

CITY OF LOCKPORT
CORPORATION PROCEEDINGS

Lockport Municipal Building

Regular Meeting
Official Record

June 16, 2010
6:00 P.M.

Mayor Michael W. Tucker called the meeting to order.

ROLL CALL

The following Common Council members answered the roll call:

Aldermen Kibler, Pasceri, Smith, McKenzie, Chapman, and Genewick.

RECESS

Recess for public input.

061610.1

APPROVAL OF MINUTES

On motion of Alderman Pasceri, seconded by Alderman Kibler, the minutes of the Regular Meeting of June 2, 2010 are hereby approved as printed in the Journal of Proceedings. Ayes 6. Carried.

FROM THE MAYOR

Appointments:

6/9/10 Katie Alexander, 382 Woodlin Avenue, North Tonawanda, NY – appointed as Commissioner of Deeds. Said term expires December 31, 2011. Received and filed.

6/9/10 Matthew MacNeil, 1468 Cambridge, North Tonawanda, NY – appointed as Commissioner of Deeds. Said term expires December 31, 2011. Received and filed.

6/11/10 Thomas P. Norris, 341 Park Lane Circle, Apartment 12, Lockport, NY – appointed as Heavy Equipment Operator. Said appointment is permanent and subject to the City of Lockport Municipal Civil Service Rules and Regulations. Received and filed.

6/14/10 Leigh A. Colangelo, 419 Lynnbrook Drive, Youngstown, NY – appointed as Commissioner of Deeds. Said term expires December 31, 2011. 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)

6/14/10 Richard P. Mullaney, City Clerk – report of bid proposals received on June 11, 2010 for Installation of Variable Frequency Drives and Disconnects for Return Sludge Pump Station as follows:

Frey Electric Construction Co., Inc. Tonawanda, NY	\$56,200.00
Hoot Mechanical & Electrical Lockport, NY	\$50,000.00
Koester Associates, Inc. Canastota, NY	\$46,987.14
Applied Sciences Group, Inc. Buffalo, NY	\$65,490.00 55,720.00
CIR Electrical Construction Corp Buffalo, NY	\$48,600.00
O’Connell Electric Company Lancaster, NY	\$39,970.00

Referred to the Committee of the Whole

6/14/10 Richard P. Mullaney, City Clerk – Notification that the Lockport Municipal Offices will be closed on Monday, July 5, 2010 in observance of Independence Day. Garbage scheduled to be collected on Monday, July 5th will be picked-up on Tuesday, July 6th. Referred to the Media.

6/15/10 Pearly Jones, Single Women Ministry, 7 Vine Street, Lockport, NY – request permission to use parking lot #5 (Farmer’s Market) on July 31, 2010 to conduct a rummage sale. Referred to the Committee of the Whole.

6/16/10 Rosa Patterson, 7241 Woodhaven Drive, Lockport, NY – request permission to erect two tents at Outwater Park on August 1, 2010. Referred to the Committee of the Whole.

Notice of Defect:

6/7/10 146 Jackson Street, Lockport, NY - tree
Referred to the Highways & Parks Department.

Summons with Notice:

5/27/10 Harry Apolito, Denise Gugliuzza, Lynn Smith, Jerry Sullivan, Joseph Verdonelli, John Dwyer, Bonita Balcom, Paul Lemley, Patricia Fechner, Jean Hall, Barbara Linderman, Josph Lyons, Leslie Masters, Philip Newman, Timothy Philleo, George Rutherford, Barbara Schlossell, Paula Sharkey, Paul Sharkey, Patricia Sheehan, Marion White, Helen Young, Gary Brockman and Peter Sharkey, on behalf of themselves and certain other Retired Employees of the City of Lockport formerly in the CSEA Bargaining Unit – against – The City of Lockport. Referred to Corporation Counsel.

MOTIONS & RESOLUTIONS

061610.2

By Alderman Kibler:

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 18, 2010.

Seconded by Alderman Pasceri and adopted. Ayes 6.

061610.3

By Alderman Kibler:

Resolved, that claims authorized for payment by the Director of Community Development, and subsequently paid from the Community Development Escrow Account, be and the same are hereby approved.

Seconded by Alderman Genewick and adopted. Ayes 6.

061610.4

By Alderman Pasceri:

Whereas, fourteen Niagara County citizens have been awarded the Medal of Honor for distinguishing themselves by their valor and gallantry in action, and

Whereas, Irish-born Niagara County native, Michael Huskey, earned the Medal of Honor during the Civil War as a sailor aboard the USS Carondelet (Steele's Bayou Expedition, Vicksburg), and

Whereas, Michael Huskey died before receiving his Medal of Honor, and

Whereas, his Medal of Honor was never issued to his family, who continued to reside in Niagara County, and

Whereas, the Huskey family line has completely died out except for us, the people who benefited from his service and sacrifice, and

Whereas, his Medal of Honor will be placed in a permanent and prominent display in the historic Niagara County Courthouse Rotunda as a perpetual memorial honoring Michael Huskey and all other veterans, and

Whereas, the United States Navy has rebuffed efforts to honor Michael Huskey in this manner by issuing his duly earned Medal of Honor to his remaining family – the people of Niagara County, now therefore be it

Resolved, that the City of Lockport does hereby request and require the United States Navy to release Michael Huskey's Medal of Honor to the care of his family – the people of Niagara County, and be it further

Resolved, that the City of Lockport shall forward copies of this Resolution to President Barack Obama, U.S. Secretary of the Navy Ray Mabus, Senator Carl L. Levin, Senator John McCain, Senator Charles Schumer, Senator Kirsten Gillibrand, Congresswoman Louise Slaughter, Congressman Chris Lee, Governor David Paterson, Senator George D. Maziarz, Senator Antoine D. Thompson, Senate Majority Leader Pedro Espada Jr., Member of the Assembly Jane L. Corwin, Member of the Assembly Stephen Hawley, Member of the Assembly James Hayes, Member of the Assembly Robin Schimminger, Member of the Assembly Francine DelMonte, Speaker of the Assembly Sheldon Silver, and all others deemed necessary and proper.

Seconded by Alderman McKenzie and adopted. Ayes 6.

061610.4A

By Alderman Chapman:

Resolved, that pursuant to her request, Beth Ranney is hereby granted permission to erect a bounce house at Widewaters on June 26, 2010 subject to filing a certificate of insurance with the City Clerk naming the City of Lockport as additional insured.

Seconded by Alderman Pasceri and adopted. Ayes 6.

061610.4B

By Alderman Chapman:

Resolved, that the Director of Utilities is hereby authorized and directed to purchase at State Bid a 2010 4x4 Regular Cab F150 Model XL with 8' Box. Cost of same be charged to account #003-8130-230.

Seconded by Alderman Kibler and adopted. Ayes 6.

061610.4C

By Alderman Chapman:

Whereas the City of Lockport desires to place Variable Frequency Drives (VFDs) on the eight Return Sludge Pumps at the Waste Water Treatment Plant to reduce electricity consumption and to extend the life of the Return Sludge Pumps, and

Whereas the Director of Engineering has prepared plans and specifications to solicit proposals for the furnishing and installation of the eight VFDs,

Resolved, that the bid proposal of O'Connell Electric Company, Inc., 830 Phillips Road, Victor, New York 14564 received on June 11, 2010, for Installation of Variable Frequency Drives and Disconnects in the Return Sludge Pump Station be accepted in the amount of \$39,970.00. Cost of same plus a ten percent contingency to be charged to account #003-8130-250.

Seconded by Alderman Genewick and adopted. Ayes 6.

061610.4D

By Alderman Pasceri:

Resolved, that resolution #050510.5 authorizing Wheatfield Blades Hockey Tournament to be held on August 1, 2010, be and the same is hereby amended by authorizing the Tournament to be held on August 8, 2010, and be it further

Resolved, that pursuant to their request, Wheatfield Blades is hereby granted permission to erect a banner across Lake Avenue at least 17 feet from the ground to promote said tournament. Said permission is subject to Wheatfield Blades filing a certificate of insurance with the City Clerk naming the City of Lockport as additional insured, and be it further

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

Seconded by Alderman McKenzie and adopted. Ayes 6.

061610.4E

By Alderman Pasceri:

Resolved, that pursuant to their request, permission is hereby granted the residents of North Adam Street to barricade Butler Street from North Adam Street to Vine Street on August 28, 2010 for a block party, and be it further

Resolved, that the Highways & Parks Department be and the same is hereby authorized and directed to deliver barricades to said area prior to said event.

Seconded by Alderman Kibler and adopted. Ayes 6.

061610.4F

By Alderman Kibler:

Whereas, the City of Lockport, may from time to time, take possession of housing pursuant to the In-Rem foreclosure procedure for unpaid taxes, and

Whereas, certain housing is dilapidated housing beyond salvage, and

Whereas, the City wishes to demolish said dilapidated housing, and

Whereas, the City receives revenue from the sale of certain foreclosed property that doesn't require demolition, and

Whereas, the City wishes to create a source of funds to demolish dilapidated housing it acquires via its In-Rem procedure, and

Whereas, on May 19, 2010 the Common Council passed resolution #051910.10 addressing the above, now therefore be it

Resolved, resolution #051910.10 be and is hereby rescinded, and further be it

Resolved, that the City Treasurer is hereby authorized and directed to establish a General Fund Capital Reserve Fund for the purpose of depositing monies derived from the sale of real property via the City's In-Rem Procedure and transfer funds as follows:

From 005-0005-0093 In-Rem Trust

Fiscal Year 2009	\$100,000	To	004-0200-0059
		Expense	004-0520-0059 (Demolition)

After Fiscal Year 2009	50% of Revenue Amount Received from the In-Rem Trust after 100% of Budget Estimate of Current Year General Fund sale of property (001-2600) and In-Rem expenses have been satisfied to 004-0200-0059 Expense 004-0520-0059 Demolition
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Seconded by Alderman McKenzie and adopted. Ayes 6.

061610.4G

By Alderman Kibler

Resolved, that the City Treasurer be and the same is hereby authorized and directed to transfer \$14,000 from account #01-1900-1910 to account # 01-1420-434 for Corporation Counsel.

Seconded by Alderman Genewick and adopted. Ayes 6.

061610.4H

By Alderman Pasceri:

Resolved, that the Mayor, subject to Corporation Counsel approval, be and the same is hereby authorized and directed to execute an agreement with Camoin Associates to do an economic feasibility study of the Flight of Five at a cost not to exceed \$10,000 to be charged to Capital Reserve account #004-0520-0051.

Seconded by Alderman Kibler and adopted. Ayes 6.

061610.4I

By Alderman Pasceri:

Resolved, that the Director of Engineering is hereby authorized and directed to prepare a request for proposal for solid waste collection as it relates to the recommendation of the Refuse Recycling Committee.

Seconded by Alderman McKenzie and adopted. Ayes 6.

061610.5

ADJOURNMENT

At 6:16 P.M. Alderman Pasceri moved the Common Council be adjourned until 6:00 P.M., Wednesday, July 7, 2010.

Seconded by Alderman Kibler and adopted. Ayes 6.

RICHARD P. MULLANEY
City Clerk