

CITY OF LOCKPORT
CORPORATION PROCEEDINGS

Lockport Municipal Building

Regular Meeting
Official Record

December 16, 2015
6:00 P.M.

Mayor Anne E. McCaffrey called the meeting to order.

ROLL CALL

The following Common Council members answered the roll call:

Aldermen Kibler, Lombardi, Mullane, Fogle, Schrader, and Genewick.

INVOCATION

MAYOR'S UPDATE

RECESS

Recess for public input.

121615.1

APPROVAL OF MINUTES

On motion of Alderman Kibler, seconded by Alderman Lombardi, the minutes of the Regular Meeting of December 2, 2015 are hereby approved as printed in the Journal of Proceedings. Ayes _____. Carried.

PUBLIC HEARING

The Mayor announced a public hearing relative to the 2016 Water Fund Budget.

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

Recess for public input.

The Mayor closed the public hearing.

FROM THE MAYOR

Resignation:

12/9/15 David R. Wohleben resigned as a member of the Planning Board effective December 9, 2015.
Received and filed.

12/16/15

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)

12/4/15 Ed Sandusky, Optimist Club of Lockport – request permission to hold the annual arts and craft show on Main Street on June 25 & 26, 2016.
Referred to the Committee of the Whole

12/15/15 Richelle J. Pasceri, City Clerk – notification that the Lockport Municipal Offices will be closed on the following days in December and January for Christmas and New Years:

Thursday, December 24 (closed at 12 noon)

Friday, December 25

Thursday, December 31 (closed at 12 noon)

Friday, January 1, 2015

The garbage collection schedule is as follows:

Due to the Christmas and New Year's holidays, there will be no garbage collection on Friday, December 25th & Friday, January 1st.

Garbage scheduled for collection on December 25th and January 1st will be collected on the day following regularly scheduled collection.

Bulk items will be collected the week of January 4th.

Referred to the Media

12/15/15 Richelle J. Pasceri, City Clerk – notification that bid proposal for Water Meters were received on December 15, 2015 as follows:

Lock City Supply, 650 West Avenue, Lockport, NY

Automated Meter Reading System
Meter and Remote Module

5/8" Water Meter	213.13	per meter
3/4"	248.36	
1"	330.81	
1 1/2"	568.32	
2"	769.52	

Transmitter (less meter)

5/8" Water Meter	155.10	per transmitter
3/4"	155.10	
1"	155.10	
1 1/2"	161.61	
2"	161.61	

Referred to the Committee of the Whole

Notice of Defect:

12/1/15 62 Scovell Street – tree
12/4/15 231 Chapel Street – trees
12/9/15 162 Glenwood Avenue – tree
12/11/15 625 Locust Street – tree

Referred to the Director of Streets and Parks.

Notice of Claim:

12/4/15 Sharon Stone, 4221 NW 12 Terrace, Fort Lauderdale, FL
12/4/15 Robert Lindemuth, 181 Saxton Street, Lockport, NY

Referred to the Corporation Counsel.

MOTIONS & RESOLUTIONS

121615.2

By Alderman Genewick:

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 December 16, 2015 as follows:

General Fund	Account #001	\$363,385.74
Water Fund	Account #002	\$ 71,965.00
Sewer Fund	Account #003	\$ 60,522.02
Capital Projects	Account #004	\$ 1,182.04
Refuse Fund	Account #012	\$ 427.35
Payroll	Pay Date 12/10/15	\$680,929.94

Seconded by Alderman _____ and adopted. Ayes _____.

121615.3

By Alderman Schrader:

Resolved, that the following water rates for the City of Lockport shall be effective on all residential and commercial water consumption billed after January 1, 2016 and on all industrial water billed after January 1, 2016:

**CITY OF LOCKPORT - WATER RATES
EFFECTIVE JANUARY 1, 2016**

Each and every meter located in any building shall be classified as a separate meter account.

12/16/15

MONTHLY BILLS

Rates for all industrial users of water:

In addition to the currently billed rate for each meter in building per month, the following:

Minimum rate - \$15.00 per each one month period or fraction thereof:

First 50,000 cu. ft.	\$3.75 per 100 cu. ft.
Next 100,000 cu. ft.	3.50 per 100 cu. ft.
Over 150,000 cu. ft.	3.20 per 100 cu. ft.

QUARTERLY BILLS

Rates for commercial users of water are:

Minimum rate – As per City of Lockport Meter Fee Schedule effective January 1, 2015, and, a usage commodity charge of \$3.55 per 100 cu. ft.

Rates for residential users of water are:

Minimum rate – As per City of Lockport Meter Fee Schedule effective January 1, 2015, and, a usage commodity charge of \$3.40 per 100 cu. ft.

RURAL BILLS

Rates for all non-resident users of water - quarterly rate plus 50%

BULK WATER

\$5.50 per 1,000 gallons.

Seconded by Alderman _____ and adopted. Ayes _____.

121615.4

By Alderman Schrader:

Resolved, that the City of Lockport 2016 Water Fund Budget containing appropriations for operating the City's Water Department, be and the same is hereby adopted as follows:

CITY OF LOCKPORT, NEW YORK 2016 WATER FUND BUDGET SUMMARY

Appropriations:

Personal Services	\$ 1,240,884.00
Equipment	93,800.00
Contractual	972,558.00
Fringe Benefits	1,275,569.00
Debt Services	614,201.00

12/16/15

Special Items	120,000.00
Interfund transfer – general	60,000.00

Total Appropriations:	\$ 4,377,000.00
Estimated Revenues:	\$ 4,377,000.00

Seconded by Alderman _____ and adopted. Ayes _____.

121615.5

By Alderman Schrader:

WHEREAS, the City of Niagara Falls has a full time assessor, and

WHEREAS, the City of Lockport and the City of Niagara Falls desire to share one Assessor, who is presently the City of Niagara Falls's Assessor, and

WHEREAS, the parties desire to enter into an intermunicipal agreement pursuant to GML § 119-o, to share one assessor and related costs, and

WHEREAS, the City of Lockport will pay to the City of Niagara Falls the annual sum of Thirty Thousand Dollars (\$30,000.00) which shall include any retirement and social security contribution on behalf of the assessor that Niagara Falls incurs. Worker's compensation shall be the responsibility of Niagara Falls (self insured), and

WHEREAS, the City of Lockport will be billed twice annually in equal installments by the City of Niagara Falls with payments due on June 30th and December 31st during each fiscal year for the length of the agreement, and

WHEREAS, the term of the Agreement shall commence on January 1st, 2016 and terminate on December 31, 2017, and either party may terminate the agreement with 2 months written notice holding neither party liable.

NOW, THEREFORE, BE IT

RESOLVED that the City of Lockport and the City of Niagara Falls mutually agree to the covenants, agreements, and conditions as listed in the Agreement presented to the City of Lockport on December 10, 2015, incorporated herein by reference.

BE IT FURTHER

RESOLVED that the Mayor be and is hereby authorized to enter into said intermunicipal agreement and authorize the Mayor to execute said agreement on behalf of the City.

Seconded by Alderman _____ and adopted. Ayes _____.

121615.6 WITHDRAWN (Call for Public Hearing re: overnight sidewalk parking)

121615.7

By Alderman Kibler:

Resolved, that the Assistant Director of Engineering is hereby authorized and directed to prepare a Request for Qualifications for Engineering Services, and be it further

Resolved, that upon receipt of said specifications, the City Clerk is authorized and directed to advertise for bid proposals for same.

Seconded by Alderman _____ and adopted. Ayes _____.

121615.8 WITHDRAWN (Adopt Employment Policy Manual)

121615.9

By Alderman Kibler:

Resolved, that pursuant to Section 32 of the NYS Public Housing Law and subject to Corporation Counsel approval, salary increases for the City of Lockport Housing Authority employees are approved as follows:

For the Management Association employees:

- 2% increase for the fiscal year beginning April 2014
- 2% increase for the fiscal year beginning April 2015
- 2% increase for the fiscal year beginning April 2016
- 2% increase for the fiscal year beginning April 2017

Seconded by Alderman _____ and adopted. Ayes _____.

121615.10

By Alderman Genewick:

WHEREAS, several capital projects have been completed and require Council action to close, and

WHEREAS, the City Treasurer, Director of Finance, and City Engineer in conjunction with the department managers charged with project oversight, have reviewed all capital projects to be closed and have determined that account balances, where applicable, should be transferred to an existing project within the same asset class, or transferred to the original funding source, and

WHEREAS, projects #4136-Highway & Parks Radios & #4135 Water Dept Radios authorized by Bond Ordinance #032013, were approved for closure by Res# 090215.6, and the cash balances were transferred to Bond & Debt Reserve, and

WHEREAS, additional invoices for these projects (#4136 & #4135) in the amount of \$XXXXX have been identified which require these projects to be re-established to allow for payment, now, therefore be it

RESOLVED, that the following capital projects remaining account balances be transferred to the original funding source or existing capital project within the same asset class (useful life) as follows:

Transfer within same Asset Class (Bond Ordinance 062012.5F):

<u>Decrease Estimated Revenue</u>	
004.0004.5710.4160	Bond Proceeds
\$7,268.34	
<u>Decrease Appropriations</u>	
004.0004.0520.4160	Capital Expenditures, Mach & Equipment
\$7,268.34	
<u>Increase Estimated Revenue</u>	
004.0004.5710.4120	Bond Proceeds
\$7,268.34	

Increase Appropriations

004.0004.0520.4120

\$7,268.34

Capital Expenditures, Mixing Trucks

Re-establish Projects

004.0004.0520.4136

Highway & Parks Radios

\$XXXXX

004.0004.0520.4135

Water Dept Radios

\$XXXXXX

Project Closings:

<u>PROJECT</u>	<u>SPONSOR</u>		<u>PROJECT DESCRIPTION</u>	<u>FUNDING SOURCE</u>	<u>CASH</u>
	<u>FUND</u>				<u>BALANCE</u>
4125	General		PARKS & REC FACILITIES	Debt	\$47,235.36
4144	General		HWY & PKS GARAGE WATER FILTRATION	Debt	\$2,394.48
4147	General		TELEPHONE SYSTEM UPGRADE	Debt	\$150,056.10
4152	General		RECONSTRUCTION/UNION STREET ISLANDS	Debt	\$7,000.00
4153	Water		WATER GARAGE BUILDING IMPROVEMENTS	Debt	\$3,620.00
4154	General		MUNI BLDG RESTROOM IMPROVEMENTS	Debt	\$15,000.00
Total Cash					<u>\$225,305.94</u>

And be it further

RESOLVED, that cash balance total of \$225,305.94 be returned to the original funding source and all related budgets be closed:

Bond & Debt Service Reserve, General	\$ 221,685.94
Bond & Debt Service Reserve, Water	<u>\$ 3,620.00</u>
TOTAL	\$ 225,305.94

Yellow Highlighted lines = Determination to be made if to include and dollar amounts identified

Seconded by Alderman _____ and adopted. Ayes _____.

121615.11

By Alderman Genewick:

Resolved, that pursuant to the recommendation of the Board of Estimate & Apportionment the Manufacturers & Traders Trust Company, J. P. Morgan Chase & Co. Bank, Key Bank, First Niagara Commercial Bank and Citizens Bank be designated as depositories of City funds for fiscal year 2016, provided said banks comply with the terms and conditions as set forth in the City of Lockport's Investment Policy.

Seconded by Alderman _____ and adopted. Ayes _____.

121615.12

By Alderman Lombardi:

Whereas, a reliable transportation infrastructure is vital for the safety of New York's traveling public and its economy; and

Whereas, 85 percent of New York's roads and bridges are maintained by local governments; and

Whereas, despite well-timed and targeted preventative maintenance treatments, the age and condition of many of our locally-owned transportation assets means that they are beyond preservation and in need of much more costly rehabilitation and reconstruction; and

Whereas, estimates by the State Comptroller, DOT and independent studies show a large portion of road mileage is deteriorating and many bridges in the state are rated structurally deficient and functionally obsolete; and

Whereas, the State Comptroller estimates that there will be \$89 billion in unmet local infrastructure needs over the next 20 years; and

Whereas, the New York State Association of Town Superintendents of Highways commissioned its own fifteen year analysis that indicates an annual funding gap of \$1.3 billion for the local system (excluding NYC) alone; and

Whereas, funding for our local system has been far short of what is needed and we've fallen further and further behind in maintaining the vast and aging transportation infrastructure over this long period with severe consequences for conditions ratings; and

Whereas, the New York State Consolidated Local Street and Highway Program (CHIPS) provides essential funding for every municipality in the state and is part of the New York State Department of Transportation (NYSDOT) capital program; and

Whereas, in the early 1990's the Governor and Legislature created the Dedicated Highway and Bridge Trust Fund (DHBTF) to pay for the NYSDOT capital program and the Dedicated Mass Transit Trust Fund (DMTTF) to assist with the Metropolitan Transportation Authority (MTA) and other transit systems' capital programs; and

Whereas, when the DHBTF was created, it was agreed that the NYSDOT and MTA five-year capital programs would be similar in size and would be negotiated concurrently; and

Whereas, through 2005-09, both five-year capital programs were similar in size and adopted within months of each other; and

Whereas, in 2010 the Executive and Legislature broke traditional parity and enacted a five-year capital program for the MTA but not the DOT; now therefore be it

Resolved, that the City of Lockport calls upon the Governor and the state Legislature to make additional state funding and resources available at levels that accurately reflect the critical needs of local roads and bridges; and increase CHIPS funding in the 2016-17 state budget, and be it further

Resolved, that the City of Lockport calls upon the Governor, and members of the state Legislature to fully fund and submit a new NYSDOT five-year transportation capital plan; and be it further

Resolved, that the City of Lockport calls upon the Governor and members of the state Legislature to recognize the equality of roads, bridges and transit by restoring funding equality between the MTA and NYSDOT five-year programs and by voting on the plans simultaneously.

Seconded by Alderman _____ and adopted. Ayes _____.

121615.12A

By Alderman Schrader:

Resolved, that the bid proposal of Lock City Supply Inc., Lockport, NY, received on December 15, 2015 for water meters, being the only bid received, be accepted in the amount as reported in a communication from the City Clerk – report of bid proposals. Cost of same to be charged to account #002-8340-0270 Water Meters.

Seconded by Alderman _____ and adopted. Ayes _____.

121615.12B

By Alderman Schrader:

Whereas, Hach Company is recognized by the New York State Office of Procurement Services as a provider of Advanced Scientific Equipment and Instruments (Statewide) under State Contract Number 22962, Group 38700, Classification Codes 41 and 42, and

Whereas, Hach Company submitted a proposal on September 29, 2015 to provide all the materials, equipment, software and hardware to replace Turbidity Meters at the Lockport Water Treatment Plant, and

Whereas, the Engineering Department reviewed the submitted proposal, qualifications and experience of Hach Company and have found that the company has executed similar projects acceptably, therefore be it

Resolved, that the proposal of Hach Company, 5600 Lindbergh Drive, Loveland, Colorado 80539 for the purchase and installation of Turbidity Meters at the Lockport Water Treatment Plant be accepted in the amount of \$29,946.51. Cost of same to be charged to account #002.8330.0250, Other Equipment.

Seconded by Alderman _____ and adopted. Ayes _____.

121615.12C

By Alderman _____:

Whereas, the City of Lockport applied for a grant to assist in the purchase of a Pothole Patching Truck estimated to cost approximately \$220,000; and

Whereas the City has been awarded a State and Municipal Facilities Program grant in the amount of \$100,000 toward the purchase of the truck; and

Whereas, the City would be required to bond for the remainder of the cost in order to accept this grant and to purchase the truck; and

Whereas, it is anticipated that the purchase of this truck would result in a better, more cost effective, less labor intensive alternative to fixing potholes throughout the City; and

Whereas, the City Council wishes to accept this grant; Now therefore be it

Resolved, that the City hereby accepts this grant and hereby authorizes the Mayor to execute any and all agreements related to this award; and be it further

Resolved, that the City Council hereby approves of bonding for the remainder of the purchase price of the truck and authorizes the City Attorney to prepare a Bond Ordinance to that effect.

Seconded by Alderman _____ and adopted. Ayes _____.

121615.12D

By Alderman _____:

Resolved, that the Mayor, subject to Corporation Counsel approval be and the same is hereby authorized and directed to renew the contract with Lockport City School District for continuation of a School Resource Officer.

Seconded by Alderman _____ and adopted. Ayes _____.

121615.12E

By Alderman Schrader:

Resolved, that pursuant to Corporation Counsel approval, the Chief Operator – Water Filtration Plant is authorized to enter into a cooperative purchasing group with the Niagara Falls Water Board for the purchase of chemicals.

Seconded by Alderman _____ and adopted. Ayes _____.

121615.12F

By Alderman _____:

WHEREAS, On June 18, 2015 the Common Council of the City of Lockport adopted Resolution 061715.10, and

WHEREAS, the Common Council approved a Special Use Permit for a zip line adventure attraction over the Erie Canal as recommend by the Lockport City Planning Board, and

WHEREAS, the Canal Corporation requested the City of Lockport act as lead agency for the State Environmental Review.

NOW THEREFORE BE IT

RESOLVED, the City of Lockport hereby declares itself Lead SEQR Agency for the Zip Line Adventure project.

Seconded by Alderman _____ and adopted. Ayes _____.

121615.13

ADJOURNMENT

At _____ P.M. Alderman Kibler moved the Common Council be adjourned until 6:00 P.M., Wednesday, January 6, 2016.

Seconded by Alderman _____ and adopted. Ayes _____.

RICHELLE J. PASCERI
City Clerk