

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

Lockport Municipal Building

Regular Meeting  
Official Record

January 26, 2022  
6:30 P.M.

Mayor Michelle M. Roman called the meeting to order.

**ROLL CALL**

The following Common Council members answered the roll call:

Aldermen Barnard, Beakman, Devine, Fogle, Kantor, and Pasceri.

**INVOCATION**

**MAYOR'S UPDATE – STATE OF THE CITY ADDRESS**

**RECESS**

Recess for public input.

**012622.1**

**APPROVAL OF MINUTES**

On motion of Alderman Beakman, seconded by Alderman Barnard, the minutes of the Regular Meeting of January 1, 2022 are hereby approved as printed in the Journal of Proceedings. Ayes 6. Carried.

**FROM THE MAYOR**

**Appointments:**

1/5/22 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 make the following appointments:

**For the term of one year expiring on December 31, 2022.**

President of Common Council  
Corporation Counsel  
Deputy Corporation Counsel  
Deputy Corporation Counsel  
Traffic Advisory Committee  
Niagara Community Action Program

Paul Beakman  
Laura Miskell Benedict  
Jason Cafarella  
Patricia McGrath  
Patricia McGrath  
John Lombardi, III

**2022 Common Council Standing Committees:**

**Finance Committee** - Alderman Beakman, Chairman

Members: Aldermen Barnard, Devine, Fogle, Kantor, Pasceri  
City Treasurer, Staff Accountant, Director of Finance

**Public Health & Safety Committee** - Alderman Barnard, Chairman

Members: Fire Chief, Police Chief, and Chief Building Inspector, Aldermen Beakman, Devine, Fogle, Kantor, Pasceri

**Highways & Parks Committee** - Alderman Pasceri, Chairman

Members: Aldermen Barnard, Beakman, Devine, Fogle, Kantor  
City Engineer, Director of Streets and Parks

**Water & Sewer Committee** - Alderman Devine, Chairman

Members: Aldermen Barnard, Beakman, Fogle, Kantor, Pasceri  
City Engineer, Sr. Building Inspector, Chief Operator/WWTP, Chief Operator Water, Water Distribution Supervisor

**Youth Committee** - Alderman Kantor, Chairman

Members: Alderman Barnard, Beakman, Devine, Fogle, Pasceri

**Personnel Committee** - Alderman Beakman Chairman

Members: Aldermen Barnard, Devine, Fogle, Kantor, Pasceri  
City Clerk, Personnel Officer

**Washington Hunt Committee** - Mayor Roman, Chairman

Members: Alderman Devine, Corporation Counsel Laura Miskell Benedict

**For their term of office:**

|                            |                      |
|----------------------------|----------------------|
| Police Board               | Alderman Mark Devine |
| Fire Board                 | Alderman Kitty Fogle |
| Community Cable Commission | Alderman Mark Devine |

**License Revocation Board** - Alderman Kantor

Members - Chief Building Inspector +

**Tree Advisory Committee-(Ad-Hoc)** - Alderman Beakman, Chairman

Received and filed.

1/1/22 John Lombardi III, 329 Chestnut Street, Lockport, NY – reappointed as the City of Lockport representative for NIACAP effective January 1, 2022.

1/3/22 Kathryn Fogle, 101 Nicholls Street, Lockport, NY – reappointed to the Youth Board effective January 1, 2022. Said term expires December 31, 2024.

1/3/22 Demetrius Grant, 102 Bridlewood Drive, Lockport, NY – reappointed to the Youth Board effective January 1, 2022. Said term expires December 31, 2024.

1/3/22 Anita Mullane, 93 Lindhurst Drive, Lockport, NY – appointed to the Police Board effective January 1, 2022. Said term expires December 31, 2022.

1/3/22 Sienna R. Marren, 183 Willow Street, Lockport, NY – appointed to the Fire Board effective January 1, 2022. Said term expires December 31, 2025.

1/5/22 Greg Zakrezewski, 5715 Royalton Center Road, Gasport, NY 14067 – reappointed to the Plumbing Board effective January 1, 2022. Said term expires December 31, 2024.

1/10/22 Cheryl L. Brown, 422 West Caledonia Street, Lockport, NY – reappointed to the Police Board effective January 1, 2022. Said term expires December 31, 2025.

1/10/22 Andrew D. Harris, 83 Prentice Street, Lockport, NY – appointed to Municipal Worker for the City of Lockport Parks Department effective January 1, 2022. Said appointment is permanent and subject to the City of Lockport Municipal Civil Service Rules and Regulations.

1/10/22 Nicholas D. Rubert, 182 Irving Street, Lockport, NY – appointed to Public Works Supervisor for the City of Lockport Highway & Parks Department effective December 30, 2021. Said appointment is permanent and subject to the City of Lockport Municipal Civil Service Rules and Regulations.

1/10/22 Jessica E. Stopa, 6109 East Lake Road, Burt, NY 14028 – appointed to Assistant Chief Operator for the City of Lockport Wastewater Treatment Plant effective December 30, 2021. Said appointment is permanent and subject to the City of Lockport Municipal Civil Service Rules and Regulations.

1/12/22 Mark A. Cocco, 21 Allen Street, Lockport, NY – appointed to Municipal Worker for the City of Lockport Highway & Parks Department effective January 7, 2022. Said appointment is permanent and subject to the City of Lockport Municipal Civil Services Rules and Regulations.

1/12/22 Sarah K. Lanzo, 129 Beattie Avenue, Lockport, NY – reappointed to the Building and Grounds Accessibility Committee effective January 1, 2022. Said term expires December 31, 2023.

1/14/22 John F. Swan, 28 Maple Street, Lockport, NY – reappointed to the Parks Board effective January 12, 2022. Said term expires January 12, 2026.

1/19/22 John F. Swan, 28 Maple Street, Lockport, NY – reappointed to the Buildings and Grounds Accessibility Committee effective January 1, 2022. Said term expires December 31, 2023.

Received and filed.

1/13/22 Mayor Michelle M. Roman – recommendation that Mark S. Devine, 110 Corinthia Street, Lockport, NY be appointed to the Lockport Community Cable Commission.

1/12/22 Mayor Michelle M. Roman – recommendation that Thomas E. Lupo, 17 Bobolink Lane, Lockport, NY be appointed to the Lockport Community Cable Commission.

Referred to the Committee of the Whole.

**Resignation:**

10/3/21 Marietta Schrader, 32 Gaffney Road, Lockport, NY, resignation from the Board of Directors of the Niagara County Department of Health, effective immediately.

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:**

9/29/21 Chris Parada, Executive Director-Historic Palace Theatre – request permission to conduct the annual L10 Run on Feb. 12, 2022.

10/25/21 Maureen Miller, Director/Co-Owner, Soccer Shots Buffalo – request permission to use Altro Park for their upcoming 2022 season.

Received and filed.

**Notice of Claim:**

12/30/21 Mary S. Jacka, 160 John Street, Lockport, NY

1/3/22 Anthony Stashak, 275 Locust Street and 205 Lock Street, Lockport, NY

1/7/22 Garry Thurston, 76 North Adam Street, Lockport, NY

1/7/22 Joan C. Bower, 37 Oliver Street, Lockport, NY

1/20/22 John Taylor, 726 East Avenue, Lockport, NY

Referred to the Corporation Counsel.

**Notice of Complaint:**

1/14/22 Joan Simmons, 38 Maple Street – tree

Referred to the Director of Streets and Parks

**MOTIONS & RESOLUTIONS**

**012622.2**

By Alderman Beakman:

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 January 27, 2022 as follows:

**2021**

|                  |         |              |
|------------------|---------|--------------|
| General Fund     | Fund A  | \$171,405.88 |
| Water Fund       | Fund FX | \$120,963.82 |
| Sewer Fund       | Fund G  | \$103,320.68 |
| Capital Projects | Fund H  | \$899,391.23 |
| Self-Insurance   | Fund MS | \$54,921.69  |
| Community Dev.   | Fund CD | \$17,500.00  |
| Refuse & Recycle | Fund CL | \$257.62     |

**2022**

|                  |         |              |
|------------------|---------|--------------|
| General Fund     | Fund A  | \$360,186.17 |
| Water Fund       | Fund FX | \$15,614.90  |
| Sewer Fund       | Fund G  | \$14,049.22  |
| Capital Projects | Fund H  | \$33,250.00  |
| Self-Insurance   | Fund MS | \$150,827.60 |
| Worker's Comp    | Fund S  | \$13,925.00  |
| Refuse & Recycle | Fund CL | \$89,305.62  |

Payroll Pay Dates 12/16 & 12/30 \$1,006,041.14

Seconded by Alderman Pasceri and adopted. Ayes 6.

**012622.3**

By Alderman Fogle:

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>      |
|------------------|-------------------------|-------------------|
| Carol K. Noon    | 20                      | Sr. Lab Tech WWTP |
| Aaron K. Belling | 15                      | Police Officer    |

|                  |    |                       |
|------------------|----|-----------------------|
| Julie K. Snyder  | 15 | Police Officer        |
| Tina L. Plunkett | 15 | Crossing Guard        |
| Roxane S. Swan   | 15 | Crossing Guard        |
| Robert J. Woods  | 5  | Heavy Equip. Operator |

Seconded by Alderman Barnard and adopted. Ayes 6.

#### **012622.4**

By Alderman Beakman:

Resolved, that pursuant to the recommendation of the City Treasurer and Director of Finance, the Manufacturers & Traders Trust Company, J. P. Morgan Chase & Co. Bank and Key Bank, be designated as depositories of City funds for fiscal year 2022, provided said banks comply with the terms and conditions as set forth in the City of Lockport's Investment Policy.

Seconded by Alderman Devine and adopted. Ayes 6.

By Alderman Devine:

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

Seconded by Alderman Fogle and adopted. Ayes 6.

#### **012622.5**

By Alderman Fogle:

Resolved, that the following Rules and Orders of the Common Council are hereby adopted:

#### **RULES AND ORDERS OF THE COMMON COUNCIL**

1. **Roll Call** - At the hour appointed for the meeting of the Council, the Mayor shall take the chair and direct a call of the members of the Council, and the Clerk shall note the absentees. Upon the appearance of a quorum, the Mayor shall call the members to order. If a quorum be not present, they shall send for absent members. Following shall be the

#### **ORDER OF BUSINESS**

- a. Reading of minutes. Reading and approval of the minutes preceding meeting; but a majority of the members present may approve of, or dispense with, the reading of the minutes of any previous meeting.
- b. Communications from the Mayor.
- c. Communications and reports of officers of the corporation.
- d. Petitions and remonstrances.
- e. Reports of Standing Committees, in the order named in rule.
- f. Reports of Special Committees.
- g. Committee of the Whole.
- h. Executive business.

- i. Motions, resolutions and notices.
- j. Unfinished business.

#### **DUTIES OF THE MAYOR AS PRESIDING OFFICER**

2. **The Mayor, as presiding officer, shall possess the powers and perform the duties as herein prescribed:**
  - a. They shall preserve order and decorum.
  - b. Question of Order. They shall decide all questions of order, subject to appeal of the Council. On every appeal they shall have the right in his/her place to assign his/her reason for his/her decision; but any member may state the grounds for his/her appeal.
  - c. Appointment of Committees. He/she shall appoint all committees except where the council shall otherwise order.
  - d. Temporary Chairman. He/she may substitute any member to perform the duties of the chair, but such substitution shall not extend beyond the adjournment of the Council, except by special consent of the Council.
  - e. Committee of the Whole. When the Council shall be ready to go into Committee of the Whole, he/she shall name a chairman to preside therein.
  - f. Privileges of the floor. He/she shall have the right to invite to the floor of the Council such persons as he/she shall deem deserving of the privilege; but the right of admission under such invitation shall not extend beyond the day on which it shall be given.
3. **While a question is being put** - While the presiding officer is putting a question, no member shall walk across or out of the room; nor in such case, or when a member is speaking, shall entertain any private discourse, nor, while a member is speaking, shall pass between him and the chair.
4. **Speaking** - Every member, when he/she speaks, shall, from his/her chair, address the presiding officer as Mr. /Madam Mayor, or proper title and shall not proceed until recognized by the presiding officer; and no member shall speak more than twice to the same question, nor more than five minutes each time at the same meeting, without requesting and receiving the consent of a majority of the members present, by a roll call vote.
5. **Speaker recognized** - When two or more members request recognition simultaneously, the presiding officer shall name the member he wishes to speak first.
6. **Call to order** - Any member may be called to order; in which case the member so called to order shall immediately sit down. The point of order shall be stated at the request of the presiding officer, by the member raising the question of order, and shall be decided without debate, before proceeding to other business.
7. **Vote** - Every member shall vote when a question is stated from the chair, unless excused by the Council; and every member voting shall be in his/her place.
8. **Petitions, etc.** - Petitions and other papers may be presented by the presiding officer or any member, but when presented by a member, he/she shall first endorse on the petition or paper the substance thereof.

9. **Motions or Resolutions** - No motion or resolution shall be debated or put until seconded. No member shall make or second a motion or resolution except he/she request recognition from his/her chair for that purpose; and when seconded the motion or resolution shall be stated distinctly by the presiding officer, before being put or debated. No motion or resolution shall be presented for action unless it has been reviewed by Corporation Counsel and submitted in writing to the Clerk by noon of the Wednesday preceding the Common Council meeting, or unless by prior authorizations of the Mayor, City Clerk, and City Attorney and then by consent of two-thirds of the whole number of the Council. Resolutions submitted for consideration may go to the appropriate committee prior to submission. A motion or resolution referred to any committee may be recalled from that committee at any subsequent Council meeting by vote of a majority of the whole number of the Council. If any motion or resolution referred to a committee shall not have been reported out within forty-five days of the time when it was referred, then the sponsor of the motion or resolution may have it brought out for Council consideration without any committee report. Any motion or resolution may be withdrawn at any time before decision, commitment or amendment by unanimous consent.
10. **Ayes and noes** - If any member require it, the ayes and noes upon any question shall be taken and entered upon the minutes of the Council. In taking the same, the names of members shall be taken alphabetically.
11. **Appointment of committees** - All committees shall be appointed by the presiding officer, unless otherwise specially directed by the Council, in which case they shall be appointed by ballot.

#### **PRIVILEGED QUESTIONS**

12. **Order of motions** - When a question is pending, no motion shall be received, except as hereinafter specified; which motion shall have preference in the order stated:
  - a. For an adjournment of the Council.
  - b. A call of the Council.
  - c. To lay on the table.
  - d. For the previous question.
  - e. To postpone indefinitely.
  - f. To postpone to a day certain.
  - g. To refer to the Committee of the Whole.
  - h. To refer to a standing committee.
  - i. To refer to a special or select committee.
  - j. To amend.
13. **Non-debatable motions** - A motion to adjourn, lay on the table, or for the previous question, shall be decided without amendment or debate; and all questions of order, and all questions relating to the order of business, shall be decided without debate. The several motions to postpone or to refer, shall preclude all debate of the main question.
14. **Reconsideration** - A motion for reconsideration if lost, shall not again be repeated at the same meeting of the Council, nor shall any question be reconsidered more than once.



15. **Executive business** - Executive business shall be governed by Chapter 511 of the Laws of 1976.
16. **Concerning applicant for office** - All information, or any remarks by any member concerning the character or qualifications of any person whose name shall be before the council for an appointment to any office, shall be kept secret, and all proceedings and things of the Council, or any member thereof, in secret session, shall be kept secret until the Council shall remove all injunctions to secrecy.
17. **Divisions of questions** - If any question contains several distinct propositions, it may be divided by the chair.
18. **Reading of paper** - Any member may have any paper in possession of the council read, upon request, unless the same shall be objected to by some other member; and then the question shall be determined by a vote of a majority of the whole council, without debate.
19. **Speaking to question** - After the roll-call upon any question has commenced, no member shall speak to the question except to explain his/her vote, and then not to exceed five minutes; nor shall any motion be made until after the result is declared.
20. **Committee's Report** - No report shall be received from any committee unless the committee, or a quorum thereof, shall have met and considered the matter in a regular or special meeting of the committee.
21. **Robert's Rule of Order** - Whenever any question not covered by these rules shall arise, this council shall be governed by the parliamentary rules as laid down in Robert's Rule of Order. The Corporation Counsel shall preside as the Parliamentarian at all meetings. (Amended 4/2/14)
22. **Standing Committees** - The following standing committees shall be appointed by the Mayor at the commencement of the session, or as soon thereafter as may be practicable:

FINANCE COMMITTEE – to consist of Common Council members as appointed by the Mayor, and ex-officio members: City Treasurer and Director of Finance.

PUBLIC HEALTH & SAFETY – to consist of Common Council members as appointed by the Mayor and ex-officio members: Police Chief, Fire Chief, and Chief Building Inspector.

HIGHWAYS & PARKS - to consist of Common Council members as appointed by the Mayor and ex-officio members: Assistant City Engineer, Director of Streets and Parks, Public Works Supervisor

WATER & SEWER - to consist of Common Council members as appointed by the Mayor and ex-officio members: Assistant City Engineer, Sr. Building Inspector, Chief Operator/WWTP, Chief Water Treatment Plant Operator, Water Distribution Maintenance Supervisor

YOUTH – to consist of Common Council members as appointed by the Mayor and ex-officio members: Assistant City Engineer.

PERSONNEL – to consist of Common Council members as appointed by the Mayor and ex-officio member: City Clerk and Personnel Officer.

WASHINGTON HUNT - to consist of three members: Mayor and two aldermen as appointed by the Mayor.

The Common Council President shall be qualified to sit as a member of any standing committee whenever his/her presence will enable such committee to reach a quorum for the transaction of business.

23. **Changing of Rules** - No standing rule or order of the council shall be amended, repealed, rescinded, changed or superseded, except by a vote of two-thirds of the whole council, nor shall any new rule be added thereto, except by a like vote; but they may be suspended at any time by a two-thirds consent of the whole council.
24. **Regular Meetings:**
  - a. The regular meeting of the Council shall be held on the second and fourth Wednesday of each month, except when otherwise directed by resolution of the Common Council. The hour of the meeting shall be 6:30 P.M., and if a quorum shall not be present at 7:00 P.M., the Common Council shall stand adjourned. The Committee of the Whole shall meet one half hour prior to the start of the regularly scheduled Common Council meetings.
  - b. The Committee of the Whole work sessions shall be held at 6:00 P.M. on the second and fourth Wednesday of each month, preceding the Council meeting, or any other day and time if so directed by the President of the Common Council.
25. **Business of Special Meeting** - It shall not be in order at any special meeting to proceed to any other business than that for which the meeting was convened, unless by unanimous consent of all members present.
26. **Regular Committee Meetings** - The standing committees shall have regular meetings for the transaction of committee business.
27. **Report of Committees** - It shall be the duty of the committees to report on every subject referred to them, within two weeks from the time of such reference, unless the time shall have been extended by the council.
28. **General rules and regulations for the letting of contracts for materials, supplies, equipment or public works projects (including local public improvements).**
  1. After any materials, supplies, equipment or public works project shall have been ordered, the Common Council shall, at the time of adopting the ordinance therefor, or at any time thereafter, give notice, or order and direct the same to be given, that proposals for the doing and completion of said work will be received.
  2. All notices shall be given by the City Clerk by publishing same in the official paper of this city.

3. Notices for the receiving of proposals shall be of the following form - the blanks therein to be filled at the time of publication as necessities require: NOTICE TO BIDDERS City Clerk's Office, Lockport, New York Sealed proposals shall be received by the undersigned at his office, Lockport Municipal Building, One Locks Plaza, Lockport, NY until (day), (date), at (time) for in accordance with the specifications made therefor and obtainable at the (appropriate City office). Proposals must be for the amount in gross and include everything connected with the proposed materials, supplies, equipment or public works project being bid. Each proposal must be accompanied by a certified check or bid bond in an amount equal to ten percent of the bid. The Common Council hereby reserves the right to reject any or all proposals. By order of the Common Council of the City of Lockport, N.Y. \_\_\_\_\_ City Clerk

4. No proposal after time expires. After the time in said notice specified for the reception of proposals shall have expired no further proposals for the work specified therein shall be received; and each and every plan and specification therein published shall be particularly and strictly observed by all concerned.

5. Proposals to be guarded. The City Clerk shall receive all proposals at his office in this City, and shall carefully guard and preserve the same unopened; he shall not permit either or any of them to be taken from his custody until such time and in such manner as the Common Council may order and direct.

6. Clerk to open. The Clerk shall publicly open and read the bids on the date and at the time specified in the Notice to Bidders.

7. Clerk to report to Council. The City Clerk shall submit a summary of those bids received and opened to the Common Council at its first regular meeting thereafter, under the order of "unfinished business."

8. Recess to examine. The Mayor may thereupon declare a recess, stating the duration thereof, in order that the members of the Council may critically examine each proposal.

9. Action on proposals. Upon re-assembling, the Common Council shall consider said proposal, and shall without adjournment take some action in relation thereto, either by accepting the proposal of the lowest responsible bidder, or by rejecting all bids, or by referring the same to some proper committee.

10. To again advertise. In case all bids are rejected, the Common Council shall again direct the publication of a notice to bidders, similar in all respects to that first advertised, and shall so continue to advertise for, receive and consider proposals for said items until by a vote of a majority of the council, a contract is finally awarded, except, however, in cases where the Common Council shall reconsider its action requiring such work to be performed by contract.

11. Certified Check or Bid Bond. Each proposal shall be accompanied by a certified check or bid bond in a sum not less than ten percent of the amount of the proposal. In the event the successful bidder fails to enter into contract within five days after being notified by the City Clerk, the check will be forfeited.

12. The Common Council reserves the right to reject any or all proposals.

29. **Two-thirds vote to repeal** - No legislative ordinance, act or resolution passed during any previous meeting of the current term of this council, shall be amended, repealed, rescinded, changed or superseded, in whole or in part, except by two-thirds vote of the whole Council.
30. **Recess for public input** - Those desiring to speak at Common Council meetings may do so during the recess for public input following the Mayor's Update, and after adjournment. The first instance shall be limited to matters regarding City business on the Agenda; the second instance shall be to address matters concerning the general welfare of the City.

Seconded by Alderman Pasceri and adopted. Ayes 6.

#### **012622.6**

By Alderman Kantor:

Resolved, that pursuant to their request, the Historic Palace Theatre is hereby granted permission to conduct the 50<sup>th</sup> annual L10 Run from 9am until 12:30pm on Saturday, February 12, 2022. The race route will require closing East Avenue between Elm and Charles Streets; closing Elm Street for the finish of the race; and, disrupting traffic flow on Market Street. Permission is granted subject to approval of the race route by the Police Chief and subject to the Historic Palace Theatre filing a certificate of insurance with the City Clerk naming the City of Lockport as additional insured, and be it further

Resolved, that permission is granted to place two portable toilets in the parking lot at Nelson Goehle Widewaters Marina for the runners' convenience, and be it further

Resolved, that the Director of Streets and Parks is hereby authorized and directed to arrange for salting the streets in the City's portion of the race route if necessary, and to deliver barricades, cones, and "street closed" signs as required, and be it further

Resolved, that the Traffic Captain is hereby directed to arrange for police support for said event.

Seconded by Alderman Barnard and adopted. Ayes 6.

#### **012622.7**

By Alderman Beakman:

Whereas, the City of Lockport adopted by Resolution 112018.11 an Employee Handbook on November 20, 2019; and

Whereas, that included in the Employee Handbook were certain mandatory subjects of bargaining that were improperly unilaterally imposed by the City; and

Whereas, certain unions had filed labor charges against the City for the implementation of the Employee Handbook; and

Whereas, the City's Corporation Counsel has resolved the litigation and negotiated a revised Employee Handbook with the subject Unions; now, therefore, be it

Resolved, that the City of Lockport hereby adopts and approves the Employee Handbook as revised and authorizes the Mayor to implement the same.

Seconded by Alderman Fogle and adopted. Ayes 5. Nays 1. Alderman Devine voted no.

**012622.8**

By Alderman Kantor:

Resolved, that pursuant to their request, Soccer Shots Buffalo is hereby granted permission to conduct a Spring and Summer Soccer Program on Saturdays at Altro Park beginning April 23, 2022 through September 3, 2022, subject to Soccer Shots Buffalo filing a certificate of insurance with the City Clerk naming the City of Lockport as additional insured.

Seconded by Alderman Fogle and adopted. Ayes 6.

**012622.9**

By Alderman Devine:

Whereas, the City of Lockport Police Department participates in joint enforcement activities with the Federal Drug Enforcement Agency and the Niagara County Drug Task Force; and

Whereas, the City of Lockport Police Department receives, from time to time, funds generated from these joint enforcement activities which are to be used for the purchase, maintenance, and/or replacement of capital equipment within the Police Department; and

Whereas, the City must amend its 2022 budget to properly account for the use of these funds; and

Whereas, the Police Department has identified the use of funds for payment of a forensic scanner lease; now, therefore, be it

Resolved, that the 2022 General Fund Budget is hereby amended as follows:

Increase:

|  |             |
|--|-------------|
| Expense: A.3120.54515 Special Supplies | \$10,633.43 |
|--|-------------|

|   |             |
|---|-------------|
| Revenue: A.3120.34389 Other Federal Public Safety | \$10,633.43 |
|---|-------------|

Seconded by Alderman Kantor and adopted. Ayes 6.

**012622.10**

By Alderman Kantor:

Resolved, that pursuant to their request, Happily Running, LLC is hereby granted permission to use the rest room facilities and pavilion at Nelson C. Goehle Wide Waters Marina on the weekends of January 29 and 30 and August 13 and 14, 2022, for the annual Winter and Summer Beast of Burden Ultra Marathons. Said permission is subject to Happily Running, LLC 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 the preparation of the restroom facilities for said event and to arrange for delivery of barricades to close off the parking lot, and be it further

Resolved, that 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 Beakman and adopted. Ayes 6.

By Alderman Kantor:

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

Seconded by Alderman Devine and adopted. Ayes 6.

#### **012622.11**

By Alderman Beakman:

Whereas, in compliance with the New York State Office of the Comptroller, all governmental entities are recommended to have and maintain a budget modification policy that identifies appropriate practices and regulation as they relate to City finances; now, therefore, be it

Resolved, that the City of Lockport does hereby adopt the following budget modification policies and procedures:

**Guideline #1:** Department Heads, throughout the year, may encounter budget line items that require additional funding for operational costs. The first priority is to utilize unused excess funds within their department. If they can identify matching excess funds in their department to be reduced in the same amount of the requested increase, the Department Head may request an individual amendment amounting from **\$1 to \$10,000** within their budget, to be posted in New World by said Department's Account Clerk and subsequently reviewed, approved, and posted by the Director of Finance (without the need to fill out and submit the attached Budget Amendment Worksheet). In the event that the Department Head cannot identify excess funds in their department to cover the requested budgetary increase, they are to follow Guideline #4.

**Guideline #2:** For individual amendment amounts ranging from **\$10,001 to \$25,000** (in which the Department Head can identify excess funds to match the requested increase), the Department Head will provide to the Director of Finance the attached Budget Amendment Worksheet. In this event, the Director of Finance shall have the authorization:

- To approve requests for the transfer of funds, not to exceed \$25,000, within and between the contractual, capital, and benefit expense items of a department budget, provided said administrative transfers do not exceed total appropriations for the departmental budget as adopted or amended by the City Council.
- To approve requests for the transfer of funds, not to exceed \$25,000, within the Personal Services account or from Personal Services to Equipment and Contractual, provided said authority is further limited to modifications for

temporary, overtime and/or shift differential appropriations, which shall not result in the creation of permanent full time or part-time positions.

**Guideline #3:** For individual amendments ranging from **\$25,001 to \$50,000** (in which the Department Head can identify excess funds to match the requested increase), the Department Head will provide to the Director of Finance the attached Budget Amendment Worksheet. In this event, the Director of Finance in concurrence with the Mayor, shall have the authorization:

- To approve requests for the transfer of funds which exceed \$25,000 but are less than \$50,000 within and between the equipment and contractual areas of the department budget, provided said transfers do not exceed total appropriations for the departmental budget as adopted or amended by the City Council.
- To approve requests for the transfer of funds which exceed \$25,000 but are less than \$50,000 within the Personal Services account or from Personal Services to Equipment and Contractual, provided said authority is further limited to modifications for temporary, overtime and/or shift differential appropriations, which shall not result in the creation of permanent full time or part-time positions.

**Guideline #4:** Common Council approval shall be required for all other budget amendments, including requests that transfer funds from one department to another, as well as the use of contingency. In these events, the Department Head will provide to the Director of Finance the attached Budget Amendment Worksheet, which will then be reviewed by the Finance Director and submitted (in resolution format) to the Clerk's Office for the Common Council to vote on. Department Heads must provide this form to the Finance Director at least two weeks before the Common Council meeting they wish this amendment to be voted on.

**Guideline #5:** In all instances, there shall be no splitting of transfer amounts to avoid the next level of authorization.

**Guideline #6:** This policy shall be reviewed annually by the City of Lockport Common.

Seconded by Alderman Devine and adopted. Ayes 6.

By Alderman Kantor:

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

Seconded by Alderman Devine and adopted. Ayes 6.

## **012622.12**

By Alderman Beakman:

Whereas, in compliance with the New York State Office of the Comptroller, all governmental entities are recommended to have and maintain a fund balance policy that identifies appropriate fund balance levels as they relate to our cash flow, annual budgets, and contingency; now, therefore, be it

Resolved, that the City of Lockport does hereby adopt the following fund balance policies and procedures:

**Guideline #1 – Use of Fund Balance:** Fund balance is the accumulation of prior years' excess or deficit of all revenues and expense. For the purposes of the budget, revenue and expense activity includes bond proceeds and debt service. Available fund balances shall not be used for ongoing operating expenditures, unless a determination has been made that available balances are in excess of required guidelines and plans have been established to address any future operating budget shortfalls. Emphasis shall be placed on one-time uses that achieve future operating cost reductions and/or service level efficiencies.

**Guideline #2 – General Fund:** The City shall maintain a minimum unrestricted fund balance in the General Fund equal to 17% of the following year's General Fund budgeted expenditures to be used for cash flow purposes, to cover unanticipated expenditures of a non-recurring nature, to meet unexpected increases in service delivery costs and/or to cover unexpected revenue shortfalls. These funds are used to avoid cash flow interruptions, generate interest income, and to avoid the need for short-term borrowing. Each year, the City shall budget an operating budget contingency of not less than 1.25% of all budgeted General Fund expenditures

**Guideline #3 – Non-General Governmental Funds:** The appropriate balances shall be the amount needed to maintain positive cash balances throughout the year with exceptions made for those funds associated with economic development purposes which may be aggregated by fund type to maintain a positive balance. An adequate operating contingency expense shall be budgeted to provide for business interruption costs and other unanticipated or unbudgeted expenditures. Enterprise funds shall also maintain adequate reserves for emergency improvements relating to new regulations, or emergency needs for capital repair or replacement.

**Guideline #4 – Enterprise Funds:** The City shall maintain a minimum cash balance in its Enterprise Funds equal to three months of operating expense, or 25% of the funds' annual operating budget. This balance shall be maintained to ensure adequate maintenance reserves, operating cash flow requirements, debt service requirements and legal restrictions. Where cost-effective access to capital markets is available and debt financing is regularly used, replacement balances shall not be maintained in a manner which charges current consumers to pay for future facilities, with exceptions made for those funds associated with economic development purposes. Balances in excess of three months of operating expense may be utilized for capital purchases and replacements in lieu of debt financing if doing so allows for continued maintenance of appropriate balances and funding plans. Alternatively, surplus cash reserves may be used for early debt retirement at the recommendation of the Finance Director and City Treasurer, and approval of the Common Council. Financing decisions shall consider the impact on user rates.

**Guideline #5 – Internal Service Funds:** To ensure adequate maintenance reserves, cash flow balancing requirements, and legal restrictions, the Self-Insurance Funds shall maintain a cash balance equal to the unpaid claim reserves payable amount on its balance sheet, as defined by



the independent actuary plus 10% of the annual department operating budgets within the fund. Net position within the fund should not fall below zero.

**Guideline #6 – Annual Review:** An annual review of cash flow requirements and appropriate fund balances shall be undertaken to determine whether modifications are appropriate for the reserve policy.

Seconded by Alderman Barnard and adopted. Ayes 6.

By Alderman Kantor:

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

Seconded by Alderman Devine and adopted. Ayes 6.

### **012622.13**

By Alderman Beakman:

Whereas, in compliance with the New York State Office of the Comptroller, all governmental entities are recommended to have and maintain an investment policy that identifies appropriate practices and regulation as they relate to City finances; now, therefore, be it

Resolved, that the City of Lockport does hereby adopt the following investment policies and procedures:

**Guideline #1 - Scope:** This investment policy applies to all moneys and other financial resources available for investment on its own behalf or on behalf of any other entity or individual.

**Guideline #2 - Objectives:** The primary objectives of the local government's investment activities are, in priority order,

- to conform with all applicable federal, state and other legal requirements (legal);
- to adequately safeguard principal (safety);
- to provide sufficient liquidity to meet all operating requirements (liquidity); and
- to obtain the optimum rate of return (yield).

**Guideline #3 - Delegation of Authority:** The governing board's responsibility for administration of the investment program is delegated to the City Treasurer who shall establish written procedures for the operation of the investment program consistent with these investment guidelines. Such procedures shall include an adequate internal control structure to provide a satisfactory level of accountability based on a data base or records incorporating description and amounts of investments, transaction dates, and other relevant information and regulate the activities of subordinate employees.

**Guideline #4 - Prudence:** All participants in the investment process shall seek to act responsibly as custodians of the public trust and shall avoid any transaction that might impair public confidence in the City of Lockport to govern effectively. Investments shall be made with judgement and care, under circumstances then prevailing, which persons of prudence discretion

and intelligence exercise in the management of their own affairs, not for speculation, but for investments, considering the safety of the principal as well as the probable income to be derived. All participants involved in the investment process shall refrain from personal business activity that could conflict with proper execution of the investment program, or which could impair their ability to make impartial investment decisions.

**Guideline #5 - Diversification:** It is the policy of the City of Lockport to diversify its deposits and investments by financial institution, and by maturity scheduling.

**Guideline #6 – Internal Controls:** It is the policy of the City of Lockport for all moneys collected by any officer or employee of the government to transfer those funds to the (chief fiscal officer) within 30 days of deposit, or within the time period specified in law, whichever is shorter. The City Treasurer is responsible for establishing and maintaining an internal control structure to provide reasonable, but not absolute, assurance that deposits and investments are safeguarded against loss from un-authorized use or disposition, that transactions are executed in accordance with management's authorization and recorded properly, and are managed in compliance with applicable laws and regulations.

**Guideline #7 – Designation of Depositories:** The banking institutions authorized for the deposit of monies are to be designated by Council resolution as required by City Charter, Section C-101.

**Guideline #8 – Collateralizing of Deposits:** In accordance with the provisions of General Municipal Law, #10, all deposits of the City of Lockport, including certificates of deposit and special time deposits, in excess of the amount insured under the provisions of the Federal Deposit Insurance Act shall be secured:

- By a pledge of "eligible securities" with an aggregate "market value" as provided by GML #10, equal to the aggregate amount of deposits from the categories designated in Guideline 13 of this policy.
- By an eligible "irrevocable letter of credit" issued by a qualified bank other than the bank with the deposits in favor of the government for a term not to exceed 90 days with an aggregate value equal to 140% of the aggregate amount of deposits and the agreed upon interest, if any. A qualified bank is one whose commercial paper and other unsecured short-term debt obligations are rated in one of the three highest rating categories by at least one nationally recognized statistical rating organizations or by a bank that is in compliance with applicable federal minimum risk-based capital requirements.
- By an eligible surety bond payable to the City of Lockport for an amount at least equal to 100% of the aggregate amount of deposits and agreed upon interest, if any, executed by an insurance company authorized to do business in New York State, and who has met with the requirements of the State Comptroller's office. (#3 added 01/04/95)

**Guideline #9 – Safekeeping and Collateralization:** Eligible securities used for collateralizing deposits shall be held by the depository and/or a third party bank or trust company subject to security and custodial agreements. The security agreement shall provide that eligible securities

are being pledged to secure local government deposits together with agreed upon interest, if any, and any costs or expenses arising out of the collection of such deposits upon default. It shall also provide the conditions under which the securities may be sold, presented for payment, substituted or released and the events which will enable the local government to exercise its rights against the pledged securities. In the event that the securities are not registered or inscribed in the name of the local government, such securities shall be delivered in a form suitable for transfer or with an assignment to the City of Lockport or its custodial bank.

The custodial agreement shall provide that securities held by the bank or trust company, or agent of and custodian for, the local government, will be kept separate and apart from the general assets of the custodial bank or trust company and will not, in any circumstances, be commingled with or become part of the backing for any other deposit or other liabilities. The agreement should also describe that the custodian shall confirm the receipt, substitution or release of the securities. The agreement shall provide for the frequency of revaluation of eligible securities and for the substitution of securities when a change in the rating of a security may cause ineligibility. Such agreement shall include all provisions necessary to provide the local government a perfected interest in the securities.

**Guideline #10 – Permitted Investments:** As authorized by General Municipal Law, #11, the City of Lockport authorizes the City Treasurer to invest moneys not required for immediate expenditure for terms not to exceed its projected cash flow needs in the following types of investments:

- Special time deposit accounts;
- Certificates of deposit;
- Obligations of the United States of America;
- Obligations guaranteed by agencies of the United States of America where the payment of principal and interest are guaranteed by the United State of America;
- Obligations of the State of New York;
- Obligations issued pursuant to LFL #24.00 or 25.00 (with approval of the State Comptroller) by any municipality, school district or district corporation other than the City of
- Lockport;
- Obligations of public authorities, public housing authorities, urban renewal agencies and industrial development agencies where the general State statutes governing such entities or whose specific enabling legislation authorizes such investments.
- Obligations of this local government, but only with any moneys in a reserve fund established pursuant to GML #6-c, 6-d, 6-e, 6-g, 6-h, 6-j, 6-k, 6-l, 6-m, or 6-n.

All investment obligations shall be payable or redeemable at the option of the City of Lockport within such times as the proceeds will be needed to meet expenditures for purposes for which the moneys were provided and, in the case of obligations purchased with the proceeds of bonds or notes, shall be payable or redeemable at the option of the City of Lockport within two years of the date of purchase.

**Guideline #11 – Authorized Financial Institutions and Dealer:** The financial institutions so

designated by the Common Council as outlined in paragraph VII of this policy shall be the authorized institutions approved for investment purposes. All financial institutions with which the City of Treasurer conducts business must be credit worthy. Banks shall provide their most recent Consolidated Report of Condition (Call Report) at the request of the City of Lockport. Security dealers not affiliated with a bank shall be required to be classified as reporting dealers affiliated with the New York Federal Reserve Bank, as primary dealers. The City Treasurer is responsible for evaluating the financial position.

**Guideline #12 – Purchase of Investments:** The City Treasurer is authorized to contract for the purchase of investments:

- Directly, including through a repurchase agreement, from an authorized trading partner.
- By participation in a cooperative investment program with another authorized governmental entity pursuant to Article 5G of the General Municipal Law where such program meets all the requirements set forth in the Office of the State Comptroller Opinion No. 88-46, and the specific program has been authorized by the governing board.
- By utilizing an ongoing investment program with an authorized trading partner pursuant to a contract authorized by the governing board.

All purchased obligations, unless registered or inscribed in the name of the local government, shall be purchased through, delivered to and held in the custody of a bank or trust company. Such obligations shall be purchased, sold or presented for redemption or payment by such bank or trust company only in accordance with prior written authorization from the officer authorized to make the investment. All such transactions shall be confirmed in writing to the City of Lockport by the bank or trust company. Any obligation held in the custody of a bank or trust company shall be held pursuant to a written custodial agreement as described in General Municipal Law, #10.

The custodial agreement shall provide that securities held by the bank or trust company, as agent of and custodian for, the local government, will be kept separate and apart from the general assets of the custodial bank or trust company and will not, in any circumstances, be commingled with or become part of the backing for any other deposit or other liabilities. The agreement shall describe how the custodian shall confirm the receipt and release of the securities. Such agreement shall include all provisions necessary to provide the local government a perfected interest in the securities

**Guideline #13 – Schedule of Eligible Securities:**

- (i) Obligations issued, or fully insured or guaranteed as to the payment of principal and interest, by the United States of America, an agency thereof or a United States government sponsored corporation.
- (ii) Obligations partially insured or guaranteed by any agency of the United States of America, at a proportion of the market Value of the obligation that represents the amount of the insurance or guaranty.
- (iii) Obligations issued or fully insured or guaranteed by the State of New York, obligations issued by a municipal corporation, school district or district corporation of such State or obligations of any public benefit corporation which under a specific State statute may be accepted as security for deposit of public moneys.

- (iv) Obligations issued by states (other than the State of New York) of the United States rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization.
- (v) Obligations of counties, cities and other governmental entities of a state other than the State of New York having the power to levy taxes that are backed by the full faith and credit of such governmental entity and rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization.
- (vi) Obligations of domestic corporations rated in one of the two highest rating categories by at least one nationally recognized statistical rating organization.
- (vii) Any mortgage related securities, as defined in the Securities Exchange Act of 1934, as amended, which may be purchased by banks under the limitations established by bank regulatory agencies.
- (viii) Commercial paper and banker's acceptances issued by a bank, other than the Bank, rated in the highest short term category by at least one nationally recognized statistical rating organization and having maturities of not longer than 60 days from the date they are pledged.
- (ix) Zero coupon obligations of the United States government marketed as "Treasury strips".

**Guideline #14 – Annual Review:** An annual review of the investment policy should be undertaken to determine whether modifications are appropriate.

Seconded by Alderman Kantor and adopted. Ayes 6.

By Alderman Kantor:

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

Seconded by Alderman Devine and adopted. Ayes 6.

#### **012622.14**

By Alderman Beakman:

Whereas, Section 104-b of the General Municipal Law (GML) requires every city to adopt internal policies and procedures governing all procurement of goods and services not subject to the bidding requirements of GML, Section 103 or any other law; now, therefore, be it

Resolved, that the City of Lockport does hereby adopt the following procurement policies and procedures:

**Guideline #1:** Every prospective purchase of goods or services shall be evaluated to determine the applicability of GML Section 103. Every city officer, board, department head or other personnel with the requisite purchasing authority (hereinafter purchaser) shall estimate the cumulative amount of the items of supply or equipment needed in given fiscal year. That estimate shall include the canvass of other city departments and past history to determine the likely yearly value of the commodity to be acquired. The information gathered and conclusions reached shall be documented and kept with the file or other documentation supporting the purchase activity.

**Guideline #2:** All purchase contracts which will exceed \$20,000 in the fiscal year or public works contracts over \$35,000 shall be formal bid pursuant to GML Section 103.

**Guideline #3A:** For the Purchase of Commodities, Equipment, or Goods (Non-Public Works):

| <b>Dollar Limit</b> | <b>Procedure</b>   |
|---------------------|--|
| \$1 - \$2,999       | At the discretion of the Department Head                           |
| \$3,000 - \$4,999   | Documented oral/written/emailed quotes from at least three vendors |
| \$5,000 - \$19,999  | Formal written/emailed quotes from at least three separate vendors |
| \$20,000 and up     | Sealed bids in conformance with General Municipal Law, Section 53  |

**Guideline #3B:** For the Purchase of Public Works Projects/Contracts:

| <b>Dollar Limit</b> | <b>Procedure</b>   |
|---------------------|--|
| \$1 - \$2,999       | At the discretion of the Department Head                           |
| \$3,000 - \$4,999   | Documented oral/written/emailed quotes from at least three vendors |
| \$5,000 - \$34,999  | Formal written/emailed quotes from at least three separate vendors |
| \$35,000 and up     | Sealed bids in conformance with General Municipal Law, Section 53  |

Any written RFP shall describe the desired goods, quantity, and the particulars of delivery. The purchaser shall compile a list of all vendors from whom written/fax/oral quotes have been requested and the written/fax/oral quotes offered. One quotation must be obtained from a local vendor, if possible. All information gathered in complying with the procedures of this guideline shall be preserved and filed with the documentation supporting the subsequent purchase order and provided to the Principle Account Clerk in the Finance Department.

**Guideline #4:** The lowest responsible proposal or quote shall be awarded the purchase or public works contract unless the purchaser prepares a written justification providing reasons why it is in the best interest of the City and its taxpayers to make an award to other than the low bidder. Local vendors may be given a five percent (5%) price benefit for the contracts less than \$20,000 in determining lowest bid. If a bidder is not deemed responsible, facts supporting that judgment shall also be documented and filed with the record supporting the procurement.

**Guideline #5:** A good faith effort shall be made to obtain the required number of proposals or quotations. If the purchaser is unable to obtain the required number of proposals or quotations, the purchaser shall document the attempt made at obtaining the proposals. In no event shall the inability to obtain the proposals or quotes be a bar to the procurement.

**Guideline #6:** No solicitation of written proposals or quotations shall be required under the following circumstances (but must still be documented with the attached worksheet):

- Emergencies, as defined by General Municipal Law Section 53 (4);
- Sole source situations;
- Goods purchased from agencies for the blind or severely handicapped;
- Goods purchased from correctional facilities;
- Goods purchased from another governmental agency;
- Goods purchased at auction;
- Goods purchased through a New York State and/or County contract (needs approval with a Council Resolution when substituting for the sealed bidding procedures).

**Guideline #7:** Departments are responsible for ensuring that procurement policy guidelines are withheld in their departments. Any other employee making purchases shall act subject to the direction of the department head responsible for purchasing.

**Guideline #8:** This policy shall be reviewed annually by the City of Lockport Common Council.

Seconded by Alderman Fogle and adopted. Ayes 6.

#### **012622.15**

By Alderman Devine:

Whereas, the American Rescue Plan Act of 2021 (ARPA) provided the City with \$1,037,044.91 in FY 2021 funding with an additional funding amount of \$1,037,044.91 anticipated to be released in the summer of FY 2022, and

Whereas, resolution 111721.21 authorized the Raw Water Pumping Station Emergency Generator project, totaling \$800,000, with a potential grant from NYSEFC of \$480,000 and a local match (of intended ARPA funds) for the remaining \$320,000, and

Whereas, the City's engineering firm has recommended to begin preliminary design work to ensure a more efficient and effective timeline once ARPA and /or other grant funds are released; now, therefore, be it

Resolved, that the Council hereby appropriates the FY 2022 anticipated ARPA funds in the amount of \$320,000 with an additional ARPA contingency appropriation of \$480,000 (for a total of \$800,000) in the event that other grant opportunities do not materialize.

Seconded by Alderman Pasceri and adopted. Ayes 6.

#### **012622.16**

By Alderman Fogle:

Resolved, that pursuant to the recommendation of Mayor Roman, Mark S. Devine, Lockport, NY is hereby appointed to the Lockport Community Cable Commission for a two-year term expiring on December 31, 2023.

Seconded by Alderman Barnard and adopted. Ayes 5. Alderman Devine abstained.

**012622.17**

By Alderman Fogle:

Resolved, that pursuant to the recommendation of Mayor Roman, Thomas E. Lupo, Lockport, NY is hereby reappointed to the Lockport Community Cable Commission effective January 1, 2022, with said term to expire December 31, 2024.

Seconded by Alderman Barnard and adopted. Ayes 6.

**012622.18**

By Alderman Fogle:

Whereas, the City of Lockport Fire Department is interested in purchasing a used ambulance from Harris Hill Volunteer Fire Company in Williamsville for use as a utility vehicle for LFD, and

Whereas, the vehicle is a 1999 Ford E450 Braun Ambulance with 30,000 miles and 3,730 engine hours, and

Whereas, the purchase price offered for said vehicle is \$5,000; now, therefore, be it

Resolved, that the Common Council hereby authorizes the department to purchase the used vehicle, and also amends the General Fund budget as follows:

Expenditures

Decrease

|              |             |         |
|--------------|-------------|---------|
| A.1900.54775 | Contingency | \$5,000 |
|--------------|-------------|---------|

Increase

|              |                         |         |
|--------------|-------------------------|---------|
| A.3410.52070 | Public Safety Equipment | \$5,000 |
|--------------|-------------------------|---------|

Seconded by Alderman Beakman and adopted. Ayes 3. Nays 3. Aldermen Barnard, Kantor and Pasceri voted no. Mayor Roman voted in the affirmative. Motion passed.

**012622.18A**

By Alderman Kantor:

Resolved, that the request for a special use permit made by Adam Linderman to harbor pigeons on the property located at 25 Orchard Street, situated in an R-3 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 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 Pasceri. Ayes 0. Nays 6. Motion failed.

**012622.19**

## **ADJOURNMENT**

At 7:42 P.M. Alderman Beakman moved the Common Council be adjourned until 6:30 P.M., Wednesday, February 9, 2022.

Seconded by Alderman Pasceri and adopted. Ayes 6.

PAUL K. OATES  
City Clerk