

CITY OF LOCKPORT
CORPORATION PROCEEDINGS

Lockport Municipal Building

Regular Meeting
Official Record

March 7, 2018
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, Eggert, Farrell, Oates, and Wohleben.

MAYOR'S UPDATE

RECESS

Recess for public input.

030718.1

APPROVAL OF MINUTES

On motion of Alderman Wohleben, seconded by Alderman Abbott, the minutes of the Regular Meeting of February 21, 2018 are hereby approved as printed in the Journal of Proceedings. Ayes 6. Carried.

FROM THE MAYOR

Appointments:

1/3/18 Jeffrey Schratz, 390 Locust Street, re-appointed as member of the Fire Board. Said term expires December 31, 2021.

Resignations:

2/9/18 Tom Prisaznuk – resigned as member of the Planning Board effective February 9, 2018.

2/20/18 David Sholk – resigned as member of the Audit Committee effective February 20, 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)

2/28/18 Mayor Anne E. McCaffrey – recommendation that Shelley Richards, 385 Pine Street, Lockport NY be appointed as a member of the Board of Ethics, with a term expiring on July 2, 2018 to fill the unexpired term of Jennifer Stoll.

2/28/18 Mayor Anne E. McCaffrey – recommendation that Margaret Truax be re-appointed as a member of the Board of Ethics, with a term expiring on October 15, 2020.

10/1/17 Mayor Anne E. McCaffrey – recommendation that Christopher Dool, 809 Willow Street, Lockport, NY be re-appointed as a member to the Assessment Review Board, with a term expiring September 30, 2022.

3/7/18 Mayor Anne E. McCaffrey – Public Employment Relation Board Fact Finding Report with Recommendations in Impasse Bargaining with CSEA Local 832, M2016-124 dated February 19, 2018.

3/7/18 Richelle J. Pasceri, City Clerk – notification of bids received on March 2, 2018 for the Gas & Electric Building Stabilization are as follows:

Highland Masonry & Restoration. West Seneca, NY	Total Base	\$101,146.00
	Alternate 1	\$61,590.00
	Alternate 2	\$108,730.00
Morris Masonry Restoration Buffalo, NY	Total Base	\$183,940.00
	Alternate 1	\$88,485.00
	Alternate 2	\$137,385.00
Horizon Masonry Restorations Depew, NY	Total Base	\$90,300.00
	Alternate 1	\$120,000.00
	Alternate 2	\$99,000.00
FSR Contracting, Inc. Orchard Park, NY	Total Base	\$197,000.00
	Bid Item 1	\$78,000.00
	Bid Item 2	\$28,000.00

Notice of Claim:

2/26/18 Allstate Insurance – Subrogee of Lindsey Kapoor.
3/2/18 James Lamantia, 3262 Southway Dr., Sanborn, NY
Referred to the Corporation Counsel.

MOTIONS & RESOLUTIONS

030718.2

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 March 9, 2018 as follows:

General Fund	Account #001	\$ 192,314.22
Water Fund	Account #002	\$ 15,834.72
Sewer Fund	Account #003	\$ 39,210.85
Capital Projects	Account #004	\$ 73,291.29
Self Insurance	Account #015	\$ 150,161.05
Payroll	3/1/2018	\$ 465,045.58

Seconded by Alderman Oates and adopted. Ayes 6.

030718.3

By Alderman Eggert:

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>
Craig A. Butler	25	Firefighter
Thomas E. Lupo	25	Asst. Fire Chief
Mark A. White	20	Firefighter
Kendra L. Ditullio	15	Police Lieutenant
Kevin R. High	15	Firefighter
Henry P. Nevins	15	Police Officer
Joel P. Diel	15	WWTP Lab Tech
Christopher Peacock	15	Chief Compost Plant Operator
Kristopher W. Pratt	10	Heavy Equip. Operator
Marshall K. Belling	10	Police Lieutenant
Heather M. Rohde	10	Police Detective
Paul C. Meerboth Jr.	10	Police Officer

Seconded by Alderman Abbott and adopted. Ayes 6.

030718.4

By Alderman Devine:

Resolved, that pursuant to their request, Lock City Glee Club is hereby granted permission to use Ida Fritz Park, including the Gazebo, on Saturday, June 9, 2018 from 8:30 a.m. to 5:30 p.m. For a volunteer fair titled "Never Too Late to Start an Art". Said permission is subject to Lockport City Glee Club, Inc. filing a certificate of insurance with the City Clerk naming the City of Lockport as additional insured.

Seconded by Alderman Oates and adopted. Ayes 6.

030718.5

By Alderman Devine:

Resolved, that pursuant to their request, Empire State Ride/Roswell Park Alliance Foundation is hereby granted permission to use the pavilion at Ida Fritz Park on Saturday, August 4, 2018 for a water stop for their 7-day Empire State Ride. Said permission is subject to Empire State Ride/Roswell Park Alliance Foundation filing a certificate of insurance with the City Clerk naming the City of Lockport as additional insured.

Seconded by Alderman Farrell and adopted. Ayes 6.

030718.6

By Alderman Oates:

Resolved, that the Mayor, subject to Corporation Counsel approval, be and the same is hereby authorized and directed to execute a contract with Lockport Little Loop Football for use of Exchange Field for their 2018 season.

Seconded by Alderman Eggert and adopted. Ayes 6.

030718.7

By Alderman Farrell:

Resolved, that pursuant to their request, Soccer Shots Buffalo is hereby granted permission to conduct a Spring, Summer and Fall Soccer Program on Thursday's and Saturday's at Altro Park beginning April 12, 2018 through November 15, 2018, subject to Soccer Shots Buffalo filing a certificate of insurance with the City Clerk naming the City of Lockport as additional insured.

Seconded by Alderman Devine and adopted. Ayes 6.

030718.8

By Alderman Wohleben:

Resolved, that pursuant to their request, VFW Post No. 2535 is hereby granted permission to conduct a Memorial Day Parade in the City of Lockport on Sunday, May 27, 2018 subject to approval of the parade route by the Police Chief. Said parade will form at noon at Veteran's Park on East Avenue where a brief Memorial Service will be conducted. At approximately 1:00 p.m. the parade units will proceed west on East Avenue/Main Street using the right side of Main Street and terminate at the County Courthouse, and be it further

Resolved, that the Director of Streets and Parks is hereby authorized and directed to arrange for delivery of barricades and no parking signs to keep the right side of Main Street clear where dividers occur, and be it further

Resolved, that the City Clerk is hereby authorized and directed to issue a parade permit for said event, and be it further

Resolved, that the City Clerk is hereby authorized to purchase 12 monument wreaths to be used for Memorial Day ceremonies. Cost of same to be charged to account #001-8510-4379.

Seconded by Alderman Abbott and adopted. Ayes 6.

030718.9

By Alderman Oates:

Whereas, the City of Lockport seeks to provide expanded recreational opportunities to Lockport residents and tourists at the Erie Canal and demand for kayak access to the Canal in Lockport has been expressed; and

Whereas, the City has evaluated the potential to install a kayak launch at the Lockport Widewaters Marina and determined that it is feasible to do so; and

Whereas, engineering design plans and specifications will be required to properly permit, bid, and construct the project including permits from New York State Department of Environmental Conservation (NYSDEC), US Army Corps of Engineers (USACOE), Canal Corporation, and New York State Department of State (NYSDOS); and

Whereas, the City consultant engineering firm, Nussbaumer & Clarke, Inc., has examined the site and proposed kayak launch equipment options and submitted a proposal to prepare the required design documents for installation of a kayak launch at the Lockport Marina; now, therefore, be it

Resolved, that the City Council hereby approves a capital project in the amount of \$45,000 for the purchase and installation of a kayak launch at Widewaters Marina to be funded by the use of General Fund contingency, and be it further

Resolved, that the Mayor, subject to Corporation Counsel approval, is hereby authorized to execute an agreement with Nussbaumer & Clarke, Inc. for a Not-to-Exceed-Fee of \$13,110 for the Scope of Work included in their November 30, 2017 proposal to the City for Professional Engineering Services related to installation of a kayak launch at the Lockport Widewaters Marina; and be it further

Resolved, the 2018 Budget is hereby amended in relation thereto.

Seconded by Alderman Farrell and adopted. Ayes 6.

030718.10

By Alderman Farrell:

Resolved, that pursuant to the recommendation of Mayor McCaffrey, the following are hereby appointed to the Board of Ethics:

Shelley A. Richards, 385 Pine Street, Lockport, NY – term expires July 2, 2018

Margaret Truax, 29 Spruce Street, Lockport, NY – term expires October 15, 2020

Seconded by Alderman Wohleben and adopted. Ayes 6.

030718.11

By Alderman Devine:

Bond Issuance - **WITHDRAWN**

030718.12

By Alderman Eggert:

Whereas, the New York State Canal Corporation has entered in contract with Mohawk Valley Materials, Inc. to perform maintenance in the area known as the NYS Canal Corporation Culvert 125 Inlet/Spillway located on the south side of the Erie Barge Canal, west of the Exchange Street Lift Bridge, and adjacent to the City owned Josephine Carveth Packet Park; and

Whereas, The New York Canal Corporation has requested permission to enter onto City property and agreed that such work shall be limited to the described area; now, therefore, be it

Resolved, that the Mayor, subject to Corporation Counsel approval, is hereby authorized to grant permission and give consent to the Deputy Director of Engineering and Maintenance of the New York State Canal Corporation, his/her agents or Contractors, to enter onto the property identified above and gain access to Culvert 125 through the Josephine Carveth Packet Park in order to remove vegetation on NYS Canal Corporation property.

Seconded by Alderman Abbott and adopted. Ayes 6.

030718.13

By Alderman Oates:

Whereas, the City of Lockport sought Requests for Proposals for the Widewaters Marina Operation on April 10, 2017, and

Whereas, the City did not receive any proposals, and

Whereas, the City entered into a contract with James Kane, the owner of Widewaters Restaurant, to operate the Marina for the sum of \$3,000.00 from June 26, 2017 to September 30, 2017, and

Whereas, the City of Lockport desires to seek Requests for Proposals for the summer of 2018. Now, therefore, be it

Resolved, that the corporation Counsel prepare an RFP to include activities such as kayaking, canoeing, cycling, concerts and related events, and be it further

Resolved, that the RFP be published on or about March 1, 2018 with proposals due April 2, 2018.

Seconded by Alderman Abbott and adopted. Ayes 6.

030718.14 Withdrawn- Approve job titles as approved by Civil Service Commission

030718.14A

By Alderman Oates:

Resolved, that the Mayor and Common Council do hereby extend condolences to the family of Phyllis Green, a former City Alderman who recently passed away.

Seconded by Alderman Devine and adopted. Ayes 6.

030718.14B

By Alderman Eggert:

Resolved, that a public hearing be held at the Common Council Meeting of March 21, 2018 starting at 5:30PM in the Common Council Chambers, Lockport Municipal Building, One Locks Plaza, Lockport, NY relative to Public Employment Relation Board Fact Finding Report with recommendations in Impasse Bargaining with CSEA, Local 832 pursuant to the New York State Public Employee's Fair Employment Act – The Taylor Law dated February 19, 2018, and be it further

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

Seconded by Alderman Wohleben and adopted. Ayes 6.

030718.14C

By Alderman Oates:

Resolved, that the Mayor subject to Corporation Counsel approval be and is hereby authorized to enter into a management agreement with James Kane as an independent contractor for the management and operation of Widewaters Marina under the following terms:

1. The term shall be for one year during the months of June 25, 2018 through September 30, 2018;
2. The fee shall be \$2,500;
3. The Independent Contractor shall present a plan for improvements to the Marina.
4. The Independent Contractor shall present promotional ideas for the Marina.
5. All dock rental fees and launch fees shall belong to the City as well as all ice and gas sales and dump station fees
6. Independent Contractor shall provide boaters with a system to allow boaters to pay with credit card for docks, gas and related; if necessary
7. City shall provide summer help and materials to assist Independent Contractor with the maintenance and operation of the Marina
8. The City shall cut the grass, weedwack, landscape, paint , clean docks, provide lighting as well as clean bathrooms every morning and supply all cleaning and paper products as currently standard operating procedure
9. City shall be responsible for signage.

Motion was made by Alderman Oates seconded by Alderman Devine to amend resolution 030718.14C to include:

10. The Independent Contractor shall have exclusive rights to retail, catering and entertainment.

Ayes 2. No – Aldermen Abbott, Eggert, Farrell and Wohleben. Motion to amend failed.

Seconded by Alderman Devine and adopted. Ayes 6.

030718.14D

By Alderman Wohleben:

Resolved, that pursuant to the recommendation of Mayor Anne E. McCaffrey, Christopher Dool, 809 Willow Street, Lockport NY is hereby re-appointed as a member of the City of Lockport Assessment Review Board. Said term expires on September 30, 2022.

Seconded by Alderman Eggert and adopted. Ayes 6.

030718.15

ADJOURNMENT

At 6:12 P.M. Alderman Wohleben moved the Common Council be adjourned until 5:30 P.M., Wednesday, March 21, 2018.

Seconded by Alderman Eggert and adopted. Ayes 6.

RICHELLE J. PASCERI
City Clerk