

CITY OF LOCKPORT
CORPORATION PROCEEDINGS

Lockport Municipal Building

Regular Meeting
Official Record

July 3, 2019
5:00 P.M.

Mayor Michelle M. Roman called the meeting to order.

ROLL CALL

The following Common Council members answered the roll call:

Aldermen Abbott, Devine, Eggert, Oates and Wohleben.

Alderman Farrell absent.

INVOCATION

By Alderman Devine:

Resolved, that the Rules and Orders of the Common Council be and the same are hereby waived for this meeting.

Seconded by Alderman Wohleben. Ayes 5.

MAYOR'S UPDATE

070319.1

APPROVAL OF MINUTES

On motion of Alderman Devine, seconded by Alderman Oates, the minutes of the Regular Meeting of June 19, 2019 are hereby approved as printed in the Journal of Proceedings. Ayes 5. Carried.

FROM THE MAYOR

Appointments:

6/24/19 Roger Pitiss, 58 McIntosh Drive, Lockport, NY appointed to the Traffic Advisory Committee to fill the unexpired term of Robert Spencer. Said term expires June 1, 2023. Received and filed.

6/24/19 Richard Clark, 289 Washington Street, Lockport, NY re-appointed to the Traffic Advisory Committee. Said term expires June 1, 2024. Received and filed.

6/27/19 Joseph M. Taylor, 178 Irving Street, Lockport, NY appointed to the Human Relations Committee. Said term expires on June 27, 2021. Received and filed.

6/27/19 Under the virtue of the authority conferred on me by the Charter of the City of Lockport, I, Michelle M. Roman, Mayor of the City of Lockport, do hereby make the following appointments:

Citizens Advisory Committee (Ad-Hoc)

Heather A. Hilderbrandt	18 Corinthia Street
Peter J. Burke	388 North Transit Street
R. Paul Warriner	53 Gaffney Road
Candice Woloszyn	600 Walnut Street

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)

6/13/19 Peggy Belfield, Faith Tabernacle Church, requests permission to host a Neighborhood Appreciation Picnic in conjunction with the church located at 339 Ontario Street on August 7th.

Referred to the Committee of the Whole.

6/14/19 Darryl R. Barrow, Pastor, Lockport Emmanuel UMC, requests permission to hold their annual block party on July 17th

Referred to the Committee of the Whole.

7/1/19 Richelle J. Pasceri, City Clerk – notification of bids received on June 28, 2019 for Engineering Services WWTP UV System Design are as follows:

Hunt Engineers Rochester, NY	\$237,403.00
Nussbaumer & Clarke, Inc. Buffalo, NY	\$169,700.00

Referred to the Committee of the Whole.

MOTIONS & RESOLUTIONS

070319.2

By Alderman Oates:

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 July 3, 2019 as follows:

General Fund	Fund A	\$130,111.20
Water Fund	Fund FX	\$ 36,718.61
Sewer Fund	Fund G	\$20,515.56
Capital Projects	Fund H	\$64,888.67

Refuse Fund	Fund CL	\$299.65
Worker's Comp	Fund S	\$7,500.00
Payroll	Pay Date 6/20	\$453,754.07
Payroll	Pay Date 7/3	\$508,027.74

Seconded by Alderman Eggert and adopted. Ayes 5.

070319.3

By Alderman Eggert:

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>
Saverio A. Pellicano	25	Firefighter
Christina M. Brown	25	Payroll/Benefits Administrator
Rolando Moreno	10	Director of Engineering

Seconded by Alderman Abbott and adopted. Ayes 5.

070319.4

By Alderman Oates:

Resolved, that pursuant to their request, permission is hereby granted to Lockport Emmanuel United Methodist Church to barricade Wakeman Alley on Wednesday July 17, 2019 from 10 a.m. to 8 p.m. for their annual 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 and traffic cones to said area prior to said events.

Seconded by Alderman Wohleben and adopted. Ayes 5.

070319.5

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 Church located at 339 Ontario Street on Wednesday August 7, 2019, 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 5.

070319.6

By Alderman Oates:

Resolved, that pursuant to their request, Niagara Celtic Heritage Society, Inc. is hereby granted permission to erect a banner across East Avenue at Davison Road at least 17 feet from the ground to promote the Niagara Celtic Heritage Festival & Highland Games event from Sept. 3rd through Sept. 16th, 2019. Said permission is subject to the Niagara Celtic Heritage

Society filing a certificate of insurance with the City Clerk naming the City of Lockport as additional insured and a fee of \$50.00 made payable to the City Clerk, and be it further

Resolved, that the City Clerk is hereby authorized and directed to make arrangements to erect the banner.

Seconded by Alderman Devine and adopted. Ayes 5.

070319.7

By Alderman Wohleben:

Resolved, that Lockport Main Street Inc. is hereby granted permission to use Main and Pine Street to conduct the "Lockport Food Fest" on Sunday, August 11, 2019 from 11:00 a.m. to 5:00 p.m. in the downtown district, and be it further

Resolved, that said permission includes the following:

- Use of the city parking lots located on Main St. and Pine St. starting Saturday Aug. 10, for preliminary setup including portable sanitation units, dining tents and small dumpster
- Temporary no parking on Main St from at 6 a.m. to 8 p.m. Sunday
- Street barricades for closure at the intersection of Main & Pine; East on Main St to Lock 34 and North on Pine to middle of Pine St. bridge
- Permission for vendors and restaurants to set up on the above closed streets
- Trash receptacles delivered to the Main St. lot on Saturday for distribution throughout event on Sunday
- Promotional yard signs on City right of ways, excluding medians on Main St.

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 Lockport Main St. Inc. filing a certificate of insurance to the City Clerk naming the City of Lockport as additional insured.

Seconded by Alderman Devine and adopted. Ayes 5.

070319.8

By Alderman Oates:

Whereas, Lockport Public Arts Council (LPAC), a not-for-profit organization, has successfully created a number of public art displays including the Rivi-Erie and the annual Sweet Chalk Festival, and

Whereas, Craig Thomas, a well-known muralist and artist has agreed to create art in the City of Lockport as a donation to the community, and

Whereas, three locations have been designated for potential sites for his work including: the Widewaters Marina building, the south side of the Adams Street Bridge and the concrete pad at Samuel C. Pecoraro Park, and

Whereas, application to the Planning Board and the Canal Authority have been submitted and are pending approval, now therefore be it

Resolved, LPAC is granted permission to create mural work at the approved locations subject to approval of the Planning Board and Canal Authority, and subject to LPAC filing a certificate of insurance with the City Clerk naming the City of Lockport as additional insured.

Seconded by Alderman Wohleben and adopted. Ayes 5.

070319.9

By Alderman Abbott:

Resolved, that pursuant to their request, permission is hereby granted to the residents of Wilson Pkwy to barricade their Street on July 27, 2019, 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 Oates and adopted. Ayes 5.

070319.10

By Alderman Devine:

WHEREAS, the City entered into an agreement on September 7, 2018 under resolution No. 090518.8, with National Water Main Cleaning Company to perform sewer rehabilitation work on various streets of the City of Lockport; and

WHEREAS, the Engineering Department and the Department of Highways and Parks have determined that sections of the storm and sanitary sewers on Richfield Street, Trowbridge Street, and Jackson Street are in need of sediment removal and video inspection to correct reported issues related with sewer overflows and backups; and

WHEREAS, National Water Main Cleaning Company has submitted a proposal in the amount \$18,000 to perform sediment removal and video inspection on said sections of storm and sanitary sewers; now, therefore, be it

RESOLVED, that the Mayor, subject to Corporation Counsel Approval, is hereby authorized to approve the change order submitted by National Water Main Cleaning Co., 25 Marshall Street, Canton, MA 02021 and amend the original contract in the amount of \$18,000 plus 15% of contingency for the scope of work included in its June 26, 2019 proposal to the City and to be charged to Account Number # H193.8197.52481.

Seconded by Alderman Wohleben and adopted. Ayes 5.

070319.11

By Alderman Abbott:

WHEREAS, the New York State Department of Environmental Conservation (NYSDEC) awarded a grant to the City of Lockport for a Tree Inventory and Community Forest Management Plan in the amount of \$45,280 and under New York State Contract Number DEC01-T00620GG-3350000; and

WHEREAS the City seeks to contract the professional services of a qualified firm to complete the Tree Inventory and Community Forest Management Plan; now, therefore, be it

RESOLVED, that City of Lockport authorizes and appropriates no local match as required by the Tree Inventory and Community Forest Management Plan grant contract; and, be it further

RESOLVED, that the City Engineer is directed to prepare and issue a Request for Qualifications/Proposals (RFQ/RFP) for Professional Services to complete the Tree Inventory and Community Forest Management Plan project.

Seconded by Alderman Eggert and adopted. Ayes 5.

070319.12

By Alderman Devine:

WHEREAS, the City of Lockport (City) proposes to conduct a Wastewater Infrastructure Planning Study for sewers tributary to the Willow/Price Interceptor and CSO 14 to identify locations of excessive infiltration and inflow and capacity deficiencies, and to prioritize rehabilitation activities for the City's wastewater collection system; and

WHEREAS, the City is preparing an application to the NYS Environmental Facilities Corporation Engineering Planning Competitive Grant Program (EPG) to investigate sewers tributary to the Willow/Price Interceptor and CSO 14; now, therefore, be it

RESOLVED, that if the City is selected for an EPG Grant, the City of Lockport authorizes and appropriates a minimum of 20% local match as required by the Engineering Planning Grant Program for the Wastewater Infrastructure Planning Study for sewers tributary to the Willow/Price Interceptor and CSO 14. Under the Engineering Planning Grant Program, this local match must be at least 20% of the grant award of \$30,000. The maximum local share appropriated subject to any changes agreed to by the Mayor shall not exceed \$6,000. The total estimated maximum project cost is \$36,000. The Mayor may increase this local match through the use of in kind services without further approval from the City; and be it further

RESOLVED, that if the City is selected for an EPG Grant, the Mayor is authorized to execute a Grant Agreement with the NYS Environmental Facilities Corporation and to sign any and all other contracts, documents and instruments necessary to bring about the Project and to fulfill the City's obligations under the Engineering Planning Grant Agreement.

Seconded by Alderman Eggert and adopted. Ayes 5.

By Alderman Wohleben:

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

Seconded by Alderman Devine and adopted. Ayes 5.

070319.13

By Alderman Devine:

Whereas, Title 6 of the New York Code of Rules and Regulations (6 NYCRR), Section 617.5, under the State Environmental Quality Review Act (SEQR) provides that certain actions identified in subdivision (c) of that section are not subject to environmental review under the Environmental Conservation Law; now, therefore, be it

RESOLVED, that the City of Lockport hereby determines that the proposed Wastewater Infrastructure Planning Study along the sewers tributary to the Willow/Price Interceptor and CSO 14 is a Type II action in accordance with 6 NYCRR Section 617.5(c) (18) and (21) which constitutes the "information collection including basic data collection and research, water quality and pollution studies, traffic counts, engineering studies, surveys, subsurface investigations and soils studies that do not commit the agency to undertake, fund or approve any Type I or Unlisted action" and "conducting concurrent environmental, engineering, economic, feasibility and other studies and preliminary planning and budgetary processes necessary to the formulation of a proposal for action, provided those activities do not commit

the agency to commence, engage in or approve such action” and is therefore not subject to review under 6 NYCRR Part 617.

Seconded by Alderman Oates and adopted. Ayes 5.

070319.14

By Alderman Devine:

Resolved, that a public hearing be held at the Common Council Meeting of July 17, 2019 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 Amanda Demarco, for approval to house an Arctic Fox to be located at 17 Sunnyside Street, situated in a R-2 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 Eggert and adopted. Ayes 5.

070319.15

By Alderman Devine:

Resolved, that a public hearing be held at the Common Council Meeting of July 17, 2019 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 Annette Anderson, for approval to house between 6 and 8 chickens to be located at 1 Sunnyside Street, situated in a R-2 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 Oates and adopted. Ayes 5.

070319.16

By Alderman Abbott:

Whereas, the City has been notified that a long tenured Firefighter will be retiring; and

Whereas, the Fire Board has requested that the City create a provisional Firefighter position in the 2019 General Fund Budget in order to accommodate the academy schedule thereby expediting the training and installation of a candidate to fill the created vacancy; and

Whereas, the addition of the provisional officer was not contemplated in the 2019 budget necessitating a budget amendment;

Now Therefore be it

Resolved, that the 2019 General Fund budget be and is hereby amended to create a provisional Firefighter position as follows:

Increase:

Expense:

A.3410.54035	Training & Education	\$ 2,863
A.3410.54085	Uniforms	\$ 6,225
A.3410.54045	Travel Related Costs	\$ 1,250
A.1430.54055	Professional Services	\$ 1,000

