

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

Lockport Municipal Building

Regular Meeting  
Official Record

January 21, 2015  
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 Kibler, Lombardi, Mullane, Fogle, Schrader, and Genewick.

**INVOCATION**

**MAYOR'S UPDATE**

**RECESS**

Recess for public input.

**012115.1**

**APPROVAL OF MINUTES**

On motion of Alderman Kibler, seconded by Alderman Lombardi, the minutes of the Regular Meeting of January 7, 2015 are hereby approved as printed in the Journal of Proceedings. Ayes 6. Carried.

**FROM THE MAYOR**

**Appointments:**

1/21/15 Christopher Prucha, 10 Berkley Drive, Lockport, NY – appointed as a member of the Fire Board. Said term expires December 31, 2018.  
Received and filed.

1/21/15 Paul Mullane, 15 Continental Drive, Lockport, NY – appointed as Chairman of the Audit Committee.  
Received and filed.

1/21/15 David Sholk, 432 Willow Street, Lockport, NY – appointed as a member of the Audit Committee.  
Received and filed.

1/21/15 Brian Ranney, 222 Niagara Street, Lockport, NY – appointed as a member of the Audit Committee.  
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:**

1/5/15 184 High Street, Lockport, NY – tree  
1/8/15 234 Park Avenue, Lockport, NY – tree  
1/12/15 203 Union Street, Lockport, NY – tree  
1/16/15 273 Lock Street, Lockport, NY – tree  
1/15/15 767 & 801 Market Street, Lockport, NY – clean/repair wastewater & storm sewer lines

Referred to the Director of Engineering.

**Notice of Claim:**

1/2/15 Allstate Insurance, Subrogation Claim for Deborah Yapple, 6103 Corwin Avenue, Newfane, NY

Referred to the Corporation Counsel.

1/8/15 Gia Coone, Executive Director, Cystic Fibrosis Foundation, 1775 Wehrle Drive, Suite 150, Williamsville, NY – request permission to use the pavilion at Nelson C. Goehle park on Saturday, May 16, 2015 for their Annual Great Strides Walk Event.  
Referred to the Committee of the Whole

## MOTIONS & RESOLUTIONS

### 012115.2

By Alderman Genewick:

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 23, 2015 as follows:

2014 Expenses:

General Fund	Account #001	\$181,515.59
Water Fund	Account #002	\$118,105.45
Sewer Fund	Account #003	\$ 40,657.86
Capital Fund	Account #004	\$ 3,500.00
Refuse Fund	Account #012	\$ 88,925.68

2015 Expenses:

General Fund	Account #001	\$ 40,557.48
Water Fund	Account #002	\$ 6,124.39
Sewer Fund	Account #003	\$ 2,414.38
Payroll	Pay Date 1/8/2015	\$ 480,920.26

Seconded by Alderman Kibler and adopted. Ayes 6.

**012115.3**

By Alderman Kibler:

WHEREAS, the City applied for and received a Operation IMPACT Tools Grant and Activities related to the grant have not been completed and State Reimbursement is still available

WHEREAS, revenues and activities related to the grant were not budgeted for the year 2015, now therefore be it

RESOLVED, the budget needs to be amended for the receipt of revenue and appropriation of expenditures made relative to the grant.

INCREASE:

Revenue	Public Safety Revenue/State (001.0001.4389.3450)	\$30,000.00
---------	---	-------------

Appropriations:	Personal Services/Overtime (001.3120.0101.3450)	\$30,000.00
-----------------	--	-------------

Seconded by Alderman Mullane and adopted. Ayes 6.

**012115.4**

By Alderman Kibler:

Whereas, the City has received a donation for the G.R.E.A.T. Program of \$25,000 from the "Moore for Kids" Foundation for the period of March 20, 2014 to May 31, 2015 and

Whereas, these funds were not included in the 2015 budget, and

Whereas, the unused portions necessary to add the donation to the 2015 budget, now therefore be it

Resolved, that the following budget amendment needs to be made:

INCREASE REVENUES:

001-0001-1589-3449	G.R.E.A.T. Program	\$19,240.45
--------------------	--------------------	-------------

INCREASE APPROPRIATIONS:

001-3120-4375.3449	G.R.E.A.T. Expenses/ Training, Teaching Materials, Field Trips, T-Shirts	\$9,620.23
--------------------	---	------------

001-3120-0101-3449	Overtime/G.R.E.A.T. G.R.E.A.T. Program	\$9,620.22
--------------------	---	------------

Seconded by Alderman Fogle and adopted. Ayes 6.

**012115.5**

By Alderman Schrader:

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 11, 2015 from 5:30 pm to 8:30 pm, (Memorial Day and Labor Day Super Cruises begin at 3:30 pm and it be further

Resolved, that said permission includes the following:

1. The Lockport Monday Night Cruise Optimist Club shall issue vendors and exhibitors permits to operate the market place at the Ida Fritz Park for the sale of food and drink items including alcoholic beverages, crafts and related items. This is to insure public safety and order in the park, no other vendors or exhibition displays shall permitted within the park area whether located on public or private property. The Lockport Monday Night Cruise Optimist Club shall enforce this ban with the help of and cooperation of the Lockport Police Department. The Lockport Police Department is hereby directed to enforce the removal of all concessioners, vendors, peddlers from the park area not possessing the proper permit from the Lockport Monday Night Cruise Optimist Club.
2. The cruise area shall include the blocks of West Avenue to Hawley Street, Park Avenue to the Niagara County Court House parking lot and Hawley Street from West Avenue to Niagara Street.
3. 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 the completion of said event, and be it further,

Resolved, that said permission is subject to the Lockport Monday Night Cruise Optimist Club filling a certificate of insurance with the City Clerk naming the City of Lockport as additional insured, and be it further,

Resolved, that the City of Lockport Director of Engineering is hereby authorized and directed to arrange for delivery of barricades, street closing 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 all bicycles, skateboards, and dogs on Cruise Nights during the events due to the expected heavy pedestrian traffic, and be it further

Resolved, that the Police Department is hereby directed to remove problem visitors to the Cruise.

Seconded by Alderman Lombardi and adopted. Ayes 6.

#### **012115.6**

By Alderman Kibler:

Resolved, that the Mayor, subject to Corporation Counsel approval, be and the same is hereby authorized and directed to execute a two (2) year renewal contract with the Niagara County SPCA for City dog control holding center services at a annual rate of \$22,737.46 for 2015 and 2016.

Seconded by Alderman Schrader and adopted. Ayes 6.

**012115.7**

By Alderman Lombardi:

WHEREAS, the City applied for and received a FFY 2014 STOP Violence Against Women (Domestic Violence), and

WHEREAS, revenues and activities related to the grant were not budgeted for the year 2015, now therefore be it

RESOLVED, the budget needs to be amended for the receipt of revenue and appropriation of expenditures made relative to the grant.

INCREASE REVENUES:

001-0001-4389-0361	Domestic Violence	\$21,450.23
--------------------	-------------------	-------------

INCREASE APPROPRIATIONS:

001-3120-4375-0361	Grant Expenses/ Domestic Violence	\$12,056.00
--------------------	--------------------------------------	-------------

001-3120-0101-0361	Overtime/Domestic Violence	\$9,394.23
--------------------	-------------------------------	------------

Seconded by Alderman Mullane and adopted. Ayes 6.

**012115.8**

By Alderman Schrader:

Whereas, the position of Director of Engineering was vacated on May 24, 2014, and

Whereas, the City of Lockport received Statements of Qualification for Engineering Services on July 15, 2014, and

Whereas, after interviewing the top four engineering firms, the committee recommended that the City of Lockport enter into an agreement with CRA Engineering in accordance with their submitted proposal, now therefore be it

Resolved, that the Mayor, subject to Corporation Counsel approval, is hereby authorized and directed to enter into a contract with CRA Engineering for a cost not to exceed the budgeted amount of \$50,000.00, to be charged to account 001-1440-4427.

Seconded by Alderman Fogle and adopted. Ayes 6.

**012115.9**

By Alderman Lombardi:

Resolved, the following stage rental and banner installation fees are hereby approved and effective February 1, 2015:

Banner installation and removal	\$50 per instance
Stage Rental	
For use within City Limits	\$400.00
For use outside City limits	\$500.00 + \$ .75 per mile

And be it further

Resolved, that 501(C)3 organizations are exempt from stage rental fees for use within City Limits.

Seconded by Alderman Schrader and adopted. Ayes 6.

**012115.10**

By Alderman Mullane:

Resolved, that pursuant to their request, #MSSUCKS is hereby granted permission to conduct a 5K run "Cinco-K" and barricade Vine Street from Walnut Street to Remick Parkway starting at approximately 8:30 AM on May 3, 2015, subject to #MSSUCKS filing a certificate of insurance with the City Clerk naming the City of Lockport as additional insured and subject to approval of the race route by the Police Chief, and be it further

Resolved, that the Director of Streets and Parks is hereby authorized and directed to arrange for delivery of barricades to said area prior to the event.

Seconded by Alderman Lombardi and adopted. Ayes 6.

**012115.11**

By Alderman Schrader:

Resolved, that pursuant to their request, Soccer Shots Buffalo is hereby granted permission to conduct a Summer Soccer Program at Altro Park on Thursday afternoons beginning Thursday, April 16<sup>th</sup> through Thursday, October 15<sup>th</sup>, 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 Mullane and adopted. Ayes 6.

**012115.12**

By Alderman Lombardi:

Resolved, that pursuant to their request, the Cystic Fibrosis Foundation is hereby granted permission to use the pavilion at Nelson C. Goehle Park for their annual Great Strides Walk Event on Saturday, May 16, 2015.

Seconded by Alderman Fogle and adopted. Ayes 6.

**012115.13**

By Alderman Fogle:

Resolved, that pursuant to their request, New Era Park Depew is hereby granted permission to use the baseball field at Outwater Park for the 2015 New Era Cap Classic summer tournament subject to approval of the schedule by the Highways & Parks Department and New Era Park filing a certificate of insurance with the City Clerk naming the City of Lockport as additional insured.

Seconded by Alderman Kibler and adopted. Ayes 6.

**012115.14**

By Alderman Schrader:

Resolved, that the Mayor, subject to Corporation Counsel approval, is hereby authorized and directed to enter into contract with United Business Systems, 316 Seneca Street, Buffalo, NY 14204 for Copier services.

Seconded by Alderman Genewick and adopted. Ayes 6.

**012115.14A**

By Alderman Kibler:

Resolved, that the Mayor, subject to Corporation Counsel approval is hereby authorized and directed to execute a contract and sign all requisite forms relating to CDBG grants 663CRF-ME830-14 and 663CRF-ME828-14 awarded in December 2014.

Seconded by Alderman Lombardi and adopted. Ayes 6.

**012115.14B**

By Alderman Schrader:

Whereas, the City Council of the City of Lockport is proposing a Raw Water Pumping Station Screen Replacement; and

Whereas, pursuant to Article 8 of the Environmental Conservation Law and the regulations contained in 6 NYCRR Part 617, hereafter SEQRA, the City Council has determined this action to be treated as a Type II Action; and

Whereas, this action is taken after careful consideration of all possible impacts that this action might have on air, water, and natural resources, and all other natural and manmade environments in or around the City of Lockport; and the City Council has set forth such consideration on forms on file in the City Clerk's Office.

Now therefore be it resolved as follows:

1. The City Council of the City of Lockport hereby determines that the Raw Water Pumping Station Screen Replacement Project to be a Type II Action and will have no significant effect on the environment.
2. The City Clerk shall maintain a file of this determination in the permanent records of the City of Lockport, make the same available for public inspection, and notify all involved agencies as required by law.

Seconded by Alderman Genewick and adopted. Ayes 6.

**012115.14C**

By Alderman Schrader:

**Whereas**, the Chief Operator of the Waste Water Treatment Plant and the Assistant Director of Engineering have informed the Mayor that two of the four final clarifiers tanks at the Waste Water Treatment Plant are in immediate need of repair; and

**Whereas**, STC Construction, Inc. and CRA Infrastructure & Engineering, Inc. inspected and evaluated the damage of the tanks finding that the rake mechanism and the complete sludge blanket removal through in both clarifier tanks is heavily damaged and in need of foundation repair and part replacements; and

**Whereas**, STC Construction proposed to repair the tanks for an amount of \$189,000.00 including repair construction costs and part replacements; and

**Whereas**, CRA Infrastructure & Engineering, Inc. proposed to provide engineering assistance and inspection during the assessment and repair of the tanks for an amount no greater than \$19,400.00.

**Now, Therefore**, be it **resolved** as:

1. The Mayor, subject to Corporation Counsel approval, is hereby authorized and directed to declare an emergency declaration and is also hereby authorized to enter into contract with STC Construction, Inc., 63 Zoar Valley Road, Springville, NY 14141, and with CRA Infrastructure & Engineering, Inc., 285 Delaware Ave., Suite 500, Buffalo, NY 14202, to repair said clarifier tanks on a time and materials proposed by the engineering firms, and authorize the transfer of funds from sewer account # 003.0003.0200 to expenditure account # 004.0004.0520.4162 Clarifier Tank Repair.

Seconded by Alderman Fogle and adopted. Ayes 6.

**012115.14D**

By Alderman Genewick:

Resolved, that pursuant to the recommendation of the Civil Service Commission, the job specifications for Director of Streets and Parks are hereby approved.

Seconded by Alderman Kibler and adopted. Ayes 6.

**012115.15**

**ADJOURNMENT**

At 6:27 P.M. Alderman Kibler moved the Common Council be adjourned until 6:00 P.M., Wednesday, February 4, 2015.

Seconded by Alderman Kibler and adopted. Ayes 6.

RICHELLE J. PASCERI  
City Clerk