

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

Lockport Municipal Building

Regular Meeting  
Official Record

November 15th, 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 – Moment of Silence**

**MAYOR’S UPDATE**

**RECESS**

Recess for public input.

**111523.1**

**APPROVAL OF MINUTES**

On motion of Alderman Beakman, seconded by Alderman Kantor, the minutes of the Regular Meeting of November 8<sup>th</sup>, 2023 are hereby approved as printed in the Journal of Proceedings. Ayes 6. Carried.

**PUBLIC HEARING**

The Mayor announced a public hearing a Community Development Block Grant

The Mayor asked the City Clerk if any petitions or communications relative to the Community Block Grant have been received.

Recess for public input.

The Mayor closed the public hearing.

**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)

11/03/2023 Andrew Ciubotaru of Rezzonator Services, representing Hawley’s Grove LLC, requesting the city to waive the 30-Day municipality notification for a supplemental liquor license application.

11/08/2023 Jeff Tracy, Lockport Planning and Zoning Board, notification from the board that they do not recommend the request to the Council regarding the Special Use Permit to harbor chickens and quail at 100 Irving Street.

**Notice of Complaint:**

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

**Notice of Claim:**

Referred to the Corporation Counsel.

**MOTIONS & RESOLUTIONS**

**111523.2**

By Alderman Beakman:

**Whereas** the City of Lockport FY 2024 Mayor’s Recommended Budget was presented to the Common Council and public on October 4<sup>th</sup>, 2023; and

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

**Resolved** that the City tax budget for fiscal year 2024, containing appropriations for operating City departments, be and the same is hereby amended and adopted as follows:

**CITY OF LOCKPORT, NEW YORK**  
**2024 GENERAL FUND BUDGET SUMMARY**

Budget Appropriations:

Personal Services	\$13,072,692
Equipment	\$475,484
Contractual	\$4,345,123
Employee Benefits	\$10,713,464
Interfund Transfers	\$20,000
Debt Service	\$780,294
Total Appropriations:	\$29,407,057
Less: Estimated Revenues:	\$15,224,333
Estimated Fund Balance:	\$733,123
Amount to be raised through property taxation:	\$13,449,601
Assessed Valuation:	\$1,253,537,817

**REAL PROPERTY TAX RATE: \$10.72931 per \$1,000 ASSESSED VALUATION**

Seconded by Alderman Lupo and adopted. Ayes 5, Nay 1.  
Alderman Fogle voted no. Motion passed.

**111523.3**

By Alderman Kantor:

**Whereas** the City of Lockport FY 2024 Mayor’s Recommended Budget was presented to the Common Council and public on October 4<sup>th</sup>, 2023; and

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

**Resolved** that the City of Lockport 2024 Budget containing appropriations for operating the City’s Refuse & Recycling, be and the same is hereby adopted as follows:

**CITY OF LOCKPORT, NEW YORK**  
**2024 SPECIAL REVENUE FUND – RECYCLING & REFUSE SUMMARY**

Appropriations:

Personal Services	\$0
Equipment	\$23,500
Contractual	\$1,370,058
Employee Benefits	\$0
Debt Service	\$36,477
Interfund Transfers	\$0
Total Appropriations:	\$1,430,035
Estimated Revenues:	\$1,430,035

Seconded by Alderman Fogle and adopted. Ayes 6.

**111523.4**

By Alderman Devine:

**Whereas** the City of Lockport FY 2024 Mayor’s Recommended Budget was presented to the Common Council and public on October 4<sup>th</sup>, 2023; and

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

**Resolved** that the City of Lockport 2024 Water Fund Budget containing appropriations for operating the City’s Water Department, be and the same is hereby adopted as follows:

**CITY OF LOCKPORT, NEW YORK**  
**2024 WATER FUND BUDGET SUMMARY**

Appropriations:

Personal Services	\$1,352,313
Equipment	\$4,500
Contractual	\$1,182,834
Employee Benefit	\$1,205,672
Debt Services	\$611,219
Interfund Transfers	\$165,000
Total Appropriations:	\$4,521,538
Estimated Revenues:	\$4,371,538
Estimated Fund Balance	\$150,000

Seconded by Alderman Swanson-Gellerson and adopted. Ayes 6.

**111523.5**

By Alderman Lupo:

**Whereas** the City of Lockport FY 2024 Mayor’s Recommended Budget was presented to the Common Council and public on October 4<sup>th</sup>, 2023; and

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

**Resolved** that the City of Lockport 2024 Sewer Fund Budget containing appropriations for operating the City's Wastewater Treatment and Compost Facility, be and the same is hereby amended and adopted as follows:

**CITY OF LOCKPORT, NEW YORK**  
**2024 SEWER FUND BUDGET SUMMARY**

Appropriations:

Personal Services	\$1,158,362
Equipment	\$106,000
Contractual	\$1,425,849
Employee Benefits	\$1,015,353
Debt Service	\$586,888
Interfund Transfers	\$137,242
Total Appropriations:	\$4,429,694
Estimated Revenues:	\$4,298,694
Estimated Fund Balance	\$131,000

Seconded by Alderman Fogle and adopted. Ayes 6.

**111523.6**

By Alderman Kantor:

**Resolved** that the following water rates for the City of Lockport shall be effective on all residential and commercial water consumption billed after January 1, 2024 and on all industrial water billed after January 1, 2024:

**CITY OF LOCKPORT - WATER RATES**  
**EFFECTIVE JANUARY 1, 2024**

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

**MONTHLY BILLS**

**Rates for all industrial users of water:**

In addition to the currently billed rate for each meter in building per month (to be \$36.41), the following:

Minimum rate - \$16.08 per each one-month period or fraction thereof:  
 First 50,000 cu. ft. \$4.02 per 100 cu. ft.  
 Next 100,000 cu. ft. \$3.75 per 100 cu. ft.  
 Over 150,000 cu. ft. \$3.44 per 100 cu. ft.

**QUARTERLY BILLS**

**Rates for commercial users of water are:**

Minimum rate – As per City of Lockport Meter Fee Schedule effective January 1, 2024, and, a usage commodity charge of \$3.80 per 100 cu. ft.

**Rates for residential users of water are:**

Minimum rate – As per City of Lockport Meter Fee Schedule effective January 1, 2024, and, a usage commodity charge of \$3.64 per 100 cu. ft.

**RURAL BILLS**

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

**BULK WATER**

\$5.90 per 1,000 gallons

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

<b>CITY OF LOCKPORT METER FEE SCHEDULE</b>			
<b>EFFECTIVE JANUARY 1, 2024</b>			
<b>COM/RES</b>	<b>Meter Size</b>	<b>WA</b>	<b>MR</b>
	A 5/8"	\$44.22	
	B 3/4"	\$49.42	
	C 1"	\$54.62	
	D 1 1/2"	\$59.82	
	E 2"	\$65.03	
	F 3"	\$70.23	
	G 4"	\$75.43	
	H 6"	\$80.63	
<b>IND</b>		\$16.08	\$36.41
<b>RES</b>	<b>WA</b>	3.64	
<b>COM</b>	<b>WA</b>	3.80	

Seconded by Alderman Lupu and adopted. Ayes 6.

By Alderman Fogle:

Resolved, that the reading of the foregoing resolution be and the same is hereby waived. Seconded by Alderman Swanson-Gellerson. and adopted. Ayes 6.

111523.7

By Alderman Kantor:

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

City of Lockport  
Local Law No. 3 of the year 2023

A local law to amend the City of Lockport "Schedule of Sewer Rents and Other Charges."  
Be it enacted by the Common Council of the City of Lockport as follows:

**SEWER RATES**

The following sewer rental charges shall be effective on all residential, commercial, and industrial water consumption billed as follows:  
after January 1, 2024

\$17.30 per month service charge for both domestic and industrial users plus a commodity charge of \$2.65 per 100 cu. ft. of water billed, plus a standard surcharge for industrial users for excess strength of sewage as stated in all existing Industrial sewer contracts.

INDUSTRIAL	\$17.30
COMMERCIAL & RESIDENTIAL	\$43.25 (billed quarterly)

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

Type	Fee
Discharging wastewater, per 100 cubic feet:	
Effective 01 January 2024.....	\$1.20
Discharging excess total suspended solids in excess of 350 mg per liter per one hundred pounds per day:	
Effective 01 January 2024.....	\$3.62
Discharging excess BOD in excess of 250 mg liter per, per one hundred pounds per day:	
Effective 01 January 2024.....	\$3.23
Discharging wastewater through the use of a waste hauler per one thousand gallons:	
Effective 01 January 2024.....	\$19.00
Annual waste hauler disposal permit authorizing the use of City of Lockport wastewater treatment plant to a specific waste hauler:	
Effective 01 January 2024 .....	\$401.86
Annual amount charged for an effective City of Lockport wastewater discharge permit issued to City of Lockport industries identified as POTW significant industrial users (SIU's):	



Alderwoman Kantor	yes
Alderwoman Lupo	yes

The Local Law was thereupon declared duly adopted.

Seconded by Alderman Swanson-Gellerson and adopted.

**111523.8**

By Alderman Kantor:

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

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

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

Seconded by Alderman Swanson-Gellerson and adopted. Ayes 6.

**111523.9**

By Alderman Lupo:

**Whereas** the Finance Director, in coordination with the City Treasurer, is required to make a number of adjustments related to the closing of the 2023 fiscal year, including the amendment of under/over line items, closing of completed capital projects, and carry-forward of encumbrances for projects not completed or invoiced in FY 2023; now, therefore, be it

**Resolved** that the City is authorized to make said adjustments and report to the Common Council a listing of amended items, projects, and encumbrances by April of FY 2024.

Seconded by Alderman Devine and adopted. Ayes 6.

**111523.10**

By Alderman Beakman:

**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

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



Seconded by Alderman Lupo and adopted. Ayes 4. Nays 2.  
Aldermen Fogle and Kantor voted no. Motion passed.

**111523.11**

By Alderman Beakman:

**Whereas** the City of Lockport (City) received a New York State Canal Corporation Canalway matching grant in the amount of \$150,000 for the Lowertown Loop Phase 1 Project (Project), City Contact No. 2536; and

**Whereas** the Project consists of improvements to the comfort station on Market St. at North Adam St. and construction of a pavilion in the vicinity of the comfort station; and

**Whereas** donations and in-kind work by City forces to support the Project will be used for the required grant match; and

**Whereas** the City issued a Notice to Bid for interested contractors for the Project and subsequently received and publicly opened and read bids at the Municipal Building on November 1, 2023 at 2 pm as follows;

<b>CONTRACTOR</b>	<b>Sicoli Construction Services, Inc.</b>
<b>TOTAL BID AMOUNT</b>	\$149,800.00

And

**Whereas** the City Engineering Consultant Nussbaumer & Clarke, Inc. (Nussbaumer) reviewed the contractor bid and has determined that Sicoli Construction Services, Inc. has submitted lowest complete and responsible bid and recommends that the City award the contract to Sicoli Construction Services, Inc., for a total amount of \$149,800.00; Now, therefore, be it:

**Resolved that** the Mayor is authorized to execute an Agreement with Sicoli Construction Services, Inc., 4800 Hyde Park Blvd., Niagara Falls, NY 14305, in the amount of \$149,800.00 contingent upon legal review.

Seconded by Alderman Swanson-Gellerson and adopted. Ayes 6.

**111523.12**

By Alderman Beakman:

**Resolved** that the request for a special use permit by Keli and Robert Worden at 100 Irving Street to harbor chickens and quail on the property, be and the same is hereby approved, subject to the following provisions:

- No change in character of neighborhood.
- No excessive noise or disturbance of neighborhood.
- No appreciable change in traffic.
- No outside storage of materials.

The special permit shall go to the applicant only and shall terminate on the sale or transfer of the property if other than the applicant; and further it terminates if the use permitted is abandoned for more than one year, if any of the conditions enumerated herein have changed, and in the discretion of the Common Council make such use unsuitable.

Seconded by Alderman Kantor and adopted. Ayes 6.

**111523.12A**

By Alderman Devine:

**Whereas**, the City of Lockport advertised for bid proposals for chemicals for municipal water treatment for the 2023 calendar year, and

**Whereas**, the following bids were received and publicly opened by the City of Lockport on Friday, **October 21, 2022** at 11:00 am: JCI Jones Chemicals, Inc., \$2,880 per ton for chlorine; Usalco, \$2.3265 per gallon, and Kemira Water Solutions, \$2.51 per gallon, gallon for polyaluminum chloride (PAC); and Univar Solutions \$3.75/gallon for hydrofluorosilicic Acid (fluoride)

**Whereas**, the contracts will be awarded solely from the bids received; and

**Whereas**, the Chief Water Treatment Plant Operator has reviewed the bids and recommends awarding the contract to each of the low bidders; now, therefore, be it

**Resolved**, that the Mayor, subject to Corporation Counsel approval, is hereby authorized and directed to sign contracts with JCI Jones Chemicals, Inc. for chlorine, Usalco for polyaluminum chloride (PAC), and Univar Solutions USA, Inc. for hydrofluorosilicic acid (fluoride) for January 1, 2024 through December 31, 2024.

Seconded by Alderman Lupo and adopted. Ayes 6.

**111523.13**

**ADJOURNMENT**

At 6:54 P.M. Alderman Beakman moved the Common Council be adjourned until 6:30 P.M., Wednesday, December 13<sup>th</sup>, 2023.

Seconded by Alderman Devine and adopted. Ayes 6.

SARAH K. LANZO  
City Clerk