

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

Lockport Municipal Building

Regular Meeting  
Official Record

October 25th, 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, Devine, Fogle, Kantor, and Lupo.

Alderman Swanson-Gellerson -absent

**INVOCATION – Moment of Silence**

**MAYORS UPDATE**

**RECESS**

Recess for public input.

**102523.1**

**APPROVAL OF MINUTES**

On motion of Alderman Beakman, seconded by Alderman Kantor the minutes of the Regular Meeting of October 11th, 2023 are hereby approved as printed in the Journal of Proceedings. Ayes 5. Carried.

**PUBLIC HEARING**

The Mayor announced a public hearing relative to the 2024 tax budget.

The Mayor asked the City Clerk if any petitions or communications relative to said to the proposed 2023 tax budget have been received.

Recess for public input.

The Mayor closed the public hearing.

**PUBLIC HEARING**

The Mayor announced a public hearing on confirming Refuse & Recycling Re-levy.

The Mayor asked the City Clerk if any petitions or communications relative to said Re-levy have been received.  
Recess for public input.

The Mayor closed the public hearing.

### **PUBLIC HEARING**

The Mayor announced a public hearing relative to adjusting water rents.

The Mayor asked the City Clerk if any petitions or communications relative to said proposed rent adjustments have been received.

Recess for public input.

The Mayor closed the public hearing.

### **PUBLIC HEARING**

The Mayor announced a public hearing on a proposed local law to amend the City of Lockport, "Schedule of Sewer Rents and Other Charges."

The Mayor asked the City Clerk if any petitions or communications relative to said proposed local law have been received.

Recess for public input.

The Mayor closed the public hearing.

### **FROM THE MAYOR**

#### **Appointments:**

10/18/2023 Marietta Schrader, 32 Gaffney Road, Lockport, NY has been appointed to the Human Relations Commission. Said term expires July 15, 2026.

10/19/2023 Connor J. McCarthy, 163 Monroe Street, Lockport, NY has been appointed to Building Inspector for the City of Lockport Building Inspection Department effective August 9, 2023. Said appointment is provisional and subject to the City of Lockport Municipal Civil Service rules and regulations.

10/20/2023 Steven D. O'Mara, 197 Jackson Street, Lockport, NY has been appointed to the Human Relations Commission. Said term expires July 15, 2025.

10/20/2023 Jon D. Wiley, 39 Harrison Avenue, Lockport, NY has been appointed to the Human Relations Commission. Said term expires July 15, 2026.

### 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)

10/3/2023 Notification from Michael Davidson, 14809 Alta Canyon 4, Rio Nido, CA of his application to the NYS Office Cannabis Management for an adult-use retail dispensary to be located at 76 East Avenue, Lockport, NY.

10/6/2023 Notification from Morris Oiring of his application to NYS Office of Cannabis Management for an adult-use retail dispensary to be located at 1001 Lincoln Avenue, Lockport, NY.

10/18/2023 Amendment of notification from 5/15/2023. Amy Castle and Jonathan George provided notification of the application to the NYS Office of Cannabis Management of their intent to open an adult use retail dispensary at 55 Lock Street, Lockport, NY. Originally the address was 20 Lock Street, Lockport, NY.

3/20/2023 Notification from Parker Greenman, 34 Chestnut Street, Lockport, NY 14094 of his application to the New York State Liquor Authority for said license.

### **MOTIONS & RESOLUTIONS**

#### **102523.2**

By Alderman Lupo:

**Whereas** resolution #022223.10, adopted by the Common Council at their February 22, 2023 meeting, gave permission to Lockport Main Street, Inc. (hereafter, 'LMS') to hold a series of events throughout the year; and

**Whereas** permission was granted to LMS to conduct the Lockport Community Farmers Market on Saturday's from 9 am – 2 pm through Saturday, October 28<sup>th</sup>;

**Whereas** LMS would like to add November 4<sup>th</sup>, 11<sup>th</sup> and 18<sup>th</sup> to continue the Farmers Market outdoors

**Whereas** LMS has already provided the City Clerk's office with a Certificate of Insurance, naming the City of Lockport as additional insured, for its 2023 events; now therefore, be it

**Resolved** that LMS is hereby granted to extend the Farmers Market by three weeks.

Seconded by Alderman Devine and adopted. Ayes 5.

**102523.3**

By Alderman Kantor:

**Whereas** the Treasurer's Office had to employ the services of a third-party vendor to assist with collection of all fees and/or taxes paid by credit card through a convenience fee payment processing service; and

**Whereas** the Treasurer's Office conducted a survey of available, competent vendors to perform this service to the City; and

**Whereas** following its investigation into the subject, the Treasurer's Office identified the most competent vendor to be Value Payment Systems, LLC, a limited liability company organized under the laws of the State of Tennessee; and

**Whereas** the Treasurer's Office sought input from the Corporation Counsel's Office regarding the terms of said Contract, in 2021, and successfully obtained modifications that were recommended by the Corporation Counsel's Office; and

**Whereas** the Agreement with Value Payment Services, LLC, has been executed by the Mayor and Value Payment Services, LLC on February 17, 2021 for a two-year term with the contract automatically renewing for successive one (1) year periods, unless either party provides written notice to terminate within thirty (30) days of notice thereof from the other party; and

**Now therefore be it resolved** that Mayor is authorized to continue the Contract with Value Payment Services, including the automatic renewal for successive one (1) year periods per the Agreement, with the termination option per the Contract.

Seconded by Alderman Lupo and adopted. Ayes 5.

**102523.4**

By Alderman Fogle:

**Whereas** the City Treasurer submitted to the Common Council all delinquent assessments, penalties, charges or fees and any other amounts to be added to taxes; and

**Whereas** the Common Council conducted a public hearing on October 25, 2023 at 6:30 P.M. in the Common Council Chambers, Lockport Municipal Building, One Locks Plaza, Lockport, New York in accordance with section 155-7 A (Solid Waste) of Chapter 158 of the City Code to confirm the delinquent accounts to re-levy; now, therefore, be it

**Resolved** that the following delinquent accounts totaling \$189,846.21 are hereby confirmed and shall be inserted in the annual tax rolls and be a part of the annual tax

upon said parcels against which such amounts are charged and shall be subject to all the provisions of the City Charter.

<u>Account</u>	<u>Amount</u>
Refuse	\$174,876.21
Relevy Late Fees	\$ 14,970.00
Total Relevy	\$189,846.21

Seconded by Alderman Kantor and adopted. Ayes 5.

### **102523.5**

By Alderman Beakman:

**Resolved** that a public hearing be held at the Common Council meeting on November 8, starting at 6:30PM in council chambers, Lockport Municipal Building, One Locks Plaza, Lockport, NY, relative to a request for a Special Use Permit by Keli and Robert Worden of 100 Irving Street, Lockport, NY 14094 to harbor chickens and quail on the property. And be it further

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

Seconded by Alderman Devine and adopted. Ayes 5.

### **102523.6**

By Alderman Kantor:

**Whereas**, the Salvation Army provides warm shelter for the homeless or persons without heat when the temperature falls below 32 degrees Fahrenheit calling for a "Code Blue"; and

**Whereas**, in order to provide the "Code Blue" Warming Center to City residents, the Salvation Army is dependent upon financing from multiple sources, including municipalities whose residents it services; and

**Whereas**, the Common Council of the City of Lockport desires to provide funding to the Salvation Army in the amount of \$2500.00 to provide "Code Blue" Warming Shelter services from October through April; now therefore, be it

**Resolved**, that the Mayor is authorized and directed to execute a contract with the Salvation Army to operate the Code Blue Warming Shelter for City residents from October 15, 2023 through April 15, 2024, and be it further

**Resolved**, payment to the Salvation Army shall not exceed \$2500.00 for the operation of the Code Blue Warming Shelter from October 15, 2023 through April 15, 2024, and said funds shall be expended from the A.8510.54075 Service Contracts and be it further

**Resolved**, that the Mayor is hereby authorized to declare a “Code Blue” when the weather conditions indicate the temperature will fall below 32 degrees Fahrenheit overnight and shall notify the Salvation Army to open the Code Blue Warming Shelter, and that this resolution shall take effect immediately.

Seconded by Alderman Devine and adopted. Ayes 5.

**102523.7**

By Alderman Fogle:

**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 25, 2023:

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

**Resolved** that said permissions are subject to approval for the routes by the Police Chief

**And be it further**

**Resolved**, that the Director of Highways, Parks and Water Distribution 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 Kantor and adopted as amended. Ayes 5.

**102523.7A**

By Alderman Lupo:

**Resolved** that a public hearing be held on November 8<sup>th</sup> at the Common Council Meeting, starting at approximately 6:30 PM in the Common Council Chambers, Lockport Municipal Building, One Locks Plaza, Lockport NY relative to the Comprehensive Plan and Zoning code update.

**Resolved** that the City Clerk is hereby authorized and directed to advertise notice of said public hearing and be it further

**Resolved** that the City Common Council is recommending the Comprehensive Plan be forwarded to the City Planning Board for consideration at its next meeting on November 6<sup>th</sup>.

Seconded by Alderman Devine and adopted. Ayes 5.

**102523.7B**

By Alderman Beakman:

**Whereas** there was a structure fire at 96 Locust Street, Lockport, NY, on October 19, 2023; and

**Whereas** pursuant to Chapter 72-6 of the Lockport City Charter, *Determination of unsafe buildings; Notice to repair or demolish*, the City of Lockport shall consider the report of the Building Inspector and, if in their opinion the report so warrants, shall determine that the building is unsafe and order its demolition or repair, if the same can be safely repaired, and further order that a notice shall be given to the owner; and

**Whereas** the fire damage to the structure was deemed a total loss of the property by the Lockport Fire Department, and the Building Inspector has rendered an opinion in his report dated October 23, 2023, that the building is unsafe and should be demolished; and

**Whereas** pursuant to Chapter 72-6 of the Charter, the City shall determine the structure to be unsafe and be demolished, based on the Fire Chief and Chief Inspector's formal opinions; and

**Now therefore be it**

**Resolved** that the building located at 96 Locust Street is deemed unsafe and a total loss, and must be demolished; and be it further

**Resolved** that the City directs that the City Inspector provide personal notice to the owner of the property located at 96 Locust Street regarding the demolition, pursuant to the Notice requirements of Chapters 72-6(b) and 72-7, including but not limited to notice of the demolition, right to a hearing and date of time of same, and a statement that if the owner refuses to follow the order to demolish the building, the City of Lockport is authorized to provide for its demolition, to assess all expenses thereof against the land on which it is located, and to institute a special proceeding to collect the costs of demolition, including legal expenses; and it is further

**Resolved** that In the event of neglect or refusal of the persons so notified to comply with said order of the City of Lockport, the City of Lockport shall provide for the demolition and removal of such building either by City employees or by contract. Except in an emergency, any contract in excess of \$20,000 shall be awarded by competitive bidding pursuant to section 72-9 of the City Charter.

Seconded by Alderman Devine and adopted. Ayes 5.

### **102523.7C – (Motion added on the floor)**

By Alderman Beakman:

**Resolved**, that pursuant to their request, Lockcity Moose Lodge, is hereby granted permission to conduct their "Trunk-or-Treat" on Saturday, October 28, 2023, at 204 Monroe Street, barricading the corner of Monroe St and Water St from 5 pm - 7 pm. Said permission is subject to the Lockcity Moose Lodge filing a certificate of insurance with the City Clerk naming the City of Lockport as additional insured.

**Resolved**, that the Director of Highways, Parks and Water Distribution is hereby authorized and directed to arrange for delivery of barricades and street closing signs prior to the event.

Seconded by Alderman Fogle and adopted. Ayes 5.

**102523.8**

**ADJOURNMENT**

At 6:59 P.M. Alderman Beakman moved the Common Council be adjourned until 6:30 P.M., Wednesday, November 8<sup>th</sup>, 2023.

Seconded by Alderman Kantor and adopted. Ayes 5.

SARAH K. LANZO  
City Clerk