

CITY OF LOCKPORT
CORPORATION PROCEEDINGS

Lockport Municipal Building

Regular Meeting
Official Record

June 22, 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.

INVOCATION

MAYOR'S UPDATE

RECESS

Recess for public input.

Minutes Correction – June 8, 2022:

060822.10

By Alderman Devine:

Resolved, that resolution #041322.18 adopted by the Common Council at their April 13, 2022 meeting, granting Inferno Baseball Inc. permission to use the softball field at Outwater Park during the 2022 season for both practice and games, be and the same is hereby rescinded.

Seconded by Alderman Fogle and adopted. Ayes 1 (Devine). Nays 5. Motion failed.

062222.1

APPROVAL OF MINUTES

On motion of Alderman Beakman, seconded by Alderman Fogle, the minutes of the Regular Meeting of June 8, 2022 are hereby approved as printed in the Journal of Proceedings. Ayes 5. Carried.

PUBLIC HEARING

The Mayor announced a public hearing on a proposed Local Law amending the City Code relative to Roll-Off Containers.

The Mayor asked the City Clerk if any petitions or communications relative to said Local Law have been received.

Recess for public input.

The Mayor closed the public hearing.

FROM THE MAYOR

Appointments:

6/10/22 Brian C. Winslow, 79 Ontario Street, Lockport, NY 14094 – appointed to Building Inspector for the City of Lockport Building Inspection Department effective June 6, 2022. Said appointment is provisional and subject to the City of Lockport Municipal Civil Service Rules and Regulations.

6/10/22 Tyler L. Alexander, 101 South Bristol Street, Lockport, NY 14094 – appointed to Municipal Worker for the City of Lockport Wastewater Department effective June 10, 2022. Said appointment is subject to the City of Lockport Municipal Civil Service Rules and Regulations.

6/10/22 Robert M. Lawson, 94 Prentice Street, Lockport, NY 14094 – appointed to Public Works Supervisor (Water) for the City of Lockport Water Distribution Department effective June 13, 2022. Said appointment is provisional and subject to the City of Lockport Civil Service Rules and Regulations.

Received and filed.

FROM THE CITY CLERK

The Clerk submitted payrolls, bills for services and expenses, and reported that the Department Heads submitted reports of labor performed in their departments. Referred to the Finance Committee.

Communications: (which have been referred to the appropriate City officials)

6/9/22 Deborah A. Coder, Assistant Superintendent for Finance and Management Services for Lockport City School District, confirming the Board of Education approved the City's use of the athletic field at Aaron Mossell Junior High School for its July 4th fireworks display.

Referred to Committee of the Whole.

6/22/22 Paul K. Oates, City Clerk – notification that the Lockport Municipal Offices will be closed as follows in the month of July in observance of Independence Day.

Monday, July 4th

Garbage will be collected on the day following regularly scheduled collection that week.

Referred to the Media.

Notice of Complaint:

6/20/22 201 Price Street – trees

6/21/22 160 Vine Street – trees

Referred to the Director of Highways, Parks and Water Distribution

Notice of Claim:

6/9/22 Ann Murphy, 11 Cleveland Place, Lockport, NY

6/16/22 Frederick Eberhart, 5778 Erna Drive, Lockport, NY

6/21/22 E. A. Granchelli, Developer LLC, 36 Pine Street, Lockport, NY

Referred to the Corporation Counsel.

MOTIONS & RESOLUTIONS

062222.2

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 June 23, 2022 as follows:

General Fund	Fund A	\$147,938.85
Water Fund	Fund FX	\$5,584.98
Sewer Fund	Fund G	\$35,709.69
Capital Projects	Fund H	\$614,465.66
Self-Insurance	Fund MS	\$1,548.00
Worker’s Comp	Fund S	\$6,425.00
Refuse & Recycle	Fund CL	\$90,717.27

Payroll Pay Date 6/2/22 \$514,762.73

Seconded by Alderman Barnard and adopted. Ayes 5.

062222.3

By Alderman Beakman:

Resolved, that in accordance with Section 11-C of the New York Domestic Relations Law, the Common Council of the City of Lockport appoints John Lombardi III as a Marriage Officer for the City of Lockport for a term of two years.

Seconded by Alderman Devine and adopted. Ayes 5.

062222.4

By Alderman Devine:

Whereas, the City of Lockport has entered into a contract with Young Explosives Corporation for Fourth of July fireworks at a cost of \$7,550; and

Whereas, the Lockport City School District has given approval for the use of the Aaron Mossell Junior High School Athletic Field for said fireworks display; now, therefore, be it

Resolved, that pursuant to the request of the Chief of Police, Corinthia Street will be closed between Trowbridge and Prospect Streets, and Passaic Avenue will be closed between Green and Corinthia Streets, and be it further

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

Seconded by Alderman Kantor and adopted. Ayes 5.

062222.5

By Alderman Devine:

Resolved, that pursuant to their request, permission is hereby granted to Freedom Church to barricade a portion of Ontario Street, between Hawley and North Transit Streets, in front of the Imagine Community Garden, on Wednesday June 29, 2022, for a Community Block Party from 5 until 8 p.m., and be it further

Resolved, that Freedom Church is granted permission to erect bounce houses during the event, subject to Freedom Church providing the City Clerk with a certificate of insurance naming the City of Lockport as additionally insured prior to the event, and be it further

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

Seconded by Alderman Fogle and adopted. Ayes 5.

062222.6

By Alderman Barnard:

Resolved, that pursuant to their request, Spring Lake Winery is hereby granted permission to erect a banner at least 17' from the ground across East Avenue at Davison Road to promote a concert event on August 20, 2022. Banner is to be erected from August 8 thru August 20, 2022 based on a schedule approved by the City Clerk, and be it further

Resolved, that said permission is subject to Spring Lake Winery filing a certificate of insurance with the City Clerk naming the City of Lockport as additional insured and subject to payment of \$50, and be it further

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

Seconded by Alderman Kantor and adopted. Ayes 5.

062222.7

By Alderman Devine:

Resolved, that pursuant to their request, permission is hereby granted to the residents of Grosvenor Street to barricade Grosvenor from Church Street to North Transit Street on July 3, 2022, for a block party, and be it further

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

Seconded by Alderman Kantor and adopted. Ayes 5.

062222.8

By Alderman Fogle:

Whereas, Pinnacle Community Services, formerly Family & Children's Service of Niagara, aims to create positive parent/child interactions, and promote the health and development of families and children, and self-sufficiency; and

Whereas, Pinnacle would like to hold a free, community carnival on July 23rd at Altro Park, featuring food, ice cream, games, face painting, and a DJ; now, therefore, be it

Resolved, that pursuant to their request, Pinnacle Community Services is hereby granted permission to hold a free, community carnival at Altro Park on Saturday, July 23, 2022 from 9am until 4pm, subject to 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.

062222.9

By Alderman Barnard:

Resolved, that resolution #052522.11, authorizing the Mayor to enter into a purchasing agreement under State bid to purchase a 2021 John Deere 310L Backhoe Loader for a total price of \$120,222.08, be and the same is hereby rescinded.

Seconded by Alderman Fogle and adopted. Ayes 5.

062222.10

By Alderman Barnard:

Whereas, the NYS Department of Transportation has awarded the City of Lockport a total of \$1,868,710.55 in FY 2022 funds; and

Whereas, the Director of Highways, Parks, and Water Distribution has recommended utilizing a portion of said funds for the purchase of a 2021 John Deere 310L Backhoe Loader via Sourcewell Contract 032119-JDC for \$120,222.08; and

Whereas, the Division of Public Works also recommends the trade in of vehicle #710, a 2009 New Holland backhoe, for an estimated trade-in value of \$17,000; now, therefore, be it

Resolved, that the Common Council hereby authorizes the Mayor to enter into a purchasing agreement under State bid with John Deere to purchase said piece of equipment for a net price of \$103,222.08.

Seconded by Alderman Fogle and adopted. Ayes 5.

062222.11

By Alderman Kantor:

Whereas, resolution 060822.5 authorized the Youth Board to conduct an Independence Day Parade on Sunday, July 3, 2022 at Veteran's Memorial Park, proceeding west on East Avenue to the Big Bridge; and

Whereas, the Youth Board has requested that the City sponsor \$3,000 in costs associated to the event, which was not budgeted for in the FY 2022 operating budget; now, therefore, be it

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

Decrease:	A.1900.54775 Contingency	\$3,000
Increase:	A.8510.54510 Program Expenses	\$3,000

Seconded by Alderman Beakman and adopted. Ayes 5.

062222.12

By Alderman Beakman:

Whereas, the City of Lockport Police Department has an Asset Forfeiture bank account that has accumulated funds; and

Whereas, the City of Lockport Police Chief has ensured that funds can be used appropriately for Police Department upgrades and maintenance; 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 improve their bike equipment with new lights and storage; now, therefore, be it

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

Increase:		
Expense:	A3120.54515 Special Supplies	\$971.86
Revenue:	A.3120.34389 Other Federal Public Safety	\$971.86

Seconded by Alderman Devine and adopted. Ayes 5.

062222.13

By Alderman Kantor:

Whereas, the NYS Department of Transportation has awarded the City of Lockport \$130,127.39 in Pave Our Potholes (POP) funding; now, therefore, be it Resolved, that the FY 2022 Capital Fund budget is amended to add the remaining balances as follows:

Revenue:

Increase		
H082.5112.33501	Consolidated Highway Aid	\$130,127.39

Expense:

Increase		
H082.5112.52450	Infrastructure – Roads	\$130,127.39

Seconded by Alderman Barnard and adopted. Ayes 5.

062222.14

By Alderman Devine:

Whereas, resolution 041322.8 authorized the purchase of replacement hardware for the Water Pump Station from the H204 capital water infrastructure improvement fund; and

Whereas, the Chief Water Treatment Plant Operator has recommended the purchase of one additional Hyundai 380-480 V drive to ensure that the City can continue operations uninterrupted throughout the summer; now, therefore, be it

Resolved, that the City is authorized to utilize an additional \$4,939.22 from the H204 capital project funds (FX infrastructure improvements).

Seconded by Alderman Fogle and adopted. Ayes 5.

062222.15

By Alderman Beakman:

Resolved, that pursuant to their request, Zimmie's Tire & Auto, 1 Niagara Street in Lockport, is hereby granted permission to park a tire trailer in the city parking lot for a period of two weeks at the end of June and beginning of July, while their parking lot is being resurfaced. Said permission is subject to Zimmie's filing a certificate of insurance with the City Clerk naming the City of Lockport as additional insured.

Seconded by Alderman Kantor and adopted. Ayes 5.

062222.16

By Alderman Fogle:

Whereas, the NYS Department of Transportation has awarded the City of Lockport a total of \$1,868,710.55 in FY 2022 funds; and

Whereas, the Director of Highways, Parks, and Water Distribution has recommended the purchase of a Scagg Turf Tiger II mower via Sourcewell bid; now, therefore, be it

Resolved, that the Common Council hereby authorizes the Mayor to enter into a purchasing agreement under State bid with Niagara Frontier Equipment Sales Inc. to purchase said piece of equipment for a total price of \$14,733.22 with NYS DOT funding.

Seconded by Alderman Kantor and adopted. Ayes 5.

062222.17

By Alderman Beakman:

Resolved, that pursuant to the request of Amanda Gorko, property owner of 329 East Avenue, permission is hereby granted to replace a fence in the City's right-of-way at 329 East Avenue, subject to the following provisions:

that upon motion of the Common Council, duly adopted by a majority vote only, and thirty days' notice from the City Clerk, the fence must be removed,

filing a certificate of insurance with the City Clerk naming the City of Lockport as additional insured, leaving the City free and clear of all liability in connection therewith,

waiver of the one-time revocable permit fee of \$100.00, as the damage caused to the fence was from a City-owned tree, and the homeowner already applied and paid for the \$20 building fee.

Seconded by Alderman Kantor and adopted. Ayes 5.

062222.17A

By Alderman Fogle:

Whereas, the Fire Chief of the City of Lockport is a position that is not represented by a collective bargaining unit; and

Whereas, the Fire Board has appointed Luca Quagliano as the Fire Chief effective April 12, 2022; and

Whereas, the City of Lockport and the Fire Chief desire to enter into a written Employment Agreement thereby describing the salary, benefits and terms of employment for the Fire Chief; now, therefore, be it

Resolved, that the City of Lockport hereby authorizes the Mayor to execute the attached Employment Agreement with Fire Chief Luca Quagliano; and be it further

Resolved, that the FY 2022 General Fund Budget be amended as follows:

Expenditures

Decrease:

A.1900.54775	Contingency	\$9,611
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Increase:

A.3410.51010	Full Time Wages	\$5,690
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A.3410.51185	Allowance	\$950
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A.3410.58010	FICA	\$435
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A.3410.58050	Retirement	\$1,536
A.9000.58042	HRA Contribution	\$1,000

Seconded by Alderman Devine and adopted. Ayes 5.

062222.17B

By Alderman Beakman:

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 current Director possesses extensive experience and seniority with the City; and

Whereas, the Director’s extraordinary experience and qualifications require that his pay grade start at a higher step level; and

Whereas, the Director is currently qualified to complete annual backflow prevention inspections or repairs within the City, which are duties outside of the normal job description for this position; and

Whereas, the City desires the “Director of Streets, Parks and Water Distribution” to complete annual backflow prevention inspections or repairs within the City; and

Whereas, the City desires to compensate the “Director of Streets, Parks and Water Distribution” for the completion of these additional job duties; and

Whereas, the City and the Department Heads Union have reached an agreement relative to the Step rate and the additional duties of the Director; now, therefore, be it

Resolved, that the City of Lockport approves the Memorandum of Understanding with the Department Heads Union addressing the Step rate of “Director of Streets, Parks and Water Distribution” and the additional duties and compensation relative to the annual backflow prevention inspections or repairs; be it further

Resolved, that the Mayor is authorized to execute the attached Memorandum of Understanding with the Department Heads Union.

Seconded by Alderman Barnard and adopted. Ayes 5.

062222.17C

By Alderman Beakman:

Whereas, the City’s Water Treatment Plant and Waste Water Plant require reorganization to meet the needs of the City; and

Whereas, the reorganization will allow the City to maximize its existing staff to perform the duties of quality assurance/quality control (QA/QC) assuring that the quality of the work in the lab meets or exceeds the standards set forth by the oversight agencies and specifications of the licenses held by the City; and

Whereas, the Director’s extraordinary experience and qualifications require that his pay grade start at a higher step level; and

Whereas, the City and the Department Heads Union have reached an agreement to compensate the existing Department Heads handling duties outside of their normal job description; now, therefore, be it

Resolved, that the City of Lockport approves the Memorandum of Understanding with the Department Heads Union addressing pay grade for “Chief Operator – Waste Water Treatment Plant” and “Chief Operator – Water Treatment Plant”; and be it further

Resolved, that the Mayor is authorized to execute the attached Memorandum of Understanding with the Department Heads Union; and be it further

Resolved, that the FY 2022 Water and Sewer operating budgets are amended as follows:

Expenses

Decrease:

FX.1900.54775	Contingency	\$4,202
G.1900. 54775	Contingency	\$9,106

Increase:

FX.8330.51010	Full Time Wages	\$3,524
FX.8330.58010	FICA	\$270
FX.8330.58050	Retirement	\$408
G.8130.51010	Full Time Wages	\$7,637
G.8130.58010	FICA	\$584
G.8130.58050	Retirement	\$885

Seconded by Alderman Kantor and adopted. Ayes 5.

062222.17D

By Alderman Beakman:

Whereas, the City’s Water Treatment Plant and Waste Water Plant require minor reorganization to meet the needs of the City; and

Whereas, the position Assistant Chief Operator is exclusively represented by CSEA and the current Assistant Chief Operator currently holds a Class 3A license; and

Whereas, the current Assistant Chief Operator currently meets the laboratory requirements set forth by the oversight agency; and

Whereas, the Assistant Chief Operator, if so qualified, shall perform the duties of quality assurance/quality control (QA/QC) assuring that the quality of the work in the lab meets or exceeds the standards set forth by the oversight agencies and specifications of the licenses held by the City; and

Whereas, by completing QA/QC with existing City personnel will save the City tens of thousands of dollars because it will not have to engage an outside contractor to complete the same; and

Whereas, the City and CSEA have reached an agreement to compensate the existing employee handling duties outside of their normal job description retroactively to January 1, 2022 going forward; now, therefore, be it

Resolved, that the City of Lockport approves the Memorandum of Understanding with CSEA addressing the retroactive increase in salary for the Assistant Chief Operator effective January 1, 2022 and pursuant to the Memorandum of Understanding; and be it further

Resolved, that the Mayor is authorized to execute the attached Memorandum of Understanding with CSEA; and be it further

Resolved, that the FY 2022 Sewer Fund operating budget is amended as follows:

Expenses

Decrease:

G.1900.54775	Contingency	\$5,000
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Increase:

G.8130.51185	Allowances	\$5,000
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Seconded by Alderman Fogle and adopted. Ayes 5.

062222.17E

By Alderman Devine:

Whereas, the City of Lockport Common Council has made considerations regarding the operations and personnel configurations of the departments of Water Filtration and Wastewater Treatment; and

Whereas, the Council has decided to make additional alterations outside of those found in the Memorandums of Understanding found in the Addendum of this Council meeting; now, therefore, be it

Resolved, that the City of Lockport hereby amends the FY 2022 Personnel Detail as follows:

Remove 1 FTE Water Treatment Plant Operator in Water Filtration

Add 1 FTE Maintenance Supervisor in Water Filtration

And be it further

Resolved, that the FY 2022 Water operating budget is amended as follows:

Expenses

Decrease:

FX.1900.54775	Contingency	\$763
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Increase:

FX.8330.51010	Full Time Wages	\$640
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FX.8330.58010	FICA	\$49
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FX.8330.58050	Retirement	\$74
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Seconded by Alderman Beakman and adopted. Ayes 5.

062222.17F

By Alderman Devine:

Resolved, that the Mayor and Common Council do hereby extend condolences to the family of Thomas H. Baehr, a retired City of Lockport firefighter, who served the department between 1974 and 2003, who recently passed away.

Seconded by Alderman Beakman and adopted. Ayes 5.

062222.17G

By Alderman Beakman:

Whereas, the City of Lockport Common Council has made considerations regarding the operations and personnel configurations of the departments of Water Filtration and Wastewater Treatment; and

Whereas, the Council has decided to make additional alterations outside of those found in the Memorandums of Understanding found in the Addendum of this Council meeting; now, therefore, be it

Resolved, that the City of Lockport hereby amends the FY 2022 Personnel Detail as follows:

Remove 1 FTE Lab Technician position in Wastewater Treatment

And be it further

Resolved, that the FY 2022 Sewer operating budget is amended as follows:

Expenses

Decrease

G.8130.51010	Full Time Wages	\$21,277
G.8130.58010	FICA	\$1,627
G.8130.58050	Retirement	\$2,468

Increase

G.1900.54775	Contingency	\$7,372
G.8130.54055	Professional Services	\$18,000

Seconded by Alderman Barnard and adopted. Ayes 4. Nays 1. (Devine)

062222.18

ADJOURNMENT

At 7:45 P.M. Alderman Beakman moved the Common Council be adjourned until 6:30 P.M., Wednesday, July 13, 2022.

Seconded by Alderman Kantor and adopted. Ayes 5.

PAUL K. OATES
City Clerk