

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

Lockport Municipal Building

Regular Meeting  
Official Record

August 24, 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, Fogle, Kantor, and Pasceri.

**INVOCATION**

**MAYOR'S UPDATE**

**RECESS**

Recess for public input.

**082422.1**

**APPROVAL OF MINUTES**

On motion of Alderman Beakman, seconded by Alderman Fogle, the minutes of the Regular Meeting of August 2, 2022 are hereby approved as printed in the Journal of Proceedings. Ayes 5. Carried.

**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:**

8/24/22 Paul K. Oates, City Clerk – notification that the Lockport Municipal Offices will be closed as follows in the month of September in observance of Labor Day  
Monday, September 5th

Garbage will be collected on the day following regularly scheduled collection that week. Bulk items will be collected the week of September 12th. Referred to the media.

8/1/22 Jason Madden, Assistant Principal, Lockport High School, 250 Lincoln Avenue, Lockport, NY – Request permission to conduct a Homecoming Parade on September 24, 2022.

8/8/22 Jonathan J. McKnight, Wrights Corners Fire Chief, 4043 Lake Avenue, Lockport, NY – Supporting the City of Lockport Fire Department staffing and operating its own ambulance service.

8/10/22 Mark K. Sanders Sr., Refuge Temple of Christ, 15 Cottage Street, Lockport, NY – Request permission to use part of the city parking lot on Main near Cottage for a community event on August 27, 2022.

Referred to Committee of the Whole

**Notice of Complaint:**

8/23/22 222 Church Street – trees and sidewalk

Referred to the Director of Highways, Parks and Water Distribution

**Notice of Claim:**

8/3/22 Jennifer E. Luce, 215 Waterman Street, Apt. 3, Lockport, NY

8/8/22 E. A. Granchelli, Developer, 36 Pine Street, Lockport, NY

8/9/22 Garth and Beth Wilson, 194 Church Street, Lockport, NY

8/23/22 Chris and Marcia McDonald, 466 Pine Street, Lockport, NY

Referred to the Corporation Counsel

**Notice of Petition:** (To review real property tax assessment pursuant to Article 7 of the Real Property Tax Law)

8/4/22 13 West Main LLC -vs- City of Lockport, Assessor of the City of Lockport, and the Board of Assessment Review of the City of Lockport

8/4/22 ISGM Holdings LLC –vs- City of Lockport, Assessor of the City of Lockport, and the Board of Assessment Review of the City of Lockport

8/4/22 210 Walnut Street LLC –vs- City of Lockport, Assessor of the City of Lockport, and the Board of Assessment Review of the City of Lockport

8/4/22 Genlock LLC –vs- City of Lockport, Assessor of the City of Lockport, and the Board of Assessment Review of the City of Lockport

8/4/22 SGA Property Management LLC –vs- City of Lockport, Assessor of the City of Lockport, and the Board of Assessment Review of the City of Lockport

8/4/22 Beautiful Vision LLC –vs- City of Lockport, Assessor of the City of Lockport, and the Board of Assessment Review of the City of Lockport

8/4/22 Castello Holdings LLC and Castello Properties LLC –vs- City of Lockport, Assessor of the City of Lockport, and the Board of Assessment Review of the City of Lockport

**Notice of Petition: (Small Claims Assessment Review)**

8/3/22 Dana K. Barish, 227 Church Street, Lockport, NY

8/9/22 Michele Corraine, 471 East Avenue, Lockport, NY

Referred to the City Assessor.

**MOTIONS & RESOLUTIONS**

**082422.2**

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 August 25, 2022 as follows:

General Fund	Fund A	\$89,455.37
Water Fund	Fund FX	\$41,527.51
Sewer Fund	Fund G	\$102,371.50
Capital Projects	Fund H	\$428,469.29
Self-Insurance	Fund MS	\$1,548.00
Refuse & Recycle	Fund CL	\$90,815.43
Payroll	Pay Date 8/11	\$535,915.90

Seconded by Alderman Barnard and adopted. Ayes 5.

**082422.3**

By Alderman Pasceri:

Resolved, that the Corporation Counsel is hereby authorized and directed to prepare a Local Law relative to amending Section C-45 of the City Charter regarding Residency Law, and be it further

Resolved, that a public hearing be held at the Common Council meeting of Wednesday, September 14th, 2022, starting at 6:30 P.M. in the Common Council Chambers, Lockport Municipal Building, One Locks Plaza, Lockport, NY relative to said Local Law, and be it further

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

Seconded by Alderman Barnard and adopted. Ayes 5.

**082422.4**

By Alderman Pasceri:

Resolved, that pursuant to their request, Lockport High School is hereby granted permission to conduct a Homecoming Parade in the City of Lockport on Saturday, September 24, 2022, starting at 12 p.m., subject to approval of the parade route by the Police Chief and issuance of a parade permit by the City Clerk.

Seconded by Alderman Fogle and adopted. Ayes 5.

**082422.5**

By Alderman Kantor:

Whereas, Resolution 112420.8 established the IT Infrastructure Reserve Fund (H203) to be used for upkeep of systems, utility improvements, structures, and equipment, upon Council approval, and

Whereas, the Network Coordinator of IT has proposed that said funds be utilized for the purchase of new City servers under Sourcewell contract #081419-SHI for a total of \$88,605.41; now, therefore, be it

Resolved, that the City of Lockport Common Council hereby authorizes the use of funds in H203 and amends the FY 2022 general and capital budgets as follows:

Increase:

H203.1680.52490	Capital Improvements Expense	\$22,650
H203.1680.32801.A	Interfund Revenue From General	\$22,650
A.9901.59000.H	Interfund Transfer to Capital	\$22,650

Decrease:

A.1680.54055	Professional Services	\$2,650
A.1680.54115	Computer Licenses and Soft.	\$20,000

Seconded by Alderman Barnard and adopted. Ayes 5.

**082422.6**

By Alderman Beakman:

Whereas, a tailgate fundraiser has been organized to honor the life of the late Aaron Salter, Jr., a 30-year veteran of the Buffalo Police Department and a hero during the May 14, 2022 mass shooting in Buffalo; now, therefore, be it

Resolved, that pursuant to their request, Lockport Main Street, Inc. is hereby granted permission to hold a tailgate fundraiser to benefit the family of Aaron Salter, Jr. on Main Street on Thursday, September 8, 2022, from 4:00 pm until 7:30 pm, and be it further

Resolved, that Main Street be closed to through traffic from Transit to Locust for the duration of the event, and be it further

Resolved, that the Director of Highways, Parks and Water Distribution 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 the fundraiser will include music, food, games, raffles and beer tents, with said permission subject to Lockport Main Street, Inc. filing a certificate of insurance with the City Clerk naming the City of Lockport as additional insured.

Seconded by Alderman Fogle and adopted. Ayes 5.

**082422.7**

By Alderman Fogle:

Whereas, Refuge Temple of Christ, 15 Cottage Street, Lockport, would like to use a portion of a city parking lot to hold a community event this month to give away food and supplies to local families; now, therefore, be it

Resolved, that pursuant to their request, permission is hereby granted Refuge Temple to barricade the southwest corner of the city lot on Main at Cottage on Saturday, August 27th, 2022, from 9am until 4pm, for 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, with permission subject to Refuge Temple filing a certificate of insurance with the City Clerk naming the City of Lockport as additional insured.

Seconded by Alderman Pasceri and adopted. Ayes 5.

**082422.8**

By Alderman Pasceri:

Whereas, the City of Lockport, NY (City) owns and operates a Wastewater Treatment Plant (WWTP) which has a New York State Department of Environmental Conservation (NYSDEC) State Pollution Discharge Elimination System (SPDES) Permit, No. NY0027057, and

Whereas, NYSDEC modified the City SPDES Permit which took effect on August 7, 2017 and now requires seasonal disinfection of the WWTP effluent that the required disinfection system be operational by May 2023, and

Whereas, the City engaged Nussbaumer & Clarke, Inc. (Nussbaumer) to provide professional design and construction related services per Common Council Resolution 082119.7, which included 800 hours of Construction Inspection and related General Services During Construction (GSDC) per the City's Request for Proposal for the project, and

Whereas, due to pandemic related equipment delays and workforce shortages experienced by the construction contractors, the construction period has been extended thus requiring additional GSDC and Inspection services, and

Whereas, Nussbaumer has submitted a proposal dated August 16, 2022 for Contract Amendment No. 2 to provide additional GSDC and Resident Inspection services based upon the anticipated remaining construction schedule for a fee of \$97,000; now, therefore, be it

Resolved, that the Mayor is hereby authorized to execute Contract Amendment No. 2 with Nussbaumer & Clarke, Inc. for a fee of \$97,000.00, inclusive of the Scope of Work included in their August 16, 2022 proposal to the City, upon review and approval of the Environmental Facilities Corporation (EFC), to be funded by the established project contingency.

Seconded by Alderman Fogle and adopted. Ayes 5.

**082422.9**

By Alderman Fogle:

Whereas, the Real Property Management Committee (“RPMC”) reviews all unimproved or abandoned properties within the City that are in title to the City and not on the tax rolls to determine what may be the highest and best use for said properties; and

Whereas, the RPMC has identified properties located at 2 Washburn Street, 10 Washburn Street and 97 Union Street, the former Dussault Foundry, for future improvement and a return to the tax rolls; and

Whereas, this Council, by Resolution 080222.4, authorized the City Engineer to prepare and the City Clerk to publish a Request for Proposals regarding the above-referenced properties; and

Whereas, the RFP was published and the time to submit proposals expired on August 17, 2022; and

Whereas, the City received one offer from Zeton International, Inc., the parent company of Chemical Design, Inc., a Lockport-based business, to provide additional space for expansion of Chemical Design’s operation, at a purchase price of \$40,000; and

Whereas, the RPMC has reviewed the proposal, and finds it a suitable use for the parcels in question and recommends the Council accept it as a valid offer; now, therefore, be it

Resolved, that the Mayor, subject to review by Corporation Counsel, is authorized to prepare a deed and all other necessary papers to transfer the property in question to Zeton International, Inc. for the bid price.

Seconded by Alderman Kantor and adopted. Ayes 4. Alderman Beakman recused himself from voting.

**082422.10**

By Alderman Beakman:

Whereas, Paul Szafranski and Juanita Szafranski filed suit against the City of Lockport and Niagara County in 2020 for property damage suffered as a result of a fire where the Plaintiffs alleged a delay in response rendered their property a total loss; and

Whereas, the City and County appeared and answered the suit and defended themselves throughout multiple court appearances; and

Whereas, all parties have reached a settlement in full satisfaction of the claims that formed the basis of the lawsuit, with the City contributing \$5,000; now, therefore, be it

Resolved, that the action shall be settled by the mutual release signed by the Mayor on behalf of the City, the County, and the Plaintiffs above-named with the payment by the City of \$5,000 in full and final settlement of the action, said payment of the City's portion to be taken from City funds by adjusting the annual budget in the following manner:

Expenditures:

Increase:

A.1900.54765	Judgement and Claims	\$5,000
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Decrease

A.1900.54775	Contingencies	\$5,000
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Seconded by Alderman Barnard and adopted. Ayes 5.

**082422.11**

By Alderman Fogle:

Whereas, the Common Council, by Resolution 080222.6, authorized a Request for Proposals (RFP) for remodeling work on the showers at Lockport Fire Department; and

Whereas, the RFP was published and the time to submit proposals expired on August 17, 2022; and

Whereas, the City received the following three proposals for the requested scope of work: All Pro Contracting, \$25,985.00; Cavlee Development, \$22,162.00; and, Benedict's Contracting, Inc., \$21,691.00; now, therefore, be it

Resolved, that the Mayor, subject to Corporation Counsel approval, is hereby authorized to execute an agreement with Benedict's Contracting, Inc. for a not-to-exceed fee of \$21,691.00 for the LFD remodeling work included in its proposal to the City.

Seconded by Alderman Pasceri and adopted. Ayes 5.

**082422.12**

**ADJOURNMENT**

At 7:02 P.M. Alderman Beakman moved the Common Council be adjourned until 6:30 P.M., Wednesday, September 14, 2022.

Seconded by Alderman Kantor and adopted. Ayes 5.

PAUL K. OATES  
City Clerk