

**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**

**MAYOR'S UPDATE**

**RECESS**

Recess for public input.

**111523.1**

**APPROVAL OF MINUTES**

On motion of Alderman Beakman, seconded by Alderman \_\_\_\_\_, the minutes of the Regular Meeting of November 8<sup>th</sup>, 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)

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
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Total Appropriations:	\$29,407,057
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Less: Estimated Revenues:	\$15,224,333
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Estimated Fund Balance:	\$733,123
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Amount to be raised through property taxation:	\$13,449,601
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Assessed Valuation:	\$1,253,537,817
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**REAL PROPERTY TAX RATE: \$10.72931 per \$1,000 ASSESSED VALUATION**

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

**111523.3**

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

**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 \_\_\_\_\_ and adopted. Ayes \_\_\_\_\_.

**111523.4**

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

**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 \_\_\_\_\_ and adopted. Ayes \_\_\_\_\_.

**111523.5**

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

**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 \_\_\_\_\_ and adopted. Ayes \_\_\_\_\_.

**111523.6**

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

**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:

CITY OF LOCKPORT METER FEE SCHEDULE EFFECTIVE JANUARY 1, 2024			
COM/RES	Meter Size	WA	MR
	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	
IND		\$16.08	\$36.41
RES	WA	3.64	
COM	WA	3.80	

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

**111523.7**

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

**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):	
Effective 01 January 2024.....	\$434.00
RV Waste Disposal, City Resident, per occurrence	
Effective 01 January 2024.....	\$0.00
RV Waste Disposal, Non-City Resident, per occurrence	

Effective 01 January 2024.....\$20.00  
 Effective January 1, 2024, laboratory analysis at City of Lockport wastewater treatment plant laboratory are as follows:

<u>Analyte</u>	<u>Rate</u>
pH .....	\$11.52
Settleable solids .....	\$11.52
Total suspended solids .....	\$34.62
Total solids .....	\$17.30
BOD 5 .....	\$46.13
Dissolved oxygen .....	\$23.09
Fecal coliform .....	\$40.40

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

### CITY OF LOCKPORT METER FEE SCHEDULE

EFFECTIVE JANUARY 1, 2024

COM/RES	Meter Size	SW	MR
	A 5/8"	\$43.25	
	B 3/4"	\$43.25	
	C 1"	\$43.25	
	D 1 1/2"	\$43.25	
	E 2"	\$43.25	
	F 3"	\$43.25	
	G 4"	\$43.25	
	H 6"	\$43.25	
IND		\$17.30	\$36.41
RES	SW	<u>2.65</u>	
COM	SW	<u>2.65</u>	

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

**111523.8**

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

**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 \_\_\_\_\_ and adopted. Ayes \_\_\_\_\_.

**111523.9**

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

**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 \_\_\_\_\_ and adopted. Ayes \_\_\_\_\_.

**111523.10**

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

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

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

**111523.11**

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

**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 Constructio n Services, Inc.</b>
<b>TOTAL BID AMOUNT</b>	<b>\$149,800.00</b>

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 \_\_\_\_\_ and adopted. Ayes \_\_\_\_\_.

#### **111523.12**

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

**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 \_\_\_\_\_ and adopted. Ayes \_\_\_\_\_.

#### **111523.12A**

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

**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 \_\_\_\_\_ and adopted. Ayes \_\_\_\_\_.

**111523.13**

### **ADJOURNMENT**

At \_\_\_\_\_ P.M. Alderman Beakman moved the Common Council be adjourned until 6:30 P.M., Wednesday, November 15<sup>th</sup>, 2023.

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

SARAH K. LANZO  
City Clerk

## Deputy City Clerk

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**From:** Kristin Schubring <kschubring@lockportny.gov>  
**Sent:** Tuesday, November 14, 2023 2:44 PM  
**To:** deputyclerk@lockportny.gov  
**Cc:** cityclerk@lockportny.gov  
**Subject:** AP Fund Totals 11/15/23

Hi Emily,

Invoices to be approved at the meeting on 11/15/23 are as follows:

Fund A General - \$55,900.38

Fund FX Water - \$8,279.77

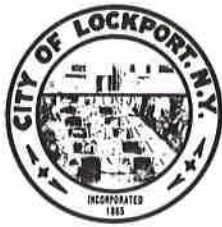
Fund G Sewer - \$28,442.36

**Total** - \$92,622.51

Please let me know if you have any questions!



Kristin Bernardi Schubring  
Principal Account Clerk  
Finance Department  
City of Lockport, NY  
716.439.6620



# Building Inspection Department

Jason Dool  
Chief Building Inspector

Lockport Municipal Building  
One Locks Plaza  
Lockport, NY 14094  
Phone (716) 439-6759  
Fax (716) 439-6605

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November 8, 2023

**RECEIVED**

**NOV 09 2023**

**CITY CLERK OFFICE**

Mayor Michelle Roman and  
Members of the Common Council  
One Locks Plaza  
Lockport, New York 14094

Ladies and Gentlemen:

At the regular meeting of the Lockport Planning Board held Monday, November 6, 2023 a request for a Special Use Permit to harbor chickens and quail on the property located at 100 Irving Street, Lockport, New York situated in an R-1 zone was present.

After a lengthy discussion and there being no neighbors present, it was determined of the Board to NOT recommend the request to the Council.

Respectfully submitted,



Jeff Tracy  
Lockport Planning and Zoning Board

mkb

- The establishment has no violations, adverse history, or other complaints with the NYSLA.

- The applicants are experienced licensees and business owners serving liquor since 2021.
- The applicants have the support of their community as is evidenced by the great reviews proving public convenience and advantage (see Exhibit B attached).

In closing, the Pietrzykowski's have dedicated themselves to running an establishment that can be appreciated and enjoyed by the community over the past 2 years while appreciating the rich history at this location which has held a liquor license since 1980 (please see Exhibit C).

We respectfully request that you waive the 30-day notice so that the applicants may expand their premises outdoors and may continue to serve the public.

Thank you for your time and attention to this matter. If you have any further questions, feel free to contact me at 212.390.0806 or via email at [info@rezzonatorservices.com](mailto:info@rezzonatorservices.com).

Sincerely,



Andrew Ciubotaru  
Administrative Assistant  
**Rezzonator Services**


**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 1<sup>st</sup> 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
	<b>Total</b>	<b>\$ 361,053</b>	<b>\$ 374,804</b>	<b>\$ 379,105</b>	<b>\$ 393,546</b>

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
	<b>Total</b>	<b>\$ 367,324</b>	<b>\$ 387,866</b>	<b>\$ 403,959</b>	<b>\$ 422,676</b>

<b>Cost</b>	<b>\$ 6,271</b>	<b>\$ 13,061</b>	<b>\$ 24,854</b>	<b>\$ 29,130</b>
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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 2<sup>nd</sup>, 4<sup>th</sup>, 6<sup>th</sup>, 8<sup>th</sup>, and 10<sup>th</sup> 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 1<sup>st</sup> 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 equal amounts from each bi-weekly paycheck. Coverage for new employees shall commence upon hire.

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". Corporation counsel and deputy corporation counsel do not accrue sick leave time.

- 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 15<sup>th</sup> 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
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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 1<sup>st</sup> 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 - Unrepresented Employees

### 1/1/2023 - 12/31/2023 Salary Schedule

	Step 1 Hire	Step 2 Complete 2	Step 3 Complete 4	Step 4 Complete 6	Step 5 Complete 8	Step 6 Complete 10
<b>Director of Finance</b>	\$ 91,107	\$ 95,662	\$ 100,445	\$ 105,468	\$ 110,741	\$ 116,278
<b>City Clerk</b>	\$ 59,037	\$ 61,989	\$ 65,089	\$ 68,343	\$ 71,760	\$ 75,348
<b>City Attorney*</b>	\$ 54,976	\$ 57,725	\$ 60,611	\$ 63,642	\$ 66,824	\$ 70,166
<b>Deputy City Attorney*</b>	\$ 30,467	\$ 31,991	\$ 33,590	\$ 35,270	\$ 37,034	\$ 38,885
<b>Confidential Assistant</b>	\$ 19,230	\$ 20,191	\$ 21,201	\$ 22,661	\$ 23,374	\$ 24,542
<b>Confidential Secretary</b>	\$ 23,563	\$ 24,741	\$ 25,979	\$ 27,278	\$ 28,641	\$ 30,074

\*City Attorney and Deputy City Attorney incorporates a budgeted 3% cost of living adjustment retro to 1/1/2023.

### 1/1/2024 - 12/31/2024 Salary Schedule\*

	Step 1 Hire	Step 2 Complete 2	Step 3 Complete 4	Step 4 Complete 6	Step 5 Complete 8	Step 6 Complete 10
<b>Director of Finance</b>	\$ 92,701	\$ 97,336	\$ 102,203	\$ 107,314	\$ 112,679	\$ 118,313
<b>City Clerk</b>	\$ 60,070	\$ 63,074	\$ 66,228	\$ 69,539	\$ 73,016	\$ 76,667
<b>City Attorney</b>	\$ 55,938	\$ 58,736	\$ 61,672	\$ 64,755	\$ 67,994	\$ 71,394
<b>Deputy City Attorney</b>	\$ 31,001	\$ 32,551	\$ 34,178	\$ 35,888	\$ 37,682	\$ 39,565
<b>Confidential Assistant</b>	\$ 19,566	\$ 20,544	\$ 21,572	\$ 23,057	\$ 23,783	\$ 24,972
<b>Confidential Secretary</b>	\$ 23,976	\$ 25,174	\$ 26,433	\$ 27,754	\$ 29,143	\$ 30,600

### 1/1/2025 - 12/31/2025 Salary Schedule\*

	Step 1 Hire	Step 2 Complete 2	Step 3 Complete 4	Step 4 Complete 6	Step 5 Complete 8	Step 6 Complete 10
<b>Director of Finance</b>	\$ 94,555	\$ 99,283	\$ 104,247	\$ 109,460	\$ 114,933	\$ 120,679
<b>City Clerk</b>	\$ 61,272	\$ 64,335	\$ 67,553	\$ 70,930	\$ 74,476	\$ 78,200
<b>City Attorney</b>	\$ 57,057	\$ 59,910	\$ 62,906	\$ 66,050	\$ 69,354	\$ 72,821
<b>Deputy City Attorney</b>	\$ 31,621	\$ 33,202	\$ 34,862	\$ 36,605	\$ 38,435	\$ 40,356
<b>Confidential Assistant</b>	\$ 19,957	\$ 20,955	\$ 22,003	\$ 23,518	\$ 24,258	\$ 25,471
<b>Confidential Secretary</b>	\$ 24,455	\$ 25,678	\$ 26,962	\$ 28,310	\$ 29,726	\$ 31,212

### 1/1/2026 - 12/31/2026 Salary Schedule\*

	Step 1 Hire	Step 2 Complete 2	Step 3 Complete 4	Step 4 Complete 6	Step 5 Complete 8	Step 6 Complete 10
<b>Director of Finance</b>	\$ 96,210	\$ 101,020	\$ 106,071	\$ 111,376	\$ 116,944	\$ 122,791
<b>City Clerk</b>	\$ 62,344	\$ 65,461	\$ 68,735	\$ 72,171	\$ 75,779	\$ 79,568
<b>City Attorney</b>	\$ 58,056	\$ 60,959	\$ 64,006	\$ 67,206	\$ 70,567	\$ 74,096
<b>Deputy City Attorney</b>	\$ 32,174	\$ 33,783	\$ 35,472	\$ 37,246	\$ 39,108	\$ 41,063
<b>Confidential Assistant</b>	\$ 20,307	\$ 21,322	\$ 22,388	\$ 23,930	\$ 24,683	\$ 25,917
<b>Confidential Secretary</b>	\$ 24,883	\$ 26,127	\$ 27,434	\$ 28,805	\$ 30,246	\$ 31,758

\* Annual salary schedules estimated based on cost of living adjustments in the existing CSEA and Department contracts (which produce an average of 1.75% in FY 2024, 2.00% in FY 2025, and 1.75% in FY 2026). Subject to change per section II.D of this policy.

**Authorization for execution of contractor agreement for Lowertown Loop Phase 1 Project**

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 Constructio n Services, Inc.</b>
<b>TOTAL BID AMOUNT</b>	<b>\$149,800.00</b>

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.



RECEIVED

12

OCT 13 2023

☒ Special Use Permit

CITY CLERK OFFICE

☐ Revocable Permit

Name: Keli & Robert Worden

Phone: 806-543-5666

Address: 100 Irving Street, Lockport, New York 14094

Email: \_\_\_\_\_

Property Address: 100 Irving Street, Lockport, New York 14094

Existing Zoning: R-1

Description of proposed action: Request for a special use permit to harbor chickens and quail on the property

Please do not write below this line (office use only) \_\_\_\_\_

**Building Inspection**

Planning Board App. Received: 10/13/2023 (ms)

Planning Board Meeting Date: 11/6/2023

**Corporation Counsel**

Approval: \_\_\_\_\_

**City Clerk**

Call for Public Hearing: 102523.5

Public Hearing: 11/08/2023

**Common Council**

Sponsor of Resolution: \_\_\_\_\_

## City of Lockport

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Building Inspection  
439-6754

1 Locks Plaza  
Lockport, NY 14094

City Clerk  
439-6776

### **Special Use Permits**

A Special Use is a use which because of its unique characteristics requires individual consideration and approval in each case by the Common Council and the Planning Board, before it may be permitted in the district enumerated in the Zoning Ordinance.

The requirements to obtain a Special Use Permit are as follows:

- Public health and safety be protected
- Will not decrease value of surrounding properties, no change in the character of neighborhood.
- Use is compatible with adjoining development
- Adequate landscaping and screening provided
- Adequate parking is provided with no appreciable change in traffic
- No excessive noise or outside storage of materials.

A Planning Board application can be obtained from the Building Inspection Department. There is a \$100, non-refundable application fee and a yearly renewal fee of \$50. You will need to provide Building Inspection with 10 copies of your application and supporting documents, the application fee and this paper with the back filled out.

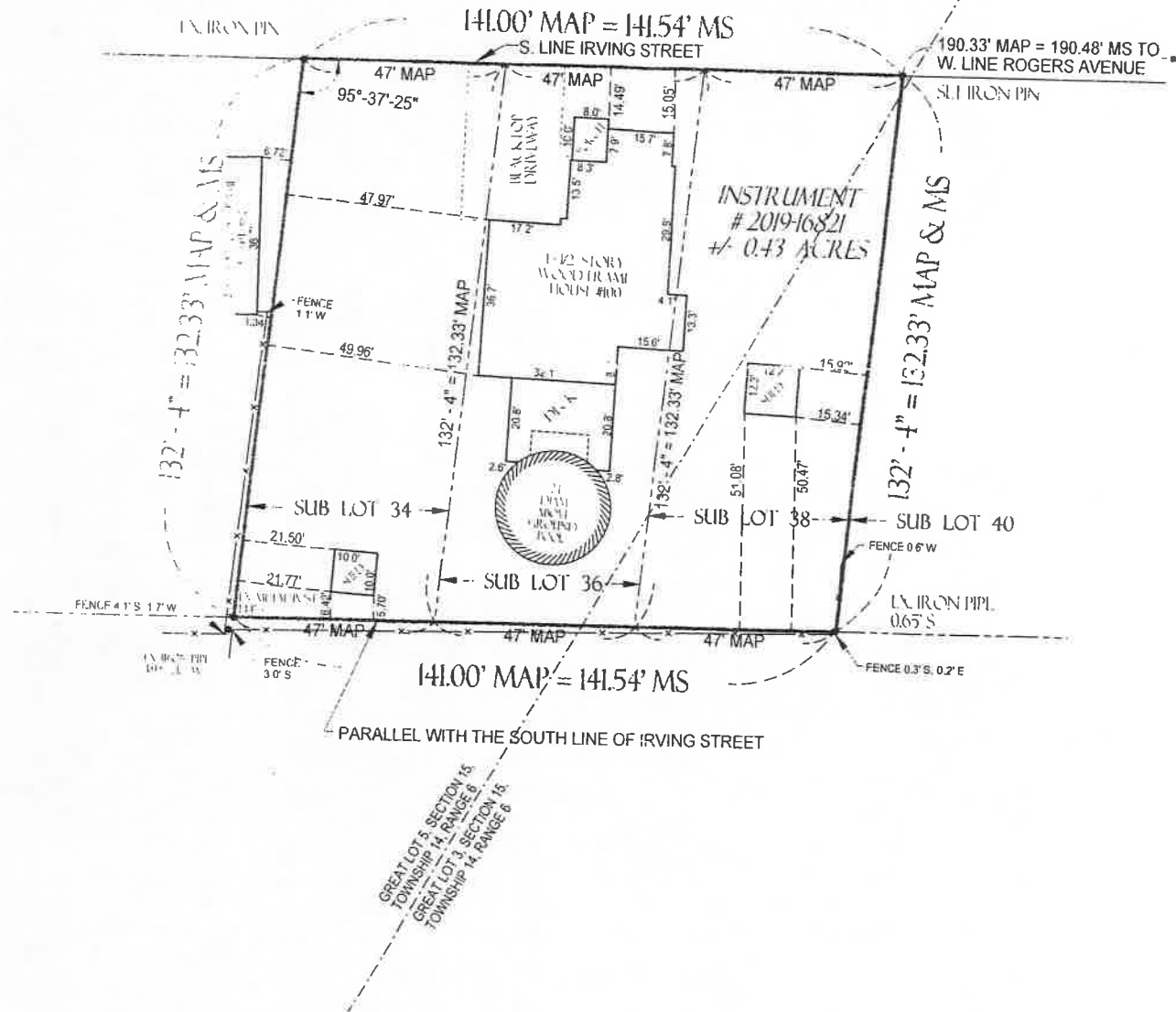
### **Revocable Permits**

A revocable permit is a permit issued by the City when a property owner wants to place an item in or utilize the City Right of Way. Examples of this would include but not be limited to fences, signs and awnings. To apply please fill out the back of this sheet and return it to the City Clerk's Office. You will be required to provide an insurance certificate to the Clerk's Office showing that the City is additionally insured on the policy. There is a \$\_\_\_\_\_ application fee. There is no renewal fee.

Should you have any questions please feel free to contact Building Inspection or the Clerk's Office.

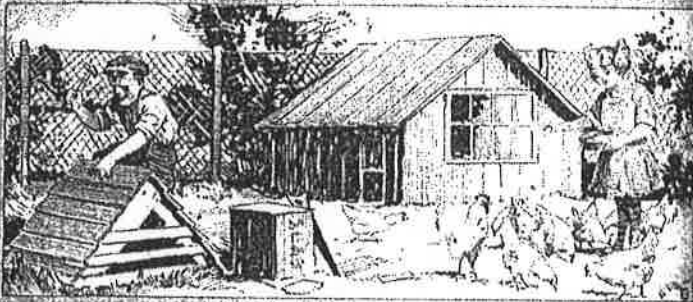


# IRVING STREET (66' WIDE)



GREAT LOT 5, SECTION 15  
TOWNSHIP 14, RANGE 6  
GREAT LOT 3, SECTION 15  
TOWNSHIP 14, RANGE 6

## Uncle Sam Expects You To Keep Hens and Raise Chickens



### Two Hens in the Back Yard for Each Person in the House Will Keep a Family In Fresh Eggs

**E**VEN the smallest back yard has room for a flock large enough to supply the house with eggs. The cost of maintaining such a flock is small. Table and kitchen waste provide much of the feed for the hens. They require little attention—only a few minutes a day.

An interested child, old enough to take a little responsibility, can care for a few fowls as well as a grown person.

Every back yard in the United States should contribute its share to a bumper crop of poultry and eggs in 1918.

**In Time of Peace a Profitable Recreation  
In Time of War a Patriotic Duty**

*For information about methods of Back-Yard Poultry Keeping suited to your location and conditions, write*

**Your State Agricultural College  
or  
The United States Department of Agriculture  
Washington, D. C.**

**GW Lansberry**

1 HOUR AGO

Sent via the Samsung Galaxy A52 5G, an AT&T 5G smartphone

(No Subject)

From: blueidkele13 (blueidkele13@aol.com)

To: blueidkele13@aol.com

Date: Wednesday, October 11, 2023 at 06:39 PM EDT

## **Free chickens are being given out to people in a French town to reduce food waste**

**A French town is giving its residents free chickens to help get rid of waste more sustainably.**

Colmar, in northeastern France, is offering each household two free red hens to be used for composting.

Authorities there have calculated that the animals can devour around 300 grams of waste a day – about 100 kilograms annually.

Families have until March 24 to apply and those who are considered eligible will receive the new additions on June 10, local media reports.

People have to prove they will be able to house and care for the birds and accept that authorities have the right to visit and checkup on their welfare.

Colmar has been handing out chickens for environmental reasons since 2015 and the drives have taken place twice a year since.

Chickens help with disposing of waste by eating foods that would otherwise end up in landfills. They can also be used to physically work the compost by scratching and tearing at pile.

On top of this, they add their own droppings to the waste, adding to its nutrients.

France has made it compulsory for all local authorities to provide households with a way to compost by next January.

Several areas have opted to offer free worms instead of chickens, including Paris which holds regular worm composting and distributing campaigns regularly.

Sent via the Samsung Galaxy A52 5G, an AT&T 5G smartphone

(No Subject)

From: blueidkele13 (blueidkele13@aol.com)

To: blueidkele13@aol.com

Date: Wednesday, October 11, 2023 at 06:41 PM EDT

## Having Chickens Reduces Your Food Waste, and There's Proof

A city in Belgium had a pretty unique "social experiment."

SHAWNA DAVIS DEC 30, 2022 7:00 AM EST

If you've never considered having a few chickens around, you may want to start thinking about it. People who have pet chickens are likely already aware of why it's necessary to have them around, however, if you're unfamiliar why having a few of them (if you have the space, of course) should be the new "normal," allow us to explain.

These adorable fluffy birds offer quite a few benefits — and we're talking more than just providing you with fresh eggs for breakfast. Apparently, having a few chickens around can offer quite a few environmental benefits and thanks to the province of Flanders, we've learned exactly how chickens can reduce food waste and better the environment.

Sent via the Samsung Galaxy A52 5G, an AT&T 5G smartphone

(No Subject)

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## **The idea: Urban hens can help cities become more food secure**

Backyard hens provide a cheap, nutritious and regular source of protein for little investment. Cities can do more to help Canadians embrace them.

As inflation hits all areas of spending, Canadians say that food prices are where they're hit the hardest. From May 2021 to May 2022, the price of food rose by 9.7 per cent. And in a survey conducted by Statistics Canada in April, 43 per cent of respondents said rising food prices impacted them the most in the past six months, followed by rising transportation prices, at 32 percent.

Basic food staples were up across the board in May 2022, from fresh fruit (+10 per cent) to meat (+10.1 per cent) and fresh vegetables (+8.2 per cent). While planting vegetables in your backyard allows people to grow their own source of food (along with the well-being benefits of tending to a garden) sources of complex protein are harder to come by. That's where backyard hens come into play. Hens lay an average of one egg a day for 200 to 250 days out of the year. They're a reliable source of fresh protein with little upfront and ongoing cost.

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As the price of groceries increases, growing one's own food can be a powerful tool to affordably feed households and make cities more food secure. Backyard hens can be a part of this strategy.

**The idea:** Supporting urban food security by allowing citizens to raise egg-laying hens in their backyards.

**How it works:** Over the past decade, cities across Canada have been piloting urban hen programs. Saint John was the first city in the Maritimes to allow homeowners to keep chickens, in 2013, while Toronto's UrbanHensTO pilot began five years later. Vancouver and Calgary began permitting for backyard hens in 2022, although Calgary, which recently did the same, has limited its program to 100 applicants for the first year.

Rules vary by city, but hen-keepers typically need to apply for a permit or to register their hens. Vancouver allows a maximum of four hens, while Calgary stipulates a minimum of two and a maximum of four, since hens should be part of a flock. Bylaws also cover the size of enclosures, along with doors that can be locked at night to protect them from predators, like coyotes.

Paul Hughes, executive director of Grow Calgary, a non-profit community farm, has long been a proponent of urban chickens. "They are a very good fit in an urban environment because of their size and how easy it is to feed them very simple table scraps," Hughes explains, which helps to reduce household waste. Alternatively, he says a \$10 bag of feed supports three hens for two months. Enclosures can run the gamut of costs, but Hughes built his from scrap materials. The hens themselves are cheap too, costing about \$10 each for a standard laying hen, and up to \$50 or more for heritage varieties that lays eggs in unconventional colours.

There are, however, opponents to the movement, citing concerns over cleanliness, hygiene and noise. The town of Tecumseh, in southwestern Ontario, discontinued its two-year urban hens pilot program in March 2022 due to complaints that hen coops attracted rodents. But Hughes says mice and rats are prevalent in urban settings and the presence of chickens is not a significant factor in their proliferation. While chickens are susceptible to avian flu, the segregated nature of backyard flocks makes it easy to identify and isolate problems to prevent the spread of disease.

As for noise complaints, Hughes reminds us that it's roosters that crow, not hens, which is why most urban chicken programs don't permit roosters. "Hens are very, very quiet," he says. "They will make a tiny bit of noise when they're having an egg because they're very proud. That's their big event for the day."



**The big picture:** Urban hens aren't the only solution to feeding cities, but they can be part of it. "Our food security in Canada is so low," Hughes explains. "Every little initiative will add considerably to our capacity to feed ourselves. Families that choose to have hens will improve their household food security." Hughes believes that cities can and should do more to encourage citizens to raise chickens through municipal campaigns, similar to recycling campaigns. "[Cities can] promote hens as a way to reduce organic waste and as a way to access nutritious food," he says.

Much like cities offer free compost for gardens, cities could also subsidize materials required to raise hens as an incentive—or subsidize the hens themselves. In 2010, the town of Mouscron, in Belgium, gave away 50 pairs of chickens as a means of waste management and egg production.

As a bonus, Hughes reminds us of the emotional support that hens provide. "We call them pets with pets of benefits," he says. "A dog gives you nothing back. A cat gives you nothing back. But a chicken gives you an egg."

*This story is part of a series on food insecurity in Canada funded by the Maple Leaf Centre for Food Security, in partnership with Community Food Centres Canada.*

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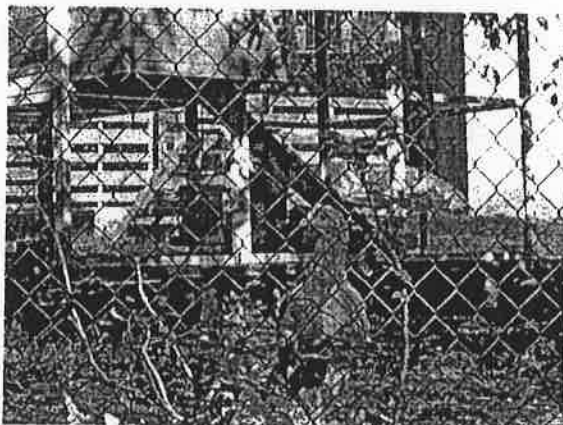
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# Backyard Chickens: Eggs, Therapy, Stress Relief, Pest Control

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Keeping and raising chickens is becoming more and more popular. There are many benefits of tending chickens, including fresh eggs, pest control, fertilizer, entertainment, stress relieve, therapy and family values. It is great for children to learn where their food comes from. What a great way to learn about the food chain and about respecting the animals that provide us with food.

The daily fare of fresh eggs offers numerous health benefits and they taste good, too. A recent study in Mother Earth News showed a comparison in nutrients between eggs from pasture-raised chickens and those raised on factory farms. Benefits of pasture-raised chicken eggs over their commercial counterpart include:

- Less cholesterol and fat
- Two times more omega-3 fatty acids
- Three times more vitamin E
- Six times more vitamin D
- Seven times more beta carotene

Have backyard pests? Chickens love to search for bugs. Every waking moment they are scratching and pecking around looking for a tasty snack. Chickens like grasshoppers, caterpillars, worms, beetles, centipedes, scorpions and other crawling nibbles. What we consider pests, chickens consider lunch.

Chickens are also masters at recycling. The nutrients in food scraps and weeds eaten by chickens are recycled into an extremely valuable substance for the garden...manure! Chicken poop is one of the best garden fertilizers because it contains essential nutrients including nitrogen, potassium and phosphorous. The hardest part is keeping the chickens from eating the garden while they are fertilizing it.

Did you know raising chickens can also help reduce stress, increase health and calm the mind? Similar to caring for and enjoying other pets, tending chickens causes the body to release oxytocin, a stress-lowering hormone. Clea Danaan, author of *Zen and the Art of Raising Chickens: The Way of the Hen*, explains, "Chicken watching increases our mindfulness skills. Caring for chickens gets us outside regularly and watching their methodical scratching and foraging around the yard slows us down and grounds us in the present, providing a meditative and relaxing experience."

When socialized and supervised properly, many animals offer additional therapeutic benefits to children and adults. More than 3,000 animal assisted interaction programs exist across the country. These programs are designed to help people create a natural relationship with animals, which helps strengthens their own social and emotional skills. Chickens are recognized therapy animals used to address a wide variety of issues including dementia, Alzheimer's, sensory disorders, psychiatric illness, depression and autism.

Pet.org.au, an organization that provides support services for autistic children and parents to find the perfect companion animal, offers the following explanation: "A child who is on the autism spectrum inherently needs to be assisted away from over fixation on the inner self. This encouragement to outward awareness and not to fear it can be found in the antics and curious jerky head motions made by chickens. It is so captivating and funny. Chickens, as with most pets, will coax a special needs child to innately accept that there is fascinating 'chaos' in life and that unpredictable things will occur with a fun result. Chickens offer a soothing effect, as well as help to increase social and play skills, decrease feelings of loneliness, and promote

self-care and independent living skills through daily chores."

Finally, chickens are very entertaining. Each one has a different personality and quirky behavior. Some are quiet and some are chatty. Some liked to be held and carried; others not so much. And, there are so many different breeds available. You can find some cool-looking chickens. Kids love to pet and hold chickens and if you get them when they are chicks, they will like the physical attention.

The biggest time investment is building the coop and preparing the yard for the flock. After that, you might only spend 10 minutes a day making sure your hens have plenty of food and water, throwing out scraps for them to snack on and checking for eggs. If you let your hens free range in the backyard, you will only have to clean out their coop every three to four weeks. But you will have to hose the back patio or deck often, and rolling around on the lawn my offer more than grass strains.

It is important to check city ordinances or neighborhood regulations to make sure backyard chickens are allowed and to find out the limit. Most cities allow three to six hens and no roosters. FBN

Jenniene L. Foster, M.D., a board-certified anesthesiologist specializing in regional anesthesia, joined Forest Country Anesthesia in 2006. Dr. Foster came to Flagstaff after completing her medical residency program at The Ohio State University. When not caring for patients, Dr. Foster enjoys spending time with her husband and two daughters in their yard that backs the national forest and has room enough for a large garden and nearly a dozen chickens.

Forest Country Anesthesia providers perform more than 16,000 anesthetic procedures each year in all areas of anesthesiology, including cardiovascular, neurosurgery, obstetrics, orthopedics and pediatrics, across five facilities in Northern Arizona. To learn more about Dr. Foster and Forest Country Anesthesia, visit [ForestCountryAnesthesia.com](http://ForestCountryAnesthesia.com) or call 928-773-2505.

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