

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

Lockport Municipal Building

Regular Meeting  
Official Record

March 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, and Kantor. Pasceri was absent.

**INVOCATION**

**MAYOR'S UPDATE**

**RECESS**

Recess for public input.

**030922.1**

**APPROVAL OF MINUTES**

On motion of Alderman Beakman, seconded by Alderman Barnard, the minutes of the Regular Meeting of February 23, 2022 are hereby approved as printed in the Journal of Proceedings. Ayes 5. Carried.

**FROM THE MAYOR**

**Resignation:**

3/3/22 Anna McCann, submitted resignation from the Audit Committee effective February 14, 2022.

Received and filed.

**Appointments:**

3/1/22 Erick M. Hinton, 12 Vine Street, Lockport, NY 14094 – appointed to Sign Maintenance Worker for the City of Lockport Highways & Parks Department effective February 22, 2022. Said appointment is permanent and subject to the City of Lockport Municipal Civil Service Rules and Regulations.

3/3/22 Adam J. Heiman, 64 Rogers Avenue, Lockport, NY 14094 – appointed to Public Works Mechanic for the City of Lockport Highways & Parks Department effective

March 7, 2022. Said appointment is permanent and subject to the City of Lockport Municipal Civil Service Rules and Regulations.

3/7/22 LauraLee B. Zagarrigo, 514 High Street, Lockport, NY 14094 – appointed to Senior Account Clerk for the City of Lockport City Clerk Department effective March 7, 2022. Said appointment is provisional and subject to the City of Lockport Civil Service Rules and Regulations.

Received and filed.

**Commissioner of Deeds:** For the term of two years expiring on December 31, 2023.

1. Annie Coburn-Cane, 99 Lake Street, Wilson, NY 14172
2. James P. Majka, 4213 Washington Street, Niagara Falls, NY 14305
3. James Sacco, 6944 Creekview Drive, Lockport, NY 14094
4. Zachary Parker, 114 Niagara Street, Lockport, NY 14094
5. Nicole Cafarella, 826 James Avenue, Niagara Falls, NY 14305
6. Jason Zona, 3927 Washington Street, Niagara Falls, NY 14303
7. William D. Kennedy II, 2239 Forest Avenue, Niagara Falls, NY 14301
8. Andrew G. Rosenberg, 242 Genesee Street, Lockport, NY 14094
9. Lawrence Eggert, 194 Independence Drive, Lockport, NY 14094
10. Christopher Robbins, 534 College Avenue, Niagara Falls, NY 14305
11. Austin J. Tylec, 121 Center Avenue, North Tonawanda, 14120
12. Susan Dunford, 6762 Bear Ridge Road, Lockport, NY 14094
13. Gail Tylec, 815 Niagara Parkway, North Tonawanda, NY 14120
14. Debra Allport, 161 Lincoln Avenue, Lockport, NY 14094
15. Jay Krull, 71 Lakeview Parkway, Lockport, NY 14094
16. Margaret Lupo, 17 Bobolink Lane, Lockport, NY 14094
17. Ezra Scott Jr., 1735 Caravelle Drive, Apt. A5 Niagara Falls, NY 14304
18. Thomas E. Arida, 1394 Birch Drive, North Tonawanda, NY 14120
19. Kathy L. O’Keefe, 27 Windsor Street, Lockport, NY 14094
20. Sarah K. Lanzo, 129 Beattie Avenue, Lockport, NY 14094

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:**

2/14/22 Roger J. Cordle, VFW #2535 Commander – request permission to conduct 5K run and 1-Mile walk on Saturday, March 19<sup>th</sup>, 2022.

2/21/22 Allison Bolt, Special Events Coordinator, Niagara Hospice – request permission to hold the 9<sup>th</sup> Annual Hospice Gran Fondo Bike Ride on Saturday, August 6<sup>th</sup>, 2022.

2/22/22 Pastor Terry Bryant, God's Voice Ministries, 266 Pine Street, Lockport – request permission to conduct the 'Community In Unity' event at Altro Park on Saturday, August 13<sup>th</sup>, 2022.

2/25/22 Katarina Manuse, YMCA Buffalo Niagara – request permission to hold free fitness classes at Goehle Marina Park from June 2<sup>nd</sup>-September 1<sup>st</sup>, 2022.

3/2/21 Taren J. LaGamba, Director WNY Historic Parks Assoc. Inc. requests permission to submit an application to the 2022 Wm. G. Mayne Jr. Grant Fund, in the amount of \$4,200, on the City's behalf.

Referred to Committee of the Whole.

**Notice of Claim:**

3/3/22 Viola, Cummings & Lindsay, LLP on behalf of Margaret Cooper, 288 Willow Street #63, Lockport, NY

Referred to the Corporation Counsel.

**MOTIONS & RESOLUTIONS**

**030922.2**

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 March 10, 2022 as follows:

General Fund	Fund A	\$146,893.43
Water Fund	Fund FX	\$34,971.27
Sewer Fund	Fund G	\$30,654.67
Capital Projects	Fund H	\$43,453.85
Refuse & Recycle	Fund CL	\$274.35
Payroll	Pay Date 2/24	\$483,040.85

Seconded by Alderman Fogle and adopted. Ayes 5.

**030922.3**

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>
Derrick J. Starks	15	Municipal Workers-Public Works Dept.

Seconded by Alderman Barnard and adopted. Ayes 5.

**030922.4**

By Alderman Kantor:

Resolved, that pursuant to their request, the Kenan Center is hereby granted permission to erect a banner at least 17' from the ground on East Avenue at Davison Road to promote their, "American Craftsmen" event, which will be held Saturday, June 4<sup>th</sup> and Sunday, June 5<sup>th</sup>, 2022. Banner is to be erected for a minimum of one week prior to the event dates based on a schedule approved by the City Clerk, and be it further

Resolved, that said permission is subject to the Kenan Center filing a certificate of insurance with the City Clerk naming the City of Lockport as additional insured and subject to payment of \$50 for the banner to be erected, and be it further

Resolved, that the City Clerk is hereby authorized and directed to make arrangements with city crews to erect the banner.

Seconded by Alderman Fogle and adopted. Ayes 5.

**030922.5**

By Alderman Beakman:

Resolved, that pursuant to their request, the VFW Post 2535, organizers for a Leprechaun 5K run and Leprechaun-in-training 1 mile walk are hereby granted permission to conduct the run and walk on Saturday, March 19, 2022 starting at 9:00 am, subject to the VFW filing a certificate of insurance with the City Clerk naming the City of Lockport as additional insured, and subject to approval of the race route by the Police Chief, and be it further

Resolved, that the Director of Streets, Parks and Water Distribution is hereby authorized and directed to arrange for delivery of barricades to said area prior to the event.

Seconded by Alderman Barnard and adopted. Ayes 5.

**030922.6**

By Alderman Devine:

Resolved, that pursuant to their request, the Lockport Monday Night Cruise Optimist Club is hereby granted permission to conduct Monday night car cruises in Ida Fritz Park beginning May 9<sup>th</sup> through September 12<sup>th</sup>, 2022 from 5:30 p.m. to 8:30 p.m., (Memorial Day and Labor Day Super Cruise begin at 4:00 p.m.) and be it further

Resolved, that said permission includes the following:

- (1) Vendors who have paid a fee to the Optimist Club will be allowed to sell during the cruises. No other exhibits, displays, vendors or peddlers shall be permitted within the show area, whether located on public or private property
- (2) The show area shall include Ida Fritz Park and the city rights of way on West Avenue, Hawley Street, and Park Avenue

- (3) Barricades on West Avenue and Park Avenue at Hawley Street to North Transit Street, and Hawley Street between Park Avenue and West Avenue

Resolved, that said permission is subject to the Lockport Monday Night Cruise Optimist Club filing 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, Parks and Water Distribution is hereby authorized and directed to arrange for delivery of barricades, traffic cones, street closed signs and extra picnic tables to the area prior to the events; and be it further

Resolved, that the City of Lockport hereby prohibits entry of all bicycles, skateboards, and dogs to Ida Fritz Park on Cruise Nights during the events due to the expected heavy pedestrian traffic.

Seconded by Alderman Kantor and adopted. Ayes 5.

### **030922.7 Annual Hospice Gran Fondo Bike Ride - WITHDRAWN**

#### **030922.8**

By Alderman Fogle:

Resolved, that pursuant to their request, God's Voice Ministries Church is hereby granted permission to hold their, "Community In Unity" event in Altro Park on Willow Street, with use of the pavilion, on August 13, 2022, from 12 noon until 6 p.m., and be it further

Resolved, that permission is additionally granted to have music, games and food trucks. Said permission is subject to the Church filing a certificate of insurance with the City Clerk naming the City of Lockport as additional insured prior to the event.

Seconded by Alderman Kantor and adopted. Ayes 5.

#### **030922.9**

By Alderman Kantor:

Resolved, that pursuant to their request, the YMCA of Buffalo Niagara, is hereby granted permission to conduct the "Fitness in the Parks" program at Nelson C Goehle Marina Park, Mondays and Thursdays beginning June 2, 2022 until September 1, 2022, with all classes free and open to members of the community. Said permission is subject to the YMCA of Buffalo Niagara filing a certificate of insurance with the City Clerk naming the City of Lockport as additional insured.

Seconded by Alderman Barnard and adopted. Ayes 5.

**030922.10**

By Alderman Devine:

Resolved, that Taren LaGamba be and the same is hereby authorized to submit an application on behalf of the City of Lockport to the 2022 William G. Mayne, Jr. Grant Fund for a grant to be used for community enhancement.

Seconded by Alderman Fogle and adopted. Ayes 5.

**030922.11**

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 need to purchase holsters under NYS contract PC-69044; now, therefore, be it

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

Increase:

Expense: A3120.54515 Special Supplies	\$7,050
Revenue: A.3120.34389 Other Federal Public Safety	\$7,050

Seconded by Alderman Kantor and adopted. Ayes 5.

**030922.12**

By Alderman Fogle:

Whereas, the Division of Public Works has requested a John Deere Loader in their FY 2022 capital request list to be used for snow plowing, leaf pickup, and other departmental functions; and

Whereas, in order to mitigate a production price increase of 5%, the acting Director of Streets, Parks and Water Distribution has recommended pursuing a five-year lease-to-own contract that would obligate a 3% interest rate at the current production rate; and

Whereas, said lease contract has annual payments of \$62,804 beginning in FY 2023 (with the ability to be paid off early with CHIPs funding), and is purchased via NYS OSG Contract PC-69403; now, therefore, be it

Resolved, that the City of Lockport Common Council hereby approves of the Mayor to enter into a lease contract, attached hereto, with John Deere Financial.

Seconded by Alderman Devine and adopted. Ayes 5.

**030922.12A**

By Alderman Beakman:

Whereas, the City of Lockport has identified the need to pave East Avenue from Washburn Street to Cleveland Place; now, therefore, be it

Resolved, that the Director of Engineering is authorized and directed to prepare and issue a Request for Proposals (RFP) for the paving of East Avenue; and be it further

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

Seconded by Alderman Fogle and adopted. Ayes: 5.

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 5.

**030922.12B**

By Alderman Devine:

Whereas, packaging and printed paper, which includes plastic, steel, aluminum, and glass containers, boxboard, cardboard and cartons, and newsprint and magazines, constitutes approximately 40 percent of the materials by weight managed by municipalities and solid waste authorities in New York State; and

Whereas, local municipal governments in New York State are required to fund the management of discarded consumer packaging and printed paper and to take responsibility for achieving waste diversion goals, which is an unfunded mandate; and

Whereas, the value of recyclable materials does not cover the cost to collect, sort, process, and market these items, causing recycling system ratepayers to pay tens of millions of dollars annually to manage their recycling programs while the State loses an estimated 860,000 tons of potentially recyclable materials to trash each year; and

Whereas, such costs to the City of Lockport and recycling system ratepayers in 2021 are estimated at over \$300,000; and

Whereas, the State's current recycling system places unreasonable burdens on local governments to collect, manage, and market recyclable materials, when it is the consumer brand owners who have control over which materials are placed on the market; and

Whereas, some packaging now includes combinations of materials that make recycling impractical; and

Whereas, costs paid by citizens and local governments to manage packaging and printed paper are, in effect, subsidies to producers that enable and encourage producers to design packaging and printed paper materials without regard to end-of-life management; and

Whereas, producers have little incentive to design packaging or printed paper to minimize waste, reduce toxicity, or maximize recyclability, creating a supply chain disconnect with environmentally sound, end-of-life management of these consumer materials; and

Whereas, Extended Producer Responsibility (“EPR”) is an environmental policy approach in which producers (brand owners and importers) accept responsibility for the management of post-consumer products and packaging so those who produce these materials help bear the costs of recycling; and

Whereas, EPR programs for packaging and printed paper have existed for up to 30 years in all EU member states, across Canada, and other parts of the world, achieving recycling rates for packaging and printed papers upwards of 70 percent; and

Whereas, enacting EPR for packaging and printed paper could significantly increase recycling rates for residential materials, reduce consumer confusion and contamination in recycling streams, create green sector jobs, provide millions of dollars in savings for local governments and taxpayers, and lower greenhouse gas emissions by over 2.3 million metric tons annually; and

Whereas, New York State Governor Kathy Hochul has proposed a 2022-23 Executive Budget that includes Part RR, which would establish an EPR system for consumer packaging and printed paper and require producers to reimburse municipalities for recycling the packaging and printed paper they introduce into the marketplace; and

Whereas, Governor Hochul’s proposal would incentivize producers to:

- Reduce packaging waste;
- Make it easier to recycle the material they generate;
- Invest in modernizing local recycling infrastructure across New York State;
- Ensure that all New Yorkers have access to recycling and upgrade recycling infrastructure to achieve higher recycling rates; and
- Provide clear, consistent consumer education, resulting in less confusion for residents and minimizing contamination in the recycling stream.

Whereas, EPR can work in tandem with and supplement New York State’s Returnable Container Act; and

Whereas, when producers are responsible for ensuring their materials are reused or recycled responsibly, and when health and environmental costs are included in the product price, there is an incentive to design for reduction, recyclability, and reduced toxicity; now, therefore, be it

Resolved, that the City of Lockport urges Governor Kathy Hochul and the New York State Legislature to enact an EPR program for packaging and paper products; and be it further

Resolved, that the City of Lockport shall forward copies of this resolution to Governor Kathy Hochul, the New York State Legislature, and all others deemed necessary and proper.

Seconded by Alderman Fogle and adopted. Ayes 5.



**030922.13**

**ADJOURNMENT**

At 7:57 P.M. Alderman Beakman moved the Common Council be adjourned until 6:30 P.M., Wednesday, March 23, 2022.

Seconded by Alderman Devine and adopted. Ayes 5.

PAUL K. OATES  
City Clerk