

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

Lockport Municipal Building

Regular Meeting  
Official Record

May 5, 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.

**050521.1**

**APPROVAL OF MINUTES**

On motion of Alderman Devine, seconded by Alderman Kantor, the minutes of the Regular Meeting of April 21, 2021 are hereby approved as printed in the Journal of Proceedings. Ayes 6. Carried.

**PUBLIC HEARING**

The Mayor announced a public hearing in a request for a Special Use Permit to utilize seasonal banner signs throughout the property at 5 Gooding Street.

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

5/5/21 Terry Harmon, Lockport Planning and Zoning Board – the Board recommends the request with a stipulation.

Recess for public input.

The Mayor closed the public hearing.

**FROM THE MAYOR**

**Appointments:**

4/21/21 Julissa Quero, 268 South Street, Lockport, NY – appointed to the Celebrations & Events Committee effective April 21, 2021.

Received and filed.

4/22/21 Heather N. Grimmer, P.O. Box 438, Lockport, NY 14095 – appointed to the Lockport Housing Authority effective April 26, 2021.  
Received and filed.

4/23/21 Raymond M. Aldrich, 18 Spruce Street, Lockport, NY 14094 – appointed to Heavy Equipment Operator for the City of Lockport Streets Department effective April 30, 2021. Said appointment is permanent and subject to the City of Lockport Municipal Civil Service Rules and Regulations.

4/23/21 Jean M. Kiene, 400 Willow Street, Lockport, NY – reappointed to the Environmental Advisory Committee effective April 23, 2021. Said term expires April 23, 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)

4/28/21 Gregory Dudziak of Lock-City Moose Lodge #617 will be holding their annual Kids Fishing Derby on June 20<sup>th</sup>, 2021 at Widewaters Marina.  
Received and filed.

#### Notice of Complaint:

4/21/21 55 Weld Street - Tree  
4/23/21 185 Union Street - Tree  
Referred to the Director of Streets and Parks.

#### Notice of Claim:

04/23/21 Anthony Laspada, 185 South Street #2B, Lockport, NY  
Referred to the Corporation Counsel.

### MOTIONS & RESOLUTIONS

#### 050521.2

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 May 6, 2021 as follows:

General Fund	Fund A	\$90,858.64
Water Fund	Fund FX	\$26,256.65
Sewer Fund	Fund G	\$16,718.23
Refuse Fund	Fund CL	\$307.22
Self Insurance	Fund MS	\$82,540.20
Community Dev.	Fund CD	\$250,000.00
Payroll	Pay Date 4/22/21	\$ 471,454.15

Seconded by Alderman Abbott and adopted. Ayes 6.

**050521.3**

By Alderman Allport:

Resolved, that the Mayor and Common Council do hereby extend congratulations and appreciation to the following City employees for their years of dedicated service to the City of Lockport:

<u>Employee</u>	<u>Years of Service</u>	<u>Title</u>
Thomas J. Venne	5	Police Officer
Tracy A. Farrell	5	Assessor

Seconded by Alderman Schratz and adopted. Ayes 6.

**050521.4**

By Alderman Oates:

Whereas, through resolution 070120.12C, the Council directed the Mayor to accept a bid to purchase system updates in water administration using 2020 operating funds; and

Whereas, said purchase and invoice could not be completed within the FY 2020 timeframe and is to be encumbered and moved to the FY 2021 operating budget; now, therefore be it

Resolved, that the 2021 Water Budget is hereby amended to reflect the increase in encumbered funds in the amount of \$28,328 to FX.8310.52015.

Seconded by Alderman Devine and adopted. Ayes 6.

**050521.5**

By Alderman Allport:

Whereas, Niagara Community Action Program (“Niagara CAP”) provides emergency services to the needy and disadvantaged persons within Niagara County through use of funding grants and subsidies from federal, state, and municipal governments and agencies, and

Whereas, the City desires to contribute to and participate in the funding of Niagara CAP for such purposes in return for Niagara CAP’s promise of emergency services to the residents of the City, now, therefore, be it

Resolved, that the Mayor, subject to Corporation Counsel approval, is hereby authorized and directed to execute the 2021 agreement between the City of Lockport and Niagara Community Action Program, Inc. at a cost not to exceed \$2,500.00, and that the FY 2021 General Fund Budget is amended as follows:

Expenditures:

Decrease

A.1900.54775	Contingency	\$2,500
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Increase

A.8510.54075	Maintenance/Service Agreements	\$2,500
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Seconded by Alderman Oates and adopted. Ayes 5. Alderman Abbott voted no.

**050521.6**

By Alderman Oates:

Resolved, that the request for a special use permit made by Hydraulic Race Co., Inc. to utilize seasonal banners, located at 5 Gooding Street, situated in a I-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 signs be put up and taken down daily.

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.

Seconded by Alderman Allport and adopted. Ayes 6.

**050521.7**

By Alderman Schratz:

Resolved, that pursuant to their request, permission is hereby granted to ‘Hogs and Heroes’ to barricade Caledonia Street from North Transit Street to Church Street on Saturday, May 15, 2021, for a dice run to be held at the VFW Post, 112 Caledonia from 10am until 4pm; and be it further

Resolved, that the Director of Streets and Parks be and the same is hereby authorized and directed to arrange for delivery of barricades and traffic cones to the area prior to the event; 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 Kantor and adopted. Ayes 6.

**050521.8**

By Alderman Oates:

Whereas, an accident involving a police vehicle has resulted in damage to said car; and  
Whereas, an invoice received through our insurance has resulted in unbudgeted costs in the amount of \$5,000 to be paid; now, therefore, be it

Resolved, that the City of Lockport Common Council hereby alter the FY 2021 general fund operating budget as follows:

Expenses:

Increase		
A.1900.54765	Judgement and Claims	\$5,000
Decrease		
A.1900.54775	Contingency	\$5,000

Seconded by Alderman Abbott and adopted. Ayes 6.

**050521.9**

By Alderman Kantor:

Whereas, the City of Lockport's Water Filtration plant required emergency purchasing of valve replacements to maintain operations; and

Whereas, the Director of Water Filtration has compiled 3 quotes for said replacement 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 Lock City Supply Inc. for a total of \$37,135.25 and utilize funds in the H204 capital project (FX Infrastructure Improvements).

Seconded by Alderman Devine and adopted. Ayes 6.

**050521.10**

By 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; and

Whereas, the Director of Highways and Parks has compiled 3 quotes for a softball field renovation 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, with Rich Sports Field Inc. and Batavia Turf for a combined total of \$18,580 and utilize funds in the H206 capital project.

Seconded by Alderman Kantor and adopted. Ayes 6.

**050521.11**

By Alderman Kantor:

Whereas, Niagara County, since 2007, has allowed the City of Lockport Fire Department to utilize a county-owned 2006 Ford F350 vehicle; and

Whereas, Niagara County has graciously offered the City to keep said vehicle (currently estimated at a value of \$14,600) free of charge; now, therefore, be it

Resolved, that the City of Lockport Common Council hereby approves of the Mayor to accept the vehicle and to allow the Finance Director to update City fleet records and depreciation assets accordingly.

Seconded by Alderman Allport and adopted. Ayes 6.

**050521.12**

By Alderman Allport:

Whereas, the City has experienced unforeseen vacancies and turnover in regards to account clerk positions City wide;

Whereas, the Administration believes that further efficiencies can be achieved through a slightly altered account clerk organization in which all positions are at least at the senior account clerk level;

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

FY 2021 Account Clerk Re-Organization

Line Item	Description	Amount
A.1355.51010	Full Time Wages	\$ (1,312)
A.1355.58010	FICA	\$ (100)
A.1355.58050	Retirement	\$ (213)
A.1325.51010	Full Time Wages	\$ 2,063
A.1325.58010	FICA	\$ 158
A.1325.58050	Retirement	\$ 334
A.1410.51010	Full Time Wages	\$ (1,895)
A.1410.58010	FICA	\$ (145)
A.1410.58050	Retirement	\$ (307)
A.3620.51010	Full Time Wages	\$ 1,435
A.3620.58010	FICA	\$ 110
A.3620.58050	Retirement	\$ 232
A.1900.54775	Contingency	\$ (360)
Total:		\$0

Seconded by Alderman Schratz and adopted. Ayes 3. Nays 3. Alderman Abbott, Kantor and Oates voted no. The Mayor voted in the affirmative. Motion passed.

**050521.13**

By Alderman Oates:

Whereas, the City of Lockport is anticipating significant increases to our Consolidated Local Street and Highway Improvement Program (CHIPS) funding in FY 2021 but has not yet obtained our final funding letter from NYS; and

Whereas, City officials would like to begin scheduling street work in light of potential improvements in funding, but cannot do so until the capital budget for our CHIPS program contains funding that can be encumbered; now, therefore, be it

Resolved, that the City of Lockport Common Council hereby approves of a temporary placeholder of funds in the CHIPS capital project that will allow encumbrances and scheduling to occur with minimal disruption to planning, and that the FY 2021 Capital Budget is amended as follows:

Revenues

Increase

H082.5112.33501	Consolidated Highway Aid	\$350,000
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Expenditures

Increase

H082.5112.52450	Infrastructure – Roads	\$350,000
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Seconded by Alderman Abbott and adopted. Ayes 6.

**050521.14**

By Alderman Allport:

Whereas, I-Evolve Corporation and the City of Lockport have previously disputed the validity of contract claims made by I-Evolve; and

Whereas, I-Evolve sought to charge the City for software licenses that the City claimed it was not using; and

Whereas, the City and I-Evolve have reached a settlement of this dispute by payment of a compromised amount by the City in exchange for I-Evolve ending its efforts to control firewalls within the City's technology structure; now, therefore, be it

Resolved, that the dispute shall be settled by the mutual release signed by the Mayor on behalf of the City and the corporate representative of I-Evolve, and the payment by the City of \$7,500 in full and final settlement of the dispute, said payment to be taken from City funds by adjusting the annual budget in the following manner:

Expenditures:

Increase:

A.1900.54765	Judgement and Claims	\$7,500
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Decrease

A.1680.54605	Telephone Services	\$7,500
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Seconded by Alderman Oates and adopted. Ayes 6.

#### **050521.15**

By Alderman Allport:

Whereas, local residents have raised concerns to the Traffic Advisory Committee regarding the safety of pedestrians at the intersection of Locust Street and Lincoln Avenue; and

Whereas, representatives of the City have reached out to Lockport City School District personnel because of the intersection's proximity to Lockport High School and its impact on students walking to and from school; and

Whereas, there is a collective desire to make the intersection as safe as possible for pedestrians and that the best approach to that end is a professional analysis of the options; now, therefore, be it

Resolved, that the City shall work with the School District to determine the best options for the intersection, by sharing the cost of a traffic study to be done by Fisher Associates, at a total cost of \$11,000, of which the City shall pay \$5,500 in the following manner:

Increase:

A.1440.54055	Professional Services	\$5,500
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Decrease

A.1900.54775	Contingency	\$5,500
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Seconded by Alderman Schratz and adopted. Ayes 6.

#### **050521.16**

By Alderman Kantor:

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 tennis court renovation and re-surfacing at Altro Park on Willow Street 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 with AstroTurf Corporation for a total of \$35,275 and utilize funds in the H206 capital project.

Seconded by Alderman Abbott and adopted. Ayes 6.

**050521.17**

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 quotes for repairs made to the swimming pool shed roof 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 with Granzow Construction for a total of \$1,659.89 and utilize funds in the H206 capital project.

Seconded by Alderman Kantor and adopted. Ayes 6.

**050521.18**

By Alderman Devine:

Whereas, the Water Distribution department has experienced an unexpected breakdown of their backhoe equipment that requires repairs; 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 Niagara Frontier, for \$8,614 and that the FY 2021 water fund budget is amended as follows:

Expenditures

Decrease:

FX.1900.54775	Contingency	\$8,614
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Increase:

FX.8340.54050	Equip. Repair	\$8,614
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Seconded by Alderman Oates and adopted. Ayes 6.

**050521.19**

**ADJOURNMENT**

At 6:05 P.M. Alderman Devine moved the Common Council be adjourned until 5:30 P.M., Wednesday, May 19, 2021.

Seconded by Alderman Kantor and adopted. Ayes 6.

PAUL K. OATES  
City Clerk