

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

Lockport Municipal Building

Regular Meeting  
Official Record

February 4, 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, Schrader, and Lombardi.  
Absent: Alderman McKenzie.

**RECESS**

Recess for public input.

**020409.1**

**APPROVAL OF MINUTES**

On motion of Alderman Lombardi, seconded by Alderman Kibler, the minutes of the Regular Meeting of January 21, 2009 are hereby approved as printed in the Journal of Proceedings. Ayes 5. Carried.

**FROM THE MAYOR**

**Appointments:**

1/21/09 Kristin Bernardi, 165 Park Lane Circle, Lockport, NY – appointed as Youth Bureau Aide effective January 20, 2009. Said appointment is permanent and subject to the City of Lockport Municipal Civil Service Rules and Regulations. Received and filed.

1/21/09 Judy L. Ritchie, 14 Tudor Lane, Lockport, NY – appointed as Senior Account Clerk effective January 20, 2009. Said appointment is permanent and subject to the City of Lockport Municipal Civil Service Rules and Regulations. Received and filed.

1/21/09 Bonita Balcom, 2669 Maple Road, Wilson, NY - appointed as Senior Account Clerk effective January 20, 2009. Said appointment is permanent and subject to the City of Lockport Municipal Civil Service Rules and Regulations. Received and filed.

1/30/09 The following individuals were appointed as Commissioner of Deeds with terms expiring on December 31, 2010:

Alan F. Brooks, 707 Pletcher Road, Lewiston, NY  
Edward F. Garde, 739 Pasadena Avenue, Niagara Falls, NY  
Paul T. Schultz, 909 Thomas Fox Drive West, North Tonawanda, NY  
Edward Schintzius, 3080 Upper Mountain Road, Sanborn, 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)

1/20/09 Samuel M. Ferraro, Commissioner, Niagara County Department of Economic Development, 6311 Inducon Corporate Drive, Sanborn, NY – announcement of a series of free business workshops to outline resources and programs available to current or prospective Niagara County businesses to be held as follows:

- April 15, 2009 - City Hall, 745 Main St., Niagara Falls 9:30 – 11a.m.
- May 20, 2009 – Lockport Municipal Bldg., One Locks Plaza, Lockport 9:30 – 11a.m.
- September 16, 2009 – City Hall, 216 Payne Ave., North Tonawanda 9:30 – 11a.m.

Referred to the Committee of the Whole.

1/22/09 Curt Maranto, Senior Campaign Manager and Phil Urban, Assistant Campaign Manager, National Multiple Sclerosis Society, 4245 Union Road, Buffalo, NY – request permission to conduct the Lockport MS Walk on Sunday, May 17, 2009. Referred to the Committee of the Whole.

1/30/09 Richard P. Mullaney, 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 9<sup>th</sup>  
Monday, February 16<sup>th</sup>

There will be no change in the garbage pickup schedule.

Referred to the Media.

2/2/09 Richard P. Mullaney, City Clerk – report of bid proposals received on January 30, 2009 for Municipal Building Mechanical Cleaning of HVAC Systems and Indoor Air Quality Assurance as follows:

John W. Danforth Company Tonawanda, NY	\$62,500.00
Indoor Air Professionals, Inc. Lancaster, NY	\$64,080.00
Indoor Air Technologies, Inc. Victor, NY	\$76,120.00

Referred to the Committee of the Whole.

2/3/09 Raymond C. Betsch, Former Mayor of Lockport, 186 Pine Street, Lockport, NY – suggesting serious thought be given to the idea of an eventual merger of the City and Town into one City of Lockport. Referred to the Committee of the Whole.

**Notice of Defect:**

1/27/09 891 East High Street, Lockport, NY – sewer backup  
1/27/09 282 High Street, Lockport, NY - tree  
Referred to the Highways & Parks Department.

**Notice of Claim:**

1/27/09 Jeff and Barb Harrington, 891 East High Street, Lockport, NY  
1/27/09 Anthony Tisack, 282 High Street, Lockport, NY  
Referred to the Corporation Counsel.

**MOTIONS & RESOLUTIONS**

**020409.2**

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 February 6, 2009.

Seconded by Alderman Lombardi and adopted. Ayes 5.

**020409.3**

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 5.

**020409.4**

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>
Richard L. Podgers	35	Chief of Detectives
John J. Ottaviano	15	Corporation Counsel
Elizabeth A. LeSold	15	WW Treatment Sr. Lab Technician
Thomas M. Laspada	10	Heavy Equipment Operator
David E. Blackley	5	1 <sup>st</sup> Deputy Corporation Counsel
Matthew Brooks	5	2 <sup>nd</sup> Deputy Corporation Counsel

Seconded by Alderman Alexander and adopted. Ayes 5.

**020409.5**

By Alderman Pasceri:

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 17,

2009 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 5.

**020409.6**

By Alderman Schrader:

Whereas, the Common Council awarded by resolution #102208.9, a bid to United Eagle Painting Corp. for Water Filtration Plant Mixing Tank Rehabilitation, and

Whereas, the City Engineer has requested a change order to the original contract at a cost of \$9,335.16, which falls within the previously authorized contingency amount, now, therefore, be it

Resolved, that the Mayor be and the same is hereby authorized to execute an amendment to the original contract with United Eagle Painting Corp. as per the request of the City Engineer.

Seconded by Alderman Kibler and adopted. Ayes 5.

**020409.6A**

By Alderman Pasceri:

**AUTHORIZATION FOR SPECIAL USE PERMIT**

**WHEREAS**, the Lockport Ice Arena & Sports Complex, Inc is under contract to acquire the former Jubilee/Sears Building located at 34 Chestnut Street in the City of Lockport for the construction and operation of an ice rink and related sports, and

**WHEREAS**, the City of Lockport Planning Board in accordance with 190-42 (B) and 190-118 A (5) & B approved a Special Use Permit for the operation of an ice rink in a B-2 zone located at 34 Chestnut Street on Monday, February 2, 2009.

**NOW THEREFORE, BE IT**

**RESOLVED** that a special use is hereby approved and permitted provided that such use shall comply with the following requirements:

- (1) That the use is a permitted special use as set forth in 190-42 of the Code.
- (2) That the use is so designed, located and proposed to be operated that the public health, safety, welfare and convenience will be protected.
- (3) That the use will not cause substantial injury to the value of other property in the neighborhood where it is to be located.
- (4) That the use will be compatible with adjoining development and the proposed character of the zone district where it is to be located.
- (5) That adequate landscaping and screening is provided as required herein.
- (6) That adequate off-street parking and loading is provided and ingress and egress is so designed as to cause minimum interference with traffic on abutting streets.

- (7) That the use conforms with all applicable regulations governing the district where located, except as may otherwise be determined for large-scale developments.

Seconded by Alderman Lombardi and adopted. Ayes 5.

Conclusion of agenda.

**020409.7**

**ADJOURNMENT**

At 6:08 P.M. Alderman Lombardi moved the Common Council be adjourned until 6:00 P.M., Wednesday, February 18, 2009.

Seconded by Alderman Pasceri and adopted. Ayes 5.

RICHARD P. MULLANEY  
City Clerk

