

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

Lockport Municipal Building

Regular Meeting  
Official Record

October 20, 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.

**102021.1**

**APPROVAL OF MINUTES**

On motion of Alderman Allport, seconded by Alderman Kantor, the minutes of the Regular Meeting of October 6, 2021 are hereby approved as printed in the Journal of Proceedings. Ayes 4. Carried.

**PUBLIC HEARING**

The Mayor announced a public hearing on confirming Refuse & Recycling Re-levy.

The Mayor asked the City Clerk if any petitions or communications relative to said Re-levy have been received.

Recess for public input.

The Mayor closed the public hearing.

**FROM THE MAYOR**

**Appointments:**

10/19/21 Michael J. McFall, 1 Roosevelt Drive, Lockport, NY – appointed to Chief Wastewater Treatment Operator for the City of Lockport Wastewater Treatment Facility effective October 15, 2021. Said appointment is permanent and subject to the City of Lockport Municipal Civil Service rules and regulations.

10/20/21 Stacy Stoll, 461 Washburn Street, Lockport, NY – reappointed to the Planning Board effective October 15, 2021. Said term expires on October 14, 2024.

10/20/21 Jeffrey Tracy, 5 Cherry Street, Lockport, NY – reappointed to the Planning Board effective October 15, 2021. Said term expires on October 14, 2024.

10/20/21 Marshall Roth, 110 Locust Street, Lockport, NY – reappointed to the Planning Board effective October 15, 2021. Said term expires on October 14, 2024.

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)

10/8/21 Carol A. Spedding, President, Zonta Club of Lockport – request permission to display signage in the City’s parks to raise awareness for their ‘Violence Against Women’ campaign.

10/13/21 Peggy Belfield, Business Manager, Freedom Church, Lockport, NY – request permission to hold their ‘Christmas Marketplace’ event on December 11, 2021.

10/14/21 Jackie Schultz, Education Coordinator, Emmanuel United Methodist Church, Lockport, NY – request permission to conduct their annual ‘Trunk or Treat’ on October 23, 2021 at 75 East Avenue.

10/20/21 Terry Bryant, Pastor, God’s Voice Ministries, Lockport, NY – thanking the City for its participation in the “Community In Unity” event held at Altro Park on August 22, 2021.

10/20/21 Paul K. Oates, City Clerk – The following RFP for Tree Maintenance-Removal (contract total \$50,000) were received and opened on October 14, 2021:

A.J.’s Tree Service Ltd. Clarence, NY	Removal of trees 1-21
Great Lakes Tree Services Sinclairville, NY	Removal of trees 1-18

Referred to the Committee of the Whole

10/20/21 Paul K. Oates, City Clerk – notification that the Lockport Municipal Offices will be closed the following days in November.

Tuesday, November 2 <sup>nd</sup>	Election Day
Thursday, November 11 <sup>th</sup>	Veteran’s Day
Thursday & Friday, November 25 <sup>th</sup> & 26 <sup>th</sup>	Thanksgiving Holiday

The garbage collection schedule will remain the same for November 2<sup>nd</sup> and 11<sup>th</sup>.

For the Thanksgiving Holiday, garbage collection will be as follows:

Normal Pick Up Day

Thursday, November 25<sup>th</sup>  
Friday, November 26<sup>th</sup>

Holiday Pick Up Day

Friday, November 26<sup>th</sup>  
Saturday, November 27<sup>th</sup>

Referred to the Media.

**Notice of Complaint:**

10/6/21 406 Prospect Street – tree  
10/14/21 246 Garden Street – tree  
10/15/21 201 East Avenue - tree

Referred to the Director of Streets and Parks.

**MOTIONS & RESOLUTIONS**

**102021.2**

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 October 21, 2021 as follows:

General Fund	Fund A	\$50,938.67
Water Fund	Fund FX	\$150,567.47
Sewer Fund	Fund G	\$60,074.26
Capital Projects	Fund H	\$204,048.20
Refuse Fund	Fund CL	\$100,615.09
Health Insurance	Fund MS	\$57,073.18
Community Dev.	Fund CD	\$137,433.00
Payroll	Pay Date 9/23/21	\$564,467.57

Seconded by Alderman Kantor and adopted. Ayes 4.

**102021.3**

By Alderman Kantor:

Resolved, that a public hearing be held at the Common Council Meeting of Wednesday, November 3, 2021 starting at 5:30 P.M. in the Common Council Chambers, Lockport Municipal Building, One Locks Plaza, Lockport, NY relative to the proposed 2022 budget, and be it further

Resolved, that the City Clerk is hereby authorized and directed to advertise notice of said public hearing.

Seconded by Alderman Abbott and adopted. Ayes 4.

**102021.4**

By Alderman Allport:

Whereas, the City Treasurer submitted to the Common Council all delinquent assessments, penalties, charges or fees and any other amounts to be added to taxes; and

Whereas, the Common Council conducted a public hearing on October 20, 2021 at 5:30 P.M. in the Common Council Chambers, Lockport Municipal Building, One Locks Plaza, Lockport, New York in accordance with section 155-7 A (Solid Waste) of Chapter 158 of the City Code to confirm the delinquent accounts to re-levy; now, therefore, be it

Resolved, that the following delinquent accounts totaling \$182,724.91 are hereby confirmed and shall be inserted in the annual tax rolls and be a part of the annual tax upon said parcels against which such amounts are charged and shall be subject to all the provisions of the City Charter.

<u>Account</u>	<u>Amount</u>
Refuse	\$168,324.91
Re-levy Fee	\$ 14,400.00

Seconded by Alderman Oates and adopted. Ayes 4.

### **102021.5**

By Alderman Kantor:

Whereas, the Salvation Army provides warm shelter for the homeless or persons without heat when the temperature falls below 15 degrees Fahrenheit calling for a “Code Blue”; and

Whereas, in order to provide the “Code Blue” Warming Center to City residents, the Salvation Army is dependent upon financing from multiple sources, including municipalities whose residents it services; and

Whereas, the Common Council of the City of Lockport desires to provide funding to the Salvation Army in the amount of \$2,500.00 to provide “Code Blue” Warming Shelter services from October 1, 2021 through March 31, 2022; now, therefore, be it

Resolved, that the Mayor is authorized and directed to execute a contract with the Salvation Army to operate the Code Blue Warming Shelter for City residents from October 1, 2021 through March 31, 2022, and be it further

Resolved, payment to the Salvation Army shall not exceed \$2,500.00 for the operation of the Code Blue Warming Shelter from October 1, 2021 through March 31, 2022 and said funds shall be expended from the A.8510.54075 Service Contracts, and be it further

Resolved, that the Mayor is hereby authorized to declare a “Code Blue” when the weather conditions indicate the temperature will fall below 15 degrees Fahrenheit overnight and shall notify the Salvation Army to open the Code Blue Warming Shelter, and this resolution shall take effect immediately.

Seconded by Alderman Abbott and adopted. Ayes 4.

### **102021.6**

By Alderman Oates:

Resolved, that pursuant to their request, ‘Light Up Lockport’ be and the same is hereby granted permission to use the City’s right-of-way to conduct the following events on Saturday, November 27, 2021:

**Tacky Sweater 5K run** beginning at the Palace Theater from approximately 7:00-10:00 A.M

**Light Up Lockport Parade** commencing at 6:00 PM at Ida Fritz Park, east on Main Street to Charles Street

And be it further

Resolved, that said permissions are subject to approval of the routes by the Police Chief, and 'Light Up Lockport' 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 hereby authorized and directed to arrange for delivery of barricades and temporary 'no parking' signs for the entire length of the south side of Main Street prior to said events.

Seconded by Alderman Kantor and adopted. Ayes 4.

#### **102021.7**

By Alderman Allport:

Whereas, General City Law 20(3) authorizes the City to accept donations from individuals or organizations, and to use said donations per the restrictions placed on them by the donor, regardless of minimum value; now, therefore, be it

Resolved, that the Mayor and Common Council do hereby extend thanks and appreciation to the Lockport Professional Firefighters Society for the gift and installation of windows for the Lockport Fire Department, valued at \$14,925.

Seconded by Alderman Oates and adopted. Ayes 4.

#### **102021.8**

By Alderman Oates:

Whereas, the NYS Department of Transportation has awarded the City of Lockport \$817,483.66 in CHIPS funding, \$221,409.07 in PAVE NY funding, \$150,044.55 in EWR funding, and \$837,869.70 in Touring funding for a total of \$2,026,806.98; and

Whereas, of this total, the Street Maintenance Department, with an extended additional seasonal employee budget, has been able to utilize around \$800,000 as of September 29, 2021; and

Whereas, the Superintendent of Highway and Parks, as well as the City Electrician, has recommended utilizing CHIPS funding to purchase a bucket truck which will be used for maintaining City-owned street lights, as well as for regular operations of the street maintenance crew; now, therefore, be it

Resolved, that the Common Council hereby authorizes the Mayor to enter into a purchasing agreement under State bid with Altec to purchase said piece of equipment for a total of \$132,320.

Seconded by Alderman Abbott and adopted. Ayes 4.

#### **102021.9**

By Alderman Abbott:

Whereas, the City's Department of Information Technology has experienced a number of unforeseen costs in maintenance contracts as well as cost increases in internet services that have exceeded this year's budgeted allocations; and

Whereas, continued operations and maintenance of our programs and operations will require additional funding in this year's budget, estimated at around \$15,000 in additional funds; now, therefore, be it

Resolved, that the Common Council hereby amend the General Fund budget to reflect this need:

Expenditures:

Decrease  
A.1900.54775            Contingency                            \$15,000

Increase:  
A.1680.54610            Internet Services                    \$6,185  
A.1680.54075            Maintenance Contracts            \$8,815

Seconded by Alderman Oates and adopted. Ayes 4.

**102021.10**

By Alderman Oates:

Whereas, the Zonta Club of Lockport has requested permission to install temporary lawn signs in various City rights of way, from November 25, 2021 through December 10, 2021, to raise awareness for Violence Against Women, and

Whereas, the 'Zonta Says NO' campaign is an international effort to raise awareness of, and increase actions to, end violence against women and girls around the world through service and advocacy, now, therefore, be it

Resolved, that permission is hereby granted to place the signs at Veteran's Memorial Park on East Avenue, Ida Fritz Park on West Avenue, Children's Memorial Park on S. Transit Street and at the Washburn and Locust Streets garden, which is maintained by the Zonta Club of Lockport.

Seconded by Alderman Allport and adopted. Ayes 4.

By Alderman Kantor:

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

Seconded by Alderman Oates and adopted. Ayes 4.

**102021.11**

By Alderman Oates:

Whereas, on July 20, 2021, the City of Lockport experienced a State of Emergency because of excessive rain and flooding, which resulted in significant losses to both the property and building of the Wastewater Treatment Plant, and

Whereas, in preparation of potential insurance recoveries, the City has maintained budgetary deficits, which, in light of recent information from our insurance carrier, fall within our deductible costs and now need to be corrected; now, therefore, be it

Resolved, that the Common Council authorizes purchase orders from the Danforth Group for underground gas main repairs (\$118,439) and from Koester Associates Inc. for pump replacement work (\$30,745) to be authorized from H205, the City's Sewer Infrastructure Reserve Fund, established in Resolution 112420.6, and be it further

Resolved, that the Common Council hereby reduces the indirect cost allocation that the Sewer Fund is to expense to the General Fund by \$52,038, and be it further

Resolved, that the Common Council hereby amends the General and Sewer Fund budgets as follows:

Revenues:

Decrease  
A.0000.32801G                            Interfund from Sewer                    \$52,038

Increase		
A.0000.31120	Sales Tax: County	\$52,038

Expenditures:

Decrease		
G.8120.52200	Utility Reform	\$20,000
G.8120.54050	Equip Repair	\$3,000
G.8120.54065	Equipment Rental	\$5,000
G.8120.54077	Construction Supplies	\$2,000
G.8130.52015	Technical Equipment	\$9,000
G.8130.52035	Public Works Equipment	\$10,000
G.8130.54007	Janitorial Supplies	\$500
G.8130.54020	Postage Expenses	\$100
G.8130.54030	Small Tools	\$500
G.8130.54057A	Admin Expense - General	\$52,038
G.8130.54075	Maintenance Contracts	\$10,000
G.8130.54300	Vehicle Repair	\$1,000
G.8130.54540	Utility System Reform	\$116,391
G.8130.54620	Utilities – Natural Gas	\$5,000
G.8130.54623	Utilities – Electricity	\$5,000
G.8130.54635	Refuse Disposal	\$5,000
G.8135.54050	Equipment Repair	\$5,000
G.8135.54076	Property Repairs	\$1,000
G.8135.54078	Gas and Fuel	\$500
G.8135.54077	Construction Supplies	\$500
G.8135.54300	Vehicle Repair	\$5,500

Increase		
G.1900.54775	Contingency	\$75,479
G.8130.54050	Equipment Repair	\$63,605
G.8130.54055	Professional Services	\$21,619
G.8130.54076	Property Repairs	\$78,475
G.8130.54077	Construction Supplies	\$3,257
G.8130.54200	Lab Supplies	\$11,036
G.8130.54515	Special Supplies	\$3,558

Seconded by Alderman Kantor and adopted. Ayes 4.

**102021.12**

By Alderman Allport:

Whereas, pursuant to Section 452 of the General Municipal Law and Sections 185-8 (Water) and 155-4 (Refuse) of the City of Lockport Code, the Common Council is authorized to adjust a schedule of water rents and refuse fees and other charges after a hearing upon five days' notice; now, therefore, be it

Resolved, that a Public Hearing be held at the Common Council Meeting of Wednesday, November 3, 2021 starting at 5:30PM in the Common Council Chambers, Lockport Municipal Building, One Locks Plaza, Lockport, NY relative to adjusting water rents and refuse fees and other charges, and be it further,

Resolved, that the City Clerk is hereby authorized and directed to advertise notice of said public hearing.

Seconded by Alderman Abbott and adopted. Ayes 4.

**102021.13**

By Alderman Kantor:

Whereas, the City of Lockport's Police Department desires to purchase additional pepper ball training materials, and

Whereas, these expenses will be paid from the City of Lockport Police Department's Asset Forfeiture Account at a total of \$3,723; now, therefore, be it

Resolved, that the Chief of Police is authorized and directed to make said purchase to be paid from the Asset Forfeiture Account – Lockport Police Department in the amount of \$3,723 and the FY 2021 General Fund Budget is hereby amended as follows:

Revenues:  
Increase

A.3120.31589.FFT	DA Asset Forfeiture	\$3,723
------------------	---------------------	---------

Expenditures:  
Increase

A.3120.54515	Special Supplies	\$3,723
--------------	------------------	---------

Seconded by Alderman Oates and adopted. Ayes 4.

**102021.14**

By Alderman Abbott:

Whereas, Resolution 112420.7 established the Water Infrastructure Reserve Fund (H204) to be used for the upkeep of systems, utility improvements, structures, and equipment, upon Council approval, and

Whereas, it is recommended that the City utilize said funds for the following purposes: \$1,500 for boiler pipe repairs, \$5,200 for boiler pipe repair parts, \$2,800 for pump number 4 maintenance, and \$2,300 for gas line repairs/maintenance; now, therefore, be it

Resolved, that the City of Lockport Common Council hereby approves of the authorization of spending for a total of \$11,800 from H204.

Seconded by Alderman Kantor and adopted. Ayes 4.

**102021.15**

By Alderman Allport:

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 Mayor has recommended utilizing \$5,000 for three flagpoles at the 'Heroes Way' monument at Outwater Park, a perennial flower bed with benches and six flag poles honoring both the military and public safety workers, and commemorating those killed or injured while on the job or defending our country, and

Whereas, additional support allies include VFW Post 2535, Lockport Navy-Marine Club, American Legion Post 410, the Lockport Police Benevolent Association, the Lockport



Professional Firefighters Association Local 963, the Niagara County Sheriff's Benevolent Association, the United Steelworkers, and American Concrete; now, therefore, be it Resolved, that the City of Lockport Common Council hereby authorizes \$5,000 in funding from the H206 capital project to paid for said flagpoles.

Seconded by Alderman Abbott and adopted. Ayes 4.

**102021.15A**

By Alderman Allport:

Whereas, the City's annual maintenance agreement for the Water Fund's Department of Filtration with the Hatch Company has experienced an unforeseen increase in cost, and

Whereas, said costs do not fit within the current appropriations for the department's spending; now, therefore, be it

Resolved, that the City of Lockport Common Council hereby amends the FY 2021 Water Fund as follows:

Expenditures:

Decrease

FX.1900.54775	Contingency	\$7,400
---------------	-------------	---------

Increase

FX.8330.54075	Maintenance Contracts	\$7,400
---------------	-----------------------	---------

Seconded by Alderman Oates and adopted. Ayes 4.

**102021.15B**

By Alderman Oates:

Resolved, that pursuant to their request, permission is hereby granted to Emmanuel United Methodist Church to barricade Wakeman Alley on Saturday, October 23, 2021, for a "Trunk or Treat" party, 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 said area prior to said event.

Seconded by Alderman Kantor and adopted. Ayes 4.

**102021.15C**

By Alderman Allport:

Resolved, that the Corporation Counsel is hereby authorized to prepare a Local Law relative to amending the sewer rate schedule, and be it further

Resolved, that a public hearing be held at the Common Council meeting of November 3, 2021 starting at 5:30 P.M. in the Common Council Chambers, Lockport Municipal Building, One Locks Plaza, Lockport, NY relative to said local law, 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 4.

**102021.16**

**ADJOURNMENT**

At 6:00 P.M. Alderman Allport moved the Common Council be adjourned until 5:30 P.M., Wednesday, November 3, 2021.

Seconded by Alderman Kantor and adopted. Ayes 4.

PAUL K. OATES  
City Clerk