

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

Lockport Municipal Building

Regular Meeting  
Official Record

June 20, 2018  
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, Eggert, Farrell, Oates and Wohleben.

**INVOCATION**

**MAYOR'S UPDATE**

**RECESS**

Recess for public input.

**062018.1**

**APPROVAL OF MINUTES**

On motion of Alderman Wohleben, seconded by Alderman Abbott, the minutes of the Regular Meeting of June 6, 2018 are hereby approved as printed in the Journal of Proceedings. Ayes 6. Carried.

**FROM THE MAYOR**

**Appointments:**

**Commissioner of Deeds:**

For the term of two years expiring on December 31, 2019

Angela Stamm Phipps, 7320 Erica Lane, North Tonawanda, New York, 14120

Received and filed.

6/14/18 Mark A. Cocco, 77 Pine Street, Lockport, NY – appointed as a Water and Sewer Maintenance Worker for the Water Distribution Department effective June, 15, 2018. Said appointment is permanent and subject to the City of Lockport Municipal Civil Service Rules and Regulations.

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)

6/4/18 Steven Pawlak, Niagara-Orleans District of the Order of the Eastern Star – request permission to hold a chicken barbeque fundraiser on September 19, 2018. Referred to the Committee of the Whole.

6/8/18 Vanessa Bates-Mixon, The Community Health Center of Buffalo, Lockport Satellite Office – request permission to host an event on August 12, 2018. Referred to the Committee of the Whole.

6/12/18 Richelle J. Pasceri, City Clerk – notification that the Lockport Municipal Offices will be closed as follows in the month of July in observance of Independence Day.

Wednesday, July 4<sup>th</sup>

Garbage collection will fall on the following day for the remainder of that week.

Referred to the Media.

6/15/18 Richelle J. Pasceri, City Clerk – notification that bid proposal for the Nelson C. Goehle Public Marina Kayak Launch were received on June 15, 2018 as follows:

Anchor Marine Grand Island, NY	\$38,286.75
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Referred to the Committee of the Whole.

6/15/18 Richelle J. Pasceri, City Clerk – notification that bid proposals for the High Street Sewer Separation Project were received on June 15, 2018 as follows:

Aacadia Site Contracting, Inc Depew, NY	Total	\$ 958,452.66
	Alternate 1	\$ 8,040.00
	Alternate 2	\$ 92,055.00
	Alternate 3	\$ 124,320.00
	Alternate 4	\$ 126,000.00
	Alternate 5	\$ 9,200.00
4 <sup>th</sup> Generation Construction Niagara Falls, NY	Total	\$1,231,242.00
	Alternate 1	\$ 22,244.00
	Alternate 2	\$ 116,964.00
	Alternate 3	\$ 88,800.00
	Alternate 4	\$ 90,000.00
	Alternate 5	\$ 6,000.00

Milhurst Construction Co.  
Tonawanda, NY

Total	\$1,413,378.00
Alternate 1	\$ 17,420.00
Alternate 2	\$ 108,300.00
Alternate 3	\$ 128,760.00
Alternate 4	\$ 130,500.00
Alternate 5	\$ 11,900.00

Referred to the Committee of the Whole.

**Notice of Defect:**

5/29/18 Various locations - pavement markings  
6/4/18 274 Church Street – tree  
6/4/18 223 Ontario Street - tree

Referred to the Director of Streets and Parks.

**Notice of Claim:**

5/30/18 Clifford Seguin, 452 Chestnut Drive, Lockport, NY  
6/11/18 Scott Krulisky, 23 Kingston Circle, Lockport, NY  
6/11/18 Nicole Thompson, 245 Trowbridge Street, Lockport, NY

Referred to the Corporation Counsel.

**MOTIONS & RESOLUTIONS**

**062018.2**

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 June 7 & 22, 2018 as follows:

General Fund	Fund A	\$ 136,607.64
Water Fund	Fund FX	\$ 43,720.42
Sewer Fund	Fund G	\$ 25,067.32
Capital Projects	Fund	\$ 191,590.05
Refuse Fund	Fund CL	\$ 98,357.73
Self Insurance	Fund MS	\$ 3,406.10
Worker's Comp	Fund S	\$ 6,075.00
Payroll	Pay Date 6/7/18	\$ 449,377.21

Seconded by Alderman Oates and adopted. Ayes 6.

**062018.3**

By Alderman Wohleben:

Resolved, that pursuant to their request, permission is hereby granted to the Order of the Eastern Star to conduct a Chicken BBQ in the City parking lot behind the Masonic Hall on September 19, 2018, and be it further

Resolved, that permission is hereby granted to barricade parking spaces on Main Street and Cottage Street for said 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.

**062018.4**

By Alderman Wohleben:

Resolved, that pursuant to their request, permission is hereby granted to the Community Health Center of Buffalo to barricade Heritage Court on August 14, 2018 from 9:30 am to 1:30 pm for a healthcare 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 Farrell and adopted. Ayes 6.

**062018.5**

By Alderman Oates:

Whereas, the City of Lockport seeks to provide expanded recreational opportunities to Lockport residents and tourists at the Erie Canal and demand for kayak access to the Canal in Lockport has been expressed; and

Whereas, the City entered into agreement with Nussbaumer & Clarke, Inc. (Nussbaumer) to design plans and prepare bid documents for the development of the Kayak Launch project; and

Whereas, the City publicly advertised a Notice to Bidders and subsequently accepted bids from contractors on June 15 2018 at 2:00 p.m., which were publicly opened and read as follows: RW Weaver Corporation, DBA: Anchor Marine and Greater Lakes EZ-Dock \$38,286.75; and

Whereas, additional funding is required to complete this project necessitating a budget amendment; and

Whereas, Nussbaumer reviewed the contractor bid and references and recommends that the City awards the contract to RW Weaver Corporation, DBA: Anchor Marine and Greater Lakes EZ-Dock; now, therefore, be it

Resolved, that the Mayor, subject to Corporation Counsel approval, is hereby authorized to execute an agreement with RW Weaver Corporation, DBA: Anchor Marine and Greater Lakes EZ-Dock, 1501 Ferry Road, Grand Island, NY 14072 in the amount of \$38,286.75 for the installation of a Kayak Launch at the Lockport Widewaters Marina area and to be charged to Capital Projects; and be it further

Resolved, that the Kayak Launch capital project is hereby increased to \$51,500 and the 2018 General Fund is amended as follows:

Expense:

Decrease

A 1440.54055	Professional Services	\$6,500
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Increase

A 9901.59000.H	Interfund Transfer to Capital	\$6,500
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Seconded by Alderman Devine and adopted. Ayes 6.

**062018.6**

By Alderman Wohleben:

Whereas, the City of Lockport is taking steps in combined sewer overflow remediation efforts to prevent discharges from the combined sewer system into the Erie Canal as mentioned in the City's Annual CSO Report to the New York Department of Environmental Conservation (NYSDEC); and

Whereas, the City has experienced flooding along High Street in the past; and  
Whereas, the City received a \$1,500,000 from the Dormitory Authority of the State of New York (DASNY) State and Municipal Facilities Program (SAM) Grant to alleviate overflows and flooding problems within the High Street area; and

Whereas, the City entered into agreement with Nussbaumer & Clarke, Inc. (Nussbaumer) to develop plans and bid documents to design a separate storm sewer for a portion of High Street; and

Whereas, the City publicly advertised a Notice to Contractors and subsequently accepted bids on June 15, 2018 at 2:00 p.m., which were publicly opened and read as follows: Accadia Site Contracting, Inc., \$1,318,067.66; 4th Generation Construction, Inc., \$1,555,250.00; and Milherst Construction, Inc., \$1,810,258.00; and

Whereas, contractor bids include: installation of a storm sewer from Washburn St. to the Erie Canal; milling deteriorated pavement on High St. from South Transit St. to State Road; asphalt paving on High St. from Washburn St. to State Road; replacing curbs on both sides of High St. from South Transit St. to Washburn St.; and manhole rim adjustments prior to street pavement; and

Whereas, Nussbaumer reviewed the contractor bids and recommends that the City awards the contract to the low bidder Accadia Construction, Inc., for a total amount of \$1,318,067.66, which includes the project base bid plus all its bid alternates; now, therefore, be it

Resolved, that the Mayor, subject to Corporation Counsel approval, is hereby authorized to execute an agreement with Accadia Site Contracting, Inc., 5636 Transit Road, Depew, New York 14043 in the amount of \$1,318,067.66 for the High Street Storm Sewer to be charged to Capital Projects.

Seconded by Alderman Farrell and adopted. Ayes 6.

**062018.7**

By Alderman Oates:

Resolved, that in accordance with Section 11-C of the New York Domestic Relations Law, the Common Council of the City of Lockport appoints John Lombardi III as a Marriage Officer for the City of Lockport for a term of one year.

Seconded by Alderman Eggert and adopted. Ayes 6.

**062018.8 WITHDRAWN (Landscape Washburn)**

**062018.9**

By Alderman Wohleben:

Whereas, the City wishes to employ an Interim Chief of Police to serve for a period of four months while the City solicits applicants for permanent replacement; now therefore, be it  
Resolved, that the Mayor, subject to Corporation Counsel approval is hereby authorized to enter into an employment contract with Steven Preisch, 6800 Bear Ridge Road, Lockport, NY as Police Chief for a period of four months as generally specified in attachment A.

Seconded by Alderman Eggert and adopted. Ayes 4. Alderman Devine, Oates voted no.

**062018.10**

By Alderman Wohleben:

Whereas, the City solicited proposals for bid Executive Search Services to assist the City in filling the vacant Chief of Police position, and

Whereas, the City received three proposals from firms interested in providing these search services; and

Whereas, after review of these proposals, it is deemed in the City’s best interest to award a contract to Public Sector Search & Consulting, Inc., 6520 Lonetree Blvd. Suite 1040, Rocklin, CA 95765 the lowest proposer; now therefore be it

Resolved, that the proposal of Public Sector Search & Consulting, Inc., 6520 Lonetree Blvd. Suite 1040, Rocklin, CA 95765 is hereby accepted in the amount of \$28,500.00 inclusive of expenses; and be it further

Resolved, that the Mayor, subject to the Corporation Counsel approval, be and the same is hereby authorized and directed to enter into a contract Public Sector Search & Consulting, Inc., to conduct an executive search for the City of Lockport Chief of Police; and be it further

Resolved, that the 2018 General Fund budget is hereby amended as follows:

Expense

Decrease:

A 3120.51010	Full Time Wages	\$28,500
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Increase:

A 3120.54055	Professional Services	\$28,500
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Seconded by Alderman Farrell and adopted. Ayes 4. Alderman Devine, Oates voted no.

**062018.11**

By Alderman Farrell:

Resolved, that pursuant to their request, permission is hereby granted the residents of Orchard Place to barricade their Street from Waterman Street to Park Place on July 28, 2018, 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 Wohleben and adopted. Ayes 6.

**062018.11A**

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 Community Garden on Wednesday June 27, 2018, 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.

**062018.11B**

By Alderman Oates:

Whereas, Lockport is sponsoring and promoting a solarize campaign; and

Whereas, Lockport desires to promote clean energy and make it accessible to residents and property owners; and

Whereas, The Lockport Common Council wants to further support the Solarize Lockport Campaign by waiving the \$75 permit fee for solar array installation; now therefore be it

Resolved that the City of Lockport will waive the \$75 permit fee for solar installations that take place through the Solarize Lockport campaign.

Seconded by Alderman Wohleben and adopted. Ayes 6.

**062018.12**

**ADJOURNMENT**

At 6:02 P.M. Alderman Wohleben moved the Common Council be adjourned until 5:30 P.M., Wednesday, July 11, 2018.

Seconded by Alderman Eggert and adopted. Ayes 6.

RICHELLE J. PASCERI  
City Clerk