

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

Lockport Municipal Building

Regular Meeting  
Official Record

August 2, 2017  
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, Oates, O'Shaughnessy, Mullane, and Wohleben.

**INVOCATION**

**MAYOR'S UPDATE**

**RECESS**

Recess for public input.

**080217.1**

**APPROVAL OF MINUTES**

On motion of Alderman Wohleben, seconded by Alderman \_\_\_\_\_, the minutes of the Regular Meeting of July 19, 2017 are hereby approved as printed in the Journal of Proceedings. Ayes \_\_\_\_\_. 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)

7/21/17 Mary Jo Floyd, Events Coordinator, Lockport New Beginnings – request permission to conduct the 20<sup>th</sup> annual “Walking for a Drug Free Community” on Saturday, September 16, 2017.

Referred to the Committee of the Whole

7/26/17 Melissa L. Dunlap, Executive Director – Niagara County Historical Society – request permission to conduct a fundraising auction and tent party on August 19, 2017.

Referred to the Committee of the Whole

**Notice of Defect:**

7/11/17 239 Clinton Street – tree  
7/21/17 157 Caledonia Street – tree  
Referred to the Director of Streets and Parks.

**Notice of Claim:**

7/7/17 David A. George, 50 16<sup>th</sup> Avenue, North Tonawanda, NY  
7/13/17 Mary Rose Hufnagel, 7440 Rochester Road, Lockport, NY  
7/31/17 Kameka Humber, 90-C Village Drive, Apt. 1, Cheektowaga, NY  
Referred to the Corporation Counsel.

**Notice of Petition:** (To review real property tax assessment pursuant to Article 7 of the Real Property Tax Law)

7/20/17 Jeffrey G. Harmon and Sandra L. Harmon -vs- Tracy Farrell, Assessor of the City of Lockport, and The board of Assessment Review for the City of Lockport, County of Niagara and State of New York.

7/27/17 Lockport Professional Park, LLC -vs- City of Lockport  
Referred to the City Assessor

**MOTIONS & RESOLUTIONS**

**080217.2**

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 August 4, 2017 as follows:

General Fund	Account #001	\$ 91,813.20
Water Fund	Account #002	\$ 53,901.87
Sewer Fund	Account #003	\$ 33,873.14
Capital Projects	Account #004	\$ 66,786.33
Refuse Fund	Account #012	\$ 94,391.45
Self Insurance	Account #013	\$ 144,589.03
Payroll	Pay Date 7/20/17	\$ 516,383.09

Seconded by Alderman \_\_\_\_\_ and adopted. Ayes \_\_\_\_\_.

**080217.3**

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>
Kevin P. Newman	25	Police Detective
Matthew K. Hurtgam	10	Police Lieutenant
Luke W. Giansante	10	Police Officer
Anthony D. Pittman	10	Police Lieutenant

Seconded by Alderman \_\_\_\_\_ and adopted. Ayes \_\_\_\_\_.

**080217.4**

By Alderman Wohleben:

Resolved, that pursuant to Section 32 of the NYS Public Housing Law and subject to Corporation Counsel approval, salary increases for the City of Lockport Housing Authority employees are approved as follows:

For the CSEA Local 832 union employees:

- 2% increase for the fiscal year beginning April 1, 2014
- 2% increase for the fiscal year beginning April 1, 2015
- 2% increase for the fiscal year beginning April 1, 2016
- 2% increase for the fiscal year beginning April 1, 2017
- 2% increase for the fiscal year beginning April 1, 2018

For the Management Association employees:

- 2% increase for the fiscal year beginning April 1, 2018

Seconded by Alderman \_\_\_\_\_ and adopted. Ayes \_\_\_\_\_.

**080217.5**

By Alderman Oates:

Resolved, that pursuant to their request, permission is hereby granted to Lockport New Beginnings to conduct the 20<sup>th</sup> annual “Walking for a Drug Free Community” on Saturday, September 16, 2017 beginning at 1:00 p.m. at Widewaters Marina, subject to approval of the race route by the Police Chief, and 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 to the area prior to the event.

Seconded by Alderman \_\_\_\_\_ and adopted. Ayes \_\_\_\_\_.

**080217.6**

By Alderman Oates:

Resolved, that pursuant to their request, permission is hereby granted to the Niagara County Historical Society to erect a tent in the parking lot of the Erie Canal Discovery Center on Saturday, August 19, 2017 for their annual fundraising auction and tent party, 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 \_\_\_\_\_ and adopted. Ayes \_\_\_\_\_.

**080217.7**

By Alderman Devine:

**Whereas**, the City of Lockport and Kandey Company, Inc. signed a contract on May 18, 2017 to perform cleaning and video inspection of storm and sanitary sewers in City areas affected by heavy rain event, and

**Whereas**, additional work is required to inspect and clean sanitary sewers on Elmira Street, Maple Street, Washburn Street, and Tudor Lane, and be it further

**Resolved**, authorize the Mayor, subject to Corporation Counsel approval, to sign an amendment of the contract between the City of Lockport and Kandey Company, Inc., 19 Ransier Drive, West Seneca, NY 14224, for an amount of \$20,000.00 to complete said sanitary sewer work to be charged to Account Number 003.8125.4571.

Seconded by Alderman \_\_\_\_\_ adopted. Ayes \_\_\_\_\_.

**080217.8**

By Alderman Devine:

**Whereas**, the City of Lockport has been approved by the Dormitory Authority of the State of New York (DASNY) to receive a Municipal Facilities Program ("SAM") Grant in the amount of \$800,000.00 for the Purchase and Installation of Water Intake Screens at the City of Lockport's Pumping Station in the City of North Tonawanda, and

**Whereas**, the cost of the contracts to replace the Water Screens at the North Tonawanda Pumping Station will be about \$640,000, including a General Contract STC Construction Inc., an Electrical Contract with CIR Construction Corp., and Engineering Contracts with GHD Consulting Services and Nussbaumer and Clarke, Inc., and

**Whereas**, Allen Marine Services (AMS) performed an inspection of the water intake pipe and crib structure at the Niagara River that is connected to the City of Lockport Pumping Station in the City of North Tonawanda, and found that the wooden intake grating was in poor structural condition and many of the timbers were severely rooted and had become unstable, and

**Whereas**, the Common Council approved a resolution to award the Intake Pipe and Crib Repair to Hohl Industrial Services, Inc. for an amount of \$141,000, and Nussbaumer and Clarke, Inc. submitted a proposal dated January 16, 2017, and amended on July 24, 2017 for a not to exceed amount of \$10,250.00 to design the crib structure, to prepare plans and contractual documents, and to perform residential inspection in the installation of the crib structure, and

**Whereas**, the City would like to request the approval from the Dormitory Authority of the State of New York (DASNY) to finance the repair of the Water Intake Pipe and Crib Structure located at the Niagara River with the remaining funds of the awarded \$800,000.00 grant; now, therefore, be it

**Resolved**, that the Director of Engineering is hereby authorized and directed to request approval from the Dormitory Authority of State of New York (DASNY) to use the remaining funds of the awarded \$800,000.00 grant in the Repair of the Water Intake Pipe and Crib Structure project, including engineering costs, and be it further

**Resolved**, that the Mayor, subject to Corporation Counsel approval, is hereby authorized and directed enter into contract with Nussbaumer and Clarke Inc., 3556 Lake Shore Road, Suite 500, Buffalo, New York 14219, for a not to exceed amount of \$10,250.00 to engineer the Water Intake Pipe and Crib Structure and to be charged to Capital Projects.

Seconded by Alderman \_\_\_\_\_ and adopted. Ayes \_\_\_\_\_.

**080217.9**

By Alderman Mullane:

Resolved, that pursuant to their request, permission is hereby granted to the Cub Scouts to conduct a kickball tournament at Outwater Park on September 9, 2017, subject to approval the Director of Streets and Parks, and filing a certificate of insurance with the City Clerk naming the City of Lockport as additional insured.

Seconded by Alderman \_\_\_\_\_ and adopted. Ayes \_\_\_\_\_.

**080217.10**

By Alderman \_\_\_\_\_:

**Whereas**, the City of Lockport has finalized the inspection of its raw waterline and the City's consultant engineering firm has recommended to replace approximately two miles of the original steel lock bar pipe located at the northern end of the raw waterline and in the proximities of the City, and

UPDATED MINUTES – INCLUDES ADDENDUM ITEMS

**Whereas**, the New York State Water infrastructure Improvement Act Grant Program and the New York State Revolving Fund Program awarded a grant to the City of Lockport to replace the two-mile section of the raw waterline, and

**Whereas**, in January 2016, the Engineering Department requested Proposals for Qualifications for Professional Engineering Services to bid for municipal engineering projects and the following firms were selected: AECOM Technical Services, Inc., Barton & Loguidice, CHA Design/Construction Solutions, Clark Patterson Lee, El Team, Inc., Erdman Anthony, GHD Consulting Services, Inc., KHEOPS Architecture, Engineering & Survey, and Nussbaumer & Clarke, Inc.

**Whereas**, in May 2017, the Engineering Department invited the nine prequalified engineering firms to submit their proposals for Professional Engineering Services to design the 30-Inch Raw Watermain Replacement Project, and six firms submitted their proposals, and

**Whereas**, the Mayor appointed a Committee to evaluate and rank each submission, and the Committee found that the most complete proposal on the basis of general capabilities of the firm, staff qualifications, relevant project experience, and cost/benefit analysis, was the proposal presented by GHD Consulting Services, Inc. The Committee has recommended the Mayor to award the project to GHD Consulting Services, Inc.; now, therefore, be it

**Resolved**, that the Mayor, subject to Corporation Counsel approval, is hereby authorized and directed to sign an agreement with GHD Consulting Services Inc., 285 Delaware Avenue, Buffalo, New York, for an amount of \$427,700 for Professional Engineering Services to design the 30-Inch Raw Watermain Replacement Project as described in GHD's Engineering Services Proposal dated June 23, 2017; cost of the project to be financed through reimbursement from the New York State Water infrastructure Improvement Act Grant Program and the New York State Revolving Fund Program.

Seconded by Alderman \_\_\_\_\_ and adopted. Ayes \_\_\_\_\_.

#### 080217.11

By Alderman Oates:

Resolved, that pursuant to their request, permission is hereby granted the residents of Chapel Street to barricade Chapel Street from Olcott Street to Mill Street on Saturday, August 5, 2017, for a block party, 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 \_\_\_\_\_ and adopted. Ayes \_\_\_\_\_.

#### 080217.12

By Alderman \_\_\_\_\_:

Whereas, Ellen Martin was granted permission to conduct a Sweet Summer event 'Rivi-Erie' and to place sand, palm trees, chairs and beach umbrellas on city property located at Nelson C. Goehle Wide Waters marina, and

Whereas, said permission was subject to Ellen Martin filing a certificate of insurance with the City Clerk naming the City of Lockport as additional insured, and

Whereas, said permission was subject to Corporation Counsel approval and NYS Canal Corporation rules and regulations, and

Whereas, Ellen Martin completed the above project, and

Whereas, the City desires to continue the project as described above. now therefore be it

Resolved, that the City shall maintain the sand, palm trees, chairs and beach umbrellas on city property located at Nelson C. Goehle Wide Waters marina subject to NYS Canal Corporation rules and regulations.

Seconded by Alderman \_\_\_\_\_ and adopted. Ayes \_\_\_\_\_.

**080217.13**

By Alderman Devine:

Resolved, that pursuant to their request, permission is hereby granted the residents of Grosvenor Street to barricade Grosvenor Street from Church Street to Transit Street on Saturday, September 9, 2017, for a block party, 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 \_\_\_\_\_ and adopted. Ayes \_\_\_\_\_.

**080217.14**

By Alderman Abbott:

Resolved, that pursuant to their request, the United Auto Workers, Local 686 Veteran's Committee is hereby granted permission to conduct their Annual Veteran's Appreciation 5K run and barricade Vine Street from Walnut Street to Remick Parkway starting at approximately noon on November 4, 2017, subject to the U.A.W. Local 686 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 \_\_\_\_\_ and adopted. Ayes \_\_\_\_\_.

**080217.15**

By Alderman Devine:

Resolved, that pursuant to Corporation Counsel approval, the Chief Operator- Water Filtration Plant is authorized to enter into a cooperative purchasing group with the Niagara Falls Water Board for the purchase of chemicals.

Seconded by Alderman \_\_\_\_\_ and adopted. Ayes \_\_\_\_\_.

**080217.15A**

By Alderman \_\_\_\_\_:

Whereas, the City of Lockport infrastructure including roads, sewers and water systems are aging and continually deteriorate due to routine use and environmental conditions, and the City proactively is planning rehabilitation of aging infrastructure; and

Whereas, Park Avenue, between West Avenue and South Transit Road, has been identified as a candidate for rehabilitation and the City would like to establish an itemized budget to perform its restoration including road reconstruction, new water, sanitary, and storm pipelines, sidewalks and related appurtenances; and

Whereas, the City has received a proposal from Nussbaumer & Clarke, Inc., dated July 31, 2017 for Professional Engineering Services to perform an engineering evaluation of Park Avenue and prepare a report summarizing the conditions and costs to rebuild the road and associated infrastructure and,

Whereas, the 2017 Budget did not anticipate the expense for this evaluation necessitating the use of Contingency; now, therefore, be it

Resolved, that the Mayor, subject to Corporate Counsel approval, is hereby authorized to execute an agreement with Nussbaumer & Clarke, Inc. for a fee Not-to-Exceed \$5,500 for the Scope of Work included in their Proposal for Professional Engineering Services for Pavement Recommendations for Park Avenue, dated July 31, 2017, to be charged to account 001.1440.4427, Engineering Services; and Be it Further

Resolved, that the 2017 Budget is hereby amended as follows.

Expense:

Increase:

001.1440.4427      Engineering Services      \$5,500

Decrease:

001.1900.1990      Contingency      \$5,500

Seconded by Alderman \_\_\_\_\_ and adopted. Ayes \_\_\_\_\_.

**080217.15B**

By Alderman \_\_\_\_\_:

Whereas, the City of Lockport infrastructure including roads, sewers and water systems are aging and continually deteriorate due to routine use and environmental conditions, and the City proactively is planning rehabilitation of aging infrastructure; and

Whereas, Hyde Park, between High Street and Elmwood Avenue, has been identified as a candidate for rehabilitation and the City would like to establish an itemized budget to perform its restoration including road reconstruction, new water, sanitary, and storm pipelines, sidewalks and related appurtenances; and

Whereas, the City has received a proposal from Nussbaumer & Clarke, Inc. dated July 31, 2017 for Professional Engineering Services to perform an engineering evaluation of Hyde Park and prepare a report summarizing the conditions and costs to rebuild the road and associated infrastructure; and

Whereas, the 2017 Budget did not anticipate the expense for this evaluation necessitating the use of Contingency; now, therefore, be it

Resolved that the Mayor, subject to Corporate Counsel approval, is hereby authorized to execute an agreement with Nussbaumer & Clarke, Inc. for a fee Not-to-Exceed \$4,400 for the Scope of Work included in their Proposal for Professional Engineering Services for Pavement Recommendations for Hyde Park, dated July 31, 2017, to be charged to account 001.1440.4427, Engineering Services; and Be it Further

Resolved, that the 2017 Budget is hereby amended as follows.

Expense:

Increase:

001.1440.4427      Engineering Services      \$4,500

Decrease:

001.1900.1990      Contingency      \$4,500

Seconded by Alderman \_\_\_\_\_ and adopted. Ayes \_\_\_\_\_.

**080217.15C**

By Alderman \_\_\_\_\_:

Resolved, that a public hearing be held at the Common Council Meeting of August 16, 2017 starting at 5:30 P.M. in the Common Council Chambers, Lockport Municipal Building, One Locks Plaza, Lockport, NY relative to a request for a Special Use Permit made by Grace

Episcopal Church, for approval for a private school to be located at 100 Genesee Street, situated in a R-3 Zone, and be it further

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

Seconded by Alderman \_\_\_\_\_ and adopted. Ayes \_\_\_\_\_.

**080217.16**

**ADJOURNMENT**

At \_\_\_\_\_ P.M. Alderman Wohleben moved the Common Council be adjourned until 5:30 P.M., Wednesday, August 16, 2017.

Seconded by Alderman \_\_\_\_\_ and adopted. Ayes \_\_\_\_\_.

RICHELLE J. PASCERI  
City Clerk