resolved, that on or before the fifteenth day of each month, the Lockport City Treasurer shall submit a report to the City of Lockport Common Council of the refunds and/or corrections processed during the preceding month, containing the name of each recipient, the location of the property, and the amount of refund.

Seconded by Alderman Kibler and adopted. Ayes 5.

**080515.9**

By Alderman Mullane:

Resolved, that pursuant to their request, Score This!!! is hereby given permission to conduct a running event on Main Street on Thursday, September 17, 2015, starting at approximately 7:00 p.m. subject to filing a certificate of insurance with the City Clerk naming the City of Lockport as additional insured. Said permission includes closing Main Street from North Transit to Washburn Street and Charles and Elm Streets for the duration of the event. Traffic flow on Cottage, Pine and Locust/Market Streets would be allowed to flow north and south after the runners pass those intersections. Also, permission is granted to use the parking lot in front of the Municipal Building and the Municipal Building foyer for race registration in case of rain, and be it further

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

Seconded by Alderman Schrader and adopted. Ayes 5.

**080515.10**

By Alderman Schrader:

Resolved, that the bid proposal of Koester Associates, Inc., 3101 Seneca Turnpike, Canastota, NY received on July 10, 2015, for WWTP Primary Sludge Pump Station be accepted in the amount of $41,773.00. Cost of same to be charged to account #003.8130.0230.0000.

Seconded by Alderman Genewick and adopted. Ayes 5.

**080515.11**

By Alderman Kibler:

WHEREAS, the City of Lockport has Canal Permit C50702 in place for the use/management of the Flight of Five, and

WHEREAS, the City entered into an agreement for the operation and maintenance of Locks 69 & 70, and

WHEREAS, the Locks Heritage District Corporation (LHDC) is a not-for-profit arm/entity formed by the City and it has agreed to assume the responsibilities outlined in the Permit and the Agreement, and NOW THEREFORE BE IT

RESOLVED, that the Mayor be and is hereby authorized to execute an Assignment and Assumption Agreement among the City, the Canal Corporation and the LHDC that assigns all its rights and duties in and to the Agreement for the Operation and Maintenance of Locks 69 & 70 of the Flight of Five to the Locks Heritage District Corporation; and be it further

RESOLVED, that the City agrees to pay LHDC the sum of $10,000 per year (semi-annually) from bed tax for the promotion and developing tourism in the Locks District.

Seconded by Alderman Genewick and adopted. Ayes 5.

**080515.12** **WITHDRAWN** (Award bid for a correlator for water leak detection)

**080515.13**

By Alderman Schrader:

WHEREAS, on April 24, 2015, the County of Niagara acquired 50 Main Street, Lockport, New York, SBL (# 109.13-3-5 -the former Marine Midland Bank), and

WHEREAS, a portion of Weaver Alley (33 Pine Street – SLB # 109-3-6) consisting of approximately 10 feet by 64 feet immediately adjacent to 50 Main Street to the north remains is titled to the City of Lockport, and

WHEREAS, the City of Lockport would like to convey the former portion of Weaver Alley consisting of 10 feet by 64 to the County of Niagara for the sum of one and no more dollars to clear title. NOW THEREFORE BE IT

RESOLVED, that pursuant to Section 61 of the Charter the Mayor be and is hereby authorized to execute a Quit Claim Deed for the above described parcel for the sum of one and no more dollars to the County of Niagara.

Seconded by Alderman Fogle and adopted. Ayes 5.

**080515.14**

By Alderman Kibler:

WHEREAS, the officers of the Lockport Police Department desire to purchase their duty weapon upon retirement, and

WHEREAS, the Lockport Police Department desires to acquire new state of the art duty weapons, and

WHEREAS, the Police Chief shall determine the replacement cost for such transaction.

NOW THEREFORE BE IT

RESOLVED, that the Police Department be and is hereby authorized to sell the personal duty weapon assigned to the retiring officer upon that officer’s retirement for the replacement cost for the same of a new duty weapon, and be it further

RESOLVED, that the payment for said personal duty weapons shall be made payable to the City of Lockport and submitted to the Treasurer’s Office.

Seconded by Alderman Schrader and adopted. Ayes 5.

**080515.14A**

By Alderman Schrader:

Resolved, that pursuant to their request, permission is hereby granted to Presidential City Barber Shop to barricade a portion of Saxton Street on September 26, 2015, for an event, and be it further

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

Seconded by Alderman Mullane and adopted. Ayes 5.

**080515.14B**

By Alderman Kibler:

Resolved, that the Mayor and Common Council do hereby extend condolences to the family of Carter M. “Mickey” Hawkes, Sr., a retired City of Lockport Streets Department employee who recently passed away.

Seconded by Alderman Fogle and adopted. Ayes 5.

**080515.14C**

By Alderman Genewick:

Resolved, that pursuant to their request, permission is hereby granted the residents of Franklin Avenue to barricade Franklin Avenue from Walnut Street to South Street on August 22, 2015 for a block party, and be it further

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

Seconded by Alderman Mullane and adopted. Ayes 5.

**080515.14D**

By Alderman Schrader:

Resolved, that the Assistant Director of Engineering is hereby authorized and directed to prepare bid specifications for South New York Street water line replacement, and be it further

Resolved, that upon receipt of said specifications, the City Clerk is authorized and directed to advertise for bid proposals for same.

Seconded by Alderman Genewick and adopted. Ayes 5.

**080515.14E**

By Alderman Kibler:

Whereas, the Niagara County Soil and Water Conservation District has been treating Japanese Knotwood (an invasive plant) within the Eighteenmile Creek Watershed, and

Whereas, the Niagara County Soil and Water Conservation District has located Japanese Knotwood in Upson Park and some adjacent to the driveway going to the Compost Facility, and

Whereas, the Niagara County Soil and Water Conservation District has requested permission to treat the Japanese Knotwood with herbicide over the next few years and apply hydroseed with native grass, and

Whereas, the herbicide will be applied by a licensed herbicide applicator with the NYSDEC, now therefore be it

Resolved, that permission is hereby granted to the Niagara County Soil and Water Conservation District to have access to said locations to apply herbicide.

Seconded by Alderman Fogle and adopted. Ayes 5.

**080515.14F**

By Alderman Genewick:

Whereas, the City Clerk received a Petition on July 20, 2015 from the County of Niagara, New York and R.B. Mac Properties LLC petitioning the Common Council of the City of Lockport and the Town Board of the Town of Lockport for annexation of territory on Davison Road, as more fully described by the Legal Description attached hereto at Exhibit “A”, from the City of Lockport to the Town of Lockport; and

Whereas, pursuant to General Municipal Law Article 17, the governing boards of the affected municipalities shall hold a joint hearing upon said petition within specific periods of time; now therefore be it

Resolved, that a joint hearing shall be held on said Petition by the Common Council of the City of Lockport and the Town Board of the Town of Lockport on Wednesday, September 2, 2015 at 6:00 pm in the evening at the City of Lockport Municipal Building, One Locks Plaza, Lockport, NY 14094; and be it further

Resolved, that the City Clerk, in conjunction with the Corporation Counsel, prepare said public notice and cause it to be published in the Union Sun & Journal, posted at the City of Lockport Municipal Building, posted on the City’s Web Site, and mailed to the Clerks of the Niagara County Legislature and Lockport City School District Board of Education at least twenty days prior to said public hearing.

Seconded by Alderman Kibler and adopted. Ayes 5.

**080515.14G**

By Alderman Kibler:

Whereas, the City of Lockport desires to add the position of Tree Trimmer to the 2015 budget, and

Whereas, there is a position of Motor Equipment Operator in the Forestry Line, now therefore be it

Resolved, that the position of Motor Equipment Operator in the Forestry Line be removed from the 2015 budget, and be it further

Resolved, that the position of Tree Trimmer be added and funded from the Forestry Line.

Seconded by Alderman Schrader and adopted. Ayes 5.

**080515.15** **ADJOURNMENT**

At 6:26 P.M. Alderman Kibler moved the Common Council be adjourned until 6:00 P.M., Wednesday, August 19, 2015.

Seconded by Alderman Genewick and adopted. Ayes 5.

RICHELLE J. PASCERI

City Clerk

CITY OF LOCKPORT

**CORPORATION PROCEEDINGS**

Lockport Municipal Building

Regular Meeting

Official Record

August 19, 2015

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, Mullane, Fogle, Schrader, and Genewick.

**INVOCATION**

**MAYOR’S UPDATE**

**RECESS**

Recess for public input.

**081915.1** **APPROVAL OF MINUTES**

On motion of Alderman Kibler, seconded by Alderman Lombardi, the minutes of the Regular Meeting of August 5, 2015 are hereby approved as printed in the Journal of Proceedings. Ayes 6. Carried.

**FROM THE MAYOR**

**Appointment:**

8/13/15 Mark J. Haenle II, 197 Jackson Street, Lockport, NY – appointed as Tree Trimmer effective July 21, 2015. Said appointment is provisional and subject to the City of Lockport Municipal Civil Service rules and regulations.

Received and filed.

**Resignation:**

8/12/15 Jill M. Bunk – resigned as Grant Administrator effective August 27, 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)

8/11/15 Rolando Moreno, Assistant Director of Engineering – recommendation that all bids opened on June 26, 2015 for Correlator for Water Leak Detection be rejected and the job be rebid.

Referred to the Committee of the Whole

**Notice of Defect:**

8/3/15 South End of Waterman Street – sewer line collapse

Referred to the Director of Streets and Parks.

## MOTIONS & RESOLUTIONS

**081915.2**

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 August 21, 2015 as follows:

General Fund Account #001 $ 161,896.48

Water Fund Account #002 $ 36,035.66

Sewer Fund Account #003 $ 80,177.65

Capital Projects Account #004 $ 76,969.98

Refuse Fund Account #012 $ 93,349.88

Payroll Pay Date 8/6/15 $ 504,371.79

Seconded by Alderman Kibler and adopted. Ayes 6.

**081915.3**

By Alderman Fogle:

Resolved, that pursuant to their request, permission is hereby granted to VanDeMark Chemical to use a portion of the parking lot at Outwater Park and the South pavilion for Hazmat training on Friday, September 18, 2015 beginning at 7:30 a.m., and be it further

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

Seconded by Alderman Lombardi and adopted. Ayes 6.

**081915.4**

By Alderman Lombardi:

Whereas, the City of Lockport has applied for and received a Safety Training Grant from New York State Department of Labor, and

Whereas, revenues related to the grant were not budgeted for the year 2015, now therefore be it

Resolved, that the 2015 budget be amended as follows:

INCREASE REVENUE:

001-0001-3089 Other State Aid $2,250.00

INCREASE EXPENSE:

001-9000-4175 Travel, Conference, & Training $2,250.00

Seconded by Alderman Genewick and adopted. Ayes 6.

**081915.5**

By Alderman Fogle:

Whereas, the Niagara County SPCA, along with M & T Bank, NYS Assemblyman John D. Ceretto, and the Orange Cat Coffee Company have presented the Orange Cat Campaign, and

Whereas, the Orange Cat Campaign is a program to trap, spay/neuter, vaccinate and release feral and stray cats in Niagara County, and

Whereas, the program will be funded through donations and grants, now therefore be it

Resolved, that the City of Lockport Common Council is in support of this project that will better our community.

Seconded by Alderman Mullane and adopted. Ayes 6.

**081915.6**

By Alderman Schrader:

Resolved, that the Mayor and Common Council do hereby extend condolences to the family of Donald C. Wolters, a retired City of Lockport Firefighter who recently passed away.

Seconded by Alderman Kibler and adopted. Ayes 6.

**081915.7**

By Alderman Fogle:

Resolved, that pursuant to their request, permission is hereby granted to the residents of Grosvenor Avenue to barricade Grosvenor Avenue from Church Street to North Transit Street on September 26, 2015, for a block party, and be it further

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

Seconded by Alderman Lombardi and adopted. Ayes 6.

**081915.8**

By Alderman Kibler:

Resolved, that pursuant to their request, permission is hereby granted to the Sara Dear Benefit to use a portion of city parking lot #5 for a fundraising yard sale on Saturday, September 12, 2015, with a rain date of Saturday, September 19, 2015 and be it further

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

Seconded by Alderman Schrader and adopted. Ayes 6.

**081915.9**

By Alderman Schrader:

Resolved, that pursuant to the recommendation of the Assistant Director of Engineering, the bid proposals received on June 26, 2015, for the Correlator for Water Leak Detection be rejected, and be it further

Resolved, that the Assistant Director of Engineering is hereby authorized and directed to prepare new bid specifications for said equipment, and be it further

Resolved, that upon receipt of said specifications, the City Clerk is authorized and directed to advertise for bid proposals for same.

Seconded by Alderman Genewick and adopted. Ayes 6.

**081915.10**

By Alderman Schrader:

Resolved, that pursuant to their request, Harrington’s Service is hereby granted permission to use the baseball diamonds at Outwater Park for softball games from August through October 2015, subject to the approval of the schedule by the Highways & Parks Department, and be it further

Resolved, that the Director of Streets and Parks is hereby authorized and directed to arrange for preparation of the field for an all day softball event on Saturday, August 22, 2015, and be it further

Resolved, that said permission is subject to Harrington’s Service filing a certificate of insurance with the City Clerk naming the City of Lockport as additional insured.

Seconded by Alderman Fogle and adopted. Ayes 6.

**081915.11**

By Alderman Schrader:

Resolved, that pursuant to their request, permission is hereby granted to the residents of Cottage Street to barricade Cottage Street from LaGrange Avenue to High Street on August 29, 2015, for a block party, and be it further

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

Seconded by Alderman Mullane and adopted. Ayes 6.

**081915.11A**

By Alderman Genewick:

Resolved, that resolution #080515.14F adopted by the Common Council at their August 5, 2015 meeting, regarding annexation of territory on Davison Road, be and the same is hereby rescinded.

Seconded by Alderman Kibler and adopted. Ayes 6.

**081915.11B**

By Alderman Kibler:

Resolved, that the Mayor, subject to Corporation Counsel approval, be and the same is hereby authorized and directed to execute a contract with Windstream for telephone services to be charged to account #001-1900-1914, and all other related telephone expense lines.

Seconded by Alderman Fogle and adopted. Ayes 6.

**081915.11C**

By Alderman Lombardi:

Resolved, that pursuant to their request, the Lockport Locks Heritage District Corporation and Lockport Main Street, Inc. is hereby granted permission to conduct a Locktoberfest event on Saturday, September 26, 2015 from 9 am until 5 pm, and be it further

Resolved, that permission is granted to barricade the Municipal Building parking lot, and also the portion of Ontario Street between Pine and Church Streets for said event, and be it further,

Resolved, that the Common Council hereby designates the aforesaid event as a temporary event as defined by Section 53-1 of the City Code (alcoholic beverages) which shall terminate/lapse upon completion of said event, and be it further

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

Seconded by Alderman Schrader and adopted. Ayes 6.

**081915.11D**

By Alderman Schrader:

Whereas, on March 26, 2015, the City of Lockport Water Department turned off the leaking water service to 169 Price Street at the City’s water main, and

Whereas, the Water Department has billed and received a check for $1,219.90 for termination, now therefore be it

Resolved, that the 2015 budget be amended as follows:

Increase: 002-0002-2144 Water Misc Billing $1,219.90

Increase: 002-8340-4568 $1,219.90

Seconded by Alderman Genewick and adopted. Ayes 6.

**081915.11E**

By Alderman Genewick:

Whereas, the City of Lockport has been experiencing significant financial problems; and

Whereas, as part of its strategy to address said problems, the City determined to create the position of Director of Finance; and

Whereas, said position was created by the City in accordance with applicable Civil Service laws, rules, and regulations, and is pending jurisdictional classification; and

Whereas, after conducting interviews for the position, the Mayor and the Common Council determined to appoint Scott Schrader at an initial annual salary of $95,000.00; and

Whereas, Mr. Schrader has been serving as Director of Finance and performing the duties of the position as of March 30, 2015; and

Whereas the City and Mr. Schrader are discussing the terms of an employment contract or whether Mr. Schrader’s position should be included in a non-represented employee policy under consideration by the City; and

Whereas, pending final determination of the matter, the City wishes to authorize and ratify terms and conditions of employment for Mr. Schrader effective his date of employment with the City, now therefore be it

Resolved, as follows:

1. Scott Schrader shall receive the following accruals:

Sick leave – 1 ¼ days per month

Personal leave – 3 days annually

Vacation leave – 15 days upon hire for the year 2015, and 1 ¼

days per month beginning May 1, 2015

Holidays - 14 per year as per City Calendar

2. Health Insurance: As provided to all other city employees, with a 20% contribution toward the cost of coverage effective January 1, 2016.

3. Mr. Schrader shall report to the Mayor and shall inform the Mayor in advance of his intent to use vacation time.

4. The terms and conditions of employment authorized by this resolution for Scott Schrader shall remain in effect while Mr. Schrader is employed by the City of Lockport as Director of Finance until modified by subsequent resolution of the City Council.

Seconded by Alderman Lombardi and adopted. Ayes 5, Noes 1

Alderman Mullane voted no.

**081915.12** **ADJOURNMENT**

At 6:25 P.M. Alderman Kibler moved the Common Council be adjourned until 6:00 P.M., Wednesday, September 2, 2015.

Seconded by Alderman Lombardi and adopted. Ayes 6.

RICHELLE J. PASCERI

City Clerk

CITY OF LOCKPORT

**CORPORATION PROCEEDINGS**

Lockport Municipal Building

Regular Meeting

Official Record

September 2, 2015

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, Mullane, Fogle, Schrader, and Genewick.

**INVOCATION**

**MAYOR’S UPDATE**

**RECESS**

Recess for public input.

**090215.1** **APPROVAL OF MINUTES**

On motion of Alderman Kibler, seconded by Alderman Lombardi, the minutes of the Regular Meeting of August 19, 2015 are hereby approved as printed in the Journal of Proceedings. Ayes 6. Carried.

**FROM THE MAYOR**

**Appointments:**

8/25/15 Nicholas D. Rubert, 43 Beattie Avenue, Lockport, NY – appointed as Streets Crew Leader effective August 25, 2015. Said appointment is permanent and subject to the City of Lockport Municipal Civil Service rules and regulations.

Received and filed.

8/26/15 Cynthia L. Schilling, 9 Exchange Street, Akron, NY – appointed as Staff Accountant for the City of Lockport Accounting Department effective August 31, 2015. 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)

8/21/15 Town of Lockport, Town Board – Notice of Public Hearing to be held on September 2, 2015 at 7:30 P.M. regarding an application made by Mulvey Construction, Inc., 1010 Davison Road, Lockport, New York requesting dimensional deviations of the Zoning Code of the Town of Lockport in a Planned Use Development (PUD) Use District pursuant to Town Code §200-83.

Referred to the Building Inspector.

8/25/15 Richelle J. Pasceri, City Clerk – Notification that the Lockport Municipal Offices will be closed on Monday, September 7, 2015 in observance of Labor Day. For the entire week of September 7th, garbage will be collected on the day following regularly scheduled collection day.

Referred to the Media

**Notice of Defect:**

8/10/15 265 Pine Street – tree and sidewalk

8/10/15 58 VanBuren Street – tree

8/19/15 61 Ransom Street – tree

8/20/15 205 Union Street – tree

8/27/15 145 Washington Street – tree

8/28/15 260 Pine Street – tree

Referred to the Director of Streets and Parks.

**Notice of Petition:** (To review real property tax assessment pursuant to Article 7 of the Real Property Tax Law)

8/10/15 Bryan Barrett –vs.- City of Lockport, And Lockport City School District

8/21/15 FBBT/US Properties, LLC –vs.- The Board of Assessment Review for the City of Lockport; The Assessor of the City of Lockport and The City of Lockport, NY

Referred to the City Assessor

## MOTIONS & RESOLUTIONS

**090215.2**

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 September 4, 2015 as follows:

General Fund Account #001 $ 24,552.56

Water Fund Account #002 $ 21,040.97

Sewer Fund Account #003 $ 15,372.32

Capital Projects Account #004 $ 168,508.80

Refuse Fund Account #012 $ 40.00

Payroll Pay Date 8/20/15 $ 521,720.25

Seconded by Alderman Kibler and adopted. Ayes 6.

**090215.3**

By Alderman Genewick:

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:

Employee Years of Service Title

Lawrence M. Eggert 35 Police Chief

Roger F. LaRoach 25 Heavy Equipment Operator

Kevin M. Watier 20 Firefighter

Seconded by Alderman Lombardi 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 Schrader and adopted. Ayes 6.

**090215.4**

By Alderman Mullane:

**WHEREAS,** in accordance with Section C-173 of the City of Lockport Charter and Section 34 of the General City Law of the State of New York a street is deemed to be private until such time as the local legislative body formally accepts the deed for the street by resolution, and

**WHEREAS**, a certain parcel of land has been offered for dedication to the City of Lockport for street purposes an extension of the existing Willow Street to the east by a distance of 207.5 feet X 60 foot in depth, which property is particularly described as follows:

Beginning at the southeast corner of Briarwood Drive as described in a deed to the Cit of Lockport, recorded in Liber 1445 of Deeds, at page 198, in the Niagara County Clerk’s Office; THENCE west, along the north line of lands deeded to Briarwood Pool, Inc. by deed recorded in Liber 1440 of Deeds, at page 29, in the Niagara Count Clerk’s Office, 207.5 feet; THENCE south, along the west line of lands described in said deed recorded in Liber 1440, at page 729, 60 feet; THENCE east, and parallel with the first mentioned boundary 207.5 feet; THENCE noth and parallel with the second described boundary, and being an extension of the east line of Briarwood Drive, as extended, a distance of 60 feet to the point or place of beginning; and

**WHEREAS**, said parcel is also described in an existing sewer/water ingress and egress easement to the City of Lockport recorded in Liber 1456 page 719 for highway purposes by Craig Towlson and Kristine Towlson, the owners of said land as purchasers from Friends of Briarwood, LLC by deed from Friends of Briarwood, LLC to Craig Towlson and Kristine Towlson dated September 28, 2013, and recorded October 1, 2012, in Instrument No. 2012-20722 as shown on survey by McIntosh & McInstosh, PC, Job No. 4506-A dated September 21, 2012, and

**WHEREAS**, the City Engineering Department has recommended acceptance of said parcel for dedication for highway/street purposes upon the completion of construction of said roadway in accordance with City specifications; and

**WHEREAS**, the Common Council of the City of Lockport has approved said dedication; and

**WHEREAS**, the Corporation Counsel has approved the certificate of title relating thereto. **NOW THEREFORE**, be it

**RESOLVED**, by the Common Council of the City of Lockport in regular session duly convened that the City of Lockport agrees to accept the deed of dedication for the said Street to be known as Willow Street and directs the City Clerk to record the same in the Niagara County Clerk’s Office.

Seconded by Alderman Schrader and adopted. Ayes 6.

**090215.5**

By Alderman Genewick:

WHEREAS, the City of Lockport has been utilizing professional consultants for legal arbitration and labor relations matters and for temporary financial and accounting assistance, the latter while conducting applicant searches to fill vacant positions within the accounting department; and

WHEREAS, these consultant fees have exhausted available funds within the Accounting, Treasurer’s and Corporation Council’s departmental budget necessitating the use of contingency funds;

NOW THEREFORE, BE IT

RESOLVED, that the 2015 Budget is hereby amended as follows:

Increase:

Expense 01-1320-4428 Consultants $50,000

Expense 01-1325-4428 Consultants $17,000

Expense 01-1420-4200 Counsel Fees $25,000

Decrease:

Expense 01-1320-0100 Personal Services – FT $35,000

Expense 01-1900-1990 Contingency $27,000

Expense 01-1010-4426 Audit $30,000

Seconded by Alderman Schrader 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 Mullane and adopted. Ayes 6.

**090215.6**

By Alderman Genewick:

WHEREAS, the City Treasurer, Director of Finance, and City Engineer in conjunction with the department managers charged with project oversight, have completed a review of all open capital projects, and

WHEREAS, all completed projects have been identified and the associated account balances verified, and

WHEREAS, closure of all completed projects require Council approval, and

WHEREAS, all remaining funds must be returned to the original funding source

NOW THEREFORE, BE IT

RESOLVED, that the following capital projects be closed, the account balances be transferred to the original funding source, and all related budgets be closed:

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Project #** | **Sponsor Fund** | **Project Title** | **Funding Source(s)** | **Cash Balance** |
| 0049 | Refuse | REFUSE & RECYCLING | Debt | $18,416.06 |
| 0069 | Sewer | BAR SCREEN/'09 WWT GENERATOR | Debt | $10.00 |
| 0070 | General | GIS PROJECT-YEAR 2 | Grant/Projects(Debt) | $6,281.19 |
| 0073 | Sewer | COMPOST FACILITY RECONSTR | Debt | $0.00 |
| 0092 | General | HAZARDOUS REMOVAL | GF/NCBrownflds/Fed | $17,812.78 |
| 0093 | General | LKPT HARBOR PROJ STUDY | GF/NYS | $40,926.00 |
| 0104 | General | BOA PROJECT | Debt/Grants | $0.00 |
| 0105 | Sewer | BRISTOL ERP | GF/NYS | $447.84 |
| 4110 | General | COMPUTER UPGRADE | Debt | $6,775.98 |
| 4111 | Water | GAFFNEY ST WATER LINE REPLACE | Debt | $0.00 |
| 4112 | General | MUNI BLDG ROOF REPAIRS (partial) | Debt | $386,458.40 |
| 4113 | Water | WATER BLDG ROOF REPAIRS | Debt | $0.00 |
| 4114 | Sewer | SEWER BLDG ROOF REPAIRS | Debt | $0.00 |
| 4115 | General | SALT BARN ROOF REPAIR | Debt | $0.00 |
| 4116 | General | 2012 POLICE VEHICLES/EQUIP | Debt | $0.00 |
| 4117 | Sewer | POUND ST SEWER REPAIR | GF/Projects(Debt) | $881.43 |
| 4119 | Sewer | WWTP REFURBISH CLARIFIERS | Debt | $31,279.50 |
| 4120 | Sewer | MIXING TRUCKS/COMPOST | Debt | $0.00 |
| 4121 | General | TRUCKS & EQUIPMENT (DPW) | Debt | $0.00 |
| 4124 | General | FIRE FIGHTING VEHICLE | Debt | $0.00 |
| 4122 | General | PARKING RAMP DEMOLITION | Debt | $53,128.16 |
| 4126 | General | MUNINCIPAL BLDG ELEVATOR RECON | Debt | $13,629.00 |
| 4128 | Water | WATER TRUCKS | Debt | $1,839.51 |
| 4130 | Sewer | SEWER TRUCK | Debt | $0.00 |
| 4133 | General | TELEPHONE SYS UPGRADE (2013) | Debt | $0.00 |
| 4134 | Water | REED STREET WATER MAIN | Debt | $0.00 |
| 4135 | Water | WATER DEPARTMENT RADIOS | Debt | $7,700.00 |
| 4136 | General | HIGHWAY PARKS RADIOS | Debt | $9,900.00 |
| 4139 | Sewer | TUDOR LANE STORM SEWER | Debt | $90,250.00 |
| 4140 | Sewer | LOCK STREET STORM SEWER | Debt | $10,438.27 |
| 4141 | General | H& P SKID STEER | Debt | $936.00 |
| 4142 | General | GIS LAPTOPS | Debt | $0.00 |
| 4145 | Sewer | SKID STEER FOR COMPOST | Debt | $0.00 |
| 4146 | Sewer | AGITATOR FOR WWT | Debt | $0.00 |
| 4149 | Sewer | STATIONARY SAMPLER/SEWER | Debt | $11,811.51 |
| 4150 | General | GOODING STREET DEMOLITION | Debt | $0.00 |
| 4157 | Sewer | RADIOS/SEWER | Debt | $1,500.00 |
| 4158 | Sewer | BUCKET TRUCK/SEWER | Debt | $1,022.53 |
| **TOTAL** |  |  |  | **$711,444.16** |

And be it further

RESOLVED, that the cash balance total of $724,444.16 be returned to the original funding source as follows:

Debt Service Reserve, General $ 478,438.00

Debt Service Reserve, Water $ 9,539.51

Debt Service Reserve, Sewer $ 146,311.81

Debt Service Reserve, Refuse $ 18,416.06

General Fund $ 50,738.78

TOTAL $ 703,444.16

and BE IT FURTHER

RESOLVED, that the debt funded Municipal Roof Repair project be reestablished at a budget not to exceed $150,000 for work on the Willow Street Parks Building and Outwater Park Storage Building and other structures; and BE IT FURTHER

RESOLVED, that $8,000 of unused General Fund proceeds be reallocated to the Flag Pole and City Hall façade project, and be it further

RESOLVED, that $13,000.00 of unused Debt proceeds be reallocated to the Demolition Project.

Seconded by Alderman Kibler and adopted. Ayes 6.

**090215.7**

By Alderman Schrader:

Resolved, that a public hearing be held at the Common Council Meeting of September 16, 2015 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 Marianne Urtel, for approval for a medical billing business to be located at 23 Lincolnshire Drive, situated in an R-1 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 Fogle and adopted. Ayes 6.

**090215.8**

By Alderman Fogle:

Resolved, that a public hearing be held at the Common Council Meeting of September 16, 2015 starting at 6:00 P.M. in the Common Council Chambers, Lockport Municipal Building, One Locks Plaza, Lockport, NY relative to amending the Special Use Permit issued to Lock City Metals to add tire storage, and be it further

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

Seconded by Alderman Lombardi and adopted. Ayes 6.

**090215.9**

By Alderman Fogle:

Resolved, that pursuant to the request of William and Linda Olczak, property owner of 44 Hillcrest Drive, permission is hereby granted to erect and maintain a fence in the City’s right-of-way at 44 Hillcrest Drive 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.

Seconded by Alderman Schrader and adopted. Ayes 6.

**090215.9A**

By Alderman Schrader:

Resolved, that pursuant to his request, Joel Harris is hereby granted permission to place a dumpster on Charles Street beginning September 4, 2015 for a maximum of 10 days for a roof project being completed at 45 East Avenue. Said permission is subject to filing a certificate of insurance with the City Clerk naming the City of Lockport as additional insured.

Seconded by Alderman Genewick and adopted. Ayes 6.

**090215.9B**

By Alderman Genewick:

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 waive the residency requirement for Cynthia L. Schilling for the position of Staff Accountant for the City of Lockport Accounting Department effective August 31, 2015, 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 Cynthia L. Schilling shall be exempt from said residency requirement for the position of Staff Accountant for the City of Lockport Accounting Department effective August 31, 2015.

Seconded by Alderman Kibler and adopted. Ayes 5. No – 1

Alderman Mullane voted no.

**090215.10** **ADJOURNMENT**

At 6:38 P.M. Alderman Kibler moved the Common Council be adjourned until 6:00 P.M., Wednesday, September 16, 2015.

Seconded by Alderman Lombardi and adopted. Ayes 6.

RICHELLE J. PASCERI

City Clerk