

CITY OF LOCKPORT
CORPORATION PROCEEDINGS

Lockport Municipal Building

Special Meeting
Official Record

November 24, 2020
5:30 P.M.

A Special Meeting was called by Mayor Michelle M. Roman relative to the adoption of the 2021 City Budget and related budget resolutions.

Mayor Michelle M. Roman called the meeting to order.

ROLL CALL

The following Common Council members answered the roll call:

Aldermen Abbott, Allport, Devine, Kantor, Oates, and Schratz.

112420.1

By Alderman Devine:

Resolved, that the Rules and Orders of the Common Council be and the same are hereby waived for this meeting.

Seconded by Alderman Kantor and adopted. Ayes 6.

112420.2

By Alderman Oates:

WHEREAS, the City of Lockport FY 2021 Mayor's Recommended Budget was presented to the Common Council on October 7th, 2020;

WHEREAS, the City of Lockport Common Council has had a public hearing on such budget and has considered alterations to be made to the Mayor's Recommended budget prior to appropriating funds;

NOW, THEREFORE, BE IT RESOLVED, that the City tax budget for fiscal year 2021, containing appropriations for operating City departments, be and the same is hereby amended and adopted as follows:

CITY OF LOCKPORT, NEW YORK
2021 GENERAL FUND BUDGET SUMMARY

Budget Appropriations:

Personal Services	\$10,420,919
Equipment	204,366
Contractual	3,158,774
Fringe Benefits	9,392,134
Interfund Transfers	158,500

Debt Service	877,723
Total Appropriations:	\$24,212,416
LESS: Estimated Revenues:	\$10,784,496
Estimated Fund Balance:	\$458,104
Amount to be raised through property taxation:	\$ 12,969,816
Assessed Valuation:	\$694,776,851

REAL PROPERTY TAX RATE: \$18.6676 per \$1,000 ASSESSED VALUATION

Seconded by Alderman Schratz and adopted. Ayes 5. Nays 1. Alderman Devine voted no.

112420.3

By Alderman Devine:

WHEREAS, the City of Lockport FY 2021 Mayor's Recommended Budget was presented to the Common Council on October 7th, 2020;

WHEREAS, the City of Lockport Common Council has had a public hearing on such budget and has considered alterations to be made to the Mayor's Recommended budget prior to appropriating funds;

NOW, THEREFORE, BE IT RESOLVED, that the City of Lockport 2021 Water Fund Budget containing appropriations for operating the City's Water Department, be and the same is hereby adopted as follows:

CITY OF LOCKPORT, NEW YORK
2021 WATER FUND BUDGET SUMMARY

Appropriations:	
Personal Services	\$1,168,196
Equipment	600
Contractual	1,162,739
Fringe Benefits	1,102,494
Debt Services	707,255
Interfund Transfers	170,000
Total Appropriations:	\$4,311,284
Estimated Revenues:	\$4,311,284

Seconded by Alderman Abbott and adopted. Ayes 6.

112420.4

By Alderman Devine:

WHEREAS, the City of Lockport FY 2021 Mayor's Recommended Budget was presented to the Common Council on October 7th, 2020;

WHEREAS, the City of Lockport Common Council has had a public hearing on such budget and has considered alterations to be made to the Mayor's Recommended budget prior to appropriating funds;

NOW, THEREFORE, BE IT RESOLVED, that the City of Lockport 2021 Sewer Fund Budget containing appropriations for operating the City's Wastewater Treatment and Compost Facility, be and the same is hereby adopted as follows:

CITY OF LOCKPORT, NEW YORK
2021 SEWER FUND BUDGET SUMMARY

Appropriations:	
Personal Services	\$993,090
Equipment	40,000
Contractual	1,276,732
Fringe Benefits	923,957
Debt Service	674,939
Interfund Transfers	170,000
Total Appropriations:	\$4,078,718
Estimated Revenues:	\$4,078,718

Seconded by Alderman Allport and adopted. Ayes 6.

112420.5

By Alderman Schratz:

Resolved, that the City of Lockport 2021 Budget containing appropriations for operating the City's Refuse & Recycling, be and the same is hereby adopted as follows:

CITY OF LOCKPORT, NEW YORK
2021 SPECIAL REVENUE FUND – RECYCLING & REFUSE SUMMARY

Appropriations:	
Personal Services	\$ 0
Equipment	25,211
Contractual	1,246,507
Fringe Benefits	0
Debt Service	36,282
Interfund Transfers	0
Total Appropriations:	\$1,308,000
Estimated Revenues:	\$1,308,000

Seconded by Alderman Kantor and adopted. Ayes 6.

By Alderman Schratz:

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

Seconded by Alderman Kantor and adopted. Ayes 6.

112420.6

By Alderman Oates:

WHEREAS, the purpose of a Sewer Infrastructure Improvements Reserve Fund would be to accumulate moneys to finance the cost of a type of sewer infrastructure improvements, such as the upkeep of sewer fund-based systems, utility improvements, and structures, now therefore be it

RESOLVED, that pursuant to Section 6-c of the General Municipal Law, as amended, there is hereby established a capital reserve fund to be known as the "Sewer Infrastructure Improvements Reserve Fund" (hereinafter "Reserve Fund"), and be it further,

RESOLVED, that the City of Lockport Treasurer is hereby directed to deposit and secure the moneys of this Reserve Fund in the manner provided by Section 10 of the General Municipal Law. The City of Lockport Treasurer may invest the moneys in the Reserve Fund in the manner provided by Section 11 of the General Municipal Law, and consistent with the investment policy of the City of Lockport. Any interest earned or capital gains realized on the moneys so deposited or invested shall accrue to and become part of the Reserve Fund. The chief fiscal officer shall account for the Reserve Fund in a manner which maintains the separate identity of the Reserve Fund and shows the date and amount of each sum paid into the fund, interest earned by the fund, capital gains or losses resulting from the sale of investments of the fund, the amount and date of each withdrawal from the fund and the total assets of the fund, showing cash balance and a schedule of investments, and shall, at the end of each fiscal year, render to the Common Council a detailed report of the operation and condition of the Reserve Fund, and be it further,

RESOLVED, that except as otherwise provided by law, expenditures from this Reserve Fund shall be made only for the purpose for which the Reserve Fund is established. No expenditure shall be made from this Reserve Fund without the approval of this governing board and such additional actions or proceedings as may be required by Section 6-c [6-g] of the General Municipal Law or any other law, including a permissive referendum if required by subdivision 4 of Section 6-c [subdivision 7 of Section 6-g].

Seconded by Alderman Abbott and adopted. Ayes 6.

By Alderman Schratz:

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

Seconded by Alderman Kantor and adopted. Ayes 6.

112420.7

By Alderman Schratz:

WHEREAS, the purpose of a Water Infrastructure Improvements Reserve Fund would be to accumulate moneys to finance the cost of a type of water infrastructure improvements, such as the upkeep of water fund-based systems, utility improvements, and structures, now therefore be it

RESOLVED, that pursuant to Section 6-c of the General Municipal Law, as amended, there is hereby established a capital reserve fund to be known as the "Water Infrastructure Improvements Reserve Fund" (hereinafter "Reserve Fund"), and be it further,

RESOLVED, that the City of Lockport Treasurer is hereby directed to deposit and secure the moneys of this Reserve Fund in the manner provided by Section 10 of the General Municipal Law. The City of Lockport Treasurer may invest the moneys in the Reserve Fund in the manner provided by Section 11 of the General Municipal Law, and consistent with the investment policy of the City of Lockport. Any interest earned or capital gains realized on the moneys so deposited or invested shall accrue to and become part of the Reserve Fund. The chief fiscal officer shall account for the Reserve Fund in a manner which maintains the

separate identity of the Reserve Fund and shows the date and amount of each sum paid into the fund, interest earned by the fund, capital gains or losses resulting from the sale of investments of the fund, the amount and date of each withdrawal from the fund and the total assets of the fund, showing cash balance and a schedule of investments, and shall, at the end of each fiscal year, render to the Common Council a detailed report of the operation and condition of the Reserve Fund, and be it further,

RESOLVED, that except as otherwise provided by law, expenditures from this Reserve Fund shall be made only for the purpose for which the Reserve Fund is established. No expenditure shall be made from this Reserve Fund without the approval of this governing board and such additional actions or proceedings as may be required by Section 6-c [6-g] of the General Municipal Law or any other law, including a permissive referendum if required by subdivision 4 of Section 6-c [subdivision 7 of Section 6-g].

Seconded by Alderman Allport and adopted. Ayes 6.

By Alderman Schratz:

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

Seconded by Alderman Kantor and adopted. Ayes 6.

112420.8

By Alderman Kantor:

WHEREAS, the purpose of an IT Infrastructure Improvements Reserve Fund would be to accumulate moneys to finance the cost of a type of IT infrastructure improvements, such as the upkeep of information technology systems, utility improvements, and structures, now therefore be it

RESOLVED, that pursuant to Section 6-c of the General Municipal Law, as amended, there is hereby established a capital reserve fund to be known as the "IT Infrastructure Improvements Reserve Fund" (hereinafter "Reserve Fund"), and be it further,

RESOLVED, that the City of Lockport Treasurer is hereby directed to deposit and secure the moneys of this Reserve Fund in the manner provided by Section 10 of the General Municipal Law. The City of Lockport Treasurer may invest the moneys in the Reserve Fund in the manner provided by Section 11 of the General Municipal Law, and consistent with the investment policy of the City of Lockport. Any interest earned or capital gains realized on the moneys so deposited or invested shall accrue to and become part of the Reserve Fund. The chief fiscal officer shall account for the Reserve Fund in a manner which maintains the separate identity of the Reserve Fund and shows the date and amount of each sum paid into the fund, interest earned by the fund, capital gains or losses resulting from the sale of investments of the fund, the amount and date of each withdrawal from the fund and the total assets of the fund, showing cash balance and a schedule of investments, and shall, at the end of each fiscal year, render to the Common Council a detailed report of the operation and condition of the Reserve Fund, and be it further,

RESOLVED, that except as otherwise provided by law, expenditures from this Reserve Fund shall be made only for the purpose for which the Reserve Fund is established. No expenditure shall be made from this Reserve Fund without the approval of this governing board and such additional actions or proceedings as may be required by Section 6-c [6-g] of the General Municipal Law or any other law, including a permissive referendum if required by subdivision 4 of Section 6-c [subdivision 7 of Section 6-g].

Seconded by Alderman Allport and adopted. Ayes 6.

112420.9

By Alderman Oates:

WHEREAS, the City has been given notice of a potential environmental claim on property it transferred with indemnifications included in the transfer documents; and

WHEREAS, the City needs to obtain independent advice on the nature and extent of any liability it may have; and

WHEREAS, the City understands the need to move forward with due deliberation to resolve any issues of liability; and

WHEREAS, the City has obtained verbal quotes from two competent environmental consultants to provide an analysis of the studies submitted by a third party; and

WHEREAS, it is in the best interest of the City to move forward expeditiously with the lowest competent bidder; now therefore be it

RESOLVED, that the Mayor, subject to Corporation Counsel review, is authorized to enter into a limited engagement agreement with Benchmark/Turnkey Environmental, Inc., for an amount not to exceed one thousand five hundred dollars (\$1,500.00); and be it further

RESOLVED, that the funds for payment of the consultant’s services shall be paid by modifying the 2020 budget as follows:

DECREASE	A1900.54775	Contingency	\$1,500.00
INCREASE	A1420.54055	Prof. Services	\$1,500.00

Seconded by Alderman Abbott and adopted. Ayes 6.

112420.10

By Alderman Kantor:

WHEREAS, the City and the Lockport Professional Firefighters Association (“the Union”) are parties to a Collective Bargaining Agreement that contains a provision regarding firefighters’ health and safety, along with a grievance procedure when the actions of the City are deemed in violation of the Collective Bargaining Agreement; and

WHEREAS, the issue of minimum staffing per shift for the Fire Department was the subject of a Union grievance that resulted in an arbitration award on September 8, 2019 (“Arbitration Award”), in favor of the Union; and

WHEREAS, the City and the Union are desirous of arriving at a mutual resolution of the issue of minimum staffing pursuant to the Arbitration Award while also promoting the City’s continued financial stability; and

WHEREAS, the City and the Union, through their respective legal counsel, have entered into good-faith negotiations to achieve a mutually satisfactory settlement of the issues in the Arbitration Award that is now incorporated into a Memorandum of Agreement; now therefore be it

RESOLVED, that the Mayor, subject to Corporation Counsel approval, be authorized and directed to execute the referenced Memorandum of Agreement with the Union to resolve the Arbitration Award.

Seconded by Alderman Allport and adopted. Ayes 5. Nays 1. Alderman Oates voted no.

112420.11

ADJOURNMENT

At 6:12 P.M. Alderman Devine moved the Common Council be adjourned until 5:30 P.M., Wednesday, December 2, 2020.

Seconded by Alderman Kantor and adopted. Ayes 6.

PAUL K. OATES
City Clerk