

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

Lockport Municipal Building

Regular Meeting  
Official Record

January 6, 2016  
6:00 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**

**RECESS**

Recess for public input.

**010616.1**

**APPROVAL OF MINUTES**

On motion of Alderman Wohleben, seconded by Alderman Devine, the minutes of the Regular Meeting of December 16, 2015 and the Special Meeting of December 23, 2015 are hereby approved as printed in the Journal of Proceedings. Ayes 6. Carried.

**FROM THE MAYOR**

**Resignations:**

12/18/15     Brian C. Ranney – resigned as a member of the City of Lockport Audit Committee effective December 18, 2015.  
Received and filed

12/23/15     Peter Robinson – resigned as a City of Lockport Fire Board Commissioner effective August 1, 2015.  
Received and filed

1/5/16         Margaret Truax – resigned as a permanent member of the Ethics Committee with a request to be appointed as the Alternate.  
Received and filed

**Appointments:**

12/18/15 Flora Hawkins, 199 West Avenue, Lockport, NY – re-appointed as a member of the Police Board. Said term commences January 1, 2016 and expires December 31, 2019. Received and filed

12/18/15 Jay Dry, 50 O’Brien Drive, Lockport, NY – appointed as a member of the Audit Committee. Received and filed

1/6/16 Under and by virtue of the authority conferred on me by the Charter of the City of Lockport, I, Anne McCaffrey, Mayor of the City of Lockport, do hereby make the following appointments:

**For the term of one year expiring on December 31, 2016:**

|   |                       |
|---|-----------------------|
| President of the Common Council               | David Wohleben        |
| Corporation Counsel                           | John J. Ottaviano     |
| Deputy Corporation Counsel (1 <sup>st</sup> ) | David E. Blackley     |
| Deputy Corporation Counsel (2 <sup>nd</sup> ) | David J. Haylett, Jr. |
| Traffic Advisory Committee                    | David J. Haylett, Jr. |

**2016 Common Council Standing Committees:**

**Finance Committee-** Alderman Wohleben, Chairman  
Members: Aldermen O’Shaughnessy, Mullane, Abbott, Oates, Devine  
City Treasurer, Director of Finance

**Public Health & Safety Committee-** Alderman O’Shaughnessy, Chairman  
Members: Aldermen Wohleben, Mullane, Abbott, Oates, & Devine  
Fire Chief, Police Chief, and Chief Building Inspector

**Highways & Parks Committee-** Alderman Oates, Chairman  
Members: Alderman O’Shaughnessy, Wohleben, Mullane, Abbott, Devine  
Assistant City Engineer, Director of Streets and Parks, Public Works Supervisor

**Water & Sewer Committee-** Alderman Devine, Chairman  
Members: Alderman O’Shaughnessy, Wohleben, Mullane, Abbott, Oates  
Assistant City Engineer, Sr. Building Inspector, Chief Operator/WWTP, Chief Water Treatment Plant Operator, Water Distribution Maintenance Supervisor

**Youth Committee-** Alderman Mullane, Chairman  
Members: Aldermen Abbott, Oates  
Assistant City Engineer

**Personnel Committee-** Alderman Abbott, Chairman  
Members: Alderman O’Shaughnessy, Wohleben, Mullane, Oates, Devine  
City Clerk, Personnel Officer

**Washington Hunt Committee-** Mayor McCaffrey, Chairman  
Members: Aldermen Wohleben, Abbott

**For their term of office:**

Police Board  
Fire Board  
Community Cable Commission  
Community Pride

Alderman Richard Abbott  
Alderman David Wohleben  
Alderman O'Shaughnessy  
Alderman Joe O'Shaughnessy, Chairman

**Commissioner of Deeds:**

For the term of two years expiring on December 31, 2017

Richard McIntyre, 6349 Vintage Ct., Lockport, NY  
Scott P. Kiedrowski, 1253 Bowen Court, North Tonawanda, NY 14120  
Robert Norris, 174 Continental Drive, Lockport, NY  
Kenneth Genewick, 38 Harrison Ave., Lockport, NY  
Michael Carney, 407 Bennett, North Tonawanda, NY 14120  
John D. Johnston, 1610 Youngstown-Lockport Rd, Youngstown, NY  
Mark Crocker, 5513 Forest Hill Rd, Lockport, NY  
Ann Boci, 41 W Grant St, Lockport, NY  
Tracy Farrell, 55 Lakeview Pkwy, Lockport, NY

Received and filed.

1/6/16 John Lombardi III, 329 Chestnut Street, Lockport, NY – appointed as the City of Lockport representative for NICAP effective January 1, 2016.  
Received and filed.

1/6/16 Patrick W. Schrader, 32 Gaffney Road, Lockport, NY – appointed as a member of the Fire Board. Said term expires on December 31, 2019.  
Received and filed

1/6/16 Kathryn Fogle, 35 Bacon Street, Lockport, NY – appointed as a member of the Fire Board to fill the unexpired term of Peter Robinson who resigned. Said term expires on December 31, 2016.  
Received and filed

1/6/16 Joseph Oates, 342 E Union Street, Lockport, NY – appointed as a member of the License Revocation Board. Said Term expires on December 31, 2017.  
Received and filed

1/6/16 Gregory Zakrzewski, 7457 Lincoln Avenue, Lockport, NY – appointed as a member of the Plumbing Board. Said term expires on December 31, 2018.  
Received and filed

1/6/16 Demetrius Grant, 191 Prospect Street, Lockport, NY – appointed as a member of the Youth Board. Said term expires on December 31, 2018.  
Received and filed

1/6/16 Kathryn Fogle, 35 Bacon Street, Lockport, NY – appointed as a member of the Youth Board. Said term expires on December 31, 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)

### Notice of Defect:

12/11/15 70 Prospect Street – tree

12/15/15 42 Charlotte Street – tree

12/16/15 179 Church Street – tree

Referred to the Director of Streets and Parks.

11/19/15 Patrick Schrader, President, Monday Night Cruise Optimist Club – request permission to use Ida Fritz Park for the 2016 Monday Night Cruise  
Referred to the Committee of the Whole

12/4/15 Ed Sandusky, Optimist Club of Lockport – request permission to conduct the 41<sup>st</sup> Annual Outdoor Arts & Craft Festival.  
Referred to the Committee of the Whole

1/3/16 Jeff Tracy, Race Director, Lockport Family YMCA – request permission to conduct the 45<sup>th</sup> Annual Y-10 Open Road Race.  
Referred to the Committee of the Whole

1/6/16 Mayor Anne E. McCaffrey – recommendation that Margaret Truax be appointed as the Alternate member of the City of Lockport Board of Ethics, and that Dr. Jennifer Stoll be appointed as a permanent member.  
Referred to the Committee of the Whole

## MOTIONS & RESOLUTIONS

### 010616.2

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 January 8, 2016 as follows:

|                  |                   |              |
|------------------|-------------------|--------------|
| General Fund     | Account #001      | \$ 55,044.50 |
| Water Fund       | Account #002      | \$ 6,697.46  |
| Sewer Fund       | Account #003      | \$ 7,519.42  |
| Capital Projects | Account #004      | \$ 8,600.00  |
| Refuse Fund      | Account #012      | \$ 89,099.59 |
| Payroll          | Pay Date 12/24/15 | \$446,550.75 |

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

**010616.3**

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>             |
|-----------------|-------------------------|--------------------------|
| Jason P. Hunt   | 15                      | Water Maintenance Worker |
| Jeanne E. Goff  | 15                      | Senior Account Clerk     |

Seconded by Alderman Devine and adopted. Ayes 6.

**010616.4**

By Alderman Oates:

Resolved, that pursuant to their request, Great Lakes Racing, LLC is hereby granted permission to use the rest room facilities and pavilion at Nelson C. Goehle Wide Waters Marina on Saturday, January 23, and Saturday, August 13, 2016, for the annual Winter and Summer Beast of Burden Ultra Marathons. Said permission is subject Great Lakes Racing, LLC 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 Wohleben and adopted. Ayes 6.

**010616.5**

By Alderman Devine:

Resolved, that pursuant to their request, Niagara Jr. Thunder Wolves is hereby granted permission to use the baseball field at Outwater Park for their 2016 "Battle at the Falls" baseball tournament subject to approval of the schedule by the Highways & Parks Department and Niagara Jr. Thunder Wolves filing a certificate of insurance with the City Clerk naming the City of Lockport as additional insured.

Seconded by Alderman Mullane and adopted. Ayes 6.

**010616.6**

By Alderman Wohleben:

Resolved, that pursuant to their request, the Lockport Monday Night Cruise Optimist Club is hereby granted permission to conduct Monday night car cruises in Ida Fritz Park beginning May 9 through September 12, 2016 from 6:00 p.m. to 9:00 p.m., (Memorial Day and Labor Day Super Cruise begin at 3:00 p.m.) and be it further

Resolved, that said permission includes the following:

1. to operate a market place at the park for the sale of food and drink items including alcoholic beverages, crafts, and related items
2. barricade West Avenue and Park Avenue at Hawley Street to North Transit Street and Hawley Street between Park Avenue and West Avenue

and, be it further

Resolved, that the Common Council hereby designates the aforesaid event as a temporary event as defined by Section 53-1 of the City Code (alcoholic beverages) which shall terminate/lapse upon completion of said event, and be it further

Resolved, that said permission is subject to the Lockport Monday Night Cruise Optimist Club 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, traffic cones, street closed signs and extra picnic tables to the area prior to the events, and be it further

Resolved, that the City of Lockport hereby prohibits entry to Ida Fritz Park of all bicycles, skateboards, and dogs on Cruise Nights during the events due to the expected heavy pedestrian traffic.

Seconded by Alderman Abbott and adopted. Ayes 6.

### **010616.7**

By Alderman Mullane:

Resolved, that permission is hereby granted the Optimist Club of Lockport to conduct their 41<sup>st</sup> Annual Lockport Optimists Arts and Craft Festival on June 25<sup>th</sup> and 26<sup>th</sup> 2016 from 10:00 A.M. until 5:00 P.M. (street closing from 8:00 A.M. until 7:00 P.M.) with the following provisions:

- (1) The Lockport Optimist Club shall issue exhibitor's permits to arts and crafts exhibitors, vendors and peddlers, and to insure public safety and order and to avoid overcrowding of the exhibit areas, no other exhibits, displays, vendors or peddlers shall be permitted within the show area, whether located on public or private property, and the Lockport Optimist Club shall enforce this ban with the cooperation of the Lockport Police Department.
- (2) The Police Department is hereby directed to enforce the removal of all concessionaires, vendors, or peddlers from the show area not possessing an exhibitor's permit.
- (3) The show area shall include the blocks on Main Street from Washburn Street west to Saxton Street.
- (4) The Lockport Optimist Club shall file a certificate of insurance with the City Clerk naming the City of Lockport as additional insured, subject to the approval of the Corporation Counsel, and be it further

Resolved, that the Director of Streets and Parks is hereby authorized and directed to arrange for delivery and pick-up of City barricades and trash receptacles as needed, and be it further

Resolved, that permission is granted the Optimist Club to use the Police Garage for storage of a golf cart overnight on Friday and Saturday night, June 24<sup>th</sup> and 25<sup>th</sup> subject to the approval of the Chief of Police.

Seconded by Alderman Devine and adopted. Ayes 6.

**010616.8**

By Alderman Devine:

Resolved, that the Mayor and Common Council do hereby extend condolences to the family of Floyd Alexander Goff, a retired City of Lockport Highways & Parks Department employee who recently passed away.

Seconded by Alderman Oates and adopted. Ayes 6.

**010616.9**

By Alderman Wohleben:

Resolved, that pursuant to their request, the Lockport Family Y.M.C.A. is hereby granted permission to conduct their 45<sup>th</sup> annual Y-10 Open Road Race and to close Market Street during the race and close East Avenue from Washburn Street to Elm Street at the beginning and end of the race on Saturday, February 13, 2016, subject to approval of the race route by the Police Chief and subject to the Lockport Family Y.M.C.A 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 salting the streets in the City's portion of the race route if necessary, and to deliver barricades, cones, and "street closed" signs as required, and be it further

Resolved, that the Traffic Captain is hereby directed to arrange for police support for said event.

Seconded by Alderman Mullane and adopted. Ayes 6.

**010616.9A**

By Alderman Devine:

Resolved, that pursuant to their request, the Erie Canal Fishing Derby is hereby granted permission to erect a banner at least 17' from the ground across Lake Avenue at Olcott Street and on East Avenue at Davison Road to promote the Erie Canal Fishing Derby which will be held from July 6<sup>th</sup> through July 17<sup>th</sup>, 2016. Banners are to be erected for a minimum of two weeks prior to the event dates based on a schedule approved by the City Clerk, and be it further

Resolved, that said permission is subject to the Erie Canal Fishing Derby filing a certificate of insurance with the City Clerk naming the City of Lockport as additional insured and subject to payment of \$50 for each banner to be erected, and be it further

Resolved, that the City Clerk is hereby authorized and directed to make arrangements with city forces to erect the banners.

Seconded by Alderman Abbott and adopted. Ayes 6.

**010616.9B**

By Alderman O'Shaughnessy:

Resolved, that an Ad Hoc Committee "City Department Review Committee" be formed to review department operations; procedures and record management; assess computer equipment, software and any additional equipment. Conduct reviews of staffing; past, current and future. Review chain of command in each department; perform cost analysis for employee contracts, benefits and incentives. Review to ensure all departments are in compliance with the city charter and New York State laws and regulations, and be it further

Resolved, that the committee shall consist of the Mayor, two (2) council members (selected by the council as a whole) plus one relevant Committee Chairman, one (1) City Attorney, and a representative from each city department. The committee will begin reviews of departments in alphabetical order.

Seconded by Alderman Abbott and adopted. Ayes 6.

By Alderman Devine:

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

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

### **010616.9C**

By Alderman Mullane:

Resolved, that the following Rules and Order of the Common Council are hereby adopted:

## **RULES AND ORDERS OF THE COMMON COUNCIL**

1. Roll Call. At the hour appointed for the meeting of the Council, the Mayor shall take the chair and direct a call of the members of the Council, and the Clerk shall note the absentees. Upon the appearance of a quorum, the Mayor shall call the members to order. If a quorum be not present, he shall send for absent members. Following shall be the

### ORDER OF BUSINESS

- a. Reading of minutes. Reading and approval of the minutes preceding meeting; but a majority of the members present may approve of, or dispense with, the reading of the minutes of any previous meeting.
- b. Communications from the Mayor.
- c. Communications and reports of officers of the corporation.
- d. Petitions and remonstrances.
- e. Reports of Standing Committees, in the order named in rule.
- f. Reports of Special Committees.
- g. Committee of the Whole.
- h. Executive business.
- i. Motions, resolutions and notices.
- j. Unfinished business.

### DUTIES OF THE MAYOR AS PRESIDING OFFICER

2. The Mayor, as presiding officer, shall possess the powers and perform the duties as herein prescribed, viz:
  - a. He shall preserve order and decorum.



- b. Question of Order. He shall decide all questions of order, subject to appeal of the Council. On every appeal he shall have the right in his place to assign his reason for his decision; but any member may state the grounds for his appeal.
  - c. Appointment of Committees. He shall appoint all committees except where the Council shall otherwise order.
  - d. Temporary Chairman. He may substitute any member to perform the duties of the chair, but such substitution shall not extend beyond the adjournment of the Council, except by special consent of the Council.
  - e. Committee of the Whole. When the Council shall be ready to go into Committee of the Whole, he shall name a chairman to preside therein.
  - f. Privileges of the floor. He shall have the right to invite to the floor of the Council such persons as he shall deem deserving of the privilege; but the right of admission under such invitation shall not extend beyond the day on which it shall be given.
3. While a question is being put. While the presiding officer is putting a question, no member shall walk across or out of the room; nor in such case, or when a member is speaking, shall entertain any private discourse, nor, while a member is speaking, shall pass between him and the chair.
  4. Speaking. Every member, when he speaks, shall, from his chair, address the presiding officer as Mr. Mayor, and shall not proceed until recognized by the Mayor; and no member shall speak more than twice to the same question, nor more than five minutes each time at the same meeting, without requesting and receiving the consent of a majority of the members present, by a roll call vote.
  5. Speaker recognized. When two or more members request recognition simultaneously, the presiding officer shall name the member he wishes to speak first.
  6. Call to order. Any member may be called to order; in which case the member so called to order shall immediately sit down. The point of order shall be stated at the request of the presiding officer, by the member raising the question of order, and shall be decided without debate, before proceeding to other business.
  7. Vote. Every member shall vote when a question is stated from the chair, unless excused by the Council; and every member voting shall be in his place.
  8. Petitions, etc. Petitions and other papers may be presented by the presiding officer or any member, but when presented by a member, he shall first endorse on the petition or paper the substance thereof.
  9. Motions or Resolutions. No motion or resolution shall be debated or put until seconded, and no member shall make or second a motion or resolution except he request recognition from his chair for that purpose; and when seconded the motion or resolution shall be stated distinctly by the presiding officer, before being put or debated. No motion or resolution shall be presented for action, unless it has been submitted in

writing to the Clerk by noon of the day of the Committee of the Whole work session one week prior to the Common Council meeting, excluding the work session the day of the Common Council Meeting, or unless by prior authorizations of the Mayor, City Clerk, and City Attorney and then by consent of two-thirds of the whole number of the Council, except that a motion or resolution referred to any committee may be recalled from that committee at any subsequent Council meeting by vote of a majority of the whole number of the Council . If any motion or resolution referred to a committee shall not have been reported out within forty-five days of the time when it was referred, then the sponsor of the motion or resolution may have it brought out for Council consideration without any committee report. Any motion or resolution may be withdrawn at any time before decision, commitment or amendment by unanimous consent.

10. Ayes and noes. If any member require it, the ayes and noes upon any question shall be taken and entered upon the minutes of the Council. In taking the same, the names of members shall be taken alphabetically.
11. Appointment of committees. All committees shall be appointed by the presiding officer, unless otherwise specially directed by the Council, in which case they shall be appointed by ballot.

#### PRIVILEGED QUESTIONS

12. Order of motions. When a question is pending, no motion shall be received, except as hereinafter specified; which motion shall have preference in the order stated, viz:
  - a. For an adjournment of the Council.
  - b. A call of the Council.
  - c. To lay on the table.
  - d. For the previous question.
  - e. To postpone indefinitely.
  - f. To postpone to a day certain.
  - g. To refer to the Committee of the Whole.
  - h. To refer to a standing committee.
  - i. To refer to a special or select committee.
  - j. To amend.
13. Non-debatable motions. A motion to adjourn, lay on the table, or for the previous question, shall be decided without amendment or debate; and all questions of order, and all questions relating to the order of business, shall be decided without debate. The several motions to postpone or to refer, shall preclude all debate of the main question.
14. Reconsideration. A motion for reconsideration if lost, shall not again be repeated at the same meeting of the Council, nor shall any question be reconsidered more than once.
15. Executive business. Executive business shall be governed by Chapter 511 of the Laws of 1976.
16. Concerning applicant for office. All information, or any remarks by any member concerning the character or qualifications of any person whose name shall be before the council for an appointment to any office, shall be kept secret, and all proceedings

and things of the Council, or any member thereof, in secret session, shall be kept secret until the Council shall remove all injunctions to secrecy.

17. Divisions of questions. If any question contains several distinct propositions, it may be divided by the chair.
18. Reading of paper. Any member may have any paper in possession of the council read, upon request, unless the same shall be objected to by some other member; and then the question shall be determined by a vote of a majority of the whole council, without debate.
19. Speaking to question. After the roll-call upon any question has commenced, no member shall speak to the question except to explain his vote, and then not to exceed five minutes; nor shall any motion be made until after the result is declared.
20. Committee's Report. No report shall be received from any committee unless the committee, or a quorum thereof, shall have met and considered the matter in a regular or special meeting of the committee.
21. Robert's Rule of Order. Whenever any question not covered by these rules shall arise, this council shall be governed by the parliamentary rules as laid down in Robert's Rule of Order. The Corporation Counsel shall preside as the Parliamentarian at all meetings. (Amended 4/2/14)
22. Standing Committees The following standing committees shall be appointed by the Mayor at the commencement of the session, or as soon thereafter as may be practicable:

FINANCE COMMITTEE – to consist of Common Council members as appointed by the Mayor, and ex-officio members: City Treasurer and Director of Finance.

PUBLIC HEALTH & SAFETY – to consist of Common Council members as appointed by the Mayor and ex-officio members: Police Chief, Fire Chief, and Chief Building Inspector.

HIGHWAYS & PARKS - to consist of Common Council members as appointed by the Mayor and ex-officio members: Assistant City Engineer, Director of Streets and Parks, Public Works Supervisor

WATER & SEWER - to consist of Common Council members as appointed by the Mayor and ex-officio members: Assistant City Engineer, Sr. Building Inspector, Chief Operator/WWTP, Chief Water Treatment Plant Operator, Water Distribution Maintenance Supervisor

YOUTH – to consist of Common Council members as appointed by the Mayor and ex-officio members: Assistant City Engineer.

PERSONNEL – to consist of Common Council members as appointed by the Mayor and ex-officio member: City Clerk and Personnel Officer.

WASHINGTON HUNT - to consist of three members: Mayor and two aldermen as appointed by the Mayor.

The Common Council President shall be qualified to sit as a member of any standing committee whenever his or her presence will enable such committee to reach a quorum for the transaction of business.

23. Changing of Rules. No standing rule or order of the council shall be amended, repealed, rescinded, changed or superseded, except by a vote of two-thirds of the whole council, nor shall any new rule be added thereto, except by a like vote; but they may be suspended at any time by a two-thirds consent of the whole council.
24. Regular Meetings.
  - a. The regular meeting of the Council shall be held on the first and third Wednesday of each month, except when otherwise directed by resolution of the Common Council. The hour of meeting shall be 6:30 P.M., and if a quorum shall not be present at 7:00 P.M. the Common Council shall stand adjourned. The Committee of the Whole shall meet one hour prior to the start of the regularly scheduled Common Council meetings.
  - b. The Committee of the Whole work sessions if scheduled shall be held at 5:30 P.M. every Wednesday of each month or any other day and time if so directed by the President of the Common Council.
25. Business of Special Meeting. It shall not be in order at any special meeting to proceed to any other business than that for which the meeting was convened, unless by unanimous consent of all members present.
26. Regular Committee Meetings. The standing committees shall have regular meetings for the transaction of committee business.
27. Report of Committees. It shall be the duty of the committees to report on every subject referred to them, within two weeks from the time of such reference, unless the time shall have been extended by the council.
28. General rules and regulations for the letting of contracts for materials, supplies, equipment or public works projects (including local public improvements).
  1. After any materials, supplies, equipment or public works project shall have been ordered, the Common Council shall, at the time of adopting the ordinance therefor, or at anytime thereafter, give notice, or order and direct the same to be given, that proposals for the doing and completion of said work will be received.
  2. All notices shall be given by the City Clerk by publishing same in the official paper of this city.
  3. Notices for the receiving of proposals shall be of the following form - the blanks therein to be filled at the time of publication as necessities require:

## NOTICE TO BIDDERS

City Clerk's Office, Lockport, New York

Sealed proposals shall be received by the undersigned at his office, Lockport Municipal Building, One Locks Plaza, Lockport, NY until (day), (date), at (time) for in accordance with the specifications made therefor and obtainable at the (appropriate City office).

Proposals must be for the amount in gross and include everything connected with the proposed materials, supplies, equipment or public works project being bid.

Each proposal must be accompanied by a certified check or bid bond in an amount equal to ten percent of the bid.

The Common Council hereby reserves the right to reject any or all proposals.

By order of the Common Council of the City of Lockport, N.Y.

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City Clerk

4. No proposal after time expires. After the time in said notice specified for the reception of proposals shall have expired no further proposals for the work specified therein shall be received; and each and every plan and specification therein published shall be particularly and strictly observed by all concerned.
5. Proposals to be guarded. The City Clerk shall receive all proposals at his office in this City, and shall carefully guard and preserve the same unopened; he shall not permit either or any of them to be taken from his custody until such time and in such manner as the Common Council may order and direct.
6. Clerk to open. The Clerk shall publicly open and read the bids on the date and at the time specified in the Notice to Bidders.
7. Clerk to report to Council. The City Clerk shall submit a summary of those bids received and opened to the Common Council at its first regular meeting thereafter, under the order of "unfinished business."
8. Recess to examine. The Mayor may thereupon declare a recess, stating the duration thereof, in order that the members of the Council may critically examine each proposal.
9. Action on proposals. Upon re-assembling, the Common Council shall consider said proposal, and shall without adjournment take some action in relation thereto, either by accepting the proposal of the lowest responsible bidder, or by rejecting all bids, or by referring the same to some proper committee.

10. To again advertise. In case all bids are rejected, the Common Council shall again direct the publication of a notice to bidders, similar in all respects to that first advertised, and shall so continue to advertise for, receive and consider proposals for said items until by a vote of a majority of the council, a contract is finally awarded, except, however, in cases where the Common Council shall reconsider its action requiring such work to be performed by contract.
11. Certified Check or Bid Bond. Each proposal shall be accompanied by a certified check or bid bond in a sum not less than ten percent of the amount of the proposal. In the event the successful bidder fails to enter into contract within five days after being notified by the City Clerk, the check will be forfeited.
12. The Common Council reserves the right to reject any or all proposals.
29. Two-thirds vote to repeal. No legislative ordinance, act or resolution passed during any previous meeting of the current term of this council, shall be amended, repealed, rescinded, changed or superseded, in whole or in part, except by two-thirds vote of the whole Council.
30. Recess for public input. Following roll call at the Common Council meetings, any speaker desiring to speak at the Common Council meetings that signs up prior to the commencement of the meeting may be heard regarding city business on the Agenda for a period not to exceed 3 minutes with a 1 minute warning to conclude his or her speaking. At the close of the Common Council meeting any speaker that has signed up who desires to speak will be allowed to speak on matters concerning the General Welfare of the City for a period not to exceed 5 minutes with a 1 minute warning to conclude his or her speaking. No speaker shall be permitted to transfer their time to another speaker.

Seconded by Alderman Devine and adopted. Ayes 6.

#### **010616.9D**

By Alderman Oates:

Resolved, that the Assistant Director of Engineering be and the same is hereby authorized to arrange for the installation of streetlights to be placed on pole 102-70 on 767 Market Street.

Seconded by Alderman Wohleben and adopted. Ayes 6.

#### **010616.9E**

By Alderman Wohleben:

Resolved, that pursuant to the recommendation of Mayor McCaffrey, the following are hereby appointed to the board of ethics:

As Permanent Member:

Dr. Jennifer Stoll, 16 Kingston Circle, Lockport, NY - term expires on July 2, 2018

As Alternate Member:

Margaret Truax, 29 Spruce Street, Lockport, NY – term expires on Oct. 15, 2017

Seconded by Alderman Devine and adopted. Ayes 6.

**010616.9F**

By Alderman Abbott:

Resolved, that pursuant to the request of Police Chief Michael Niethe, permission is hereby granted to Captain Douglas Haak to attend the FBI National Academy at Quantico, Virginia from January 8, 2016 until March 18, 2016, and be it further,

Resolved, that he will be paid his regular salary while away attending the academy and there will be no other reimbursements including but not limited to meals, travel costs, and uniform.

Seconded by Alderman Mullane and adopted. Ayes 6.

**010616.9G**

By Alderman Oates:

Resolved, that pursuant to their request, permission is hereby granted to Lockport Express to park a bus in the city parking lot across from City Hall to promote tournaments and games from now until March 6, 2016. Said permission is subject to Lockport Express 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.

**010616.9H**

By Alderman Abbott:

Resolved, that the 2016 General Fund Budget, be amended to create the position of Account Clerk in the Treasurer's Office.

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

**010616.10**

**ADJOURNMENT**

At 6:30 P.M. Alderman Wohleben moved the Common Council be adjourned until 6:00 P.M., Wednesday, January 20, 2016.

Seconded by Alderman Devine and adopted. Ayes 6.

RICHELLE J. PASCERI  
City Clerk