

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

Lockport Municipal Building

Regular Meeting  
Official Record

July 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, and Oates.

**INVOCATION**

**MAYOR'S UPDATE**

**RECESS**

Recess for public input.

**070721.1**

**APPROVAL OF MINUTES**

On motion of Alderman Oates, seconded by Alderman Kantor, the minutes of the Regular Meeting of June 16, 2021 are hereby approved as printed in the Journal of Proceedings. Ayes 4. Carried.

**FROM THE MAYOR**

**Appointments:**

William J. Bisher, 314 Pine Street, Lockport, NY – reappointed to the Youth Committee effective June 21, 2021. Said term expires on June 17, 2024.

Steven D. O'Mara, 197 Jackson Street, Lockport, NY – appointed to the Human Relations Commission effective June 25, 2021. Said term expires on July 15, 2023.

Selena Truax Morello, 534 Locust Street, Lockport, NY – appointed to the Parks Board to fill the unexpired term of Darryl Devoe. Said term expires on January 12, 2025.

Julie F. Ramroop, 9 South New York Street, Lockport, NY – appointed to the Human Relations Commission effective June 30, 2021. Said term expires July 15, 2024.

David J. Poole, 586 West Avenue, Lockport, NY 14094 – appointed to Water/Sewer Maintenance Worker for the City of Lockport Water Distributions department effective June 25, 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:

6/17/21	373 East Avenue – tree
6/22/21	98 Niagara Street – tree
6/24/21	169 Allen Street – tree
6/24/21	255 Clinton Street – tree
6/25/21	329 East Avenue – tree
6/28/21	297 Cottage Street – tree
6/28/21	16 Alabama Place – tree
6/28/21	20 Cleveland Place – tree
7/1/21	28 Independence Drive – tree
7/6/21	431 Willow Street - tree

Referred to the Director of Streets and Parks.

#### Notice of Claim:

6/29/21	Samantha Goff, 291 South Street, Lockport, NY 14094
6/29/21	Kenrick Ramroop, 9 South New York Street, Lockport, NY 14094

Referred to the Corporation Counsel.

### MOTIONS & RESOLUTIONS

#### 070721.2

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 July 8, 2021 as follows:

General Fund	Fund A	\$208,922.78
Water Fund	Fund FX	\$28,761.61
Sewer Fund	Fund G	\$56,249.55
Capital Projects	Fund H	\$18,438.30
Refuse Fund	Fund CL	\$626.21
Health Insurance	Fund MS	\$138,373.83
Worker's Comp	Fund S	\$7,500.00
Payroll	Pay Date 6/17/21	\$468,051.63

Seconded by Alderman Allport and adopted. Ayes 4.

**070721.3**

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>
Jon B. Fredrickson	15	Assistant Fire Chief
Christopher C. Lane	15	Fire Lieutenant
James M. Scapelliti	15	Fire Captain
Scott A. Cercone	15	Heavy Equipment Operator

Seconded by Alderman Abbott and adopted. Ayes 4.

**070721.4**

By Alderman Kantor:

Resolved, that pursuant to their request, permission is hereby granted to the Niagara Orleans District Order of the Eastern Star to conduct a Chicken BBQ fundraiser in the City parking lot next to the Masonic Hall on Wednesday, September 15, 2021 from 4 p.m. to 6 p.m., and be it further

Resolved, that permission is hereby granted to barricade the first row of parking spaces east of the Masonic Hall in the City owned lot for said event, 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 to said area prior to said 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 Oates and adopted. Ayes 4.

**070721.5**

By Alderman Kantor:

Whereas, reliable water supply to the City of Lockport (City) Municipal Building (Building) is necessary for operation of the Building; and

Whereas, the Building water supply service line is from the original construction of the Building and has developed leaks and determined to have reached the end of its service life; and

Whereas, the City has requested the Engineering Department and its Engineering Consultant prepare plans and specification for replacement of the Building water service line; and

Whereas, the City has obtained contractor quotes for the replacement of the Building water service as follows:

<b>CONTRACTOR</b>	<b>Benedict's Contracting, Inc.</b>	<b>R. MacFarlane</b>	<b>R.I.C. Plumbing, Inc.</b>
<b>TOTAL QUOTE AMOUNT</b>	\$21,650.00	\$21,880.00	\$22,500.00

Whereas, the Engineering Department and its Engineering Consultant have reviewed the contractor quotes and recommends that the City award the contract to the low responsible quote, Benedict's Contracting, Inc., for a total amount of \$21,650.00; now, therefore, be it

Resolved, that the Mayor is authorized to execute an Agreement with Benedict's Contracting, Inc., 50 Exchange Street, Lockport, NY 14094 in the amount of \$21,650.00 contingent upon legal review and availability of funding for the City project.

Seconded by Alderman Allport and adopted. Ayes 4.

#### **070721.6**

By Alderman Allport:

Whereas, Compeer Niagara is a non-profit, volunteer based program of the Mental Health Association in Niagara County, serving both children and adults who have a mental health diagnosis and limited social supports; and

Whereas, Compeer Niagara's programs are successful in improving the quality of life for participants through social inclusion, friendship, and fun; and

Whereas, Compeer Niagara wishes to offer outdoor programming over the summer break; now, therefore, be it

Resolved, that pursuant to their request, Compeer Niagara is hereby granted permission to conduct a summer program for the public at Rogers Park on Mondays, beginning July 12 until August 30, 2021, from 9am until 12noon, and from 1pm until 3:30pm, 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, and is further subject to Compeer Niagara filing a certificate of insurance with the City Clerk naming the City of Lockport as additional insured.

Seconded by Alderman Kantor and adopted. Ayes 4.

#### **070721.7**

By Alderman Allport:

Resolved, that the Mayor and Common Council do hereby extend condolences to the family of Jacob C. Minnick, a City of Lockport Community Pool lifeguard who recently passed away.

Seconded by Alderman Oates and adopted. Ayes 4.

#### **070721.8**

By Alderman Oates:

Whereas, the City of Lockport (City), is seeking funding for the Gulf Interceptor Sewer Upgrades project and intends to submit a grant application via the New York Consolidated Funding Application (CFA) to Water Quality Improvement Project (WQIP) program through NYS Department of Environmental Conservation (NYSDEC); and

Whereas, the City's Consulting Engineer Nussbaumer & Clarke, Inc. (Nussbaumer) is authorized to prepare and submit a grant application on behalf of the City via the CFA for such project; and

Whereas, the City of Lockport has a project cost estimate of \$6,448,000 for the Gulf Interceptor Sewer Upgrades; and

Whereas, a WQIP Grant may fund up to \$4,030,000 of project costs; and

Whereas, the City's required match is intended to be funded by a Clean Water State Revolving Fund (CWSRF) hardship loan (0%) up to \$2,418,000; and

Whereas, the Mayor is required to sign the grant application on behalf of the City as well as a Grant Agreement with the NYSDEC and any and all other contracts, documents and instruments necessary to bring about the Project if a grant is awarded; now, therefore, be it

Resolved, that the City authorizes and appropriates up to \$2,418,000 to funded by a CWSRF hardship loan for the Gulf Interceptor Sewer Upgrade project. The total estimated maximum WQIP Grant through NYSDEC is \$4,030,000. The Mayor may increase this local match through the use of in-kind services without further approval from the City; and be it further,

Resolved, that if a WQIP grant is awarded, the Mayor is hereby authorized to execute a Grant Agreement with the NYSDEC, pursue a CWSRF loan for any portion of the project not covered by the Grant, to authorize in-kind services as appropriate, and to execute any and all other contracts, documents and instruments necessary to bring about the Project and to fulfill the City of Lockport's obligations under the Grant Agreement, subject to review and approval by counsel.

Seconded by Alderman Abbott and adopted. Ayes 4.

### **070721.9**

By Alderman Abbott:

Whereas, the City of Lockport (City) supports clean energy actions and improving the environment; and

Whereas, the City applied for a Zero-Emission Vehicle (ZEV) Clean Vehicle Infrastructure Grant administered by the New York State (State) Department of Environmental Conservation (NYSDEC) for the installation of an electric vehicle charging station at the Pine Street Parking Lot (Project); and

Whereas, the City has been awarded \$24,000 from the grant program and executed Contract #DEC01-T01010GG-3350000 with the State for the project; and

Whereas, Nussbaumer & Clarke, Inc. submitted a proposal dated June 21, 2021 to prepare design documents for installation of the Project in accordance with the Grant Application and Contract; now, therefore, be it

Resolved, that the Mayor is hereby authorized to execute an agreement with Nussbaumer & Clarke, Inc. for a fee Not-to-Exceed of \$7,700 for the Scope of Work included in their June 21, 2021, proposal to the City for the Pine Street Parking Lot Electric Vehicle Charge Station project.

Seconded by Alderman Oates and adopted. Ayes 4.

### **070721.10**

By Alderman Oates:

Whereas, the Barge Canal Optimist Club seeks to offer youth programs that provide children with safe, outdoor activities, while being safely distanced from others; and

Whereas, the organization wishes to hold a family scavenger hunt between the Lockport Community Market and Upson Park called, 'Trail Clues'; and

Whereas, 'Trail Clues' would be held Saturday, July 31, 2021, and would be a parent/child activity for supervised children ages 2-12; and

Whereas, all traces of the activity will be completely removed at the end of the scavenger hunt, with no permanent markings, structure or changes to the canal path, locks area, or Upson Park; and

Whereas, the number of families will be limited with separate, timed starting to prevent too many people at one time; now, therefore, be it

Resolved, that pursuant to their request, the Barge Canal Optimist Club is hereby granted permission to conduct the 'Trail Clues' family scavenger hunt, starting at the Lockport Community Market on Canal Street and ending at Upson Park along the canal, on Saturday, July 31<sup>st</sup>, 2021, subject to filing a certificate of insurance with the City Clerk naming the City of Lockport as additional insured; 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 4.

#### **070721.11 Budget Amendment-NYS AIM funds - WITHDRAWN**

#### **070721.12**

By Alderman Allport:

Resolved, that the Mayor, subject to Corporation Counsel approval, be and the same is hereby authorized and directed to execute a contract with Lockport Little Loop Football for use of Exchange Field for their 2021 season.

Seconded by Alderman Kantor and adopted. Ayes: 4.

#### **070721.13**

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 quotes for pool equipment and repairs, including a vacuum, new pump/motor, four comfort guard lifeguard chairs and repairs from Streamline Aquatics, Molee, and Modern Surface Solution Inc. for \$6,404.49; now, therefore, be it

Resolved, that the City of Lockport Common Council hereby approves of the Mayor to enter into a contract with the above vendors and utilize funds in the H206 capital project.

Seconded by Alderman Allport and adopted. Ayes: 4.

#### **070721.14**

By Alderman Abbott:

Whereas, the City of Lockport, by Resolution 051921.7, has accepted a grant from the New York State Department of Environmental Conservation in the amount of \$50,000 for tree removal and maintenance; now, therefore, be it

Resolved, that the Mayor, with assistance from Corporation Counsel, is authorized and directed to prepare and issue a Request for Proposals (RFP) for the Tree Maintenance Grant for the removal and maintenance of trees in the public right of way; and be it further

Resolved, that upon receipt of said Request for Proposals (RFP), the City Clerk is hereby authorized and directed to advertise the same.

Seconded by Alderman Allport and adopted. Ayes: 4.

#### **070721.15 Authorize purchase from the Parks Capital Fund-concrete floor-Outwater pavilion - WITHDRAWN**

**070721.16**

By Alderman Abbott:

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 to the Market Street gazebo by Granzow Construction for \$10,280.19; now, therefore, be it

Resolved, that the City of Lockport Common Council hereby approves of the Mayor to enter into a contract with the above vendor and utilize funds in the H206 capital project.

Seconded by Alderman Kantor. Ayes: 3. Nos: 1 – Alderman Oates. Motion failed.

**070721.16A**

By Alderman Allport:

Whereas, the City of Lockport received Green Innovation Grant Program (GIGP) and Downtown Revitalization Initiation (DRI) Grants from New York State for projects including streetscaping and green infrastructure on South Street; and

Whereas, the planning and design team has requested a temporary closing of South Street to conduct a “Celebrate Green South Street” event to allow the public to help re-imagine South Street between Elm Street and Locust Street by engaging residents and stakeholders to increase understanding and awareness about green infrastructure, and its role in creating an attractive and healthy public realm that encourages walkability; now, therefore, be it

Resolved, that permission is granted to close South Street from Elm Street to Locust Street from 4pm until 8pm on July 20, 2021, for the “Celebrate Green South Street” event; 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, traffic cones, and street closed signs to said area prior to said event.

Seconded by Alderman Oates and adopted. Ayes 4.

**070721.17**

**ADJOURNMENT**

At 5:57 P.M., Alderman Oates moved the Common Council be adjourned until 5:30 P.M., Wednesday, July 21, 2021.

Seconded by Alderman Kantor and adopted. Ayes 4.

PAUL K. OATES  
City Clerk