

CITY OF LOCKPORT
CORPORATION PROCEEDINGS

Lockport Municipal Building

Regular Meeting
Official Record

April 7, 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, Kantor, Oates, and Schratz.

Alderman Devine absent.

INVOCATION

MAYOR'S UPDATE

RECESS

Recess for public input.

040721.1

APPROVAL OF MINUTES

On motion of Alderman Oates, seconded by Alderman Kantor, the minutes of the Regular Meeting of March 17, 2021 are hereby approved as printed in the Journal of Proceedings. Ayes 5. Carried.

PUBLIC HEARING

The Mayor announced a public hearing on the NYS Community Development Block Grant program to provide funding to communities under the Microenterprise 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:

3/26/21 Under and by virtue of the authority conferred on me by the Charter of the City of Lockport, I, Michelle M. Roman, Mayor of the City of Lockport, do hereby create the Ad-Hoc Comprehensive Plan Committee, effective March 26, 2021, and make the following appointments:

Ellen Schratz	390 Locust Street, Lockport, NY
Amy Fisk	6311 Inducon Corporate Dr., Sanborn, NY
Brian Smith	362 Deerhurst Pk Blvd. Buffalo, NY
Jamie Elmer	2886 Brent Dr. Sanborn, NY
Renee Cheatham	5534 Victoria Ln, Lockport, NY
Kevin Foltz	94 N. Transit St., Lockport, NY
Kevin McDonough	70 Lakeview Pkwy., Lockport, NY
Gary Bennett	535 Willow St., Lockport, NY

Received and filed.

3/26/21 Under and by virtue of the authority conferred on me by the Charter of the City of Lockport, I, Michelle M. Roman, Mayor of the City of Lockport, do hereby create the Ad-Hoc Comprehensive Plan Rezoning Committee, effective March 26, 2021, and make the following appointments:

Jason Dool	149 Roosevelt Dr.
Debra Allport	161 Lincoln Ave.
Nancy Babis	138 Grant St.
Meghan Lutz	207 Washington St.
Pat McGrath	70 Lakeview Pkwy.
James McCann	54 Waterman St.

Received and filed.

3/26/21 Under and by virtue of the authority conferred on me by the Charter of the City of Lockport, I, Michelle M. Roman, Mayor of the City of Lockport, do hereby create the Ad-Hoc 911 Dispatch Review Committee, effective March 26, 2021, and make the following appointments:

Common Council President Mark Devine
Niagara County Legislator Anita Mullane
Fire Board Member Robert Bates
Police Board Member Flora Hawkins
Fire Union representative Joshua Wolck
Police Union representative Kevin Lucinski
Retired NFPD Dispatcher Lt. Michael Drake
Retired NT Fire Dispatcher Frank Demart
Deputy Corporation Counsel Jason Cafarella
Lockport Police Chief Steven Abbott
Niagara County Sheriff Michael Filicetti

Received and filed.

3/26/21 Joshua J. Ritchie, 20 Cherry Street, Lockport, NY – appointed to WWTP Operator Trainee for the City of Lockport effective March 26, 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)

4/1/21 Paul K. Oates, City Clerk – notification of bids received on March 31, 2021 for Refuse Collection and Disposal and Recyclable Materials Collection and Processing.

The following bid proposals for the above referenced were received and opened on March 31, 2021:

Waste Management West Seneca, NY	\$1,546,627.15
Modern Disposal Model City, NY	\$1,283,541.21

Referred to Committee of the Whole

Notice of Complaint:

3/23/21 478 Willow Street – Trees
3/29/21 131 Church Street – Tree stump
281 Pine Street – Tree
69 Chapel Street – Tree roots
156 Vine Street – Trees
7 Priscilla Lane – Tree roots
3/31/21 285 Grand Street – Tree
3/31/21 49 Adam Street - Tree
Referred to the Director of Streets and Parks.

Notice of Claim:

Referred to the Corporation Counsel.

Order to Show Cause:

3/31/21 Hickory Club P.B.A.; Daniel Barrancotta; Patricia Burdick; David Pytlik; and Marissa Bonito vs. City of Lockport; COL Board of Police Commissioners; and COL Chief of Police

MOTIONS & RESOLUTIONS

040721.2

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 8, 2021 as follows:

General Fund	Fund A	\$402,818.79
Water Fund	Fund FX	\$ 41,336.43
Sewer Fund	Fund G	\$ 56,083.77
Capital Projects	Fund H	\$ 54,918.50
Refuse Fund	Fund CL	\$ 257.81
Self Insurance	Fund MS	\$ 81,496.20
Worker's Comp	Fund S	\$ 7,277.00
Payroll	Pay Date 3/25	\$449,336.70

Seconded by Alderman Allport and adopted. Ayes 5.

040721.3

By Alderman Oates:

Whereas, the boat stewards of the WNY Partnership for Regional Invasive Species Management (PRISM) have performed voluntary boat inspections to remove visible aquatic plants and animals from all types of watercraft, and

Whereas, the removal of these plants and animals helps prevent the transport and spread of aquatic invasive species, and

Whereas, WNY PRISM has conducted its boat steward program in Lockport for the past two years and wishes to do so again this summer, and

Whereas, the stewards will also be responsible for public education and distribution of educational materials; now, therefore, be it

Resolved, that pursuant to their request, WNY PRISM is hereby granted permission to have watercraft inspection stewards at launches at Nelson C. Goehle Wide Waters Marina during the upcoming season. Stewards will work Thursday through Sunday and holidays, 7am until 5:30pm, from Memorial Day weekend through Labor Day weekend. Said permission is subject to WNY PRISM filing a certificate of insurance with the City Clerk naming the City of Lockport as additional insured.

Seconded by Alderman Kantor and adopted. Ayes 5.

040721.4

By Alderman Schratz:

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

Whereas, the City of Lockport (the "City") desires to partner with The Greater Lockport Development Corporation ("GLDC") as a subrecipient to apply to the New York State Office of Community Renewal ("OCR") for \$300,000 for eligible Microenterprise activities which will provide grants to eligible businesses (including startup and existing) for working capital, equipment, etc., 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 Microenterprise Program; now therefore, be it

Resolved, that the Mayor is hereby authorized to submit a grant application in the amount of \$300,000, such amount to be used to provide business grants and fund the costs of grant administration and program activities, 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 Allport and adopted. Ayes 5.

040721.5

By Alderman Abbott:

Whereas, the City of Lockport's FY 2021 Appropriated Budget reduced the Engineering Department Intern position in light of financial difficulties from COVID-19.

Whereas, in light of improved financial conditions, City officials have recommended increasing the position back to pre-COVID hours; now, therefore, be it

Resolved, that the City of Lockport FY 2021 Appropriated Budget's personnel detail is hereby altered to reflect the increase in FTE and the line items are altered as stated below:

Expense:

Decrease:

A.1900.54775	Contingency	\$ 8,612
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Increase:

A.1440.51040	Part-Time Wages	\$ 8,000
A.1440.58010	FICA	\$ 612

Seconded by Alderman Allport and adopted. Ayes 5.

040721.6

By Alderman Allport:

Resolved, that pursuant to their request, the MUNY Buffalo Men's Senior Baseball League ('MSBL') is hereby granted permission to use the baseball diamond at Outwater Park for their 2021 practices and home games, subject to approval of the schedule by the Highways & Parks Department, and MSBL filing a certificate of insurance with the City Clerk naming the City of Lockport as additional insured.

Seconded by Alderman Schratz and adopted. Ayes 5.

040721.7

By Alderman Kantor:

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, "Kenan Center American Craftsmen: 50th Anniversary Weekend" event which will be held Saturday, July 10th and Sunday, July 11th, 2021. Banner is to be erected for a

minimum of one week 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 crews to erect the banners.

Seconded by Alderman Oates and adopted. Ayes 5.

040721.8

By Alderman Oates:

Whereas, COVID-19 has had significant impact on the financial security of the City of Lockport since early FY 2020;

Whereas, the City of Lockport's FY 2021 Appropriated Budget was developed in a particularly conservative nature, as typical revenue sources had uncertain futures;

Whereas, the City has now acquired unbudgeted revenue sources (State AIM funds) that have been received and recommended by the NYS Comptroller' Office to be accounted for in the 2021 fiscal year;

Whereas, the administration has compiled a recommendation to the use of these funds in form of a FY 2021 Supplemental Budget #1, which proposes that said funds be appropriated for three distinct purposes - (1) a parks improvement program to revitalize the City's parkscapes, infrastructure, and equipment (with associated capital project to account for purchases), (2) to appropriate all revenues and expenditures found in the FY 2021 Mayor's Recommended Budget for the Playground and Recreation Centers, Marina, and Community Pool, and (3) to contribute funds to the negative budgeted line item for turnover and vacancy savings as per OSC recommendation;

Resolved, that the FY 2021 General Fund and Capital Budget be updated to reflect these changes described above with full line-item detail in the attached handout.

Seconded by Alderman Abbott and adopted. Ayes 5.

FY 2021 Budget Supplement #1 Proposal

Line Item	Description	Amount
A.0000.33001	State Aid Per Capita	\$ 397,579
A.7140.32001	Parks and Recreation Charges	\$ 4,575
A.7140.32025	Special Recreation Facility Charges	\$ 2,500
A.7140.33820	Youth Program State Aid	\$ 18,386
A.7180.32001	Parks and Recreation Charges	\$ 7,000
A.7180.32012	Recreation Concessions	\$ 1,000
A.7180.32025	Special Recreation Facility Charges	\$ 2,500
A.7185.32001	Parks and Recreation Charges	\$ 1,500
A.7185.32012	Recreation Concessions	\$ 5,000
A.7185.32025	Special Recreation Facility Charges	\$ 800
Revenue Total:	\$440,840	
A.7140.51060	Temporary / Seasonal	\$ 23,400
A.7140.54500	Medical Fees and Services	\$ 200

A.7140.54510	Program Expenses	\$ 1,500
A.7140.54515	Special Supplies	\$ 730
A.7140.58010	FICA	\$ 1,790
A.7140.58050	Retirement	\$ 3,791
A.7180.51060	Temporary / Seasonal	\$ 31,500
A.7180.54050	Equip. Maintenance/Repair	\$ 1,500
A.7180.54076	Property Repairs	\$ 1,000
A.7180.54085	Clothing and Uniforms	\$ 630
A.7180.54440	Fees & Permits	\$ 250
A.7180.54500	Medical Fees and Services	\$ 200
A.7180.54510	Program Expenses	\$ 200
A.7180.54515	Special Supplies	\$ 500
A.7180.54520	Chemicals	\$ 3,000
A.7180.58010	FICA	\$ 2,410
A.7185.51060	Temporary / Seasonal	\$ 6,666
A.7185.54050	Equip. Maintenance/Repair	\$ 500
A.7185.54077	Const. & Maint. Supplies	\$ 1,500
A.7185.54078	Gasoline, Oil, Diesel Fuel	\$ 7,000
A.7185.54515	Special Supplies	\$ 2,000
A.7185.58010	FICA	\$ 510
A.9000.51170	Additional & Other Compensation	\$ 75,063
A.9901.5900.H	Interfund Transfer to Capital	\$ 275,000
Expenditure Total:		\$440,840

040721.9

By Alderman Oates:

Resolved, that a virtual public hearing be held at the Common Council Meeting of April 21, 2021 starting at 5:30 P.M. relative to a request for a Special Use Permit made by Kayleen Sylvis, for approval to hold outdoor social events to be located at 767 Market Street, situated in a R-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 Kantor and adopted. Ayes 5.

040721.10

By Alderman Abbott:

Whereas, the City of Lockport Common Council wishes to assess the advisability of submitting a Community Development Block Grant (“CDBG”) application to the New York State Office of Community Renewal (the “OCR”) for a grant to support an expansion by Trek, Inc. of its operations at 190 Walnut Street within the City, and

Whereas, the Lockport Common Council is required to hold a public hearing to provide information to the public and to consider citizen comments regarding community needs and the proposal prior to submitting an application for CDBG funding, now, therefore, be it

Resolved, that a virtual public hearing be held on April 21, 2021 at 5:30 p.m., before the Lockport Common Council, whereat all interested parties shall be heard regarding the CDBG program, the City’s community development and economic development programs, and the proposed funding application, and be if further

Resolved, that, pursuant to New York State Executive Order 202.1, as amended and extended, public in-person access to the hearing will not be permitted and members of the

public shall be permitted to access and participate in the meeting via telephone, and be it further

Resolved, that the City Clerk is directed to prepare a notice of said hearing, to cause the publication of the notice of such hearing to be published in the City's official paper, and to post a copy of said notice on the City website, with both publication and posting to be made at least eight (8) days before the public hearing.

Seconded by Alderman Schratz and adopted. Ayes 5.

040721.11

By Alderman Oates:

Whereas, the City of Lockport has an annual fee structure of \$100 per year, per applicant, for revocable permits to utilize the City's right-of-way; and

Whereas, the City wishes to allow for a waiver of said fee on an annual basis, after the initial fee is paid in year one, for the same application; now, therefore, be it

Resolved, that the City of Lockport Common Council hereby waives the annual fee of \$100 per applicant, for a revocable permit for using the City right-of-way, after the first year fee of \$100 is paid. If an applicant's permit request is the same annually, after the initial fee of \$100 is paid, said fee will be waived each year thereafter that the applicant applies for the waiver; and be it further

Resolved, applicants must still make the annual application for the waiver, but the fee will be waived. Said waiver of fee does not guarantee permission of a revocable permit on an annual basis; and be it further

Resolved, applicants will continue to be responsible for providing the City Clerk's office with a certificate of insurance naming the City of Lockport as additional insured.

Seconded by Alderman Kantor and adopted. Ayes 5.

040721.12

ADJOURNMENT

At 5:54 P.M. Alderman Oates moved the Common Council be adjourned until 5:30 P.M., Wednesday, April 21, 2021.

Seconded by Alderman Kantor and adopted. Ayes 5.

PAUL K. OATES
City Clerk