

CITY OF LOCKPORT
CORPORATION PROCEEDINGS

Lockport Municipal Building

Regular Meeting
Official Record

October 7, 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 and Van De Mark.

INVOCATION

MAYOR'S UPDATE

RECESS

Recess for public input.

100720.1

APPROVAL OF MINUTES

On motion of Alderman Devine, seconded by Alderman Kantor, the minutes of the Regular Meeting of September 16, 2020 are hereby approved as printed in the Journal of Proceedings. Ayes 6. Carried.

PUBLIC HEARING

The Mayor announced a public hearing on a Special Use Permit to utilize the existing building for office space, salon /retail space and a dwelling unit located at 242 So. Transit Street.

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

9/15/20 Terry Harmon, Lockport Planning and Zoning Board – the board recommends the request.

Recess for public input.

The Mayor closed the public hearing.

PUBLIC HEARING

The Mayor announced a public hearing on a Special Use Permit to install a 5MW ground mounted solar facility to be located at 251 Summit Street, and a 2 MW ground mounted solar facility to be located at 219 Summit Street.

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

9/15/20 Terry Harmon, Lockport Planning and Zoning Board – the board recommends the request with stipulations.

Recess for public input.

The Mayor closed the public hearing.

FROM THE MAYOR

Resignations:

9/15/20 Kelly VanDeMark, resigning from her position as 4th Ward Alderman effective October 23, 2020.
Received and filed.

10/6/20 Anthony Stevenson, resigning from the Human Relations Commission effective September 3, 2020.
Received and filed.

Appointments:

9/28/20 Jon D. Wiley, removed from the Lockport Housing Authority effective September 28, 2020.
Received and filed.

10/5/20 Jon D. Wiley, 39 Harrison Avenue – appointed to the Human Relations Committee to fill the unexpired term of Anthony Stevenson. Said term expires on July 15, 2023.
Received and filed.

10/5/20 Anthony D. Nemi, 65 South New York Street – appointed to the Human Relations Committee to fill the unexpired term of Sharon Davis. Said term expires on July 15, 2022.
Received and filed.

9/28/20 Dennis M. Stalcup, 215 Ontario Street, Lockport, NY - appointed to Water/Sewer Distribution Maintenance Supervisor for the Water Department effective September 28, 2020. 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)
10/1/20 Paul K. Oates, City Clerk – notification that the Lockport Municipal Offices will be closed as follow in the month of October in observance of Columbus Day.

Monday, October 12th

There will be no change in the garbage pickup schedule.

Referred to the Media.

Notice of Complaint:

9/18/20 275 Locust Street – tree
9/23/20 477 Hawley Street – trees
10/2/20 21 Morton Street – trees
10/2/20 169 Willow Street - trees

Referred to the Director of Streets and Parks.

Notice of Claim:

9/11/20 Deanna Wiley, 131 Allen Street, Lockport, NY
9/15/20 Elena Dzadur, 221 Genesee Street, Lockport, NY

Referred to the Corporation Counsel.

MOTIONS & RESOLUTIONS

100720.2

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 8, 2020 as follows:

General Fund	Fund A	\$143,500.62
Water Fund	Fund FX	\$ 62,605.80
Sewer Fund	Fund G	\$ 70,661.83
Capital Projects	Fund H	\$ 5,400.00
Refuse Fund	Fund CL	\$ 26,278.77
Self Insurance	Fund MS	\$149,479.42
Worker's Comp	Fund S	\$ 7,500.00
Payroll	Pay Date 9/24	\$459,643.33

Seconded by Alderman Abbott and adopted. Ayes 6.

100720.3

By Alderman Vandemark:

Resolved, that the request for a special use permit made by Jason Castricone to utilize an existing building for office space, salon/retail and an apartment, located at 242 So. Transit Street, situated in a R-1 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 use 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 Schratz and adopted. Ayes 6.

By Alderman Van De Mark:

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

Seconded by Alderman Abbott and adopted. Ayes 6.

100720.4

By Alderman Oates:

Whereas, the City of Lockport (City) owns and operates a potable water treatment plant (WTP) and water distribution system which serves City residents, and

Whereas, the City WTP includes a high service pump station which delivers treated water to the City water distribution system utilizing a combination of multiple types and vintages of pumps which are operated to maintain pumping redundancy and ensure adequate flow and pressure to the City water distribution system, and

Whereas, on August 12, 2020 high service pump #1 (HSP-1) went off line and could not be restored to normal operation, requiring operators to activate redundant stand by pumps, and

Whereas, the loss of use of HSP-1 represents a loss of redundancy of pumping capacity to supply the City potable water system and thus a Public Emergency was Declared by the Mayor on August 13, 2020, and

Whereas, due to the specialized nature of the equipment/means/method to repair or replace components of HSP-1, it is anticipated that the lead time to accomplish such repairs/replacement will be significant, however, time is of the essence and the work cannot be performed independently by City forces; and

Whereas, City WTP operations staff has previously successfully utilized Moley Magnetics (Moley) to perform pump and motor services at the WTP, and

Whereas, Moley staff has visited the project site and met with City WTP operations staff and submitted an estimate dated September 16, 2020 to perform repairs to HSP 1 in the amount of \$78,283.70, and

Whereas, City WTP operations staff have reviewed the estimate and recommend Moley to perform the repairs to HSP 1,
Now, therefore, be it;

RESOLVED that the Mayor is authorized to execute an Agreement with Moley Magnetics, 5202 Commerce Drive, Lockport, NY 14094, Lockport NY 14094 for a not-to-exceed fee of \$78,283.70 per their estimate dated September 16, 2020, plus a contingency of 20%, subject to Corporation Council review.

Seconded by Alderman Devine and adopted. Ayes 6.

100720.5

By Alderman Vandemark:

Resolved, that a virtual public hearing be held at the Common Council Meeting of October 21, 2020 starting at 5:30 P.M. relative to a request for a Special Use Permit made by

The Chapel, for approval to operate a day care/drop off program until June 2021 located at 25 Walnut Street, situated in a B-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 Schratz and adopted. Ayes 6.

100720.6

By Alderman Abbott:

Whereas, the waste water fund sold equipment (ICP) in excess of the FY 2020 revenue line item appropriation, and

Whereas, the waste water department head would like to utilize said excess revenues directly for increased laboratory supplies and services,

Resolved, that the 2020 Sewer Fund Budget is hereby amended as follows:
Revenue:

Increase:

G.0000.32665 Sale of Equipment \$ 6,695

Expense:

Increase:

G.8130.54200 Laboratory Supplies and Services \$ 6,695

Seconded by Alderman Oates and adopted. Ayes 6.

100720.7

By Alderman Schratz:

Resolved, that Saturday, October 31, 2020 is hereby designated as Halloween Day in the City of Lockport with the hours for trick or treating scheduled from 4:00 p.m. to 7:00 p.m., and be it further

Resolved, that residents follow all COVID-19 protocols in accordance with New York State guidelines, including but not limited to, social distancing, wearing masks over mouth and nose, and sanitizing/washing of hands.

Seconded by Alderman Van De Mark and adopted. Ayes 6.

By Alderman Van De Mark:

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

Seconded by Alderman Devine and adopted. Ayes 6.

100720.8

By Alderman Oates:

WHEREAS, section 155-7 A (Solid Waste) of Chapter 158 of the City Code states that unpaid residential and commercial user fees for collection of refuse and recycling shall be the personal liability of the owner, and

WHEREAS, any delinquent assessment, penalty, charge or fee remaining unpaid by May 15 is added to the upcoming year's tax bill for the parcel of property against which it is a lien, and

WHEREAS, the amount added to taxes shall include late payment charges accrued through June 30 plus an additional administrative charge equal to \$15 for each delinquent account, and

WHEREAS, late payment charges shall not continue to accrue after June 30 against any assessment, penalty, charge or fee which is added to taxes, and

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

WHEREAS, upon receipt of such delinquent amounts the Council must hold a public hearing, and

WHEREAS, after making any amendments or corrections to the list of delinquent accounts the Common Council will by resolution confirm said amounts, and

WHEREAS, upon confirmation of said amounts the City will insert the delinquent accounts in the annual tax rolls and which shall become a part of the annual tax upon the respective parcels against which such amounts are charged and shall be subject to all the provisions of the City Charter. NOW THEREFORE BE IT

RESOLVED, that the Corporation Counsel is hereby authorized and directed to prepare a resolution listing the re-levies and the dollar amount to be added to the tax rolls, and be it further

RESOLVED, that a virtual public hearing be held at the Common Council meeting on Wednesday, October 21, 2020, starting at approximately 5:30 P.M. relative to said resolution for re-levy, and be it further

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

Seconded by Alderman Kantor and adopted. Ayes 6.

100720.9

By Alderman Oates:

Whereas, resolution 021920.16 moved \$100,000 in general funds from Finance and Accounting's full-time wages line item to professional services to pay for Bonadio & Co., LLP interim financial work,

Whereas, the full-time wages line item is now insufficient to pay for wages of the department's staff for the remainder of the year,

Resolved, that the 2020 General Fund Budget is hereby amended as follows:

Expense:

Decrease:

A.1310.54055	Professional Services	\$ 35,300
A.1900.54775	Contingency	\$ 36,000

Increase:

A.1310.51010	Full Time Wages	\$ 71,300
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Seconded by Alderman Schratz and adopted. Ayes 6.

100720.10

By Alderman Devine:

Resolved, that pursuant to their request, Miles Patterson is hereby granted permission to use the Little Loop and baseball fields at Outwater Park for a Flag Football Tournament on

October 18th, 2020, subject to Mr. Patterson filing a certificate of insurance with the City Clerk naming the City of Lockport as additional insured; and be it further

Resolved, said permission is subject to any and all Executive Orders by the New York State Governor, and any and all Local Laws and Regulations, with regard to social distancing and COVID-19 regulations.

Seconded by Alderman Oates and adopted. Ayes 6.

100720.10A

By Alderman Devine:

Resolved, that pursuant to the recommendation of Mayor Roman, Helen K. Fry-Gallaher, 323 Clinton Street, Lockport, NY is hereby appointed to the Lockport Assessment Review Board for a five-year term expiring on September 30, 2024.

Seconded by Alderman Oates and adopted. Ayes 6.

100720.11

ADJOURNMENT

At 6:34 P.M. Alderman Devine moved the Common Council be adjourned until 5:30 P.M., Wednesday, October 21, 2020.

Seconded by Alderman Kantor and adopted. Ayes 6.

PAUL K. OATES
City Clerk