# CITY OF LOCKPORT COMMON COUNCIL MEETING AGENDA REGULAR MEETING June 12th, 2024

6:00 P.M.

**5:30 P.M.** Committee of the Whole Meeting

**6:00 P.M.** Common Council Meeting

**ROLL CALL** 

**APPROVAL OF MINUTES** Fogle: Approve Common Council minutes of

061224.1 May 22nd, 2024

PUBLIC HEARING Special Use Permit 291 Prospect Street

**COMMUNICATIONS** 

.

MOTIONS & RESOLUTIONS

**xxxx:** Approve bills and payrolls

061224.2

**Fogle:** Recognize Employees for years

061224.3 of Employment

**Lupo:** Call for Public Hearing – Curfew

061224.4

xxxx: Navy Marine Club Picnic

061224.5

**xxxx:** Authorization to Execute Grant Agreement

061224.6 – Sanitary Sewer System

**xxxx:** LockFest 2024, Sunday July 28th

061224.7

**xxxx:** Authorize Engineering Professional Service

061224.8 Support – Related to USEPA Lead Service

Rule

**xxxx:** Authorize Local Match – Sanitary Sewer

061224.9 System

xxxx: Accounting Consultants Payment

061224.10

**xxxx:** Website Maintenance RFP

061224.11

Article 7 – 104 Old Niagara Road xxxx:

061224.12

**Fogle:** 061224.13 Adjourn meeting to June 26th 2024 **ADJOURNMENT** 

# CITY OF LOCKPORT COMMON COUNCIL MEETING AGENDA ADDENDUM

June 12, 2024

MOTIONS & RESOLUTIONS

Fogle. Juneteenth

061224.12A

**xxxx:** Lockport Little League – 6/12/24

061224.12B

xxxx: AnJo Softball – June 26, 2024

061224.12C

## <u>CITY OF LOCKPORT</u> 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 M
------------------------

On motion of Alderman Fogle, seconded by Alderman \_\_\_\_\_\_, the minutes of the Regular Meeting of May 22<sup>nd</sup>, 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:

	•	erk be authorized to issue orders in favor of the e paid on March 28th 2024.
Seco	nded by Alderman	and adopted. Ayes
<b>061224.3</b> By Alderman Fogle	<b>9</b> :	
		on Council do hereby extend congratulations and for their years of dedicated service to the City of
<b>Employee</b>	Years of Service	<u>Title</u>
Daniel T. Cole	30	Tree Crew Leader
Secor	nded by Alderman	and adopted. Ayes
<b>061224.4</b> By Alderman Lupo	Local Law #1 - Curfew	
residents under the Resolved th Chapter 81 – Curfe Resolved th Wednesday, June Municipal Building, curfew for resident	e age of 18, and hat Corporation Counsel is ew relative to updating the hat a public hearing be helded, 2024, starting at 6 PM, One Locks Plaza, Lockpots under the age of 18 years the City Clerk is hereby	Id at the Common Council Meeting on In the Common Council Chambers, Lockport ort, NY, relative to updating local law to reflect
Seco	onded by Alderman	and adopted. Ayes
	Navy Marine Club Picn	
Navy Marine Club, Ida Fritz Park and	37 Park Avenue, Lockpor	et, permission is hereby granted to the Lockport t, to barricade Park Avenue at the eastern end of the and Hawley Street on Saturday, August 24, tr

**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
<b>061424.6</b> By Alderman		ite Grant Agreement – Sanitary Sewer System
AUTHO	CITY OF	ATIVE TO EXECUTE GRANT AGREEMENT F LOCKPORT EM EVALUATION (EPG#130135)
		the "City") desires to accept the New York State FC) Engineering Planning Grant (EPG) #130135;
Where	• • •	ct a Sanitary Sewer System Evaluation under NYS
	eas the City intends to work with	Hunt Engineering, Architects, Land Surveyors &
Landscape A and	rchitect D.P.C., Contact Tim Ste	eed, 100 Hunt Center, Horseheads, NY 14845;
Where System Inflow Treatment PI Now, of Of Lockport C Agreement w	w and Infiltration (I&I) issues and an (WWTP) during intense store therefore, based on such review on Council that the Mayor with the NYS EFC and any and a facilitate the EPG project reference.	grant will be to evaluate the City's Collection dexcess flow experienced at the Wastewater mevents and seasonal thaw.  ew and consideration, be it resolved by the City is hereby authorized to execute an EPG all other contracts, documents, and/or instruments enced herein and to fulfill the City of Lockport's
	Seconded by Alderman	and adopted. Ayes
<b>061424.7</b> By Alderman	LockFest 2024- July 28	gth .

**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
<b>061424.8</b> By Alderman: <sub>-</sub>		ofessional Service Support
PWSID #NY3 <sup>^</sup> <b>Wherea</b> Public Water S	100564; and as the United States Environmenta	and operates a Public Water System (PWS), al Protection Agency (USEPA) requires that all eir lead service lines to comply with recent and
		is required to be submitted by October 16,
		g engineering firm Nussbaumer & Clarke, Inceparation of a Lead Line Service Inventory;
Wherea (DOH) that the prepare a lead Wherea application, is proposal dated inventory for a Resolv Clarke, Inc., 86	e City is eligible for a Bipartisan Info d service line inventory in accordar as Nussbaumer assisted the City of on the City's pre-qualified list of end d June 3, 2024 to assist the City was fee not-to-exceed \$110,000; Now yed that the Mayor is authorized to	with the preparation of the successful grant ngineering service providers, and submitted a ith preparation of the required lead service line
	Seconded by Alderman	and adopted. Ayes
<b>061424.9</b> By Alderman: <sub>-</sub>	Authorize – Local Match S	Sanitary Sewer System

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.

and adopted. Aves

Seconded by Alderman

30	and duop	
	Accounting Consultants Payment	
Mary Smith and I City in the 2023 f projects and Whereas and Whereas come from the Fi Department Profe Whereas	Resolution 011024.4B approved of the use of Roger Salmons, in the absence of the Director inancial year closeout, the 2023 audit, and other the services of Mary Smith and Roger Salmor it has been determined that the necessary fundance Director Full Time Wages account and essional Services account; and the consultants have billed the City a total of \$\frac{9}{2}\$	of Finance position to aid the ner miscellaneous accounting as are not to exceed \$45,000 and to pay these consultants will be relocated to the Finance
be it <b>Resolved</b>	that the FY 2024 General Fund Budget is am	ended as follows:
Expenditures:		
Increase: A.1310.54055	Professional Services	\$30,400
Decrease: A.1310.51010	Full Time Wages	\$30,400
Se	econded by Alderman and adop	ted. Ayes
	Website Maintenance RFP	
Whereas	the City published an RFP to collect bids for w	vebsite 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
<b>061424.12</b> By Alderman:	Article 7 – 104 Old Niagara	ı

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

Increase

A. 1900.54765 Judgement and Claims \$26,302.08

Contingent upon review and approved by Corporation Counsel.

Seconded by Alderman and	adopted. Ayes
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#### 061224.12A Juneteenth

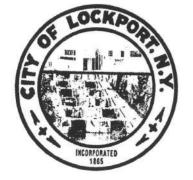
By Alderman Fogle:

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;

	dition of Juneteenth (June	ne City of Lockport Common Council hereby 19 <sup>th</sup> ) as an observed public holiday beginning in
Secon	ded by Alderman	and adopted. Ayes
	Lockport Little Leagu	e – June 12 <sup>th</sup>
permission to use to approval of the <b>Resolved</b>	e the baseball field at Outw e schedule by the Highway	est, Lockport Little League is hereby granted vater Park on Wednesday, June 12, 2024, subject s & Parks Department, and be it further e file a certificate of insurance with the City Clerk sured.
Secon	ded by Alderman	and adopted. Ayes
	AnJo – June 26 <sup>th</sup>	
softball field at O schedule by the I	utwater Park on Wednesda Highways & Parks Departn that AnJo file a certificate	est, AnJo is hereby granted permission to use the ay, June 26, 2024, subject to approval of the nent, and be it further of insurance with the City Clerk naming the City of
Secon	ded by Alderman	and adopted. Ayes
061224.13	ADJOU	RNMENT
	P.M. Alderman Fogle mov y June 26th 2024.	ved the Common Council be adjourned until 6:00
Seconded	by Alderman	and adopted. Ayes
		SARAH K. LANZO City Clerk



Lockport Municipal Building One Locks Plaza Lockport, NY 14094

May 23, 2024

TO: Common Council

Under and by virtue of the authority conferred on me by the charter of the City of Lockport, New York, I, John Lombardi III, Mayor of said City, do hereby appoint Susan E. Israel of 264 Crestwood Ct E, Lockport, NY 14094 to Assessor B in the Assessor Department. This is a provisional position effective May 23, 2024.

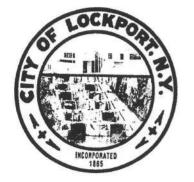
Said appointment is provisional and subject to the City of Lockport Municipal Civil Service Rules and Regulations.

Witness by hand and the Seal of the City of Lockport this 23<sup>rd</sup> day of May 2024.

John Lombardi III

Mayor

cc: S. Israel City Clerk



Lockport Municipal Building One Locks Plaza Lockport, NY 14094

May 23, 2024

TO: Common Council

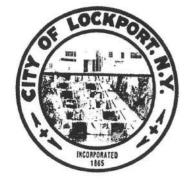
Under and by virtue of the authority conferred on me by the charter of the City of Lockport, New York, I, John Lombardi III, Mayor of said City, do hereby appoint Connor J/ McCarthy of 163 Monroe St, Lockport, NY 14094 to Building Inspector in the Building Inspection Department. This is a permanent position effective May 23, 2024.

Said appointment is permanent and subject to the City of Lockport Municipal Civil Service Rules and Regulations.

Witness by hand and the Seal of the City of Lockport this 23rd day of May 2024.

John Lombardi III Mayor

cc: C. McCarthy
J. Dool
City Clerk



Lockport Municipal Building One Locks Plaza Lockport, NY 14094

May 23, 2024

TO: Common Council

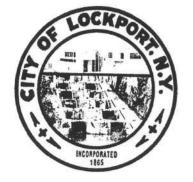
Under and by virtue of the authority conferred on me by the charter of the City of Lockport, New York, I, John Lombardi III, Mayor of said City, do hereby appoint Daniel J. Wojewoda of 345 High St, Lockport, NY 14094 to Building Inspector in the Building Inspection Department. This is a permanent position effective May 23, 2024.

Said appointment is permanent and subject to the City of Lockport Municipal Civil Service Rules and Regulations.

Witness by hand and the Seal of the City of Lockport this 23rd day of May 2024.

John Lombardi III Mayor

cc: D. Wojewoda J. Dool City Clerk



Lockport Municipal Building One Locks Plaza Lockport, NY 14094

May 23, 2024

TO: Common Council

Under and by virtue of the authority conferred on me by the charter of the City of Lockport, New York, I, John Lombardi III, Mayor of said City, do hereby appoint David M. Craddock of 411 East Avenue, Lockport, NY 14094 to Heavy Equipment Operator in the Highway and Parks Department. This is a permanent position effective May 23, 2024.

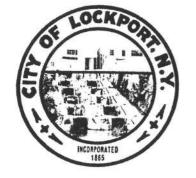
Said appointment is permanent and subject to the City of Lockport Municipal Civil Service Rules and Regulations.

Witness by hand and the Seal of the City of Lockport this 23rd day of May 2024.

John Lombardi III

Mayor

cc: D. Craddock C. Dimmick City Clerk



Lockport Municipal Building One Locks Plaza Lockport, NY 14094

May 23, 2024

TO: Common Council

Under and by virtue of the authority conferred on me by the charter of the City of Lockport, New York, I, John Lombardi III, Mayor of said City, do hereby appoint Kelsey M. Teeter of 404 N Transit St, Lockport, NY 14094 to Senior Account Clerk in the Assessor Department. This is a provisional position effective May 23, 2024.

Said appointment is provisional and subject to the City of Lockport Municipal Civil Service Rules and Regulations.

Witness by hand and the Seal of the City of Lockport this 23rd day of May 2024.

John Lonbardi III Mayor

cc: K. Teeter S. Israel City Clerk

## **Deputy City Clerk**

From:

Kristin Schubring <kschubring@lockportny.gov>

Sent:

Tuesday, June 11, 2024 1:19 PM

To:

deputyclerk@lockportny.gov cityclerk@lockportny.gov

Cc: Subject:

AP Fund Totals 5/23/24 spc run, 6/6/24 spc run, 6/12/24

Hi Emily,

Invoices to be approved at the meeting on 6/12/24 are as follows:

Fund A General - \$149,711.82 Fund CL Refuse & Recycling - \$334.96 Fund FX Water - \$27,085.09 Fund G Sewer - \$46,938.11 Fund S Worker's Comp - \$6,825.00 Fund H Capital Projects - \$89,622.78 **Total -** \$320,517.76

Please let me know if you have any questions!



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

## City of Lockport

I HEREBY CERTIFY that the persons named in this payroll are employed solely in and have actually performed the duties of positions and employments indicated for the period ending 5924, PAID on date 516124, is approved at dollars, \$555 091, 73.

Pay Day Register

Pay Date Range 04/26/24 - 05/09/24 Pay Batch 05/16/24

Pay Batch 05/16/24 Total				1				
Employees in Pay Batch 220								
Female Employees in Pay Batch 54			The Later		Gross Base	Benefits		Gross Base
Hours Description	Hours	Gross	Withholdings and Deductions	555,091.73	GIOSS DOSC	Health Ins 298 Class 2 Family	27,356.46	.00
207A Disability - 207A Disability	160.0000	1,790.00	Gross	555,091.75		Health Ins 298 Class 2 Single	9,744.59	.00
BERV - Bereavement	99.0000	2,545.04	Imputed Income	62 646 00	514,554.93	Health Ins 298 Class 3 Family	87,224.31	.00
CLAL - Clothing Allowance	.0000	7,800.00	Federal	62,646.09	543,018.42	Health Ins 298 Class 3 Single	8,247.48	.00
CMPE 1.0 - Comp Earned @ 1.0	288.5000	.00	FICA	33,667.06	543,018.42	Health Ins 298 Class 4 Family	5,557.24	.00
CMPE 1.5 - Comp Earned @ 1.5	3.0000	.00	Medicare	7,873.77		Health Ins 298 Class 4 Single	1,317.68	.00
CMPU - Comp Time Used	406.0000	14,627.44	New York State	26,320.52	524,034.51 95,007.99	Total	\$139,447.76	
EDAY - Extra Day	218.0000	8,090.69	457 % Deduction	7,249.29	95,007.99	Total	17. Carata 1. 11. 11. 11. 11. 11. 11. 11. 11. 11.	
FHDB - Floating Holiday Buy Out	40.0000	1,549.64		11,734.62	.00.	Employer Taxes		Gross Base
FHDE - Floating Holiday Earned	456.3400	.00	AFLAC POSTTAX	261.23	.00.	FICA	33,667.06	543,018.42
FHDU - Floating Holiday Used	284.0000	8,949.52	AFLAC PRETAX	460.30	.00.	Medicare _	7,873.77	543,018.42
FLSA - FLSA	.0000	65.40	ALLSTATE POSTTAX	693.58	.00.	Total	\$41,540.83	
FMLN - FMLA Leave without Pay	80.0000	.00	ALLSTATE PRETAX	569.98	.00	Total	######################################	
FMLS - FMLA Sick Used	88.0000	1,914.21	COLONIAL LIFÉ POSTTAX	55.40	.00	Workers' Comp		Gross Base
HOL - Holiday	.0000	8.51	Firefighter Life Ins	68.55	.00	Workers Compensation - General	23,072.64	434,945.24
LONG - Longevity Payment	.0000	1,800.00	FSA PRETAX	671.90		Workers Compensation - Sewer	2,315.50	39,181.65
MILI - Military Time	(40.0000)	(1,645.25)	Health Ins 298 Class 2 Family	1,938.24	.00	Workers Compensation - Water	2,207.52	46,067.50
OOT - Out of Title	678.0000	25,717.23	Health Ins 298 Class 2 Single	976.33		Workers Compensation 50%	693.44	10,372.21
OOT OT SHIFT 10% - OOT OT	6.0000	205.36	Health Ins 298 Class 3 Family	1,994.36	.00.	Total	\$28,289.10	
OT 1.0 - Overtime at Straight 1.0	24.2500	674.02	Health Ins 298 Class 3 Single	709.08		Total	420/200	
OT 1.5 - Overtime @ 1.5	1,053.5000	47,217.85	Health Ins 298 Class 4 Family	617.48	.00.	Direct Deposits		Amount
OT 1.5 SHIFT 10% - OT @ 1.5	24,0000	1,004.53	Health Ins 298 Class 4 Single	146.40		Armed Forces Bank		1,883.88
OT 1.5 SHIFT 15% - OT @ 1.5	32.0000	1,262.27	NEW YORK LIFE	279.30	.00	Bank of Akron		2,705.09
PRSE - Personal Earned	24.0000	.00	PRINCIPAL DENTAL	1,212.92	.00,	Bank of America		3,981.57
PRSU - Personal Used	191.5000	6,960.41	PRINCIPAL VISION	224.46	.00	BANK OF AMERICA (2)		2,414.46
REG - Regular	12,150.5000	370,529.45		2,236.00	.00	BANK OF AMERICA (4)		1,311.62
REG PT - Regular Part Time	297.2500	9,698.43		46.00	.00	BANK OF AMERICA (4) BANK OF AMERICA (6)		1,872.70
REG SHIFT 10% - Regular Shift	168.0000	4,591.53	RET ERS PRE-TAX SCP	154.63	.00			2,657.00
REG SHIFT 15% - Regular Shift	200.0000	5,655.21	RET PF LOANS	60.00	.00	Bank on Buffalo		421.96
REGS - Regular Seasonal	56.0000	840.00	RET PF PRE-TAX SCP	607.23	.00.	Chase		1,929.92
RGS - Regular - Salary	70.0000	.00	Retire ERS Tier 6 <= \$100,000	328.22	5,708.16			250.00
SAL - Salary	.0000	3,806.51	Retire ERS Tier 6 <=\$45,000	1,264.01	42,134.08	Chime		10,714.81
SAL PT - Salary Part Time	.0000	1,865.37	Retire ERS Tier 6 <=\$45,000 OT	137.56	4,585.01	Citizens Bank		118,367.80
SCKE - Sick Earned	1,904.2500	.00	Retire ERS Tier 6 <=\$55,000	1,133.92	32,398.21	Cornerstone Comm FCU		500.00
SCKU - Sick Used	501.5000	15,206.19	Retire ERS Tier 6 <=\$55,000 OT	100.32	2,866.41	Discover Bank		180.00
STIP - Stipend	.0000	192.31	Retire ERS Tier 6 <=\$75,000	908.46	20,187.76			1,135.08
VACE - Vacation Earned	167.8357	.00	Retire PFRS <= \$55,000	1,825.17	50,993.06			3,148.33
VACU - Vacation Used	420.5000	12,169.86	Retire PFRS Tier 6 <= \$100,000	3,147.54	54,739.72			100.00
Total	20,051.9257	\$555,091.73	Retire PFRS Tier 6 <= \$75,000	1,757.05	39,045.46			1,201.78
12:49:450	8		Retire PFRS Tier 6 <=	431.99	7,512.53	Five Star Bank		1,201,70

## City of Lockport

**Pay Day Register** 

Pay Date Range 05/24/24 - 06/06/24 Pay Batch 06/13/24

Pay Batch 06/13/24 Total	Uril Semi	e Mari	y Pat Silver					
Employees in Pay Batch 225		- /		27				
Female Employees in Pay Batch 55		,						Corres Deese
Hours Description	Hours	Gross	Withholdings and Deductions	. 46	Gross Base	Benefits		Gross Base
207A Disability - 207A Disability	160.0000	1,790.00	Gross	555,288.21		Health Ins 298 Class 2 Family	27,356.46	.00
BERV - Bereavement	48.0000	1,781.86	Imputed Income			Health Ins 298 Class 2 Single	9,706.30	.00
CMPE 1.0 - Comp Earned @ 1.0	407.7500	.00	Federal	63,667.25	515,850.01	Health Ins 298 Class 3 Family	84,075.42	.00
CMPE 1.5 - Comp Earned @ 1.5	5.5000	.00	FICA	33,661.42	542,925.00	Health Ins 298 Class 3 Single	8,247.48	.00
CMPL - Comp Lost	12.0000	.00	Medicare	7,872.55	542,925.00	Health Ins 298 Class 4 Family	5,557.24	.00
CMPU - Comp Time Used	460.0000	15,690.74	New York State	26,644.72	525,120.66	Health Ins 298 Class 4 Single	1,647.10	.00
EDAY - Extra Day	264.0000	9,295.69	457 % Deduction	6,669.72	85,334.34	Total	\$136,590.00	
FHDE - Floating Holiday Earned	687.6800	.00	457 Flat Dollar Deduction	11,134.62	.00			_
FHDL - Floating Holiday Lost	44.0000	.00	AFLAC POSTTAX	261.23	.00	Employer Taxes		Gross Base
FHDU - Floating Holiday Used	484.0000	14,960.69	AFLAC PRETAX	460.30	.00	FICA	33,661.42	542,925.00
FLSA - FLSA	.0000		ALLSTATE POSTTAX	693.58	.00	Medicare	7,872.55	542,925.00
FMLN - FMLA Leave without Pay	80,0000		ALLSTATE PRETAX	569.98	.00	Total	\$41,533.97	
HOL - Holiday	724,5000	19,103.86	COLONIAL LIFE POSTTAX	55.40	.00			
HOLIDAYPT - Holiday - Part Time	7.0000		FSA PRETAX	671.90	.00	Workers' Comp		Gross Base
OOT - Out of Title	796,0000	29,397.82	Health Ins 298 Class 2 Family	1,938.24	.00	Workers Compensation - General	23,576.96	438,279.08
OOT OT 1.5 - Out of Title OT at	6.5000	230.10	Health Ins 298 Class 2 Single	1,014.62	.00	Workers Compensation - Sewer	2,420.75	40,375.14
OT 1.0 - Overtime at Straight 1.0	54.0000		Health Ins 298 Class 3 Family	1,994.36	.00	Workers Compensation - Water	2,312.64	44,596.60
OT 1.5 - Overtime @ 1.5	1,193.7500	55,024.31	Health Ins 298 Class 3 Single	709.08	.00	Workers Compensation 50%	693.44	10,631.98
OT 1.5 SHIFT 10% - OT @ 1.5	24,0000	999.05	Health Ins 298 Class 4 Family	617.48	.00	Total	\$29,003.79	
OT 1.5 SHIFT 15% - OT @ 1.5	16.0000	656.11	Health Ins 298 Class 4 Single	183.00	.00			
PRSE - Personal Earned	16.0000		NEW YORK LIFE	279.30	.00	Direct Deposits		Amount
PRSU - Personal Used	100.5000	3,273.69	Pearl Insurance through CSEA	220.14	.00	Amherst Federal Credit Union		494.48
REG - Regular	10,665.5000	319,075.41	PRINCIPAL DENTAL	1,201.64	.00	Armed Forces Bank		1,443.84
REG PT - Regular Part Time	239.0000		PRINCIPAL VISION	221.62	.00	Bank of Akron		2,654.82
REG SHIFT 10% - Regular Shift	160.0000		RET ERS LOANS	2,201.00	.00	Bank of America		4,189.88
REG SHIFT 15% - Regular Shift	240.0000		RET ERS POST-TAX SCP	46.00	.00	BANK OF AMERICA (2)		1,561.25
REGS - Regular Seasonal	361.5000		RET ERS PRE-TAX SCP	170.77	.00	BANK OF AMERICA (4)		1,381.65
RGS - Regular - Salary	70.0000	(	RET PF LOANS	60.00	.00	BANK OF AMERICA (6)		1,116.62
SAL - Salary	.0000	3,806.51		820.22	.00	Bank on Buffalo		2,571.44
SAL PT - Salary Part Time	.0000	1,865.37		312.18	5,429.21	Chase		193.91
SCKE - Sick Earned	1,973.0000	.00	(1) 경기 가입니다 (1) 가입니다	1,289.49	42,983.43	Chase Bank		2,441.48
SCKU - Sick Used	402.0000	12,376.72			4,896.48	Chime		250.00
STIP - Stipend	.0000		Retire ERS Tier 6 <=\$55,000	1,066.43	30,469.74	Citizens Bank		10,462.96
VACB - Vacation Buy Out -	122.0000	4,622,68			1,578.26	Cornerstone Comm FCU		117,401.42
VACE - Vacation Earned	187.0856	.00		916.13	20,358.20	Discover Bank		500.00
VACL - Vacation Lost	44.0000	.00	1 - [18] 및 위계(기식) 102 전기(기) (18) 설계(지) 및 POPO (18) (18) (18) (18) (18) (18) (18) (18)	1,825.86	51,012.25	Encompass Niagara FCU		180.00
VACU - Vacation Used	933.5000	34,323.45			54,005.12	ESL FCU		1,085.12
Total	20,988.7656	\$555,288.21		1,714.45	38,098.89	Evans Bank		3,049.29
Total	20,300,7030	+355/EGGIET	Retire PFRS Tier 6 <=	340.05	5,913.82			100.00
				5 .5.05				



May 30, 2024

Sarah K. Lanzo
Office of City Clerk
City of Lockport. Lockport Municipal Building
One Locks Plaza
Lockport, New York 14094

Cc:

Mayor John Lombardi, City of Lockport
Steve Pump, City of Lockport, City Engineer
Clayton Dimmick, City of Lockport, Director of Highways, Parks and Water Distribution
Mike Marino, Nussbaumer & Clarke, Inc., Chief Executive Officer
Chris Freese, Nussbaumer & Clarke, Inc., Associate, Construction Services
James W. Grzeskiewicz, Nussbaumer & Clarke, Inc., Construction Services Group
Paul Beakman, Zeton US Properties Inc., Oakhurst Project Manager
Darren Wildt, Zeton US Properties Inc., Vice President

Re: Notice of Deficiency

Dear Sarah K. Lanzo:

The storm sewer line on 115 Oakhurst Street owned by Zeton US Properties requires immediate attention from the City of Lockport. There is an existing 18" Diameter HDPE Storm Sewer Pipe that is traversing the front of the Zeton US Property as shown on the Plan Pg. C-104, "Utility Plan". Upon investigation, the outlet of this pipe located west of the property is filled with debris and is not allowing the pipe to drain to the surface outlet ditch / area as intended. Due to this existing condition, the pipe is holding water and is contributing to soft subgrade soil conditions which will affect the proposed hard surface driveway pavement.

The City of Lockport DPW was previously contacted and made aware of this issue. To date no action has been taken to correct this condition.

It has been suggested that the outcome from the City's first assessment was that it would not be feasible to get a sewer vacuum to the problem area because of its location in a wet muddy area. The sediment has caused a dam that does not allow the storm sewer to drain. The construction team at site has walked to the area and have confirmed that a tracked vehicle could easily get to the affected area to remove the dam and reestablish proper drainage. Attached are several photos to illustrate the issue.

There is also a city storm sewer line on the south side of Oakhurst Street is in complete disrepair and causing flooding during heavy rains.

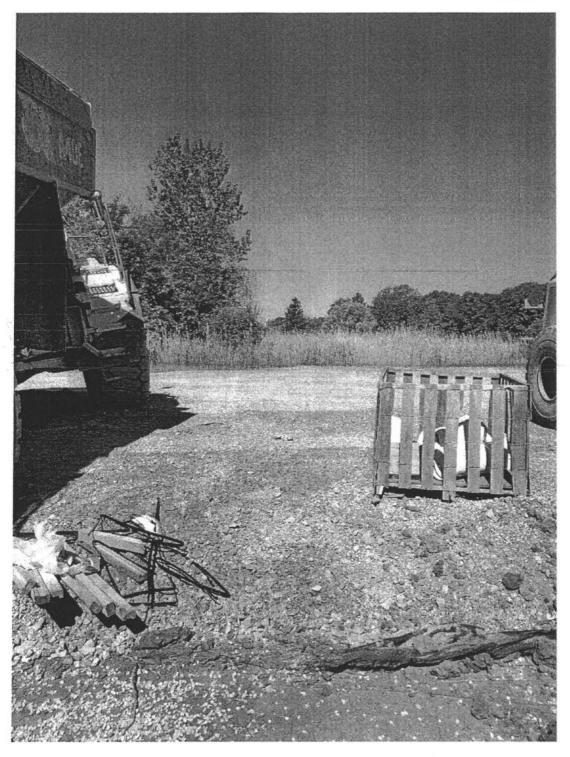




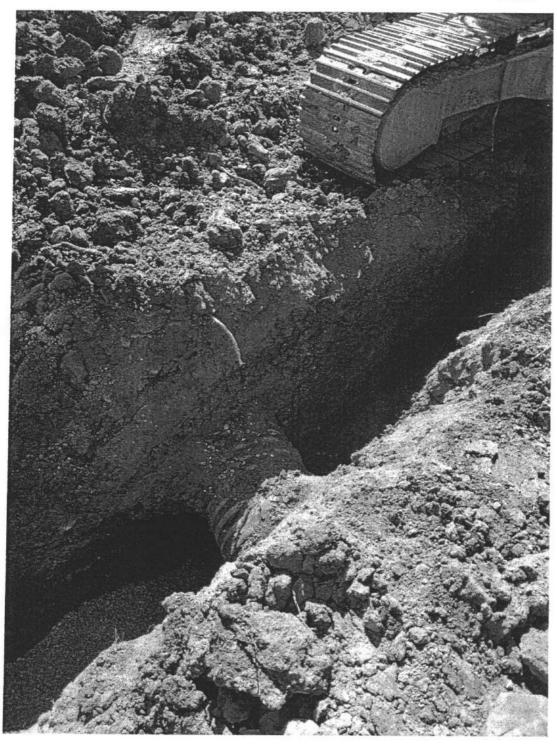




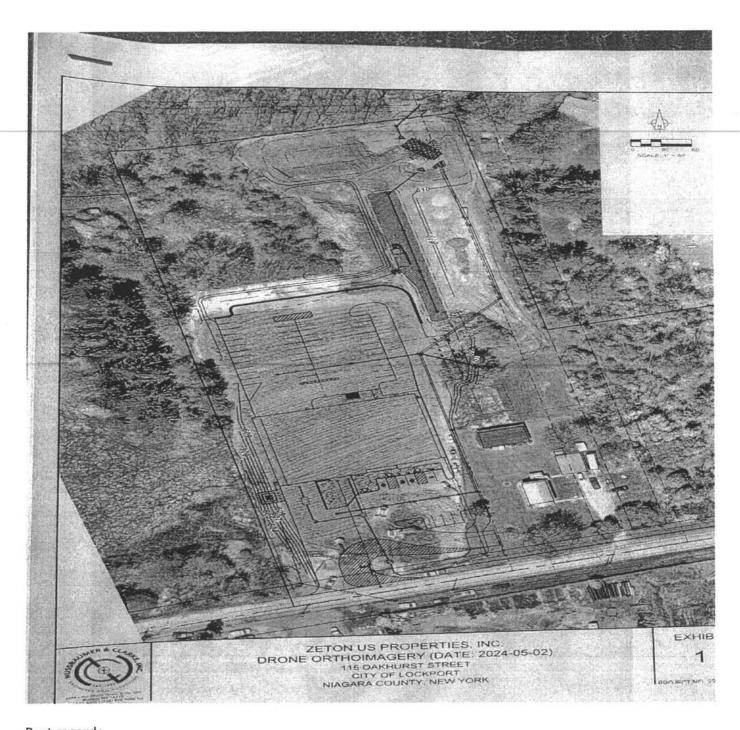












Best regards,

Leisl Dukhedin-Lalla, Ph.D., P.Eng President Zeton US Properties Inc.

# GEORGE & KOENIG, PLLC

37 East Avenue P.O. Box 456 Lockport, NY 14095

ATTORNEYS AT LAW

Tel 716.434.6641
Fax 716.434.1443\*
\*not for service of documents

May 20, 2024

RECEIVED

MAY 3 1 2024

City of Lockport City Hall One Locks Plaza Lockport, NY 14094

complaint to streets

Re; Right of Way in front of 37/39 East Avenue, Lockport, NY

Please be advised that I have been contacted by several individuals who have fallen due to the grading between the street and the sidewalk in front of our building. There are tree roots which have come to the surface which have caused individuals to trip.

The rain causes large mud areas. Over a year ago I put some extra dirt down and put rubber pavers down to avoid people having to travel through the mud from the street to the sidewalk. These pavers have sunken down over the year. I am not sure whether they should be removed. There is currently at least a two inch gap from the ground surface to the sidewalk which is a trip hazard.

Most recently a woman fell on the sidewalk due to the gap in the ground and sidewalk surface breaking her elbow. Her name is Linda Schifferle. She may already have contacted you. Since this notification I have heard third hand of others who have also fallen but have no direct knowledge of the same.

I truly think something needs to be done in this area to avoid further injury. The City was contacted by Divinity Salon, my tenant next door, on several occasions regarding the situation and no one has gotten back to them. I believe this was during the past administration. I would appreciate it if you would contact me at your earliest convenience to determine what needs to be done. Thank you for your time and consideration in this matter.

Patricia A. George

## RECEIVED

MAY 22 2024

Paul Lamont 49 Lakeview Parkway Lockport, NY 14094 716-622-7573 pdlamont@aol.com CITY CLERK OFFICE

May 20, 2024

Added + emailed 5/24/24

Sarah K. Lanzo
Office of the City Clerk
Lockport Municipal Building
One Locks Plaza
Lockport, NY 14094

Prior 7/14/2023

RE: Diseased Tree

Dear Ms. Lanzo,

I'm writing to you regarding what is a potential danger with a city tree that is by my driveway at 49 Lakeview Parkway, here in the city. There is one large branch that hangs over the sidewalk and extends over a large portion of my front lawn that is visibly dead and hollowed out. My concern is that it could come down without warning causing serious bodily harm, or death, to whoever may be nearby. I'm also concerned that the tree itself may be hollowed out as well which could result in it toppling.

I request that you send someone out to look at the tree and assess the risk factor. At the very least, I believe the dead branch should be removed if not the entire tree.

Many thanks for your attention.

Paul Lamont

NO PRIOR NOTIFICATION

## Randy Bernardi 12 Howard Ave. Lockport, NY 14094

716-940-0305

randybernardi@gmail.com

Claim \$ 134.74 Locuet Street in front of high ochool

RECEIVED

APR 19 2024

CITY CLEI ... FICE

April 16, 2024

Lockport City Clerk 1 Locks Plaza Lockport, NY 14094

To whom it may concern:

Enclosed, please find a copy of the invoice that was paid to Mavis Discount Tire located at 205 S. Transit St. Lockport, NY., for a new tire that was replaced due to damage caused by a large pothole located on Locust Street in front of Lockport High School.

This damage occurred on Monday, April 15.

I had four brand new tires installed on my 2018 Chevrolet Impala on Saturday, April 13, 2024 at Mavis Tire. An inspection of the damage revealed a split in the sidewall of the tire that rendered it unable to be repaired.

I have also enclosed a photo of the pothole.

I am respectfully requesting reimbursement for the damages incurred.

I can be reached at 716-940-0305.

Sincerely,

Randy Bernardi

# City of Lockport

# **Employee Anniversary Report**

June

Employee	Primary Department	Date	Years
1019 Cole, Daniel T Tree draw Leader	Public Works	06/15/1994	30
1120 Prica, Joseph M	Fire Department	06/17/1996	28
1125 Ruchala, Chad E	Fire Department	06/23/1997	27
1186 Saraf, Jeffery W	Fire Department	06/15/1998	26
1158 Fiegl, Joshua T	Public Works	06/23/2003	21
1205 Geier, Andrew J	Water Filtration	06/05/2018	6
1149 Cocco, Mark A	Water Distribution	06/15/2018	6
1242 Hotaling, Erin E	Police Department	06/12/2019	5
1435 Harris, Andrew D	Building Maintenance	06/25/2021	3
1437 Ciliberto-Laubacker, Marissa N	Water Filtration	06/28/2021	3
1486 Alexander, Tyler L	Waste Water Department	06/10/2022	2
1407 Lawson, Robert M	Water Distribution	06/13/2022	2
1521 Peck, Heather B	Community Development	06/05/2023	1
Total Employees	13	successive and accessive accessive and accessive accessive and accessive accessive accessive accessive and accessive accessi	

## RECEIVED

MAR 0 4 2024

## City of Lockport

CITY CLARACTE

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 form 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 by 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.

Special Use Permit	☐ Revocable Permit
Namas Iaghua Praga	Phone: 716-431-2834
Name: Joshua Brege	
Address: 291 Prospect Street, Locky	port, New York 14094
Email: asappropertymaintenance12	@gmail.com
Property Address: 291 Prospect Stre	eet, Lockport, NY 14094
Existing Zoning: R-2	
Description of proposed action: Recchickens on the property.	quest for a special use permit to harbor 10
Please do not write below this line	(office use only)
<b>Building Inspection</b>	
Planning Board App. Received:	3/4/2024
Planning Board Meeting Date:	4/1/2024
<b>Corporation Counsel</b>	
Approval:	
City Clerk	1- 1
Call for Public Hearing:	5 22 2624
Public Hearing:	6 12 2024
Common Council	
Sponsor of Resolution:	

			100	2	-	1/4-
Δ	PP)	10	'A	TI	$\alpha$	VI.

APPROVED	DISAPPROVED
ALLKOVED	DISALIKOVED

# CITY OF LOCKPORT PLANNING BOARD APPLICATION

DESCRIPTION OF PROPOSED REQUEST:
NAME OF PROPERTY: HOUSE 291 Prospect PHONE:
NAME OF APPLICANT: Joshua Brege PHONE (714) 431-2830
EMAIL ADDRESS: Asappropertymaintenance 12 @ Gmail. Com
ADDRESS OR LOCATION OF PROPOSAL: 291 Propect 57 Lockport
SIZE OF PARCEL OR STRUCTURE:
EXISTING ZONING: R2
PLEASE CHECK WHICH OF THE FOLLOWING IS BEING APPLIED FOR:
Site Plan Review Special Use Permit Home Occupation
Alteration to existing building Rezoning Other
PROPOSED REQUEST
Requesting a special permite to Allow & Chickens
Requesting a special permite to Allow 19 Chickens to Be only of the property of 291 Prospect St.

## REQUIRED ENCLOSURES:

In order to provide the City Planning Board with adequate information on which to base its decision, this application will not be heard unless the following information is submitted ten (10) days prior to the meeting by no later than 1 p.m.

- Adequate description of proposal.
- 2. Survey of property affected, together with a Plot Plan which shows the distance to nearest intersection, proposed physical layout of the property including any existing or proposed structures, traffic access patterns, parking arrangements, walls, fences or other buffers and signs.

## SEQRA:

This proposal constitutes a: () Type I, () Type II, () Unlisted action as per the provisions of the State Environmental Quality Review Act. A determination of environmental significance has been made: () yes, () no; a copy of this determination is attached () yes, () no.

PROPERTY OWNER'S SIGNATURE

APPLICANT'S SIGNATURE

PLEASE NOTE YOU OR A REPRESENTATIVE ARE TO BE PRESENT AT THE MEETING TO PRESENT YOUR PROJECT TO THE BOARD.

## Fees:

Site Plan review- \$25
Special Use Permit- \$100 application, \$50 yearly renewal
Home Occupation- \$100 application, \$50 yearly renewal
Alteration to existing building- \$25
Rezoning- \$100 or \$50 per half acre (whichever is greater)
Subdivision request- \$200

# STATE OF NEW YORK NIAGARA COUNTY, SS,

Jackie Bilogan, of said county, being duly sworn, deposes and says that she is now and during the whole time hereinafter mentioned was the Clerk of

#### LOCKPORT UNION-SUN & JOURNAL

A newspaper published in the County and State aforesaid, and that the annexed printed legal # 333791 was printed and published in said paper on the following dates:

05/25/2024

Principal Clerk

abscribed and sworn to before me this

Teresa L McCarthy

02/26/2026

Notary Public

**Expiration Date** 

TERESA L MCCARTHY
Notary Public - State of New York
No. 01MC4962698
Qualified in Niagara County
My Comm. Expires Feb. 26, 2026

## RECEIVED

MAY 3 7 2024

CITY CLERK OFFICE

### CITY OF LOCKPORT NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that a public hearing will be held at the Common Council meeting Wednesday June 12, 2024, beginning at approximately 6:00 P.M. relative to a Special Use Permit requested to harbor chickens on the property at 291 Prospect Street, Lockport, NY 14094.

The public has the right to submit written or oral questions and/or comments relative to the Special Use Permit at this time. Send to: City Clerk, One Locks Plaza, Lockport, NY 14094, or email to: city-clerk@lockportny.gov. Written submissions must be received by 3pm on Wednesday, June 12th.

The meeting can also be accessed on LCTV channel 1303, radio 90.9 FM, and live streaming at lctv.net.

By order of the Common Council.

Sarah K. Lanzo City Clerk L#333791

5/25/2024



# **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

May 7, 2024

Mayor John Lombardi III 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, May 6, 2024 a request for a Special Use Permit to harbor chickens on the property located at 297 Prospect Street, Lockport, New York situated in an R-2 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.

MAN

Respectfully submitted

Jeff Tracy

Lockport Planning and Zoning Board

mkb

# RECEIVED

APR 24 2024

City of Lockport - Resolution Request Form					
Agenda Description: Vestile + (on +0)					
Presented By: M. Lupo	Date Submitted:				
Topic Area (Select Most Applicable Option):					
Community Event  Budget Amendment  Contract Approval  Donation Acceptance  Grant Application / Award  Fund Utilization Request	Local Law Change Community Development Highways and Parks Engineering Code and Planning Other				
Please provide to Clerk at least 9 calendar days prior to Council meeting. Otherwise request will go to following meeting.					
Local Carfew law-81-1 Prohibitions— is listed anyone under the age of 16 is not to loiter ielle, wander stroll, playetc. I would like to ammend this to 18 years and under keeping all the rest the same I have spoken to Shief Steve Abbott and he approves of this Change.					
xplanation of Attachments: There is a large num	ber of youth congregating				
There is a large number of youth congregating in the North End primarily Dntario St. Dur local laws need updating to reflect, the I hange in State Laws. as to hold the grandlans responsible for the Young peoples					
ase include all backup correspondence, purchase order, quotes, meeting minutes, emails, etc If any of this information is confidential and cannot be released publically, please denote a check in this field:					
Clerk/Legal/Fina					
rtes:					

Date of Approval:

Name:

RECEIVED

### City of Lockport - Resolution Request Form

Agenda Description:		MAY 203
Presented By: Margaret Lul	Date Submitted: 5/2/	CITY CLERK
Topic Area	Select Most Applicable Option):	
Community Event  Budget Amendment  Contract Approval  Donation Acceptance  Grant Application / Award  Fund Utilization Request	Local Law Change Community Develope Highways and Park Engineering Code and Planning Other	ment ks.
Please provide to Clerk at least 9 calendar days; ummary of Resolution:	rior to Council meeting. Otherwise request will go to j	following meeting.
Twould like to Chapter 81 to age of 18	s change the O read - under	havter r. the
e include all backup correspondence, purchase order, quote be released publically, n	s, meeting minutes, emails, etc If any of this information	ation is confidential and cannot
The state of the s	ease denote a check in this field:  pai/Finance Approval:	The state of the s
25:	wy munce Approval:	
e:	Date of Approval:	

#### Chapter 81

#### Curfew

[HISTORY: Adopted by the Common Council of the City of Lockport 12-1-1976. Section 81-3C amended during codification; see Ch. 1, General Provisions, Art. II. Other amendments noted where applicable.]

§ 81-1 Prohibitions.

§ 81-2 Parental responsibility.

§ 81-3 Penalties for offenses.

§ 81-1 Prohibitions.

[Amended 9-16-1992]

It shall be unlawful for any minor under the age of 18 to loiter, idle, wander, stroll, play or remain in or upon any public place, including but not necessarily limited to public streets, parks, playgrounds, buildings, vacant lots and other public places, between the hours of 11:00 p.m. and 6:00 a.m. of the following day, official City time. The provisions of this section shall not apply to a minor accompanied by his or her parent, guardian or other adult having the care and custody of such minor or when such minor is on an emergency errand or legitimate business directed by his or her parent, guardian or other adult having the care and custody of such minor. The provisions of this section shall not apply to minors going directly to or from any adult-supervised activities sponsored by any school, church, civic or not-for-profit organization.

#### § 81-2 Parental responsibility.

It shall be unlawful for the parent, guardian or other adult having the care and custody of a minor under the age of 18 to permit such minor to be in any public place between the hours prescribed as set forth in § 81-1 of this chapter.

#### § 81-3 Penalties for offenses.

A. Each violation of any of the provisions of this chapter shall constitute a separate offense.

B. Police officers are hereby authorized to take into custody any minor who shall violate the provisions of this chapter and to promptly notify his or her parent, guardian or person having the care and custody of such child that said child is in custody at police headquarters where the child may be picked up. Said parent, guardian or person having the care and custody of such child will then be advised at police headquarters to thereafter keep such child from the streets and public places stated herein between the hours aforesaid.

C. Any parent, guardian or other adult having the care and custody of a minor violating any provision of this chapter shall be punishable by a fine of not more than \$250 or by imprisonment for not more than 15 days, or both.

City of Lockport Health and Safety Committee Minutes Lockport City Hall 5/15/2024

Attending the meeting:Police Chief Steven Abbott, Street Supervisor Clayton Dimmick, Chief Building Inspector Jason Dool, Fire Chief Luca Quagliano, 1st Ward Alderman Dr. John Craig, Mayor John Lombardi, 5th ward Alderwoman Margaret Lupo

Meeting was called to order at 2pm by Alderwoman Lupo
Discussion items covered were: status of driveway apron repairs at Lockport City Hall- by fire
and police entrances on the southside of the building. Chief Quagliana reported the concrete
has damage and repairs are necessary. It was questioned if money was budgeted for repairs.
Alderwoman Lupo will discuss financing for repairs with the finance director.

The resolution submitted in April regarding the local law change for minors that are in violation of curfew laws was discussed. Police Chief Steve Abbott agreed to support the change to the law. The group agreed it should only concern groups of youngsters that are intentionally causing problems. No young people traveling to and from employment, volunteer work, club activities etc. shall be included in the law. The consensus of the Health and safety committee was that local law change is desired. Especially in light of vandalism complaints at city owned property.

The committee also discussed the use of legal marijuana. It was decided that a resolution should be brought forward to include banning smoking marijuana in parks and on city owned properties, It was also discussed that there isn't action the city can take if neighbors complain about smells of other's marijuana use.

Clayton Dimmick reported that Buildings and Grounds was working with Johnson Control within City Hall to identify work that needs to be done.

Next meeting will take place early September

Meeting was adjourned at 3pm

#### **Deputy City Clerk**

From:

cityclerk@lockportny.gov

Sent:

Friday, May 24, 2024 9:24 AM

To:

Margaret Lupo; David Blackley; Kathleen Kugler; Anthony Serianni

Cc: Subject:

Mayor Lombardi; Emily Stoddard FW: Curfew Change - Local Law

Attachments:

Curfew Resolution Request.pdf; PROCEDURE.docx; Chapter 81- Curfew - Local Law Change under 18.docx; Safety Meeting Minutes 5-15-2024.pdf; Resolution Request

Section 81 5-20-2024.pdf

#### Good Morning,

Attached you will find:

1) Minutes from the Safety Meeting on 5-15-2024

2) Resolution Request - 4/24/2024 (Change Local Law 81)

3) Resolution Request - 5/20/24 (change to local Law 81)

4) Procedure for Local Law Change

5) Local Law 81 – as would be modified with requested change.

As the Committee was requested to bring the information back to the council, and Roberts Rules do not require a second to a resolution brought from the committee, the Common Council would direct Corporation Counsel to prepare this local law change will be in the next meeting (June 12<sup>th</sup>).

The process would follow:

- June 12th Request for local law change (june 12) and call for PH
- Public Hearing would be held on Curfew Update on June 26th
  - June 26<sup>th</sup> the council would have to be able to have hard copies of this local law update on their desks
- July 10<sup>th</sup> we would be able to vote for this to be placed into local law.

Please provide feedback, updates to the local law and any insight you may have!

Thank you, Sarah

From: cityclerk@lockportny.gov <cityclerk@lockportny.gov>

Sent: Wednesday, April 24, 2024 2:11 PM

To: Margaret Lupo <ward5@lockportny.gov>; David Blackley <dblackley@lockportny.gov>; Kathleen Kugler

<kkugler@lockportny.gov>; Anthony Serianni <aserianni@lockportny.gov>

Subject: Curfew Change - Local Law

Good afternoon,

Attached you will find the resolution request and the Local Law referenced in the resolution request.

Alderman Lupo is requesting that we update the curfew to age 17. I have highlighted this change in the attached document, and I am sending for Corporation Counsel approval and clarification.

The first step in the resolution process, I believe is for approval for Corp Counsel to write local law update, call for public hearing, followed by a public hearing, followed by approval of local law. Please review attached, and let me know if there are questions. I can add the first step to the upcoming meeting (May 8<sup>th</sup>).

Thank you, Sarah



Sarah K. Lanzo City Clerk Phone: (716) 439-6674 Fax: (716) 439-6702 cityclerk@lockportny.gov

#### cityclerk@lockportny.gov

From:

Navy Marine < lkptNMC@outlook.com>

Sent:

Tuesday, May 21, 2024 9:11 AM

To:

cityclerk@lockportny.gov

Navy Marine Club inc.

Need Ida Fitz Park and Park Ave closed for club picnic. August 24th 2024. From 1:00-5:00

Please advise

Thank You

Paul Lauer Treasurer

# · ·

### 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.

	lution was passed at a meeting of the City o _, and is incorporated in the original minute I, amended or revoked and is in full force	
Signature		

Official Seal of Municipality

KATHY HOCHUL Governor

MAUREEN A. COLEMAN President and CEO

February 15, 2024

The Honorable John Lombardi, III Mayor, City of Lockport 1 Locks Plaza Lockport, NY 14094

Re:

City of Lockport Project No. 130135

Lockport Sanitary Sewer System Evaluation

Dear Mayor Lombardi:

On behalf of Governor Kathy Hochul, I am pleased to inform you that your community has been awarded a NYS Environmental Facilities Corporation (EFC) Engineering Planning Grant (EPG) for the above referenced project. Your EPG has been awarded in an amount not to exceed \$50,000, for the development of an engineering report to identify sources of inflow and infiltration, evaluate alternatives, and recommend improvements to the City of Lockport's wastewater collection system.

Please confirm your acceptance of the grant award and intent to proceed with this project by completing and signing the enclosed form and e-mailing it to <a href="mailto:epg@efc.ny.gov">epg@efc.ny.gov</a> no later than March 8, 2024. Without your confirmation, we may bypass your project and award these grant funds to another community.

As means of advancing this project, members of our EFC team will contact you to guide you through the program requirements and related processes, and to answer any of your questions. In order to remain eligible for these funds, your community must enter into a Grant Agreement for the above project by September 30, 2024.

We appreciate your interest in the EPG program and look forward to working with you on your water quality improvement project.

Sincerely

Maureen A. Coleman

President & CEO

**Enclosure** 

#### ACKNOWLEDGEMENT AND ACCEPTANCE OF EPG GRANT AWARD

The Engineering Report MUST follow the <u>EFC/DEC Engineering Report Outline</u> and recommend a Capital Improvement Project which addresses and aligns with the issue(s) identified in the EPG application.

Please confirm your community's acceptance of the EPG by signing below. Please e-mail the completed form to <a href="mailto:epg@efc.ny.gov">epg@efc.ny.gov</a> no later than March 8, 2024.

#### **ACKNOWLEDGMENT BY THE AWARDEE:**

City of Lockport Project No. 130135 Lockport Sanitary Sewer System Evaluation

The Awardee intends to proceed	ed with this project and accepts the Enginee	ring Planning Grant.
	(Signature of Authorized F	Representative)
	(Print Name)	
	(Title)	(Date)

### City of Lockport - Resolution Request Form

Agenda Description: Lockport N	/lain Str	eet	
Presented By: Grace Platt	Date Submitted: 5/22/2024		4
Topic Ar	Topic Area (Select Most Applicable Option):		
Community Event Budget Amendment Contract Approval Donation Acceptance Grant Application / Award Fund Utilization Request	<b>√</b>	Local Law Change Community Development Community Event Engineering Process Code and Planning Other  I meeting. Otherwise request will go to following	meeting.
LOCKFEST-2024 Music and Art Festival for the family  This will be the second year for an annual event hosted by B&D Bagets in partnership with Lockport Main S  Date:  Sunday, July 28th, 2024  Time: 12pm to 7pm  Where: Main St. between Cottage and Pine Street in Lockport.  Mission: To provide the Lockport community with a fun, music-filled afternoon, with activities for kids young  840. Bagets is going to put an SLA permit to serve out of their store front for the day. LMS will obatin the L  We are locking to have Main Street closed down Sunday, July 28th at Sam to 9pm to set up, execute, and  We will need 12 burricades and 6 trash bins, and 5 to 6 extra picnion tables from the CIV.  The City Stage request will be subtitled for this day and Lockport Main Street will provide the COI for both the	y and old. There will be live music, foo and Authorization and support letters. breakstown the event.		
Explanation of Attachments:			
Map of the Event and the City Stage	e request.		
Please include all backup correspondence, purchase orde be released pub		ninutes, emails, etc If any of this information is se a check in this field:	confidential and cannot
Clerk/Legal/Finance Approval:			
Notes:			
Name:		Date of Approval:	

LOCKFEST-2024 Music and Art Festival for the family

This will be the second year for an annual event hosted by B&D Bagels in partnership with Lockport Main Street.

Date: Sunday, July 28th, 2024

Time: 12pm to 7pm

Where: Main St. between Cottage and Pine Street in Lockport.

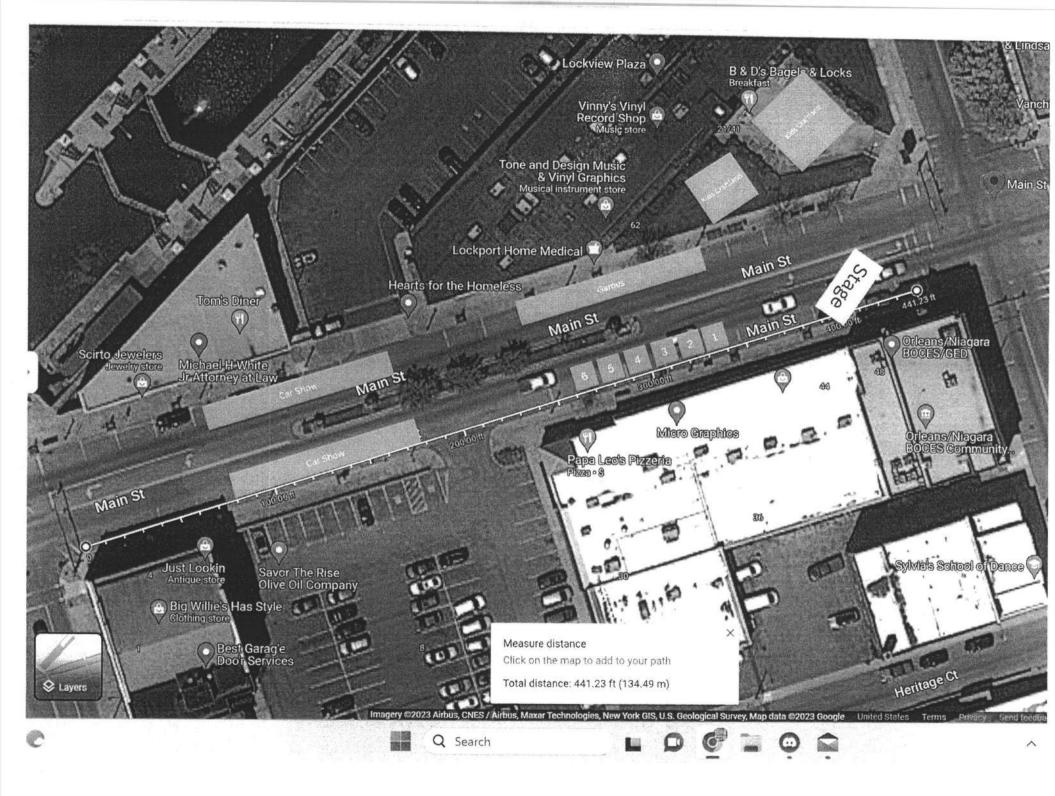
Mission: To provide the Lockport community with a fun, musicfilled afternoon, with activities for kids young and old. There will be live music, food trucks, a car show, vendors, kid vendors and children's crafts and activities.

B&D Bagels is going to pull an SLA permit to serve out of their store front for the day. LMS will obatin the Land Authorization and support letters for this permit.

We are looking to have Main Street closed down Sunday, July 28th at 8am to 9pm to set up, execute, and breakdown the event.

We will need 12 barricades and 6 trash bins, and 5 to 6 extra picnic tables from the City.

The City Stage request will be submitted for this day and Lockport Main Street will provide the COI for both the stage and the event.





Authorization for award of engineering professional services agreement for Water System Lead Service Inventory

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.

June 3, 2024

Mr. Steven Pump Director of Engineering City of Lockport One Locks Plaza Lockport, NY 14094



Re:

City of Lockport

Water System Lead Service Inventory Professional Engineering Support Services

File No. 24P1-0067

Dear Mr. Pump:

Nussbaumer & Clarke, Inc. (Nussbaumer) appreciates the opportunity to submit this proposal to provide professional engineering services in support of the above-referenced Project. As per our recent discussions, the United States Environmental Protection Agency (USEPA) requires that all potable water systems furnish an inventory of their lead service lines in order to comply with Lead and Copper Rule Improvements (LCRI). The inventory must be submitted by **October 16, 2024** to the New York State Department of Health (NYSDOH) in a specified format.

Nussbaumer intends to team with Hazen and Sawyer (Hazen) to complete this work. Nussbaumer will serve as the prime consultant and be the primary point of contact, provide project management, report, grant, and GIS support services for the project. Hazen is a recognized national leader in providing support related to the LCRI, Lead and Copper Rule (LCR), and Lead and Copper Rule Revisions (LCRR). Based upon a recent meeting including Nussbaumer and City of Lockport (City) Water Department and Building Inspection Department, Hazen has developed a detailed scope for this project with is included as Attachment A.

During August 2022, Nussbaumer prepared an Engineering Report (included as Attachment B) outlining a Lead Service Line Inventory project which was used in support of an application to the NYSDOH for a grant to support the project. On March 29, 2024, the City was notified that the project was eligible for a grant up to \$124,630 via the Bipartisan Infrastructure Law (BIL) to support the lead service inventory project (included as Attachment C).

Nussbuamer respectfully requests a **Not-to-Exceed fee of \$110,000** to complete the Scope of Services detailed in this proposal. Effort will be invoiced monthly, based on our 2024 Standard Rate Schedule and Schedule A, Terms and Conditions (included as Attachment D).

Steven Pump City of Lockport, NY June 3, 2024



Upon acceptance of this proposal, please sign where indicated below and return a copy to mmarino@nussclarke.com.

Should you have any questions, please do not hesitate to contact us at your convenience.

Sincerely,

NUSSBAUMER & CLARKE, INC.

Michael T. Marino, P.E. Chief Executive Officer

**Enclosures** 

c: Caroline Bukowski, P.E., Nussbaumer & Clarke

Accepted by: CITY OF LOCKPORT, NY

Signature:	Title:	
Printed Name:	Date:	



### **Attachment A**

# Detailed Scope for this Project



May 29, 2024

Mr. Michael T. Marino Chief Executive Officer Nussbaumer & Clarke, Inc. 80 Main Street, Unit A Lockport, NY 14094

Re: LCR/LCRR/LCRI Professional Engineering Support Services

Dear Mr. Marino:

Per your request, Hazen and Sawyer (Hazen) is pleased to provide Nussbaumer and Clarke, Inc. (Nussbaumer), on behalf of the City of Lockport (City), this proposal to provide Professional Engineering services related to the United States Environmental Protection Agency's Lead and Copper Rule (LCR), Lead and Copper Rule Revisions (LCRR) and Lead and Copper Rule Improvements (LCRI). Hazen is supporting several other Western New York communities with similar compliance services and we are a recognized leader across the country with more than 100 of our staff actively engaged in lead and copper water quality services. Attached is a summary of Hazen's relevant qualifications and the experience and value of our team members.

The following scope of services has been prepared to support the City with development of the initial service line inventory, updating their tap sampling program, developing lead service line replacement plans (including consideration of funding opportunities and code revisions), development of public education and outreach materials and preparation of customer notification documents. It is understood that Nussbaumer will be the primary point of contact with the City and will provide project management, report and grant application support and GIS services as part of the City's overall compliance efforts.

#### Scope of Services

Hazen's Professional Engineering services will include, but is not limited to, the following:

- Review of the City's service line inventory (SLI) and identification of measures taken and recommended
  actions to reduce unknowns (i.e. digitization of paper records, integration of City staff inspection reports,
  home build age, customer self-reporting, statistical analyses, etc.). Hazen will work with Nussbaumer to
  develop an inventory consistent with LCRR/LCRI requirements which can be submitted to NYSDOH in
  advance of the October 2024 deadline and also be available to City residents per the rule requirements.
- Sampling Procedure Updates to increase the number of Tier 1 compliance sites and provide protocols for
  conducting sampling. Hazen will work with the City to expand the tap sampling pool so the City is
  prepared for potential LCRR sampling in 2025 given USEPA's focus on sites served by Lead Service
  Line (LSL)s and galvanized iron service lines and 5th liter sampling. Additionally, Nussbaumer can
  support the City with identification of licensed school and childcare facilities per LCRR.



- Development of a LSL Replacement Plan that incorporates the City's input on replacement rates, funding mechanisms and available resources, and prioritized underserved / underrepresented neighborhoods in addition to other, required components. This task can include submission of grant applications as well as discussion of potential code revisions.
- Preparations for a corrosion control treatment study including initial desktop analyses and potentially jar/bench testing to assess alternatives for potentially reducing lead exposure for City residents.

#### **Engineering Fees**

Given the variety of potential tasks associated with this assignment, Hazen proposes to provide these services on a Time and Materials basis with a "not-to-exceed amount" of \$80,000.00. Fees will be invoiced on an hourly basis per Hazen's 2024 Rate Table below. Expenses (i.e., mileage, etc.) will be invoiced at cost plus 10 percent. Invoices for engineering services will be submitted monthly.

#### 2024 Rate Schedule

Title	Billing Rate (\$/hr)
Intern	\$75
Project/Admin Support Staff	\$85
Assistant Engineer I	\$135
Assistant Engineer II	\$150
Engineer	\$165

Title	Billing Rate (\$/hr)
Principal Engineer	\$180
Sr. Principal Engineer	\$200
Associate	\$220
Sr. Associate	\$250
Vice President	\$280

#### Schedule

While final promulgation of the LCRI is still pending, October 16<sup>th</sup> 2024 will remain the regulatory deadline for submission of the initial service line inventory with customer notification letters required one month later. Additionally, it is recommended that tap sampling updates be completed quickly as regulatory agencies could require a return to standard monitoring (or reduced monitoring on an annual basis) in advance of the anticipated 2027 compliance deadline. Public outreach, LSLR planning and CCT planning are also recommended to begin now to best position the City for maintaining compliance.

We appreciate the opportunity to support Nussbaumer and the City of Lockport on these important water quality and compliance activities. Should you have any questions please feel free to contact me at <a href="mailto:mlenz@hazenandsawyer.com">mlenz@hazenandsawyer.com</a> or (716) 316-5886.

Very truly yours,

Mark Lenz, PE Vice President

Enclosure

CC:

John Salvagno, PE, Dan Seider, PE, Victoria Nystrom, PE

hazenandsawyer.com

#### Firm Overview and Qualifications

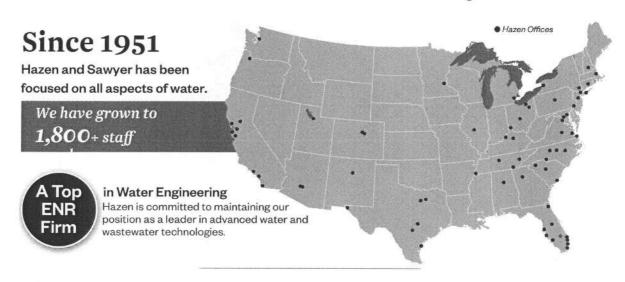
Hazen develops practical solutions to drinking water treatment challenges throughout the United States. Backed by one of the industry's most comprehensive and advanced applied research portfolios, our engineering and scientific teams work exclusively with water, wastewater, and stormwater.

Hazen is a nationally recognized engineering firm delivering industry-leading technical expertise and best-value solutions for our clients. Dedicated solely to water, wastewater, and stormwater infrastructure for more than 70 years, Hazen is home to some of the world's most knowledgeable and experienced environmental engineers, scientists, and construction professionals. Our expert process groups contribute to the latest research and determine how to apply the most effective and efficient technologies to meet design challenges. Hazen provides the experience and insight to help utilities, public agencies, and industrial organizations exceed their goals through high-value, innovative solutions.

Founded in 1951, Hazen employs more than 1,800 staff in 70+ offices across North America. Our culture of entrepreneurship and collaboration enables us to excel at complex assignments by mobilizing the right resources for each engineering challenge at hand, regardless of location. Our decades-long client relationships are a testament to our company's commitment to putting our clients' interests first. The following pages provide an overview of Hazen's qualifications to perform LCR/LCRR/LCRI program management services.

Hazen has actively supported the Western NY water community with similar LCR/LCRR/LCRI compliance services for more than 5 years including: Erie County Water Authority, Buffalo Water, the Town of Tonawanda, the Village of Kenmore and the City of North Tonawanda.

Our staff of eleven water professional have an office at Seneca One and are continuing to grow and expand with staffing and local assignments.



#### **Project Team**

Our team of experienced local professionals and national experts will combine industry best practices with local, state and federal regulatory compliance knowledge. Our proven record of delivering LCRR around the country will give you confidence in a smooth and successful project delivery. Project team capsule resumes are below.

### the Est

#### JOHN SALVAGNO, PE

#### PROJECT MANAGER

John Salvagno will serve as the Project Manager for this assignment working closely with your staff and the broader Hazen team to ensure all compliance milestone dates are achieved. He is currently supporting other Western New York clients in a similar role to meet their LCRR/LCRI compliance needs.

BENEFIT: John will ensure the City receives responsive local support and will organize Hazen's deliverables for all tasks.



#### DAN SEIDER, PE

#### **TECHNICAL SUPPORT**

Dan Seider will help lead the project with Mr. Salvagno, leveraging his 25+ years of professional experience in engineering management positions with a public water utility and involvement in large-scale planning, design, and construction phase projects. Dan has previously led LSL identification and replacement efforts that included the development of standard construction documents.

**BENEFIT:** Dan has supported several clients with LCRR/LCRI compliance both locally and nationally over the past several years including: City of North Tonawanda, Town of Tonawanda, Eric County Water Authority, Monroe County Water Authority, City of New London, CT and City of Flint, MI.



#### MARK LENZ, PE

#### TECHNICAL ADVISOR

Mark Lenz is a Vice President and Operations Leader for Hazen's Buffalo, NY office. He has served as a Technical Advisor for LCR/LCRR/LCRI compliance for local:Tonawanda, North Tonawanda, Buffalo, ECWA, MCWA, Rochester, Geneva; and National (Flint (MI), Aqua America (8 States), PWD, PWSA, GLWA) clients.

BENEFIT: Mark will ensure that all project deliverables incorporate Hazen and industry-wide national best practices.



#### ROGER ARNOLD, PE

#### **TECHNICAL ADVISOR**

Roger Arnold serves as Hazen's Subject Matter Expert for lead and corrosion. He specializes in corrosion control and distribution system water quality and has supported the neighboring Town of Tonawanda, Erie County Water Authority, and City of Buffalo with various water quality assignments and will support the project team as a Technical Advisor.

BENEFIT: Roger is a nationally recognized expert in water quality and coordination with various regulatory agencies.



#### VICTORIA NYSTROM, PE

#### PROJECT ENGINEER

Victoria Nystrom will lead the Lead Service Line Replacement and Sampling Support tasks of this project. She has deputy program management experience with several large utilities and is a member of Hazen's national water quality team. Her recent relocation to the Buffalo, NY area ensures the City will receive responsive support.

BENEFIT: Victoria brings national program management experience and a strong technical background in water quality.



#### REBECCA CARMINE-SHAW, PE

#### **FUNDING SUPPORT**

Rebecca Carmine-Shaw is an Associate with Hazen with over 12 years of experience supporting utilities across all project phases. She has completed funding applications for local, state, and federal programs to help clients secure funding.

BENEFIT: Rebecca can investigate opportunities to secure outside funding for the City's compliance program.



#### JEFF NEALE

#### **PUBLIC COMMUNICATIONS**

For 27 years, Mr. Neale has managed communications and outreach programs that have shaped the narrative around environmental projects, successfully reaching diverse target audiences with succinct messages distilled from complex, technical information.

BENEFIT: Jeff has supported compliance programs, including the City of Buffalo, with successful external messaging.

#### Current Regulatory Requirements of the Lead and Copper Rule Revisions/Improvements

The Hazen team is well positioned to support the Village of Kenmore with LCRR/LCRI Program Management services through our comprehensive understanding of LCRR / LCRI. This regulatory and institutional knowledge will set a strong foundation for compliance:

#### Priority for LCRR Compliance on October 16, 2024:

- Initial Inventory
- · 24-hr tier 1 notification
- · 30-day customer SL material notifications

Service Line Replacement (SLR)

Replace 100% of lead service lines (LSLs) and

galvanized requiring replacement (GRR) in 10 years.

· Public Outreach and Education



#### Service Line Inventory

#### SL Inventory Materials Classification

- · Non-lead
- · Lead
- Galvanized Requiring Replacement
- Lead Status Unknown

Requires systems with lead or unknown service lines to develop a publicly-available service line inventory Inventories must-

- · Start with EPA-required record review
- . Submit to the State by:
- . LCRR Initial Inventory Oct. 16, 2024
- LCRI Baseline Inventory Expected Oct. 2027
- · Be made available online for systems serving
- · Be updated annually, unless only non-lead remain





#### Service Line Identification

#### Service Line Identification:

- · States determine acceptable investigative methods
- . Distribute flushing instructions and Point-of-Use (POLI) filters after expavations or other pipe disturbance

#### Inventory Validation for Non-Lead Service Lines:

- · Validate a subset of Non-Lead service lines to achieve a 95% confidence level:
- ≤1,500 Non-lead Sites: Verify at least 20%
- >1.500 Non-lead Sites: Verify between 322-384 sites
- · Requirement applies to Non-lead designations made based on methods other than records review or 2-point field verification

Validation must be completed and submitted to the State 3 years prior to the LCRI replacement deadline.



#### 10



#### SLR Plan

- · Make publicly accessible by LCRI compliance deadline
- Make available online for systems serving > 50,000

· Required for all system regardless of lead levels

· Replacement Pool = LSLs + GRR + Unknowns

· 10% minimum annual replacement rate

calculated on a rolling 3-year period.

Identify any laws or water tariff agreements that may affect system's ability to gain access for full SLR.

#### Plan components need to include:

- · Strategy for identifying unknown service lines
- Procedures for full SLR
- Strategy for customer notifications
- · Flushing procedures and POU filter distribution
- · Funding strategy for SLRs





Offer Follow-Up Sampling



Provide Point-of-Use Filters and 6 Months of Replacement Cartridges



#### Corrosion Control Treatment (CCT)

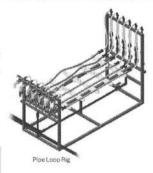
#### **New CCT Requirements**

- · Requires implementation of OCT, re-optimization, or can defer CCT following a lead action level exceedance
- · CCT study requires the use of pipe loops for systems with LSLs

#### Optional Deferred CCT Optimization

- · Replace 100% of LSLs and GRR within 5 years at a minimum rate of 20% per year
- · Continue to operate existing CCT and meet public education/notification requirements.

System will be required to meet CCT requirements following AL exceedance even after all LSLs and GRR are replaced.





#### Public Education (P.E.) and Outreach

#### Service-Line Related Outreach

- · Annual notice for sites with LSLs, GRR, and Unknowns
- Outreach required during service line identification work
- · Notice of work
- · Distribute filters and flushing instructions
- · P.E. required for water systems that fail to meet replacement rate.

#### Notification of Tap Sampling Results

- · Notify oustomers within 3 calendar days of receiving results regardless of lead and coppe levels. Must include:
- · Revised lead health effects language
- · Steps consumers can take to protect themselves
- · Utility contact information
- · Following an AL exceedance systems must notify all oustomers within 24 hours and offer customer requested sampling.



#### Multiple AL Exceedances (3 within 5 yrs):

- · Public education gempalan
- · Distribution POU filters to all





A variety of changes impact method and locations of tap monitoring

#### Establishes a lower lead action level of 10 ppb.

#### 90th Percentile Required Actions

Tap Sampling: Standard monitoring every 6 months OOT: Implement, re-optimize or deferred

>5-10 ppt

Tap Sampling: Standard monitoring every OCT: Maintain treatment and WOPs

Tap Sampling: Reduced monitoring every 3 years CCT: Maintain treatment and WOPs

#### Additional Sampling:

- \*Distribution System and Site Assessment\* for samples greater than 10 ppb
- Sampling of schools and childcare facilities

#### New Tier Sample Site Selection Requirements:



Ph and Cu



Tier Land 2: Sampling at homes with lead service lines or lead premise plumbing.

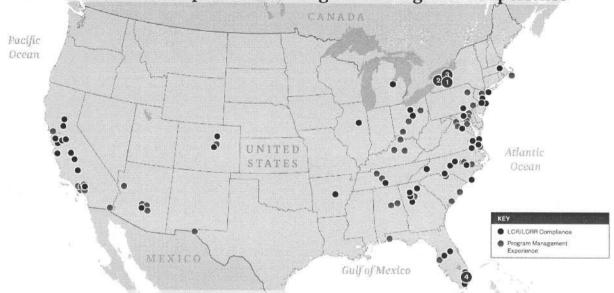


Test for Pb and Cu sites.

Tier 3, 4, and 5: Sampling at homes with galvanized preceded by LSLs or connectors, homes with copper and leaded solder, or representatives



### Extensive LCRR/LCRI Compliance and Program Management Experience



**Project Highlights** 



Corrosion Pilot Loop Study Erie County, NY

#### BENEFIT:

- Directly relevant experience with LORR
   Compliance for neighboring water system
- · Understanding of sampling requirements
- Understanding of public outreach



Corrosion Public Outreach, Buffalo, NY

#### BENEFIT:

- Proven outreach strategy for a nearby utility
- Understanding of local partners and communication avenues to provide a comprehensive outreach and education program



LCRR/LCRI Program Assistance Town of Tonawanda, NY

#### BENEFIT:

- Comprehensive compliance support
- Digitization of more than 60,000 plumbing records
- Updates to Enterprise GIS and Sampling Programs



#### LCRR Predictive Model Miami Beach, FL

#### BENEFIT:

- Non-proprietary model specifically developed to support identification of LSLs
- Machine learning prioritization of service line sites for identification and replacement

#### Team Spotlight

#### PROJECT DELIVERY LEADERSHIP



Project Manager John Salvagno, PE



Technical Support Dan Seider, PE

Dan Seider and John Salvagno will lead Hazen's local project delivery. They will leverage their past experience from similar projects and ensure national best practices are incorporated into project deliverables that meet or exceed compliance timeframes.

#### TECHNICAL ADVISORS



Technical Advisor Mark Lenz, PE



Technical Advise Roger Arnold, Pf

Mark Lenz and Roger Arnold will provide oversight of project deliverables and ensure that the Hazen project seam's approach and deliverables align with industry best practices.

#### ADDITIONAL COMPLIANCE SUPPORT



Project Engineer Viotoria Nystrom, PE



Funding

Victoria Nystrom and Rebecca Carmine-Shaw will lead several of the supporting tasks for this assignment, leveraging their experience supporting LORR/LORI programs and resubmission to the Bipartises in left astructure Law.



### **Attachment B**

**Engineering Report** 



### **FINAL**

# CITY OF LOCKPORT LEAD SERVICE LINE INVENTORY PROJECT ENGINEERING REPORT

CITY OF LOCKPORT NIAGARA COUNTY, NEW YORK





19J1-0177

August 2022

Full-Service Capabilities Coupled with Local Expertise
3556 Lake Shore Road, Suite 500 | Buffalo, NY 14219
t: 716.827.8000 | f: 716.826.7958 nussclarke.com

#### CITY OF LOCKPORT LEAD SERVICE LINE INVENTORY PROJECT **ENGINEERING REPORT**



#### TABLE OF CONTENTS

1.0	SYST	EM BACKGROUND	1
	1.1	Water System Description	1
	1.2	Existing Service Line Inventory & Identification History	1
	1.3	Service Line Ownership/Responsible Party	1
	1.4	Lead History	1
	1.5	Environmental Justice Areas	1
2.0	ProJ	ECT DESCRIPTION	2
3.0	LSL	INVENTORY TEAM	4
4.0	PROJ	ECT BUDGET	5
6.0	PROJ	ECT SCHEDULE	6
7.0	REFE	RENCES	6
Apper	NDICES		

City of Lockport Water System Map Environmental Justice Areas Appendix A Appendix B

#### 1.0 SYSTEM BACKGROUND

#### 1.1 WATER SYSTEM DESCRIPTION

The City of Lockport Water Treatment Plant is a 12 million gallon per day (MGD) plant and serves the City of Lockport water distribution system. The City of Lockport Water Treatment Plant was constructed in 1930 and is located at 220 Summit Street, in the City of Lockport, Niagara County, New York. According to the City of Lockport Department of Public Utilities, Division of Water, Annual Drinking Water Quality Report for 2021, the City's water system serves a population of 20,722 residents through 7,739 service connections. The City of Lockport's Water System Map is included as **Appendix A**.

#### 1.2 EXISTING SERVICE LINE INVENTORY & IDENTIFICATION HISTORY

The City of Lockport's existing service connection line inventory records are limited and only available in paper format. The City of Lockport service line inventory records are updated upon property transaction and service line materials are identified during routine water system operation and maintenance. Based upon system age and observation by City of Lockport crews, it is anticipated that there are a significant number of lead services as defined by the recent Lead and Copper Rule Revisions (LCRR), however that number remains unknown.

#### 1.3 SERVICE LINE OWNERSHIP/RESPONSIBLE PARTY

The City of Lockport Department of Public Utilities, Division of Water, owns and operates the City of Lockport water system mains and property owners are 100% responsible for water service lateral from the main to the house.

#### 1.4 LEAD HISTORY

The City of Lockport routinely monitors and documents their treated drinking water supply for lead in accordance with Federal and State Law. According to the City's Annual Water Quality Report for 2021, lead levels detected for Lead and Copper Rule sampling ranged from non-detect to 10.2 ppb.

#### 1.5 ENVIRONMENTAL JUSTICE AREAS

The City of Lockport is located within three potential environmental justice (EJ) area communities, including low-income and minority communities. The potential EJ area communities are identified as Census Block Group Number 15000US360630235003 with 36.50% of the population below poverty level and 4.99% of the population minority, Census Block Group Number 15000US360630235001 with 31.70% of the population below poverty level and 15.42% of the population minority, and Census Block Group Number 15000US360630237002 with 29.42% of the population below poverty level and 35.18% of the population minority. A map of potential EJ area communities within the City of Lockport, as established by NYSDEC in ArcGIS, is included in **Appendix B**.

#### 2.0 PROJECT DESCRIPTION

The City of Lockport intends to embark on a Lead Service Line (LSL) inventory in accordance with EPA's "Guidance for Developing and Maintaining a Service Line Inventory", dated August 2022. The inventory will be completed by a combination of City forces and consultants with input from property owners.

Initially the City will retain a consultant to assist in the development of a Lead and Copper Rule Revisions (LCRR) Work Plan. It is anticipated that the Consultant shall provide services necessary to prepare a Work Plan for the overall LCRR program including, but not limited to, the following:

- 1. Program Management Team roles and responsibilities.
- Clearly defined program goals and objectives with a thorough explanation of how they will be accomplished.
- Technology requirements/recommendations.
- 4. LCRR program schedule with milestone dates and progress meeting frequency.
- QA/QC plan.
- 6. Coordination with the Niagara County Health Department and New York State Health Department (as applicable) for review and approval.

Next, a Lead Service Line Inventory (LSLI) work plan will be developed to generate comprehensive LSLI for the City and ultimately to provide a searchable database to allow customers to view service line material type. Generally, work shall include:

- Develop schedule with milestone dates.
- Review available service data, including, but not limited to, tap cards, building records, as-built drawings, customer provided information, and relevant information in the existing City GIS information. Determine the prevalence of lead connectors and/or uncertainty on materials that connect to the water main. Evaluate if different materials are present at the main as compared to the private service components. Determine if historical practices verify the presence or absence of differing materials.
- Review the current processes being utilized by the City to verify service material type including work orders. Document processes through development of a standard operating procedure (SOP) for collecting and reporting service material data under this task.
- Develop a strategy to verify service material type. The strategy shall be multifaceted including both desktop evaluation of tap cards, building records, asbuilt drawings, and existing GIS information, as well as other visual verification program(s).
- 5. The public will be made aware of the plan via the City website, Common Council Meetings (broadcast via TV and internet) and local newspaper. Via this public outreach/education, the means by which the public can assist with the inventory process will be explained.
- 6. If required, submit the final LSLI Work Plan report with supporting documentation to the Niagara County Health Department and New York State Health Department (as applicable) for review and approval.

The LSLI Work Plan will then be implemented to develop a Final LSLI Report that is compliant with the LCRR. Work under this task generally will include:

- Conduct a Workshop to review the results of the data collected, identify additional fields to be added or modified in the LSLI (including confidence values), identify additional information required, confirm the hierarchy of the data sources, and identify any other software requirements for both the internal and public-facing inventories.
- Adjust LSLI as necessary based on NYSDOH allowance of predictive modelling by assigning a "likelihood of lead" confidence value to unknown service line materials.
- 3. Provide a web-based map of service material data to be made available to the public on the City's website. The information shall be searchable by address.
- 4. Provide a standard operating procedure (SOP) and training to City staff for uploading, revising, and maintaining the web-based map and database.
- 5. Provide an SOP for annual notification of customers with lead service lines (LSLs) or unknowns annually.

#### 3.0 LSL INVENTORY TEAM

As discussed in prior sections of this report, the LSL inventory will be comprised of City forces, consultants, and the public.

From the City it is anticipated that personnel/representatives from the following Departments will be included:

- Mayor
- Director of Engineering
- Corporation Council
- Chief Water Treatment Plant Operator
- Director of Highway, Parks, and Water
- Code Enforcement
- Information Technology Support

City forces will be relied upon for their experience with the water system and records as well as liaison to the public.

Anticipated consultant support includes:

- Engineering to assist with the development and implementation of the LCRR program and LSLI.
- Software/IT Support related to the upgrades of the existing City GIS system in order to incorporate the LSLI and make available via the City website.

#### 4.0 PROJECT BUDGET

The anticipated project budget is provided below.

Description	Estimated Cost	
Engineering Services	\$ 70,000	
City Forces	\$ 20,000	
Community Outreach/ Software Updates	\$ 20,000	
Contingency (10%)	\$ 11,000	
Total Project Cost	\$ 121,000	

#### 6.0 PROJECT SCHEDULE

The anticipated project schedule is as follows:

- Retain Consulting Engineer January 2023
- Complete Lead and Copper Rule Revisions Work Plan February 2023
- Complete Lead Service Line Inventory Work Plan March 2023
- Conduct Lead Service Inventory March 2023 December 2023
- Finalize Lead Service Inventory Report / Public Database April 2024
- Submit Lead Service Line Inventory In advance of October 16, 2024

#### 7.0 REFERENCES

City of Lockport Department of Public Utilities, Division of Water. *Annual Drinking Water Quality Report For 2021.* 

https://lockportny.gov/wp-content/uploads/2022/05/City-Lockport-NY3100564-AWQR2021.pdf

USEPA, Guidance for Developing and Maintaining a Service Line Inventory, August 2022

### CITY OF LOCKPORT LEAD SERVICE LINE INVENTORY PROJECT ENGINEERING REPORT



# APPENDIX A CITY OF LOCKPORT WATER SYSTEM MAP



#### Utilities







· Storm Manholes

Sanitary Manholes

Storm Mains

Sanitary Mains

Water Mains

Raw Water Mains

Stream/Waterbody

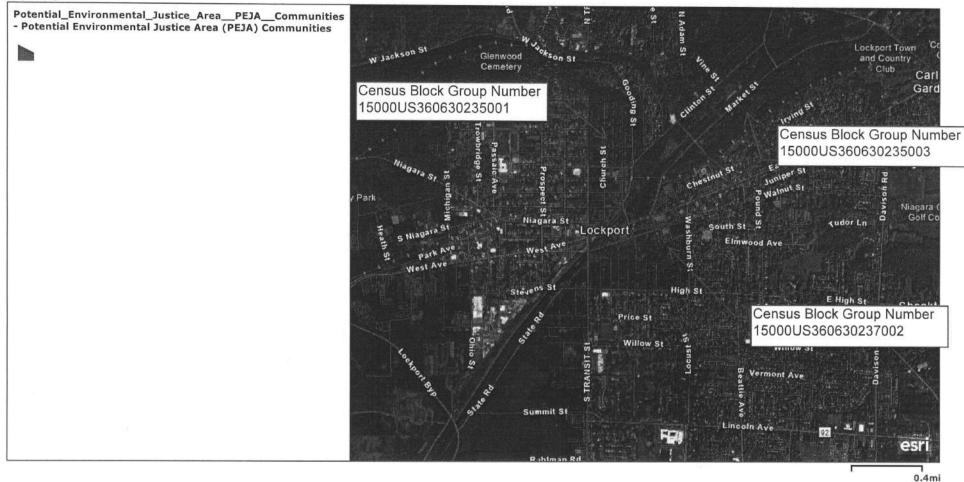
Parks Municipal Boundary

### CITY OF LOCKPORT LEAD SERVICE LINE INVENTORY PROJECT ENGINEERING REPORT



# APPENDIX B ENVIRONMENTAL JUSTICE AREAS

#### My Map



Data collection: US Census Bureau Data analysis: David E. Witt, New York State Department of Environmental Conservation, Office of Environmental Justice (OEJ) Funding: NYS Taxpayers |

Maxar | Esri Community Maps Contributors, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA



### **Attachment C**

**Grant Eligibility Letter** 





Governor

JAMES V. McDONALD, M.D., M.P.H.
Commissioner

JOHANNE E. MORNE, M.S. Executive Deputy Commissioner

March 29, 2024

The Honorable John Lombardi III Mayor, City of Lockport One Locks Plaza Lockport, New York 14094

Re: Drinking Water State Revolving Fund
Bipartisan Infrastructure Law Lead Service Line Replacement Funds
DWSRF Project No. 19290
Lead Service Line Inventory
City of Lockport, Niagara County

Dear Mayor Lombardi:

The NYS Department of Health (DOH) has completed an evaluation for Federal Fiscal Year (FFY) 2023 Bipartisan Infrastructure Law Lead Service Line Replacement (BIL-LSLR) funding through the Drinking Water State Revolving Fund (DWSRF) for the project referenced above. I am pleased to inform you that this project is eligible for a BIL-LSLR grant award of up to \$124,630.

This funding determination is based on the criteria as described in Amendment No. 2 to the FFY 2024 DWSRF Intended Use Plan (IUP).

Please note the following with regard to this funding determination:

- This funding award remains in effect through September 30, 2025, by which time a Project Finance Agreement (PFA) must be executed with the New York State Environmental Facilities Corporation (EFC).
- All projects funded through the BIL-LSLR <u>must</u> meet certain applicable programmatic requirements including, but not limited to:
  - Davis Bacon Federal Prevailing Wage rates
  - American Iron and Steel
  - Build America/Buy America (BABA) domestic sourcing
  - Federal Equivalency compliance including National Environmental Protection Act (NEPA) environmental review, federal cross-cutting authorities, disadvantaged business enterprises (DBE), single audit reporting, and surveillance services and equipment procurement, as applicable
  - Federal signage terms and conditions requiring a physical sign at construction sites.
     Signage guidance is available Here.
  - Compliance with Federal architectural and engineering (A/E) services procurement requirements in order for A/E services to be eligible for reimbursement. A/E services procurement guidance, including the required certification form, is available <u>Here</u>.

- Minority and Women-owned Business Enterprises (MWBE) /Equal Employment Opportunities (EEO)/ Disadvantaged Business Enterprises (DBE) participation
- An updated engineering report may be required as part of the project review process.

This DWSRF/BIL funding award letter is not a formal commitment by DOH & EFC to provide financial assistance. Such a commitment will be reflected in the PFA once executed by EFC and the applicant community. DOH & EFC may deny or otherwise adjust the financial assistance for your project if the project scope or total eligible project cost changes or based upon our review of the complete DWSRF financing application. In addition, financial assistance for your project may only be provided after receiving formal approvals from the EFC Board of Directors and the New York State Public Authorities Control Board.

Please confirm your acceptance of the funding award and intent to proceed with this project by completing and signing the enclosed form and returning it to <a href="mailto:design@health.ny.gov">design@health.ny.gov</a> no later than April 19, 2024. Without your confirmation, we may bypass your project and award these funds to another community.

Our team along with staff at EFC will continue to assist you and your representatives through the financing process. We look forward to working with you on this important public health infrastructure project to ensure that your community has a safe, affordable, and sustainable drinking water system. Please contact me at <a href="mailto:stephen.marshall@health.ny.gov">stephen.marshall@health.ny.gov</a> with any questions.

Sincerely,

Stephen S. Marshall, P.E.

Styline & Marliner

Chief, Residential Sanitation Section Bureau of Water Supply Protection

ecc: NYSDOH – A. Kellerhouse/W. Silkworth NYSEFC – M. Cunningham/R. Walker Niagara County DOH – D. Ziehm City of Lockport – S. Pump Nussbaumer & Clarke – M. Marino

## ACKNOWLEDGEMENT AND ACCEPTANCE OF BIL-LSLR FUNDING AWARD

Please confirm your community's acceptance of the BIL-LSLR funding and intent to proceed with this project by signing below. Please return the completed form and attachments (as appropriate) listed below to <a href="mailto:design@health.ny.gov">design@health.ny.gov</a> no later than **April 19**, **2024**.

Check the appropriate box:			
<ul> <li>A/E services have already been pre- standards (submit completed A/E I</li> </ul>			vith federal
☐ A/E services have already been pre- standards	ocured and procure	nent did not comp	oly with federal
A/E Services have not yet been pr form will be submitted when availa		d A/E Procuremer	nt Certification
Provide a copy of any BANs related to	the project		
ACKNOWLEDGMENT BY THE AWARDEE:  DWSRF Project No. 19290  Lead Service Line Inventory  City of Lockport, Niagara County			
The Awardee intends to proceed with this pand acknowledges the programmatic requiren		the BIL-LSLR fun	nding award,
Constitute that the constitution	Signature of Authori	zed Representati	ve)
	Print Name)		
Mayor (	Title)	4/1/24	_ (Date)



## **Attachment D**

## 2024 Standard Rate Schedule & Schedule A





CORPORATE OFFICE 3556 Lake Shore Road Suite 500 Buffalo, NY 14219-1494 Phone: (716) 827-8000 Fax: (716) 826-7958

BRANCH OFFICES Lockport North Tonawanda East Aurora

## 2024 HOURLY RATE SCHEDULE

Job Title	Hourly Rate
Principal Engineer / Principal Surveyor	\$250.00
Sr. Associate	\$200.00
Associate	\$170.00
Project Manager	\$155.00
Sr. Project Engineer	\$150.00
Project Engineer / Project Architect	\$135.00
Engineer 2	\$115.00
Engineer 1	\$100.00
Sr. CADD Designer	\$142.00
CADD Designer	\$118.00
CADD Technician	\$104.00
Engineering Technician	\$90.00
Municipal Infrastructure Specialist	\$110.00
Renewable Energy Manager	\$165.00
Water Distribution Specialist 2	\$100.00
Water Distribution Specialist 1	\$72.00
Project Surveyor	\$137.00
Survey Technician 3	\$110.00
Survey Technician 2	\$95.00
Survey Technician 1	\$84.00
1 Person Survey Crew	\$165.00
1 Person Survey Crew (Prevailing Wage)	\$210.00
2 Person Survey Crew	\$195.00
2 Person Survey Crew (Prevailing Wage)	\$275.00
Construction Services Manager	\$155.00
Construction Administrator	\$110.00
Transportation Manager	\$155.00
Construction Observer 3	\$121.00
Construction Observer 2	\$116.00
Construction Observer 1	\$100.00
Grant Writer	\$90.00
Administrative Assistant	\$80.00
Testimony/Court Attendance (above rate for Job Classificati	on - 4 Hour Minimum Charge)
Fixed Costs	
Mileage	at Current Federal Rate
Expenses such as Tolls, Copies, Printing	at Cost
Subconsultant or Third Party Expense	at Cost plus 10%

Rates are subject to increase January 1st of each calendar year.

## SCHEDULE "A"

By accepting this proposal, the Client ("Client") agrees to the following terms and conditions incorporated into the resulting agreement ("Agreement") between the Client and Nussbaumer & Clarke, Inc. ("Nussbaumer") for the work covered in the proposal ("Work").

## BASIS OF SERVICES

If required, the Client shall arrange or establish Nussbaumer's right to enter the property. If the Client does not own the site, Nussbaumer shall require reasonable verification that permission to enter the site has been granted.

Quantities and cost estimates are subject to change due to, but not limited to, actual field conditions encountered, additions or changes to the Work, and changes in conditions on which estimates were based. The Client acknowledges and agrees that Nussbaumer was entitled to and did in fact rely on the information provided by the Client in performing estimates concerning the Work as embodied in this proposal.

## **DELIVERABLES**

Electronic files, drawings, calculations, records, and all other work products generated in connection with the Work are the property of Nussbaumer and may not be used without written permission. Drawings may be filed with the County or Municipality if the drawings were produced for that purpose. Electronic files and/or reproducible documents will be furnished at cost for preparing same and will be noted as a copy. Except for original submittals, any plans ordered or used in connection with the Work will be billed at cost.

## FEES AND EXTRA WORK

All fees quoted are for the Work as outlined. Any work not ordered will not be billed. Any work not included in the Agreement or any additional items which may be necessary to comply with applicable laws, codes, rules, regulations, or standards made effective after this proposal will be charged as extras on a time and expense basis or at a mutually agreed upon fixed fee. No extra work will be performed by Nussbaumer unless written approval is received from the Client, and a fee is negotiated.

It is understood that the fees quoted herein for the Work are subject to change upon written notice to the Client should unforeseen complications and/or problems develop during the Work. Any revisions to the Work caused by Client, Municipality, County, Governmental, or Governing Agencies, jurisdictional authorities, permitting agencies, approval agencies, funding agencies, utility companies, other stakeholders, and involved parties; to the extent they increase Nussbaumer's costs of performance under the Agreement, shall be billed in accordance with the attached hourly billing rates, included after Schedule A.

## INVOICING AND PAYMENT

Nussbaumer shall render invoices to Client monthly as set forth in this proposal. Client shall promptly review invoices and notify Nussbaumer of any objection thereof; absent such objection in writing within fifteen (15) days of the date of the invoice, the invoice shall be deemed proper and acceptable. Invoices shall be due and payable in full by the Client to Nussbaumer within 30 days of billing. If payment is not received within 60 days of billing, Client shall be considered in breach of contract and Nussbaumer reserves the right to stop Work under this Agreement, or work under any other agreement with the Client, until such time that all Work is paid in full, including interest at 1.5% per month commencing at the 60th day from billing. If applicable, all outstanding unpaid invoices must be paid in full prior to filing of the Map Cover with the county Clerk's Office.

No documents will be released unless all fees have been paid for Work completed. The Client agrees that Nussbaumer will not be responsible for providing copies of records generated for this project in case of loss of records by fire, theft, or other causes. Copies of the finished product will be furnished upon payment of the cost of reproductions.

It is also agreed and understood that if Nussbaumer finds it necessary to take legal action for collection of any outstanding amounts due under this Agreement, the Client herein agrees to pay all costs of litigation, including legal fees, court costs, filing and/or recording fees as well as costs involving time spent in preparation for litigation and/or legal proceedings. Should legal proceedings be initiated, it is understood that all proceedings would take place in Erie County, New York. This Agreement, the Work, and any disputes relating to either the Agreement or the Work shall be governed by the laws of the State of New York, without regard to conflicts of law rules.

### STANDARD OF CARE

The standard of care for all professional services performed or furnished by Nussbaumer under this Agreement will be the care and skill ordinarily used by members of the surveying and/or engineering profession(s) practicing under similar circumstances at the same time and in the same locality. Nussbaumer makes no warranties, express or implied, under this Agreement or otherwise, in connection with any services performed or furnished by the company.

Any opinions of probable project cost or probable construction cost provided by Nussbaumer are made based on information available to Nussbaumer and Nussbaumer's experience and qualifications; represents its judgment as an experienced and qualified professional engineer. However, since Nussbaumer has no control over the cost of labor, materials, equipment, services furnished by others, contractors methods of determining prices, competitive bidding, or market conditions. Nussbaumer does not guarantee that proposals, bids, actual project, or construction cost will not vary from opinions of probable cost Nussbaumer prepares.

Construction cost does not include Nussbaumer's compensation or expenses, the cost of land, rights of way, or compensation for properties. Construction cost also does not include Clients legal, accounting, or insurance services; or interest and financing charges incurred in connection with construction, or the cost of services provided by others.

## INDEMNIFICATION

To the fullest extent permitted by law, and notwithstanding any other provision of this Agreement, the total liability, in the aggregate, of Nussbaumer and its officers, directors, members, partners, agents, employees, and consultants, to Client and/or owner and anyone claiming by, though, or under Client and/or owner for any and all claims, losses, costs, or damages whatsoever arising out of, resulting from, or in any way related to the Work from any cause or causes, including but not limited to the negligence, professional errors or omissions, strict liability, breach of contract, indemnity obligations, or warranty express or implied of Nussbaumer or its officers, directors, members, partners, agents, employees, or consultants shall not exceed the total compensation received by Nussbaumer for the Work. Nussbaumer shall not be liable to the Client under any circumstances for indirect, special, incidental, or consequential damages, nor shall Nussbaumer be liable to the Client for lost revenue or profits of any nature or character.

To the fullest extent permitted by law, the Client agrees to indemnify and hold Nussbaumer, along with its current and future owners, officers, directors, members, shareholders, parent corporations, subsidiaries, related entities, affiliates, agents, and employees (collectively "Indemnitees") harmless from, against and for all claims by third parties ("Third-Party Claims"), which are caused by the negligence or willful misconduct of the Client or its employees, agents, consultants, or anyone acting by, though, on behalf of, or under the Client. Notwithstanding the foregoing or anything else in the Agreement, the Client's indemnification obligations do not apply to any Indemnitee for any portion of any Third-Party Claims caused by the negligence of such Indemnitee.

## **CLAIMS AND DISPUTES**

All claims or disputes of any kind arising out of the relationship between Client and Nussbaumer shall be submitted to mediation prior to filing suit. All mediation shall be conducted under the Commercial Rules of the American Arbitration Association, with the mediation costs equally borne between the two parties. The language to be used in mediation shall be English. Any action filed between the parties shall be filed in the state or federal courts in and for Erie County, New York. The prevailing party shall be entitled to recover its costs, including reasonable attorneys' fees. If any part of this Agreement is found to conflict with applicable laws, such part shall be null and void, but the remainder of this Agreement shall be in full force and effect.

## **TERMINATION**

The parties agree and acknowledge that there are no verbal representations, promises, understandings or agreements concerning or relating to the Work other than as contained in the Agreement. All previous negotiations and agreements between the parties concerning or relating to the Work are merged into the Agreement. Modifications of the Agreement must be in writing, except to the extent that the invoice may include, and Client shall be obligated to pay, fees or expenses that were orally authorized to proceed promptly with the Work.

This Agreement, unless previously terminated by written notice, shall be terminated by completion of the Work. Termination before completion shall be accompanied by payment for Work completed to that date at per diem rates set forth in the attached hourly billing rates.

## PROPOSAL PERIOD

This proposal shall be valid for a period of 30 days, after which Nussbaumer shall have the right to revise any portion thereof. It is also understood that fees quoted herein shall be subject to a 10% increase for those phases of Work not yet completed after a period of one year from date of authorization to proceed.

## 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.

I,, do hereby certify that the resolution Lockport Common Council held on of said meeting, and that said resolution has not been altered, and effect.	and is incorporated in the original minutes
Signature	

Official Seal of Municipality

KATHY HOCHUL Governor

MAUREEN A. COLEMAN President and CEO

February 15, 2024

The Honorable John Lombardi, III Mayor, City of Lockport 1 Locks Plaza Lockport, NY 14094

Re:

City of Lockport Project No. 130135

Lockport Sanitary Sewer System Evaluation

Dear Mayor Lombardi:

On behalf of Governor Kathy Hochul, I am pleased to inform you that your community has been awarded a NYS Environmental Facilities Corporation (EFC) Engineering Planning Grant (EPG) for the above referenced project. Your EPG has been awarded in an amount not to exceed \$50,000, for the development of an engineering report to identify sources of inflow and infiltration, evaluate alternatives, and recommend improvements to the City of Lockport's wastewater collection system.

Please confirm your acceptance of the grant award and intent to proceed with this project by completing and signing the enclosed form and e-mailing it to <a href="mailto:epg@efc.ny.gov">epg@efc.ny.gov</a> no later than March 8, 2024. Without your confirmation, we may bypass your project and award these grant funds to another community.

As means of advancing this project, members of our EFC team will contact you to guide you through the program requirements and related processes, and to answer any of your questions. In order to remain eligible for these funds, your community must enter into a Grant Agreement for the above project by September 30, 2024.

We appreciate your interest in the EPG program and look forward to working with you on your water quality improvement project.

Sincerely

Maureen A. Coleman

President & CEO

**Enclosure** 

## ACKNOWLEDGEMENT AND ACCEPTANCE OF EPG GRANT AWARD

The Engineering Report MUST follow the <u>EFC/DEC Engineering Report Outline</u> and recommend a Capital Improvement Project which addresses and aligns with the issue(s) identified in the EPG application.

Please confirm your community's acceptance of the EPG by signing below. Please e-mail the completed form to <a href="mailto:epg@efc.nv.gov">epg@efc.nv.gov</a> no later than March 8, 2024.

## **ACKNOWLEDGMENT BY THE AWARDEE:**

City of Lockport
Project No. 130135
Lockport Sanitary Sewer System Evaluation

The Awardee intends to proceed w	ith this project and accepts the Engine	ering Planning Grant.
	(Signature of Authorized	Representative)
	(Print Name)	
	(Title)	(Date)

## City of Lockport - Resolution Request Form

Agenda Description: Accounting C	Consult	ants Payment		
Presented By: Daniel Cavallar	i	Date Submitted: 5/29/2024		
Topic Area	(Select Mos	t Applicable Option):		
Community Event Budget Amendment Contract Approval Donation Acceptance Grant Application / Award Fund Utilization Request	1	Local Law Change Community Development Community Event Engineering Process Code and Planning Other		
Please provide to Clerk at least 9_calendar days	s prior to Counci	I meeting. Otherwise request will go to following	meeting.	
Resolution 011024.4B approved of the Roger Salmons, in the absence of a D close out, 2023 audit, and other misc a to pay the consultants will come from come out of the Finance Department F Decrease A.1310.51010 \$30,400 Increase A.1310.54055 \$30,400 Explanation of Attachments:  (1) Resolution  (2) Budget Printouts	Director of laccounting the Finance	Finance position to aid the City g projects, not to exceed \$45,0 ce Department Full Time Wage	in 2023 FY 00. The funds	
(3) Mary/Roger Invoices				
(4) Budget Amendment Worksheet				
Please include all backup correspondence, purchase order, qi be released publical		ninutes, emails, etc If any of this information is e a check in this field:	confidential and cannot	
Clerk,	/Legal/Fina	nce Approval:		
Notes:				
Name: Daniel Cavallari		Date of Approval: 5/29/2024	-	

WHEREAS, Resolution 011024.4B approved the use of two Accounting Consultants, Mary Smith and Roger Salmons, in the absence of a Director of Finance position to aid the City in the 2023 fiscal 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 Department Full Time Wages account and be reallocated 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

Decrease:

A.1310.51010

Full Time Wages

\$30,400

## City of Lockport

Budget Performance Report

Date Range 01/01/24 - 12/31/24

Include Rollup Account and Rollup to Account

	V 12. VII.	Adopted	Budget	Amended	Current Month	YTD	DTY	Budget - YTD	% Used
Account	Account Description	Budget	Amendments	Budget	Transactions	Encumbrances	Transactions	Transactions	Red
	eneral Fund								
EXPENSE									
	ment 1310 - Finance & Accounting								
51010	Full Time Wages	256,709.00	(22,150.00)	234,559.00	.00	.00	71,603.68	162,955.32	
51100	Overtime	1,500.00	.00	1,500.00	.00	.00	1,954.53	(454.53)	1
51120	Longevity	1,300.00	.00	1,300.00	.00	.00	1,300.00	.00	1
51130	Out of Grade	.00	.00	.00	.00	.00	9,448.31	(9,448.31)	++
51150	Holiday Pay	1,071.00	.00	1,071.00	.00	.00	.00	1,071.00	
52060	Computer Equipment	250.00	.00	250,00	.00	.00	.00	250.00	
54003	Office Furniture	200.00	.00	200.00	.00	.00	.00	200.00	
54005	Office Supplies	2,000.00	.00	2,000.00	.00	335.00	.00	1,665.00	
54035	Training and Education	2,380.00	.00	2,380.00	.00	.00	.00	2,380.00	
54040	Assoc/Membership Dues	225.00	.00	225.00	.00	.00	.00	225.00	
54055	Professional Services	9,100.00	22,150.00	31,250.00	.00	(23,468.75)	31,250.00	23,468.75	
54115	Computer Licenses & Software	2,380.00	.00	2,380.00	.00	.00	.00	2,380.00	
58010	FICA	19,914.00	.00	19,914.00	.00	.00	6,297.83	13,616.17	9
58020	Workers Compensation	13,112.00	.00	13,112.00	.00	.00	5,673.60	7,438.40	
58040	Hospital & Medical Insurance	86,534.00	.00	86,534.00	.00	.00	32,488.12	54,045.88	
58050	Retirement	34,319.00	.00	34,319.00	.00	.00	14,264.56	20,054,44	
	Department 1310 - Finance & Accounting Totals	\$430,994.00	\$0.00	\$430,994.00	\$0.00	(\$23,133.75)	\$174,280.63	\$279,847.12	
	EXPENSE TOTALS	\$430,994.00	\$0.00	\$430,994.00	\$0.00	(\$23,133.75)	\$174,280.63	\$279,847.12	
	Fund A - General Fund Totals								
	REVENUE TOTALS	.00	.00	.00	.00	.00	.00	.00	++
	EXPENSE TOTALS	430,994.00	.00	430,994.00	.00	(23,133.75)	174,280.63	279,847.12	
	Fund A - General Fund Totals	(\$430,994.00)	\$0.00	(\$430,994.00)	\$0.00	\$23,133.75	(\$174,280.63)	(\$279,847.12)	
	Grand Totals								
	REVENUE TOTALS	.00	00	.00	.00	.00	.00	.00	++
	EXPENSE TOTALS	430,994.00	.00	430,994.00	.00	(23,133.75)	174,280,63	279,847.12	
	Grand Totals	(\$430,994.00)	\$0.00	(\$430,994.00)	\$0.00	\$23,133.75	(\$174,280.63)	(\$279,847.12)	

## CITY OF LOCKPORT

## BUDGET AMENDMENT WORKSHEET

imentation/correspondence t				
	INE ITEN	<b>n:</b>	INCREASE:	DECREASE:
A. 1310.510			470 11-2	#30,400.00
A.1310. 54	0>>		\$30,400.00	
4				
ON FOR INCREASE: _	То ра	y accounting	consultants.	
		y accounting	consultants.	
completed by Finance Dire		Finance Director		Council Resolution
	ector:	Finance Director	Mayor Approval &	Council Resolution

## City of Lockport - Resolution Request Form

Agenda Description: Website Maintenance RFP					
Presented By: Daniel Cavalla	ari	Date Submitted: 5/31/2024			
Topic Are	ea (Select Mos	t Applicable Option):			
Community Event		Local Law Change			
Budget Amendment		Community Development			
Contract Approval		Community Event			
Donation Acceptance Grant Application / Award		Engineering Process			
Fund Utilization Request		Code and Planning Other			
Summary of Resolution:	days prior to Counci	il meeting. Otherwise request will go to following	meeting.		
5/3/2024 Notification of bids received on May 3rd 2024 in response to the RFP Housing and Maintenance Services – City Website and Social Media.  This resolution is to authorize the city to pursue a contract with North Shore Solutions based on services provided and pricing.  It is believed that the current budget line A.1680.54075 is adequately budgeted for the 2024 Fiscal Year for this expenditure.					
Explanation of Attachments:					
(1) Resolution (2)Bid (3)Budget Report (4)Signed Contract					
	lically, please deno	te a check in this field:	confidential and cannot		
	rk/Legal/Fina	nce Approval:			
Notes:					
Name:		Date of Approval:			

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;

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 purchasing contract with North Shore Solutions.

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## CITY OF LOCKPORT, NEW YORK

LOCKPORT MUNICIPAL BUILDING ONE LOCKS PLAZA LOCKPORT, NY 14094

## OFFICE OF CITY CLERK

Sarah K. Lanzo, City Clerk Emily Stoddard Dep. City Clerk/Registrar of Vital Statistics Office (716)439-6676 Fax (716)439-6702

## **BID OPENING**

Owner: NotWork Coordinate		Bid Opening:	5/3/2024
Project: RFP - HousiNG M.	AINTENANCE	Time:2	2Pm
WEBSITE/SOCIAL			
Contractor Name	Phone Number	Service	Bid Amount
FITZGERALD	1716)807-8281		
		social	\$150/HR
		WCB	\$150/HR
		Housing	\$40/HR
North store soluning	(424) 253-		
	(315) 771-7743	social	\$60/HR
		WCB	\$ 60/HR
		Advanced Housin	6-\$650/ye
wahbrayo			



## CITY OF LOCKPORT

One Locks Plaza Lockport, New York (716)439-6676 E-mail: cityclerk@lockportny.gov

## REQUESTS FOR PROPOSALS

The City of Lockport is requesting sealed proposals for

Hosting and maintenance services for the City website and social media

Notice is hereby given that sealed proposals for the services above will be received and considered by the City of Lockport up to 2 pm on May 2 at the office of the City Clerk, One Locks Plaza Lockport NY, 14094.

Proposers will provide one written quote that contains the hourly cost of service. If there are multiple rates for types of service (hosting versus social media for example), please break down each individual hourly rate.

Please contact City Clerk Sarah Lanzo at 716-439-6776 or cityclerk@lockportny.gov with any questions.

The City of Lockport, NY reserves the right to reject any or all proposal, to consider the reputation and experience of the Proposal in making its selection; to waive any informalities or minor deviations from the proposal form, and to award word to other than the lowest quote, if good and sufficient reasons, it is considered in the best interest of the City of Lockport to do so. The City will not reimburse any costs associated with the preparation of RFP(s).

Publish Date: April 17, 2024



APR 24 2024

## To the Committee:

Thank you for the opportunity to serve you for another year. North Shore Solutions is the current vendor maintaining the City of Lockport website and hosting. We have worked for the City the past year. We contributed to the development of a comprehensive social media strategy during a period marked by heightened negativity in Facebook comments and a notable increase in associated challenges. We have provided maintenance for the site and have been very responsive to handle revisions in a timely fashion. We have occasionally worked with the Clerk's office later into the evening to promptly ensure information was up to date at no additional charge.

We are also reducing our hourly rate to \$60 hour from \$65/hour for the next year as a way to say thank you for your business.

I would like to highlight that the website experienced occasional challenges with certain revisions not remaining visible due to a caching issue, occurring approximately once per month. Upon identification, either internally or through external reports, we promptly investigated and resolved these issues. Given the complexity arising from not being the original developers of the website, diagnosing and researching solutions required significant effort and time. However, I am pleased to inform you that we have since implemented a sustainable resolution that seems to be working well. I wanted to bring this to your attention proactively to address any concerns that may arise regarding the timeliness or accuracy of revisions.

We look forward to continuing our relationship with the City and serving you. Feel free to contact me with any questions.

Sincerely,

Matthew Turcotte
Owner/Manager



# North Shore SOLUTIONS

Adding Personality to Web Design

City of Lockport Hosting & Maintenance

Contact Info

315.771.7743

www.northshoresolutions.com

contact@northshoresolutions.com

Mailing Address

22740 Murrock Circle Watertown, NY 13601 "Our company is built on people-those who work for us, and those we do business with."

-Harvey Firestone

## **About North Shore**

North Shore Solutions was founded in 2007 as a small web design firm based in Clayton, NY. Matthew Turcotte founded North Shore when he was a junior in high school. The company served his local community and grew rapidly.

Today, North Shore is made up of a team of talented graphic designers, programmers, search engine specialists, and developers who have served clients across the world.

North Shore is owned in part by Clarkson University who took an ownership stake in the company in 2010 to help expand it and provide an investment opportunity for the University. This unique partnership has helped foster the growth of the business.

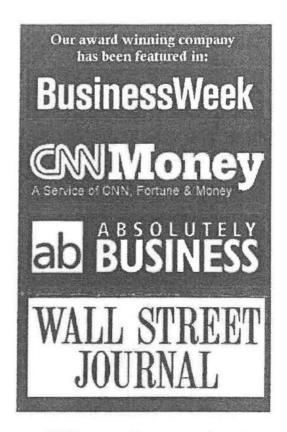
We have offices based in Clayton, NY and Watertown, NY.

The clients we serve range from small town municipalities and mom-and-pop-shops to world renowned athletes like Reggie Jackson.

## Relationships & Client Satisfaction

North Shore Solutions takes great pride in building relationships with our clients to better understand and satisfy their needs. It's at the core of our business.

As we've grown, we've worked to make the process of web design and development as simple as possible, while assisting our clients through each step. That's why clients have reported, on average, a 4.5/5 star customer experience.









## **PROPOSAL**

## Website / Social Media Maintenance

Hourly maintenance will be **REDUCED** from \$65/hour to \$60/hour for the upcoming year. It will be billed at a quarter of an hour minimum and in quarter hour increments. We aim to complete all maintain requests the same day, and urgent tasks are given priority and are often completed within a few hours.

## Advanced Managed Wordpress Hosting

We have used more basic and cheaper hosting platforms but given the high traffic of the site, the site has required an advanced managed hosting plan. The below price would be the same as we've charged previously and there would be no increase in cost.

## \$650/year

## Hosting includes:

- 99.9% uptime guarantee
- SSL Security Certificate
- · Security patching and plugin risk scans
- Secured FTP Access
- · Automatic Wordpress & PHP updates
- Automatic and on-demand back ups
- Application performance monitoring
- Ability to automatically increase bandwidth if needed to prevent site from going down
- · Local storage 15GB and 125GB Bandwidth
- Advanced DDOS & Managed WAF
- Advanced 24/7 tech support

## Websites We've Built & Maintain for Your Consideration

- ELockport.com
- CantonNY.gov
- 1000IslandsVR.com
- MacsBoatRentals.com
- MorgiaMasonry.com
- StayADK.com
- 1000IslandsLDC.com
- TakeTheLead.org
- MadisonBarracks.com
- VisitAlexBay.org
- AsburyUMC.net

## References

- Tom Sy & Maureen Winters, Town of Lockport 716-478-0625
- Justin Taylor, Town of Clayton 315-408-7363
- Mike Campbell, Madison Barracks / 1000 Islands LDC –315-778-8027
- Lynette Thayer, Take the Lead 1-800-814-1123

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North Shore Solutions

Client



## J. Fitzgerald Group Proposal for:

## City of Lockport

April 2024

## Website Hosting & Maintenance/Social Media Proposal

Sarah Lanzo
City Clerk
City of Lockport
(716) 439-6674
cityclerk@lockportny.gov
https://lockportny.gov/

## RFP PREPARED BY:

Jack Martin
President and Partner
J. Fitzgerald Group
716.807.8281
jmartin@jfitzgeraldgroup.com
https://jfitzgeraldgroup.com/

Dear Sarah,

At J. Fitzgerald Group (JFG), our goal is simple: help you achieve your goals. The following proposal is a result of our recent discussions on how we can work together to further our partnership. We are pleased to provide this proposal to the City of Lockport.

Sincerely, Jack Martin



## SITUATION OVERVIEW:

The City of Lockport, NY, is currently accepting proposals for website hosting and maintenance service/social media.

The City of Lockport is a local municipality with a population of slightly over 20,000. The full current City website can be found at https://lockportny.gov.

In 2023, the City used 220 hours of time for web maintenance and social media. From January to March of 2024, the City has used 70 hours. By way of comparison, when JFG last managed the website maintenance and social media the City used 185 hours of time for web maintenance and social media for all of 2022. From January to March of 2023, the City used 30 hours.

## JFG PROPOSAL

## **OVERVIEW OF JFG:**

We have a proven track record of results and are trusted by many local and global clients, big and small, for over 20 years. Our team is smaller, which makes us nimbler & able to innovate and adjust our efforts quickly based on budget, trends, and needs. We pride ourselves on having vast knowledge in a multitude of industries, we have years of experience working with a wide variety of unique clients as a local agency to Lockport, NY, we have the advantage of knowing the community well.

We offer a variety of services within digital advertising, traditional, and strategic marketing, including:

## Digital Advertising:

- Paid Search & Banner Ads
- Social Media
- YouTube Ads
- SEO & Google My Business
- Reputation Management
- Website Design

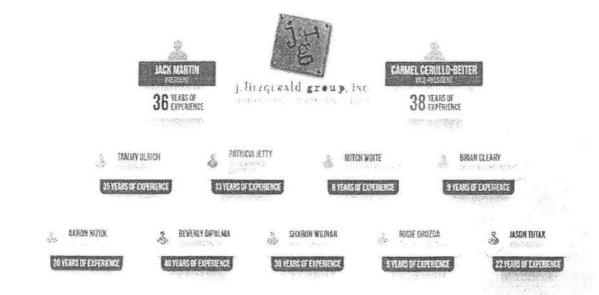
## Traditional:

- TV
- Radio
- Print Advertising
- Outdoor
- Public Relations
- Trade Show Support

## Strategy:

- Media Relations
- Brand Development
- Market Research
- Surveys
- Product Testing/Focus Groups





## SOCIAL MEDIA RATE:

If needed, JFG can provide social media management at the hourly rate of \$150 per hour.

## This includes:

- Posting updates to Facebook and Twitter when needed
  - o Street closings, code blues, exams, events, etc.
- Utilizing branded graphic templates in posts to keep the brand consistent.
- Adjusting copy per each platform's requirements

## WEBSITE DESIGN & WEB BUILD/PROGRAMMING RATE:

The hourly rate for web design, web building, and programming is \$150 per hour.

This would also be the rate for website maintenance and client asks including:

- Special Events
- Weather Alerts
- Location Pages
- Meeting Minutes
- Calendar Upkeep

JFG will scope out larger projects if we believe it would be more efficient for both parties.



## WEB HOSTING RATE:

JFG offers website hosting through WPEngine, a WordPress-specific platform that manages our servers. Our servers are set with a staging environment for any major changes necessary or site revisions; this is also used as a site backup for any crashes or hacks. The secure server provides nightly backups and maintenance checks.

JFG also handles the implementation of an SSL certificate including configuration and management free of charge for all sites hosted with us.

Our hosting fee is \$40 per month, billed on an annual basis at \$480, pricing subject to change at yearly renewal. In addition, we highly recommend a hosting add-on of \$69 month (\$759 annually) to update WordPress plugins and themes monthly on your behalf.

## WEBSITE HOSTING SECURITY AND TECHNICAL DETAILS:

We host on Managed WordPress dedicated servers, so the sites are fast and secure. If you have any spikes in traffic, we will handle it without any issues. We have servers with **WP Engine**, which is a WordPress managed hosting environment. This is top of the line WordPress hosting.

Your WP Engine hosting account comes with a WordPress staging area, so you can deploy new pages, themes, or site changes without worrying about crashing your site.

We'll suggest the best plugins and themes based on our own experiences to make sure you don't waste time trying to find the best WordPress plugin.

Google says they lose 20% of their traffic for each additional 100 milliseconds it takes a page to load. Speed matters. Google also incorporates your page-load time into your site's search rankings. That's why WP Engine hosting services custom-built EverCache technology to deliver WordPress fast enough for Google, and at scale.

## DESCRIPTION OF THE SUPPORT SERVICES OFFERED AND RESPONSE TIMES OF JFG:

The average response time for website updates is under 1 hour and often within 15-30 minutes.

Support services offered include website hosting, daily backups, monthly plugin/theme updates, uploading documents, text edits, posting news, adding/removing photos, page creation (depending on scope), social media news posts.

DESCRIPTION OF THE PHYSICAL, PROCEDURAL, AND VIRTUAL SAFEGUARDS JFG HAS IN PLACE TO ENSURE WEBSITE AND HOSTED DATA AGAINST CORRUPTION, LOSS, THEFT, VANDALISM, AND UNPLANNED OUTAGES:

We include a one-click backup and restore option — at no extra charge. And we install WordPress security updates proactively. No other WordPress host



secures you like we do.

We automatically scan for, and fix, hacking attempts to secure your site. We'll do everything we can to ensure your WordPress site won't get hacked. And if does get hacked, WP Engine hosting services will fix it at no additional charge.

## Samples of Our Work:

Jacobs Ladder: https://jacobsladderexercise.com/

UBMD Orthopaedics and Sports Medicine <a href="https://www.ubortho.com/">https://www.ubortho.com/</a>

Casa-Trinity: <a href="https://casa-trinity.org/">https://casa-trinity.org/</a>

Aspire WNY: <a href="https://www.aspirewny.org/">https://www.aspirewny.org/</a>

## References:

- 1. Mike Rogers, CFO at UBMD Orthopaedics & Sports Medicine mrogers@buffalo.edu |716.474.0662
- 2. Mike Helbringer, President/CEO at Bristol Village mhelbringer@bristolhome.org | 716.406.9500
- 3. Sean P Hayden, President/Financial Planner at HD Financial sean@yourHDteam.com | 716.608.8000

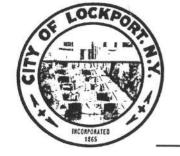
## SUMMARY:

At JFG, we pride ourselves on satisfying our clients' needs by providing sound strategy, and creative solutions as well as top notch design and copywriting. We provide flawless execution and outstanding customer service all within your schedule and budget. We are confident that we are the right partner for the City of Lockport. We look forward to discussing this opportunity with you further and answering any questions that you might have. Thank you for your consideration.

## City of Lockport

Budget Performance Report
Fiscal Year to Date 05/31/24
Include Rollup Account and Rollup to Account

Account	Account Description	Adopted Budget	Budget Amendments	Amended Budget	Current Month Transactions	YTD Encumbrances	YTD Transactions	Budget - YTD Transactions	A G 1 (5)	Drive Vene Total
Fund A - G	eneral Fund		T T T T T T T T T T T T T T T T T T T	bodget	11010000000	LICUITOTOTICES	118100000115	1 Edition sinth	Rec'd	Prior Year Total
EXPENSE										
Departe	ment 1680 - Information Technology Services									
54075	Maintenance / Service Contracts	69,650.00	.00	69,650.00	.00	18,002.50	9,897.50	41,750.00	40	79,095.93
Depart	ment 1680 - Information Technology Services Totals	\$69,650.00	\$0.00	\$69,650.00	\$0.00	\$18,002.50	\$9,897.50	\$41,750.00	40%	\$79,095.93
	EXPENSE TOTALS	\$69,650.00	\$0.00	\$69,650.00	\$0.00	\$18,002.50	\$9,897.50	\$41,750.00	40%	\$79,095.93
	Fund A - General Fund Totals									
	REVENUE TOTALS	.00	.00	.00	.00	.00	.00	.00	+++	.00
	EXPENSE TOTALS	69,650.00	.00	69,650.00	.00	18,002.50	9,897.50	41,750.00	40%	79,095.93
	Fund A - General Fund Totals	(\$69,650.00)	\$0.00	(\$69,650.00)	\$0.00	(\$18,002.50)	(\$9,897.50)	(\$41,750.00)		(\$79,095.93)
	Grand Totals									
	REVENUE TOTALS	.00	.00	.00	.00.	.00	.00	.00	+++	.00
	EXPENSE TOTALS	69,650.00	.00	69,650.00	.00	18,002.50	9,897.50	41,750.00	40%	79,095.93
	Grand Totals	(\$69,650.00)	\$0.00	(\$69,650.00)	\$0.00	(\$18,002.50)	(\$9,897.50)	(\$41,750.00)		(\$79,095.93)



## CITY OF LOCKPORT DEPARTMENT OF ASSESSMENT

LOCKPORT MUNICIPAL BUILDING ONE LOCKS PLAZA LOCKPORT, NY 14094 PHONE: (716) 439-6614 FAX: (716) 439-6617

To: The Common Council of the City of Lockport

Please review the attached material and summary for the 104 Old Niagara Rd LLC Court Order and refund.

104 Old Niagara Rd LLC has been an assessment case in the City of Lockport since 2022. We resolved the case with Judge Giacobbe. Parties at the conference include: the opposing attorney, the County Attorney, Niagara County Attorney, Lockport City School District attorney and finally the City represented by Thomas M. O'Donnell, Esq. and the former assessor, Tracy A. Farrell. The parties involved were assigned during the prior administration. After extensive settlement negotiations, an agreement was reached in May 2024 to avoid the cost of further litigation.

The order for the 2022 & 2023 Assessment results in a refund of approximately \$26,302.09 for tax years 2023 & 2024. The order also freezes the assessment for 2024-2026 Assessment rolls. It is presumed that the funds for this refund will come from the same accounts as previous refunds. Attached you will find the estimated refunds and May 2024 Court Order mandating this refund. A resolution will need to be passed for this refund at the June 12, 2024 meeting.

-Susan E. Israel, Lockport City Assessor

104 OLD NIAGARA ROAD, LLC,

Petitioner.

VS.

THE ASSESSOR FOR THE CITY OF LOCKPORT, THE BOARD OF ASSESSMENT REVIEW FOR THE CITY OF LOCKPORT, and THE CITY OF LOCKPORT, NEW YORK,

## STIPULATION OF SETTLEMENT AND ORDER

Index Nos. E177875/2022 and E180536/2023

Presiding Justice: Hon. Mario Giacobbe, A.J.S.C.

## Respondents.

WHEREAS, Petitioner 104 Old Niagara Road LLC (hereinafter, the "Petitioner"), having commenced the above-captioned proceedings pursuant to Real Property Tax Law Article 7 to review the assessments on certain real property located at 104 Old Niagara Road (SBL # 95.19-1-4) for the tax years 2022/23 and 2023/24 (the "Subject Property"), in the City of Lockport, County of Niagara, and State of New York, and Petitioner having appeared by Goldberg Segalla LLP (Marc W. Brown, Esq., of counsel); Respondents The Assessor for the City of Lockport, the Board of Assessment Review for the City of Lockport, and the City of Lockport, New York (collectively, the "Respondents") having appeared by the Law Office of Thomas M. O'Donnell (Thomas M. O'Donnell, Esq., of counsel); Intervenor Lockport City School District having appeared by Seaman Norris LLP (Thomas D. Seaman, Esq., of counsel); and Intervenor County of Niagara having appeared by Claude A. Joerg, Esq., Niagara County Attorney (Katherine D. Alexander, Esq., of counsel); and

WHEREAS, Petitioners, Respondents, and Intervenors are collectively referred to herein as the "Parties"; and

WHEREAS, the Parties have entered into extensive settlement negotiations and have agreed that settlement is in their best interests in order to avoid the cost of further litigation, among other things; and

NOW, THEREFORE IT IS HEREBY STIPULATED AND AGREED, that the Parties propose to settle and resolve their differences upon the terms and conditions set forth in this Stipulation of Settlement and Order:

- 1. The Subject Property are located in the City of Lockport, Lockport City School District, and Niagara County taxing and assessing jurisdictions and their special and other districts (e.g., sewer, fire, and library districts, for instance). There is no applicable village taxing unit.
- 2. The general ratio of assessed values of real property to full values of real property in the City of Lockport for the tax years 2022/23 and 2023/24 was 100%.
- 3. The 2022 Tentative Full Value Assessment and 2022 Settlement Full Value Assessment on the Subject Property are as follows:

Parcel Number and Address	2022 Tentative Full Value Assessment	2022 Settlement Full Value Assessment
104 Old Niagara Road (95.19-1-4)	\$5,190,000	\$4,000,000

4. The 2023 Tentative Full Value Assessment and 2023 Settlement Full Value Assessment on the Subject Property are as follows:

Parcel Number and Address	2023 Tentative Full Value Assessments	2023 Settlement Full Value Assessment
104 Old Niagara Road (95.19-1-4)	\$5,190,000	\$4,000,000

- 5. The full value assessment on the Subject Property for the roll year 2024 will be \$2,000,000, for roll year 2025 will be \$2,000,000, and for roll year 2026 will be \$2,000,000.
- 6. The Assessor and all other relevant officers and authorities of the relevant taxing jurisdiction are hereby authorized to make and correct these assessments as outlined above on the appropriate books and records of each such jurisdiction, and in the event of overpayment, refund the overpayment within 45 days by official check payable to "Goldberg Segalla LLP, as attorneys for 104 Old Niagara Road, LLC", and mailed to Goldberg Segalla LLP, Marc W. Brown, Esq., 665 Main Street, Buffalo, New York 14203-1425, accompanied by a calculation sheet or in the event that any tax payment has not been paid, issue corrected tax bills that reflect the assessment for the Subject Property with a copy of the corrected tax bills sent to Petitioner's attorneys and paid without interest or penalty if paid within 45 days of receipt of the corrected tax bill.
- 7. The Parties acknowledge and agree that the aforementioned reduced assessments are fair, equitable, proper, and just.
- 8. Real Property Tax Law Section 727 shall apply to this settlement to "freeze" the Subject Property assessment at the levels stated above in paragraph 5 for property tax assessment rolls established by the Assessor/Assessing Unit in and for the roll years 2024, 2025, and 2026 notwithstanding any town/city wide revaluation or reassessment, even if done annually.
- 9. This/These action(s) shall be discontinued, without prejudice, upon entry of this Stipulation of Settlement and Order. Petitioners shall have the right to seek specific enforcement of the terms of this Stipulation of Settlement and Order and to otherwise enforce this Stipulation of Settlement and Order by whatever means provided by law.

- 10. This Stipulation of Settlement and Order shall not be construed as a waiver of Petitioner's right to raise any constitutional claims associated with this action or the parcel(s) at issue.
- 11. This Stipulation of Settlement and Order shall be considered the Parties' entire understanding and agreement between and among them, and a full settlement of the tax certiorari without costs or disbursements awarded to or against any of the Parties upon their compliance with the terms of the Stipulation of Settlement and Order.
- 12. There shall be no modification of this Stipulation of Settlement and Order except by a subsequent writing signed by the authorized representatives of the Parties herein, and "So Ordered" by the Court.
- 13. The Parties authorize their attorneys to execute this Stipulation of Settlement and Order and to seek the Court's approval and entry of the same, and each signatory below affirms that they have the proper authority to so execute this Stipulation.
- 14. If any provision of this Stipulation of Settlement and Order shall be determined to be invalid, illegal, null or void, or unenforceable to any extent, the reminder of this Stipulation shall remain in effect to the fullest extent of the law.
- 15. This Court shall retain jurisdiction over this matter for the purposes of enforcing the terms of this Stipulation of Settlement and Order.
- 16. Electronic signatures and electronically-transmitted images of original signatures shall be deemed original signatures for the purposes of expediting the filing of this Stipulation of Settlement and Order.
- 17. This Stipulation of Settlement and Order may be executed in multiple counterparts including by means of facsimile, PDF/ADOBE e-mail, etc., each of which shall

be deemed an original, but all of which together shall be considered and constitute one and the same instrument.

An executed copy of this Stipulation of Settlement and Order, shall be entered

and docketed in the appropriate County C.	lerk's Office by Petitioner, then filed with the							
Assessor's permanent records. E-mail transmission of the Notice of Entry of this Stipul								
of Settlement and Order to counsel shall b	e sufficient.							
Dated: May, 2024 Buffalo, New York	Dated: May, 2024 Niagara Falls, New York							
GOLDBERG SEGALLA LLP	LAW OFFICE OF THOMAS M. O'DONNELL							
By:	Thomas M. O'Donnell Attorneys for City Respondents 3067 Lewiston Road Niagara Falls, New York 13850 Telephone No.: (716) 622-5185 tmodonnell@roadrunner.com							
Dated: May, 2024 Lockport, New York	Dated: May, 2024 Lockport, New York							
SEAMAN NORRIS LLP	CLAUDE A. JOERG, ESQ. NIAGARA COUNTY ATTORNEY							
Thomas D. Seaman Attorneys for Intervenor Lockport City School District 665 Main Street Buffalo, New York 14203 Telephone: (716) 566-5400 tseaman@seamannorris.com	Katherine D. Alexander Attorneys for Intervenor County of Niagara 175 Hawley Street Lockport, New York 14094 Telephone No.: (716) 439-7105 Katherine.Alexander@niagaracounty.com							
SO ORDERED AND ENTERED THIS _	, DAY OF, 2024.							
By: HON. MARIO GIACOBBE, A.J.S	S.C.							

18.

104 Old Nia	agara Rd Ll	_C				Π				1.71	
104 Old Nia	agara Rd										
290900 9	5.19-1-4										
	6:1			_		_					
	City of Lo	скрог	τ	-		-					
		AV		Tax	k Rate	Ta	xes	Red	uced Rate	Revised Tax	Refund
Tax Year											
2023		\$	5,190,000	\$	11.372930	\$	59,025.51	\$	4,000,000	\$ 45,491.72	\$ 13,533.79
Tx Year		-									
2024		\$	5,190,000	\$	10.729662	\$	55,686.95	\$	4,000,000	\$ 42,918.65	\$ 12,768.30
				_							
TOTAL						\$	114,712.45			\$ 88,410.37	\$ 26,302.08

## CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/ DD/ YYYY) 06/11/2024

D CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR Y THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN ER, AND THE CERTIFICATE HOLDER.					
es) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may the certificate holder in lieu of such endorsement(s).					
CONTACT NAME: Sports Dept					
PHONE (A/ C, No. Ext): 800-622-7370   FAX (A/ C, No): 803-256-4017					
E- MAIL ADDRESS: soda@sadlersports.com					
PRODUCER CUSTOMER ID#:					

INSURED
D/B/A SPORTSPLEX OPERATORS AND DEVELOPERS ASSOCIATION
Lockport Little League Baseball
7021 Academy Lane
Lockport, NY 14094
Club #: C.95395

INSURER(S) AFFORDING COVERAGE

INSURER A: State National Insurance Company

12831

INSURER B: SeriousPoint America Company

INSURER C:

INSURER D:

### COVERAGES

### CERTIFICATE NUMBER

### REVISION NUMBER

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED, NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PEPTAIN. THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSD LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/ DD/ YYYY)	POLICY EXP (MM/ DD/ YYYY)	LIMITS	
Α	GENERAL LIABILITY  ☐ COMMERCIAL GENERAL LIABILITY  ☐ CLAIMS MADE ☐ OCCUR	х					EACH OCCURRENCE  DAMAGE TO RENTED PREMISES (Ea occurrence)	\$2,000,00
				OVE-0000286-01	12:01AM ET 05/05/2024	12:01AM ET 05/05/2025	MEDICAL EXPENSES (other than participants)	\$5,000
	CENT ACCRECATE LINET APPLIES DED						PERSONAL & ADV INJURY	\$1,000,000
	GEN'L AGGREGATE LIMIT APPLIES PER:						GENERAL AGGREGATE	\$3,000,000
	POLICY PROJECT LOC						PRODUCTS- COMP/ OP AGG	\$1,000,000
	OTHER						LEGAL LIAB TO PARTICIPANTS	\$1,000,000
	AUTOMOBILE LIABILITY  ANY AUTO						COMBINED SINGLE LIMIT (Ea Accident)	\$1,000,000
	ALL OWNED AUTOS			n/a	n/a	n/a	BODILY INJURY (Per person)	
	SCHEDULED AUTOS  HIRED AUTOS				111.4		BODILY INJURY (Per accident)	
	NON- OWNED AUTOS						PROPERTY DAMAGE (Per accident)	
Α	SEXUAL ABUSE / MOLESTATION			n/a	n/a	n/a	EACH OCCURRENCE	\$1,000,000
							AGGREGATE	\$2,000,000
	UMBRELLA LIAB OCCUR						EACH OCCURRENCE	n/a
	□ EXCESS LIAB □ CLAIMS- MADE □ DEDUCTIBLE □ RETENTION			n/a	n/ a	n/a	AGGREGATE	n/a
AND E ANY PRO PARTNE OFFICE EXCLUD (Mandato	WORKERS COMPENSATION						PER STATUE	
	AND EMPLOYERS' LIABILITY  ANY PROPRIETOR /			N/ A			OTHER	
	PARTNER / EXECUTIVE Y/ N OFFICER / MEMBER						E.L. EACH ACCIDENT	
	(Mandatory in NH) If yes, describe under DESCRIPTION OF						E.L. DISEASE - EA EOMPLOYEE	
	OPERATIONS below						E.L. DISEASE - POLICY LIMIT	
В	PARTICIPANT ACCIDENT		PHSA-		12:01AM ET	12:01AM ET		
				BAMH-10089-23-	05/05/2024	05/05/2025	EXCESS MEDICAL	\$100,000
				C.95395		5515512525	AD&D	\$10,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

RE: COVERED Team(s) - Youth - Accident & General Liability

Baseball - 7 Team(s) - [Maximum 18 players per team]

## Team Names:

• Baseball Teams: Lockport Junior Lions 8u, Lockport Pride 9u, Lockport Junior Lions 10u, Lockport Junior Lions 11u, Lockport Junior Lions 13u, Lockport Junior Lions 15u, 16u Lockport Storm

(Accident Package Youth Team: \$100,000 Excess Medical; \$10,000 Accidental Death or Dismemberment; \$250 per claim deductible) (General Liability Package Youth Team: \$2,000,000 Each Occurrence; \$1,000,000 Participant Legal Liability Sublimit; \$1,000,000 Neurodegenerative Sublimit; Waiver/ Release Recommended)

The certificate holder is added as an additional insured, but only with respect to the liability arising out of the operations of the insured above.

## CERTIFICATE HOLDER

## CANCELLATION

RELATIONSHIP: Property Owner/ Lessor SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

City of Lockport One Locks Plaza Lockport, NY 14094 AUTHORIZED REPRESENTATIVE (company A)

Low Orr

### ENDORSEMENT NO. 0000

	ENDORSEMENT EFFECTIVE DATE (12:01 A.M. STANDARD TIME)	NAMED INSURED	AGENT NO.
OVE-0000286-01	04/24/2024	Lockport Little League Baseball	

## THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

## ADDITIONAL INSUREDS OWNERS AND/ OR LESSORS OF PREMISES, SPONSORS OR CO- PROMOTERS

This endorsement modifies insurance provided under the following:

## COMMERCIAL GENERAL LIABILITY COVERAGE PART LIQUOR LIABILITY COVERAGE PART

A. SECTION II — WHO IS AN INSURED is amended to include as an additional insured any per-son(s) or organization(s) of the types indicated by an "x" in any boxes shown below, but only with respect to liability for "bodily injury," "property damage" or "personal and advertising injury" caused, in whole or in part, by your acts or omissions or the acts or omissions of those acting on your behalf:

- 1. In the performance of your ongoing operations; or
- 2. In connection with your premises owned by or rented to you. However:
  - The insurance afforded to such additional insured only applies to the extent permitted by law; and
  - 2. If coverage provided to the additional insured is required by a contract or agreement, the insurance afforded to such additional insured will not be broader than that which you are required by the contract or agreement to provide for such additional insured. With respect to an additional insured owner and/ or lessor of premises, this insurance does not apply to:
    - An "occurrence" or offense which takes place while you are not a tenant in possession of the subject premises.
    - 2. "Bodily injury" or "property damage" arising out of:
      - Structural alterations, new construction or demolition operations performed by or on behalf of the owner and/ or lessor of premises;
      - 2. Any design defect or structural maintenance of the premises; or
      - 3. Any premises defect.

B. With respect to the insurance afforded to these additional insureds, the following is added to SECTION III — LIMITS OF INSURANCE: If coverage provided to the additional insured is required by a contract or agreement, the most we will pay on behalf of the additional insured is the amount of insurance:

- 1. Required by the contract or agreement; or
- Available under the applicable Limits of Insurance shown in the Declarations; whichever is less.

This endorsement shall not increase the applicable Limits of insurance shown in the declarations.

## Schedule of Additional Insureds:

- [X] Owners and/ or Lessors of the premises leased, rented or loaned to you
- [X] Sponsors
- [X] Co- Promoters
- [] Any individual person(s) or organization(s) listed below COACHES, OFFICIALS AND VOLUNTEERS WHILE ACTING WITHIN THE SCOPE OF THEIR DUTIES FOR THE INSURED.

CG- GL- CW-0128 (12/20)

## cityclerk@lockportny.gov

Subject:

FW: [EXTERNAL] Softball Game at Outwater Park

From: Josh DeNardo <joshdenardo@yahoo.com>

Sent: Tuesday, June 11, 2024 10:30 AM

To: cityclerk@lockportny.gov

Subject: [EXTERNAL] Softball Game at Outwater Park

Hi my name is Josh DeNardo and I'm inquiring about the softball diamond at Outwater Memorial Park for a girls 12u elite travel softball game on Thursday June 27 at 6pm.

Yahoo Mail: Search, Organize, Conquer