

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

Lockport Municipal Building

Regular Meeting  
Official Record

September 5, 2018  
5:30 P.M.

Mayor David R. Wohleben called the meeting to order.

**ROLL CALL**

The following Common Council members answered the roll call:

Aldermen Abbott, Devine, Eggert, Farrell and Oates.

**INVOCATION**

**MAYOR'S UPDATE**

**RECESS**

Recess for public input.

**090518.1**

**APPROVAL OF MINUTES**

On motion of Alderman Abbott, seconded by Alderman Oates, the minutes of the Regular Meeting of August 15, 2018 are hereby approved as printed in the Journal of Proceedings. Ayes 5. Carried.

**FROM THE MAYOR**

**Resignation:**

9/5/18 Terry K. Harmon – resigned as a member of the Lockport Planning Board and Lockport Tree Committee effective September 5, 2018.  
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)

8/10/18 Mary Jo Floyd, Events Coordinator, Lockport New Beginnings, Lockport, NY – request permission to hold their 21<sup>st</sup> Annual Walk-A-Thon on September 15, 2018 at Widewaters Marina.  
Referred to the Committee of the Whole

8/24/18 Jessica Dittly, Program Director, Lockport Main St. Inc., Lockport, NY – request permission to host Locktoberfest in conjunction with Lockport Community Farmers Market on September 29, 2018.  
Referred to the Committee of the Whole

**Notice of Defect:**

8/22/18 231 & 243 Chapel Street, Lockport, NY – sidewalk & tree stump  
Referred to the Director of Streets and Parks.

**MOTIONS & RESOLUTIONS**

**090518.2**

By Alderman Abbott:

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 September 7, 2018 as follows:

General Fund	Fund A	\$ 167,522.95
Water Fund	Fund FX	\$ 19,826.16
Sewer Fund	Fund G	\$ 13,035.06
Capital Projects	Fund	\$ 238,546.86
Refuse Fund	Fund CL	\$ 226.95
Health Insurance	Fund MS	\$ 149,597.81
Payroll	Pay Date 8/16/18	\$ 479,576.83
Payroll	Pay Date 8/30/18	\$ 447,936.70

Seconded by Alderman Oates and adopted. Ayes 5.

**090518.3**

By Alderman Abbott:

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>
Mark Sanders	15	Community Policing Aide
Nicholas D. Rubert	10	Street Crew Leader

Seconded by Alderman Eggert and adopted. Ayes 5.

**090518.4**

By Alderman Devine:

Resolved, that pursuant to their request, permission is hereby granted the residents of Grosvenor to barricade Grosvenor Street from Church Street to N. Transit Street on September 15, 2018, for a block party, and be it further

Resolved, that the Director of Streets and Parks be and the same is hereby authorized and directed to arrange for delivery of barricades to said area prior to said event.

Seconded by Alderman Oates and adopted. Ayes 5.

**090518.5**

By Alderman Devine:

Whereas, on August 6, 2018, the Planning Board voted not to recommend a Special Use Permit to Mark J. Phillips to house homing pigeons in a detached garage at 353 Prospect Street located in an R-2 zone, and

Whereas, the Common Council is in favor of granting a Special Use Permit to Mark J. Phillips, 353 Prospect Street to house homing pigeons in the detached garage situated in an R-2 Zone with special conditions. Now, therefore be it

Resolved, that the request for a special use permit made by Mark J. Phillips, 353 Prospect Street to house homing pigeons in the detached garage situated in an R-2 Zone be and the same is hereby approved subject to the following provisions:

All birds must be vaccinated every two years

Applicant shall maintain records of such vaccinations

All birds shall be kept in the detached garage

The detached garage shall be kept clean and free of bird waste so as to not attract rodents or pests.

All food and supplies for the care of the birds shall be kept in the detached garage and out of site of the neighbors

The neighbor's homes, cars and yards shall be kept free of all bird waste

No change in the character of the neighborhood

No excessive noise or disturbance of the neighborhood

No outside storage of food, pigeons or supplies.

The Special Use Permit shall go to the applicant only and shall terminate on the sale or transfer of the property, and further termination if the permitted use is abandoned for more than one year, if any of the conditions enumerated herein have changed, or in the discretion of the Common Council should such use becomes unsuitable for the property.

Seconded by Alderman Oates and adopted. Ayes 3. Aldermen Eggert, Farrell voted no.

**090518.6**

By Alderman Abbott:

Resolved, that the Director of Community Development is hereby authorized and directed to prepare bid specifications for the Affordable Housing Corp. Grant Program management and delivery services to implement the City of Lockport home improvement program, 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 Farrell and adopted. Ayes 5.

**090518.7**

By Alderman Oates:

Resolved, that pursuant to their request, permission is hereby granted to Lockport New Beginnings to conduct the 21<sup>st</sup> annual "Walking for a Drug Free Community" on Saturday, September 15, 2018 beginning at 10:00 a.m. at Widewaters Marina, subject to approval of the

walk 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 Director of Streets and Parks is hereby authorized and directed to arrange for delivery of barricades to the area prior to the event.

Seconded by Alderman Eggert and adopted. Ayes 5.

### **090518.8**

By Alderman Devine:

Whereas, the City of Lockport (City) has performed video inspections of storm and sanitary sewers at various locations throughout the City to characterize structural deficiencies, root intrusions, and defective laterals within the mains and manholes; and

Whereas, the City has created a priority list to repair the most critical items to prevent infiltration and inflow, focusing on the sewers for a portion of Grant St., Pine St., and Elmira St.; and

Whereas, the City bonded \$320,000 to fund the Engineering and the Construction of the project to repair; and

Whereas, the City entered into agreement with Nussbaumer & Clarke, Inc. (Nussbaumer) to develop plans and bid documents of the project; and

Whereas, the City publicly advertised a Notice to Bidders and subsequently accepted bids from contractors on August 10, 2018 at 2:00 p.m. which were publicly opened and read as follows: National Water Main Cleaning Co. \$188,012.06; Kenyon Pipeline Inspection, LLC \$232,650.00; and United Survey, Inc. \$275,258.00.; and

Whereas, Nussbaumer has reviewed the contractor's bids and recommends that the City awards the contract to the low bidder for the Base Bid plus Alternates #1 through #6 to National Water Main Cleaning Co., for a total amount of \$188,012.06; now, therefore, be it

Resolved, that the Mayor, subject to Corporation Counsel Approval, is hereby authorized to execute an Agreement with National Water Main Cleaning Co. 25 Marshall Street, Canton, MA 02021 in the amount of \$188,012.06 for the scope of work included in its proposal to the City and to be charged to Capital Projects.

Seconded by Alderman Farrell and adopted. Ayes 5.

### **090518.9**

By Alderman Abbott:

Whereas, the City of Lockport completed a Wayfinding and Signage study in 2009, and

Whereas, the study recommended a comprehensive Wayfinding and Signage plan, including a \$224,000 first phase, and

Whereas, the Locks Heritage District Corporation applied for and was awarded a \$174,000 grant through NYS Parks, Recreation, and Historic Preservation to implement the first phase of the Wayfinding and Signage plan, and

Whereas, a \$50,000 match is required to complete the project, and

Whereas, the Locks Heritage District Corporation applied for and received a \$20,000 grant through the Grigg Lewis Foundation, and

Whereas, the City of Lockport desires the first phase of the Wayfinding and Signage plan to be implemented, now, therefore be it

Resolved, that the Locks Heritage District be and is hereby authorized to install Wayfinding signs in accordance with the State Grant and corresponding plan in the City right-of-way; and be it further

Resolved, that the City of Lockport Treasurer is authorized and directed to pay the remaining \$30,000 match requirement for the grant, and be it further

Resolved, that the Mayor, subject to Corporation Counsel approval, be and is hereby authorized and directed to sign any and all documentation to carry out the Wayfinding Grant Project.

Seconded by Alderman Oates and adopted. Ayes 5.

#### **090518.10**

By Alderman Farrell:

Resolved, that pursuant to their request, permission is hereby granted to Lockport Main St. Inc. to host Loctoberfest on Saturday September 29 and to barricade the parking lot on Canal Street for this event beginning on September 27, 2018, and be it further

Resolved, that permission is hereby granted to allow the sale of food and alcoholic beverages during said event, with permission to erect a tent in case of inclement weather and be it further

Resolved, that permission to place wayfinding signage throughout the city from Sept. 28 – October 1 and event promotional yard signs throughout the city effective immediately making sure not to place any signage in center medians of Main St., and be it further

Resolved, that the Director of Streets and Parks be and the same is hereby authorized and directed to arrange for delivery of barricades, 8 picnic tables, and 6 trash totes to said area prior to said event.

Seconded by Alderman Eggert and adopted. Ayes 5.

#### **090518.11**

By Alderman Oates

WHEREAS, the Director of Engineering inform the Mayor that corrugated guiderails at the intersection of Glenwood Avenue and N Transit Street and at the intersection of Market Street and Vine Street are damaged and in need of replacement; and

WHEREAS, Pavilion Drainage Supply Co., Inc. is included in the NY State Bid and listed as qualified contractor in the Niagara County Department of Public Works Bid No. 2018-18 for Guide Railings, Posts, and Concrete Barriers; and

WHEREAS, Pavilion Drainage Supply Co., Inc. submitted a proposal to the Engineering Department for \$17,363.50 to replace the guide rails at Glenwood Avenue and Market Street; and

WHEREAS, the 2018 budget must be amended; now, therefore, be it

RESOLVED, that the Mayor, subject to Corporation Counsel approval, is hereby authorized to execute an agreement with Pavilion Drainage Supply Co., Inc., 6630 Ellicott Street Rd., Pavilion, NY 14525 in the amount of \$17,363.50 for the replacement of guide rails at Glenwood Ave. and Market St.; and, be it further

RESOLVED that the 2018 budget is amended as follows”

Expense:

Decrease: A.9901.59000.H	Interfund Transfer to Capital	\$17,500
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Increase: A.5110.54083                      Misc. Support Services                      \$17,500

Seconded by Alderman Devine and adopted. Ayes 5.

**090518.12**

By Alderman Oates:

Resolved, that pursuant to their request, the Niagara County Sheriff's Office Domestic Violence and Victim Assistance Units are hereby granted permission to use the rest room facilities and pavilion at Nelson C. Goehle Wide Waters Marina on Sunday, October 21, 2018, to host a 5k run in honor of Domestic Violence Awareness Month. Said permission is subject to Niagara County Deputy Sheriff's Office PBA filing a certificate of insurance with the City Clerk naming the City of Lockport as additional insured, and be it further

Resolved, that the Director of Streets and Parks is hereby authorized and directed to arrange for the preparation of the restroom facilities for said event and to arrange for delivery of barricades to close off the parking lot.

Seconded by Alderman Abbott and adopted. Ayes 5.

**090518.13**

**ADJOURNMENT**

At 5:51 P.M. Alderman Abbott moved the Common Council be adjourned until 5:30 P.M., Wednesday, September 19, 2018.

Seconded by Alderman Devine and adopted. Ayes 5.

RICHELLE J. PASCERI  
City Clerk