

January 20, 2016

A regularly scheduled work session of the Lockport Town Board was conducted at 1:00 p.m. on Wednesday, January 20, 2016, at the Town Hall, 6560 Dysinger Road, Lockport, New York.

Present were: Supervisor: Mark C. Crocker

Town Council Members: Paul W. Siejak
Patricia Dufour
Thomas J. Keough
Darlene Di Carlo

Also present: Nancy A. Brooks, Town Clerk; Michael J. Norris, Town Attorney; Robert Klavoon of Wendel Engineering and local media representatives.

Supervisor Crocker opened the meeting for discussion and or action as follows:

1. **Town Clerk**

The Clerk reported receiving a request from Save-A-Pet to use the Town Hall facility on Sunday afternoons for their monthly meeting. She pointed out that there would be no one to shovel the sidewalks or plow the parking lot on the weekends. After some discussion, Mr. Norris suggested that due to liability issues in the winter, Save-A-Pet should look for an alternate facility which is opened and maintained in the winter. Councilwoman Dufour suggested that perhaps they could use the Town Hall for the months of April – October but would need an alternative for the winter months. The Board was in agreement with this policy. The Clerk will advise them of the Board's decision.

2. **Town Attorney** – nothing to report.

3. **Engineer**

Mr. Klavoon reported on the following topics:

Phase 1A Waterline Archaeological Investigation

Mr. Klavoon explained that an archaeological investigation is necessary to proceed with the Phase 1A waterline project for the Purdy Road and Upper Mountain Road areas. Earlier, in 2015, an RFP was sent out to four (4) consultants for pricing for this service. Only three responses were received and after review of those, it is Wendel's recommendation to award the project to the lowest quoted consultant, Panamerican Consultants, Inc. of Buffalo, New York. The Town Board took the following action:

MOTION (2016-29): on a motion by Council member Dufour and seconded by Council member Siejak, the following resolution was duly ADOPTED: AYES-5, NAYS-0. Voting AYE: Siejak, Dufour, Keough, DiCarlo and Crocker.

**TOWN OF LOCKPORT RESOLUTION
AUTHORIZE ARCHAEOLOGICAL INVESTIGATION FOR PHASE 1A
WATERLINE PROJECT**

WHEREAS, the Town of Lockport is preparing to construct waterline improvements and as part of the detailed design work, an archaeological investigation is required for Purdy Road and Upper Mountain Road, and

WHEREAS, Wendel has solicited proposals from four (4) consultants to perform the Phase 1A/1B archaeological investigation for the proposed project, and

WHEREAS, only three (3) responses from a qualified consultants were received, and

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WHEREAS, Wendel has reviewed the proposals and recommends that Panamerican Consultants, Inc. of Buffalo, NY be awarded the project, and

WHEREAS, a lump sum fee of \$7,963 has been determined for this work,

NOW THEREFORE BE IT RESOLVED, that the Lockport Town Board accepts the proposal from Panamerican Consultants, Inc. and authorizes the Supervisor to sign the proposal dated January 15, 2016.

Deduct Change Order #1 for Contract No. 165S

Mr. Klavoon explained that the work on the Sewer Capital Improvement project which included root treatment of the sewer mains, sliplining, manhole lining, and infiltration discs for the sewer lines, has been completed and is under budget. Mr. Klavoon stated that there were a few items that could not be completed from the original project itinerary but most work was completed and he was now asking for authorization to approve the deduct Change Order in the amount of \$119,231.60, which would bring the total project cost to \$401,967.50.

MOTION (2016-030): on a motion by Council member Keough and seconded by Council member DiCarlo, the following resolution was duly ADOPTED: AYES-5, NAYS-0. Voting AYE: Siejak, Dufour, Keough, DiCarlo and Crocker.

**TOWN OF LOCKPORT
RESOLUTION
AUTHORIZE CHANGE ORDER #1
CONTRACT NO. 165S**

WHEREAS, the Town of Lockport awarded a bid to Arold Construction Company, Inc. by Contract No. 165S, for the Capital Improvements Project – Sewer Rehabilitation, and

WHEREAS, Wendel and Arold Construction Company, Inc. have mutually agreed on the adjustment of bid and change order quantities to match actual quantities installed at the completion of the project,

NOW THEREFORE BE IT RESOLVED, that this Board authorizes deduct Change Order No. 1 in the amount of \$119,231.60 for a final Contract Price of \$401,967.50.

Final Phase 1 Sewer Project Budget

Mr. Klavoon reported that the work of Phase 1 of the Sewer Capital Improvement Project is completed and is under budget by approximately \$1,000,000.00. This was due in part because the original budget figures finalized in January 2014 were based on the best available information at that time and included contingency costs as well as legal and administrative costs. However, the projects included in this Phase (95-98% which were completed) came in under budget. Therefore, when the Town seeks long-term bonding for the Sewer Capital Improvements in 2017, they will only require bonding in the amount of \$1.85 million rather than the original \$2.8 million which was previously authorized by the Town Board.

Highway Garage Gutters RFP

In spring 2015, the Town Board authorized the engineer to seek quotations for the replacement of gutters on the highway building. Two quotes were received, which both David Miller, Highway Superintendent, and Mr. Klavoon, felt were excessive. Mr. Klavoon asked the Town Board for authorization to re-issue an RFP for the project.

MOTION (2016-031): to authorize the engineer to seek RFPs for the replacement of gutters on the Town Highway garage was made by Council member Siejak and seconded by Council member Keough. The motion was CARRIED: AYES-5, NAYS-0, Voting AYE: Siejak, Dufour, Keough, DiCarlo and Crocker.

4. Town Board Comments/Reports

Councilwoman Dufour reported that she will continue with the memorial tree program at Day Road Park and see it through to its completion. She plans to place an additional 20 trees within the park throughout the summer of 2016.

5. Supervisor's Comments/ Reports

Supervisor Crocker stated he had an issue to discuss regarding personnel for Executive Session.

6. Executive Session Entered

MOTION (2016-032): to enter Executive Session for the purpose of discussing the hiring of an individual and to consult with the Town Attorney was made by Council member Dufour and seconded by Council member Keough. The motion was CARRIED: AYES-5, NAYS-0. Voting AYE: Siejak, Dufour, Keough, DiCarlo and Crocker.

The Town Board entered Executive Session at 1:17 p.m.

7. Executive Session Ended and Work Session Reconvened

MOTION (2016-033): to exit Executive Session and to reconvene the work session was made by Council member DiCarlo and seconded by Council member Siejak. The motion was CARRIED: AYES-5, NAYS-0. Voting AYE: Siejak, Dufour, Keough, DiCarlo and Crocker.

The Work session was reconvened at 2:07 p.m. with no Town Board action taken during Executive Session.

8. Authorize Emergency Repairs to Highway Fuel Pumps

MOTION (2016-34): on a motion by Council member Dufour and seconded by Council member DiCarlo, the following resolution was duly ADOPTED: AYES-5, NAYS-0. Voting AYE: Siejak, Dufour, Keough, DiCarlo and Crocker.

**TOWN OF LOCKPORT
RESOLUTION
AUTHORIZATION OF EMERGENCY REPAIRS
TO TOWN OF LOCKPORT HIGHWAY FUEL PUMPS**

WHEREAS, the Town of Lockport owns and maintains fuel pumps at the Town of Lockport Highway Garage located at 6560 Dysinger Road, and

WHEREAS, the Town of Lockport is required to maintain the fuel pumps in accordance with the New York State Petroleum Bulk Storage Regulations, 6 NYCRR Parts 612 through 614, and

WHEREAS, upon information and belief, NYSDEC inspectors recently visited several neighboring communities to inspect their fuel tanks and that it is reasonable that an inspection of the Town of Lockport's fuel pumps will be forthcoming, and

WHEREAS, effective operation of the Town's fuel pumps and its compliance with existing state statutes and regulations is crucial to the health, safety, life and welfare to the Town and the general public, and

WHEREAS, the Town Engineer and Highway Superintendent initiated an immediate review of said pumps to be conducted by The Pump Doctor, Inc. and All State Fire & Security, well respected entities in the industry who are fully familiar with fuel pumps and its related compliance standards, and

WHEREAS, following said review, the Town Engineer and Highway Superintendent recommend that immediate action be taken to bring the fuel pumps and its fire suppression system at the Town of Lockport Highway Garage into compliance as the pumps and its fire suppression are found to be not in compliance and in need of immediate repair, and

WHEREAS, the Town Engineer has reviewed the proposals from The Pump Doctor, Inc. and All State Fire & Security and find them reasonable and within the industry standard for cost and work to be performed, and

NOW THEREFORE BE IT,

RESOLVED, it is the determination of this Board that an emergency exists requiring immediate action which cannot wait for competitive bidding or procurement policy procedures, and be it further

RESOLVED, that the Lockport Town Board does hereby authorize The Pump Doctor, Inc. of 2706 Hemlock Road, Eden, NY 14057 to complete the necessary and immediate repairs to the Town of Lockport fuel pumps as shown in their proposal dated January 18, 2016, and which shall not exceed \$47,000.00; and be it further

RESOLVED, that the Lockport Town Board does hereby authorize All State Fire & Security of 400 Mineral Springs Road, Buffalo, NY 14224 to complete the necessary and immediate repairs to the Town of Lockport's fuel pumps' fire suppression system which shall not exceed \$20,000.00.

9. **Adjournment**

MOTION (2016-035): to adjourn was made by Council member Siejak and seconded by Council member Keough. The motion was CARRIED: AYES-5, NAYS-0. Voting AYE: Siejak, Dufour, Keough, DiCarlo and Crocker.

The meeting was ended at 2:08 p.m. The Lockport Town Board will next meet at 1:00 p.m. on Monday, February 1, 2016.

Respectfully submitted,

Nancy A. Brooks, RMC, CMC
Lockport Town Clerk