

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

Lockport Municipal Building

Regular Meeting  
Official Record

June 12th, 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, Fogle, Lupo, Mullane  
Absent: Devine, Klrchberger

**INVOCATION – Pastor Steve**

**RECESS**

Recess for public input.

**061224.1**

**APPROVAL OF MINUTES**

On motion of Alderman Fogle, seconded by Alderman Lupo the minutes of the Regular Meeting of May 22<sup>nd</sup>, 2024 are hereby approved as printed in the Journal of Proceedings. Ayes 4. Carried.

**PUBLIC HEARING**

The Mayor announced a public hearing on a request for a Special Use Permit to harbor hens on the property at 291 Prospect Street, Lockport, NY.

The Mayor asked the City Clerk if any petitions or communications relative to said Special Use Permit have been received.

5/7/2024 Jeff Tracy, Lockport Planning and Zoning Board – the board does not recommend the request.

Recess for public input.

The Mayor closed the public hearing.

**FROM THE MAYOR**

**Appointments:**

Susan E. Israel, 264 Crestwood Court E, Lockport, NY 14094, has been appointed to Assessor B in the Assessor Department. Said appointment is provisional and subject to the City of Lockport's Municipal Civil Service Rules and Regulations.

Connor J. McCarthy, 163 Monroe Street, Lockport, NY 14094, has been appointed to Building Inspector in the Building Inspection Department for the City of Lockport. Said appointment is permanent and subject to the City of Lockport's Municipal Civil Service Rules and Regulations.

Daniel J. Wojewoda, 345 High Street, Lockport, NY 14094, has been appointed to Building Inspector in the Building Inspection Department for the City of Lockport. Said appointment is permanent and subject to the City of Lockport's Municipal Civil Service Rules and Regulations.

David M. Craddock, 411 East Avenue, Lockport, NY 14094 has been appointed to Heavy Equipment Operator in the Highway and Parks Department for the City of Lockport. Said appointment is permanent and subject to the City of Lockport's Municipal Civil Service Rules and Regulations.

Kelsey M. Teeter, 404 N. Transit Street, Lockport, NY 14094 has been appointed to Senior Account Clerk in the Department of Assessment for the City of Lockport. 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)  
5/30/2024 Leisl Dukhedin-Lalla, PhD, President of Zeton US Properties, Inc. notifying the city that the storm sewer line on 115 Oakhurst Street requires immediate attention from the City of Lockport.

**Notice of Complaint:**  
5/20/2024 Patricia A. George, 37 East Avenue, Lockport, NY 14094 expressing her concern due to the grading between the road and the sidewalk in front of her building.  
5/22/2024 Paul Lamont, 49 Lakeview Parkway, Lockport, NY 14094 – tree.

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

**Notice of Claim:**  
4/16/2024 Randy Bernardi, 12 Howard Avenue, Lockport, NY 14094 regarding damage by a large pothole located on Locust Street in front of Lockport High School.

Referred to the Corporation Counsel.

#### **MOTIONS & RESOLUTIONS**

**061224.2**  
By Alderman Lupo:

**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 June 13<sup>th</sup>, 2024.

Seconded by Alderman Mullane and adopted. Ayes 4.

**061224.3**

By Alderman Fogle:

**Resolved** that the Mayor and Common Council do hereby extend congratulations and appreciation to the following City employees for their years of dedicated service to the City of Lockport:

<u>Employee</u>	<u>Years of Service</u>	<u>Title</u>
Daniel T. Cole	30	Tree Crew Leader

Seconded by Alderman Craig and adopted. Ayes 4.

**061224.4                      Local Law #1 - Curfew**

By Alderman Lupo:

**Whereas** the Safety Committee has proposed an update to the local curfew law for residents under the age of 18, and

**Resolved** that Corporation Counsel is hereby authorized and directed to amend Chapter 81 – Curfew relative to updating the age;

**Resolved** that a public hearing be held at the Common Council Meeting on Wednesday, June 26, 2024, starting at 6 PM in the Common Council Chambers, Lockport Municipal Building, One Locks Plaza, Lockport, NY, relative to updating local law to reflect curfew for residents under the age of 18 years old, and be it further;

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

Seconded by Alderman Mullane and adopted. Ayes 4.

**061224.5                      Navy Marine Club Picnic**

By Alderman Craig:

**Resolved** that pursuant to their request, permission is hereby granted to the Lockport Navy Marine Club, 37 Park Avenue, Lockport, to barricade Park Avenue at the eastern end of Ida Fritz Park and at the corner of Park Avenue and Hawley Street on Saturday, August 24, 2024, for their annual picnic, and be it further

**Resolved** that the Director of Highways, Parks and Water Distribution be and the same is hereby authorized and directed to arrange for delivery to arrange for delivery of barricades to said area prior to said event.

Seconded by Alderman Mullane and adopted. Ayes 4.

**061424.6 Authorization to Execute Grant Agreement – Sanitary Sewer System**

By Alderman Fogle:

**AUTHORIZATION FOR REPRESENTATIVE TO EXECUTE GRANT AGREEMENT  
CITY OF LOCKPORT  
SANITARY SEWER SYSTEM EVALUATION (EPG#130135)**

**Whereas** City of Lockport (hereinafter the “City”) desires to accept the New York State Environmental Facilities Corporation (NYS EFC) Engineering Planning Grant (EPG) #130135; and

**Whereas** the City proposes to conduct a Sanitary Sewer System Evaluation under NYS EFC EPG #130135; and

**Whereas** the City intends to work with Hunt Engineering, Architects, Land Surveyors & Landscape Architect D.P.C., Contact Tim Steed, 100 Hunt Center, Horseheads, NY 14845; and

**Whereas** the primary purpose of this grant will be to evaluate the City’s Collection System Inflow and Infiltration (I&I) issues and excess flow experienced at the Wastewater Treatment Plant (WWTP) during intense storm events and seasonal thaw.

**Now, therefore, based on such review and consideration, be it resolved** by the City of Lockport Common Council that the Mayor is hereby authorized to execute an EPG Agreement with the NYS EFC and any and all other contracts, documents, and/or instruments necessary to facilitate the EPG project referenced herein and to fulfill the City of Lockport’s obligations thereunder.

Seconded by Alderman Craig and adopted. Ayes 4.

**061424.7 LockFest 2024- July 28<sup>th</sup>**

By Alderman Craig:

**Resolved** that pursuant to their request Lockport Main Street, (hereafter LMS) is hereby granted permission to host Lockfest – Music and Arts for the Whole Family, in collaboration with B & D Bagels on Sunday, July 28, 2023 from 12 pm – 7 pm at Lockview Plaza. Said event has a mission to provide the Lockport Community with a fun, music filled afternoon, with activities for kids young and old. There will be live music, food trucks, a car show, vendors and kid’s vendors in addition to children’s crafts and activities. The event will include the following:

- Closure of Main Street to through traffic from Cottage Street to Pine Street for the duration of the event
- LMS is granted access to electricity at the light posts along Main Street
- LMS is granted permission for vendors and restaurants to set up along and serve
- LMS is granted permission to place portable sanitation units on Main Street for this event

**Resolved** that the Director of Highways, Parks and Water Distribution is authorized and directed to arrange for delivery of refuse containers and barricades to the area prior to the said dates;

**Resolved** that the City stage be made available for the event, **And be it further Resolved** that said permission is subject to LMS filing a certificate of insurance, covering all of said events, with the City Clerk, naming the City of Lockport as additional insured.

Seconded by Alderman Mullane and adopted. Ayes 4.

**061424.8 Authorize Engineering Professional Service Support**

By Alderman Fogle:

**Whereas** the City of Lockport (City) owns and operates a Public Water System (PWS), PWSID #NY3100564; and

**Whereas** the United States Environmental Protection Agency (USEPA) requires that all Public Water Systems furnish an inventory of their lead service lines to comply with recent and pending revisions to the Lead and Copper Rule (LCR); and

**Whereas** the Lead Service Line inventory is required to be submitted by October 16, 2024; and

**Whereas** the City authorized its consulting engineering firm Nussbaumer & Clarke, Inc (Nussbaumer) to apply for a grant to support preparation of a Lead Line Service Inventory ; and

**Whereas** on March 29, 2024 the City was notified by the NYS Department of Health (DOH) that the City is eligible for a Bipartisan Infrastructure Law grant of up to \$124,630 to prepare a lead service line inventory in accordance with the grant application; and

**Whereas** Nussbaumer assisted the City with the preparation of the successful grant application, is on the City's pre-qualified list of engineering service providers, and submitted a proposal dated June 3, 2024 to assist the City with preparation of the required lead service line inventory for a fee not-to-exceed \$110,000; Now, therefore, be it;

**Resolved** that the Mayor is authorized to execute an Agreement with Nussbaumer & Clarke, Inc., 80 Main St. Unit A, Lockport NY 14094 for a not-to-exceed fee of \$110,000 per their proposal dated June 3, 2024.

Seconded by Alderman Lupo and adopted. Ayes 4.

**061424.9 Authorize – Local Match Sanitary Sewer System**

By Alderman Fogle:

**AUTHORIZATION AND APPROPRIATION OF LOCAL MATCH  
CITY OF LOCKPORT  
SANITARY SEWER SYSTEM EVALUATION (EPG#130135)**

**Whereas** City of Lockport (hereinafter the "City") proposes to conduct a Sanitary Sewer System Evaluation under New York State Environmental Facilities Corporation Engineering Planning Grant (NYS EPG) #130135; and

**Whereas** the NYS EPG requires a local match equal to 20 percent of the requested grant amount in cash and/or in-kind services; and

**Now, therefore, based on such review and consideration, be it resolved** by the City's Common Council that the City hereby authorizes and appropriates a minimum 20% local match as required by the NYS EPG Program for the City's Sanitary Sewer System Evaluation in the amount of \$10,000 and based upon the total EPG Grant award of \$50,000.

**Be it further resolved**, the source of the local match, and any amount in excess of the required match, shall be provided by the City's general fund and/or in-kind services as needed.

Seconded by Alderman Mullane and adopted. Ayes 4.

**061424.10                      Accounting Consultants Payment**

By Alderman Craig:

**Whereas** Resolution 011024.4B approved of the use of two Accounting Consultants, Mary Smith and Roger Salmons, in the absence of the Director of Finance position to aid the City in the 2023 financial year closeout, the 2023 audit, and other miscellaneous accounting projects and

**Whereas** the services of Mary Smith and Roger Salmons are not to exceed \$45,000 and

**Whereas** it has been determined that the necessary funds to pay these consultants will come from the Finance Director Full Time Wages account and be relocated to the Finance Department Professional Services account; and

**Whereas** the consultants have billed the City a total of \$39,500 to date; now therefore be it

**Resolved** that the FY 2024 General Fund Budget is amended as follows:

Expenditures:

Increase:

A.1310.54055	Professional Services	\$30,400
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Decrease:

A.1310.51010	Full Time Wages	\$30,400
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Seconded by Alderman Lupo and adopted. Ayes 4.

**061424.11                      Website Maintenance RFP**

By Alderman Fogle:

**Whereas** the City published an RFP to collect bids for website maintenance, hosting and social media management on April 17, 2024 with a due date of May 2, 2024; and

**Whereas** the City Clerk in coordination with the City's Network Coordinator and Finance Director have reviewed said bid submissions and have recommended to pursue a contract with North Shore Solutions;

**Whereas** the General Fund FY 2024 Operating Budget appears to be appropriately funded to continue operations of the website; now therefore be it

**Resolved** that the Mayor is hereby authorized to enter into a contract with North Shore Solutions.

Seconded by Alderman Craig and adopted. Ayes 4.

**061424.12 Article 7 – 104 Old Niagara**

By Alderman Craig:

**Whereas** the owner(s) of 104 Niagara Rd (104 Old Niagara Rd LLC) had challenged their property assessment against the City for successive years beginning in 2022 through 2023; and

**Whereas** the City appeared and answered the suit and defended itself throughout multiple court appearances; and

**Whereas** all parties reached a settlement in 2024, that resulted in a court order determining the precise amount of overpayments during the period of the lawsuits; now be it

**Resolved** that the FY 2024 General Fund Budget is amended as follows:

Expenditures:

Decrease

A. 1900.54775	Contingencies	\$26,302.08
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Increase

A. 1900.54765	Judgement and Claims	\$26,302.08
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Contingent upon review and approved by Corporation Counsel.

Seconded by Alderman Lupo and adopted. Ayes 4.

**061224.12A Juneteenth**

By Alderman Fogle:

**Whereas** the City of Lockport (“City”) and the Civil Service Employees Association Local 1000 (“Union”) are parties to a Collective Bargaining Agreement (“CBA”) for the City of Lockport (CSEA) 7651 in Niagara County Local 832; and,

**Whereas** the CBA covers the period from January 1, 2015 to December 31, 2026; and,

**Whereas** the Union wishes to add the holiday of Juneteenth to its list of paid Holidays; and,

**Whereas** the addition of the Holiday is a point of collective bargaining; and

**Whereas** the Common Council (“Council”) of the City of Lockport must approve any financial expenditures by the City;

**Now therefore be it resolved** that the City of Lockport Common Council hereby approves the addition of Juneteenth (June 19<sup>th</sup>) as an observed public holiday beginning in 2024 for the Union.

Seconded by Alderman Craig and not adopted. Ayes 2. Nays 2.  
Alderman Lupo and Mullane voted no. Motion failed.

**061224.12B            Lockport Little League – June 12<sup>th</sup>**

By Alderman Fogle:

**Resolved** that pursuant to their request, Lockport Little League is hereby granted permission to use the baseball field at Outwater Park on Wednesday, June 12, 2024, subject to approval of the schedule by the Highways & Parks Department, and be it further

**Resolved** that Lockport Little League file a certificate of insurance with the City Clerk naming the City of Lockport as additional insured.

Seconded by Alderman Mullane and adopted. Ayes 4.

**061224.12C            AnJo – June 26<sup>th</sup>**

By Alderman Craig:

**Resolved** that pursuant to their request, AnJo is hereby granted permission to use the softball field at Outwater Park on Wednesday, June 26, 2024, subject to approval of the schedule by the Highways & Parks Department, and be it further

**Resolved** that AnJo file a certificate of insurance with the City Clerk naming the City of Lockport as additional insured.

Seconded by Alderman Mullane and adopted. Ayes 4.

**061224.13**

**ADJOURNMENT**

At 6:26 P.M. Alderman Fogle moved the Common Council be adjourned until 6:00 P.M., Wednesday June 26th 2024.

Seconded by Alderman Lupo and adopted. Ayes 4.

SARAH K. LANZO  
City Clerk