

CITY OF LOCKPORT
CORPORATION PROCEEDINGS

Lockport Municipal Building

Regular Meeting
Official Record

July 26th, 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, Fogle, Swanson-Gellerson, Kantor, and Lupo.

INVOCATION – Moment of Silence

RECESS

Recess for public input.

072623.1

APPROVAL OF MINUTES

On motion of Alderman Beakman, seconded by Alderman Kantor the minutes of the Regular Meeting of July 12, 2023 are hereby approved as printed in the Journal of Proceedings. Ayes 5. Carried.

FROM THE MAYOR

Appointments:

7/14/2023 Michael E. Tucker, 200 Park Ave., appointed to Water and Sewer Maintenance Worker for the City of Lockport Water Distribution Department effective 7/21/2023. Said appointment is provisional and subject to the City of Lockport Municipal Civil Services Rules and Regulations.

7/14/2023 Jeffrey Cuillo, 20 Windsor Street, appointed to Senior Water and Sewer Maintenance worker for the City of Lockport Water Distribution Department effective 7/21/2023. Said appointment is provisional and subject to the City of Lockport Municipal Civil Services Rules and Regulations.

7/19/2023 Jeremy M. Antonik, 310 Church Street, appointed to Fire Hydrant Maintenance Worker for the Water Distribution Department effective 7/21/2023. Said appointment is provisional and subject to the City of Lockport Municipal Civil Services 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. Reviewed by the Finance Committee.

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

7/21/2023 Sarah K. Lanzo – notification that the bid proposals for the Lockport Raw Water Pump Station Generator Purchase Specifications received on 7/21/2023 are as follows:

Frey Electric Construction	\$188,000.00
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7/21/2023 Sarah K. Lanzo – notification that the bid proposals for the procurement of Kenwood Nexedge Portable Radios and Accessories received on 7/21/2023 are as follows:

FM Communications, Inc.	\$41,514.41
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Notice of Complaint:

7/13/2023 John Public – Millar Place potholes and street sign replacement

7/19/2023 Robert Carlin, 260 Niagara Street - tree

Referred to the Director of Highways, Parks and Water Distribution.

Notice of Claim:

7/10/2023 Glenn Hillman – Moving truck was damaged by low hanging branch on city tree.

Referred to the Corporation Counsel.

Notice of Lawsuit:

6/19/2023 – Tyler Methvin –vs- City of Lockport

MOTIONS & RESOLUTIONS

072623.2

By Alderman Lupo:

Whereas the FY 2023 Capital Budget includes a proposed project for a water and sewer master infrastructure plan to inventory the existing system and strategize a plan that meets the needs of our community; and

Whereas the City published a request for proposal for said project on May 30, 2023 and received one completed bid by June 21, 2023; and

Whereas the City has reviewed the submission and has recommended to pursue a contract with Hunt EAS for a contract total of \$165,000 and estimated \$120,000 for testing and data gathering for a grand project total of \$285,000; and

Whereas the Water and Sewer Funds ended FY 2022 with a fund balance of \$3 million and \$2 million respectively; and

Whereas said fund balances are in excess of the minimum requirement amount and can be utilized for said capital project; now therefore be it

Resolved that the Mayor is authorized to enter into the contract with Hunt EAS (contingent on corporation counsel approval) and that funding is to be allocated from the fund balance of both funds (split evenly) less any upcoming funding availability.

Seconded by Alderman Kantor and adopted. Ayes 5.

072623.3

By Alderman Fogle:

Whereas that pursuant to their request, the Niagara County Clerk's Office is hereby granted permission to host their Purple Heart Award Ceremony and dedication service, in honor of the distinguished members of the United States Armed Forces who were wounded or killed in action. Said event shall take place on August 6, 2023 at 12 noon; and

Whereas a formal Purple Heart ceremony provides an opportunity to express our gratitude, and to pay tribute to their service, and offer support to Purple Heart recipients and their families;

Now therefore it be resolved:

1. Niagara Street shall be closed from 10 am – 3 pm, from the corner of Prospect St to Hawley Street
2. That Hawley Street shall be closed from 10 am – 3 pm, from the corner of Niagara Street to Park Avenue
3. That Park Avenue shall be closed from 10 am – 3 pm, from the corner of Prospect Street to the Navy Marine Club parking lot
4. The City shall provide four sets of bleachers for guests who attend the event
5. The City shall provide two City of Lockport Police Officers for help with traffic control at the beginning and end of the event; and it is further

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

Seconded by Alderman Swanson-Gellerson and adopted. Ayes 5.

072623.4

By Alderman Fogle:

Resolved that pursuant to their request, permission is hereby granted to the residents of Cottage Street, , to barricade said street from Lagrange to High Street on August 12, 2023 from 12 pm – 9 pm 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 the area prior to said event.

Seconded by Alderman Swanson-Gellerson and adopted. Ayes 5.

072623.5

By Alderman Beakman:

Whereas pursuant to Section 61 of the City of Lockport Charter the Common Council has management and control of all real and personal property belonging to the City, and may make such orders concerning same and leases thereof, not to exceed 99 years, as it may deem best for the interest of the City, and

Whereas the Common Council and Mayor would like to inquire as to options regarding the City's compost plant located at 611 W. Jackson St. as it relates to best use options of third party and private companies for the purposes of composting and/or wastewater management, and

Resolved that the Common Council hereby directs the City to publish a Request for Proposal for best use of said land in its current state and be it that each proposal be accompanied by a presentation made to the Common Council to discuss logistics and use of lands.

Seconded by Alderman Lupo and adopted. Ayes 5.

072623.6

By Alderman Swanson-Gellerson:

Resolved that pursuant to their request Lockport Main Street, (hereafter LMS) is hereby granted permission to host Lockfest – Music and Arts for the Whole Family, in collaboration with B & D Bagels on Sunday, August 27, 2023 from 12 pm – 7 pm at Lockview Plaza, said event to include the following:

- Closure of Main Street to through traffic from Cottage Street to Pine Street for the duration of the event
- Street barricades for closures delivered prior to the event
- LMS is granted access to electricity at the light posts along Main Street
- LMS is granted permission for vendors and restaurants to set up along and serve
- LMS is granted permission to place portable sanitation units on Main Street for this event
- Garbage barrels delivered to the Main St. parking lot on Saturday for distribution throughout event on Sunday

Resolved that the Director of Highways, Parks and Water Distribution is authorized and directed to arrange for delivery of refuse containers and barricades to the area prior to the said dates;

And be it further

Resolved that said permission is subject to LMS filing a certificate of insurance, covering all of said events, with the City clerk, naming the City of Lockport as additional insured.

Seconded by Alderman Kantor and adopted. Ayes 5.

072623.7

By Alderman Lupo:

Whereas General City Law 20(3) authorizes the City to accept donations from individuals or organizations, and to use said donations per the restrictions placed on them by the donor, regardless of minimum value; now, therefore, be it

Resolved that the Mayor and Common Council do hereby extend thanks and appreciation to the Sunrise Optimists for a donation of \$600 to be used for Family Fun Night on August 11, 2023; and

Resolved that the FY 2023 General Fund budget be amended as follows:

Revenue			
Increase			
A.8510.32705	Gifts and Donation		\$600
Expenditures			
Increase			
A.8510.54515	Special Supplies		\$600

Seconded by Alderman Kantor and adopted. Ayes 5.

072623.8

By Alderman Beakman:

Whereas General City Law 20(3) authorizes the City to accept donations from individuals or organizations, and to use said donations per the restrictions placed on them by the donor, regardless of minimum value; now, therefore, be it

Resolved that the Mayor and Common Council do hereby extend thanks and appreciation to the Rotary Club of Lockport for a donation of \$32,913 to be used for a pavilion to be used in the Lower Town Loop / Market Street Bathroom (under NASPO contract 10700-15856); and

Resolved that the FY 2023 General Fund budget be amended as follows:

Revenue			
Increase			
A.7110.32705	Gifts and Donation		\$32,913
Expenditures			
Increase			
A.7110.52025	Building and Grounds Equipment		\$32,913

Seconded by Alderman Swanson-Gellerson and adopted. Ayes 5.

072623.9

By Alderman Fogle:

Resolved that pursuant to their request, permission is hereby granted for Short Street to be barricaded at the corner of Short Street and Michigan Avenue for a Fundraiser for Tony Ventura to be held on August 12, 2023 from 3 PM to 9 PM and be it further

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

Seconded by Alderman Swanson-Gellerson and adopted. Ayes 5.

072623.10 WITHDRAWN

072623.11

By Alderman Kantor:

Whereas the owner(s) of the development commonly known as Lockport Professional Park had challenged their property assessment against the City for successive years beginning in 2015 through 2020; and

Whereas the City appeared and answered the suit and defended itself throughout multiple court appearances; and

Whereas all parties reached a settlement in in 2020, which settlement became the subject of additional motion practice in New York State Supreme Court that resulted in a court order determining the precise amount of overpayments during the period of the lawsuits; now be it

Resolved that the FY 2023 General Fund Budget is amended as follows:

Expenditures:

Decrease		
A.1900.54775	Contingencies	\$103,297.60
Increase:		
A.1900.54765	Judgement and Claims	\$103,297.60

Continent upon review and approval by Corporation Counsel.

Seconded by Alderman Beakman and adopted. Ayes 5.

072623.12

By Alderman Kantor:

Whereas, section C-15 of the Charter allows alterations to salaries for elected positions to be made via resolution, only during the July proceeding a general election in which said position is on the docket; and

Whereas, the Council has reviewed the salaries of elected positions and has recommended to amend the salary of the City Treasurer position from \$55,000 to \$61,000, first step effective January 1, 2024, and increases as herein state below; and

Now therefore, be it

RESOLVED, that the City Clerk be, and is hereby directed and authorized to prepare, submit for consideration, and file all resolutions and/or local laws necessary to effectuate the above salary change of the City Treasurer to \$61,000, for the next general election. Said amount shall be implemented as follows:

- Fiscal Year 2024 salary to be \$58,000
- Fiscal Year 2025 salary to be \$59,000
- Fiscal Year 2026 salary to be \$60,000
- Fiscal Year 2027 salary to be \$61,000

All Fiscal Years thereafter the position of City Treasurer shall be paid at the annual rate of \$61,000.

Seconded by Alderman Fogle and NOT adopted. Ayes 2. Alderman Kantor and Fogle voted yes. Nays 2. Alderman Beakman and Lupo voted no. Alderman Swanson-Gellerson abstained.

072623.12A

By Alderman Fogle:

Whereas Make-A-Wish Foundation is providing a pool for Abbie McNett at 36 Gaffney Road through donations of contractors time and services and

Whereas Abbie McNett was diagnosed with Stage 4 Cancer which has been stabilized through radiation and chemo therapy

Now therefore it be

Resolved that the Mayor and Common Council will support the efforts and work of the contractors who installed the pool by waiving the permit and contractor fees related to this project.

Seconded by Alderman Beakman and adopted. Ayes 5.

072623.13

ADJOURNMENT

At 6:51 P.M. Alderman Beakman moved the Common Council be adjourned until 6:30 P.M., Wednesday, August 9, 2023.

Seconded by Alderman Kantor and adopted. Ayes 5.

SARAH K. LANZO
City Clerk