

CITY OF LOCKPORT
CORPORATION PROCEEDINGS

Lockport Municipal Building

Regular Meeting
Official Record

December 6, 2017
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, Farrell, Oates, Mullane, and Wohleben.

INVOCATION

MAYOR'S UPDATE

RECESS

Recess for public input.

120417.1

APPROVAL OF MINUTES

On motion of Alderman Wohleben, seconded by Alderman _____, the minutes of the Regular Meeting of November 15, 2017 are hereby approved as printed in the Journal of Proceedings. Ayes _____. Carried.

PUBLIC HEARING

The Mayor announced a public hearing on the 2017 Restore New York Communities Initiative Grant Application.

The Mayor asked the City Clerk if any petitions or communications relative to said grant application have been received.

Recess for public input.

The Mayor closed the public hearing

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)

12/5/17 Alderman Wohleben – Disclosure of Interest in legislation relative to abstaining from voting on resolution 120417.4.
Referred to the Committee of the Whole

12/5/17 Terence P. Clark, President, Twin City Ambulance – communication in response to a complaint.
Referred to the Committee of the Whole

Notice of Defect:

11/16/17 199 Cottage Street – tree
11/28/17 44 Franklin Avenue – tree
Referred to the Director of Streets and Parks.

Notice of Claim:

11/21/17 Sean Chambers, 267 Chestnut Street, Lower, Lockport, NY
Referred to the Corporation Counsel.

Summons and Complaint:

11/2/17 Homesite Insurance company on its own behalf and as subrogee of Beverly Lambert
Referred to the Corporation Counsel.

MOTIONS & RESOLUTIONS

120617.2

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 8, 2017 as follows:

General Fund	Account #001	\$ 110,720.44
Water Fund	Account #002	\$ 31,224.46
Sewer Fund	Account #003	\$ 131,736.29
Capital Projects	Account #004	\$ 213,581.33
Refuse Fund	Account #012	\$ 94,203.40
Self Insurance	Account #015	\$ 1,341.60
Payroll	Pay Date 11/22/17	\$ 466,539.53

Seconded by Alderman _____ and adopted. Ayes _____.

120417.3

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>
Mark A. Smith	10	WWTP Lab Technician
Eric P. Heineman	10	Water Treatment Plant Operator

Seconded by Alderman _____ and adopted. Ayes _____.

120417.4

By Alderman Abbott:

WHEREAS, the City of Lockport desires to apply for \$500,000 in financial assistance under the Restore New York Communities Initiative; and

WHEREAS, the application proposes funding to rehabilitate four properties in downtown Lockport, located at 13 West Main Street and 17 West Main Street, and

WHEREAS, the proposed funding will contribute to ongoing community revitalization efforts; and

WHEREAS, the proposed financing is appropriate for the specific project; and

WHEREAS, the project facilitates effective and efficient use of existing and future public resources so as to promote both economic development and preservation of community resources; and

WHEREAS, the project develops and enhances infrastructure and/or other facilities in a manner that will attract, create and sustain employment opportunities; and

WHEREAS, the applicant requests the approval and endorsement of the governing body of the municipality in which the project will be located.

NOW, THEREFORE, BE IT

RESOLVED, that the Common Council of the City of Lockport approves and endorses the 2017 Restore New York Communities Initiative Grant Application to be submitted by the City of Lockport.

Seconded by Alderman _____ and adopted. Ayes _____.

120417.5

By Alderman Devine:

Whereas, in response to flooding that occurred during the wet weather event of June 2013, the City proposed to separate the combined sewer on High street between State Road and Locust Street in Lockport NY , and

Whereas, the Dormitory Authority State of New York (DASNY) State and Municipal Facilities Capital Program ("SAM") awarded a grant to the City of Lockport in the amount of \$1,500,000 to upgrade the High Street Sewer System, and

Whereas, in October 2017, the Engineering Department requested proposals for Professional Engineering Services from prequalified engineering firms to complete the engineering design of the High Street sewer separation, and three proposals were received as follows: Nussbaumer & Clarke, Inc. Engineers and Surveyors \$174,756, Erdman Anthony Engineering Infrastructure Solutions \$224,080, and CHA Design Construction Solutions \$223,700, 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 Nussbaumer & Clarke, Inc. Engineers and Surveyors. The Committee has recommended the Mayor to award the project to Nussbaumer & Clarke, Inc. Engineers and Surveyors; now, therefore, be it

Resolved, that the Mayor, subject to Corporation Counsel approval, is hereby authorized and directed to sign an agreement with Nussbaumer and Clarke Inc. Engineers and Surveyors, 3556 Lake Shore Road, Suite 500, Buffalo, New York 14219, for an amount of \$174,756 for Professional Engineering Services to design the Storm Sewer Separation at High Street as described in its proposal dated November 8, 2017; cost of the project to be financed through reimbursement from the Dormitory Authority State of New York (DASNY) State and Municipal Facilities Capital Program ("SAM") Grant.

Seconded by Alderman _____ and adopted. Ayes _____.

120417.6

By Alderman Oates:

Resolved, that the Mayor, subject to Corporation Counsel approval, is hereby authorized and directed to sign an Inter Municipal Agreement with Niagara County for IT services for a cost not to exceed \$45,000.

Seconded by Alderman _____ and adopted. Ayes _____.

120417.7

By Alderman Oates:

Resolved, that pursuant to the request of the Hair's to You, the Director of Streets and Parks be and the same is hereby authorized and directed to arrange for delivery of temporary no parking signs and traffic cones on Market Street in front of the Bewley Building on December 19, 2017.

Seconded by Alderman _____ and adopted. Ayes _____.

120417.8

By Alderman Devine:

Whereas, on resolution 042016.4 dated April 25, 2016, the Common Council authorized the Mayor to enter into a contract with Nussbaumer and Clarke, Inc. to provide General Engineering Support Services on as-needed or "on-call" basis, and, and

Whereas, per Engineering Department request, Nussbaumer & Clarke, Inc. has submitted a proposal to amend the original contract dated April 26, 2016 for supporting the City as Retained Engineer for Fiscal Year 2018, and

Resolved, that the Mayor, subject to Corporation Counsel approval, is hereby authorized and directed to sign an amendment to the original contract between the City and Nussbaumer & Clarke, Inc., 3556 Lake Shore Road, Suite 500, New York, for a cost not to exceed the budgeted amount of \$50,000.00 to be charged to account 001-1440-4427.

Seconded by Alderman _____ and adopted. Ayes _____.

120417.9

By Alderman Devine:

Whereas, in January 2016 the City of Lockport issued a Request for Qualifications (RFQ) from qualified Professional Engineering Firms to provide consultant engineering services for municipal engineering projects; and

Whereas, the Mayor appointed a committee to review the engineering firms proposals and determined that each of the following firms were qualified in their areas of expertise: AECOM, Technical Services, Inc.; Erdman Anthony Engineering Infrastructure Solutions; CHA Design Construction Solutions.; Barton & Loguidice, D.P.C.; Clark Patterson Lee Design Professional; EI Team, Architecture, Engineering, Planning, and Construction; GHD

Consulting Services Inc.; KHEOPS Architecture, Engineering, and Survey; and Nusbaumer & Clarke, Inc.; and

Whereas, in April 2016, the Common Council resolved on resolution 042016.9 to pre-qualified said engineering firms and authorized the City Engineer to request proposals for engineering projects from any or all of the firms based upon the firms' level of expertise; and

Whereas, the City wishes to allow the ability to continue soliciting formal proposals and utilizing the most qualified engineering firm for specific projects that arise from time to time; and be it further

Resolved, that the Mayor, subject to Corporation Counsel Approval, is hereby authorized and directed to execute agreements with any of the above mentioned engineering firms for engineering studies and infrastructure projects that the City plans from time to time; and be it further

Resolved, that said authority shall be limited to the boundaries imposed by project resolutions or budgetary appropriation.

Seconded by Alderman _____ and adopted. Ayes _____.

120417.10

By Alderman Wohleben:

Resolved, that pursuant to their request, Lockport Ice Arena & Sports Center, partnered with The Penalty Box and Lockport Main Street Inc., is hereby granted permission to conduct "First Night Lockport" ball drop and fireworks display on December 31, 2017, and be it further

Resolved, that permission is hereby granted to barricade Chestnut Street from Elm Street to Charles Street for said event, and be it further

Resolved, that permission is hereby granted to allow the sale of food and beverages during said event, and be it further

Resolved, that said permission is subject to Lockport Ice Arena & Sports Center 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, and street closed signs to the area prior to the event.

Seconded by Alderman _____ and adopted. Ayes _____.

120417.11

By Alderman Mullane:

WHEREAS, on December 16, 1964, the Common Council passed a resolution stating that the City of Lockport is authorized, pursuant to Section 92-a of the General Municipal Law, to provide medical, surgical, and hospital services or insurance for officers, employee, and retired officers and employees of public corporations and their families, and provided the City paid the full cost of said insurance for officers and employees who worked for the City, and

WHEREAS, on March 19, 1975, the City of Lockport passed a resolution to extending medical benefits to retired City employees who retired prior to December 16, 1964, and

WHEREAS, on January 16, 1985, the Common Council passed a resolution adding the Deputy City Treasurer and Principal Account Clerk to the above resolutions, and

WHEREAS, on March 4, 1992, the Common Council passed a resolution providing medical insurance benefits for Department Heads, the Police and Fire Chief, and the City Treasurer with the City paying the full cost, and

WHEREAS, on April 22, 1992, the Common Council adopted a resolution affording the Mayor and Corporation Council the same degree of medical insurance benefits as the City Treasurer and the Commissioner of Public Works, and

WHEREAS, on February 6, 2002, the Common Council amended the resolutions adopted December 16, 1994 and December 18, 1985, and extended medical benefits for retired employees who were employed as of February 6, 2002, and

WHEREAS, Alderwoman Mullane believes that since new employees and future contracts will seek a contribution for healthcare the Mayor should contribute 15% of the healthcare cost for the office of the Mayor, and

WHEREAS, Section C-15 of the City Charter states that "Effective January 1, 2007, the salary of an elective officer may be changed by the Common Council in the month of July, preceding the general election at which candidates for such office are to be voted for, but at no other time, and such change in salary shall not become effective until the first day of January following such election," and

WHEREAS, the next general election for the office of the Mayor is November 5, 2019 and therefore the salary and benefits of the Mayor may be changed in the month of July 2019.

NOW, THEREFORE, BE IT

RESOLVED, that effective July 1, 2019, the resolution adopted on April 22, 1992, be and is hereby amended to the effect that as of January 1, 2019, the Mayor shall be required to contribute 15% of the health care cost for full health care coverage.

Seconded by Alderman _____ and adopted. Ayes _____.

120417.12

ADJOURNMENT

At _____ P.M. Alderman Wohleben moved the Common Council be adjourned until 6:30 P.M., Wednesday, December 20, 2017.

Seconded by Alderman _____ and adopted. Ayes _____.

RICHELLE J. PASCERI
City Clerk