

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

Lockport Municipal Building

Regular Meeting  
Official Record

April 21, 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.

**INVOCATION**

**MAYOR'S UPDATE**

**RECESS**

Recess for public input.

**042121.1**

**APPROVAL OF MINUTES**

On motion of Alderman Devine, seconded by Alderman Oates, the minutes of the Regular Meeting of April 7, 2021 are hereby approved as printed in the Journal of Proceedings. Ayes 6. Carried.

**PUBLIC HEARING**

The Mayor announced a public hearing on a request for a Special Use Permit to hold Outdoor Events at 767 Market Street.

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

4/6/21 Terry Harmon, Lockport Planning and Zoning Board – the Board recommends the request with stipulations.

Recess for public input.

The Mayor closed the public hearing.

## PUBLIC HEARING

The Mayor announced a public hearing on the NYS Community Development Block Grant funding to communities under the Economic Development Program to create or expand job opportunities.

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

Recess for public input.

The Mayor closed the public hearing.

## FROM THE MAYOR

### Appointments:

4/8/21 Brian Bull, 179 Irving Street, Lockport, NY – reappointed to the License Revocation Board effective March 3, 2021. Said term expires on March 3, 2023.  
Received and filed.

4/19/21 Danielle K. Lawrence, 82 Saxton Street, Lockport, NY – appointed to Account Clerk for the Building Inspection Department for the City of Lockport effective April 16, 2021. 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)

### Notice of Complaint:

4/7/21 101 Center Street – tree  
4/12/21 251 Niagara Street – tree  
4/14/21 211 High Street – tree  
4/15/21 434 Vine Street - tree  
Referred to the Director of Streets and Parks.

## MOTIONS & RESOLUTIONS

### 042121.2

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 April 22, 2021 as follows:

General Fund	Fund A	\$51,086.44
Water Fund	Fund FX	\$48,786.72
Sewer Fund	Fund G	\$38,531.39

Capital Projects	Fund H	\$3,781.40
Refuse Fund	Fund CL	\$98,921.00
Self Insurance	Fund MS	\$58,906.24
Payroll	Pay Date 4/8	\$467,997.85

Seconded by Alderman Devine and adopted. Ayes 6.

**042121.3**

By Alderman Abbott:

Whereas, the New York State Community Development Block Grant Program provides funding to communities under the Economic Development Program to undertake activities that focus on economic development needs such as creating or expanding job opportunities, and

Whereas, Trek, Inc. (hereinafter the "Company") plans to construct building improvements, acquire machinery and equipment, and incur working capital expenses in connection with the expansion of its operations at 190 Walnut Street within the City of Lockport (the "Project"); and

Whereas, the Project will have an estimated cost of \$8.2 million and will create new employment opportunities within the City of Lockport; and

Whereas, the City of Lockport (the "City") desires to partner with The Greater Lockport Development Corporation ("GLDC") as a subgrantee to apply to the New York State Office of Community Renewal ("OCR") for \$450,000 in grant funding which would be used by GLDC to make a term loan and deferred loan to the Company to fund a portion of the Project costs; and

Whereas, the City has held a public hearing to obtain citizens' views regarding the CDBG program as administered by OCR and regarding the proposed grant application; now, therefore, be it

Resolved, that the Mayor is hereby authorized to submit a grant application in the amount of \$450,000, such amount to be used to provide funding to support the Project, and be it further

Resolved, that the Mayor is hereby designated as the Environmental Certifying Officer for the purposes of complying with the applicable federal environmental review requirements for the OCR grant, and be it further

Resolved, that the Mayor is hereby authorized to execute the OCR grant agreement and all related documents associated with the OCR grant, including agreements with GLDC relating to the use and administration of the grant funds, subject to review and approval by the City Attorney.

Seconded by Alderman Schratz and adopted. Ayes 6.

**042121.4**

By Alderman Oates:

Resolved, that pursuant to their request, Lockport Main Street, Inc. is hereby granted permission to have a Lockport Community Farmers Market ("LCFM") on Canal Street, the pocket park and the adjoining parking lot, the extent to be determined by the city, each Saturday 9am-2pm beginning June 5<sup>th</sup> and running through October 23<sup>rd</sup>, 2021, and be it further

Resolved, that permission is hereby granted to host a new, mid-week Farmers Market every Wednesday from 2pm-6pm beginning July 7<sup>th</sup> and running through September 29<sup>th</sup>, 2021; and be it further

Resolved, that permission is hereby granted to access the electricity available at the light posts, in addition to the gazebo, and for the city to install the outdoor extension cords at each junction box, and be further

Resolved, that LCFM is authorized to place yard signs in the city rights-of-way for June through October, and A-frame directional signage at the intersections of Main and Pine, and Main and Church, for the open hours of the market on assigned days; and be it further

Resolved, that said permission is subject to Lockport Main St. Inc. filing a certificate of insurance with the City clerk naming the City of Lockport as additional insured; and be it further

Resolved, that the Director of Streets and Parks is authorized and directed to arrange to deliver refuse containers to the area prior to the said dates; 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 Allport and adopted. Ayes 6.

#### **042121.5**

By Alderman Devine:

Resolved, that pursuant to their request, the Lockport Professional Fire Fighters Association is hereby granted permission to use the softball field at Outwater Park for the 2021 Niagara County Fire Fighters Softball League season, subject to approval of the schedule by the Highways & Parks Department, for six games to be played between May 11<sup>th</sup> and August 3<sup>rd</sup>, 2021; and be it further

Resolved, that the LPFFA file a certificate of insurance with the City Clerk naming the City of Lockport as additional insured.

Seconded by Alderman Allport and adopted. Ayes 6.

#### **042121.6**

By Alderman Oates:

Resolved, that the request for a special use permit made by Kayleen Sylvis to hold outdoor events, located at 767 Market Street, situated in a R-2 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 social events shall be held only on Thursday, Saturday or Sunday during normal business hours.

The social events shall not extend past 8 p.m.

Any alcohol sales must be provided by an outside vendor.

The special 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; 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 Schratz and adopted. Ayes 6.

**042121.7**

By Alderman Kantor:

Whereas, Community Solar Campaigns are short term, local efforts that bring together groups of potential customers through widespread outreach and education, and

Whereas, this model helps customers choose a Community Solar company that is offering competitive, transparent pricing, and

Whereas, residents and businesses who participate in the campaign by a specific deadline will be able to take advantage of group rates below market prices, and

Whereas, the New York State Energy Research and Development Authority (NYSERDA) provides technical assistance and other tools and resources to communities in support of Community Solar campaigns; now, therefore, be it

Resolved, that the City of Lockport supports, endorses, and is committed to participate in a Community Solar Campaign; and be it further

Resolved, that the City of Lockport stands ready to assist with community outreach and education in support of a Community Solar Campaign.

Seconded by Alderman Abbott and adopted. Ayes 6.

**042121.8**

Alderman Oates:

Whereas, Resolution 040721.8 (FY 2021 Budget Supplement #1) established a Park Revitalization Program (H206) in the Capital Budget with \$275,000 in available funding;

Whereas, the City of Lockport's Common Council and Mayor had a public workshop to do a preliminary review of projects and estimates and have come to the current consensus on what improvements should be made;

Descriptions: Wheelchair picnic tables, parking lot improvements, baseball/softball, pickleball, volleyball, roof, paths, skatepark, pool improvements, bathrooms, flowers, poison ivy removal, docks, tennis, and misc. Total: \$275,000

Resolved, that Capital Budget detail for H206 be updated with the above descriptions, and that expenditures for the project may begin if within the budgeted amount (and following procurement policy).

Seconded by Alderman Kantor and adopted. Ayes 6.

**042121.9**

By Alderman Allport:

Whereas, the City of Lockport currently uses New World software from Tyler Technologies for budgeting, accounting, AP, payroll, and human resources; and

Whereas, the Finance Department was appropriated funds for New World training and consultation in the FY 2021 appropriated budget; now, therefore, be it

Resolved, that the City of Lockport Common Council hereby approves of the Mayor to enter into a training and consultation contract, attached hereto with Tyler Technologies and utilize budgeted funds in A.1310.54055.

Seconded by Alderman Schratz and adopted. Ayes 6.

**042121.10**

By Alderman Schratz:

Whereas, Resolution 040721.8 (FY 2021 Budget Supplement #1) established a Park Revitalization Program (H206) in the Capital Budget with \$275,000 in available funding; and

Whereas, the Director of Highways and Parks has compiled 3 quotes for a steel roof replacement of the Outwater Park Little Loop Building and has recommended to move forward with the lowest bidder; now, therefore, be it

Resolved, that the City of Lockport Common Council hereby approves of the Mayor to enter into a contract, attached hereto with Granzow Construction for \$31,509.74 and utilize funds in the H206 capital project.

Seconded by Alderman Oates and adopted. Ayes 6.

**042121.11 Budget Supplement Revision - WITHDRAWN**

**042121.12**

By Alderman Schratz:

Resolved, that pursuant to their request, permission is hereby granted to Niagara Hospice to conduct the 8th Annual Hospice Gran Fondo Bike Ride, on Saturday, July 24<sup>th</sup>, 2021 beginning at 7 a.m. subject to approval of the race route by the Police Chief, and filing a certificate of insurance with the City Clerk naming the City of Lockport as additional insured.

Seconded by Alderman Kantor and adopted. Ayes 6.

**042121.13**

By Alderman Abbott:

Whereas, Community Electric Vehicle Campaigns are short term, local efforts that bring together groups of potential customers through widespread outreach and education, and

Whereas, this model helps customers choose an electric vehicle company that is offering competitive, transparent pricing, and

Whereas, residents and businesses who participate in the campaign by a specific deadline will be able to take advantage of group rates below market prices, and

Whereas, the New York State Energy Research and Development Authority (NYSERDA) provides technical assistance and other tools and resources to communities in support of community Electric Vehicle campaigns; now, therefore, be it

Resolved, that the City of Lockport supports, endorses, and is committed to participate in an Electric Vehicle Campaign; and be it further

Resolved, that the City of Lockport stands ready to assist with community outreach and education in support of the Electric Vehicle Campaign.

Seconded by Alderman Allport and adopted. Ayes 6.

**042121.14**

By Alderman Allport:

Resolved, that the Mayor and Common Council do hereby extend condolences to the family of Richard Litz, a retired firefighter who worked at the City of Lockport Fire Department from 1969-1999, who recently passed away.

Seconded by Alderman Devine and adopted. Ayes 6.

**042121.15 Budget Amendment re: Position Title Sr. Account Clerks – WITHDRAWN**

**042121.16**

By Alderman Allport:

Resolved, that the street currently known as, 'Ceramics Plaza' be and the same is hereby renamed, 'Hydraulicrace Way'; and be it further

Resolved, that the City Clerk is hereby directed to record the new street name in the 'Highway Record'; and be it further

Resolved, that the Director of Highways and Parks is authorized and directed to take the necessary steps to erect the appropriate signage.

Seconded by Alderman Oates and adopted. Ayes 6.

**042121.17**

By Alderman Oates:

Resolved, that pursuant to his request, Matthew Martin, 13 W. Main Street is hereby granted permission to place two dumpsters in the city right-of-way, from April 22<sup>nd</sup> through May 5<sup>th</sup>, 2021, for the duration of their renovation project. Said permission is subject to Matthew Martin filing a certificate of insurance with the City Clerk naming the City of Lockport as additional insured.

Seconded by Alderman Schratz and adopted. Ayes 6.

**042121.18 2021 Agreement with Niagara CAP – WITHDRAWN**

**042121.18A**

By Alderman Allport:

Whereas, the City of Lockport's Collective Bargaining Agreement with Local 855 of the International Union, American Federation of State, County, and Municipal Employees, AFL-CIO, District Council 66 ("AFSCME") expired on December 31, 2012; and

Whereas, the City of Lockport's negotiating committee and AFSCME's negotiating committee reached a tentative agreement; and

Whereas, the AFSCME's union membership has approved the tentative agreement; and

Whereas, the Common Council has reviewed that attached tentative agreement with appendices; now, therefore, be it

Resolved, that the City of Lockport hereby adopts and approves the tentative agreement with appendices, and that the City of Lockport FY 2020 General, Water, and Sewer Operating Budgets be amended as follows:

By Alderman Devine:

Resolved, that the reading of the revenue and expenditures in this foregoing resolution be the same is hereby waived.

Seconded by Alderman Schratz Ayes 6.

**Revenue**

Increase:

A.0000.30599	Appropriated Fund Balance	\$72,000
FX.0000.30599	Appropriated Fund Balance	\$54,000
G.0000.30599	Appropriated Fund Balance	\$42,000

**Expenditures**

## Decrease:

A.1900.54775	Contingency	\$72,000
FX.1900.54775	Contingency	\$54,000
G.1900.54775	Contingency	\$42,000

## Increase:

A.1900.54775	Contingency	\$72,000
FX.1900.54775	Contingency	\$54,000
G.1900.54775	Contingency	\$42,000
A.1620.51170	Additional & Other Comp.	\$6,000
A.1640.51170	Additional & Other Comp.	\$6,000
A.5110.51170	Additional & Other Comp.	\$30,000
A.7110.51170	Additional & Other Comp.	\$15,000
A.8730.51170	Additional & Other Comp.	\$15,000
FX.8310.51170	Additional & Other Comp.	\$3,000
FX.8330.51170	Additional & Other Comp.	\$27,000
FX.8340.51170	Additional & Other Comp.	\$24,000
G.8120.51170	Additional & Other Comp.	\$9,000
G.8130.51170	Additional & Other Comp.	\$27,000
G.8135.51170	Additional & Other Comp.	\$6,000

Seconded by: Alderman Schratz and adopted. Ayes: 6.

**042121.18B**

By Alderman Devine:

Resolved, that a virtual public hearing be held at the Common Council Meeting of May 5, 2021 starting at 5:30 P.M. relative to a request for a Special Use Permit made by Thomas P. Callahan of the Hydraulic Race Co., for approval of signage to be located at 5 Gooding Street, situated in an I-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 Oates and adopted. Ayes 6.

**042121.19****ADJOURNMENT**

At 6:20 P.M. Alderman Devine moved the Common Council be adjourned until 5:30 P.M., Wednesday May 5, 2021.

Seconded by Alderman Kantor and adopted. Ayes 6.

PAUL K. OATES  
City Clerk