

CITY OF LOCKPORT
CORPORATION PROCEEDINGS

Lockport Municipal Building

Regular Meeting
Official Record

February 28th, 2024
6:00 P.M.

Mayor John Lombardi III called the meeting to order.

ROLL CALL

The following Common Council members answered the roll call:

Aldermen Craig, Devine, Fogle, Kirchberger, Lupo, Mullane

INVOCATION

MAYOR'S UPDATE

RECESS

Recess for public input.

022824.1

APPROVAL OF MINUTES

On motion of Alderman Fogle, seconded by Alderman Craig, the minutes of the Regular Meeting of February 14th 2024 are hereby approved as printed in the Journal of Proceedings. Ayes 6. Carried.

FROM THE MAYOR

Appointments:

Alexis T. Cacciatore, 9075 Chestnut Ridge Road is appointed to Heavy Equipment Operator for the City of Lockport Highway and Parks Department effective February 5th 2024. Said appointment is provisional and subject to the City of Lockport's Municipal Civil Service Rules and Regulations.

Thomas E. Machamer, 155 Park Avenue has been appointed to Heavy Equipment Operator for the City of Lockport's Highway and Parks Department effective February 5th 2024. Said appointment is provisional and subject to the City of Lockport's Municipal Civil Service Rules and Regulations.

Mark J Haenle II, 6538 Heather Drive has been appointed to Public Works Supervisor for the City of Lockport's Highway and Parks Department effective February 12th 2024. Said appointment is provisional and subject to the City of Lockport's Municipal Civil Service Rules and Regulations.

Joel P. Diel, 4535 County Line Road, Holley, NY has been appointed to Heavy Equipment Operator for the City of Lockport's Highway and Parks Department effective February 12th 2024. Said appointment is provisional and subject to the City of Lockport's Municipal Civil Service Rules and Regulations.

FROM THE CITY CLERK

The Clerk submitted payrolls, bills for services and expenses, and reported that the Department Heads submitted reports of labor performed in their departments. Reviewed by the Finance Committee.

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

2/14/2024 Sarah K. Lanzo, City Clerk – notification of bids received on February 14th, 2024 in response to the **RFP for Plow Truck**.

Basil Chevrolet	\$226,651.80
5111 Transit Road	\$75,550.60/each
Depew, NY 14043	

2/12/2024 Standard 30-day Advance Notice to the City of Lockport regarding the On-Premises Alcoholic Beverage License submitted by the Kenan Center, 433 Locust Street.

Notice of Complaint:

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

Notice of Claim:

Douglas Weaver, 503 Park Avenue, Apt 5, against the City of Lockport.

Referred to the Corporation Counsel.

MOTIONS & RESOLUTIONS

022824.2

By Alderman Craig:

Resolved that the Mayor and City Clerk be authorized to issue orders in favor of the claimants for payrolls, bills and services to be paid on February 29th, 2024.

Seconded by Alderman Devine and adopted. Ayes 6.

022824.3

By Alderman Craig:

Resolved, that claims authorized for payment by the Director of Planning and Development, and subsequently paid from the Community Development Escrow Account, be and the same are hereby approved.

Seconded by Alderman Kirchberger and adopted. Ayes 6.

022824.4

By Alderman Mullane:

Resolved that the Youth Board is hereby granted permission to conduct an Independence Day Parade on Wednesday, July 3, 2024, commencing at 7:00 PM at Lockport High School, north on Locust Street to Ulrich City Centre, subject to the approval of the Parade route by the Police Chief and issuance of a parade permit by the City Clerk.

Seconded by Alderman Fogle and adopted. Ayes 6.

022824.5

By Alderman Craig:

Whereas the Common Council desires to host the Independence Day fireworks downtown for 2024 Independence Day celebrations. NOW, THEREFORE, BE IT

Resolved that the Mayor be and is hereby authorized to enter into an agreement with a vendor to provide fireworks downtown July 4, 2024

Resolved that permission is hereby granted to use the City owned property located at 71 Gooding Street for said fireworks display subject to the approval of the Fire Chief, and be it further

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

Seconded by Alderman Fogle and adopted.

Ayes3; Alderman Craig, Fogle and Kirchberger voted yes.

Nays 3. Alderman Devine, Lupo and Mullane voted no.

Mayor Lombardi voted in the affirmative. Resolution adopted.

022824.6

By Alderman Craig:

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

Resolved that the Mayor and Common Council do hereby extend thanks and appreciation to the Redmen’s Club, for a donation of \$5,000 to be used for _2024 Fireworks; and

Resolved that the FY 2024 General Fund budget be amended as follows:

Revenue

Increase

A.8510.32705

Gifts and Donation

\$5,000

Expenditures

Increase A.8510.54515	Special Supplies	\$5,000
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Seconded by Alderman Fogle and adopted. Ayes 5. Nays 1. Alderman Devine voted no.

022824.7 - WITHDRAWN (Wildcats)

022824.7A

By Alderman Lupo:

Whereas Severson Environmental Services is executing the 18-Mile Creek Super Fund work, which will require a temporary staging area consisting of five mobile office trailers and miscellaneous materials located at 225 Mill Street. The staging area will have a temporary six (6) foot high chain link fence around the property that will have portions that are located within the city right of way;

Whereas Severson Environmental Services has indicated that this fence is temporary, however the project is tentatively scheduled to take between two and three years to complete;

Whereas the Lockport Planning Board unanimously approved at the January 8th, 2024 meeting Severson Environmental Services' request to utilize the property as a temporary staging area for the 18 Mile Creek superfund project with the condition that the property be restored to its original state at the completion of the project;

Resolved that Severson Environmental Services is hereby granted permission to erect a six (6) foot high chain link fence around the area that will have portions that are located within the city right of way;

Resolved that said permission is subject to Severson Environmental filing a certificate of insurance with the City Clerk naming the City of Lockport as additional insured; and be it further

Resolved that Severson Environmental must restore the property to its original state at the completion of the project

Seconded by Alderman Mullane. Ayes 6.

022824.7B

By Alderman Craig:

Whereas, the City of Lockport has been involved in a negligence lawsuit brought by Michael K. Murphy, Sharon Murphy, and Lockport Locks & Canal Tours, Inc., regarding a retaining wall which collapsed as a result of heavy flooding on or about April 6, 2017; and

Whereas, after years of protracted litigation and negotiation, the parties have agreed to settle the matter in the amount of \$30,000.00, said amount was based on the Plaintiffs' cost to repair and replace the collapsed retaining wall and adjacent fencing; now therefore be it

Resolved, that the City is hereby directed to pay \$30,000.00 to settle this claim to: Richard A. Grimm, III, Esq., Magavern Magavern Grimm LLP, 1100 Rand Building, 14 Lafayette Square, Buffalo, NY 14203, as attorney for the Plaintiffs, Michael K. Murphy, Sharon Murphy, and Lockport Locks & Canal Tours, Inc, said funds to be held in escrow pending the

City's receipt of a release of liability and a stipulation of discontinuance, signed by the Plaintiffs of this said lawsuit.

Decrease Contingency	A.1900.54775	\$30,000
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Increase Judgement and Claims	A.1900.54765	\$30,000
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Seconded by Alderman Mullane. Ayes 6.

022824.8

ADJOURNMENT

At 6:15 P.M. Alderman Fogle moved the Common Council be adjourned until 6:00 P.M., Wednesday, March 13th, 2024.

Seconded by Alderman Devine and adopted. Ayes 6.

SARAH K. LANZO
City Clerk