CITY OF LOCKPORT

**CORPORATION PROCEEDINGS**

Lockport Municipal Building

Regular Meeting

Official Record

December 7, 2016

6:30 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.

**MAYOR’S UPDATE**

**TREASURER’S REPORT**

**RECESS**

Recess for public input.

**120716.1** **APPROVAL OF MINUTES**

On motion of Alderman Wohleben, seconded by Alderman Abbott, the minutes of the Regular Meeting of November 16, 2016 and the Special Meetings of November 21 and 30, 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)

12/6/16 Sue Mawhiney, City Treasurer – notification that the Treasurer’s Office will be closing at 3:30 on Tuesday, December 13, 2016. The night depository on the front of the building may be used to submit payments.

Referred to the Media

**Notice of Defect:**

11/14/16 41 Allen Street – tree

11/14/16 15 Morton Avenue – tree

11/16/16 124 Spalding Street – tree

11/16/16 178 Pine Street – tree

Referred to the Director of Streets and Parks.

**Notice of Claim:**

11/29/16 U.S. Equal Employment Opportunity Commission, 6 Foundation Plaza, Buffalo, NY 14202 Re: Lena D. Villella

11/29/16 New York State Division of Human Rights, 65 Court St, Buffalo, NY 14202

Re: Lena D. Villella

Referred to the Corporation Counsel.

## MOTIONS & RESOLUTIONS

**120716.2**

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 December 9, 2016 as follows:

General Fund Account #001 $ 120,837.71

Water Fund Account #002 $ 105,296.28

Sewer Fund Account #003 $ 49,521.16

Refuse Fund Account #012 $ 321.90

Small Cities Account #013 $ 60,000.00

Self-Insurance Account #015 $ 1,388.90

Payroll Pay Date 11/23/16 $ 449,523.80

Seconded by Alderman Oates and adopted. Ayes 6.

**120716.3**

By Alderman Abbott:

Resolved, that the Mayor and Common Council do hereby extend congratulations and appreciation to the following City employee for his years of dedicated service to the City of Lockport:

Employee Years of Service Title

Raymond P. Aldrich 15 Heavy Equipment Operator

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

**120716.4**

By Alderman Devine:

Resolved, that the Chief Water Treatment Plant Operator is hereby authorized and directed to prepare bid specifications for water meters, 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 Mullane and adopted. Ayes 6.

**120716.5**

By Alderman Abbott:

Whereas, that the Police Chief requesting permission to sell, via online auction, to the highest bidder, one vehicle that was seized through Asset Forfeiture, now therefore be it

Resolved, that the Police Chief is hereby authorized and directed to sell via online auction, to the highest bidders a 2007 Mercedes-Benz that was seized through Asset Forfeiture, and be it further

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

Seconded by Alderman Wohleben and adopted. Ayes 6.

**120716.6**

By Alderman Devine:

Whereas, GHD Consulting Services, Inc. and the City of Lockport entered into an Agreement dated October 15, 2013 and authorized by the Common Council on resolution 091813.11A dated September 18, 2013, to provide design engineering services and to prepare bid documents for the replacement of influent travelling screens at the Lockport Raw Water Line Pumping Station located at River Road, North Tonawanda, and

Whereas, per Engineering Department request, GHD Consulting Services Inc. submitted a proposal to amend the original contract for Engineering Consulting and Contract Administration during the construction process of the project for a lump sum of $14,700.00, and

Whereas, the Engineering Department requested proposals for Engineering Residential Inspection from prequalified engineering firms and received two quotes as follows: GHD Consulting Services Inc. $42,750.00, and Nussbaumer & Clarke, Inc. $35,100.00, and be it further

Resolved, that the Mayor, subject to Corporation Counsel approval, is hereby authorized and directed to sign an amendment to the contract between the City and GHD Consulting Services Inc., 285 Delaware Avenue, Buffalo, New York, for an amount of $14,700.00 for Contract Administration and Engineering Consulting of said project; cost of the project to be financed through reimbursement from the State and Municipal Facilities Program (SAM) grant, Project ID #6426, Purchase and Installation of Water Intake Screens, and be it further

Resolved, that the Mayor, subject to Corporation Counsel approval, is hereby authorized and directed to sign a contract for Engineering Residential Inspection Services with Nussbaumer & Clarke, Inc., 3556 Lake Shore Road, Suite 500, New York, for an amount of $35,100.00; cost of the project to be financed through reimbursement from the State and Municipal Facilities Program (SAM) grant, Project ID #6426, Purchase and Installation of Water Intake Screens.

Seconded by Alderman Abbott and adopted. Ayes 6.

**120716.7**

By Alderman Devine:

Whereas, on August 3, 2016 a City fire hydrant #525 was damaged during a demolition process, and

Whereas, the City received an insurance check in the amount of $6,800.00, now therefore be it

Resolved, that the 2016 budget be amended as follows:

Increase:

002-0002-2144 Water Misc Billing $ 6,800.00

Increase:

002-8340-4722-0203 Hydrants & Parts $ 6,800.00

Seconded by Alderman Wohleben and adopted. Ayes 6.

**120716.8**

By Alderman Wohleben:

Resolved, that the Director of Finance be and the same is hereby authorized and directed to transfer funds from under expended appropriations accounts to over expended accounts in the 2016 General, Water, Sewer, and Refuse Fund budgets, and furthermore, report to the Common Council on those accounts having had transfers.

Seconded by Alderman Devine and adopted. Ayes 6.

**120716.9**

By Alderman Abbott:

Resolved, that the 2016 General Fund Budget is hereby amended to create 2 entry level Police Officer positions within account 001.3120.0100.

Seconded by Alderman Devine and adopted. Ayes 6.

**120716.10**

By Alderman Wohleben:

Resolved, that pursuant to the recommendation of the Board of Estimate & Apportionment the Manufacturers & Traders Trust Company, J. P. Morgan Chase & Co. Bank, and Key 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 Mullane and adopted. Ayes 6.

By Alderman Oates:

Resolved, that the reading of the foregoing resolution be and the same is hereby waived.

Seconded by Alderman Devine and adopted. Ayes 6.

**120716.10A**

By Alderman Oates:

Whereas, pursuant to Section 61 of the City of Lockport Charter the Common Council has management and control of all real and personal property belonging to the City, and may make such orders concerning same and leases thereof, not to exceed 99 years, as it may deem best for the interest of the City. When the Common Council has determined and so declared that real or personal property owned by the City of Lockport, New York, should be sold or conveyed for the interest of the City, the City of Lockport may sell and/or convey such personal or real property, for a valuable consideration, at public sale or by a negotiated private sale, and

Whereas, pursuant to Section 279-A of the City of Lockport Charter whenever the City of Lockport shall become vested with the title to real property by virtue of conveyance to the City or a foreclosure proceeding brought pursuant to the provisions of the real property tax law, the City shall sell and convey the real property so acquired, either with or without advertising for bids, notwithstanding the provisions of any general, special or local law, and

Whereas, pursuant to Section 279-B of the City Charter no such sale shall be effective unless and until it has been reviewed by the City of Lockport Property Management Committee and has been approved and confirmed by a majority vote of the Common Council for sale or disposition by sealed bid; negotiated sale under provisions of the City's Best Use Policy; Homestead Policy; or negotiated sale; except that no such approval shall be required when the property is sold at public auction to the highest bidder, and

Whereas, the City acquired title to 799 Hinman Road, Lockport, New York (S.B.L # 122.15-1-9) by Referee’s Deed pursuant to the 2016 In Rem Tax Foreclosure Proceeding. The site consists of vacant land consisting of a total of 4.39 acres with a total assessed value of $62,400, and

Whereas, the Real Property Management Committee met on Tuesday November 29, 2016 to discuss the potential sale of the aforementioned vacant parcel to LaFarge North America, Inc. among other parcels, and

Whereas, after consideration of the Best Use Policy adopted by the City of Lockport Common Council on April 17, 2002, by Resolution 041702.13, Real Property Management Committee recommend sale of the aforementioned parcel to LaFarge North America, Inc., for $11,500 and

Whereas, the City received a Letter of Intent to purchase 799 Hinman Road, Lockport, New York from LaFarge North America for the sum of $11,500 on December 7, 2016, and

NOW THEREFORE BE IT

Resolved, that pursuant to Sections 61 and 279 of the City Charter, the City Treasurer is hereby authorized to remove 799 Hinman Road from the 2016 In Rem Tax Foreclosure sale, and be it further

Resolved, that the Mayor be and is hereby authorized to enter into a Contract of Sale and execute a quit claim deed and related title documents necessary for the sale of 799 Hinman Road, Lockport, New York to LaFarge North America, Inc. for the sum of $11,500.00.

Seconded by Alderman Wohleben and adopted. Ayes 6.

**120716.11** **ADJOURNMENT**

At 6:51 P.M. Alderman Wohleben moved the Common Council be adjourned until 6:30 P.M., Wednesday, December 21, 2016.

Seconded by Alderman Devine and adopted. Ayes 6.

RICHELLE J. PASCERI

City Clerk