

CITY OF LOCKPORT
CORPORATION PROCEEDINGS

Lockport Municipal Building

Regular Meeting
Official Record

June 5, 2019
5:30 P.M.

Mayor Michelle M. Roman called the meeting to order.

ROLL CALL

The following Common Council members answered the roll call:

Aldermen Abbott, Devine, Eggert, Farrell, Oates and Wohleben.

INVOCATION

MAYOR'S UPDATE

RECESS

Recess for public input.

060519.1

APPROVAL OF MINUTES

On motion of Alderman Devine, seconded by Alderman Oates, the minutes of the Regular Meeting of May 15, 2019 are hereby approved as printed in the Journal of Proceedings. Ayes 6. Carried.

FROM THE MAYOR

Declaration:

5/23/19 I, Mayor Michelle M. Roman, pursuant to General Municipal Law, Section 6-e(1) (i) and 103 (4), do hereby declare that the roof repair of the raw water treatment plant and pump station in a building located at 512 River Road, North Tonawanda, NY is a Public Emergency, and I direct the engineering staff and consultants to take all practical means to immediately undertake the roof repair of the raw water treatment plant and pump station. I further direct that copies of this Declaration of Emergency be transmitted to the Common Council, City Clerk and Finance Director.
Received and filed.

Appointments:

4/2/19 Michael D. Cutter, 5934 Locust Street, Lockport, NY – appointed as a Heavy Equipment Operator for the Water Distribution Dept. effective March 29, 2019. Said appointment is permanent and subject to the City of Lockport Municipal Civil Service Rules and Regulations.
Received and filed.

6/3/19 Samuel G. Oakes, 149 Prospect Street, Lockport, NY – appointed to the Citizen Advisory Committee.
Received and filed.

Resignations:

6/4/19 Richard Bertrand resigned as a member of the Lockport Housing Authority effective May 28, 2019.
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)

5/13/19 Peggy Belfield, Faith Tabernacle Church, requests permission to host a Neighborhood Appreciation Picnic in conjunction with the Imagine Community Garden located at the corner of Hawley and Ontario Streets on June 12th.
Referred to the Committee of the Whole.

5/22/19 Karin Ziegler, PSCWNY President / CEO Presbyterian Senior Care of Western NY, announcing their intention to become a part of Beechwood Continuing Care.
Received and filed.

Notice of Defect:

5/22/19 112 Independence Drive – tree
5/22/19 314 Pine Street – tree stump
5/28/19 23 Outwater Drive – tree
6/3/19 222 Church Street – 2 trees'
Referred to the Director of Streets and Parks.

MOTIONS & RESOLUTIONS

060519.2

By Alderman Oates:

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 June 5, 2019 as follows:

| | | |
|------------------|----------|--------------|
| General Fund | Fund A | \$157,398.57 |
| Water Fund | Fund FX | \$ 9,056.64 |
| Sewer Fund | Fund G | \$ 36,277.09 |
| Capital Projects | Fund H | \$708,607.63 |
| Refuse Fund | Fund CL | \$ 1,262.10 |
| Self Insurance | Fund MS | \$ 1,777.59 |
| Payroll | Pay Date | \$ |

Seconded by Alderman Eggert and adopted. Ayes 6.

060519.3

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> |
|-----------------|-------------------------|--------------------------|
| Daniel J. Cole | 20 | Heavy Equipment Operator |

Seconded by Alderman Devine and adopted. Ayes 6.

By Alderman Wohleben:

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

Seconded by Alderman Devine and adopted. Ayes 6.

060519.4

By Alderman Devine:

WHEREAS, THE City of Lockport maintains a raw water treatment plant and pump station in a building at 512 River Road, North Tonawanda, NY; and

WHEREAS, the Chief Operator of such plant has informed the Mayor that the deterioration of the roof has become so severe that water leaks are leaking onto chlorine tanks and the high voltage 480-volt electrical panel; and

WHEREAS the Engineering Department has requested quotes from qualified contractors and has received proposals as follows: Pinto Construction Services, Inc. \$71,125.00; Jameson Roofing \$140,780.00; and Granzow Construction \$61,547.54 for the replacement of the roof; and

WHEREAS the City Engineer considers that Granzow Construction’s proposal meets the requirements of the scope of work to remediate this emergency that includes, but is not limited to, standing seam roof panels with not exposed fasteners, twenty years warranty, labor prevailing wage, and a permit issued by the office of the North Tonawanda Building Inspection Department authorizing the roof replacement; hence, the Engineering Department recommends to award this project to Granzow Construction; and

WHEREAS, the Mayor determined that these conditions constituted an immediate threat to the water supply to the City of Lockport as well as to the life, health and safety of the employees working there and on May 23, 2019 issued an Emergency Declaration pursuant to General Municipal Law, Section 6-e (1) (i) and 103 (4) and executed an order awarding the contract for the replacement to Granzow Construction; and

WHEREAS, the City Council must amend the 2019 Water Fund Budget to fund this project; now therefore be it

RESOLVED, that the City Council does hereby ratify the award and subsequent execution of the contract by and between the City of Lockport and Granzow Construction in the amount of \$61,547.54 for the replacement of the Water Pump Station building at 512 River Road, North Tonawanda; and be it further

RESOLVED, that the 2019 Water Fund Budget be amended as follows:

Expense:

Decrease:

| | | |
|---------------|-------------|----------|
| FX 1900.54775 | Contingency | \$65,000 |
|---------------|-------------|----------|

Increase:

| | | |
|---------------|-----------------------|----------|
| FX 8320.52411 | Building Improvements | \$65,000 |
|---------------|-----------------------|----------|

Seconded by Alderman Wohleben and adopted. Ayes 6.

060519.5

By Alderman Abbott:

Whereas, the City of Lockport Police Department does seize money and property on certain calls as a result of criminal activity; and

Whereas, the City of Lockport Police Department receives, from time to time, funds that have been forfeited as part of those seizures which are to be used for the purchase, maintenance and /or replacement of capital equipment within the Police Department; and

Whereas, the City must amend its 2019 budget to properly account for the receipt and use of these funds; and

Whereas, the Police Department has identified a need to repair and upgrade some of its security cameras and associated equipment: Now therefore, be it

Resolved, that the 2019 General Fund Budget is hereby amended as follows:

Revenue:

Increase: A-3120.31589.FFT \$10,500.00

Expense:

Increase: A-3120.52015 Technical Equipment \$10,500.00

Seconded by Alderman Eggert and adopted. Ayes 6.

060519.6

By Alderman Devine:

Resolved, that pursuant to their request, permission is hereby granted to Faith Tabernacle Church to barricade a portion of Ontario Street in front of the Imagine Community Garden on Wednesday June 12, 2019, for a Neighborhood Appreciation Picnic, and be it further

Resolved, that Faith Tabernacle Church is granted permission to erect bounce houses during the event, subject to Faith Tabernacle Church providing the City Clerk with a certificate of insurance naming the City of Lockport as additionally insured prior to the event, 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 6.

060519.7 Revocable Permit - WITHDRAWN

060519.8

By Alderman Wohleben:

Resolved, that pursuant to their request, permission is hereby granted the residents of Berkley Drive to barricade Berkley Drive from Sargent Drive north to the dead end on June 21, 2019, for a block party, with a rain date of June 22nd if necessary 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.

060519.9

By Alderman Oates:

Resolved, that pursuant to their request, permission is hereby granted to the Moose Club to barricade Monroe Street from Water to Jackson Street on August 3, 2019 for a Family 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 to said area prior to said event.

Seconded by Alderman Abbott and adopted. Ayes 6.

060519.10

By Alderman Devine:

Resolved, that the Mayor, subject to Corporation Counsel approval, be and is hereby authorized to enter into an agreement with Lockport Wildcats (WC) to use Exchange Club Field for their football season under the following terms:

1. The term shall be for the following dates only: June 15th, July 13th, July 20th, August 3rd and August 17th, 2019. Any playoff game has to have approval at least 7 days prior to allow the City to prepare the fields.
2. The fee shall be \$250.00 for each game. Payment must be received by the following Tuesday of each game. If payment is not received, Lockport WC will not be permitted to use the field for their following game.
3. The City shall provide locker rooms at the Lockport Rotary Community Pool after 6:15PM. Use of the pool is strictly prohibited. The locker rooms must be kept in a clean and orderly condition after each use, and all debris removed and disposed of from the field and surroundings.
4. Lockport WC will be prohibited from using the LLLF concession stand, but may set-up their own concessions at the field and may have a food truck for each event only.
5. Lockport WC must file a certificate of insurance naming the City of Lockport as additional insured.

Seconded by Alderman Eggert and adopted. Ayes 6.

060519.11

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, 2019 through September 30, 2019;
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.

Seconded by Alderman Devine and adopted. Ayes 6.

060519.11A

By Alderman Oates:

Resolved, that pursuant to their request, permission is hereby granted to All Saints Church to barricade Church Alley from Church Street to Lock Street on June 13, 2019, for a Chicken Barbecue, 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 Wohleben and adopted. Ayes 6.

060519.11B

By Alderman Wohleben:

Resolved, that pursuant to their request, permission is hereby granted to Empire State Trail to provide the City of Lockport with Empire State Trail signage to be placed alongside the existing Erie Canal Trail signs in Lockport, and be it further

Resolved, that the Director of Streets and Parks be and the same is hereby authorized and directed to arrange for installation of signage according to the approved placement plan as provided.

Seconded by Alderman Eggert and adopted. Ayes 6.

060519.11C

By Alderman Devine:

WHEREAS, pursuant to Section 61 of the City of Lockport Charter 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-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 Real Property Management Committee met and determined that the following properties are not needed for municipal purposes, have little market value due to their irregular size and location and recommended that the properties be offered for sale to either the adjoining owners or other interested parties, and

WHEREAS, the following purchaser submitted a proposal offering to acquire each property for nominal consideration, and

WHEREAS, the City of Lockport desires to return said parcels to the tax rolls.

NOW THEREFORE BE IT

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 the following properties to the following purchaser for \$1,000.00.

| PARCEL ID | Address | Purchaser |
|------------|------------------|------------------|
| 109.05-3-7 | 135 Charlotte St | Eula Mae Collins |

Seconded by Alderman Oates and adopted. Ayes 6.

060519.11D

By Alderman Oates:

Resolved, that pursuant to their request, AN-JO Bombers 15U Baseball is hereby granted permission to use the baseball diamond at Outwater Park for their 2019 home games subject to approval of the schedule by Highways & Parks Department and AN-JO Baseball filing a certificate of insurance with the City Clerk naming the City of Lockport as additional insured.

Seconded by Alderman Abbott and adopted. Ayes 6.

060519.12

ADJOURNMENT

At 5:58 P.M. Alderman Devine moved the Common Council be adjourned until 5:30 P.M., Wednesday, June 19, 2019.

Seconded by Alderman Wohleben and adopted. Ayes 6.

RICHELLE J. PASCERI
City Clerk