

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, Devine, Fogle, Kirchberger, Lupo, Mullane

INVOCATION

RECESS

Recess for public input.

061224.1

APPROVAL OF MINUTES

On motion of Alderman Fogle, seconded by Alderman _____, the minutes of the Regular Meeting of May 22nd, 2024 are hereby approved as printed in the Journal of Proceedings. Ayes _____. 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. Isreal, 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:

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 March 28th 2024.

Seconded by Alderman _____ and adopted. Ayes _____.

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 _____ and adopted. Ayes _____.

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 _____ and adopted. Ayes _____.

061224.5 Navy Marine Club Picnic

By Alderman: _____

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 _____ and adopted. Ayes _____.

061424.6 Authorization to Execute Grant Agreement – Sanitary Sewer System

By Alderman: _____

**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 Plan (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 _____ and adopted. Ayes _____.

061424.7 LockFest 2024- July 28th

By Alderman: _____

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 _____ and adopted. Ayes _____.

061424.8 Authorize Engineering Professional Service Support

By Alderman: _____

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 _____ and adopted. Ayes _____.

061424.9 Authorize – Local Match Sanitary Sewer System

By Alderman: _____

**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 _____ and adopted. Ayes _____.

061424.10 Accounting Consultants Payment

By Alderman: _____

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 _____ and adopted. Ayes _____.

061424.11 Website Maintenance RFP

By Alderman: _____

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 _____ and adopted. Ayes _____.

061424.12 Article 7 – 104 Old Niagara

By Alderman: _____

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 _____ and adopted. Ayes _____.

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;

