

CITY OF LOCKPORT
CORPORATION PROCEEDINGS

Lockport Municipal Building

Regular Meeting
Official Record

November 6, 2019
5:30 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, Farrell, and Oates.

Alderman Wohleben absent.

INVOCATION

MAYOR'S UPDATE

RECESS

Recess for public input.

110619.1

APPROVAL OF MINUTES

On motion of Alderman Devine, seconded by Alderman Oates, the minutes of the Regular Meeting of October 16, 2019 are hereby approved as printed in the Journal of Proceedings. Ayes 5. Carried.

PUBLIC HEARING

The Mayor announced a public hearing relative to the 2020 tax budget.

The Mayor asked the City Clerk if any petitions or communications relative to the proposed 2020 tax budget have been received.

Recess for public input.

The Mayor closed the public hearing.

PUBLIC HEARING

The Mayor announced a public hearing on a request for a Special Use Permit to utilize the property at 207 Washburn Street for a children's bookstore.

The Mayor asked the City Clerk if any petitions or communications relative to said Special Use Permit have been received.

10/7/19 Terry Harmon, Lockport Planning and Zoning Board – the board recommends the request be approved.

Recess for public input.

The Mayor closed the public hearing.

PUBLIC HEARING

The Mayor announced a public hearing relative to adjusting sewer rents and other charges.

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

Recess for public input.

The Mayor closed the public hearing.

FROM THE MAYOR

Resignation:

10/24/19 John "Tate" Pitrello, resigned as a member of the Lockport Police Board effective October 23, 2019.
Received and filed.

Appointments:

10/14/19 Donald W. Gill, 189 East Avenue, Lockport, NY – appointed to the Planning Board effective October 14, 2019 and expiring October 14, 2022
Received and filed.

10/21/19 Anna M. McCann, 6475 Edgewood Drive, Lockport, NY – appointed to the Audit Committee October 11, 2019.
Received and filed.

10/23/19 Jeffrey S. Dunn, 18 Harrison Avenue, Lockport, NY – Appointed as Heavy Equipment Operator for the City of Lockport Waste Water Treatment Plant effective October 28, 2019. 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)

10/16/19 Richelle J. Pasceri, City Clerk – notification that the Lockport Municipal Offices will be closed the following days in November:

Tuesday, November 5 th	Election Day
Monday, November 11 th	Veteran's Day
Thursday & Friday, November 28 th & 29 th	Thanksgiving Holiday

The garbage collection schedule will remain the same for November 5th and 11th.

For the Thanksgiving Holiday, garbage collection will be as follows:

<u>Normal Pick Up Day</u>	<u>Holiday Pick Up Day</u>
Thursday, November 28 th	Friday, November 29 th
Friday, November 29 th	Saturday, November 30 th

Referred to the Media.

10/23/19 Mayor Michelle Roman – recommendation that Debra R. Allport, 161 Lincoln Avenue, Lockport, NY be re-appointed as a member to the Assessment Review Board with a term expiring September 30, 2024.

Notice of Defect:

10/17/19 259 Church St – tree
 10/22/19 45 Alexander St - trees
 Referred to the Director of Streets and Parks.

MOTIONS & RESOLUTIONS

110619.2

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 November 6, 2019 as follows:

General Fund	Fund A	\$230,986.51
Water Fund	Fund FX	\$ 31,816.20
Sewer Fund	Fund G	\$ 14,055.74
Capital Projects	Fund H	\$412,283.35
Refuse Fund	Fund CL	\$ 765.50
Self Insurance	Fund MS	\$141,613.77
Worker's Comp	Fund S	\$ 66.46
Community Dev.	Fund CD	\$ 39,820.00
Payroll	Pay Date 10/24	\$445,014.72

Seconded by Alderman Farrell and adopted. Ayes 5.

110619.3

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>
Rodney J. Livergood	25	Heavy Equipment Operator

Seconded by Alderman Oates and adopted. Ayes 5.

110619.4

By Alderman Farrell:

Resolved, that the request for a special use permit made by Holly Edwards to utilize space for a children’s bookstore, located at 207 Washburn Street, situated in a R-3 Zone, be and the same is hereby approved, subject to the following provisions:

- No change in character of neighborhood.
- No excessive noise or disturbance of neighborhood.
- No appreciable change in traffic.
- No outside storage of materials.
- Special permits can be indefinite or limited to a specific time.

The special permit shall go to the applicant only and shall terminate on the sale or transfer of the property, and further it terminates if the use permitted is abandoned for more than one year, if any of the conditions enumerated herein have changed, and in the discretion of the Common Council make such use unsuitable.

Seconded by Alderman Oates and adopted. Ayes 5.

By Alderman Farrell:

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

Seconded by Alderman Eggert and adopted. Ayes 5.

110619.5

By Alderman Devine:

SEWER RATES

The following sewer rental charges shall be effective on all residential, commercial, and industrial water consumption billed as follows:

after January 1, 2020

\$16.15 per month service charge for both domestic and industrial users plus a commodity charge of \$2.48 per 100 cu. ft. of water billed, plus a standard surcharge for industrial users for excess strength of sewage as stated in all existing Industrial sewer contracts.

INDUSTRIAL	\$ 16.15
COMMERCIAL & RESIDENTIAL	\$ 40.36 (billed quarterly)

The standard surcharge for all industrial users for excess strength of sewage as stated in all existing industrial service contracts be as follows:

Type Fee
 Discharging wastewater, per 100 cubic feet:
 Effective 01 January 2020.....\$ 1.13

Discharging excess total suspended solids in excess of 350 mg per liter per one hundred pounds per day:
 Effective 01 January 2020.....\$ 3.38

Discharging excess BOD in excess of 250 mg liter per, per one hundred pounds per day:
 Effective 01 January 2020.....\$ 3.02

Discharging wastewater through the use of a waste hauler per one thousand gallons:
 Effective 01 January 2020.....\$17.73

Annual waste hauler disposal permit authorizing the use of City of Lockport wastewater treatment plant to a specific waste hauler:
 Effective 01 January 2020\$375.00

Annual amount charged for an effective City of Lockport wastewater discharge permit issued to City of Lockport industries identified as POTW significant industrial users (SIU's):
 Effective 01 January 2020.....\$405.00

Effective January 1, 2020, laboratory analysis at City of Lockport wastewater treatment plant laboratory are as follows:

<u>Analyte</u>	<u>Rate</u>
pH	\$10.75
Residual C12	\$10.75
Settleable solids.....	\$10.75
Total suspended solids	\$32.30

Total solids.....	\$16.15
BOD 5.....	\$43.05
COD.....	\$43.05
Dissolved oxygen.....	\$21.55
Total coliform.....	\$32.30
Fecal coliform.....	\$37.70
NH3-N.....	\$37.70
TKN.....	\$37.70
Oil and grease, total.....	\$43.05
Total phosphorus.....	\$32.30
Zn, Cd, Cr, Cu, Pb each.....	\$26.90

Seconded by Alderman Eggert and adopted. Ayes 5.

110619.6

By Alderman Devine:

Resolved, that pursuant to the recommendation of Mayor Roman, Debra R. Allport, 161 Lincoln Avenue, Lockport, NY is hereby re-appointed to the Lockport Assessment Review Board for a five-year term expiring on September 30, 2024.

Seconded by Alderman Farrell and adopted. Ayes 5.

110619.7 Pitrello Appreciation – Withdrawn

110619.8

By Alderman Devine:

Whereas, the New York State Water Infrastructure Improvement Act Grant Program and the New York State Revolving Fund Program, awarded a grant and loan to the City of Lockport for the replacement of the approximately two-mile section of steel lock bar pipe, a portion of which is on Summit Street between State Road and the City Water Treatment Plant (WTP), and

Whereas, on December 20th, 2018 the City of Lockport passed Resolution 121918.5 to authorize and direct the Mayor to sign a contract with Kandey Company, Inc., 19 Ransier Drive, West Seneca NY 14224 for the replacement of approximately two-mile section of steel lock bar pipe of the raw waterline in the amount of a not to exceed cost of \$6,712,145.00 to be charged to the NYS Environmental Facilities Corporation grant and loan awarded to the City through the New York State Water Infrastructure Improvement Act Grant Program and the New York State Revolving Fund Program; and

Whereas, the bid documents included an Alternate Bid Item “B” for milling and paving Summit Street within the project area which was not originally awarded until an assessment of the impact to Summit Street due to installation of the new waterlines could be made, for which Kandey Company bid \$137,560.00; and

Whereas, based upon the impact to Summit Street during the installation of the new waterlines, the City Engineering Department and its consulting engineers have determined that Summit Street should be milled and paved between State Street and the City of Lockport Water Treatment Plant; and

Whereas, Kandey Company has submitted a fixed price quote maintaining their original bid price for Alternate Bid Item “B” of \$137,560; now, therefore, be it

Resolved, that the Mayor, subject to Corporation Counsel and Environmental Facility Corporation approval, is hereby authorized and directed to modify the Agreement between the

City and Kandey Company Inc., and accept and incorporate its fixed price quote of \$137,560 for completion of the additional construction work and to be charged to the project's contingency budget line.

Seconded by Alderman Oates and adopted. Ayes 5.

110619.9

By Alderman Oates:

WHEREAS, the Supervisor of Streets and Parks and Fire Chief have informed the Finance Committee that repairs to a chipper and ladder truck within the Streets Department and Fire Department, respectively, are required but exceed the funds budgeted;

WHEREAS, the 2019 General Fund budget must be amended to accommodate these repairs utilizing contingency; now, therefore, be it

RESOLVED that the 2019 General Fund budget is amended as follows:

Expense:

Decrease: A.1900.54775	Contingency	\$35,000
Increase: A.1640.54050	Equipment Maintenance/Repair	\$17,500
Increase: A.1640.54300	Vehicle Maintenance/Repair	\$17,500

Seconded by Alderman Eggert and adopted. Ayes 5.

110619.10

ADJOURNMENT

At 5:48 P.M. Alderman Devine moved the Common Council be adjourned until 5:30 P.M., Wednesday, November 20, 2019.

Seconded by Alderman Eggert and adopted. Ayes 5.

RICHELLE J. PASCERI
City Clerk