

CITY OF LOCKPORT
CORPORATION PROCEEDINGS

Lockport Municipal Building

Regular Meeting
Official Record

August 19, 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.

081909.1

APPROVAL OF MINUTES

On motion of Alderman Lombardi, seconded by Alderman Kibler, the minutes of the Regular Meeting of August 5, 2009 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:

08/10/09 Park Avenue, Lockport, NY – pothole
08/18/09 61 Scovell Street, Lockport, NY – tree
08/18/09 95 South Bristol Avenue, Lockport, NY - tree
Referred to the Highways & Parks Department.

Notice of Claim:

08/10/09 Maureen Elliott, 4889 Mt. View Drive, Lockport, NY
08/18/09 James P. McCann, 54 Waterman Street, Lockport, NY
Referred to the Corporation Counsel.

Petition: (Small Claims Assessment Review)

8/5/09 Barbara Burns, 283 East Avenue, Lockport, NY

8/5/09 Paul Zapp, 75 Woodbury Drive, Lockport, NY

Referred to the City Assessor

MOTIONS & RESOLUTIONS

081909.2

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 21, 2009.

Seconded by Alderman Lombardi and adopted. Ayes 6.

081909.3

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 Pasceri and adopted. Ayes 6.

081909.4

By Alderman Schrader:

Resolved that § 185 Water of the City Code be amended as follows:

§ 185-3C.

Delete the following

“When such access is refused, the water may be turned off at the option of the Director and not turned on again until after access and twenty-five dollars (\$25) has been paid to the Water Business Office.”

And insert the following therefore and in its place:

“When such access is refused, the water may be turned off at the option of the Director and not turned on again until after access and *the current fee, as set by the Water Department Fee Schedule*, has been paid to the Water Business Office.”

§ 185-5K.

Insert the following:

“It shall be the responsibility of the property owner to maintain the curb box in a manner that it is easily accessible and in good working order. The Department reserves the right to shut off or turn on the water at their curb box with no liability assigned to the Department.”

§ 185-6D.

Delete the following:

“ All meters will be installed by the Department of Water, and shall be of a type approved by the Water Department.”

And insert the following therefore and in its place:

"All meters *two (2) inches and lower* will be installed by the Department of Water. *All meters over two (2) inches in size shall be purchased and installed by the owner. All meters shall be of a type approved by the Water Department.*"

Delete § 185-7B in its entirety.

§ 185-7C.

Delete the following:

"All meters and remote registers shall be installed and sealed by the Water Department personnel, after prearrangement with the residence owner."

And insert the following therefore and in its place:

"All meters and *radio transmitters* shall be installed and sealed by the Water Department personnel, after prearrangement with the residence owner."

§ 185-7R

Delete the following:

"If within limits, the special testing rate is ten dollars(\$10) per hour."

And insert the following therefore and in its place:

"If within limits, *the property owner will pay a special testing fee according to the current Water Department Fee Schedule.*"

§ 185-7S.

Delete the following:

"When water meters are repaired, the cost of material used for such repair shall be billed to the property owner or consumer, as well as shop time at the rate of ten dollars (\$10) per hour."

And insert the following therefore and in its place:

"When water meters are repaired, the cost of material used for such repair shall be billed to the property owner or consumer, as well as shop time at the *current rate as set by the Water Department Fee Schedule.*"

§ 185-7T.

Delete the following:

" Such meters shall be installed in the spring of the year and removed in the fall, upon written request by the owner, and upon payment of a service fee of ten dollars (\$10) for each installation or removal."

And insert the following therefore and in its place:

" Such meters shall be installed in the spring of the year and removed in the fall, upon written request by the owner, and upon payment of a service fee *as set by the Water Department Fee Schedule* for each installation or removal."

§ 185-8J.

Delete the following:

"Any water account of any nature remaining unpaid on February 1 of the year following rendition shall be placed upon the first general city tax roll made up after such date, should the Water Business Office be unable to make collection in any manner other than civil action."

And insert the following therefore and in its place:

"Any water account of any nature remaining unpaid on *July* 1 of the year following rendition shall be placed upon the first general city tax roll made up after such date, should the Water Business Office be unable to make collection in any manner other than civil action."

§ 185-8L.

Insert the following:

"A fee will be charged for reinstallation, according to the current Water Department Fee Schedule, but no charge will be levied for removal."

§ 185-11A.

Delete the following:

"Such permits shall be obtained with the building permit and paid for at that time at the following rates: flat rate: twenty-five dollars(\$25)."

And insert the following therefore and in its place:

"Such permits shall be obtained with the building permit and paid for at that time according to the Water Department Fee Schedule."

§ 185-11C.

Delete the following:

"Water for construction purposes must be paid for at regular rates specified in § 185-11A, regardless of whether it is used on city work or private work."

And insert the following therefore and in its place:

"Water for construction purposes must be paid for at regular rates specified on the water permit, regardless of whether it is used on city work or private work."

§ 185-16E

Delete in its entirety

And insert the following therefore and in its place:

"The billing of the cost of water and hydrant use will include hydrant permit and inspection fees as set by the Water Department Fee Schedule and Minimum usage of 10,000 gallons and additional usage at the bulk water rate as set by Common Council resolution."

Seconded by Alderman McKenzie and adopted. Ayes 6.

081909.5

By Alderman Schrader:

Resolved, that the Mayor and Common Council do hereby extend condolences to the family of Richard Blackley, Chairman of the Zoning Board of Appeals who recently passed away.

Seconded by Alderman Alexander and adopted. Ayes 6.

081909.6

By Alderman Alexander:

Resolved, that pursuant to their request, permission is hereby granted to the Niagara County Head Start program to barricade LaGrange Street from Cottage Street to John Street on August 25, 2009 from 9 a.m. to noon for a child car seat inspection to be conducted by the Niagara County Sheriffs Department, 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 the event.

Seconded by Alderman Lombardi and adopted. Ayes 6.

081909.7

By Alderman McKenzie:

Resolved, that the Mayor and Common Council do hereby extend condolences to the family of Lyman C. Wilson, a retired City of Lockport Police Officer who recently passed away.

Seconded by Alderman Schrader and adopted. Ayes 6.

081909.8

By Alderman Lombardi:

Resolved, that the City Treasurer is authorized to make general fund transfers from account 01-1900-1917 to the following accounts in the amount listed:

01-4015-434	City Physician	\$ 2,500
01-5142-415	Snow Removal	\$21,000
01-7310-429	Youth Bureau	\$ 5,250
005-005-0051	Trust Account	\$ 4,500

Seconded by Alderman Kibler and adopted. Ayes 6.

081909.8A

By Alderman Schrader:

Resolved, that the bid proposal of Koester Associates Inc., Canastota, NY, received on August 4, 2009, for Progressive Cavity Sludge Pumps be accepted in the amount of \$21,713 each. Cost of same to be charged to the Sewer Fund.

Seconded by Alderman Alexander and adopted. Ayes 6.

081909.8B

By Alderman McKenzie:

Resolved, that the Mayor and Common Council do hereby extend condolences to the family of Dorothy Eberhart, Secretary to the Chief of Police for the City of Lockport who recently passed away.

Seconded by Alderman Lombardi and adopted. Ayes 6.

081909.8C

By Alderman Lombardi:

Resolved, that the Mayor, subject to Corporation Counsel approval, is hereby authorized to execute an amendment to the Canal Concert Series agreement with Ulrich City Center, LLC and Canal Concert Series, Inc. authorized by resolutions 121907.10 and 070208.7. Said amendment shall provide for a 9th concert for 2009 and the cost per concert shall be amended from \$7,975 per concert to \$8,800 per concert and be it further

Resolved, that the City Treasurer be and the same is hereby authorized to transfer \$15,200 from account #01-1900-1917 to account #01-8510-429.

Seconded by Alderman Kibler and adopted. Ayes 6.

Conclusion of agenda.

081909.9

ADJOURNMENT

At 6:24 P.M. Alderman Lombardi moved the Common Council be adjourned until 6:00 P.M., Wednesday, September 2, 2009.

Seconded by Alderman Schrader and adopted. Ayes 6.

RICHARD P. MULLANEY
City Clerk