

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

Lockport Municipal Building

Regular Meeting  
Official Record

April 1, 2009  
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, Alexander, McKenzie, Schrader, and Lombardi.

**RECESS**

Recess for public input.

**040109.1**

**APPROVAL OF MINUTES**

On motion of Alderman Lombardi, seconded by Alderman Kibler, the minutes of the Regular Meeting of March 18, 2009 are hereby approved as printed in the Journal of Proceedings. Ayes 6. Carried.

**PUBLIC HEARING**

The Mayor announced a public hearing relative to proposed amendments to the City of Lockport Zoning Law and map as follows:

- create a Neighborhood Commercial-General Residence District, and
- re-zone South Transit Street from West Avenue to the southern City line to the newly created district.

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

Recess for public input.

The Mayor closed the public hearing.

**FROM THE MAYOR**

**Appointments:**

3/27/09 Edward F. Garde, 739 Pasadena Avenue, Niagara Falls, NY – appointed as Commissioner of Deeds with a term expiring on December 31, 2010. 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)

3/9/09 Carol Costello, Saint Mary's Church – request permission to conduct its Holy Saturday Vigil on April 11, 2009, on the Big Bridge. Referred to the Committee of the Whole.

3/18/09 Mary F. Murphy, DeSales Catholic School – request for permission to conduct its 1<sup>st</sup> Annual Race for Fitness on Saturday, May 9, 2009. Referred to the Committee of the Whole.

3/18/08 Patrick M. Burke, Director of Physical Education and Athletics, Lockport High School, 250 Lincoln Avenue, Lockport, NY – request the use of baseball field at Outwater Park for the Lockport High School varsity base games for the 2009 season. Referred to the Committee of the Whole.

3/20/09 David E. Blarr, 384 N. Transit Street, Lockport, NY, Manager, Lockport Stars – request the use of the 90 ft. baseball diamonds for travel baseball. Referred to the Committee of the Whole.

3/20/09 Elaine Harrigan, Marketing Director, Kenan Center, 433 Locust Street, Lockport, NY – request to erect a banner over East Avenue at the Town and Country Club to promote the 39<sup>th</sup> Annual 100 American Craftsmen event to be held on May 29<sup>th</sup> to May 31<sup>st</sup>, 2009. Referred to the Committee of the Whole.

3/20/09 Charlene Bower, Lockport in Bloom Committee – request permission to conduct their City Garden Tour 2009 event on July 11 and 12, 2009; hang signs on the four Historic Lockport entrance signs, erect signs in various parks and hang a banner over East Avenue near the Town and Country Club to promote the event. Referred to the Committee of the Whole.

3/23/09 Melissa L. Dunlap, Executive Director, Niagara County Historical Society, Inc., 215 Niagara Street, Lockport, NY – request to close the eastbound traffic from Prospect Street to Bristol Avenue for diagonal parking on the north side of Niagara Street on June 6, 2009 from 8:30 a.m. to 4:00 p.m. for their 1<sup>st</sup> Annual Strawberries & Antiques Event. Referred to the Committee of the Whole.

3/27/09 Richard P. Mullaney, City Clerk – notification that the Lockport Municipal Offices will be closed on Friday, April 10, 2009 in observance of Good Friday. Garbage scheduled to be collected on Friday, April 10<sup>th</sup> will be picked-up on **Thursday**, April 9<sup>th</sup>. Referred to the Media.

3/27/09 Richard P. Mullaney, City Clerk – report of bid proposals received on March 26, 2009 for In-Car Video Systems for Lockport Police Department as follows:

Data 911

\$51,913.20

Alameda, CA

Kustom Signals, Inc.      \$62,154.00  
Lenexa, KS

Referred to the Committee of the Whole.

3/27/09      Peggy Allen, Lockport Family YMCA, 21 East Avenue, Lockport, NY – request permission to close down East Avenue in front of the YMCA in conjunction with “Healthy Kids Day” on April 4, 2009 from 11:00 a.m. to 1:00 p.m.

**Notice of Defect:**

3/17/09      27 Sunnyside Street, Lockport, NY - tree

3/18/09      3 Tudor Lane, Lockport, NY – sewer

3/26/09      589 Locust Street, Lockport, NY – tree

Referred to the Highways & Parks Department.

**MOTIONS & RESOLUTIONS**

**040109.2**

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 April 3, 2009.

Seconded by Alderman Pasceri and adopted. Ayes 6.

**040109.3**

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 Alexander and adopted. Ayes 6.

**040109.4**

By Alderman Lombardi:

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>
Michael J. Furlong	25	Heavy Equipment Operator
Jane Natemeier	20	Senior Account Clerk

Seconded by Alderman McKenzie and adopted. Ayes 6.

**040109.5**

By Alderman McKenzie:

Resolved, that pursuant to their request, the Lockport Stars baseball team is hereby granted permission to use the 90 ft. baseball diamond at Outwater Park for the 2009 Western New York Travel Baseball League games subject to approval of the schedule by the Highways

& Parks Department and Western New York Travel Baseball 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.

**040109.6**

By Alderman McKenzie:

Resolved, that pursuant to their request, the Lockport City School District is hereby granted permission to use the baseball field at Outwater Park for the 2009 Lockport High School varsity baseball games and practice subject to approval of the schedule by the Highways & Parks Department and the School District 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.

**040109.7**

By Alderman Lombardi:

Resolved, that pursuant to their request, permission is hereby granted to DeSales Catholic School to conduct their 1<sup>st</sup> Annual DeSales Race for Fitness, a 5K run and a 1 mile fun run, on Saturday, May 9, 2009 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 Highways & Parks Department is hereby authorized and directed to deliver barricades and street closed signs to the area prior to the event.

Seconded by Alderman Pasceri and adopted. Ayes 6.

**040109.8**

By Alderman Lombardi:

Resolved, that pursuant to their request, the Kenan Center is hereby granted permission to erect a banner starting on May 15 through June 1, 2009 across East Avenue at Davison Road at least 17' from the ground to promote their Annual 100 American Craftsmen Festival to be held the weekend of May 29 – May 31, 2009. Said permission is subject to the Kenan Center filing a certificate of insurance with the City Clerk naming the City of Lockport as additional insured, and be it further

Resolved, that the Building Maintenance Department is hereby authorized and directed to erect the banner.

Seconded by Alderman Alexander and adopted. Ayes 6.

**040109.9**

By Alderman Lombardi:

Resolved, that pursuant to their request, the Lockport in Bloom committee is hereby granted permission to conduct their 5<sup>th</sup> annual Lockport In Bloom "City Garden Tour 2009" event the weekend of Saturday, July 11 and Sunday, July 12, 2009 from 10:00 a.m. to 4:00 p.m. each day, 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 26<sup>th</sup> to July 13<sup>th</sup> and to erect 18" X 24" Lockport In Bloom garden signs in Ida Fritz Park, Locust Street Park, Children's Memorial Park and Veterans 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 26<sup>th</sup> to July 13<sup>th</sup>, 2009 to promote Lockport in Bloom weekend, and be it further

Resolved, that the Building Maintenance Department is hereby authorized and directed

to erect the banner.

Seconded by Alderman McKenzie and adopted. Ayes 6.

**040109.10**

By Alderman McKenzie:

Resolved, that pursuant to their request, the Niagara County Historical Society is hereby granted permission to close Niagara Street to eastbound traffic from Prospect Street to Bristol Avenue for diagonal parking along the north side of Niagara Street on Saturday, June 6, 2009, from 8:30 a.m. to 4:00 p.m. during their 1<sup>st</sup> Annual Strawberries & Antiques Social, and be it further

Resolved, that the Department of Highways & Parks is hereby authorized and directed to deliver "street closed" signs, barricades, and traffic cones to said area prior to the event.

Seconded by Alderman Schrader and adopted. Ayes 6.

**040109.11**

By Alderman Schrader:

Whereas, the City of Lockport raw water intake is in North Tonawanda, and

Whereas, the raw water line intake travels from the North Tonawanda through the municipalities of Pendleton, Wheatfield, Lockport (Town) and North Tonawanda for a total of 13 miles to get to the City of Lockport Summit Street filtration plant, and

Whereas, the City of Lockport paid approximately \$51,086 dollars in Niagara County property tax based upon the 2007 assessment roll and thereby creating a water bill increase for each homeowner in the City of Lockport, and

Whereas, a 100% tax exemption for the City of Lockport from the Niagara County taxes on the above described 13 mile raw water line would result in a tax levy impact of less than one cent per thousand of assessed property values, and

Whereas, the County granted a tax exemption for a period of five years upon the condition that the savings be deposited into a fund designed for and used to repair or replace damaged Lockport City owned water lines thereby providing lower water bill costs to the City of Lockport residents who are residents of the County of Niagara as well, now, therefore, be it

Resolved, that the Mayor be and is hereby authorized to execute an agreement with the County of Niagara to effectuate the same and be it further

Resolved, that the Treasurer be and is hereby directed to set up an account to deposit said savings for repairs and improvement, and be it further

Resolved, that Department of Utilities be and is hereby directed to prepare and submit a plan each year to the Mayor and Common Council for expenditure in accordance with the above.

Seconded by Alderman Kibler and adopted. Ayes 6.

**040109.12**

By Alderman Alexander:

Resolved, that pursuant to their request, St. Mary's Church is hereby granted permission to barricade Saxton and Buffalo Streets on April 11, 2009, between 7:00 p.m. and

8:30 p.m. so that they may use that area of the Big Bridge for their Holy Saturday Vigil. Said permission is subject to St. Mary'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 Highways & Parks Department is hereby authorized and directed to deliver barricades to said area prior to the event.

Seconded by Alderman Lombardi and adopted. Ayes 6.

**040109.13**

By Alderman Lombardi:

Whereas, it is the intent of the City of Lockport to provide for neighborhood housing assistance programs as part of its Community Development Block Grant Program, and

Whereas, the U.S. Department of Housing & Urban Development has issued revised income limits for use in its Housing Programs, now, therefore, be it

Resolved, that the following amendment be made to the City's adopted income guidelines as they pertain to the Community Development Housing Rehabilitation Revolving Loan, HOME and Homeownership Programs:

**AMENDMENT TO THE COMMUNITY DEVELOPMENT  
HOUSING LOAN INCOME LIMITS**

The following amendment is based on the Section 8 (effective date March 19, 2009) Public Housing Income Limits prepared by the Department of Housing & Urban Development Buffalo Area Office.

Amend the income limits to read:

<u>No. of Persons in Household</u>	<u>Very Low Income May Not Exceed</u>	<u>Low Income May Not Exceed</u>
1	\$22,250	\$35,550
2	\$25,400	\$40,650
3	\$28,600	\$45,700
4	\$31,750	\$50,800
5	\$34,300	\$54,850
6	\$36,850	\$58,950
7	\$39,350	\$63,000
8	\$41,900	\$67,050

Seconded by Alderman Schrader and adopted. Ayes 6.

**040109.13A**

By Alderman Kibler:

Resolved, that pursuant to their request, the Lockport Midget Baseball League is hereby granted permission to use the hardball diamonds at Outwater and Kibler Parks during the 2009 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 Lombardi and adopted. Ayes 6.

**040109.13B**

By Alderman Alexander:

Resolved, that pursuant to their request, the Lockport YMCA is hereby granted permission to block off the northern portion of the west bound lane on East Avenue from Charles Street to the old Post Office from 1p.m. to 2:30 p.m. on Saturday, April 4, 2009 to conduct an outdoor 50-yard race for children ages 3-12 as part of their Healthy Kids Day celebration subject to the YMCA 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 directed to deliver barricades, traffic cones and "Temporary No Parking" signs to the area prior to the event.

Seconded by Alderman Schrader and adopted. Ayes6.

Conclusion of agenda.

**040109.14**

**ADJOURNMENT**

At 7:08 P.M. Alderman Lombardi moved the Common Council be adjourned until 6:00 P.M., Wednesday, April 15, 2009.

Seconded by Alderman Pasceri and adopted. Ayes 6.

RICHARD P. MULLANEY  
City Clerk

