

CITY OF LOCKPORT
CORPORATION PROCEEDINGS

Lockport Municipal Building

Regular Meeting
Official Record

March 18, 2020
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, Kantor, Oates, Schratz
Alderman Van De Mark absent.

MAYOR'S UPDATE

031820.1

APPROVAL OF MINUTES

On motion of Alderman Devine, seconded by Alderman Kantor, the minutes of the Regular Meeting of March 4, 2020 are hereby approved as printed in the Journal of Proceedings. Ayes 5. Carried.

PUBLIC HEARING -POSTPONED

The Public Hearing for a Special Use Permit to use a portion of the building for an art/pottery business and to install three wall signs at 485 Niagara Street will be postponed.

FROM THE MAYOR

Declaration of State of Emergency:

3/17/20 A State of Emergency has been declared to respond effectively to the outbreak of COVID-19, a virus that threatens the public safety of the citizens of the City of Lockport.

Appointments:

3/4/20 Erika Kastel, 273 Beattie Avenue #3, Lockport, NY – appointed to the Human Relations Committee to fill the unexpired term of Joseph M. Taylor. Said term expires on June 27, 2021.

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)

3/9/20 Terry Harmon, Chairman Lockport Planning Board – recommendation to not alter the Comprehensive Plan regarding the RA Zone.

3/10/20 Mike Hanley, Chairman, American Legion, Inc., Lockport, NY requests permission to host the Memorial Day Observance and Parade for 2020. Referred to the Committee of the Whole.

Notice of Defect:

3/10/20 142 Park Avenue - tree
Referred to the Director of Streets and Parks.

MOTIONS & RESOLUTIONS

031820.2

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 March 10, 2020 as follows:

2019 Expenses

Fund A General - \$27,964.70
Fund CL Refuse & Recycling - \$130.40
Total - \$28,095.10

2020 Expenses (Approved at 3/11/2020 Finance Meeting)

Fund A General - \$181,547.27
Fund CL Refuse & Recycling - \$418.49
Fund FX Water - \$14,630.38
Fund G Sewer - \$48,105.76
Fund H Capital Expenses - \$3,621.75
Total - \$248,323.65

Approved at 3/18/2020 Finance Meeting

Fund A General - \$59,398.90
Fund CD Community Development - \$97,287.00
Fund CL Refuse & Recycling - \$91,355.70
Fund FX Water - \$18,850.3
Fund G Sewer - \$14,148.95
Fund MS Health Insurance - \$149,915.45
Fund S Worker's Comp - \$6,025.00
Total - \$436,981.30

Payroll Pay Date 3/5 \$463,348.84

Seconded by Alderman Schratz and adopted. Ayes 5.

031820.3 – Approval of the Special Use Permit - Withdrawn

031820.4

By Alderman Abbott:

Whereas, the United States Department of Agriculture currently has a project surveying the presence of the invasive pest, European Cherry Fruit Fly in all species of cherry trees, honeysuckle bushes and several ornamental hosts such as barberry and dogwood in Niagara County; now, therefore be it

Resolved, that pursuant to their request to eradicate this invasive pest in the City of Lockport, the USDA European Cherry Fruit Fly project is hereby granted blanket permission to place glue traps in host plants and then treat any positively identified infestation with an organic baited foliar spray called GF 120 to suppress the population of adult flies and in the Autumn with an organic soil application Called Warrior II on City of Lockport properties and road right of way subject to filing a certificate of insurance with the City Clerk naming the City of Lockport as additional insured.

Seconded by Alderman Oates and adopted. Ayes 5.

031820.5

By Alderman Oates:

Resolved, that pursuant to their request, the American Legion is hereby granted permission to conduct a Memorial Day Parade in the City of Lockport on Sunday, May 24, 2020 subject to approval of the parade route by the Police Chief. Said parade will form at noon at Veteran's Park on East Avenue where a brief Memorial Service will be conducted. At approximately 1:00 p.m. the parade units will proceed west on East Avenue/Main Street using the right side of Main Street and terminate at the County Courthouse, and be it further

Resolved, that the Director of Streets and Parks is hereby authorized and directed to arrange for delivery of barricades and no parking signs to keep the right side of Main Street clear where dividers occur, and be it further

Resolved, that the City Clerk is hereby authorized and directed to issue a parade permit for said event, and be it further

Resolved, that the City Clerk is hereby authorized to purchase 12 monument wreaths to be used for Memorial Day ceremonies throughout the City. Cost of same to be charged to account A.8510.54510.

Seconded by Alderman Schratz and adopted. Ayes 5.

031820.6

By Alderman Vandemark: Authorize agreement with JFG for website/social media management services. - Withdrawn

031820.7

By Alderman Schratz:

Resolved, that pursuant to their request, the Kenan Center is hereby granted permission to erect a banner at least 17' from the ground on East Avenue at Davison Road to promote their 50th Annual "100 American Craftsmen" event which will be held from May 29th through May 31st, 2020. Banners are to be erected for a minimum of two weeks prior to the event dates based on a schedule approved by the City Clerk, and be it further

Resolved, that said permission is subject to the Kenan Center filing a certificate of insurance with the City Clerk naming the City of Lockport as additional insured and subject to payment of \$50 for the banner to be erected, and be it further

Resolved, that the City Clerk is hereby authorized and directed to make arrangements with city forces to erect the banners.

Seconded by Alderman Kantor and adopted. Ayes 5.

031820.8

By Alderman Abbott: Authorize agreement for sediment removal - Withdrawn

031820.9

By Alderman Devine: Grant permission LPFFA for use of Softball Field- Withdrawn

031820.10

By Alderman Kantor: Extend IT Shared Service Agreement with Niagara County-Withdrawn

031820.11

By Alderman Oates: Call for PH – Amendment to Comprehensive Plan -Withdrawn

031820.12

By Alderman Schratz: Call for PH – Amendment to Zoning Code -Withdrawn

031820.13

By Alderman Abbott: Call for PH – Cazenovia Recovery Systems application- Withdrawn

031820.14

By Alderman Abbott:

Whereas, the City of Lockport desires to contract with a vendor to provide IT services to the City; now therefore be it

Resolved, that the City of Lockport Common Council hereby authorizes the Mayor to prepare and issue a written Request for Proposal to provide IT services to the City of Lockport.

Seconded by Alderman Schratz and adopted. Ayes 5.

031820.15

By Alderman Kantor: - Recommend Solar Law to Lockport Planning Board – Withdrawn

031820.15A

By Alderman Schratz:

Whereas, the City of Lockport declared a State of Emergency to effectively respond to the public health emergency known as COVID-19, effective March 17, 2020 at 5:00 p.m.; and

Whereas, the City was directed by Governor Cuomo to reduce its workforce by 50% to prevent the transmission of COVID-19; and

Whereas, due to the public health emergency, some employees of the City will be required to work remotely via computer to complete essential City services; and

Whereas, the City needs to purchase up to five (5) laptops to provide to certain employees to work remotely; and

Whereas, there is insufficient time to solicit quotes for the purchase of the laptops due to the public health emergency and expediency of City business; now therefore be it

Resolved, that the Common Council hereby determines that the delay caused by the solicitation of quotes for the purchase of five (5) laptops would hinder essential services of the City of Lockport; and be it further

Resolved, that the Mayor is authorized to procure five (5) laptops for essential employees to work remotely during the pendency of the State of Emergency and said purchase is an emergency under the City procurement policy and be it further resolved the 2020 Budget must be amended as follows:

Decrease:	A.1620.54003	\$2500.00
Increase:	A.1680.52060	\$2500.00

Seconded by Alderman Oates and adopted. Ayes 5.

031820.15B

By Alderman Devine:

Whereas, the Section C-62 of the City of Lockport Charter grants the Common Council the power to “make, continue, modify and repeal such ordinances, bylaws and regulations as may be necessary to carry into full effect any and all of the powers conferred upon said City...”; and

Whereas, Section C-75(1) of the City of Lockport Charter provides that the Mayor shall “take care that within said city the laws of this state and the ordinances and bylaws passed by the Common Council and the Board of Health be faithfully obeyed and executed... (6) expedite and cause to be carried out all such measures as shall be adopted by the Common Council...”; and

Whereas, COVID-19 has become a pandemic and requires emergency action on behalf of the City of Lockport and its Departments in order to protect the health and safety of the residents of the City of Lockport; and

Whereas, on March 7, 2020, the Governor of the State of New York, Andrew M. Cuomo, by Executive Order No. 202, Declared a Disaster Emergency in the State of New York, and

Whereas, said Executive Order temporarily suspends or modifies any local law, order or rules if compliance with such would prevent, hinder or delay action necessary to cope with the disaster or emergency; and

Whereas, on March 17, 2020, the Mayor of the City of Lockport declared a State of Emergency for the City of Lockport; and

Whereas, Section 23 of the Rules and Order of the Common Council permit the suspension at any time by a two-thirds consent of the whole Council any rule or order of the council; and

Whereas, the necessary responses by the City of Lockport Common Council require immediate actions for which no unnecessary delay can occur; and

Whereas, it is the intent of the Common Council to solely authorize the Mayor, following consultation with the Corporation Counsel and Alderwoman at Large and the consent of such persons to sign any and all documents and/or contracts necessary to protect the City of Lockport residents from COVID-19;now therefore be it

Resolved, in the event the Common Council is unable to meet due to COVID – 19, that the Mayor is hereby authorized to sign and execute any and all documents, contracts or agreements relative to COVID-19 following consultation with Corporation Counsel and Alderwoman at Large and after receiving their written approval, and be it further

Resolved, that this additional authority given to the Mayor of the City of Lockport concerning COVID-19 shall remain in full force and effect until such time as the Common Council shall repeal, rescind or otherwise amend this Resolution, or until New York State or the City of Lockport State of Emergency has been lifted, and be it further

Resolved, that members of the Common Council shall be informed of any and all actions so taken by the Mayor of the City of Lockport by email and any and all documents so executed within forty-eight hours of such execution by the Mayor of the City of Lockport.

Seconded by Alderman Abbott and adopted. Ayes 5.

031820.16

ADJOURNMENT

At 6:02 P.M. Alderman Devine moved the Common Council be adjourned until 5:30 P.M., Wednesday, April 1, 2020.

Seconded by Alderman Kantor and adopted. Ayes 5.

RICHELLE J. PASCERI
City Clerk