

CITY OF LOCKPORT
CORPORATION PROCEEDINGS

Lockport Municipal Building

Regular Meeting
Official Record

August 17, 2016
5:30 P.M.

Mayor Anne E. McCaffrey called the meeting to order.

ROLL CALL

The following Common Council members answered the roll call:

Aldermen Abbott, Devine, Oates, O'Shaughnessy, Mullane, and Wohleben.

INVOCATION

MAYOR'S UPDATE

TREASURER'S REPORT

RECESS

Recess for public input.

081716.1

APPROVAL OF MINUTES

On motion of Alderman Wohleben, seconded by Alderman Devine, the minutes of the Regular Meeting of August 3, 2016 and the Special Meeting of August 10, 2016 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:

7/29/16 302 N. Transit Street – trees

8/8/16 397 Walnut Street – tree

Referred to the Director of Streets and Parks.

Notice of Petition: (To review real property tax assessment pursuant to Article 7 of the Real Property Tax Law)

8/9/16 Dana Karlson Barish -vs- The Assessor, The Board of Assessment Review of the City of Lockport and The City of Lockport
Referred to the City Assessor

Petition: (Small Claims Assessment Review)

8/4/16 Aaron Schifferle, 1 Woodlawn Avenue, Lockport, NY

8/8/16 Jeffrey Harmon & Sandra Harmon, 550 Pine Street, Lockport, NY

Referred to the City Assessor

8/3/16 Jill Herrington, Vice President, Niagara County Deputy Sheriff's Police Benevolent Association – request permission to conduct the 4th annual 5K road race and walk on October 16, 2016.

Referred to the Committee of the Whole

8/17/16 Richelle J. Pasceri, City Clerk – Notification that the Lockport Municipal Offices will be closed on Monday, September 5, 2016 in observance of Labor Day. For the entire week of September 5th, garbage will be collected on the day following regularly scheduled collection day.

Referred to the Media

MOTIONS & RESOLUTIONS

081716.2

By Alderman Wohleben:

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 19, 2016 as follows:

General Fund	Account #001	\$ 159,694.14
Water Fund	Account #002	\$ 22,602.81
Sewer Fund	Account #003	\$ 14,243.37
Capital Projects	Account #004	\$ 249,319.55
Refuse Fund	Account #012	\$ 90,134.57
Self Insurance	Account #015	\$ 1,538.90
Payroll	Pay Date 8/4/16	\$ 491,055.71

Seconded by Alderman Oates and adopted. Ayes 6.

081716.3

By Alderman Devine:

Resolved, that pursuant to their request, permission is hereby granted the residents of Grosvenor Street to barricade Grosvenor Street from Church Street to North Transit Street on September 10, 2016 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 Mullane and adopted. Ayes 6.

081716.4

By Alderman Wohleben:

Resolved, that a public hearing be held at the Common Council Meeting of September 7, 2016 starting at 6:30 P.M. in the Common Council Chambers, Lockport Municipal Building, One Locks Plaza, Lockport, NY relative to a request to rezone the parcel located at 15 LaGrange Street, and be it further

Resolved, that the City Clerk is hereby authorized and directed to advertise notice of said public hearing.

Seconded by Alderman Abbott and adopted. Ayes 6.

081716.5

By Alderman Wohleben:

WHEREAS, the City of Lockport is planning to make repairs to the Veterans Memorial located on East Avenue to ensure its continued structural integrity; and

WHEREAS, in accordance with the New York State Environmental Quality Review regulations (SEQR), the City of Lockport intends to serve as Lead Agency for the proposed action; and

WHEREAS, the City of Lockport has determined that the proposed action is a Type II action pursuant to NYCRR 617.5 (c)(1) as defined under SEQR; and

WHEREAS, although not required for Type II actions, the City of Lockport, has caused to be prepared a Short Environmental Assessment Form to consider the significance of and potential environmental impact of the action described above, and

WHEREAS, the City of Lockport has considered Parts 1, 2 and 3 of the Short Environmental Assessment Form prepared for this action. NOW THEREFORE BE IT

RESOLVED, that the City of Lockport declares that it will serve as Lead Agency for the repair of the Veterans Monument located on East Avenue; and, The City of Lockport declares that, based on the Short Environmental Assessment Form which has been prepared, the project will result in no significant adverse environmental impacts and, therefore, a Negative Declaration under SEQR is issued for this project.

Seconded by Alderman Abbott and adopted. Ayes 6.

081716.6

By Alderman Abbott:

Resolved, that the Mayor and Common Council do hereby extend condolences to the family of Paul Sharkey a retired City of Lockport Waste Water Treatment Plant Maintenance Supervisor who recently passed away.

Seconded by Alderman Devine and adopted. Ayes 6.

081716.7

By Alderman Wohleben:

Whereas, the Fire Department Chief and the Director of Engineering have informed the Mayor that the floor at the entrance to the Fire Department Building and the floor drains in the fire truck garage are in need of repair, and

Whereas, the Engineering Department has requested proposals from qualified firms and has received three quotes to perform said repairs, as follows: Pinto Construction Services, Inc. \$22,191.00, Surface Solutions \$16,420.00, and RB Mac Construction, which declined its right to submit a quote, now therefore be it

Resolved, that the Mayor, subject to Corporation Counsel approval, is hereby authorized and directed enter into contract with Surface Solutions, 7292 Akron Road Lockport, NY for an amount of \$16,420.00 plus 20% of contingency, and be it further

Resolved, that the 2016 budget be amended as follows:

Decrease Revenue:

001-0001-2665	Sale of Equipment	\$19,700
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Increase Expense:

001-3410-4706	Building Repair/Structural	\$19,700
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Seconded by Alderman Abbott and adopted. Ayes 6.

081716.8

By Alderman Oates:

Resolved, that pursuant to their request, the Niagara County Deputy Sheriffs PBA is hereby granted permission to conduct their 4th annual 5-K Road Race and Fun Run on Sunday, October 16, 2016, and to barricade Market Street from Mill Street to Cold Springs Road beginning at 10:00 a.m. and to erect a tent at Nelson C. Goehle Park for said event, subject to approval of the race route by the Police Chief and the Niagara County Deputy Sheriffs 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 make arrangements to deliver barricades, traffic cones, and street closed signs and arrange to have the restroom open and electricity available at the park on said date.

Seconded by Alderman Abbott and adopted. Ayes 6.

081716.9

By Alderman Oates:

Resolved, that the Director of Streets and Parks is hereby authorized and directed to sell via online auction, to the highest bidders, a 1999 Ford Reg. Cab pickup Truck with 6' box and a 2003 Chevy Reg. Cab 1 Ton Dump, and be it further

Resolved, that the City Clerk is authorized and directed to advertise for same.

Seconded by Alderman Mullane and adopted. Ayes 6.

081716.10

By Alderman Abbott:

Resolved, that pursuant to their request, permission is hereby granted the residents of Franklin Avenue to barricade Franklin Avenue from Walnut Street to South Street on August 27, 2016 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 Devine and adopted. Ayes 6.

081716.11

By Alderman Wohleben:

Resolved, that pursuant to the request of the Chief Building Inspector, the 2016 budget be amended to create a part time seasonal clerical employee.

Seconded by Alderman Oates and adopted. Ayes 6.

081716.11A

By Alderman Devine:

Resolved, that the Mayor and Common Council do hereby extend condolences to the family of Raymond Peracciny, Jr., a retired City of Lockport Water Treatment Plant Operator who recently passed away.

Seconded by Alderman Mullane and adopted. Ayes 6.

081716.11B

By Alderman Mullane:

Resolved, that pursuant to their request, permission is hereby granted to Lockport Emergency Services Chaplaincy Corps to barricade the Municipal Building parking lot to conduct a unified "LOCKPORT UNITED 9/11 Memorial Ceremony" on September 11, 2016, 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 the area prior to said event.

Seconded by Alderman Oates and adopted. Ayes 6.

081716.11C

By Alderman Wohleben:

Resolved, that pursuant to the request of the Fire Chief, the firefighters that were involved in extinguishing the recent Steven's Street fire be subject to a physical examination at an estimated cost of \$12,000 to be charged to account 015-9060-8800.

Seconded by Alderman Mullane and adopted. Ayes 6.

081716.11D

By Alderman Wohleben:

Whereas, during the recent construction on Canal Street, there was damage to the city's landscaping, and

Whereas, the city billed and received a check in the amount of \$175.00 to repair and replaced said landscaping, now therefore be it

Resolved, that the 2016 budget amended as follows:

Increase revenue:

001-0001-2770 Misc. Revenue \$175.00

Increase expense:

001-8510-4380 Parks & Flowers \$175.00

Seconded by Alderman Oates and adopted. Ayes 6.

081716.11E

By Alderman Devine:

Resolved, that pursuant to their request, permission is hereby granted to Windsor Village to barricade Windsor Street from Prospect Street to Webb Street on Thursday, August 18, 2016, for a First Responder Appreciation Picnic, 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 and refuse receptacles to the area prior to said event.

Seconded by Alderman O'Shaughnessy and adopted. Ayes 6.

081716.11F

By Alderman Devine:

WHEREAS, the City of Lockport owns and operates a combined sewer system in which sanitary waste water and storm water are collected and directed to the City Wastewater Treatment Plant (WWTP) for treatment; and

WHEREAS, the City of Lockport sewer system includes combined sewer overflow (CSO) outfalls which periodically discharge to surface waterbodies during significant wet weather events in order to protect the sewer system from surcharging; and

WHEREAS, the New York State Department of Environmental Conservation (DEC) has recently promulgated new regulations for the Sewage Pollution Right to Know (SPRTK) Law which require certain public notifications upon discovery of CSO discharges; and

WHEREAS, the DEC has announced a competitive grant opportunity to assist communities comply with the SPRTK Law by providing funding for various CSO activation detecting and reporting technologies; and

WHEREAS, the DEC is requiring CSO permittees use the NY-Alert notification system to provide notifications to the public; and

WHEREAS, the City of Lockport has caused an application to be prepared for the DEC SPRTK Competitive Grant Program which if awarded, will fund a maximum of 90% of the implementation of CSO activation detection equipment costs up to \$50,000, now therefore be it

RESOLVED, that the City of Lockport authorizes and appropriates the minimum 10% local match as required by the DEC SPRTK. The maximum local share appropriated subject to any changes agreed to by the Mayor shall not exceed \$5,000 based upon a total estimated maximum project cost of \$55,000, and be it further

RESOLVED that the Mayor, subject to Corporation Counsel approval be and the same is hereby authorized and directed to execute a SPRTK Grant Agreement with the NYS DEC and any and all other contracts, documents and instruments necessary to bring about the Project and to fulfill the City of Lockport's obligations under the Grant Agreement, and be it

RESOLVED, that the Mayor, subject to Corporation Counsel approval be and the same is hereby authorized and directed to execute an application to use NY-Alert for the Sewage Right to Know Act.

Seconded by Alderman Abbott and adopted. Ayes 6.

081716.11G

By Alderman Wohleben:

Whereas, the City has experienced a water main break as a result of the large volume of water pumped through the water lines along Summit Street due to the fire at High Tread International; and

Whereas, the City needed to exact immediate repairs to this water line to insure continued water service to that the neighborhood; and

Whereas, the City Engineer contacted Tri-C, Incorporated, Buffalo, New York to repair the water line; and

Whereas, the 2016 Water Budget needs to be amended to fund the repairs; Now Therefore, Be it

Resolved, that the City Council hereby authorizes the Mayor and City Engineer to engage Tri-C, Incorporated, Buffalo, New York for the repairs of the water line along Summit Street in the estimated amount not to exceed \$25,000 pursuant to Section 103, paragraph 4 of NYS General Municipal Law which allows for the forgoing of the City's regular procurement process due to a public emergency caused by an unforeseen occurrence that jeopardizes the publics' health and safety; and Be It Further

Resolved that the 2016 Water Fund Budget is hereby amended as follows:

Decrease

Expense:

002.1900.1990

Contingency

\$25,000

Increase

Expense:

002.8340.4504

Water Repairs

\$25,000

Seconded by Alderman Devine and adopted. Ayes 6.

081716.12

ADJOURNMENT

At 6:20 P.M. Alderman Wohleben moved the Common Council be adjourned until 6:30 P.M., Wednesday, September 7, 2016.

Seconded by Alderman Abbott and adopted. Ayes 6.

RICHELLE J. PASCERI
City Clerk