

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

Lockport Municipal Building

Regular Meeting  
Official Record

January 25, 2023  
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 Beakman, Swanson-Gellerson, Devine, Fogle, Kantor, and Lupo.

**INVOCATION**

**MAYOR'S UPDATE**

**RECESS**

Recess for public input.

**012523.1**

**APPROVAL OF MINUTES**

On motion of Alderman Beakman, seconded by Alderman \_\_\_\_\_, the minutes of the Regular Meeting of December 14, 2022 are hereby approved as printed in the Journal of Proceedings. Ayes \_\_\_\_\_. Carried.

**FROM THE MAYOR**

**Resignations:**

01/07/2023 Gina Pasceri, resigned as Alderman at Large effective January 9, 2023.

01/11/2023 Kristin Barnard, resigned as the 5<sup>th</sup> Ward Alderman effective January 10, 2023.

**Appointments:**

12/20/22 Wade M. Andes, 6644 Sheetram Road, Lockport, NY – appointed to Heavy Equipment Operator for the City of Lockport Highways and Parks Department effective January 1, 2023. Said appointment is permanent and subject to the City of Lockport Municipal Civil Service Rules and Regulations.

1/3/2023 Richard Clark, 289 Washington Street, Lockport, NY – appointed to the Building and Grounds Accessibility Committee effective January 1, 2023. Said term expires December 31, 2024.

1/20/2023 Lisa A. Swanson-Gellerson, 86 Roby Street, Lockport, NY - appointed to Alderwoman at Large to fill unexpired term of Gina Pasceri. Said term expires December 31, 2023.

1/20/2023 Margaret P. Lupo, 17 Bobolink Lane, Lockport, NY - appointed as 5th Ward Alderwoman to fill unexpired term of Kristin Barnard. Said term expires on December 31, 2023.

**Commissioner of Deeds:** For the term of two years expiring on December 31, 2024.

1. Paul M. Beakman, Jr., 104 Caledonia Street, Lockport, NY 14094
2. Benjamin Briskey, 120 Grant Street, Lockport, NY 14094
3. Marco Notaro, 5251 Bridgeman Road, Sanborn, NY 14132
4. Daryl Bodewes, 2462 Woodthrush Court, Niagara Falls, NY 14304
5. Colin Ligamarri, 4210 Washington Street, Niagara Falls, NY 14305
6. John Jacoby 4621 Lower River Road, Lewiston, NY 14092
7. Paul Drabinski, 1495 Abington Place, North Tonawanda, NY 14120
8. Maggie Lupo, 17 Boblink Lane, Lockport, NY 14094
9. Doug Mooradian, 6964 Lakeside Drive, Niagara Falls, NY 14304
10. Anita Mullane, 93 Lindhurst Drive, Lockport, NY 14094
11. Douglas C. Nicholson, 22 Roosevelt Drive, Lockport, NY 14094
12. Jeanann Page, 532 Irving Drive, Lewiston, NY 14092
13. David Keegan, 3772 McKoon Avenue, Niagara Falls, NY 14305
14. Michelle M. Roman, 30 Cherry Street, Lockport, NY 14094
15. William C. Rutland, 5798 Locust Street, Lockport, NY 14094
16. Carla L. Speranza, 6438 Lincoln Avenue, Lockport, NY 14094
17. Sarah Waechter, 4791 Oakridge Lane, Lewiston, NY 14092
18. Tom Reynolds, 739 E. Robinson Street, North Tonawanda, NY 14120
19. Steve Allore, 154 Locust Street, Apt 2, Lockport, NY 14094
20. Adam Dickey, 324 Ward Road, North Tonawanda, NY 14120

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)

12/7/22 Vinny Cappadora, Happily Running – request permission to conduct their Beast of Burden event on January 28-29<sup>th</sup> and August 12<sup>th</sup>-13<sup>th</sup>, 2023 at Wide Waters Marina.

12/8/22 Brooke Chavanne, Director of Coaching of Soccer Shots Buffalo – request permission to use Altro Park for their upcoming 2023 season.

12/15/22 Ed Sandusky, Vice President of Optimist Club of Lockport – request permission to conduct the 47<sup>th</sup> annual Lockport Optimist Outdoor Arts & Crafts Festival on June 24<sup>th</sup> & 25<sup>th</sup>, 2023.

1/18/23 Sarah K. Lanzo, City Clerk – notification of bids received on January 17, 2023 in response to the **RFP for Emergency Medical Services Billing** are as follows:

Municipal Resources Inc.	\$150 per hour
Niagara Falls, NY	

1/18/23 Sarah K. Lanzo, City Clerk - notification of bids received on January 17, 2023 in response to the **RFP for Ambulance Consultation Services** are as follows:

AMB – Ambulance Medical Billing	7% / \$10 Per Medicaid Claim
Med Ex Billing Inc.	6% / \$15 Per Medicaid Claim

Referred to the Committee of the Whole.

#### **Notice of Claim:**

1/19/23 Karlene D. Pratt, 143 Waterman Street, Lockport, NY

Referred to Corporation Counsel.

### **MOTIONS & RESOLUTIONS**

#### **012523.2**

By Alderman Beakman:

Resolved, that the Finance Committee has reviewed orders in favor of the claimants for payrolls, bills, and services to be paid on January 12 and 19, 2023 as follows:

#### **2022 Expenses**

General Fund	Fund A	\$227,542.01
Water Fund	Fund FX	\$39,253.72
Sewer Fund	Fund G	\$51,938.42
Capital Projects	Fund H	\$1,154,764.07
Refuse Fund	Fund CL	\$189.72
Self-Insurance	Fund MS	\$7,400.00
Community Devel.	Fund CD	\$36,700.00

#### **2023 Expenses**

General Fund	Fund A	\$51,070.02
Water Fund	Fund FX	\$3,068.73
Sewer Fund	Fund G	\$3,069.29

Payroll Pay Date 12/29 and 1/12: \$512,172.64

Seconded by Alderman \_\_\_\_\_ and adopted. Ayes \_\_\_\_\_.

#### **012523.3**

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><b>Employee</b></u>	<u><b>Years of Service</b></u>	<u><b>Title</b></u>
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Clayton Dimmick	15	Director of Streets, Parks, & Water
Jason Dool	15	Chief Building Inspector
Ryan Magee	15	WWTP Operator
Jon Cavagnaro	5	HEO
Scott Sakellaris	5	Tree Trimmer
Christian Landry	5	Public Works Supervisor
Michele Gelnett	5	Senior Account Clerk

Seconded by Alderman \_\_\_\_\_ and adopted. Ayes \_\_\_\_\_.

#### **012523.4**

By Alderman \_\_\_\_\_:

Resolved, that pursuant to their request, Soccer Shots Buffalo is hereby granted permission to conduct a Spring, Summer and Fall Soccer Program on Saturday's at Altro Park beginning April 15, 2023 through November 11, 2023, subject to Soccer Shots Buffalo filing a certificate of insurance with the City Clerk naming the City of Lockport as additional insured.

Seconded by Alderman \_\_\_\_\_ and adopted. Ayes \_\_\_\_\_.

#### **012523.5**

By Alderman \_\_\_\_\_:

Resolved, that pursuant to their request, Happily Running, LLC is hereby granted permission to use the rest room facilities and pavilion at Nelson C. Goehle Wide Waters Marina on the weekends of January 28 and 29 and August 12 and 13, 2023, for the annual Winter and Summer Beast of Burden Ultra Marathons. Said permission is subject to Happily Running, LLC 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 the preparation of the restroom facilities for said event and to arrange for delivery of barricades to close off the parking lot, and be it further

Seconded by Alderman \_\_\_\_\_ and adopted. Ayes \_\_\_\_\_.

#### **012523.6**

By Alderman \_\_\_\_\_:

Resolved, that permission is hereby granted the Optimist Club of Lockport to conduct their 47<sup>th</sup> Annual Lockport Optimists Arts and Crafts Festival on June 24<sup>th</sup> and 25<sup>th</sup>, 2023 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 from 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 24<sup>th</sup> and 25<sup>th</sup> subject to the approval of the Chief of Police, and be it further

Seconded by Alderman \_\_\_\_\_ and adopted. Ayes \_\_\_\_\_.

#### **012523.7**

By Alderman \_\_\_\_\_:

Resolved, that pursuant to their request, The Historic Palace, Inc. is hereby granted permission to conduct the 51<sup>st</sup> Annual Lockport 10 Open Road Race on Saturday, February 11, 2023. The race route will require closing East Avenue between Elm and Charles Streets; closing Elm Street for the finish of the race; and, disrupting traffic flow on Market Street from 8 am – 12:30 pm. Permission is granted subject to approval of the race route by the Police Chief and subject to The Historic Palace, Inc. 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 salting the streets in the City's portion of the race route if necessary, and to deliver barricades, cones, and "street closed" signs as required, and be it further

Resolved, that the Traffic Captain is hereby directed to arrange for police support for said event.

Seconded by Alderman \_\_\_\_\_ and adopted. Ayes \_\_\_\_\_.

#### **012523.8**

By Alderman \_\_\_\_\_:

Whereas, the City of Lockport is prepared to enter into a Payment In Lieu Of Tax agreement with OAHS Urban Park Housing Development Fund Corporation (hereinafter, "OAHS") pursuant to the Public Housing Finance Law regarding the property commonly known as Urban Park Tower; and

Whereas, the Project is located within the boundaries of the City of Lockport; and

Whereas, OAHS shall agree to make payments in lieu of Real Estate Taxes ("PILOT Payments") pursuant to the this Agreement with respect to the Project; and

Whereas, the PILOT Payments contemplated by this Agreement are in lieu of Real Estate Taxes which may be payable with respect to the Project during the term of this Agreement;

Now, therefore, in consideration of the matters above recited, for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged by the parties, the Mayor is hereby directed and authorized to enter into the PILOT agreement with OAHS, subject to Corporation Counsel review.

- (1) The payments in lieu of taxes ("PILOT") period is to commence on January 1, 2024 (the Commencement Date), and be concurrent with the Project's use as apartment units for the community, but shall in no event exceed forty (40) years from the Commencement Date as authorized in the Public Housing Finance Law.
- (2) Beginning with the first fiscal year following the Commencement Date, and continuing through the fortieth (40th) fiscal tax year following, OAHS shall make annual payments in lieu of general real estate taxes on the property located at 77 Main Street, Lockport, commonly known as Urban Park Tower, in the amount of \$61,353.00 with a two percent (2%) annual escalation. Such payments shall be due and payable on January 1<sup>st</sup> of each year.
- (3) In the event of a default in payment of the PILOT agreement contemplated by this resolution, the City shall retain all rights afforded it under law and the PILOT Agreement.

Seconded by Alderman \_\_\_\_\_ and adopted. Ayes \_\_\_\_\_.

#### **012523.9**

By Alderman \_\_\_\_\_:

Resolved, that pursuant to their request, permission is hereby granted to Niagara Hospice to conduct the 10th Annual Hospice Gran Fondo Bike Ride, on Saturday, August 5<sup>th</sup>, 2023 beginning at 7 a.m., subject to approval of the race route by the Police Chief; and be it further

Resolved, permission include the barricading of West Jackson Street to through traffic, from Plank Road to Niagara Street, from 7am until 1pm; 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, cones and 'street closed' signs as required; and be it further

Resolved, that Niagara Hospice send a letter to affected residents informing them of the race and the closure of West Jackson to through traffic; and be it further

Resolved, that Niagara Hospice file a certificate of insurance with the City Clerk naming the City of Lockport as additional insured.

Seconded by Alderman \_\_\_\_\_ and adopted. Ayes \_\_\_\_\_.

#### **012523.10**

By Alderman \_\_\_\_\_:

Whereas, in resolution 121922.2, the Common Council approved in-house ambulance services;

Whereas, said resolution included \$125,000 in FY 2023 funding for ambulance consultation services, to be primarily focused on the implementation of the first-year revenue cycle, third-party insurance contract negotiation, and other aspects of operations to make ambulance services as effective and efficient as possible;

Where the City distributed a Request for Proposals (RFP) and collected one bid from Municipal Resources Inc. for a fee of \$150 per hour;

Now therefore be it resolved that the Mayor is hereby authorized to enter into an agreement with Municipal Resources Inc for an annual cost not to exceed the budgeted allocation.

Seconded by Alderman \_\_\_\_\_ and adopted. Ayes \_\_\_\_\_.

**012523.11**

By Alderman \_\_\_\_\_:

Whereas, in resolution 121922.2, the Common Council approved in-house ambulance services;

Whereas, said resolution included \$53,219 in FY 2023 funding for emergency service billing service, which is a third party group that would assume billing responsibilities for the City's ambulance operations;

Where the City distributed a Request for Proposals (RFP) and collected two bids: MedEx Billing Inc for 6.8% of revenue / \$15 per Medicaid claim (estimated total of \$52,040 for the year) and Ambulance Medical Billing for either (1) 7% of revenue / \$10 per Medicaid claim (estimated total of \$49,234 for the year) or (2) \$19.50 per claim of any type (for an estimated annual total of \$44,226);

Where the City's Fire Chief and Director of Finance have reviewed the bids and recommends proceeding with MedEx Billing Inc. for their local expertise, professional experience, financial reporting capabilities, and recommendation from provided resources;

Now therefore be it resolved that the Mayor is hereby authorized to enter into an agreement with MedEx Billing Inc..

Seconded by Alderman \_\_\_\_\_ and adopted. Ayes \_\_\_\_\_.

**012523.12**

Whereas, 4<sup>th</sup> Generation Construction Inc., a contractor for the City's GIGP capital project, damaged a street clock located at 50 Main Street at an estimated damage of \$31,000;

Whereas, 4<sup>th</sup> Generation Construction Inc's insurance carrier, Wesco Insurance Co, has issued the City \$31,000 to cover the costs associated to this damage in claim number 3567192-1 with vendor "Essence of Time" on 6672 East Canal Road;

Now therefore be it resolved that the FY 2023 General Fund is hereby amended as follows:

**Increase**

**Revenue**

A.0000.32680	Insurance Recoveries	\$31,000
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**Expenditures**

A.5182.54050	Equipment Maintenance and Repair	\$31,000
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Seconded by Alderman \_\_\_\_\_ and adopted. Ayes \_\_\_\_\_.

**012523.13**

By Alderman \_\_\_\_\_:

Resolved, that the Mayor and Common Council do hereby extend condolences to the family of Paul "Ollie" Oliver, a former laborer in the City of Lockport at Water Distribution, employed from 1972 – 1997, who recently passed away.

Seconded by Alderman \_\_\_\_\_ and adopted. Ayes \_\_\_\_\_.

**012523.14**

By Alderman \_\_\_\_\_:

Resolved, that the Mayor and Common Council do hereby extend condolences to the family of Chuck Sattler, a former Heavy Equipment Operator with the City of Lockport Water Department from 1981 – 2004, who recently passed away.

Seconded by Alderman \_\_\_\_\_ and adopted. Ayes\_\_\_\_\_.

**012523.15**

By Alderman \_\_\_\_\_:

Resolved, that the Mayor and Common Council do hereby extend condolences to the family of Wayne Carpenter, a former laborer with the City of Lockport Highways and Parks Department from 1972 – 1998, who recently passed away.

Seconded by Alderman \_\_\_\_\_ and adopted. Ayes \_\_\_\_\_.

**012523.16**

**ADJOURNMENT**

At \_\_\_\_\_ P.M. Alderman Beakman moved the Common Council be adjourned until 6:30 P.M., Wednesday, February 8, 2023.

Seconded by Alderman \_\_\_\_\_ and adopted. Ayes \_\_\_\_\_.

SARAH K. LANZO  
City Clerk