

CITY OF LOCKPORT
CORPORATION PROCEEDINGS

Lockport Municipal Building

Regular Meeting
Official Record

October 11, 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, Swanson-Gellerson, Kantor, and Lupo.

INVOCATION

RECESS

Recess for public input.

101123.1

APPROVAL OF MINUTES

On motion of Alderman Beakman, seconded by Alderman _____, the minutes of the Regular Meeting of September 27th, 2023 are hereby approved as printed in the Journal of Proceedings. Ayes _____. Carried.

FROM THE MAYOR

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)

Notice of Complaint:

9/13/2023 John and Elizabeth Taylor, 70 Trowbridge Street – tree, potholes.
9/19/2023 Shelley Henderson, 204 Olcott Street – tree

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

Notice of Claim:

9/6/2023 Dawn Bauer, 2630 West Church St, Eden – falling tree limb caused vehicle damage.
9/26/2023 Lodina Clyburn, 500 Washington St., vs. Town of Lockport, City of Lockport and Niagara County.

Referred to the Corporation Counsel.

MOTIONS & RESOLUTIONS

101123.2

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>Employee</u>	<u>Years of Service</u>	<u>Title</u>
Joanie M. Demchik-Black	25	Dog Control Officer
George W. Wiley IV	15	Senior Water Maintenance Worker
Justin S. O'Connor	5	School Resource Officer
Brent A. Russell	5	Police Officer

Seconded by Alderman _____ and adopted. Ayes _____.

101123.3

By Alderman:_____

Whereas Section 155-7 A (Solid Waste) of Chapter 158 of the City Code states that unpaid residential and commercial user fees for collection of refuse and recycling shall be the personal liability of the owner, and

Whereas any delinquent assessment, penalty, charge or fee remaining unpaid by May 15 is added to the upcoming year's tax bill for the parcel of property against which it is a lien, and

Whereas the amount added to taxes shall include late payment charges accrued through June 30 plus an additional administrative charge equal to \$15 for each delinquent account, and

Whereas late payment charges shall not continue to accrue after June 30 against any assessment, penalty, charge or fee which is added to taxes, and

Whereas, the City Treasurer will submit to the City Council all delinquent assessments, penalties, charges or fees and any other amounts to be added to taxes, and

Whereas upon receipt of such delinquent amounts the Council must hold a public hearing, and

Whereas after making any amendments or corrections to the list of delinquent accounts the Common Council will by resolution confirm said amounts, and

Whereas upon confirmation of said amounts the City will insert the delinquent accounts in the annual tax rolls and which shall become a part of the annual tax upon the respective parcels against which such amounts are charged and shall be subject to all the provisions of the City Charter; now, therefore, be it

Resolved that the Corporation Counsel is hereby authorized and directed to prepare a resolution listing the re-levies and the dollar amount to be added to the tax rolls, and be it further

Resolved that a public hearing be held at the Common Council meeting on Wednesday, October 25, 2023, starting at approximately 6:30 P.M. relative to said resolution for re-levy, and be it further

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

Seconded by Alderman _____ and adopted. Ayes ____.

101123.4

By Alderman: _____

Resolved that a public hearing be held at the Common Council Meeting of Wednesday, October 25, 2023 starting at 6:30 P.M. in the Common Council Chambers, Lockport Municipal Building, One Locks Plaza, Lockport, NY relative to the proposed 2024 budget, and be it further

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

Seconded by Alderman _____ and adopted. Ayes ____.

101123.5

By Alderman: _____

Whereas pursuant to Section 452 of the General Municipal Law and Section 185-8 (Water) of the City of Lockport Code, the Common Council is authorized to adjust a schedule of water rents and other charges after a hearing upon five days' notice; now, therefore, be it

Resolved that a Public Hearing be held at the Common Council Meeting of Wednesday, October 25, 2023 starting at 6:30PM in the Common Council Chambers, Lockport Municipal Building, One Locks Plaza, Lockport, NY relative to adjusting water rents and other charges, and be it further,

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

Seconded by Alderman _____ and adopted. Ayes ____.

101123.6

By Alderman: _____

Resolved that the Corporation Counsel is hereby authorized to prepare a Local Law relative to amending the sewer rate schedule, and be it further

Resolved that a public hearing be held at the Common Council meeting of October 25, 2023 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 _____ and adopted. Ayes ____.

101123.7

By Alderman:_____

Whereas the City of Lockport has collective bargaining agreements with various unions that cover virtually all of its employees with the exception of a few managerial and confidential employees; and

Whereas the City of Lockport enacted an Unrepresented Employees Policy on October 24, 2018 to provide the general terms of employment and respective compensation; and

Whereas the City has determined that it is necessary to update this policy; and

Whereas the Common Council has reviewed that attached Unrepresented Employees Policy and approve the same; and

Whereas a further modification has been made to said Policy correcting the manner in which employee health insurance contributions shall be made; and

Now therefore be it resolved that the City of Lockport hereby adopts and approves the Unrepresented Employees Policy.

Seconded by Alderman _____. Ayes _____.

101123.8

By Alderman _____:

Resolved that Tuesday, October 31, 2023 is hereby designated as Halloween Day in the City of Lockport, with the hours for trick or treating scheduled from 4 pm to 7 pm.

Seconded by Alderman _____. Ayes _____.

101123.9

By Alderman Fogle:

Resolved that pursuant to their request, permission is hereby granted to Lockport Main Street, Inc. to hold a Downtown Trick or Treating Celebration on Friday, October 27th between 5:00 PM and 7:00 PM

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

Seconded by Alderman _____ and adopted as amended. Ayes ____.

101123.10 WITHDRAWN

101123.11

By Alderman _____:

Resolved that the Mayor and the Common Council do hereby extend condolences to the family of Joseph Morello, former City of Lockport Assistant Fire Chief, employed from 1989-2021, who recently passed away.

Seconded by Alderman _____ and adopted. Ayes _____.

101123.12

ADJOURNMENT

At _____ P.M. Alderman Beakman moved the Common Council be adjourned until 6:30 P.M., Wednesday, October 25th, 2023.

Seconded by Alderman _____ and adopted. Ayes _____.

SARAH K. LANZO
City Clerk

I HEREBY CERTIFY that the persons named
in this payroll are employed solely in and have
actually performed the duties of positions and
employment indicated for the period ending

9/14/23 PAID on date 9/21/23

is approved at dollars, \$ 560082.05

Civil Service Mary H. Feltner

Pay Batch 9/21/23 Total

Employees in Pay Batch 221

Female Employees in Pay Batch 53

Hours Description	Hours	Gross	Withholdings and Deductions	Gross Base	Benefits	Gross Base
207A Disability - 207A Disability	160.0000	2,239.19	Gross	560,088.05	Health Ins 298 Class 2 Family	27,024.95 .00
BERV - Bereavement	99.0000	2,699.27	Imputed Income		Health Ins 298 Class 2 Single	9,943.89 .00
CMPE 1.0 - Comp Earned @ 1.0	164.2500	.00	Federal	64,453.75	Health Ins 298 Class 3 Family	79,353.31 .00
CMPE 1.5 - Comp Earned @ 1.5	5.0000	.00	FICA	34,085.99	Health Ins 298 Class 3 Single	8,329.54 .00
CMPU - Comp Time Used	318.2500	11,787.23	Medicare	7,971.70	Health Ins 298 Class 4 Family	5,183.65 .00
COVID - CORONA VIRUS HOUR	21.0000	625.59	New York State	26,748.04	Health Ins 298 Class 4 Single	1,217.83 .00
EDAY - Extra Day	160.0000	5,667.70	457 % Deduction	6,565.85	Total	\$131,053.17
FHDE - Floating Holiday Earned	423.0200	.00	457 Flat Dollar Deduction	10,725.38		
FHDU - Floating Holiday Used	592.0000	17,942.01	AFLAC POSTTAX	233.75	Employer Taxes	Gross Base
FLSA - FLSA	.0000	103.02	AFLAC PRETAX	415.06	FICA	34,085.99 549,773.57
FMLS - FMLA Sick Used	64.0000	1,899.92	ALLSTATE POSTTAX	735.28	Medicare	7,971.70 549,773.57
HOL - Holiday	762.0000	19,276.69	ALLSTATE PRETAX	597.92	Total	\$42,057.69
HOLIDAYPT - Holiday - Part Time	7.0000	148.43	Child Support	737.00		
HOLW - Holiday Worked	184.0000	10,367.95	Child Support - Maine	202.00	Workers' Comp	Gross Base
HOT 2.25 - Holiday Overtime 2.25	20.0000	1,762.94	COLONIAL LIFE POSTTAX	55.40	Workers Compensation - General	25,235.70 425,185.69
LONG - Longevity Payment	.0000	1,400.00	Firefighter Life Ins	101.67	Workers Compensation - Sewer	2,787.83 44,863.46
LWOP - Leave Without Pay	80.0000	.00	FSA PRETAX	656.61	Workers Compensation - Water	2,441.04 46,040.85
MILI - Military Time	8.0000	269.53	Health Ins 298 Class 2 Family	2,189.44	Workers Compensation 50%	965.30 8,271.47
OOT - Out of Title	650.0000	24,620.84	Health Ins 298 Class 2 Single	1,026.23	Total	\$31,429.87
OOT OT 1.5 - Out of Title OT at	4.0000	117.95	Health Ins 298 Class 3 Family	1,164.08		
OT 1.0 - Overtime at Straight 1.0	10.0000	380.33	Health Ins 298 Class 3 Single	638.12	Direct Deposits	Amount
OT 1.5 - Overtime @ 1.5	1,456.5500	67,137.53	Health Ins 298 Class 4 Family	523.12	Armed Forces Bank	1,238.15
OT 1.5 SHIFT 10% - OT @ 1.5	130.0000	5,125.61	Health Ins 298 Class 4 Single	135.31	Bancorp Bank	1,492.52
OT 1.5 SHIFT 15% - OT @ 1.5	48.0000	1,978.44	L&M LIFE	24.68	Bank of Akron	3,407.07
PRSE - Personal Earned	8.0000	.00	NEW YORK LIFE	301.38	Bank of America	5,295.79
PRSU - Personal Used	69.0000	1,570.78	RET ERS LOANS	1,692.55	BANK OF AMERICA (2)	1,861.41
REG - Regular	10,738.7500	317,691.22	RET PF SEC 414H ARREARS	63.62	BANK OF AMERICA (4)	1,196.85
REG PT - Regular Part Time	254.2500	7,203.10	Retire ERS Tier 6 <= \$100,000	560.84	Bank on Buffalo	2,767.51
REG SHIFT 10% - Regular Shift	64.0000	1,538.86	Retire ERS Tier 6 <= \$45,000	1,732.94	Chase	2,255.60
REG SHIFT 15% - Regular Shift	176.0000	4,685.72	Retire ERS Tier 6 <= \$45,000 OT	120.20	Chase Bank	1,931.47
REGS - Regular Seasonal	151.5000	2,254.80	Retire ERS Tier 6 <= \$55,000	760.40	Chime	150.00
RET REF1 - Ret Refund Contrib &	.0000	729.40	Retire ERS Tier 6 <= \$55,000 OT	220.53	Citizens Bank	10,981.82
RETRO - Retroactive Pay	.0000	(58.39)	Retire ERS Tier 6 <= \$75,000	716.66	Cornerstone Comm FCU	124,199.93
RGS - Regular - Salary	70.0000	.00	Retire PFRS <= \$55,000	1,780.48	Evans Bank	3,228.26
SAL - Salary	.0000	3,806.51	Retire PFRS Tier 6 <= \$100,000	1,080.83	Financial Trust FCU	100.00
SAL PT - Salary Part Time	.0000	1,865.37	Retire PFRS Tier 6 <= \$75,000	1,653.65	Five Star Bank	884.58
SCKD - Sick Bank Donated	32.0000	.00	Retire PFRS Tier 6 <=	83.94	Key Bank	31,886.73
SCKE - Sick Earned	1,961.2500	.00	Retire PFRS Tier 6 <= \$45,000	897.05	KEY BANK (2)	2,665.89
SCKR - Sick Bank Received	32.0000	1,198.20	Retire PFRS Tier 6 <= \$55,000	265.37	Key Bank (Formerly FNB)	22,339.18

City of Lockport

I HEREBY CERTIFY that the persons named
in this payroll are employed solely in and have
actually performed the duties of positions and
employments indicated for the period ending
9/28/23, PAID on date 10/5/23
is approved at dollars, \$ 556,099.00

Civil Service Mary Pat Felbert

Pay Day Register

Pay Date Range 09/15/23 - 09/28/23

Pay Batch 10/5/23

Pay Batch 10/5/23 Total

Employees in Pay Batch 220

Female Employees in Pay Batch 220

Hours Description	Hours	Gross	Withholdings and Deductions	Gross Base	Benefits	Gross Base
207A Disability - 207A Disability	160.0000	1,790.00	Gross	556,099.00	Health Ins 298 Class 2 Family	26,029.76
BERV - Bereavement	19.5000	448.17	Imputed Income		Health Ins 298 Class 2 Single	9,943.89
CMPE 1.0 - Comp Earned @ 1.0	282.2500	.00	Federal	62,988.84	Health Ins 298 Class 3 Family	78,383.22
CMPE 1.5 - Comp Earned @ 1.5	5.0000	.00	FICA	33,911.60	Health Ins 298 Class 3 Single	8,329.54
CMPU - Comp Time Used	441.5000	13,008.28	Medicare	7,931.03	Health Ins 298 Class 4 Family	5,183.65
COVID - CORONA VIRUS HOUR	64.0000	2,682.00	New York State	26,481.76	Health Ins 298 Class 4 Single	1,217.83
EDAY - Extra Day	176.0000	6,206.54	457 % Deduction	6,094.42	Total	\$129,087.89
FHDU - Floating Holiday Used	340.0000	10,635.24	457 Flat Dollar Deduction	10,725.38		
FLSA - FLSA	.0000	655.94	AFLAC POSTTAX	233.75	Employer Taxes	Gross Base
OOT - Out of Title	778.0000	31,984.01	AFLAC PRETAX	415.06	FICA	33,911.60
OOT OT 1.5 - Out of Title OT at	8.5000	250.64	ALLSTATE POSTTAX	735.28	Medicare	7,931.03
OOT OT SHIFT 10% - OOT OT	12.0000	389.23	ALLSTATE PRETAX	597.92	Total	\$41,842.63
OT 1.0 - Overtime at Straight 1.0	22.5000	981.73	Child Support	737.00		
OT 1.5 - Overtime @ 1.5	1,558.7500	71,806.74	Child Support - Maine	202.00	Workers' Comp	Gross Base
OT 1.5 SHIFT 10% - OT @ 1.5	48.0000	1,762.08	COLONIAL LIFE POSTTAX	55.40	Workers Compensation - General	25,373.60
OT 1.5 SHIFT 15% - OT @ 1.5	8.0000	345.07	FSA PRETAX	656.61	Workers Compensation - Sewer	2,909.04
PRSU - Personal Used	141.0000	4,615.61	Health Ins 298 Class 2 Family	2,189.44	Workers Compensation - Water	2,208.56
REG - Regular	11,738.0000	341,898.67	Health Ins 298 Class 2 Single	1,026.23	Workers Compensation 50%	965.30
REG PT - Regular Part Time	278.5000	7,556.14	Health Ins 298 Class 3 Family	1,164.08	Total	\$31,456.50
REG SHIFT 10% - Regular Shift	176.0000	4,477.44	Health Ins 298 Class 3 Single	638.12		
REG SHIFT 15% - Regular Shift	216.0000	5,787.75	Health Ins 298 Class 4 Family	523.12	Direct Deposits	Amount
REGS - Regular Seasonal	127.0000	1,871.80	Health Ins 298 Class 4 Single	135.31	Armed Forces Bank	1,188.15
RETRO - Retroactive Pay	.0000	(58.39)	L&M LIFE	24.68	Bancorp Bank	1,635.53
RGS - Regular - Salary	70.0000	.00	NEW YORK LIFE	309.30	Bank of Akron	3,119.22
SAL - Salary	.0000	3,806.51	Pearl Insurance through CSEA	241.44	Bank of America	4,933.62
SAL PT - Salary Part Time	.0000	1,865.37	RET ERS LOANS	1,691.55	BANK OF AMERICA (2)	1,537.92
SCKD - Sick Bank Donated	32.0000	.00	RET PF SEC 414H ARREARS	86.02	BANK OF AMERICA (4)	1,278.38
SCKE - Sick Earned	32.0000	.00	Retire ERS Tier 6 <= \$100,000	560.84	Bank on Buffalo	2,628.14
SCKR - Sick Bank Received	32.0000	1,198.20	Retire ERS Tier 6 <= \$45,000	1,775.99	Chase	2,255.59
SCKU - Sick Used	540.0000	16,865.47	Retire ERS Tier 6 <= \$45,000 OT	168.21	Chase Bank	1,902.03
STIP - Stipend	.0000	192.31	Retire ERS Tier 6 <= \$55,000	760.94	Chime	150.00
VACU - Vacation Used	726.0000	23,076.45	Retire ERS Tier 6 <= \$55,000 OT	49.22	Citizens Bank	10,716.33
Total	18,032.5000	\$556,099.00	Retire ERS Tier 6 <= \$75,000	657.90	Cornerstone Comm FCU	119,815.68
			Retire PFRS <= \$55,000	1,767.29	Evans Bank	3,424.23
			Retire PFRS Tier 6 <= \$100,000	1,016.95	Financial Trust FCU	100.00
			Retire PFRS Tier 6 <= \$75,000	1,722.50	Five Star Bank	387.11
			Retire PFRS Tier 6 <=	129.50	Key Bank	32,181.83
			Retire PFRS Tier 6 <= \$45,000	902.50	KEY BANK (2)	3,010.81
			Retire PFRS Tier 6 <= \$55,000	290.80	Key Bank (Formerly FNB)	23,254.44
				8,309.42		

September 13, 2023

Dear Mayor Michelle Roman,

I'm writing in concern about a tree that is dead and is on city property
And is close to our house. (It is on the paper Green Street) this is a path from
Trowbridge Street to Passaic St. I spoke to you last fall about this and wrote a
Letter September 1, 2022 and dropped it off at city hall.

The guys did come out to check it out and said that they would need the
Bucket to get it down, but heard nothing. Now a year later.

We are very concerned that if we have a bad storm that this is going
Fall on our house, or toward the field where the kids walk the path back and forth
To school.

We would also ask that you would consider repaving our street. We
Have a lot of potholes, (some have been filled). But when your driving down the
Street and you have a dump truck or school buses coming towards you, you have to
Almost have to pull over to side of road for them to get by. The last time they
Did our street they milled it and they put down stone and the oil. It was not
Paved like the other streets. It would be greatly appreciated if this could be
taken of.

On Niagara Street as you cross over the railroad tracks coming toward Trowbridge St
On the right is a limb that hangs over Niagara St that is cracked and very concerning with
Everyday travel that it may cause a unsafe sitution.

Thank You and looking forward to hearing from you.

John and Elizabeth Taylor
70 Trowbridge Street
716-433-2728

complaint
RECEIVED

SEP 15 2023

CITY CLERK OFFICE
emailed

complaint

Tuesday, September 19, 2023

Shelley M Henderson
204 Olcott St
Lockport, NY 14094

RECEIVED

SEP 20 2023

CITY CLERK

Re: Request for removal of city tree

To Whom It May Concern

I am contacting you about the tree in front of our house, between our side walk and street. Over past years I have noticed a decline in the condition of the trunk. Ants have been killing it from the inside/out.

We recently had work done on our backyard maple and I had our tree guy check the front tree. There is a wide gap and a split going up the trunk to where the main branches V off. He was able to stick his hand into the trunk in several areas.

He recommended that we notify you about it's poor condition.

If this tree goes down it will be doing damage to my house, the neighbors and taking the power lines with it.

We would greatly appreciate someone from the city coming out to see the damage for themselves. We love all our trees and never like to see them come down, but this one surely needs to.

Sincerely,



claim \$500.00
deductible

RECEIVED

SEP 08 2023

CITY CLERK OFFICE

Lockport Municipal Building

Attention: City Clerk

One Locks Plaza

Lockport, New York 14094

Dawn M Bauer

2630 West Church Street

Eden, New York 14057

September 6, 2023

Re: Tree falling on vehicle damage

Police and MVP report by Officer Smith 7/16/2023

BL-008913-23

On July 16, 2023, at approximately 3 pm, I was at my daughter's home at 445 East Avenue in Lockport but parked on the side of her home on the street on Livingston Place. Someone at my grandson's birthday party called to my attention around 3 pm hour that they saw a huge tree branch had fallen on my car.

I called the police to report it, and pictures were also taken. He stated that he would take a report and report it also as a MVA for insurance reasons. I have collision on my policy and Geico did repair the damage, but I was charged \$500 for my deductible. It was mentioned, however, that since this is a tree that basically was unkept and on the property of the City of Lockport, I may be able to request reimbursement for my paid deductible.

When I called the City Clerk's Office of Lockport, a Sara told me to email a request to the cityclerk@lockportny.gov, which I did, and that was back in August of 2023 but have not received a response to date.

I was told to request to file a claim with the City of Lockport. I look forward to your response and have included the copy of the email, the collision report and other information Geico sent me relative to this claim. Thank you.

Dawn M Bauer

(716) 997-6007

Enclosures

RECEIVED

SEP 26 2023

CITY CLERK OFFICE
hand delivered

IN THE MATTER OF THE CLAIM OF:

LODINA CLYBURN
500 Washington Street
Upper Apt.
Buffalo, NY 14203

Claimant,

-against-

TOWN OF LOCKPORT
6560 Dysinger Road
Lockport, NY 14094

CITY OF LOCKPORT
One Locks Plaza
Lockport, NY 14094

NIAGARA COUNTY
175 Hawley Street
P.O. Box 461
Lockport, NY 14094

NOTICE OF CLAIM

Respondent.

PLEASE TAKE NOTICE that **LODINA CLYBURN**, hereby makes claim against **TOWN OF LOCKPORT, CITY OF LOCKPORT** and **NIAGARA COUNTY** in support thereof Claimant alleges:

1. That the undersigned Claimant, **LODINA CLYBURN**, residing at 500 Washington Street, Upper Apt., Buffalo, NY 14203, by and through her Attorney, **STEPHEN J. PALUCH**, of the Law Firm of William Mattar, P.C., 6720 Main Street, Suite 100, Williamsville, NY 14221-5986, claims damages against the **TOWN OF LOCKPORT, CITY OF**

LOCKPORT and NIAGARA COUNTY, for personal injuries, pain and suffering, general and special damages, medical expenses, lost wages and property damages sustained by her.

2. That the said injuries were sustained by LODINA CLYBURN on June 30, 2023 at approximately 5:25 PM. At said date and time, Claimant, Lodina Clyburn, was injured when she was riding her motorcycle Northwest on Stone Road at its intersection Johnson Road, she attempted to make a right turn onto Johnson Road, and lost control of her motorcycle due to a large amount of gravel strewn about across Johnson Road at said intersection. Said gravel constituted a hazardous and dangerous condition which was created by the Respondents, through their officers, agents, and/or employees, who had repaved an area of Johnson Road near the accident site, and left construction debris in the form of large deposits of gravel strewn about Johnson Road at its intersection with Stone Road. Said debris in the roadway constituted a dangerous and hazardous condition in the roadway causing the Claimant to lose control of her motorcycle. The Claimant was taken by Ambulance to ECMC hospital where she had surgery Open Reduction Internal Fixation Surgery, with plates and screws to repair fractured left tibia and fibia. See police accident report attached hereto as **Exhibit A**. Also see photographs of the intersection showing said gravel in the intersection in the same or similar condition as it was at the time of the accident. **Exhibit B**.
1. The Respondents, Town of Lockport, City of Lockport, and County of Niagara were negligent, in that they improperly maintained, managed, operated, supervised, inspected

and/or repaired the roadway and/or created a hazardous roadway by allowing debris and/or other defective conditions. Moreover, the Claimant's damages and injuries occurred as a result of the negligence, carelessness, and reckless disregard for the safety of others including Claimant by Respondents, through their servants, agents or employees by failing to adequately label, provide signage, or otherwise warn of the rough road ahead, and/or clear the road way of construction debris, along with other acts of negligence, carelessness and recklessness.

3. That the aforesaid Respondents by and through their agents, servants and employees had actual or constructive notice of the dangerous condition and hazard caused by said unsafe roadway and failed to remedy and/or warn of said dangerous conditions.
4. That as a result of the foregoing, the Claimant, LODINA CLYBURN, sustained very serious injuries, sustaining a fractured left tibia and fibia requiring Open Reduction Internal Fixation Surgery and other injuries. Some of these injuries will be of a permanent or indefinite duration, and Claimant, LODINA CLYBURN, has and will, in the future be forced to expend sums of money for hospitals, doctors and other medical expenses along with lost wages from her job as a retired Law Enforcement-Security Guard.

That the said injuries were occasioned solely and wholly as a result of the negligence of the **TOWN OF LOCKPORT, CITY OF LOCKPORT and NIAGARA COUNTY** and through her agents, servants and employees and without any negligence on the part of the Claimant contributing thereto.


DATED: Williamsville, New York
 September 26, 2023

A handwritten signature in black ink, appearing to read 'SPALUCH', written over the printed name.

STEPHEN J. PALUCH, Esq.
Attorney for Claimant
Office and P.O. Address
6720 Main Street
Suite 100
Williamsville, NY 14221-5986
(716)633-3535

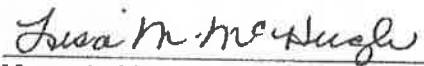
STATE OF NEW YORK)
COUNTY OF ERIE) ss:

LODINA CLYBURN being duly sworn, depose and say that she is the Claimant in this action; that she has read the foregoing Notice of Claim and know the contents thereof; that the same is true to the knowledge of deponents, except as to matters therein stated to be alleged on information and belief, and that as to those matters they believe them to be true.



LODINA CLYBURN

Sworn to before me this
26th day of September, 2023



Notary Public

LISA M. McHUGH
Notary Public, State of New York
No. 01MC4999459
Qualified in Erie County
Commission Expires July 27, 2026

Employee Anniversary Report October

Employee	Primary Department	Date	Years
1191 Crego, Peggy S	Police Department	10/29/1990	33
1197 Demchik-Black, Joanie M <i>Dog control officer</i>	Police Department	10/04/1998	25
1052 Wiley IV, George W	Water Distribution	10/08/2008	15
1181 O'Connor, Justin S	Police Department	10/02/2018	5
1182 Russell, Brent A <i>Police Officer</i>	Police Department	10/03/2018	5
1307 Dunn, Jeffrey S	Public Works	10/22/2019	4
Total Employees 6			

→ Sr Water Maintenance Worker

→ School Resource Officer

Deputy City Clerk

From: Teresa Rucci <trucci@lockportny.gov>
Sent: Wednesday, September 27, 2023 12:03 PM
To: 'Sarah K. Lanzo'; 'Deputy City Clerk'
Cc: 'Sue A. Mawhiney'
Subject: 2023 Refuse Relevy
Attachments: Relevy report update mode 2023.PDF

Hi Ladies,

I have releved the Refuse for 2023 and this will be added to the 2024 City Tax bill. I am forwarding you the file as it needs to be approved by the council in October and there is a public hearing that would need to be done prior to the end of October.

Refuse Relevy	\$174,876.21
Relevy Fee	\$ 14,970.00

Total Relevy	\$189,846.21
--------------	--------------

Please let me know if you have any questions.

Have a nice day



Teresa M. Rucci
Deputy Treasurer
City of Lockport
716-439-6742



CITY OF LOCKPORT
One Locks Plaza
Lockport, New York 14094
(716) 439-6631
E-mail: trusso@lockportny.gov

TIM RUSSO
Director of Finance

~ FINANCIAL OPINION MEMO ~

July 22, 2023

To: Mayor Roman and Common Council
From: Timothy Russo, Director of Finance

Regarding: Update to Unrepresented Agreement
Data Used in Determination: Proposed Agreement, New World Personnel Data
Other Parties Consulted / Referenced / Involved in Determination: N/A

The unrepresented agreement has not been fully reviewed or modified in many years. This alteration would amend the document with a number of alterations, but notably includes the following:

- A new cost of living adjustment (COLA) that takes place January 1st of each year beginning in FY 2024. It is defined as the average of the COLAs found in the CSEA and Department Head contracts.
- Incorporation of the 3% COLA retro dated to 1/1/2023 for the Corporation Counsel and Deputy Corporation Counsel positions (as approved in the FY 2023 appropriation).
- A newly included City Clerk position is added into the agreement per recent judge ruling, established at a rate equivalent to that of a department head grade 2 step 2. This would take effect when Council approves this contract.

Current and Future Costs

The below exhibit shows costs from FY 2023 to FY 2026 for current employees firstly based on the existing agreement and secondly based off of this proposal (which includes the new COLA).

Current Costs		FY 2023	FY 2024	FY 2025	FY 2026
	Wages	\$ 319,783	\$ 331,777	\$ 335,772	\$ 348,367
	FICA	\$ 24,463	\$ 25,381	\$ 25,687	\$ 26,650
	Retirement	\$ 16,806	\$ 17,647	\$ 17,647	\$ 18,529
	Total	\$ 361,053	\$ 374,804	\$ 379,105	\$ 393,546
Proposed Costs		FY 2023	FY 2024	FY 2025	FY 2026
	Wages	\$ 325,401	\$ 343,414	\$ 357,697	\$ 374,235
	FICA	\$ 24,893	\$ 26,271	\$ 27,364	\$ 28,629
	Retirement	\$ 17,029	\$ 18,180	\$ 18,898	\$ 19,812
	Total	\$ 367,324	\$ 387,866	\$ 403,959	\$ 422,676
	Cost	\$ 6,271	\$ 13,061	\$ 24,854	\$ 29,130

Costs in FY 2023 amount to \$6,271, of which \$4,000 has already been budgeted in the FY 2023 appropriation (this being the 3% COLA for the City and Deputy Attorneys). The remaining is due to the increased salary of the City Clerk, which would not require a budget amendment due to vacancy savings experienced in the department earlier this year. In FY 2024, costs would increase by \$13k compared to today's costs, which is the equivalent of a 0.10% property tax rate increase. The following year, costs increase by \$25k, or \$18k greater than the last year, which is an equivalent property tax rate increase of 0.14% from FY 2024. Finally in FY 2025, costs compared to the current contract increase by \$29,130, which is a 0.08% property tax rate increase from the prior year.

The current CSEA and Department Head contracts only go until FY 2026 and as such, no FY 2027 or FY 2028 analysis is provided.

Thank you,

A handwritten signature in dark ink, appearing to read 'Tim Russo', is positioned above the printed name.

Tim Russo
Finance Director

Purpose

The purpose of this policy is to provide Unrepresented Department Heads, Management Employees, and Management-Confidential employees with a reference for the basic terms and conditions of employment with the City of Lockport.

The City is committed to providing the highest quality of services to the citizens of the City of Lockport. The administrative employees of the City are one of the essential elements required to fulfill this commitment. Through their leadership and professionalism, the City's philosophy and policy is manifested in the efficient and effective operation of the City Departments.

The City Council values the dedication and service of its administrative employees. The policy and the provisions contained herein establish and provide the terms and conditions of employment for Unrepresented Department Heads, Management, and Management-Confidential personnel in the employment of the City of Lockport Government. This policy statement is intended to provide those employees with a better understanding of the privileges and responsibilities of their positions and to assist in the mission of the professional delivery of services in the City of Lockport.

Guidelines

The term "Administrative employee" is used in this policy manual to refer to all employees who occupy positions that are exempt from the bargaining unit under the Taylor Law. For the purposes of this manual, we have defined the administrative employees by using four major categories, which are explained below. Policies or benefits that apply to all employees have been referred to as applying to Administrative employees or employees covered by this policy. Specific benefits or responsibilities that pertain to specific groups of employees, for example, Unrepresented Department Heads, have been noted as such.

The following guidelines apply to this policy:

1. Unrepresented Department Heads – Employees who are appointed by the Mayor, whether or not the appointment is required to be confirmed by the City Council or respective governing Board, but not represented by the Department Head Association. Unrepresented Department Heads function in the primary leadership position in the department and are directly responsible for the development of departmental policies and the implementation of legislative initiatives.

Director of Finance

Corporation Counsel

City Clerk

2. Management or Confidential – Employees who perform support functions for management positions and/or other assignments, which require them to be unrepresented by collective bargaining agreements.

City Clerk
Deputy Corporation Counsel
Confidential Secretary
Confidential Assistant

3. Elected Officials – Employees who are elected by popular vote. Due to their unique status, Elected Officials are exempt from leave and attendance requirements. They are also exempt from the probationary period.

- I. Appointments

1. Full-Time Appointments

Unrepresented Department Heads, Management employees, and Management/Confidential employees are for fixed or continuing terms.

- a. Fixed Term Appointments – Certain appointments are for a pre-established number of years as prescribed by the N.Y.S. Constitution, State Law, City Charter, General Municipal Law, and Local Law or Rule. Included in this category are appointments which are made for the “Term of the Council”, which is two years.
 - b. Continuous Term Appointment – The remainder of the appointments is continuous, and may be afforded Civil Service Status and Protection, and is renewed contingent on satisfactory performance and authorization by the City Council and/or the Mayor. This group includes administrative employees who are appointed “at the pleasure of” the Mayor, within the confines of applicable Civil Service Law. Information regarding the type of appointment is provided to candidates during the recruitment and selection process. Questions concerning the term of appointment may be directed to the Human Resources/Civil Service Office.

2. Part-time Appointments and Benefits

In certain cases, the City Council may establish part-time positions and/or temporary positions to accommodate unique situations. Employees appointed to part-time positions and who work less than the standard work week shall receive the approved salary for the position and the statutory benefits referenced herein, including Retirement (if eligible), Unemployment Insurance, Social Security, Worker’s Compensation and, in some cases, Health Insurance. There shall be no earned leave benefits unless said part-time appointment consists of a regular schedule equal to or greater than one-half (1/2) of the standard work week for the position. In this case, leave benefits shall be prorated. Corporation Counsel and Deputy Corporation Counsel titles shall not receive any leave, paid

time off, or health insurance benefits unless otherwise provided by City Council resolution.

Fringe benefits shall be limited to the above-referenced items unless otherwise approved by the City Council.

3. Probation Period

Employees in the classified service are subject to a probationary period in accordance with the City of Lockport Civil Service Rules. The classified service includes the Competitive, Non-Competitive, Exempt, and Labor classes of Civil Service. Employees who have been promoted to a position in the classified service are also subject to a probationary period.

Employees in the unclassified service or elected classification are not subject to a probationary period.

4. Promotions

Administrative positions are critical to the efficient and effective operation of City government. It is the policy of the City of Lockport to seek professionals with the qualifications and experience necessary to fulfill its goals. Emphasis will be placed on recruitment of current employees who possess the qualifications, experience, and employment history necessary for the quality operation of the department. Employees who are promoted or working out-of-title shall be placed at the minimum of the new grade unless the current hourly rate is above the minimum, in which case, they will be placed in the Step immediately above their current hourly rate. No one shall exceed the top of the range for the new grade. Out-of-title shall be defined as duties and responsibilities assigned beyond that of an employee's regular position for a period greater than five consecutive business days due to absence, exclusive of annual leave.

5. Secondary Employment

Employees covered by this policy understand and agree that their employment with the City is of basic and primary importance, and that secondary employment must not inhibit or impede the efficient and effective performance of their job duties, responsibilities, or attendance; nor shall it impair their judgment in the exercising of their official duties. Employees engaged in secondary employment will notify the Mayor's Office in writing of the details of their employment.

Certain positions covered by this manual also have a prohibition on secondary employment embodied in New York State statute or local law.

II. Compensation

1. Annual Salary

The City of Lockport maintains a competitive salary structure and benefit package for administrative employees.

- A. A six step increment system (equal to a 5% increase between two year steps) shall be implemented fitting each employee into the proper grade and step in accordance with the duties and responsibilities of an employee's position and length of service in an employee's title. All employees covered by this policy manual are placed in the graded salary schedule which has been adopted by the City Council. This graded salary schedule shall receive an annual salary review during budget deliberations. At the conclusion of this annual review, a total compensation plan, including any cost of living adjustment, shall be submitted to the City Council for approval.
- B. Employees shall move to the next step upon the completion of the 2nd, 4th, 6th, 8th, and 10th year in the title upon their respective anniversary in that position. No employee may exceed the job rate of the grade.
- C. Employees shall begin employment at the Step 1 for the grade unless the Mayor determines the need for the services or the employee's experience requires that compensation be fixed at a higher Step.
- D. Employees shall receive an annual cost of living increase in their respective salary. The cost of living increase shall be the average of the contractual wage increases negotiated for the same year for the City's Department Head Union and CSEA. The cost of living increase shall be effective on January 1st of each year.
- E. The Grade and Step schedule for employees covered by this policy is attached hereto and incorporated by reference as Exhibit A.

2. Health Insurance

A. Health Insurance:

The City of Lockport provides group health, hospitalization, major medical insurance, and prescription drug coverage through various self-insured Point of Service plans for all full time and part-time employees covered by this policy and their eligible dependents. Effective January 1, 2019, both the full and part-time employee share of this coverage shall be fifteen percent (15%),

except for those employees covered under Resolution 122105.9 and the respective agreements memorializing said resolution. The City's Health Benefits Program is fully described in the Plan Booklet. Effective January 1, 2019, employees shall only be eligible to receive benefits equivalent to the Blue Cross POS 298-Class 3 Plus \$0/\$20 co-pay plan.

Prescription Drug Coverage

The City Health Insurance Plan includes a three tier formulary plan for prescription drugs. Each employee who participates will contribute \$7.00 co-pay for generic prescriptions, \$15.00 co-pay for formulary (brand name) prescriptions and \$35.00 co-pay for non-formulary prescriptions.

Employees shall be required to fill all prescriptions with the generic brand when available. Should the employee voluntarily elect not to fill with the generic brand, the employee will be responsible for the cost between the generic and the drug selected (name brand or formulary), plus the co-pay for the name brand or formulary. In the event that the employee cannot take a generic drug due to a medical reason determined by the prescribing medical provider, the employee will not be required to pay the difference between the generic drug and the drug selected. The employee will be responsible for the formulary co-pay. Employees will be afforded the opportunity to utilize a generic multi-month maintenance medication program at one (1) co-pay per prescription. Generic maintenance medications can be filled for a three (3) month supply with one co-pay.

Employee contributions/Eligibility:

Employee contributions for the health insurance premium shall be deducted in twenty four equal amounts from the first two bi-weekly paychecks of each month.

Enrollment in the health insurance plan shall take effect as described herein or during the open enrollment period during the month of October of each year.

The Employer provides the I.R.S. Section 105 Health Reimbursement Account plan for employee contributions toward Health and other authorized and applicable health care costs. The plan is administered by a Third Party Administrator of the City's choice and conforms to I.R.S. regulations. The City will not contribute to an employee's HRA account and any balance remaining at the end of a plan year shall become property of the City and used in accordance with I.R.S. regulations.

3. Health Insurance coverage upon retirement

Except for those employees covered under Resolution 122105.9 and the respective agreements memorializing said resolution, employees shall be eligible to continue health coverage for themselves and any eligible dependents in retirement at the same employee contribution as of the date of retirement, provided they have met the following requirements:

- a. Completion of a minimum of ten (10) years continuous service with the City of Lockport during which the employee was eligible to receive Health Insurance; and
- b. Are employed by the City of Lockport at the time of retirement; and
- c. Are enrolled in the health plan at the time of retirement; and
- d. Provide the Employer with proof of retirement and otherwise meet the definition of retirement as specified by the NYS Retirement System; and
- e. Be at least 55 years old.

The retiree share of this coverage shall be the same as paid as an active employee.

For All Retirees: Upon qualification for Medicare Part B, all retirees, the eligible spouse or eligible dependent must enroll and provide the Medicare Part B required information to the Payroll Office. Any employee retiring on or after January 1, 2016, shall be responsible for all Medicare Part B co-payments and/or deductibles.

The surviving spouse or eligible dependent of any employee retiree may continue to participate in the City's Health Plan upon payment of 100% of the monthly premium equivalent.

4. Retirement

The City participates in the New York State Employee's Retirement System with all rights and benefits presently provided by the Career Retirement Plan under Section 75i and 14b of the Retirement and Social Security Law. All permanent, full-time employees are enrolled in the New York State and Local Retirement System. A Retirement System booklet is provided at orientation. This booklet provides all basic information on the Retirement System benefits. Due to changing legislation and regulations, you should check with the N.Y.S. and Local Retirement System directly to obtain information regarding your benefits.

In addition, the City of Lockport offers the following Retirement Enhancements:

- * May not apply to 14b members

- a. Section 41(j) – the application of unused sick leave accruals toward additional service credit upon retirement.

5. Not Independent Contractors

Personnel covered by this contract shall not be considered independent contractors and shall receive compensation reportable through a W-2 form.

6. Worker's Compensation

Employees that suffer an injury or illness that is directly related to their employment shall be eligible for Worker's Compensation Benefits amounting to a maximum of two-thirds of an employee's salary, depending on the degree of injury. Injuries must be reported within 24 hours to the appropriate City contacts.

7. Employee Assistance Program

The City will provide an Employee Assistance Program through a qualified provider of the City's choice. Employees will be responsible for any co-payments applicable to the services provided. All records of the Employee Assistance Program are confidential between the employee and the provider. The fact that an employee utilizes such assistance shall not impact promotional opportunities or job security.

8. Defense and Indemnification

The City of Lockport shall provide for the defense and indemnification of personnel/employees covered by this policy for actions or omissions made in the ordinary course of their employment in accordance with the City's Policies and Procedures.

9. Deferred Compensation Plan (457c)

A Deferred Compensation Plan is a voluntary savings program created by Federal and State Law that enables public employees to save a portion of their gross pay before Federal and State income taxes are deducted. The amount deferred accumulates tax free until the funds plus earnings are distributed. This program is to be offered to unrepresented employees and information regarding the complete details of the Deferred Compensation Program and payroll deduction forms are available in the Payroll Office.

10. Direct Deposit

An employee shall have the right to elect direct deposit as a payroll option.

11. Travel for City Business

Employees covered by this policy will be reimbursed for necessary and reasonable expenses incurred in the performance of City business in accordance with the City's policies. Mileage will be reimbursed at the rate provided by the Internal Revenue Service.

Travel authorization and conference attendance shall be required as provided in the City's Travel policy and within budgetary appropriation.

12. Civil Service Exam Fees

Employees covered under this Policy that seek to take City of Lockport civil service examinations shall pay only the fee assessed to the City by the New York State Municipal Service Division.

13. Safety Equipment

The City will, at its cost, provide employees with the necessary safety equipment and/or uniforms to carry out their respective job duties. Requests for reimbursement, if applicable, must be submitted to the Director of Finance.

III. Attendance and Time off

1. Office Hours

With the exception of the Corporation Counsel's Office, all City Offices shall be open for the conduct of business and convenience of the public in strict accordance with the hours prescribed by the Mayor.

2. Base Work Day/Work Week

- A. Employees are responsible for performing the duties of their office. The work day is determined by the tasks to be performed. The full-time work week shall be a minimum of 35 hours per week or 40 hours per week, depending on the position. Unrepresented Department Heads and Management employees are not eligible for overtime compensation or compensatory time. Part-time employees shall work the amount of hours prescribed by the Mayor.
- B. Employees covered under this Policy are required to work the weekly schedule and hours as determined by their direct supervisor. Employees may

be entitled to receive overtime compensation subject to the approval of their Department Head and the Mayor. Employees, with the exception of Corporation Counsel, may accrue compensatory time provided they have received prior approval from their Department Head. Compensatory time may be accumulated as follows:

- For a thirty-five (35) hour regular work week, a maximum of thirty-five (35) hours may be accumulated on leave accruals at one time;
- For a forty (40) hour regular work week, a maximum of forty (40) hours may be accumulated on leave accruals at one time;

C. All employees covered by this party, except elected officials and Corporation Counsel, are required to complete time and attendance forms in accordance with City policy.

3. Holidays

Employees covered by this policy will be allowed time off with pay to observe the following holidays, provided that the employee shall have worked the work day immediately preceding such holiday and provided such employee works the work day immediately following such holiday unless the employee is using paid benefit time, other than sick time, for which prior approval has been given. Employees who are required to work on a holiday will receive equal time off in lieu of the holiday.

Specific holidays afforded to personnel/employees covered by this policy shall be the same as provided to those employees covered by the CSEA bargaining agreement.

Annual holidays are subject to change. An annual holiday calendar will be issued by the Payroll Office designating when holidays will be observed.

If an employee is absent from work due to illness on either the last regularly scheduled work day prior to the holiday or the first regularly scheduled work day following the holiday, shall not be paid for the holiday unless the absence is verified by a medical provider's statement.

4. Sick Leave

Absence from duty by an employee of the City of Lockport by reason of the employee's own sickness, disability, or medical/dental appointments or that of their immediate family, shall be allowed as provided in this section. Absence from duty for such reasons, if granted by the Mayor, shall be considered and known as "sick leave".

- A. Sick leave shall be credited at the rate of one and one-half (1 ½) days per month. Half-time employees shall earn a pro-rated amount of sick leave. Employees shall be charged sick leave time for actual hours used, in a minimum increment of fifteen (15) minutes. Sick leave credits will be earned when an employee is on full and active pay status for fifty (50%) of the working days in the calendar month. Days during which an employee is out on Worker's Compensation, in excess of 20 days, are not considered to be days on full pay status for purposes of earning sick leave.
- B. An employee who is absent on sick leave shall report his absence, and reason therefore, to the Mayor at the earliest possible time, but no later than 9:30 AM.
- C. The Mayor shall have the authority to grant sick leave. Employees that are absent under the provisions of this section shall notify the Mayor if the absence is anticipated to be of an extended nature and/or if it will interfere with departmental operations.
- D. After 3 consecutive days of illness or after 12 cumulative days of illness during a 12 month period, the employee may be required to provide documentation verifying their sick leave from a medical professional. If the Mayor suspects a pattern of sick leave abuse, the Mayor may request the employee to provide proof of illness at any other time. The City also may require the employee to be examined, at the City's expense, by a physician designated by the Mayor and/or City Council.
- E. Employees may utilize sick leave during the statutory waiting period while under Worker's Compensation.
- F. Accrual of sick leave shall be unlimited. However, the total amount of sick leave that will be considered for credit purposes will be capped at 350 days. Employees shall have sick leave accrued time applied up to the maximum credit allowed toward retirement service credit under 41J. The remainder will be bought back by the City at the rate of 40% of the employee's final average salary.

5. Sick Bank Policy

- A. Purpose and Intent. The purpose of this Article is to enable employees to donate paid leave time to other members who are confronted with a personal or family emergency.
- B. Donations. An employee may donate accrued vacation, compensatory, floating holiday, personal, or sick leave hours to the "Sick Bank" by

completing and signing a "Donation to the Sick Bank Pool" form available in the Personnel/Civil Service Office.

- C. Administration. The Personnel/Civil Service Office shall keep track of the total hours available in the pool and provide all oversight of the pool and usage.
- D. Use of Pool. In conformance with the rules, the Personnel Officer is authorized to permit the use of hours in the pool by any current employee covered by this policy whose request to the Personnel/Civil Service Office is approved. All decisions by the Personnel/Civil Service Office shall be final and binding.
- E. Inter-Union Use. The employees covered by this policy may utilize sick time off from another City bargaining unit's "Sick Bank" if said request is approved. Employees covered by this policy may donate sick time off to a member of one of the City's bargaining units.

6. Family Sick Leave

Notwithstanding the benefits afforded under the Family Medical Leave Act, an employee shall be allowed to utilize accumulated sick leave for absence from work necessitated by illness of the employee's parent (including stepparents and foster parents), spouse, child (including stepchild and foster child), sibling (including step sibling), grandparent, grandchild, parent-in-law, son/daughter-in-law or person who is a member of the household. The City may request written documentation from the employee to verify residency of other household members.

7. Vacation

- A. Annual Leave will be earned and credited monthly. New employees must start on or before the 15th of the month to receive annual leave credit for that month. Annual leave will be credited as follows and can be used when earned:

Years of Credit	Days of Vacation Accrued Monthly	Maximum Days Earned Annually
1 month through year 4	0.8333	10
Year 5 through year 9	1.25	15
Year 10 through year 14	1.4167	17
Year 15 through year 19	1.6667	20
Year 20 through year 24	1.8333	22

25 or more years	2.0833	25
------------------	--------	----

Part-time employees regularly scheduled to work greater than half of the Full Time Equivalent will receive a pro-rated value of annual leave. Employees shall not accrue vacation leave for any period during which they are off the payroll for more than half of the working days per month.

- B. Employees may carry a maximum of twenty-five (25) days of accumulated annual leave credit.
- C. Upon the termination of an employee, either by resignation or retirement, and when at least two weeks' notice is given by such employee of his/her intended termination, any unused annual leave credits are to be compensated at the employee's regular rate of pay. Employees that provided the appropriate notice will receive a lump sum payment in the form of a check mailed to them six weeks after termination/resignation date.
- D. Employees shall submit requests for approval of use of vacation time to the Mayor, in writing, of their intent to use consecutive days of vacation time off. Said request shall be made at least one (1) week in advance of the intended leave date, except in the event of special circumstances. Employees shall notify the Mayor when expecting to not report for work for the day.
- E. Vacation days may be used in increments of one-half day or full days only.

8. Personal Leave

- 1. Personal leave with pay shall be granted for religious observance or personal business.
- 2. Effective January 1st of each year, employees shall be credited with three (3) days of personal leave. Employees who work at least half time shall receive prorated personal leave. Employees hired after January 1 shall receive a prorated share of personal leave credit.
- 3. Whenever possible, a request for personal leave should be submitted to the Mayor at least forty-eight (48) hours prior to the requested date(s) off.
- 4. Unused personal leave time shall be carried over at the end of the year shall be converted to sick leave.

9. Family Medical Leave

Family Medical Leave shall be provided in accordance with the rules included in the City of Lockport Employee Handbook.

10. Leaves of Absence

- A. A leave of absence without pay of up to one year may be granted to employees covered by this policy. A written request for a leave of absence must be submitted to the Mayor at least four (4) weeks prior to the requested date of leave describing the reason for said leave and the anticipated duration of the leave.
- B. A leave of absence shall not be granted to accept other employment.
- C. No leave shall be authorized which may exceed the remaining period of a term appointment.
- D. Not less than thirty (30) days prior to the expiration of an employee's leave, the employee shall be required to submit written notification to the Mayor or Department Head of their intention to return to work.
- E. When an employee is on a leave of absence for one-half of a month or longer, sick leave, longevity and vacation will be pro-rated to reflect the leave. Employees on an unpaid leave of absence will be required to contribute the full cost of health insurance and any other paid fringe benefits for the period beyond three (3) months, except as otherwise provided by law or rule.

11. Bereavement Leave

- A. In the event of the death of an employee's parent (including stepparents and foster parents), spouse, child (including stepchild and foster child), sibling (including step-sibling), grandparent, grandchild, parent-in-law, and any other person who is a member of the household (the City may request written documentation from the employee to verify residency of other household members), the employee shall be excused from work, if the employee was scheduled to work, with pay at his/her request, for up to four (4) days. One (1) day of the four (4) may be retained for later interment (if applicable).
- B. In the event of the death of any relative not outlined in Section A of this Article, the employee shall be excused from work at his/her request for a

maximum of two (2) days to attend the funeral utilizing accrued personal leave, vacation leave, floating holiday or compensatory time.

- C. Employees covered by this agreement who are less than full-time shall receive a pro-rated value of the full-time equivalent of the scheduled full-time hours.

12. Jury Duty

Upon receipt of proof of the necessity of jury services or appearance as a witness to subpoena or other order of the court (for job related actions only), employees shall be granted leave with pay to provide time as needed for such service. Any compensation received, less expenses, for said service shall be returned to the City Treasurer within five (5) working days from the time it is received by the employee. An employee, who is dismissed for the day or from service within two (2) hours or more remaining in his/her regular scheduled work day is required to report to work.

13. Military Leave

Military Leave shall be provided pursuant to the City of Lockport Employee Handbook.

IV. Discipline and Discharge

Employees and Personnel covered by this policy shall be "at will" and may be terminated by the Mayor or his/her designee for cause. Any discipline or discharge shall be at the sole discretion of the Mayor. The employee shall have no right to seek review or appeal of the discipline or discharge.

V. Miscellaneous

The City of Lockport Employee Handbook shall apply regarding all workplace rules, guidelines and procedures not covered herein.

Exhibit A. Grade and Step Schedule FY 2023 to FY 2026

	Step 1 Hire	Step 2 Complete 2	Step 3 Complete 4	Step 4 Complete 6	Step 5 Complete 8	Step 6 Complete 10
FY 2023						
Director of Finance	\$ 91,107	\$ 95,662	\$ 100,445	\$ 105,468	\$ 110,741	\$ 116,278
Corporation Counsel	\$ 54,976	\$ 57,725	\$ 60,611	\$ 63,642	\$ 66,824	\$ 70,155
City Clerk	\$ 57,124	\$ 59,980	\$ 62,979	\$ 66,128	\$ 69,435	\$ 72,906
Deputy Corporation Counsel	\$ 30,467	\$ 31,991	\$ 33,590	\$ 35,270	\$ 37,034	\$ 38,885
Confidential Secretary	\$ 19,2300	\$ 20,1915	\$ 21,2011	\$ 22,2611	\$ 23,3742	\$ 24,5429
Confidential Assistant	\$ 23,5637	\$ 24,7419	\$ 25,9790	\$ 27,2780	\$ 28,6419	\$ 30,0740

	Step 1 Hire	Step 2 Complete 2	Step 3 Complete 4	Step 4 Complete 6	Step 5 Complete 8	Step 6 Complete 10
FY 2024						
Director of Finance	\$ 92,701	\$ 97,336	\$ 102,203	\$ 107,314	\$ 112,679	\$ 118,313
Corporation Counsel	\$ 55,938	\$ 58,736	\$ 61,672	\$ 64,755	\$ 67,994	\$ 71,383
City Clerk	\$ 58,124	\$ 61,030	\$ 64,081	\$ 67,285	\$ 70,650	\$ 74,182
Deputy Corporation Counsel	\$ 31,001	\$ 32,551	\$ 34,178	\$ 35,888	\$ 37,682	\$ 39,565
Confidential Secretary	\$ 19,5665	\$ 20,5449	\$ 21,5721	\$ 22,6507	\$ 23,7832	\$ 24,9724
Confidential Assistant	\$ 23,9761	\$ 25,1749	\$ 26,4336	\$ 27,7554	\$ 29,1431	\$ 30,6003

	Step 1 Hire	Step 2 Complete 2	Step 3 Complete 4	Step 4 Complete 6	Step 5 Complete 8	Step 6 Complete 10
FY 2025						
Director of Finance	\$ 94,555	\$ 99,283	\$ 104,247	\$ 109,460	\$ 114,933	\$ 120,679
Corporation Counsel	\$ 57,057	\$ 59,910	\$ 62,906	\$ 66,050	\$ 69,354	\$ 72,811
City Clerk	\$ 59,286	\$ 62,250	\$ 65,363	\$ 68,631	\$ 72,063	\$ 75,665
Deputy Corporation Counsel	\$ 31,621	\$ 33,202	\$ 34,862	\$ 36,605	\$ 38,435	\$ 40,356
Confidential Secretary	\$ 19,9579	\$ 20,9557	\$ 22,0036	\$ 23,1037	\$ 24,2589	\$ 25,4718
Confidential Assistant	\$ 24,4556	\$ 25,6784	\$ 26,9623	\$ 28,3105	\$ 29,7260	\$ 31,2123

	Step 1 Hire	Step 2 Complete 2	Step 3 Complete 4	Step 4 Complete 6	Step 5 Complete 8	Step 6 Complete 10
FY 2026						
Director of Finance	\$ 96,210	\$ 101,020	\$ 106,071	\$ 111,376	\$ 116,944	\$ 122,791
Corporation Counsel	\$ 58,056	\$ 60,959	\$ 64,006	\$ 67,206	\$ 70,567	\$ 74,085
City Clerk	\$ 60,324	\$ 63,340	\$ 66,507	\$ 69,832	\$ 73,324	\$ 76,990
Deputy Corporation Counsel	\$ 32,174	\$ 33,783	\$ 35,472	\$ 37,246	\$ 39,108	\$ 41,063
Confidential Secretary	\$ 20,3071	\$ 21,3225	\$ 22,3886	\$ 23,5080	\$ 24,6834	\$ 25,9176
Confidential Assistant	\$ 24,8836	\$ 26,1278	\$ 27,4341	\$ 28,8059	\$ 30,2462	\$ 31,7585

Annual cost of living adjustment subject to change per CSEA and Department Head contracts. Current exhibits for FY 2024 to FY 2026 are illustrative of current contracts and utilize a 1.75% average for FY 2024, a 2.00% increase in FY 2025, and a 1.75% increase in FY 2026.