

**CITY OF LOCKPORT**  
**CORPORATION PROCEEDINGS**

Lockport Municipal Building

Regular Meeting  
Official Record

August 3, 2011  
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.

**080311.1**

**APPROVAL OF MINUTES**

On motion of Alderman Pasceri, seconded by Alderman Kibler, the minutes of the Regular Meeting of July 20, 2011 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:**

7/20/11 King Street, Lockport, NY – potholes, deterioration  
7/22/11 Chapel Street, Lockport NY – street condition  
7/27/11 564 Willow Street, Lockport, NY – tree  
7/28/11 Garden Street, Lockport, NY – potholes  
7/29/11 480 Pine Street, Lockport, NY – tree  
Referred to the Highways & Parks Department.

**Notice of Claim:**

7/15/11 Kenneth B. Hammond Jr., 210 Locust Street, Apt 6, Lockport, NY  
7/20/11 Stephanie Ramming, 70 VanBuren Street, Lockport, NY  
7/29/11 Rosemary Larkin, 26 Windsor Street, Lockport, NY  
Referred to the Corporation Counsel.

**Petition:** (Small Claims Assessment Review)

7/22/11 James D. & Rosaura L. Grace, 45 Priscilla Lane, Lockport, NY  
7/25/11 Marcia & Jerald Jacobi, 69 Jesson Parkway, Lockport, NY  
7/25/11 Jeanne E. Goff, 233 Waterman Street, Lockport, NY  
7/26/11 Michael & Rita Dembrow, 231 Continental Drive, Lockport, NY  
7/27/11 Thomas & Michelle DiMillo, 5 Kingston Circle, Lockport, NY  
7/28/11 Barbara T. Evert, 419 Pine Street, Lockport, NY  
7/28/11 Brianne M. Miller, Barbara T. Evert, 381 Akron Street, Lockport, NY  
7/29/11 Donald J. & Cindra A. Enzinna, 50 Coolidge Avenue, Lockport, NY  
7/29/11 Michele J. Corrairie, 471 East Avenue, Lockport, NY  
8/1/11 Todd J. & Jean M. Alfonso, 1 Keswick Road, Lockport, NY  
8/1/11 Michelle & Dennis Brockman, 78 Jesson Parkway, Lockport, NY  
8/2/11 Anita & Daniel A. Mullane, 93 Lindhurst Drive, Lockport, NY  
8/3/11 Robert A. & Mary M. Boyle 714 East Avenue, Lockport, NY

Referred to the City Assessor

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

7/22/11 The Upson Company, LLC –vs- Assessor, City of Lockport and The Board of Assessment Review of the City of Lockport, County of Niagara and State of New York  
7/27/11 5CR Limited Partnership –vs- City of Lockport, Assessor and The Board of Assessment Review of the City of Lockport, County of Niagara & State of New York  
7/27/11 Jon Louis Wilson –vs- The Assessor of the City of Lockport, Niagara County, New York and The Board of Assessment Review for the City of Lockport, Niagara County, New York  
7/27/11 Burkard Properties and Management, 6800 Wheeler Road, Lockport, NY –vs- Joseph Macaluso, Acting Assessor for the City of Lockport, The City of Lockport, and The City of Lockport Board of Assessment Review, Lockport Municipal Building, One Locks Plaza, Lockport, NY  
7/27/11 David Burkard, 6800 Wheeler Road, Lockport, NY –vs- Joseph Macaluso, Acting Assessor for the City of Lockport, The City of Lockport, and The City of Lockport Board of Assessment Review, Lockport Municipal Building, One Locks Plaza, Lockport, NY  
7/27/11 Paul Burkard & David Burkard, 6800 Wheeler Road, Lockport, NY –vs- Joseph Macaluso, Acting Assessor for the City of Lockport, The City of Lockport, and The City of Lockport Board of Assessment Review, Lockport Municipal Building, One Locks Plaza, Lockport, NY  
7/27/11 Paul Burkard, 6800 Wheeler Road, Lockport, NY –vs- Joseph Macaluso, Acting Assessor for the City of Lockport, The City of Lockport, and The City of Lockport Board of Assessment Review, Lockport Municipal Building, One Locks Plaza, Lockport, NY  
7/28/11 SDK Villager Associates –vs- Assessor, City of Lockport and The Board of Assessment Review of the City of Lockport, County of Niagara and State of New York  
7/28/11 Michael A. Dascoli –vs- Assessor, City of Lockport, and The Board of Assessment Review of the City of Lockport, County of Niagara and State of New York  
7/28/11 Professional Park 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  
7/28/11 Elmer A. Granchelli, Velco Inc. and 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  
7/28/11 Beautiful Vision 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

- 7/28/11 Renee A. Granchelli (a/k/a 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
- 7/28/11 Elmer 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
- 7/28/11 Elmer A. Granchelli and 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
- 7/28/11 Elmer A. Granchelli, Centennial Development Ltd., 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
- 7/28/11 Centennial Development Ltd., Elmer A. Granchelli and 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
- 7/28/11 Briarwood Manor Property, LLC –vs- The Board of Assessment Review for the City of Lockport; Assessor for the City of Lockport, Niagara County, New York; and The City of Lockport, New York
- 7/29/11 Joseph F. Townsend –vs- The Assessor, Board of Assessment Review, and The City of Lockport, New York
- 8/2/11 Robert W. Luff –vs- The Board of Assessment Review of the City of Lockport, County of Niagara and State of New York
- 8/2/11 Brian Grear –vs- The Assessor of the City of Lockport, Niagara County, New York and Board of Assessment Review for the City of Lockport
- 8/2/11 Friends of Briarwoor LLC –vs- The Assessor of the City of Lockport, Niagara County, New York and Board of Assessment Review for the City of Lockport
- 8/3/11 Hydraulic Race Co., Inc. –vs- Assessor, City of Lockport and The Board of Assessment Review of the City of Lockport, County of Niagara and State of New York
- 8/3/11 Roger Jones and C.E. Beney, LLC –vs- The Assessor of the City of Lockport, Niagara County, New York and Board of Assessment Review for the City of Lockport
- 8/3/11 Claude A. and Nancy O. Joerg ,–vs- Joe Macaluso Assessor, City of Lockport, and The Board of Assessment Review of the City of Lockport, County of Niagara, and State of New York
- Referred to the City Assessor

## **MOTIONS & RESOLUTIONS**

### **080311.2**

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 August 5, 2011.

Seconded by Alderman Pasceri and adopted. Ayes 6.

### **080311.3**

By Alderman Kibler:

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

Seconded by Alderman McKenzie and adopted. Ayes 6.

**080311.4**

By Alderman Pasceri:

Resolved, that the Mayor and Common Council do hereby extend congratulations and appreciation to the following City employees for their years of dedicated service to the City of Lockport:

<u>Employee</u>	<u>Years of Service</u>	<u>Title</u>
Aric J. Morgan	5	Police Officer

Seconded by Alderman Genewick and adopted. Ayes 6.

**080311.5**

By Alderman Kibler:

Whereas, the City of Lockport holds title and possession of a lot at 141 Elm Street by Rem/Tax Foreclosure proceeding, and

Whereas, 141 Elm Street is now a vacant lot due to a previous City ordered demolition, and

Whereas, the Real Property Management Committee received a letter from Faye Marth (owner of adjacent property at 139 Elm Street) to purchase said property for \$500.00, and

Whereas, the City desires to return said property to the tax role in an improved condition, now therefore be it

Resolved, that pursuant to Section C-61 of the City Charter, the Mayor be and is hereby authorized to execute a quit claim deed to Faye Marth for the sum of \$500.00.

Seconded by Alderman Pasceri and adopted. Ayes 6.

**080311.6**

By Alderman Pasceri:

Resolved, that the Corporation Counsel is hereby authorized and directed to prepare a Local Law relative to Refuse, and be it further

Resolved, that a public hearing be held at the Common Council meeting of August 17, 2011, starting at 6:00 P.M. in the Common Council Chambers, Lockport Municipal Building, One Locks Plaza, Lockport, NY relative to said local law, and be it further

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

Seconded by Alderman McKenzie and adopted. Ayes 6.

**080311.7**

By Alderman Pasceri:

Whereas, the City of Lockport has been invited by the New York State Office of Community Renewal to submit an application for funding to provide microenterprise assistance in the City's Central Business District under the New York State administered Community Development Block Grant (CDBG) Program; and

Whereas the City of Lockport is desirous of applying for microenterprise assistance for local businesses to create employment opportunities for low and moderate income persons; and

Whereas, two public hearings have been conducted to obtain citizen input regarding the utilization of Community Renewal funds; now, therefore, be it

Resolved, that the Mayor be and he is hereby authorized to execute and submit an application to the Office of Community Renewal for said microenterprise assistance.

Seconded by Alderman Kibler and adopted. Ayes 5, Nay 1 – Ald. Smith.

**080311.8**

By Alderman McKenzie:

Resolved, that pursuant to their request, The United Way of Greater Niagara is hereby granted permission to conduct a Days of Caring celebration picnic at Outwater Park on August 17, 2011.

Seconded by Alderman Genewick and adopted. Ayes 6.

**080311.9**

By Alderman Smith:

Resolved, that pursuant to their request, Lion of Judah Transformation Ministries be and the same is granted permission to use City parking lot #5 (Farmer's Market) on Saturday, August 6, 2011, at 12:00 p.m. to conduct a Back to School Giveaway.

Seconded by Alderman Kibler and adopted. Ayes 6.

**080311.10**

By Alderman Pasceri:

Resolved, that the Common Council does hereby approve the job specifications for the position of Municipal Training Officer for the City of Lockport Fire Department as unanimously approved by the Civil Service Commission at its July 19, 2011 meeting.

Seconded by Alderman Kibler and adopted. Ayes 6.

**080311.11**

By Alderman Pasceri:

Resolved, that pursuant to their request, the United Way of Greater Niagara is hereby granted permission to conduct a 2011 Norm Sinclair Family Walk on Saturday, October 1, 2011 and to barricade Market Street from North Adam Street to Wide Waters Marina between the hours of 7:30 a.m. – 1:00 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 United Way of Greater Niagara filing a certificate of insurance with the City Clerk naming the City of Lockport as additional insured, and be it further

Resolved, that the Highways & Parks Department is hereby authorized and directed 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 Kibler and adopted. Ayes 6.

**080311.12**

By Alderman Smith:

Resolved, that the Niagara County Department of Motor Vehicles in conjunction with Upstate New York Transplant Services is hereby given permission to block off 6 parking spaces on the North side of Main Street near the DMV office located at 111 Main Street on Friday, September 30, 2011, from 9:00 A.M. until 4:00 P.M. to park a mobile blood unit to promote a mobile blood drive, and be it further

Resolved, that the Director of Engineering is hereby authorized and directed to arrange for delivery of temporary, barricades and traffic cones on to said area on September 29, 2011.

Seconded by Alderman Genewick and adopted. Ayes 6.

**080311.13**

By Alderman McKenzie:

Resolved, that pursuant to their request, Lockport New Beginnings is hereby granted permission to conduct a Chicken BBQ at Outwater Park on September 17, 2011.

Seconded by Alderman Kibler and adopted. Ayes 6.

**080311.13A**

By Alderman Smith:

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 half of City parking lot #5 on Sunday, August 28, 2011 from 9:00 a.m. to 9:00 p.m. to conduct an Italian Festival, and be it further

Resolved, that permission is hereby granted to vend including alcoholic beverages subject to obtaining a solicitor's permit from the City Clerk, and be it further

Resolved, that the fee for the solicitor's permit is hereby waived, 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 Department of Highways & Parks is hereby authorized and directed to deliver "street closed" signs, barricades, traffic cones, 10 picnic tables, and waste receptacles to the area prior to the event.

Seconded by Alderman Kibler and adopted. Ayes 6.

**080311.13B**

By Alderman Pasceri:

Resolved, that pursuant to their request, cyclists Roy Zeigler, Terry Zeigler, and Ted Lawhead be and the same is hereby granted permission to use Nelson G. Goehle Park and restroom facilities overnight on August 7, 2011. Said permission is subject to the coordination with the Highways and Parks Department and Department of Youth & Recreation.

Seconded by Alderman McKenzie and adopted. Ayes 6.

**080311.13C**

By Alderman Pasceri:

Whereas, the City of Lockport adopted a retirement incentive in Fiscal Year 2010, and

Whereas, the Department of Public Works has undergone a reduction of three Supervising Personnel, and

Whereas, the City has met with CSEA representatives to discuss terms and conditions of remaining Public Works Supervisors, now therefore be it

Resolved, that the Mayor be and the same is hereby authorized and directed to enter into memorandum of agreement with CSEA Local Unit 7651, Niagara County Local 832 that calls for the following upgrades:

Public Works Supervisor from grade 11 to grade 14

Asst. Director of Engineering from grade 13 to grade 15

Water Distribution Maintenance Supervisor from grade 13 to grade 14

Seconded by Alderman Kibler and adopted. Ayes 6.

**080311.14**

**ADJOURNMENT**

At 6:30 P.M. Alderman Pasceri moved the Common Council be adjourned until 6:00 P.M., Wednesday, August 17, 2011.

Seconded by Alderman McKenzie and adopted. Ayes 6.

RICHARD P. MULLANEY  
City Clerk