

CITY OF LOCKPORT
CORPORATION PROCEEDINGS

Lockport Municipal Building

Regular Meeting
Official Record

November 16, 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 Pasceri.

MAYOR'S UPDATE

RECESS

Recess for public input.

111622.1

APPROVAL OF MINUTES

On motion of Alderman Beakman, seconded by Alderman Barnard, the minutes of the Regular Meeting of November 9, 2022 are hereby approved as printed in the Journal of Proceedings. Ayes 5. Carried.

PUBLIC HEARING

The Mayor announced a public hearing on the issue of amending Lockport Municipal Code to permit overnight parking on city streets between the hours of 2:00AM and 6:00AM.

The Mayor asked the City Clerk if any petitions or communications relative to the overnight parking amendment.

Recess for public input.

The Mayor closed the public hearing.

FROM THE MAYOR

Appointments:

11/14/22 Henry John Leible, 4321 Purdy Road, Lockport, NY 14094 – appointed as Waste Water Treatment Plant Mechanic for the City of Lockport Waste Water Treatment Plant. Effective November 11, 2022. Said appointment is permanent and subject to the City of Lockport Municipal Civil Service Rules and Regulations.

11/14/22 Adam J. Heiman, 64 Rogers Avenue, Lockport, NY 14094 – appointed as Public Works Mechanic for the City of Lockport Highways & Parks Department. Effective October 25, 2022. Said appointment is permanent and subject to the City of Lockport Municipal Civil Service Rules and Regulations.

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)

11/14/22 Sarah K. Lanzo, City Clerk – notification that the Lockport Municipal Offices will be closed the following days in November.

Thursday & Friday, November 25th & 26th Thanksgiving Holiday

For the Thanksgiving Holiday, garbage collection will be as follows:

Normal Pick Up Day

Thursday, November 25th
Friday, November 26th

Holiday Pick Up Day

Friday, November 26th
Saturday, November 27th

Referred to the Media.

Notice of Complaint:

11/7/22 200 Cottage Street – Tree

Referred to the Director of Highways & Parks.

MOTIONS & RESOLUTIONS

111622.2

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 November 17, 2022 as follows:

| | | |
|------------------|----------------|--------------|
| General Fund | Fund A | \$42,332.89 |
| Water Fund | Fund FX | \$6,668.19 |
| Sewer Fund | Fund G | \$524.33 |
| Capital Projects | Fund H | \$705,617.65 |
| Refuse Fund | Fund CL | \$100,672.86 |
| Payroll | Pay Date 11/17 | \$513,904.49 |

Seconded by Alderman Fogle and adopted. Ayes 5.

111622.3

By Alderman Devine:

Whereas, the Lockport Police Department (“LPD”) has identified the need for communication improvements that would improve reporting reliability and integrate with their current infrastructure; and

Whereas, the Police Chief has identified a Motorola Solutions, Inc. contract in the net amount of \$346,303 which will fulfill the needs of the department and is within the guidelines of the procurement policy (as it is identified as single source provider in the instance of integration with current Vesta solutions currently deployed); and

Whereas, the Common Council can appropriate General Fund Balance in this amount (bringing the current year appropriation from \$618,994 to \$965,297) and still maintain a fund balance in excess of the minimal amount required per fund balance policy; now therefore be it

Resolved, that the Mayor, subject to Corporation Counsel approval, is hereby authorized to execute an Agreement for said purchase and that the FY 2022 General Fund and Capital Project Fund budgets are amended as follows:

Revenue:

Increase

A.0000.30599

H222.3120. 35031.A

Appropriated Fund Balance \$346,303

Interfund Transfer from General \$346,303

Expenditures:

Increase

A.9901.59000.H

H222.3120.52490

Interfund Transfer to Capital \$346,303

Capital Improvements Expense \$346,303

Seconded by Alderman Beakman and adopted. Ayes 5.

111622.4

By Alderman Barnard:

Resolved, that pursuant to their request, ‘Light Up Lockport’ be and the same is hereby granted permission to use the City’s right-of-way to conduct the following events on Saturday, November 26, 2022:

Light Up Lockport Parade commencing at 6:00 PM at Ida Fritz Park, east on Main Street to Charles Street

And be it further

Resolved, that said permissions are subject to approval of the routes by the Police Chief, and ‘Light Up Lockport’ 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 and temporary ‘no parking’ signs for the entire length of the south side of Main Street prior to said events.

Seconded by Alderman Pasceri and adopted. Ayes 5.

By Alderman Fogle

Resolved, that the reading of the foregoing resolution be the same is hereby waived.
Seconded by Alderman Barnard. Ayes 5.

111622.5

By Alderman Barnard:

Whereas, the City of Lockport FY 2023 Mayor's Recommended Budget was presented to the Common Council and public on October 5th, 2022; and

Whereas, the City of Lockport Common Council has had a public hearing on such budget and has considered alterations to be made to the Mayor's Recommended budget prior to appropriating funds; now, therefore, be it

Resolved, that the City tax budget for fiscal year 2023, containing appropriations for operating City departments, be and the same is hereby amended and adopted as follows:

CITY OF LOCKPORT, NEW YORK
2023 GENERAL FUND BUDGET SUMMARY

Budget Appropriations:

| | |
|---------------------|--------------|
| Personal Services | \$12,253,558 |
| Equipment | \$314,101 |
| Contractual | \$4,236,406 |
| Fringe Benefits | \$10,001,783 |
| Interfund Transfers | \$200,000 |
| Debt Service | \$534,870 |

Total Appropriations: \$27,540,718

LESS: Estimated Revenues: \$13,265,902

Estimated Fund Balance: \$991,259

Amount to be raised through property taxation: \$13,283,557

Assessed Valuation: \$1,167,997,805

REAL PROPERTY TAX RATE: \$11.37293 per \$1,000 ASSESSED VALUATION

Seconded by Alderman Pasceri and adopted. Ayes 5.

By Alderman Fogle

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

Seconded by Alderman Barnard. Ayes 5.

111622.6

By Alderman Devine:

Whereas, the City of Lockport FY 2023 Mayor's Recommended Budget was presented to the Common Council and public on October 5th, 2022;

Whereas, the City of Lockport Common Council has had a public hearing on such budget and has considered alterations to be made to the Mayor's Recommended budget prior to appropriating funds; now, therefore, be it

Resolved, that the City of Lockport 2023 Water Fund Budget containing appropriations for operating the City's Water Department, be and the same is hereby adopted as follows:

CITY OF LOCKPORT, NEW YORK
2023 WATER FUND BUDGET SUMMARY

Appropriations:

| | |
|-------------------|-------------|
| Personal Services | \$1,313,332 |
|-------------------|-------------|

| | |
|---------------------|-------------|
| Equipment | \$25,000 |
| Contractual | \$1,243,869 |
| Fringe Benefit | \$1,119,825 |
| Debt Services | \$598,760 |
| Interfund Transfers | \$40,047 |

| | |
|-----------------------|-------------|
| Total Appropriations: | \$4,340,833 |
| Estimated Revenues: | \$4,340,833 |

Seconded by Alderman Beakman and adopted. Ayes 5.

By Alderman Barnard:

Resolved, that the reading of the foregoing resolution be the same is hereby waived.
Seconded by Alderman Fogle. Ayes 5.

111622.7

By Alderman Fogle:

Whereas, the City of Lockport FY 2023 Mayor’s Recommended Budget was presented to the Common Council and public on October 5th, 2022;

Whereas, the City of Lockport Common Council has had a public hearing on such budget and has considered alterations to be made to the Mayor’s Recommended budget prior to appropriating funds; now, therefore, be it

Resolved, that the City of Lockport 2023 Sewer Fund Budget containing appropriations for operating the City’s Wastewater Treatment and Compost Facility, be and the same is hereby adopted as follows:

CITY OF LOCKPORT, NEW YORK
2023 SEWER FUND BUDGET SUMMARY

Appropriations:

| | |
|---------------------|-------------|
| Personal Services | \$1,126,697 |
| Equipment | \$17,500 |
| Contractual | \$1,446,290 |
| Fringe Benefits | \$923,802 |
| Debt Service | \$639,119 |
| Interfund Transfers | \$42,435 |

| | |
|-----------------------|-------------|
| Total Appropriations: | \$4,195,843 |
| Estimated Revenues: | \$4,195,843 |

Seconded by Alderman Barnard and adopted. Ayes 5.

By Alderman Barnard:

Resolved, that the reading of the foregoing resolution be the same is hereby waived.
Seconded by Alderman Fogle. Ayes 5.

111622.8

By Alderman Barnard:

Whereas, the City of Lockport FY 2023 Mayor’s Recommended Budget was presented to the Common Council and public on October 5th, 2022;

Whereas, the City of Lockport Common Council has had a public hearing on such budget and has considered alterations to be made to the Mayor's Recommended budget prior to appropriating funds; now, therefore, be it

Resolved, that the City of Lockport 2023 Budget containing appropriations for operating the City's Refuse & Recycling, be and the same is hereby adopted as follows:

CITY OF LOCKPORT, NEW YORK
2023 SPECIAL REVENUE FUND – RECYCLING & REFUSE SUMMARY

Appropriations:

| | |
|---------------------|-------------|
| Personal Services | \$0 |
| Equipment | \$23,500 |
| Contractual | \$1,370,044 |
| Fringe Benefits | \$0 |
| Debt Service | \$36,492 |
| Interfund Transfers | \$0 |

| | |
|-----------------------|-------------|
| Total Appropriations: | \$1,430,036 |
| Estimated Revenues: | \$1,430,036 |

Seconded by Alderman Fogle and adopted. Ayes 5.

By Alderman Barnard:

Resolved, that the reading of the foregoing resolution be the same is hereby waived.
Seconded by Alderman Fogle. Ayes 5.

111622.9

By Alderman Pasceri:

Resolved, that the following local law be and the same is hereby adopted:

City of Lockport

Local Law No. 7 of the year 2022

A local law to amend the City of Lockport "Schedule of Sewer Rents and Other Charges."

Be it enacted by the Common Council of the City of Lockport as follows:

SEWER RATES

The following sewer rental charges shall be effective on all residential, commercial, and industrial water consumption billed as follows:

after January 1, 2023

\$16.96 per month service charge for both domestic and industrial users plus a commodity charge of \$2.60 per 100 cu. ft. of water billed, plus a standard surcharge for industrial users for excess strength of sewage as stated in all existing Industrial sewer contracts.

INDUSTRIAL

\$16.96

COMMERCIAL & RESIDENTIAL \$42.40 (billed quarterly)

The standard surcharge for all industrial users for excess strength of sewage as stated in all existing industrial service contracts be as follows:

| Type | Fee |
|--|----------|
| Discharging wastewater, per 100 cubic feet: | |
| Effective 01 January 2023..... | \$1.18 |
| Discharging excess total suspended solids in excess of 350 mg per liter per one hundred pounds per day: | |
| Effective 01 January 2023..... | \$3.55 |
| Discharging excess BOD in excess of 250 mg liter per, per one hundred pounds per day: | |
| Effective 01 January 2023..... | \$3.17 |
| Discharging wastewater through the use of a waste hauler per one thousand gallons: | |
| Effective 01 January 2023..... | \$18.63 |
| Annual waste hauler disposal permit authorizing the use of City of Lockport wastewater treatment plant to a specific waste hauler: | |
| Effective 01 January 2023 | \$393.98 |
| Annual amount charged for an effective City of Lockport wastewater discharge permit issued to City of Lockport industries identified as POTW significant industrial users (SIU's): | |
| Effective 01 January 2023..... | \$425.49 |

Effective January 1, 2023, laboratory analysis at City of Lockport wastewater treatment plant laboratory are as follows:

| <u>Analyte</u> | <u>Rate</u> |
|-----------------------------|-------------|
| pH..... | \$11.29 |
| Residual C12..... | \$11.29 |
| Settleable solids | \$11.29 |
| Total suspended solids..... | \$33.94 |
| Total solids | \$16.96 |
| BOD 5..... | \$45.23 |
| COD | \$45.23 |
| Dissolved oxygen | \$22.64 |
| Total coliform | \$33.94 |
| Fecal coliform | \$39.61 |
| NH3-N | \$39.61 |
| TKN | \$39.61 |
| Oil and grease, total | \$45.23 |

Total phosphorus.....\$33.94
 Zn, Cd, Cr, Cu, Pb each\$28.26

The following Meter Fee Schedule for all Residential and Commercial meters is as follows:

**CITY OF LOCKPORT METER FEE SCHEDULE
 EFFECTIVE JANUARY 1, 2023**

| COM/RES | Meter Size | SW | MR |
|----------------|-------------------|-------------|-----------|
| | A 5/8" | \$42.40 | |
| | B 3/4" | \$42.40 | |
| | C 1" | \$42.40 | |
| | D 1 1/2" | \$42.40 | |
| | E 2" | \$42.40 | |
| | F 3" | \$42.40 | |
| | G 4" | \$42.40 | |
| | H 6" | \$42.40 | |
| IND | | \$16.96 | \$35.70 |
| RES | SW | <u>2.60</u> | |
| COM | SW | <u>2.60</u> | |

This Local Law shall take effect January 1, 2023.

Seconded by Alderman Devine A roll call vote was taken which resulted as follows:

| | | |
|------------------|--------|-----|
| Alderman Barnard | VOTING | YES |
| Alderman Beakman | VOTING | YES |
| Alderman Devine | VOTING | YES |
| Alderman Fogle | VOTING | YES |
| Alderman Kantor | VOTING | N/A |
| Alderman Pasceri | VOTING | YES |

By Alderman Fogle

Resolved, that the reading of the foregoing resolution be the same is hereby waived.
 Seconded by Alderman Barnard. Ayes 5.

111622.10

By Alderman Beakman:

Resolved, that the following water rates for the City of Lockport shall be effective on all residential and commercial water consumption billed after January 1, 2023 and on all industrial water billed after January 1, 2023:

CITY OF LOCKPORT - WATER RATES

EFFECTIVE JANUARY 1, 2023

Each and every meter located in any building shall be classified as a separate meter account.

MONTHLY BILLS

Rates for all industrial users of water:

In addition to the currently billed rate for each meter in building per month (to be \$35.70), the following:

Minimum rate - \$15.76 per each one-month period or fraction thereof:

| | |
|----------------------|------------------------|
| First 50,000 cu. ft. | \$3.94 per 100 cu. ft. |
| Next 100,000 cu. ft. | \$3.68 per 100 cu. ft. |
| Over 150,000 cu. ft. | \$3.37 per 100 cu. ft. |

QUARTERLY BILLS

Rates for commercial users of water are:

Minimum rate – As per City of Lockport Meter Fee Schedule effective January 1, 2023, and, a usage commodity charge of \$3.73 per 100 cu. ft.

Rates for residential users of water are:

Minimum rate – As per City of Lockport Meter Fee Schedule effective January 1, 2023, and, a usage commodity charge of \$3.57 per 100 cu. ft.

RURAL BILLS

Rates for all non-resident users of water - quarterly rate plus 50%

BULK WATER

\$5.78 per 1,000 gallons.

The following Meter Fee Schedule for all Residential and Commercial meters is as follows:

**CITY OF LOCKPORT METER FEE SCHEDULE
EFFECTIVE JANUARY 1, 2023**

| COM/RES | Meter Size | WA | MR |
|----------------|-------------------|-----------|-----------|
| | A 5/8" | \$43.35 | |
| | B 3/4" | \$48.45 | |
| | C 1" | \$53.55 | |
| | D 1 1/2" | \$58.65 | |
| | E 2" | \$63.75 | |
| | F 3" | \$68.85 | |
| | G 4" | \$73.95 | |
| | H 6" | \$79.05 | |
| IND | | \$15.76 | \$35.70 |
| RES | WA | 3.57 | |

Seconded by Alderman Fogle and adopted. Ayes 5.

111622.11

By Alderman Pasceri:

Whereas, the City of Lockport believes in the right of all of its employees to receive a living wage; and

Whereas, State of New York has enacted the Minimum Wage Act (Article 19 of the New York State Labor Law); and

Whereas, the FY 2023 effective minimum wage under such law is \$14.20 per hour, with future scheduled increases; now, therefore, be it

Resolved, the City of Lockport Common Council hereby adopts, as the minimum wage for all its employees as of 1/1/2023, the rate set by the New York State Minimum Wage Act, as the same may be adjusted from time to time.

Seconded by Alderman Barnard and adopted. Ayes 5.

111622.12

By Alderman Barnard:

Whereas, the City of Lockport has adopted a salary schedule for the position of Confidential Assistant to the Mayor; and

Whereas, New York State Retirement System imposes a salary cap on employees returning to municipal service; and

Whereas, the City of Lockport desires to facilitate the appointment and employment of the current Confidential Assistant to the Mayor; now, therefore, be it

Resolved, that the salary schedule for the position of Confidential Assistant to the Mayor is suspended for 2023; and be it further

Resolved, that the salary for the position of Confidential Assistant to the Mayor shall be set at \$35,000.00 for the year 2023.

Seconded by Alderman Beakman and adopted. Ayes 5.

111622.13

By Alderman Devine:

Whereas, the City of Lockport's Water Filtration department has requested funding to be made available for a number of minor capital improvements to existing equipment; and

Whereas, said purchases would include new digital panel meters, a transducer, a conductivity meter, a turbidimeter, a vacuum pump, a block incubator, 2 stirring plates, a top loading balance, and 2 heat blocks, each item individually under the \$3k threshold required for competitive bidding and has a grand total of \$12,281; now, therefore, be it

Resolved, that the City of Lockport Common Council hereby authorizes the use of \$12,281 for said projects from the H204 capital project (FX Infrastructure Improvements).

Seconded by Alderman Beakman and adopted. Ayes 5.

111622.13A

By Alderman Fogle:

Whereas, the State of New York has required certain changes to the City Inspection Code and local law provides for the administration and enforcement of the New York State Uniform Fire Prevention and Building Code (the Uniform Code) and the State Energy

Conservation Construction Code (the Energy Code) in the City of Lockport; and
Whereas, the City is required to adopt said changes via an adoption of a local law pursuant to section 10 of the Municipal Home Rule Law; and

The Lockport City Common Council must conduct a public hearing prior to implementing the modification to the Code with regard to said changes;

NOW, THEREFORE, BE IT RESOLVED THAT:

A Public Hearing shall be held at the Common Council Meeting of Wednesday, December 7, 2022, starting at 6:30PM in the Common Council Chambers, Lockport Municipal Building, One Locks Plaza, Lockport, NY relative to the modification of the Building Code ordinances.

Seconded by Alderman Barnard and adopted. Ayes 5.

111622.14

ADJOURNMENT

At 6:50 P.M. Alderman Beakman moved the Common Council be adjourned until 6:30 P.M., Wednesday, December 7, 2022.

Seconded by Alderman Fogle and adopted. Ayes 5.

SARAH K. LANZO
City Clerk