

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

Lockport Municipal Building

Regular Meeting  
Official Record

October 16, 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.

**101619.1**

**APPROVAL OF MINUTES**

On motion of Alderman Devine, seconded by Alderman Oates, the minutes of the Regular Meeting of October 2, 2019 are hereby approved as printed in the Journal of Proceedings. Ayes 5. Carried.

**PUBLIC HEARING**

The Mayor announced a public hearing on Confirming Refuse & Recycling Re-levy.

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

Recess for public input.

The Mayor closed the public hearing.

**PUBLIC HEARING**

The Mayor announced a public hearing on Local Law #2-2019 Fire Department Emergency Service Cost Recovery.

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

Recess for public input.

The Mayor closed the public hearing.

**FROM THE MAYOR**

**Resignation:**

10/7/19 Richard Abbott, resigned as a member of the Fire Board effective October 4, 2019.

Received and filed.

**Appointments:**

10/7/19 Larry Eggert, 194 Independence Drive, Lockport, NY – appointed as Fire Commissioner on the Fire Board effective October 4, 2019 to fill the unexpired term of Richard Abbott, expiring December 31, 2019.

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)

**Petition:**

10/16/19 Residents of Fairway Drive re: Eighteen Mile Creek

**Notice of Defect:**

10/2/19 138 Grand Street – 2 trees

10/10/19 19 Reed Street – 2 trees

Referred to the Director of Streets and Parks.

**MOTIONS & RESOLUTIONS**

**101619.2**

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 October 16, 2019 as follows:

General Fund	Fund A	\$ 86,653.52
Water Fund	Fund FX	\$ 22,382.65
Sewer Fund	Fund G	\$ 35,996.00
Capital Projects	Fund H	\$1,022,668.07
Refuse Fund	Fund CL	\$ 141,681.04
Self Insurance	Fund MS	\$ 1,569.00

Worker's Comp	Fund S	\$	12,393.00
Payroll	Pay Date	10/10	\$ 463,246.74

Seconded by Alderman Farrell and adopted. Ayes 5.

### **101619.3**

By Alderman Oates:

Resolved, that a public hearing be held at the Common Council Meeting of Wednesday, November 6, 2019 starting at 5:30 P.M. in the Common Council Chambers, Lockport Municipal Building, One Locks Plaza, Lockport, NY relative to the proposed 2020 budget, and be it further

Resolved, that the City Clerk is hereby authorized and directed to advertise notice of said public hearing.

Seconded by Alderman Abbott and adopted. Ayes 5.

### **101619.4**

By Alderman Abbott:

Resolved, that a public hearing be held at the Common Council Meeting of November 6, 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 Holly Edwards, for approval for a children's bookstore to be located at 207 Washburn Street, situated in a R-3 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.

### **101619.5**

By Alderman Devine:

Whereas, pursuant to section 452 if the General Municipal Law and Section 150-30 of the City of Lockport Code, the Common Council is authorized to adjust a schedule of sewer rents and other charges after a hearing upon five days' notice. Now, therefore be it

Resolved, that a Public Hearing be held at the Common Council Meeting of Wednesday, November 6, 2019 starting at 5:30PM in the Common Council Chambers, Lockport Municipal Building, One Locks Plaza, Lockport, NY relative to adjusting sewer rents and other charges, 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.

### **101619.6**

By Alderman Farrell:

Resolved, that pursuant to their request, GLDC the owners of 13 W. Main Street are hereby granted permission to install an electrical meter in the City of Lockport right of way at 13 W. Main Street subject to filing a certificate of insurance with the City Clerk naming the City of Lockport as additional insured.

Seconded by Alderman Abbott and adopted. Ayes 5.

**101619.7**

By Alderman Eggert:

WHEREAS, the City Treasurer submitted to the City Council all delinquent assessments, penalties, charges or fees and any other amounts to be added to taxes, and

WHEREAS, the Common Council conducted a public hearing on October 16, 2019 at 5:30 P.M. in the Common Council Chambers, Lockport Municipal Building, One Locks Plaza, Lockport, New York in accordance with section 155-7 A (Solid Waste) of Chapter 158 of the City Code to confirm the delinquent accounts to re-levy.

NOW THEREFORE BE IT

RESOLVED, that the following delinquent accounts totaling \$198,394.34 are hereby confirmed and shall be inserted in the annual tax rolls and be a part of the annual tax upon said parcels against which such amounts are charged and shall be subject to all the provisions of the City Charter:

<u>Account</u>	<u>Amount</u>
Refuse	\$181,744.34
Relevy Fee	\$ 16,650.00

Seconded by Alderman Oates and adopted. Ayes 5.

**101619.8**

By Alderman Eggert:

**LOCAL LAW NO. 2 – 2019**

**FIRE DEPARTMENT EMERGENCY SERVICE COST RECOVERY**

**PROGRAM ESTABLISHED**

It is determined that it is reasonable and necessary to recover costs incurred by the City of Lockport Fire Department for the use of apparatus and equipment in the provision of emergency medical services which are deployed by the Lockport Fire Department. The cost recovery amounts provided for herein shall be charged to the insurance carrier of the rescued individual or entity. In no instance shall rescue and response services be denied for lack of an insurance carrier. The rates specified herein for recovery amounts may be amended from time to time, by resolution, by the Common Council.

**FEE SCHEDULE**

- (A) Motor Vehicle Accident (Minor) - \$150.00
  - (1) Minor spill control.
  - (2) Fire hazard precautions.
  - (3) Scene safety.
  - (4) Use of minor tools.
  - (5) Patient assessment in cases where patient signs medical release.
  
- (B) Motor Vehicle Accident (Major) - \$375.00
  - (1) Significant spills resulting from tank leaks.
  - (2) Major fire hazard precautions.

- (3) Vehicle disentanglement.
  - (4) Vehicle stabilization procedures.
  - (5) Multiple personnel responses.
- (C) Light Rescue / Patient Stabilization – \$400.00
- (1) Patient care/handling
  - (2) Immobilization, treatment and removal from vehicle without utilization of hydraulic or other power tools.
  - (3) Emergency medical services provided for occupants located outside of the vehicle
- (D) Heavy Rescue – \$600.00
- (1) Use of hydraulic, pneumatic or power tools to extricate patient.
  - (2) Multiple patient removal/ treatment.
- (E) Hazardous Materials Control – \$1000.00  
 Incidents involving commercial trucks, vans, or motor carriers where products have been spilled or released and require specialized equipment and personnel. In the event of a Department of Environmental Conservation incident, the responsible parties will be billed rather than insurance companies.
- (F) Destroyed or Contaminated Equipment - The Full Cost of replacement of any and all equipment that is destroyed or contaminated at the scene of a response or rescue is to be charged.
- (G) Fire Suppression - \$300.00  
 Any fire involving automobiles, transportation or heavy equipment vehicles.

Seconded by Alderman Farrell. A roll call vote was taken which resulted as follows:

Alderman Abbott	VOTING	Yes
Alderman Devine	VOTING	Yes
Alderman Eggert	VOTING	Yes
Alderman Farrell	VOTING	Yes
Alderman Oates	VOTING	Yes
Alderman Wohleben	VOTING	Absent

The Local Law was thereupon declared duly adopted.

**101619.8A**

By Alderman Abbott:

Whereas, the City applied for and was subsequently awarded a \$100,000 grant from the Dormitory Authority of the State of New York (DASNY) to repair the Veterans Memorial Monument in Veterans Memorial Park; and

Whereas, on October 4, 2017, the City of Lockport authorized the Mayor to sign an agreement with Modern Surface Solutions to restore the Veterans Memorial Monument at Veterans Memorial Park by Resolution 100417.4A, and

Whereas, the City of Lockport Police Department notify the Engineering Department that on June 12, 2019 an individual damaged the marble stone of the monument; and

Whereas, the Engineering Department solicited a quote from Modern Surface Solutions to remove the marks from the stone marble; and

Whereas, the Engineering Department found that the procedure, materials, and cost to do the repairs as described in Modern Surface Solutions quote dated July 2, 2019 are acceptable and recommends to proceed with the repair for a total cost of \$5,200.00; and

Whereas, the responsible party has agreed to pay for the cost of the monument’s repair in full; and

Whereas, the 2019 General Fund Budget needs to be amended accordingly; now, therefore, be it

Resolved, that the Mayor, subject to Corporation Counsel approval, is hereby authorized to amend the contract signed on October 10, 2017 with Modern Surface Solutions, Inc., 7292 Akron Road, Lockport, New York 14094 in the amount of \$5,200 to repair the Veterans Memorial Monument; and be it further

Resolved, that the 2019 General Fund Budget is hereby amended as follows:

Increase:

Revenue			
A.0000.32690	Other Compensation for Loss		\$5,200
Expense			
A.7110.54076	Property Repairs		\$5,200

Seconded by Alderman Eggert and adopted. Ayes 5.

**101619.9**

**ADJOURNMENT**

At 6:03 P.M. Alderman Devine moved the Common Council be adjourned until 5:30 P.M., Wednesday, November 6, 2019.

Seconded by Alderman Oates and adopted. Ayes 5.

RICHELLE J. PASCERI  
City Clerk