

CITY OF LOCKPORT
CORPORATION PROCEEDINGS

Lockport Municipal Building

Regular Meeting
Official Record

February 17, 2021
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, Allport, Devine, Kantor, Oates, and Schratz.

MAYOR'S UPDATE

RECESS

Recess for public input.

021721.1

APPROVAL OF MINUTES

On motion of Alderman Devine, seconded by Alderman Schratz, the minutes of the Regular Meeting of February 3, 2021 are hereby approved as printed in the Journal of Proceedings. Ayes 6. Carried.

FROM THE MAYOR

Appointments:

2/4/21 Rosemarie Swanson, 385 Ontario Street, Lockport, NY – appointed to the Youth Board. Said term expires on December 31, 2023.

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)

Notice of Complaint:

2/12/21 62 Bridlewood Drive - tree
Referred to the Director of Streets and Parks.

Notice of Claim:

2/3/21 Mary Beaudoin, 826 East High Street, Lockport, NY
2/16/21 Zachary Nadeau, 4314 Upper Mountain Road, Sanborn, NY
Referred to the Corporation Counsel.

MOTIONS & RESOLUTIONS

021721.2

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 February 18, 2021 as follows:

2020 Expenses

Fund A General - \$640.00
Fund FX Water - \$1,139.48
Fund G Sewer -\$606.00
Fund H Capital - \$101,058.44
Total - \$103,443.92

2021 Expenses

Fund A General - \$159,922.94
Fund CD Community Development - \$5,880.00
Fund CL Refuse & Recycling – \$96,288.53
Fund FX Water - \$16,799.28
Fund G Sewer -\$27,463.67
Fund MS Health Insurance - \$1,412.50
Payroll Pay Date 2/11 \$458,563.80

Seconded by Alderman Allport and adopted. Ayes 6.

021721.3

By Alderman Abbott:

Whereas, the City of Lockport believes in the right of all of its employees to receive a living wage; and

Whereas, State of New York has enacted the Minimum Wage Act (Article 19 of the New York State Labor Law); and

Whereas, the current effective minimum wage under such law is \$12.50 per hour, with future scheduled increases; now therefore be it

Resolved, the City of Lockport Common Council hereby adopts, as the minimum wage for all its employees, the rate set by the New York State Minimum Wage Act, as the same may be adjusted from time to time.

Seconded by Alderman Oates and adopted. Ayes 6.

021721.4

By Alderman Allport:

Whereas, Title 315.4 of the New York Compilation of Codes, Rules and Regulations, entitled Regulations on Reporting for Elected or Appointed Officials requires the reporting of time for certain elected or appointed officials participating in the New York State Retirement System, and

Whereas, Title 315.4 required that the Common Council establish by resolution a standard work day for each Elected or Appointed official serving the City of Lockport, and

Whereas, newly elected or appointed offices must prepare and file a time record for the first 180 days of taking office which is good for a period of eight years, and

Whereas, section 315.3 of Chapter VI, Title 2 of the New York Code of Rules and Regulations require the Common Council establish by resolution a standard work day for each elective or appointed official, and

Whereas, none of the participants listed below are in Tier 1, and

Whereas, all of the participants below have submitted their respective Record of Activities to the City Clerk.

NOW, THEREFORE, BE IT

Resolved, that the City of Lockport, a municipal corporation located at One Locks Plaza, Lockport, New York 14094 hereby establishes the following standard work days for these titles for the calendar year of 2020 and will report the officials to the New York State and Local Retirement System based on their record of activities:

<u>Title</u>	<u>Std.</u> <u>Work Day</u>	<u>Name</u>	<u>SS#</u>	<u>Reg#</u>	<u>Term</u>	<u>Record</u> <u>Activity</u> <u>Results</u>
Deputy Corporation Counsel	7	Jason Cafarella	7854		1/1/2020- 12/31/2020	12.29

Seconded by Alderman Devine and adopted. Ayes 6.

021721.5

By Alderman Allport:

WHEREAS, the City of Lockport FY 2021 appropriated operating budget has a Property and Right of Way (ROW) Maintenance Worker (CSEA grade 4) assigned to A.3620 Code and Safety Inspection; and

WHEREAS, said position is now vacant and the department head wishes to alter the position title to Code Compliance Technician (CSEA grade 6) to better fit the needs of the department; and

NOW, THEREFORE, BE IT RESOLVED, that the City of Lockport FY 2021 Appropriated budget's personnel detail is hereby altered to reflect this change.

Seconded by Alderman Oates and adopted. Ayes 6.

021721.6 Amend Budget WWTP trainee - WITHDRAWN

By Alderman Schratz:

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

Seconded by Alderman Devine and adopted. Ayes 6.

021721.7

By Alderman Oates:

City of Lockport

Local Law No. 1 of the year 2021

A LOCAL LAW Amending Electrical Standards Section 66-19 of the Lockport City Code.

Be it hereby enacted by the City Council of the City of Lockport as follows:

SECTION 19. ELECTRICAL STANDARDS

A. Licensing

1. License; when required. No person shall conduct electrical inspections pursuant to applicable codes unless the person undertaking such inspections has obtained a license to inspect from the Chief Building Inspector.
2. Application for license.
 - (a) Applications for licenses shall be made at the Building Inspection Office. Such applications shall be made on forms prescribed by the Chief Building Inspector and shall contain such information as he or she may require.
 - (b) Persons seeking a license must submit documentation and certify that they meet the standards for an electrical inspection agency established by the Chief Building Inspector. The standards shall be filed in the office of the Commissioner and the City Clerk.
3. Issuance of license. The Chief Building Inspector shall issue a license if in his or her judgment, the applicant meets the standards for an electrical inspector and is competent to conduct electrical inspections. The City shall maintain a minimum of one and a maximum of three licensed inspectors.
4. Licensee: No person licensed under this chapter shall be deemed as an employee, officer or independent contractor of the City of Lockport.
5. Revocation and expiration.
 - (a) The Chief Building Inspector, at any time subsequent to the issuance of a license, if he or she has reason to believe that the licensee no longer meets the standards for an electrical inspector or is no longer competent to conduct electrical inspections, shall, after a hearing before the City's Corporation Counsel, have the power to suspend or revoke the license.
 - (b) All licenses, unless sooner revoked, shall expire on the last day of December after the date of issuance, and application for a new license shall be made in the same manner as for the original license by the last day of November.

B. Inspections

1. Conformance with standards. All electrical installations, alterations and repairs of wiring for electrical, light, heat and power shall be made in conformity with the requirements of the edition of the National Electrical Code, published by the National Fire Protection Association, designated by order or regulation of the Code Enforcement Officer.
2. Inspections.
 - (a) Inspections shall only be conducted by individuals licensed by the Chief Building Inspector.

- (b) The inspector shall make inspections and re-inspections of electrical installations within the City of Lockport upon the written request of the Building Inspections Department pursuant to this Chapter.
 - (c) In the event of any emergency, the inspector shall make electrical inspections upon the oral request of an official or officer of the City of Lockport.
3. Applicability. The provisions of this Chapter shall not apply to the electrical installations in mines, ships, railway cars, automotive equipment or the installations or equipment employed by a railway, electrical or communication utility in the exercise of its function as a utility and located outdoors or in buildings exclusively for that purpose.
 4. Reporting. The inspector shall issue a written report to the Chief Building Inspector within seventy-two (72) hours after conducting an inspection. The Chief Building Inspector shall enforce all the provisions of this chapter, the electrical provisions of the National Electric Code, all local laws and ordinances, and the Building Code, insofar as any of the same apply to electrical wiring.
 5. Certificate of Compliance. The inspector shall issue a Certificate of Compliance when the electrical installations and equipment are completed and are in conformity with this chapter. The inspector shall cause a copy of the Certificate of Compliance be filed with the Chief Building Inspector in the City of Lockport within seventy-two (72) hours from the completion of the inspection. The Certificate of Compliance shall be in writing, on the licensee's letterhead, and shall contain the address of the premises and a description of the work approved.
 6. Additional provisions. This Article VIII, entitled "Electrical Standards" is a supplement to the Electrical Ordinance of the City of Lockport that was approved by Common Council and effective September 30, 1964, along with any additional amendments. For further information regarding electrical inspections, permits and other pertinent information, refer to Chapter 89, Electrical Standards.
 7. Penalties for offenses. Any person found to be in violation of the provisions under this Chapter by the Chief Building Inspector shall be subject to penalties as determined by the Chief Building Inspector. Penalties shall include written warnings, license suspension or license revocation. The inspector shall have the right to request a hearing in the event that its license is suspended or revoked. Said hearing shall be conducted before the City Corporation Counsel.

This Local Law shall be effective upon filing with the with the Secretary of State pursuant to the Municipal Home Rule Law.

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

Alderman Abbott	VOTING	Yes
Alderman Allport	VOTING	Yes
Alderman Devine	VOTING	Yes
Alderman Kantor	VOTING	Yes
Alderman Oates	VOTING	Yes

The Local Law was thereupon declared duly adopted.

021721.8

By Alderman Allport:

WHEREAS, the City of Lockport Assessor's Office utilizes an online assessment program that allows the public to view assessments online; and

WHEREAS, said service was required to change vendor for the fiscal year, and the amount for the invoice under the vendor is not within appropriated budget; and

Resolved, that the 2021 General Fund Budget is hereby amended as follows:

Expense:

Decrease:

A.1900.54775	Contingency	\$ 2,300
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Increase:

A.1355.54115	Computer Software	\$ 2,300
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Seconded by Alderman Abbott and adopted. Ayes 6.

021721.9

By Alderman Kantor:

Whereas, the City of Lockport Police Department participates in joint enforcement activities with the Federal Drug Enforcement Agency and the Niagara County Drug Task Force; and

Whereas, the City of Lockport Police Department receives, from time to time, funds generated from these joint enforcement activities which are to be used for the purchase, maintenance and/or replacement of capital equipment within the Police Department; and

Whereas, the City must amend its 2021 budget to properly account for the use of these funds; and

Whereas, the Police Department has identified the need to improve and maintain in-car cameras and plate readers; now, therefore, be it

Resolved, that the 2021 General Fund Budget is hereby amended as follows:

Increase:

Expense:	A3120.54515 Special Supplies	\$10,883.43
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	A3120.52070 Public Safety Equipment	\$12,480.00
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Revenue:	A.3120.34389 Other Federal Public Safety	\$23,363.43
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Seconded by Alderman Abbott and adopted. Ayes 6.

021721.10

By Alderman Kantor:

Whereas, the City of Lockport Police Department has DA Asset Forfeiture funds bank account that has accumulated funds; and

Whereas, the City of Lockport Police Chief has ensured that funds can be used appropriately for Police Department upgrades and maintenance; and

Whereas, the City must amend its 2021 budget to properly account for the use of these funds; and

Whereas, the Police Department has identified the need to improve their briefing room equipment, utilities, and furniture; now, therefore, be it

Resolved, that the 2021 General Fund Budget is hereby amended as follows:

Increase:

Expense: A3120.54515 Special Supplies	\$6,593.05
Revenue: A.3120.34389 Other Federal Public Safety	\$6,593.05

Seconded by Alderman Abbott and adopted. Ayes 6.

021721.11

By Alderman Schratz:

Whereas, each community contains significant multi-use trails which combine to form essential connections of the Shoreline, Erie Canalway, Empire State Trail, and local trail networks and,

Whereas, said communities acknowledge the regional significance of the confluences of these 3 greenways and wish to collaborate to maximize taxpayer investments to ensure community strengths; now, therefore, be it

Resolved, that the City of Lockport actively participate in the working group identified as the Northern Niagara Regional Trail Network Collaborative and to work to fulfill its stated vision.

Seconded by Alderman Allport and adopted. Ayes 6.

On motion of Alderman Oates, seconded by Alderman Devine, the Common Council moved to Executive Session regarding Labor Contract Negotiations and Negotiations Regarding Walnut Street at 5:58 P.M. Ayes 6. Carried.

Alderman Abbott left the session at 6:19 P.M.

On motion of Alderman Devine, seconded by Alderman Allport, the Common Council ended Executive Session at 6:35 P.M. Ayes 5. Carried.

021721.12

ADJOURNMENT

At 6:35 P.M. Alderman Devine moved the Common Council be adjourned until 5:30 P.M., Wednesday, March 3, 2021.

Seconded by Alderman Kantor and adopted. Ayes 5.

PAUL K. OATES
City Clerk