

CITY OF LOCKPORT
CORPORATION PROCEEDINGS

Lockport Municipal Building

Regular Meeting
Official Record

February 9, 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

RECESS

Recess for public input.

020922.1

APPROVAL OF MINUTES

On motion of Alderman Beakman, seconded by Alderman Barnard, the minutes of the Regular Meeting of January 26, 2022 are hereby approved as printed in the Journal of Proceedings. Ayes 6. Carried.

FROM THE MAYOR

Appointments:

2/2/22 Rodney J. Livergood, 5338 Ernest Road, Lockport, NY – appointed to Streets Crew Leader for the City of Lockport Highway and Parks Department effective February 4, 2022. Said appointment is permanent and subject to the City of Lockport Municipal Civil Service Rules and Regulations.

2/7/22 Chase M. Valery, 137 Garden Street, Lockport, NY – appointed to Heavy Equipment Operator for the City of Lockport Highways and Parks Department effective February 8, 2022. Said appointment is permanent and subject to the City of Lockport Municipal Civil Service Rules and Regulations.

2/7/22 Kristopher W. Pratt, 5789 Campbell Boulevard, Lockport, NY 14094 – appointed to Public Works Supervisor for the City of Lockport Water Distribution Department effective February 7, 2022. Said appointment is permanent and subject to the City of Lockport Municipal Civil Service Rules and Regulations.

2/9/22 John C. McArdle, 6735 Tonawanda Creek Road, Lockport, NY 14094 – appointed to Public Works Mechanic for the City of Lockport Highways and Parks Department effective February 4, 2022. Said appointment is permanent and subject to the City of Lockport Municipal Civil Service Rules and Regulations.

2/7/22 Roxanne M. Devine, 114 Maple Street, Lockport – appointed to the Zoning Board effective January 1, 2022. Said term expires on December 31, 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)

12/21/21 Ed Sandusky, Vice President of Optimist Club of Lockport – request permission to conduct the 46th annual Lockport Optimist Outdoor Arts & Crafts Festival on June 25th & 26th, 2022.

1/1/22 Heather M. McKeever, Executive Director of WNY Cystic Fibrosis Foundation – request permission to use the pavilion at Widewaters for the organization’s ‘Great Strides’ walk on May 14th, 2022.

Received and filed.

2/9/22 Paul K. Oates, City Clerk – notification the Lockport Municipal Offices will be closed as follows in the month of February in observance of Presidents’ Day:

Monday, February 21st

There will be no change in the garbage pickup schedule.

Referred to the media.

Notice of Claim:

2/3/22 Amanda Gorko, 329 East Avenue, Lockport

Referred to the Corporation Counsel.

MOTIONS & RESOLUTIONS

020922.2

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 February 10, 2022 as follows:

2021 Expenses

General Fund	Fund A	\$7,815.68
Sewer Fund	Fund G	\$286,315.25

2022 Expenses

General Fund	Fund A	\$199,334.89
Water Fund	Fund FX	\$17,925.75
Sewer Fund	Fund G	\$12,290.09
Capital Projects	Fund H	\$6,137.59
Self-Insurance	Fund MS	\$150.00
Worker’s Comp	Fund S	\$99,653.00
Refuse & Recycle	Fund CL	\$87,510.45

Payroll Pay Dates 1/13 & 1/27 \$1,188,673.79

Seconded by Alderman Pasceri and adopted. Ayes 6.

020922.3

By Alderman Beakman:

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

<u>Employee</u>	<u>Years of Service</u>	<u>Title</u>
Thomas A. Cinelli	25	Firefighter
James B. Keleher	25	Municipal Training Officer
Joshua Stadlmeir	15	Sewer Maintenance Worker
Christopher J. Walker	15	Water Meter Service Worker
Wade M. Andes	5	Parks Maintainer
Richard T. Gowanlock	5	Firefighter
Timothy C. Lundquist	5	Fire Captain
Adam M. Turton	5	Fire Captain
Joshua R. Wolck	5	Fire Captain
Lisa A. Burrano	5	Tax Enforcement Clerk

Seconded by Alderman Fogle and adopted. Ayes 6.

020922.4

By Alderman Fogle:

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

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

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

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

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

Resolved, said permission is subject to any and all Executive Orders by the New York State Governor, and any and all Local Laws and Regulations, with regard to social distancing and COVID-19 regulations.

Seconded by Alderman Kantor and adopted. Ayes 6.

020922.5

By Alderman Pasceri:

Resolved, that pursuant to their request, the Shamus Restaurant, is hereby granted permission to conduct their annual St. Patrick's Day Event on Saturday, March 19, 2022 from 11am until 9pm, and be it further

Resolved, that permission is hereby granted to barricade Hawley Street from Genesee Street to West Avenue on Saturday, March 19th for said event, with a rain date of Saturday, March 26th; and be it further

Resolved, that permission is hereby granted to allow live music, vendors, food and alcoholic beverages during said event, and be it further

Resolved, that permission to erect tents be granted, and be it further

Resolved, that said permission is subject to The Shamus Restaurant 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, traffic cones, and street closed signs to the area prior to the event, and be it further

Resolved, said permission is subject to any and all Executive Orders by the New York State Governor, and any and all Local Laws and Regulations, with regard to social distancing and COVID-19 regulations.

Seconded by Alderman Barnard and adopted. Ayes 6.

020922.6

By Alderman Fogle:

Resolved, that permission is hereby granted the Optimist Club of Lockport to conduct their 46th Annual Lockport Optimist Outdoor Arts and Crafts Festival on June 25th and 26th, 2022 from 10:00 A.M. until 5:00 P.M. (street closing from 8:00 A.M. until 7:00 P.M.) with the following provisions:

- (1) The Lockport Optimist Club shall issue exhibitor's permits to arts and crafts exhibitors, vendors and peddlers, and to insure public safety and order and to avoid overcrowding of the exhibit areas, no other exhibits, displays, vendors or peddlers shall be permitted within the show area, whether located on public or private property, and the Lockport Optimist Club shall enforce this ban with the cooperation of the Lockport Police Department.
- (2) The Police Department is hereby directed to enforce the removal of all concessionaires, vendors, or peddlers in and around the show area not possessing an exhibitor's permit.
- (3) The show area shall include the blocks on Main Street from Washburn Street west to Saxton Street and Market Street from Main Street north to Chestnut Street.

- (4) The Lockport Optimist Club shall file a certificate of insurance with the City Clerk naming the City of Lockport as additional insured, subject to the approval of the Corporation Counsel, and be it further

Resolved, that the Director of Streets and Parks is hereby authorized and directed to arrange for delivery and pick-up of City barricades and trash receptacles as needed, and be it further

Resolved, that permission is granted the Optimist Club to use the Police Garage for storage of a golf cart overnight on Friday and Saturday night, June 24th and 25th subject to the approval of the Chief of Police, 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 Pasceri and adopted. Ayes 6.

020922.7

By Alderman Kantor:

Resolved, that pursuant to their request, the Cystic Fibrosis Foundation is hereby granted permission to use the pavilion at Nelson C. Goehle Park for their annual 'Great Strides' walk event on Saturday, May 14, 2022.

Seconded by Alderman Devine and adopted. Ayes 6.

By Alderman Devine:

Resolved, that the reading of the foregoing resolution—with the exception of the first 'resolved' and subsequent event list—be and the same is hereby waived.

Seconded by Alderman Kantor and adopted. Ayes 6.

020922.8

By Alderman Kantor:

Resolved, that pursuant to their request, Lockport Main Street, Inc. (hereafter, 'LMS') is hereby granted permission to hold the following events on Canal Street, at the pocket park, and the adjoining parking lot, the extent to be determined by the city, for the following dates and times during the 2022 season:

- **Lockport Community Farmers Market (hereafter, LCFM):** May 7th and May 21st, 10am - 2pm
- **Rock the Locks! Concert Series:** Friday, June 3rd, July 1st, August 5th, and September 2nd between 4 and 8 pm.
- **LCFM Saturdays:** June 4th - October 22nd, 9am - 2pm
- **Sunday Family Funday:** June 19th, July 17th, August 21st, and September 18th from 11am - 3pm.
- **Cycle the Erie Canal 2022:** Sunday, July 3rd between 9:30 and 11:30am
- **LCFM Wednesdays:** July 6th - September 28th, 2pm - 6pm
- **Trunk or Treat:** October 29th or 30th from 4pm - 6pm.
- **Wine and Agriculture Tour-** requesting the limited use of Canal Street as pick-up and drop-off locations for these tours; and be it further

Resolved, LMS is granted access to electricity at the light posts, in addition to the gazebo, and that the city will install outdoor extension cords at each junction box beginning May 1st, 2022 through October 31st, 2022, for use in all LMS events; and be it further

Resolved, LMS and the LCFM are hereby granted permission to place yard signs in the city rights-of-way, May through October, and A-frame directional signage at the intersections of Main and Pine, Main and Cottage, Ontario and Church, and Ontario and Pine, for the open hours of the market on assigned days and during hours of LMS special events, including “Rock the Locks” concert series, Sunday Family Funday, Locktoberfest, and Lockport Food Fest; and be it further

Resolved, LMS is granted permission to sell concessions, including bottles of water and merchandise, during all LMS and LCFM events on Canal Street, May 1st through October 31st; and be it further

Resolved, that LMS is hereby granted permission to host Lockport Food Fest on Sunday, August 14th, 2022 in the city parking lot next to 51 Main Street, said event to include the following:

- Closure of the city parking lot and the Pine St. parking lot on Saturday, August 13th, for preliminary setup, including portable sanitation units, dining tents, and small dumpster
- Temporary ‘no parking zone’ will be in effect on Main St on Sunday from 6:00am until 8:00pm
- Street closure at the intersection of Main and Pine: East on Main from intersection the end of the median in front of Lock 34; North on Pine from the intersection to the middle of the Pine St. bridge, subject to the approval of the Fire Department with respect to street access
- Street barricades for closures
- Permission for vendors and restaurants to set up on above closed streets
- Garbage barrels delivered to the Main St. parking lot on Saturday for distribution throughout event on Sunday
- Distribution of promotional event yard signs on City rights of way (excluding the center medians on Main St.)

Permission to conduct the sale of alcoholic beverages from an enclosed and enforced beer tent at the festival as part of fundraising for Lockport Main Street (tentative addition to festival); and be it further

Resolved, that LMS is hereby granted permission to host Locktoberfest on Saturday, October 1st, 2022 from 9am – 5pm on Canal Street, in the pocket park, and the adjoining parking lot, the extent to be determined by the city, and that said event include the following:

- Street barricades for the closure of Canal Street, the pocket park, and the adjoining parking lot, the extent to be determined by the city; preparation and set up from September 30th at 9pm through Sunday, October 2nd at 9am
- Permission for vendors and restaurants to set up in the parking lot off Canal Street and access electricity from the light post
- Permission to conduct the sale of alcoholic beverages from an enclosed and enforced beer tent at the festival as part of fundraising for LMS (tentative addition to festival), provided that necessary licenses are obtained from other governmental authorities
- Hosting a potential ‘makers market’ in conjunction with a city-wide sidewalk sale on Sunday, October 2nd, 2022; and be it further

Resolved, that LMS will adhere 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, mask-wearing, and COVID-19 regulations during the operation of these events; and be it further

Resolved, that the Director of Streets and Parks is authorized and directed to arrange for delivery of refuse containers and barricades to the area prior to the said dates; and be it further

Resolved, that said permission is subject to LMS filing a certificate of insurance, covering all of said events, with the City clerk, naming the City of Lockport as additional insured; and be it further

Resolved, the Mayor has the authority to permit the use of the same space on other days, should an event be rescheduled or added to the calendar, provided LMS supplies the City with proper insurance coverage.

Seconded by Alderman Barnard and adopted. Ayes 6.

020922.9

By Alderman Devine:

Resolved, that the Mayor and Common Council do hereby extend condolences to the family of Darwyn 'Larry' Coons, a retired City of Lockport Assistant Fire Chief who worked at LFD from 1971-2002, who recently passed away.

Seconded by Alderman Beakman and adopted. Ayes 6.

020922.10

By Alderman Fogle:

Resolved, that pursuant to his request, Charles Bell, 4 Lock Street is hereby granted permission to place a dumpster in the city right-of-way, from February 10th through February 12th, 2022, for the duration of a renovation project. Said permission is subject to Charles Bell filing a certificate of insurance with the City Clerk naming the City of Lockport as additional insured.

Seconded by Alderman Pasceri and adopted. Ayes 6.

020922.11

By Alderman Pasceri:

Whereas, the City of Lockport FY 2022 appropriated operating budget has a Municipal Worker (AFSCME grade 3) assigned to A.5110 Street Maintenance; and

Whereas, said position will be vacant and the Mayor wishes to alter the position title to Mechanic (AFSCME grade 12) to better fit the needs of the City; now, therefore, be it

Resolved, that the City of Lockport FY 2022 Appropriated budget's personnel detail is hereby altered to reflect this change and the General Fund is amended as follows:

Expenses

Decrease

A.1900.54775	Contingency	\$7,505
A.5110.51010	Full Time Wages	\$34,936
A.5110.58010	FICA	\$2,467
A.5110.58020	Worker's Compensation	\$3,520
A.5110.58040	Medical Insurance	\$19,022

A.5110.58050	Retirement	\$3,741
Increase		
A.1640.51010	Full Time Wages	\$41,923
A.1640.58010	FICA	\$2,673
A.1640.58020	Worker's Compensation	\$3,520
A.1640.58040	Medical Insurance	\$19,022
A.1640.58050	Retirement	\$4,053

Seconded by Alderman Fogle and adopted. Ayes 6.

020922.12

By Alderman Beakman:

Whereas, the Director of Finance has reviewed open purchase orders and encumbrances which could not be completed in FY 2021 because of the timing of the expenditure, and

Whereas, of these encumbrances, a select number have been recommended to carry into FY 2022 because of special circumstances (equipment production delay, insurance recovery efforts, etc.) and are attached to this resolution; now, therefore, be it

Resolved, that the FY 2022 operating budget is hereby amended to reflect the increase in encumbered funds in the amount of:

General Fund Balance:	\$35,980.34
Water Fund Balance:	\$45,651.16
Sewer Fund Balance:	\$37,250.86
Sewer Fund Insurance Recoveries:	\$121,095.67

Seconded by Alderman Devine and adopted. Ayes 6.

020922.13

By Alderman Pasceri:

Whereas, on January 21, 2022, the City of Lockport Civil Service Commission approved the new job specification for "Director of Streets, Parks and Water Distribution"; and

Whereas, the "Director of Streets, Parks and Water Distribution" supervises, oversees and directs the staff and day to day operations of the Streets, Equipment Maintenance, Parks, Building Maintenance, Street Lighting, Municipal Water and Sewer, and responsible for the overall administration of the same; and

Whereas, the new job specifications are attached and incorporated hereto; and

Whereas, the position "Director of Streets, Parks and Water Distribution" shall be classified within the Public Works Department and shall be a competitive position; and

Whereas, the "Director of Streets, Parks and Water Distribution" is a job title that falls within the City of Lockport Department Heads Union; and

Whereas, the City and the Department Heads Union reached a Memorandum of Understanding regarding the incorporation of the "Director of Streets, Parks and Water Distribution" into the Union; now, therefore, be it

Resolved, that the City of Lockport hereby acknowledges and approves the new job title "Director of Streets, Parks and Water Distribution"; and be it further

Resolved, that the City of Lockport approves the Memorandum of Understanding incorporating the job title "Director of Streets, Parks and Water Distribution" into the Department Heads Union at a grade 8.

Seconded by Alderman Devine and adopted. Ayes 6.

020922.14

By Alderman Kantor:

Resolved, that pursuant to their request, Lock City Circus is hereby granted permission to use city bleachers for the Lock City Circus charity performance to be held February 25th & 26th, 2022 at the Kenan Center Arena. Said permission is subject to Lock City Circus 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 the bleachers.

Seconded by Alderman Barnard and adopted. Ayes 6.

020922.14A

By Alderman Beakman:

Resolved, that the Mayor and Common Council do hereby extend condolences to the family of John R. Reid III, City of Lockport 5th Ward alderman and Common Council president for 1994-95, who recently passed away.

Seconded by Alderman Devine and adopted. Ayes 6.

020922.15

ADJOURNMENT

At 7:38 P.M. Alderman Beakman moved the Common Council be adjourned until 6:30 P.M., Wednesday, February 23, 2022.

Seconded by Alderman Pasceri and adopted. Ayes 6.

PAUL K. OATES
City Clerk