

CITY OF LOCKPORT
CORPORATION PROCEEDINGS

Lockport Municipal Building

Regular Meeting
Official Record

August 14th, 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

ANNOUNCEMENTS

RECESS

Recess for public input.

081424.1

APPROVAL OF MINUTES

On motion of Alderman Fogle, seconded by Alderman _____, the minutes of the Regular Meeting of July 24th 2024 are hereby approved as printed in the Journal of Proceedings. Ayes _____. Carried.

FROM THE MAYOR

Appointments:

Carol M. Edwards, 320 Church Street, has been appointed to Senior Account Clerk of the City Clerk & Highway/Parks Department. This is a permanent position effective July 24th 2024. Said appointment is permanent and subject to the City of Lockport Municipal Civil Service Rules and Regulations.

Jennifer A. Diel, 21 Hill Street, has been appointed to Senior Account Clerk of the Building Inspection Department. This is a permanent position effective July 24th 2024. Said appointment is permanent and subject to the City of Lockport Municipal Civil Service Rules and Regulations.

Brittany A. Schuner, 251 Hawley Street, has been appointed to Senior Account Clerk of the Treasury Department. This is a permanent position effective July 24th 2024. Said appointment is permanent and subject to the City of Lockport Municipal Civil Service Rules and Regulations.

Courtney L. Licata, 80 S. Bristol Avenue, has been appointed to Senior Account Clerk of the Lockport City Police Department. This is a permanent position effective July 24th 2024. Said appointment is permanent and subject to the City of Lockport 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)

Notice of Complaint:

7/12/2024 Kathryn Pryatt, 104 Joackson Street - tree
7/19/2024 Lauren Putnam, 127 Vine Street - tree
7/22/2024 William Russell, 208 South Street – tree

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

Notice of Claim:

7/31/2024 Kyle Lambalzer – mailbox

Referred to the Corporation Counsel.

Notice of Summons:

7/31/2024 Brianna Brundidge vs Hydraulic Race Co, Inc. dba Lockport Cave and Underground Boat Ride and City of Lockport
7/31/1024 Casey Dahlstrom vs Hydraulic Race Co, Inc. dba Lockport Cave and Underground Boat Ride and City of Lockport

Referred to the Corporation Counsel.

Notice of Petition: (To review real property tax assessment pursuant to Article 7 of the Real Property Tax Law)

7/22/2024 79 Ontario Street
7/29/2024 Paul Trinkwalder vs City of Lockport
7/29/2024 Burkard Properties and Management LLC and David Burkard
7/31/2024 158 High Street

Referred to the Corporation Counsel.

MOTIONS & RESOLUTIONS

081424.2

By Alderman:

Resolved that the Mayor and City Clerk be authorized to issue orders in favor of the claimants for payrolls, bills and services to be paid on August 15th, 2024.

Seconded by Alderman _____ and adopted. Ayes _____.

081424.3

By Alderman: _____

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

<u>Employee</u>	<u>Years of Service</u>	<u>Title</u>
Susan E. Israel	15	City Assessor
Timothy H. Stout II	5	Water and Sewer Maintenance Worker

Seconded by Alderman _____ and adopted. Ayes _____.

081424.4 WNYDGC event 8/31

By Alderman: _____

Resolved that pursuant to their request, permission is hereby granted to WNY Disc Golf Club to conduct a Tournament at Outwater Memorial Park on August 31, 2024, from 7 am until 7 pm, and be it further

Resolved that said permission is subject to WNY Disc Golf Club filing a certificate of insurance with the City Clerk naming the City of Lockport as additionally insured.

Seconded by Alderman _____ and adopted. Ayes _____.

081424.5 Civil Service Commission Approve Title: Water Reclamation

By Alderman: _____

Resolved that pursuant to the approval of the Civil Service Commission at their regular meeting on June 26, 2024, the following job title, Water Reclamation Process and Control Administrator for the Wastewater Department be and the same is hereby incorporated into the City of Lockport and recognized as a city position.

Seconded by Alderman _____ and adopted. Ayes _____.

081424.6 Civil Service Commission Approve Title: Project Manager

By Alderman: _____

Resolved that pursuant to the approval of the Civil Service Commission at their regular meeting on June 26, 2024, the following job title, Project Manager, for the Engineering

Department be and the same is hereby incorporated into the City of Lockport and recognized as a city position.

Seconded by Alderman _____ and adopted. Ayes _____.

081424.7 Born Brave 5k 9/15

By Alderman: _____

Resolved that pursuant to the request of Chelsea and Aaron Schifferle, permission is hereby granted to host a 5K run, Born Brave 5K, in honor of their daughter Nina, to benefit Golisano Children's Hospital in Rochester, NY. The race will be held on Sunday, September 15, 2024, beginning at 9 am. Said permission is subject to submission of a certificate of insurance, naming the City of Lockport as additional insured and be it further

Resolved that Born Brave is granted permission to use the rest room facilities at Nelson G. Goehle Wide Waters on Sunday, September 15, 2024 and be it further

Resolved that the Director of Highways, Parks and Water Distribution is hereby authorized and directed to deliver barricades and street closed signs to said area prior to the event.

Seconded by Alderman _____ and adopted. Ayes _____.

081424.8 City Clerk Consulting Agreement

By Alderman: _____

Whereas the City Clerk of the City of Lockport, Sarah Lanzo, has submitted a resignation effective August 12, 2024; and

Whereas Sarah Lanzo has provided invaluable service to the City of Lockport and has demonstrated extensive knowledge and expertise in the duties and responsibilities of the City Clerk's office; and

Whereas the City Council has determined that retaining Sarah Lanzo as an independent contractor will ensure a smooth transition and continued efficient operation of the City Clerk's office; and

Whereas Sarah Lanzo has agreed to continue providing services to the City of Lockport under a contractor's agreement;

Now, therefore, be it resolved, that Corporation Counsel be and is hereby directed and authorized to draft a consulting agreement; and

Be it further resolved that the Mayor, subject to Corporation Counsel approval, be and the same is hereby authorized and directed to execute a contract with Sarah Lanzo, at a total cost not to exceed \$4000.00 to be charged to account A.1420.54055.

Seconded by Alderman _____ and adopted. Ayes _____.

081424.9 NYSLRS Annual Reporting

By Alderman: _____

Whereas Title 315.4 of the New York Compilation of Codes, Rules and Regulations, entitled Regulations on Reporting for Elected or Appointed Officials requires the reporting of time for certain elected or appointed officials participating in the New York State Retirement System, and

Whereas Title 315.4 required that the Common Council establish by resolution a standard work day for each Elected or Appointed official serving the City of Lockport, and

Whereas elected or appointed offices must prepare and file a time record for the first 180 days of taking office which is good for a period of eight years, and

Whereas section 315.3 of Chapter VI, Title 2 of the New York Code of Rules and Regulations require the Common Council establish by resolution a standard work day for each elective or appointed official, and

Whereas none of the participants listed below are in Tier 1, and

Whereas all of the participants below have submitted their respective Record of Activities to the City Clerk.

Now therefore be it resolved that the City of Lockport, a municipal corporation located at One Locks Plaza, Lockport, New York 14094 hereby establishes the following standard workdays for these titles for the calendar year of 2024 and will report the officials to the New York State and Local Retirement System based on their record of activities:

<u>Title</u>	<u>Std. Work Day</u>	<u>Name</u>	<u>Term</u>	<u>Record Activity Results</u>
Corporation Counsel	7	David Blackley	1/1/2023-12/31/2024	11.47
Deputy Corporation Counsel	7	Kathleen Kugler	1/1/2023-12/31/2024	11.47
Deputy Corporation Counsel	7	Anthony Serianni	1/1/2023-12/31/2024	11.47

Seconded by Alderman _____ and adopted. Ayes _____.

081424.10 City Right of Way Garden

By Alderman: _____

Whereas the residents of 230 East Avenue have requested permission to maintain a flower garden in the City of Lockport right of way adjacent to their property, and

Whereas the flower garden enhances the aesthetic appeal of the neighborhood and contributes to the community's beautification efforts, and

Whereas the City of Lockport supports efforts by residents to beautify their surroundings in a manner that does not impede public use or safety, now therefore be it

Resolved that the City of Lockport Common Council provides the residents of 230 East Avenue permission to maintain a flower garden in the City of Lockport right of way adjacent to their property. The flower garden must comply with all applicable city ordinances and regulations, including but not limited to height restrictions and sight distance requirements at

intersections and the City of Lockport shall not be held liable for any damages or injuries resulting from the maintenance or presence of the flower garden in the right of way.

Seconded by Alderman _____ and adopted. Ayes _____.

081424.11 Harrison Place Construction

By Alderman: _____

Resolved that pursuant to their request Modern Surface Solutions, 7292 Akron Road, Lockport, NY 14094 is hereby granted permission to close off the section of sidewalk on the north side of Walnut Street along the entire face of 210 Walnut Street (known as Building 2 on the Harrison Place Campus) where they have a project taking place. Permission is hereby granted for the period of August 10th through October 31st, 2024. Said permission is subject to Modern Surface Solutions Inc filing a certificate of insurance with the City Clerk, naming the City of Lockport as additional insured and following all rules and regulations as set forth in the Lockport City Code.

Seconded by Alderman _____ and adopted. Ayes _____.

081424.12

Beast of Burden

By Alderman _____:

Resolved, that pursuant to their request, Happily Running, LLC is hereby granted permission to use the rest room facilities and at Nelson C. Goehle Wide Waters Marina on the weekend of August 10 and 11, 2024, for the annual Summer Beast of Burden Ultra Marathon. Said permission is subject to Happily Running, LLC filing a certificate of insurance with the City Clerk naming the City of Lockport as additional insured, and be it further

Resolved, that the Director of Highways, Parks and Water Distribution is hereby authorized and directed to arrange for the preparation of the restroom facilities for said event and to arrange for delivery of barricades to close off the parking lot.

Seconded by Alderman _____ and adopted. Ayes _____.

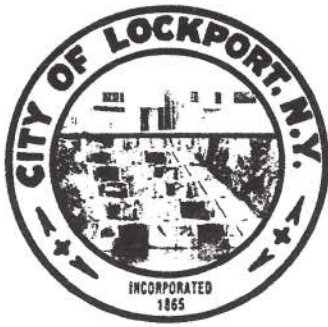
081424.13

ADJOURNMENT

At _____ P.M. Alderman Fogle moved the Common Council be adjourned until 6:00 P.M., Wednesday August 28th 2024.

Seconded by Alderman _____ and adopted. Ayes _____.

EMILY STODDARD
Deputy City Clerk



CITY OF LOCKPORT, NEW YORK

Lockport Municipal Building
One Locks Plaza
Lockport, NY 14094

July 24, 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 Carol M. Edwards of 320 Church St, Lockport, NY 14094 to Senior Account Clerk of the City Clerk & Highways/Parks Department. This is a permanent position effective July 24, 2024.

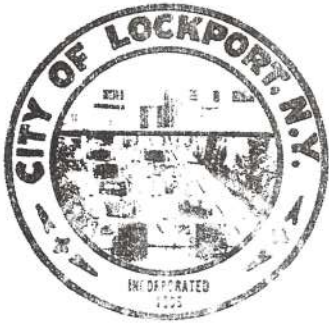
Said appointment is permanent and subject to the City of Lockport Municipal Civil Service Rules and Regulations.

Witness by hand and the Seal of the City of Lockport this 24th day of July 2024.



John Lombardi III
Mayor

cc: C. Edwards
C. Dimmick
City Clerk



CITY OF LOCKPORT, NEW YORK

Lockport Municipal Building

One Locks Plaza

Lockport, NY 14094

July 24, 2024

TO: Common Council

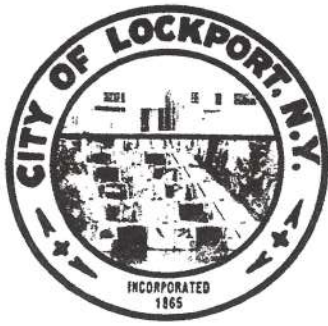
Under and by virtue of the authority conferred on me by the charter of the City of Lockport, New York, I, John Lombardi III, Mayor of said City, do hereby appoint Jennifer A. Diel of 21 Hill Street, Lockport, NY 14094 to Senior Account Clerk of the Building Inspection Department. This is a permanent position effective July 24, 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 24th day of July 2024.

John Lombardi III
Mayor

cc: J. Diel
J. Dool
City Clerk



CITY OF LOCKPORT, NEW YORK

Lockport Municipal Building
One Locks Plaza
Lockport, NY 14094

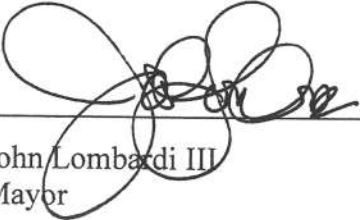
July 24, 2024

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 Brittany A. Schuner of 251 Hawley St, Lockport, NY 14094 to Senior Account Clerk of the Treasury Department. This is a permanent position effective July 24, 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 24th day of July 2024.



John Lombardi III
Mayor

cc: B. Schuner
S. Mawhiney
City Clerk



CITY OF LOCKPORT, NEW YORK

Lockport Municipal Building

One Locks Plaza

Lockport, NY 14094

July 24, 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 Courtney L. Licata of 80 So Bristol Ave, Lockport, NY 14094 to Senior Account Clerk of the Lockport City Police Department. This is a permanent position effective July 24, 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 24th day of July 2024.

John Lombardi III
Mayor

cc:C. Licata
S. Abbott
City Clerk

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 7/18/24, PAID on date 7/25/24, is approved at dollars, \$ 593,935.30
 Civil Service Mary Pat Fisher

Pay Day Register

Pay Date Range 07/05/24 - 07/18/24
 Pay Batch 07/25/24

Pay Batch 07/25/24 Total

Employees in Pay Batch 252

Female Employees in Pay Batch 66

Hours Description	Hours	Gross	Withholdings and Deductions	Gross Base	Benefits	Gross Base
207A Disability - 207A Disability	160.0000	1,790.00	Gross	593,935.30	Health Ins 298 Class 2 Family	27,410.30 .00
BERV - Bereavement	.0000	11.55	Imputed Income		Health Ins 298 Class 2 Single	10,720.96 .00
CMPE 1.0 - Comp Earned @ 1.0	99.8750	.00	Federal	65,698.18	Health Ins 298 Class 3 Family	84,967.61 .00
CMPE 1.5 - Comp Earned @ 1.5	4.0000	.00	FICA	35,931.75	Health Ins 298 Class 3 Single	8,247.48 .00
CMPU - Comp Time Used	290.0000	9,037.62	Medicare	8,403.65	Health Ins 298 Class 4 Family	6,483.45 .00
COVID - CORONA VIRUS HOUR	21.0000	467.34	New York State	27,499.80	Health Ins 298 Class 4 Single	1,976.52 .00
EDAY - Extra Day	278.0000	10,117.83	457 % Deduction	7,117.38	Total	\$139,806.32
FHDB - Floating Holiday Buy Out	40.0000	1,482.91	457 Flat Dollar Deduction	11,254.62	Employer Taxes	Gross Base
FHDE - Floating Holiday Earned	32.0000	.00	AFLAC POSTTAX	261.23	FICA	35,931.75 579,543.81
FHDU - Floating Holiday Used	224.0000	6,524.63	AFLAC PRETAX	460.30	Medicare	8,403.65 579,543.81
FLSA - FLSA	.0000	530.06	ALLSTATE POSTTAX	693.58	Total	\$44,335.40
FMLE - FMLA Extra Day	16.0000	422.72	ALLSTATE PRETAX	569.98	Workers' Comp	Gross Base
FMLS - FMLA Sick Used	64.0000	1,690.88	Child Support	339.00	Workers Compensation - General	25,089.92 452,449.63
HOL - Holiday	.0000	8.66	COLONIAL LIFE POSTTAX	55.40	Workers Compensation - Sewer	2,420.75 46,093.71
LONG - Longevity Payment	.0000	2,200.00	Firefighter Life Ins	61.92	Workers Compensation - Water	2,312.64 47,561.92
OOT - Out of Title	1,102.5000	40,860.24	FSA PRETAX	671.90	Workers Compensation 50%	693.44 10,744.13
OOT OT 1.5 - Out of Title OT at	78.0000	3,146.37	Health Ins 298 Class 2 Family	2,045.92	Total	\$30,516.75
OT 1.0 - Overtime at Straight 1.0	20.0000	582.47	Health Ins 298 Class 2 Single	1,148.63	Direct Deposits	Amount
OT 1.5 - Overtime @ 1.5	1,114.2500	51,876.53	Health Ins 298 Class 3 Family	2,151.81	Amherst Federal Credit Union	402.08
OT 1.5 SHIFT 10% - OT @ 1.5	56.0000	2,394.41	Health Ins 298 Class 3 Single	709.08	Armed Forces Bank	1,367.98
OT 1.5 SHIFT 15% - OT @ 1.5	32.0000	1,483.82	Health Ins 298 Class 4 Family	720.39	Bancorp Bank	523.64
PRSE - Personal Earned	32.0000	.00	Health Ins 298 Class 4 Single	219.60	Bank of Akron	2,874.34
PRSU - Personal Used	120.0000	3,900.42	NEW YORK LIFE	279.30	Bank of America	6,709.18
REG - Regular	10,856.0000	325,736.90	PRINCIPAL DENTAL	1,201.64	BANK OF AMERICA (2)	1,664.60
REG PT - Regular Part Time	178.7500	7,833.61	PRINCIPAL VISION	221.62	BANK OF AMERICA (4)	1,335.19
REG SHIFT 10% - Regular Shift	144.0000	4,256.91	RET ERS LOANS	2,201.00	BANK OF AMERICA (6)	1,166.59
REG SHIFT 15% - Regular Shift	224.0000	6,637.78	RET ERS POST-TAX SCP	46.00	Bank on Buffalo	3,978.99
REGS - Regular Seasonal	1,811.7500	29,408.17	RET ERS PRE-TAX SCP	867.30	CASH APP	390.33
RET REF1 - Ret Refund Contrib &	.0000	84.23	RET PF LOANS	60.00	Chase	214.72
RGS - Regular - Salary	70.0000	.00	RET PF PRE-TAX SCP	1,529.09	Chase Bank	3,054.26
SAL - Salary	.0000	3,806.51	Retire ERS Tier 6 <= \$100,000	542.96	Chime	250.00
SAL PT - Salary Part Time	.0000	1,865.37	Retire ERS Tier 6 <= \$45,000	1,712.39	Citizens Bank	18,078.10
SCKU - Sick Used	524.0000	15,792.26	Retire ERS Tier 6 <= \$45,000 OT	249.90	Cornerstone Comm FCU	125,465.28
STIP - Stipend	.0000	192.31	Retire ERS Tier 6 <= \$55,000	1,280.13	Discover Bank	600.00
VAC PT - Vacation Part Time	3.5000	80.08	Retire ERS Tier 6 <= \$55,000 OT	56.32	Encompass Niagara FCU	180.00
VACU - Vacation Used	1,693.0000	59,712.71	Retire ERS Tier 6 <= \$75,000	814.03	ESL FCU	1,245.60
Total	19,288.6250	\$593,935.30	Retire PFRS <= \$55,000	1,797.52		
			Retire PFRS Tier 6 <= \$100,000	1,444.22		
			Retire PFRS Tier 6 <= \$75,000	1,840.11		

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 8/1/24, PAID on date 8/8/24, is approved at dollars \$ 590,697.23
Civil Service Mary Pat Gilbert

Pay Day Register

Pay Date Range 07/19/24 - 08/01/24

Pay Batch 08/08/24

Pay Batch 08/08/24 Total

Employees in Pay Batch 255

Female Employees in Pay Batch 67

Hours Description	Hours	Gross	Withholdings and Deductions	Gross Base	Benefits	Gross Base
207A Disability - 207A Disability	160.0000	1,790.00	Gross	590,697.23	Health Ins 298 Class 2 Family	27,410.30 .00
CMPE 1.0 - Comp Earned @ 1.0	91.5000	.00	Imputed Income		Health Ins 298 Class 2 Single	10,720.96 .00
CMPE 1.5 - Comp Earned @ 1.5	21.0000	.00	Federal	66,175.11	Health Ins 298 Class 3 Family	83,917.98 .00
CMPU - Comp Time Used	350.5000	12,213.91	FICA	35,793.91	Health Ins 298 Class 3 Single	8,247.48 .00
EDAY - Extra Day	300.0000	11,162.47	Medicare	8,371.12	Health Ins 298 Class 4 Family	6,483.45 .00
FHDB - Floating Holiday Buy Out	40.0000	1,628.97	New York State	27,689.79	Health Ins 298 Class 4 Single	1,976.52 .00
FHDE - Floating Holiday Earned	415.6800	.00	457 % Deduction	6,879.73	Total	\$138,756.69
FHDU - Floating Holiday Used	436.0000	14,620.31	457 Flat Dollar Deduction	11,054.62		
FLSA - FLSA	.0000	641.86	AFLAC POSTTAX	261.23	Employer Taxes	
LWOP - Leave Without Pay	24.0000	.00	AFLAC PRETAX	460.30	FICA	35,793.91 577,319.62
MIL - Military Time	48.0000	1,974.30	ALLSTATE POSTTAX	693.58	Medicare	8,371.12 577,319.62
OOT - Out of Title	1,165.0000	42,867.90	ALLSTATE PRETAX	569.96	Total	\$44,165.03
OOT OT 1.5 - Out of Title OT at	2.0000	42.71	Child Support	339.00		
OT 1.0 - Overtime at Straight 1.0	32.0000	962.20	COLONIAL LIFE POSTTAX	55.40	Workers' Comp	
OT 1.5 - Overtime @ 1.5	1,095.7500	49,859.41	FSA PRETAX	671.90	Workers Compensation - General	25,468.16 457,697.02
OT 1.5 SHIFT 10% - OT @ 1.5	32.0000	1,320.73	Health Ins 298 Class 2 Family	2,045.92	Workers Compensation - Sewer	2,420.75 41,327.93
OT 1.5 SHIFT 15% - OT @ 1.5	16.0000	701.52	Health Ins 298 Class 2 Single	1,148.63	Workers Compensation - Water	2,417.76 49,658.05
PRS PT - Personal Leave Part	10.5000	240.24	Health Ins 298 Class 3 Family	2,151.81	Workers Compensation 50%	693.44 10,763.06
PRSU - Personal Used	144.0000	4,926.49	Health Ins 298 Class 3 Single	709.08	Total	\$31,000.11
REG - Regular	10,900.5000	327,344.75	Health Ins 298 Class 4 Family	720.39		
REG PT - Regular Part Time	161.0000	7,429.07	Health Ins 298 Class 4 Single	219.60	Direct Deposits	
REG SHIFT 10% - Regular Shift	176.0000	5,086.32	NEW YORK LIFE	279.30	Amherst Federal Credit Union	494.48
REG SHIFT 15% - Regular Shift	232.0000	6,836.57	Pearl Insurance through CSEA	220.14	Armed Forces Bank	1,346.34
REGS - Regular Seasonal	1,943.7500	31,356.69	PRINCIPAL DENTAL	1,425.05	Bancorp Bank	1,223.24
RGS - Regular - Salary	70.0000	.00	PRINCIPAL VISION	272.45	Bank of Akron	2,726.65
SAL - Salary	.0000	3,806.51	RET ERS LOANS	2,052.00	Bank of America	6,904.83
SAL PT - Salary Part Time	.0000	1,865.37	RET ERS POST-TAX SCP	46.00	BANK OF AMERICA (2)	1,747.25
SCKE - Sick Earned	1,917.5000	.00	RET ERS PRE-TAX SCP	716.16	BANK OF AMERICA (4)	1,330.34
SCKU - Sick Used	495.0000	14,400.49	RET PF LOANS	60.00	BANK OF AMERICA (6)	1,122.18
STIP - Stipend	.0000	192.31	RET PF PRE-TAX SCP	476.36	Bank on Buffalo	3,352.75
VAC PT - Vacation Part Time	3.5000	80.08	Retire ERS Tier 6 <= \$100,000	539.79	CASH APP	494.47
VACE - Vacation Earned	149.1685	.00	Retire ERS Tier 6 <=\$45,000	1,748.67	Chase	214.70
VACU - Vacation Used	1,470.0000	47,346.05	Retire ERS Tier 6 <=\$45,000 OT	208.20	Chase Bank	1,997.89
Total	21,902.3485	\$590,697.23	Retire ERS Tier 6 <=\$55,000	1,329.45	Chime	250.00
			Retire ERS Tier 6 <=\$55,000 OT	110.91	Citizens Bank	17,960.35
			Retire ERS Tier 6 <=\$75,000	827.13	Cornerstone Comm FCU	121,602.78
			Retire PFRS <= \$55,000	1,946.89	Discover Bank	600.00
			Retire PFRS Tier 6 <= \$100,000	2,713.71	Encompass Niagara FCU	180.00
			Retire PFRS Tier 6 <= \$75,000	1,793.12	ESL FCU	1,116.95

RECEIVED

JUL 15 2024

CITY CLERK OFFICE

complaint
Pryatt, Kathryn

07-12-2024

City of Lockport,

I need to bring to your attention the severity of the tree problem I have at 104 Jackson St. It has severe decay. It poses danger to the public safety. I had an Arborist come and look at it. He has written a letter of his findings. He also believes it needs to be removed. So I included his letter and my pictures along with his showing exactly why it needs to come down.

Thank you.

Signed: owner of the land at 104 Jackson St
City of Lockport, NY 14094

Kathryn St. Pryatt

complaint
Putnam, Lauren

Lockport City Clerk
1 Locks Plaza
Lockport, NY 14094

RECEIVED

JUL 22 2024

July 19, 2024

CITY CLERK OFFICE

Madam Clerk,

I am writing to relay my great concern regarding two trees in front of my home: 127 Vine Street, in the city.

These trees are old . There are numerous large branches that are obviously dead. Over the last few months, significant chunks and branches have fallen into my yard. The last time it caused slight damage to my house. The inside of these pieces has been reduced to a kind of wet sawdust.

It is my fear that as more pieces continue to fall, their weight and size will cause significant damage to my home or that of my neighbors, or to the power lines out front.

Thank you for your prompt attention to this matter. I look forward to your action.

Thank you



Lauren J. Putnam

Emailed 7/26/2024

complaint

RECEIVED

JUL 24 2024

Lockport City Clerk
1 Locks Plaza
Lockport, NY 14094

CITY CLERK OFFICE
received cert
mail

July 22, 2024

Dear Sir or Madam,

I am trying to get in contact with the person or office that is responsible for the care of city owned trees in Lockport. I have a mostly dead tree in front of my home that is slowly losing branches. I am afraid the next wind storm will cause the very large branch over my house to break off. I have already made the following contacts:

- 06/20/2024, email submission to the Mayor's office.
- 07/08/2024, spoke directly with someone in the City Clerk's office who filled out a card.

I would like this letter to serve as notice of the potential damage to my home if the branch breaks off or the entire tree falls on my home.

Thank you for any help you can provide.

Sincerely,



William Russell

208 South St

Lockport, NY 14094

716-408-7806

Or

Russelltuohey208@gmail.com

Kyle Lambaker
193 Independence Dr
Lockport NY 14094
716-434-2277

RECEIVED
JUL 31 2024
CITY CLERK OFFICE

During street Milling on Monday July 29, 2024
my mailbox was knocked from the post, necessitating the
purchase of a new mailbox, a city worker came to my door
and advised me to come to city clerk for a \$60.00 payment.
Pictures will be emailed to deputyclerk@NY.gov

STATE OF NEW YORK
SUPREME COURT :: COUNTY OF NIAGARA

-----X

BRIANNA R. BRUNDIDGE
2418 Grand Avenue
Niagara Falls, New York 14301

Plaintiff

SUMMONS

v.

Index No.:

HYDRAULIC RACE CO., INC.,
5978 Washington Street
Olcott, New York 14126

HYDRAULIC RACE CO., INC., d/b/a
LOCKPORT CAVE AND UNDERGROUND BOAT RIDE,
5978 Washington Street
Olcott, New York 14126

and

CITY OF LOCKPORT
Lockport Municipal Building
One Locks Plaza
Lockport, New York 14094

Defendants

-----X

TO THE ABOVE-NAMED DEFENDANT(S):

YOU ARE HEREBY SUMMONED and required to serve upon the plaintiff's attorneys, at their address stated below, an answer to the attached complaint. If the summons and complaint was personally delivered to you in the State of New York, the answer must be served within twenty (20) days after such service of the summons and complaint, excluding the date of service. If the summons and complaint was not personally delivered to you within the State of New York, the answer must be served within thirty (30) days after service of the summons and complaint is complete as provided by law.

If you do not serve an answer to the attached complaint within the applicable time limitation stated above, a judgment will be entered against you, by default, for the relief demanded in the complaint, without further notice to you.

The plaintiff designates Niagara County as the place of trial. The basis of venue is the residence of the plaintiff and defendants when the action was commenced, and the county in which a substantial part of the events or omissions giving rise to the claim occurred.

**GIVE THESE PAPERS TO YOUR INSURANCE COMPANY IMMEDIATELY.
THE FAILURE TO DO SO MAY RESULT IN THE LOSS OF YOUR INSURANCE.**

Dated: June 10, 2024
Buffalo, New York

THE COPPOLA FIRM PLLC

By: 
DAVID M. GOODMAN, ESQ.
Attorneys for Plaintiff
4033 Maple Road, Suite 100
Buffalo, NY 14226
(716) 839-9700
dgoodman@coppolalegal.com

THE COPPOLA FIRM 4033 MAPLE ROAD, SUITE 100 BUFFALO, NY 14226

AFFIRMATION OF SERVICE

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NIAGARA

Client's File No.:

Index Number: E183656/2024

Date Filed: June 10, 2024



Brianna R. Brundidge

Plaintiff(s)/Petitioner(s)

vs

Hydraulic Race Co., Inc., et al.

Defendant(s)/Respondent(s)

The undersigned deposes and says: that deponent is not a party to this action, is over 18 years of age, resides in the State of New York and pursuant to CPLR 2106, and under the penalties of perjury, hereby affirm as follows. That on the following date: 6-21-2024, at the following time: 245 PM,

at 5978 Washington Street, Olcott, NY 14126 deponent served the within Notice of Electronic Filing; Summons and Complaint

[X] Papers so served were properly endorsed with the Index Number and date of filing.

Upon: Hydraulic Race Co., Inc.

[] Individual By delivering a true copy thereof to said recipient personally; deponent knew the person so served to be the individual described therein.

[] Responsible Person By delivering to and leaving with a true copy thereof, a person of suitable age and discretion. Said premises being the defendant / respondent's [] dwelling place [] place of business/employment [] last known address within the State. [] usual place of abode

[] Mail A copy thereof was deposited in a postpaid, properly addressed envelope, bearing the legend "Personal and Confidential" and not indicating on the outside thereof, by return address or otherwise, that the communication is from an attorney or concerns an action against the person to be served in a depository maintained by the U. S. P. S., mailed by first-class mail to the above address on

[X] Corporation LLC / LLP By delivering to and leaving with CLARENCE BURKWIT said individual to be CO-OWNER who specifically stated he/she was authorized to accept service on behalf of the Corporation/Government Agency/Entity.

[] Affixing To Door By affixing a true copy thereof to the door, being the defendant/respondent's [] dwelling place [] place of business/employment [] last known address within the State. [] usual place of abode

[] Previous Attempts Deponent previously attempted to serve the above named defendant/respondent on: 1) at 3) at 5) at 2) at 4) at 6) at

Description of Recipient Sex: MALE Color of skin: WHITE Color of hair: BALD Age: 76-84 Height: 5'8-6' Weight: 155-185 Other Features: GLASSES

[] Witness Fees advanced payment was made.

[] Military Service I asked the person spoken to whether the defendant/respondent was in active military service and received a negative reply. The person spoken with wore ordinary civilian clothes and no military uniform. The source of my information and the grounds of my belief are the conversations and observations defendant/respondent narrated above. Upon information and belief, I aver that the recipient is not in military service.

[] Other

I affirm on 6-24, 2024 under the penalties of perjury under the laws of New York, which may include a fine or imprisonment, that the foregoing is true, and I understand that this document may be filed in an action or proceeding in a court of law.

Walter Bersing

PROCESS SERVER - PRINT NAME BELOW SIGNATURE

PROCESS SERVER LICENSE #

Work Order # 2086410

PAPER CHASE NY, LLC, P. O. Box 680, EAST ROCHESTER, NY 14445

THE COPPOLA FIRM 4033 MAPLE ROAD, SUITE 100 BUFFALO, NY 14226

AFFIRMATION OF SERVICE

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NIAGARA

Client's File No.:
Index Number: E183656/2024
Date Filed: June 10, 2024



Brianna R. Brundidge

Plaintiff(s)/Petitioner(s)

vs

Hydraulic Race Co., Inc., et al.

Defendant(s)/Respondent(s)

The undersigned deposes and says: that deponent is not a party to this action, is over 18 years of age, resides in the State of New York and pursuant to CPLR 2106, and under the penalties of perjury, hereby affirm as follows. That on the following date: 6-21-2024, at the following time: 245 PM,

at 5978 Washington Street, Olcott, NY 14126 deponent served the within Notice of Electronic Filing; Summons and Complaint

[X] Papers so served were properly endorsed with the Index Number and date of filing.

Upon: Hydraulic Race Co., Inc., d/b/a Lockport Cave and Underground Boat Ride

[] Individual By delivering a true copy thereof to said recipient personally; deponent knew the person so served to be the individual described therein.

[] Responsible Person By delivering to and leaving with a true copy thereof, a person of suitable age and discretion. Said promises being the defendant / respondent's [] dwelling place [] place of business/employment [] last known address within the State. [] usual place of abode

[] Mail A copy thereof was deposited in a postpaid, properly addressed envelope, bearing the legend "Personal and Confidential" and not indicating on the outside thereof, by return address or otherwise, that the communication is from an attorney or concerns an action against the person to be served in a depository maintained by the U. S. P. S., mailed by first-class mail to the above address on

[X] Corporation LLC / LLP By delivering to and leaving with CLARENCE BURKWIT said individual to be CO-OWNER who specifically stated he/she was authorized to accept service on behalf of the Corporation/Government Agency/Entity.

[] Affixing To Door By affixing a true copy thereof to the door, being the defendant/respondent's [] dwelling place [] place of business/employment [] last known address within the State. [] usual place of abode

[] Previous Attempts Deponent previously attempted to serve the above named defendant/respondent on: 1) at 3) at 5) at 2) at 4) at 6) at

Description of Recipient Sex: MALE Color of skin: WHITE Color of hair: BALD Age: 76-84 Height: 5'8-6 Weight: 155-185 Other Features: GLASSES

- [] Witness Fees advanced payment was made.
[] Military Service I asked the person spoken to whether the defendant/respondent was in active military service and received a negative reply. The person spoken with wore ordinary civilian clothes and no military uniform. The source of my information and the grounds of my belief are the conversations and observations defendant/respondent narrated above. Upon information and belief, I aver that the recipient is not in military service.
[] Other

I affirm on 6-24, 2024 under the penalties of perjury under the laws of New York, which may include a fine or imprisonment, that the foregoing is true, and I understand that this document may be filed in an action or proceeding in a court of law.

Signature of Walter Berging

PROCESS SERVER - PRINT NAME BELOW SIGNATURE

PROCESS SERVER LICENSE #

Work Order # 2086411

PAPER CHASE NY, LLC, P. O. BOX 680, EAST ROCHESTER, NY 14445

THE COPPOLA FIRM 4033 MAPLE ROAD, SUITE 100 BUFFALO, NY 14226

AFFIRMATION OF SERVICE

Client's File No.:

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NIAGARA

Index Number: E183656/2024

Date Filed: June 10, 2024



Brianna R. Brundidge

Plaintiff(s)/Petitioner(s)

vs

Hydraulic Race Co., Inc., et al.

Defendant(s)/Respondent(s)

The undersigned deposes and says: that deponent is not a party to this action, is over 18 years of age, resides in the State of New York and pursuant to CPLR 2106, and under the penalties of perjury, hereby affirm as follows. That on the following date: 6-21-2024, at the following time: 3:45 PM,

at Lockport Municipal Building, One Locks Plaza, Lockport, NY 14094 deponent served the within Notice of Electronic Filing; Summons and Complaint

[X] Papers so served were properly endorsed with the Index Number and date of filing.

Upon: City of Lockport

[] Individual By delivering a true copy thereof to said recipient personally; deponent knew the person so served to be the individual described therein.

[] Responsible Person By delivering to and leaving with a true copy thereof, a person of suitable age and discretion. Said premises being the defendant / respondent's [] dwelling place [] place of business/employment [] last known address within the State. [] usual place of abode

[] Mail A copy thereof was deposited in a postpaid, properly addressed envelope, bearing the legend "Personal and Confidential" and not indicating on the outside thereof, by return address or otherwise, that the communication is from an attorney or concerns an action against the person to be served in a depository maintained by the U. S. P. S., mailed by first-class mail to the above address on

[X] Corporation LLC / LLP By delivering to and leaving with CAROL "DCE" (REFUSED) said individual to be SENIOR ACCOUNT CLERK who specifically stated he/she was authorized to accept service on behalf of the Corporation/Government Agency/Entity.

[] Affixing To Door By affixing a true copy thereof to the door, being the defendant/respondent's [] dwelling place [] place of business/employment [] last known address within the State. [] usual place of abode

[] Previous Attempts Deponent previously attempted to serve the above named defendant/respondent on: 1) at 3) at 5) at 2) at 4) at 6) at

Description of Recipient Sex: FEMALE Color of skin: WHITE Color of hair: BLACK Age: 41-49 Height: 5'5"-5'9" Weight: 145-175 Other Features:

[] Witness Fees advanced payment was made.

[] Military Service I asked the person spoken to whether the defendant/respondent was in active military service and received a negative reply. The person spoken with wore ordinary civilian clothes and no military uniform. The source of my information and the grounds of my belief are the conversations and observations defendant/respondent narrated above. Upon information and belief, I aver that the recipient is not in military service.

[] Other

I affirm on 6-24, 2024 under the penalties of perjury under the laws of New York, which may include a fine or imprisonment, that the foregoing is true, and I understand that this document may be filed in an action or proceeding in a court of law.

Walter Weising

PROCESS SERVER - PRINT NAME BELOW SIGNATURE

PROCESS SERVER LICENSE #

Work Order # 2086412

PAPER CHASE NY, LLC, P. O. Box 680, EAST ROCHESTER, NY 14445

STATE OF NEW YORK
SUPREME COURT :: COUNTY OF NIAGARA

-----X

BRIANNA R. BRUNDIDGE

Plaintiff

v.

COMPLAINT

HYDRAULIC RACE CO., INC.,
HYDRAULIC RACE CO., INC., d/b/a
LOCKPORT CAVE AND UNDERGROUND BOAT RIDE, and
CITY OF LOCKPORT

Index No.:

Defendants

-----X

Plaintiff, BRIANNA R. BRUNDIDGE, by and through his attorneys, The Coppola Firm PLLC, serve the following as and for a complaint as against defendants, above named, upon information and belief:

1. At all times relevant herein, plaintiff BRIANNA R. BRUNDIDGE, was and is a resident of the County of Erie, State of New York.

2. At all times relevant herein, defendant HYDRAULIC RACE CO., INC., was and is a Domestic Business Corporation, organized and existing under the Business Corporation Law of the State of New York, with a principal place of business at 5978 Washington Street, Olcott, New York.

3. At all times relevant herein, defendant HYDRAULIC RACE CO., INC., d/b/a LOCKPORT CAVE AND UNDERGROUND BOAT RIDE, was and is a Domestic Business Corporation, organized and existing under the Business Corporation Law of the State of New York, with a principal place of business at 5978 Washington Street, Olcott, New York.

4. At all times relevant herein, defendant, HYDRAULIC RACE CO., INC., was the owner of real property located at 5 Gooding Street, Lockport, New York.

5. At all times relevant herein, defendant, HYDRAULIC RACE CO., INC., d/b/a LOCKPORT CAVE AND UNDERGROUND BOAT RIDE, was the owner of real property located at 5 Gooding Street, Lockport, New York.

6. Defendant HYDRAULIC RACE CO., INC., managed the premises referenced above.

7. Defendant HYDRAULIC RACE CO., INC., d/b/a LOCKPORT CAVE AND UNDERGROUND BOAT RIDE managed the premises referenced above.

8. Defendant HYDRAULIC RACE CO., INC., maintained the premises referenced above.

9. Defendant HYDRAULIC RACE CO., INC., d/b/a LOCKPORT CAVE AND UNDERGROUND BOAT RIDE maintained the premises referenced above.

10. Defendant HYDRAULIC RACE CO., INC., controlled the premises referenced above.

11. Defendant HYDRAULIC RACE CO., INC., d/b/a LOCKPORT CAVE AND UNDERGROUND BOAT RIDE controlled the premises referenced above.

12. Defendant HYDRAULIC RACE CO., INC., operated the premises referenced above.

13. Defendant HYDRAULIC RACE CO., INC., d/b/a LOCKPORT CAVE AND UNDERGROUND BOAT RIDE operated the premises referenced above.

14. Defendant HYDRAULIC RACE CO., INC., supervised the premises referenced above.

15. Defendant HYDRAULIC RACE CO., INC., d/b/a LOCKPORT CAVE AND UNDERGROUND BOAT RIDE supervised the premises referenced above.

16. Defendant HYDRAULIC RACE CO., INC., inspected the premises referenced above.

17. Defendant HYDRAULIC RACE CO., INC., d/b/a LOCKPORT CAVE AND UNDERGROUND BOAT RIDE inspected the premises referenced above.

18. That the real property located at 5 Gooding Street, Lockport, New York includes a certain waterway.

19. That the waterway is known by such names as "Lockport Cave", "The Cave", "Lockport Caves", among other names and references.

20. At all times relevant herein, said waterway was owned by HYDRAULIC RACE CO., INC.

21. At all times relevant herein, said waterway was owned by HYDRAULIC RACE CO., INC., d/b/a LOCKPORT CAVE AND UNDERGROUND BOAT RIDE.

22. At all times relevant herein, said waterway was operated by HYDRAULIC RACE CO., INC.

23. At all times relevant herein, said waterway was operated by HYDRAULIC RACE CO., INC., d/b/a LOCKPORT CAVE AND UNDERGROUND BOAT RIDE.

24. At all times relevant herein, said waterway was maintained by HYDRAULIC RACE CO., INC.

25. At all times relevant herein, said waterway was maintained by HYDRAULIC RACE CO., INC., d/b/a LOCKPORT CAVE AND UNDERGROUND BOAT RIDE.

26. At all times relevant herein, said waterway was managed by HYDRAULIC RACE CO., INC.

27. At all times relevant herein, said waterway was managed by HYDRAULIC RACE CO., INC., d/b/a LOCKPORT CAVE AND UNDERGROUND BOAT RIDE.

28. At all times relevant herein, said waterway was controlled by HYDRAULIC RACE CO., INC.

29. At all times relevant herein, said waterway was controlled by HYDRAULIC RACE CO., INC., d/b/a LOCKPORT CAVE AND UNDERGROUND BOAT RIDE.

30. At all times relevant herein, said waterway was inspected by HYDRAULIC RACE CO., INC.

31. At all times relevant herein, said waterway was inspected by HYDRAULIC RACE CO., INC., d/b/a LOCKPORT CAVE AND UNDERGROUND BOAT RIDE.

32. That at all times relevant herein, defendant HYDRAULIC RACE CO., INC., was the owner of a certain vessel used to navigate the aforereferenced waterway.

33. That at all times relevant herein, defendant HYDRAULIC RACE CO., INC., d/b/a LOCKPORT CAVE AND UNDERGROUND BOAT RIDE was the owner of a certain vessel used to navigate the aforereferenced waterway.

34. That, upon information and belief, the aforereferenced vessel was a homemade vessel.

35. That, upon information and belief, the aforereferenced vessel was approximately twenty three (23) feet in length, seven (7) feet in width, and constructed using Permafloat Dock Floats, a Plywood Deck, and had approximately nine (9) bench style seats.

36. That, upon information and belief, the aforereferenced vessel was propelled by two (2) electric trolling motors.

37. That, upon information and belief, the Cave is a closed system unnavigable by any boat other than the aforereferenced.

38. That, upon information and belief, defendant HYDRAULIC RACE CO., INC., by and through its agents, servants, and/or employees, managed the aforereferenced vessel used for touring the subject waterways, underground caves, and tunnels.

39. That, upon information and belief, defendant HYDRAULIC RACE CO., INC., d/b/a LOCKPORT CAVE AND UNDERGROUND BOAT RIDE, by and through its agents, servants, and/or employees, managed the aforereferenced vessel used for touring the subject waterways, underground caves, and tunnels.

40. That, upon information and belief, defendant HYDRAULIC RACE CO., INC., by and through its agents, servants, and/or employees, maintained the aforereferenced vessel used for touring the subject waterways, underground caves, and tunnels.

41. That, upon information and belief, defendant HYDRAULIC RACE CO., INC., d/b/a LOCKPORT CAVE AND UNDERGROUND BOAT RIDE, by and through its agents, servants, and/or employees, maintained the aforereferenced vessel used for touring the subject waterways, underground caves, and tunnels.

42. That, upon information and belief, defendant HYDRAULIC RACE CO., INC., by and through its agents, servants, and/or employees, controlled the aforereferenced vessel used for touring the subject waterways, underground caves, and tunnels.

43. That, upon information and belief, defendant HYDRAULIC RACE CO., INC., d/b/a LOCKPORT CAVE AND UNDERGROUND BOAT RIDE, by and through its agents, servants, and/or employees, controlled the aforereferenced vessel used for touring the subject waterways, underground caves, and tunnels.

44. That, upon information and belief, defendant HYDRAULIC RACE CO., INC., by and through its agents, servants, and/or employees, operated the aforereferenced vessel used for touring the subject waterways, underground caves, and tunnels.

45. That, upon information and belief, defendant HYDRAULIC RACE CO., INC., d/b/a LOCKPORT CAVE AND UNDERGROUND BOAT RIDE, by and through its agents, servants, and/or employees, operated the aforereferenced vessel used for touring the subject waterways, underground caves, and tunnels.

46. That, upon information and belief, defendant HYDRAULIC RACE CO., INC., by and through its agents, servants, and/or employees, supervised the aforereferenced vessel used for touring the subject waterways, underground caves, and tunnels.

47. That, upon information and belief, defendant HYDRAULIC RACE CO., INC., d/b/a LOCKPORT CAVE AND UNDERGROUND BOAT RIDE, by and through its agents, servants, and/or employees, supervised the aforereferenced vessel used for touring the subject waterways, underground caves, and tunnels.

48. That, upon information and belief, defendant HYDRAULIC RACE CO., INC., by and through its agents, servants, and/or employees, inspected the aforereferenced vessel used for touring the subject waterways, underground caves, and tunnels.

49. That, upon information and belief, defendant HYDRAULIC RACE CO., INC., d/b/a LOCKPORT CAVE AND UNDERGROUND BOAT RIDE, by and through its agents, servants, and/or employees, inspected the aforereferenced vessel used for touring the subject waterways, underground caves, and tunnels.

50. That at all times relevant herein, defendant City of Lockport was and has been a municipality organized and existing pursuant to the laws of the State of New York.

51. That on or about November 30, 2023, defendant City of Lockport was served with a Notice of Claim.

52. A copy of the Notice of Claim is annexed as **EXHIBIT A**.

53. That at least thirty (30) days have elapsed since the service of the Notice of Claim upon defendant City of Lockport and adjustment, or payment thereof has been neglected or refused by defendant City of Lockport.

54. That at all times relevant herein, defendant City of Lockport was responsible for the safe operation of the boats, waterways, underground caves, tunnels, and tour boat rides referenced herein.

55. That at all times relevant herein, defendant City of Lockport was responsible for the safe management of the boats, waterways, underground caves, tunnels, and tour boat rides referenced herein.

56. That at all times relevant herein, defendant City of Lockport was responsible for the safe maintenance of the boats, waterways, underground caves, tunnels, and tour boat rides referenced herein.

57. That at all times relevant herein, defendant City of Lockport was responsible for the safe controlling of the boats, waterways, underground caves, tunnels, and tour boat rides referenced herein.

58. That at all times relevant herein, defendant City of Lockport was responsible for the safe inspection of the boats, waterways, underground caves, tunnels, and tour boat rides referenced herein.

59. That at all times relevant herein, defendant City of Lockport was responsible for the safe licensing of the boats, waterways, underground caves, tunnels, and tour boat rides referenced herein.

60. That at all times relevant herein, defendant City of Lockport was responsible for the safe permitting of the boats, waterways, underground caves, tunnels, and tour boat rides referenced herein.

61. That at all times relevant herein, defendant City of Lockport was responsible to ensure that the subject premises, boats, and boat tours mentioned herein were reasonably safe and suitable for passengers, pedestrians, patrons, and guests.

62. That on June 12, 2023, at approximately 11:25 a.m., plaintiff was a passenger on an underground boat tour as referenced herein.

63. That on June 12, 2023, at approximately 11:25 a.m. the vessel referenced herein became unbalanced and capsized, causing plaintiff and plaintiff's fellow passengers to be ejected from the vessel in the freezing water below, and be trapped in the water.

64. That the aforereferenced incident occurred solely as a result of the negligence of the defendants, both jointly and severally, without any negligence attributable to plaintiff.

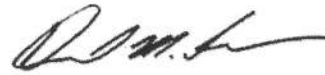
65. That as a result thereof, plaintiff was injured, both physically and psychologically, and has suffered damages in an amount that exceeds the jurisdictional limits of all lower Courts.

66. That the limitations on liability set forth in CPLR Article 16 do not apply herein.

WHEREFORE, plaintiff demands judgment, jointly and severally, against the defendants, all along with such other and further relief as may be deemed just and proper, together with costs and disbursements of this action.

DATED: Buffalo, New York
June 10, 2024

THE COPPOLA FIRM PLLC



David M. Goodman, Esq.
Attorneys for Plaintiff
4033 Maple Road, Suite 100
Buffalo, New York 14202
(716) 839-9700
dgoodman@coppolalegal.com

3

Employee Anniversary Report

August

Employee	Primary Department	Date	Years
1194 Pratz, Judith A	Police Department	08/29/1989	35
1118 Piedmont, Adam R	Police Department	08/29/2005	19
1135 Streckewald, Matthew T	Police Department	08/29/2005	19
1112 Morgan, Aric J	Police Department	08/21/2006	18
1095 Hurtgam, Matthew K	Police Department	08/16/2007	17
1085 Giansante, Luke W	Police Department	08/20/2007	17
1119 Pittman, Anthony D	Police Department	08/23/2007	17
1164 Israel, Susan E <i>Real Property Appraiser</i>	City Assessor's Office	08/31/2009	15
1054 Antonik, Jeremy M	Water Distribution	08/22/2016	8
1055 Learn, Andrew A	Water Filtration	08/29/2016	8
1072 Boyer, Wade V	Police Department	08/06/2017	7
1176 Rucci, Teresa M	City Treasurer	08/13/2018	6
1303 Stout, Timothy H II <i>Water & Sewer Maintenance Worker</i>	Water Distribution	08/05/2019	5
1334 Previte, Scott F	Mayor's Office	08/24/2020	4
1453 Fredrickson, Jonathan P	Fire Department	08/02/2021	3
1502 Edgette, Paul M II	Water Distribution	08/01/2022	2
1503 Kuczumarski, Brandon J	Fire Department	08/15/2022	2
1504 Domescek, Nicole F	City Assessor's Office	08/29/2022	2
1505 Edwards, Carol M	City Clerk's Office	08/30/2022	2
1551 Kam, Tammy Y	Community Development	08/04/2023	1
1150 Volmy, Willfrederick	Waste Water Department	08/04/2023	1
1552 McCarthy, Connor J	Building Inspection Department	08/09/2023	1

Total Employees 22

Deputy City Clerk

From: James Carman <jamescarman1985@gmail.com>
Sent: Thursday, July 25, 2024 1:28 PM
To: Deputy City Clerk; cityclerk@lockportny.gov
Subject: [EXTERNAL] WNYDGC event

Hello,

I'm reaching out in regard to hosting an event at Outwater.

1. *Who - WNYDGC (western New York disc golf club)*
2. *When - 8/31 8a-7p*
3. *What - disc golf course*
4. *Where – Outwater Memorial*
5. *Why – disc golf tournament*
6. *We have insurance. I've requested a COI*

Thank you,

James Carman



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

07/26/2024

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Paul Wolf Agency, Inc. 2686 Elmwood Ave. Kenmore NY 14217		CONTACT NAME: Liza Grimaldi PHONE (A/C, No, Ext): (716) 835-9653 FAX (A/C, No): (716) 877-9657 E-MAIL ADDRESS: paul@paulwolflagency.com	
		INSURER(S) AFFORDING COVERAGE	
		INSURER A: Philadelphia Insurance Companies	
		INSURER B:	
		INSURER C:	
		INSURER D:	
		INSURER E:	
		INSURER F:	
INSURED Western New York Disc Golf Club LLC Sam Castiglione 1074 Carter Drive Grand Island NY 14072			

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 PERTAIN, 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.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:	Y	N	EV129958	01/13/2024	12/29/2024	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any one person) \$ 0 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 3,000,000 PRODUCTS - COMP/OP AGG \$ 3,000,000 \$
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY						COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
	UMBRELLA LIAB <input type="checkbox"/> OCCUR EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED <input type="checkbox"/> RETENTION \$						EACH OCCURRENCE \$ AGGREGATE \$ \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below		Y/N N/A				PER STATUTE <input type="checkbox"/> OTH-ER <input type="checkbox"/> E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$

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

Date/ location : 8/31/24 Outwater Park

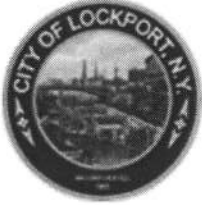
The certificate holder is added as an additional insured but only with respect to liability arising out of the named insured during the policy event.

CERTIFICATE HOLDER**CANCELLATION**
 City of Lockport
 147 Outwater Dr.
 Lockport, NY 14094

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

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**CITY OF LOCKPORT
COMMON COUNCIL MEETING AGENDA
REGULAR MEETING
AUGUST 14, 2024
6:00 PM**

5:30 P.M. - Committee of the Whole Meeting
6:00 P.M. - Common Council Meeting

Roll Call

Public Hearing

Approval of Minutes

081424.1 Approve Common Council minutes of
7/24/2024. -

Appointments

Communications

Motions & Resolutions

081424.2 Review bills and payrolls -
081424.3 Congratulate Employees on Years of Service -
081424.4 WNYDGC event 8/31 -
081424.5 Water Reclamation Process and Control
Administrator -
081424.6 Civil Service Project Manager -
081424.7 Born Brave 5K 9/15/24 -
081424.8 City Clerk Consulting Agreement -
081424.9 NYSLRS Annual Reporting -
081424.10 City Right of Way Garden -

Adjournment

081424.11 Adjourn meeting to 8/28/2024. -

CITY OF LOCKPORT
COMMON COUNCIL MEETING AGENDA
REGULAR MEETING
August 14th, 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
081424.1 July 24th, 2024

COMMUNICATIONS

**MOTIONS &
RESOLUTIONS**

xxxx: Approve bills and payrolls
081424.2

xxxx: Congratulate Employees on Years of
081424.3 Service

xxxx: WNYDGC event 8/31
081424.4

xxxx: Water Reclamation Process and Control
081424.5 Administrator

xxxx: Civil Service – Project Manager
081424.6

xxxx: Born Brave 5K 9/15
081424.7

xxxx: City Clerk Consulting Agreement
081424.8

xxxx: NYSLRS Annual Reporting (NYS and Local
081424.9 Retirement System)

xxxx: City Right of Way Garden
081424.10

ADJOURNMENT

Fogle: Adjourn meeting to August 28th 2024
081424.11

cityclerk@lockportny.gov

Subject: FW: Water Reclamation Process and control adm
Attachments: WATER RECLAMATION PROCESS AND CONTROL ADMIN.doc

From: Mary Pat Holz <mpholz@lockportny.gov>
Sent: Wednesday, June 26, 2024 10:55 AM
To: jlombardi@lockportny.gov; dblackley@lockportny.gov
Cc: mmcfall@lockportny.gov; cityclerk@lockportny.gov; 'Jason Dool' <jdool@lockportny.gov>
Subject: Water Reclamation Process and control adm

Good Morning Mayor

At today's Civil Service Commission meeting the Board reviewed the new job description for Water Reclamation Process and Control Administrator and unanimously approved it. Please see attached for your records, and proceed to place on the next council agenda so the new position can be recognized as a city position.

Thank You



Mary Pat Filbert
Personnel Director
City of Lockport
One Locks Plaza
Lockport NY 14094
PH: (716) 439-6659
FAX: (716) 439-6702
mpholz@lockportny.gov

DEPARTMENT: WASTEWATER
CLASSIFICATION: COMPETITIVE
APPROVED: 6/26/2024
REVISED:

WATER RECLAMATION PROCESS AND CONTROL ADMINISTRATOR

Distinguishing Features of the Class: This is an important supervisory and technical position involving responsibility for the safe and efficient operation and maintenance of an Activated Sludge (Type A) Wastewater Treatment Plant in accordance with and adherence to all Federal, State, County, and Municipal Laws. Supervision is received from the Mayor. Supervision is exercised over all subordinate Wastewater Treatment Plant personnel. Does related work as required.

Typical Work Activities: (Illustrative Only)

- Assists with the administration of all applicable laws and regulations as they pertain to the operation of a NYSDEC rated Wastewater Treatment Facility;
- Is the department head in collaboration with the Chief Operator;
- Collaborates with the Chief Operator with preparation and analysis of the annual operating budget, individual account activities, and daily budgetary expenditures;
- Collaborates with the Chief Operator with the coordination of all regulatory permits, certifications, registrations, report activities, and specific regulatory conditions as specified by Federal, State, County, and Municipal requirements;
- Confers with City Officials as needed or when directed by Chief Operator;
- Works in coordination with the Chief Operator with planning, policymaking, coordinating, and implementing directives to subordinates;
- Works in coordination with the Chief Operator with operational problems, budget planning/requests, and capital improvement projects;
- Makes and executes daily decisions on process operating and control implementation;
- Works in coordination with the Chief Operator and the maintenance staff in scheduling and directing the performance of routine maintenance and plant projects;
- Supervises work of the Industrial Pretreatment Coordinator and the Pretreatment program;
- Acts as the Quality Assurance and Quality Control Officer for the Laboratory;
- Works in coordination with the Chief Operator in training of subordinate employees in the wastewater treatment processes;
- Keeps records and prepares data for reporting to the Chief regarding plant operations and maintenance;
- Participates and/or assist with supervision and implementation of any and all activities related to the different units within the scope of the department;
- Works in coordination with the Chief Operator in governing all subordinate employees with any concerns, discipline and adherence to the Safety Program, Work Rules, and Ethics Policy.
- Supervises the daily operation and maintenance of the facility in order to assure the most efficient and economical use of equipment supplies, and manpower;
- Schedules, assigns, directs, and controls the work of assigned subordinate personnel, ensuring that personnel review and follow all safety regulations;
- Supervises and participates in the daily inspection of all plant systems for operation and maintenance, to include reading plans, diagrams, and specifications in performing the installation, maintenance, and repair work;
- Supervises and may participate in the performance of process control testing in order to maintain the parameters of the SPDES permit issued by the NYSDEC, which may include recording readings from meters and gauges, and take samples for testing;

Supervises and participates in plant scale trials to evaluate the economy of new processes and chemicals in order to ensure that they do not cause any violations to the SPDES permit; Assists in bulk chemical ordering, supervision of bulk chemical unloading, and maintaining an inventory of supplies, chemicals, equipment, and parts; Assists in the installation of new equipment; Assures the proper functionality of the Wastewater Treatment Plant SCADA systems.

Full Performance Knowledge, Skills, Abilities and Personal Characteristics:

Thorough knowledge of the practices used and the equipment required in the operation and maintenance of a modern Activated Sludge (Type A) Wastewater Treatment Plant; good knowledge of the principles and applications of physics, chemistry, and bacteriology as applied to wastewater treatment and disposal; working knowledge of the common practices, tools, terminology, and safety precautions of one or more of the mechanics trades; ability to supervise the operation and repair of pumps, valves, and related mechanical, hydraulic, and electrical equipment; ability to make routine laboratory and field tests for control of plant operations; ability to work from plans, specifications, and rough sketches; ability to supervise the work of subordinates; ability to maintain accurate records and write comprehensive reports; initiate; good judgement; physical condition commensurate with the demands of the position.

Minimum Qualifications:

- (a) Graduation from a regionally accredited or New York State registered college or university with a Bachelor's Degree in Applied Science and **two (2) years** of experience in the operation and maintenance of a Type A Wastewater Treatment Plant providing secondary treatment, **one (1) of which** shall have been in a supervisory capacity; OR
- (b) Graduation from a regionally accredited or New York State registered college or university with an Associate's Degree in Applied Science and **five (5) years** of experience in the operation and maintenance of a Type A Wastewater Treatment Plant providing secondary treatment, one (1) year of which shall have been in a supervisory capacity;
- (c) Graduation from high school or possession of an equivalency diploma and **eight (8) years** of experience in the operation and maintenance of a Type A Wastewater Treatment Plant providing secondary treatment, one (1) year of which shall have been in a supervisory capacity.

Special Requirement: Possession of a NYSDEC Grade 3A Wastewater license and completion of appropriate courses of instruction approved by the New York Department of Environmental Conservation for possession of a NYSDEC Grade 4A Wastewater license. Grade 4A Wastewater license shall be obtained within one (1) year of promotion.

6

cityclerk@lockportny.gov

Subject: FW: Project Manager
Attachments: PROJECT MANAGER.docx

From: Mary Pat Holz <mpholz@lockportny.gov>
Sent: Wednesday, June 26, 2024 10:50 AM
To: jlombardi@lockportny.gov; dblackley@lockportny.gov
Cc: 'Jason Dool' <jdool@lockportny.gov>; cityclerk@lockportny.gov
Subject: Project Manager

Good Morning Mayor

At today's Civil Service Commission meeting the Board reviewed the new job description for Project Manager and unanimously approved it. Please see attached for your records, and proceed to place on the next council agenda so the new position can be recognized as a city position.

Thank You



Mary Pat Filbert
Personnel Director
City of Lockport
One Locks Plaza
Lockport NY 14094
PH: (716) 439-6659
FAX: (716) 439-6702
mpholz@lockportny.gov

Department: Engineering
Classification: Competitive
Adopted: 6/26/2024
Revised:

PROJECT MANAGER

Distinguishing Features of the Class: This position involves responsibility for working with Consultant Engineering firms hired by the City to plan and execute engineering projects for the City of Lockport and for supporting the various departments in charge of the maintenance of municipal infrastructure. An incumbent in this position serves as an advisor to all city officials, council committees and departments in City engineering matters. Considerable leeway is allowed for the exercise of independent judgment in planning projects. General supervision is exercised over subordinate staff and contractors hired to repair equipment and infrastructure or build new projects for the City.

Typical Work Activities: (Illustrative Only)

The following task-list describes specific duties for the Project Manager position:

- Coordinates with Consultants to preform engineering studies for the development of new projects;
- Coordinates with Consultants to prepare plans, budgets, and specifications for City Engineering projects;
- May assist Consultants to administrate bid processes;
- Execute City contracts for engineering projects;
- Maintain communication with contractors to follow up on engineering projects;
- Administrate finances of engineering projects;
- Report status and project execution to the Mayor and Common Council;
- Assist water and sewer maintenance crews in the solution of utility problems with support from the Consultants as needed;
- Support the Waste Water Treatment Plan and the Water Treatment Plant in the acquisition of new equipment with support from the Consultants as needed;
- Coordinate projects, with support from Consultants as needed, to repair equipment and municipal infrastructure;
- Support the Department of Highways and Parks in evaluations of street pavement and prepare budgets for road pavement repairs;
- Inspect street cuts and pavement repairs;
- Maintain computer programs, including AutoCAD and GIS, on desktops and laptops for mapping municipal utilities and infrastructure;
- Print maps and engineering designs;
- Coordinate with the DEC to keep the city landfill compliant;
- Prepare periodical reports for DEC with support from Consultant;
- Coordinate traffic and street light repairs, and installation of new street lights;

- Provide utility information for project development and design to public and private entities;
- Coordinate efforts with New York State Department of Transportation;
- Maintain communication with State and Federal offices to follow up with engineering issues, status of grants/reimbursements, and engineering projects with support from the City Consultants as needed;
- Assist the City in the preparation of grant applications and administrative grant processes for engineering projects;
- Coordinate projects and engineering support provided by Consultant Engineering firms and Retainer Engineer;
- Assist the City in the preparation of the City's Capital Improvement Plan;

Full Performance Knowledge, Skills, Abilities, and Personal Characteristics:

- Ability to supervise the work of others
- Well-developed skills in verbal and written communications
- Well-developed analytical skills and critical thinking
- Ability to treat others with respect and consideration
- Ability to work within a teamwork environment
- Physical condition commensurate with the demands of the position

Minimum Qualifications:

Graduation from a regionally accredited or New York State registered college or university with a Bachelor's Degree and four (4) years of experience involving engineering work, and/or public infrastructure projects, one (1) year of supervision;

Deputy City Clerk

From: cityclerk@lockportny.gov
Sent: Thursday, July 25, 2024 1:34 PM
To: aschifferle@gmail.com
Cc: Emily Stoddard
Subject: FW: [EXTERNAL] Born Brave 5K Race - Widewaters Marina

Good afternoon,

We can add this resolution to the next meeting of the City of Lockport Council agenda – the next meeting is August 14, 2024. We will need a certificate of insurance, naming the City of Lockport, One Locks Plaza, Lockport NY 14094 as additional insured.

Please let me know if you have any additional questions.

*Thank you,
Sarah*

From: Aaron Schifferle <aschifferle@gmail.com>
Sent: Wednesday, July 24, 2024 10:08 AM
To: cityclerk@lockportny.gov
Subject: [EXTERNAL] Born Brave 5K Race - Widewaters Marina

Hi Sarah,

My name is Aaron Schifferle and my wife Chelsea and I are in the process of planning a 5K Race to benefit Golisano Children's Hospital in Rochester. Our daughter Nina was born on February 1st and unfortunately needed immediate open heart surgery. She was transferred to Golisano Hospital in Rochester where she stayed for the next 6 weeks. The hospital was so good to us, it is our hope to raise funds to be able to give back.

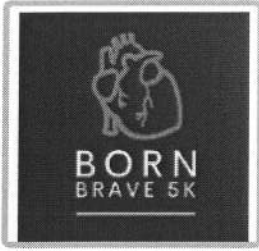
The race will take place on September 15th, 2024 at 10:00AM. It will start and finish near the pavilion at Nelson C. Goehle Municipal Park. Race Management Solutions will be handling the race-day logistics and registration. I have already paid and submitted an application to rent the pavilion for that morning. The race will follow the same route that the Niagara County Sheriff's 5K follows each year. A link for the race website that includes a course map can be found below. We are expecting approximately 120 runners.

Please let me know what additional information you need from us to get on the agenda for the common council to review.

<https://bornbrave5k.itsyourrace.com/event.aspx?id=16322>

Thank you for your help,

Aaron Schifferle
716-946-6620



Lockport, NY

Born Brave 5K

[About \(/event.aspx?id=16322\)](/event.aspx?id=16322)

[Participants \(/ParticipantList.aspx?id=16322\)](/ParticipantList.aspx?id=16322)

[Teams \(/TeamList.aspx?id=16322\)](/TeamList.aspx?id=16322)

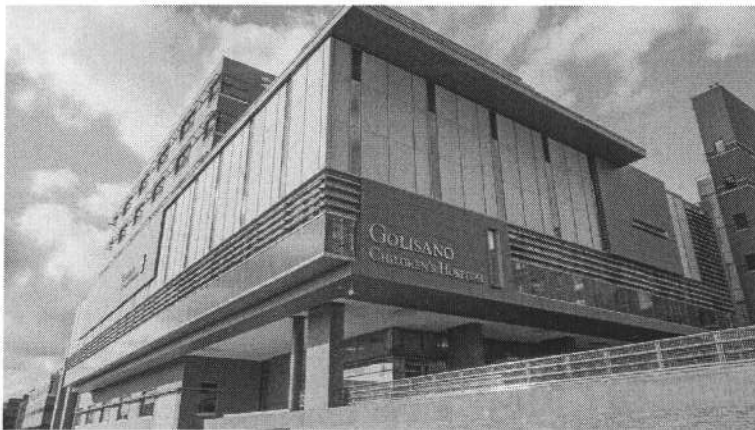
[Results \(/Results.aspx?id=16322\)](/Results.aspx?id=16322)

[Photos \(/photos.aspx?id=16322\)](/photos.aspx?id=16322)

[Awards \(/Awards.aspx?id=16322\)](/Awards.aspx?id=16322)

[Contact \(/EventContact.aspx?id=16322\)](/EventContact.aspx?id=16322)

Register Now  (<https://BornBrave5K.itsyourrace.com/register>)



Sunday September 15, 2024 for the Born Brave 5K in Lockport, New York. We are planning to offer a 1-mile Fun Walk option through the park! The event

is in honor of Nina Schifferle who was born on February 1, 2024 with a rare congenital heart defect. She had her first of 2 open heart surgeries on February 14 at just 13 days old. Nina is now thriving thanks to the doctors and nurses of the Pediatric Cardiac Care Center at Golisano's Children's Hospital in Rochester. All proceeds will benefit the unit to support the life saving work they do every day!

START/FINISH

The race will start and finish at the Nelson C. Goehle Municipal Park using area roads and paths along the Erie Canal (see map below).

Nelson C. Goehle Municipal Park

614 Market Street

Lockport, New York 14094

BORN BRAVE 5K

More Details >()

Website is Security Scanned
Security Scan Passed:
Scan Frequency:

No Malware Detected
Malware Scan Passed:
Scan Frequency:

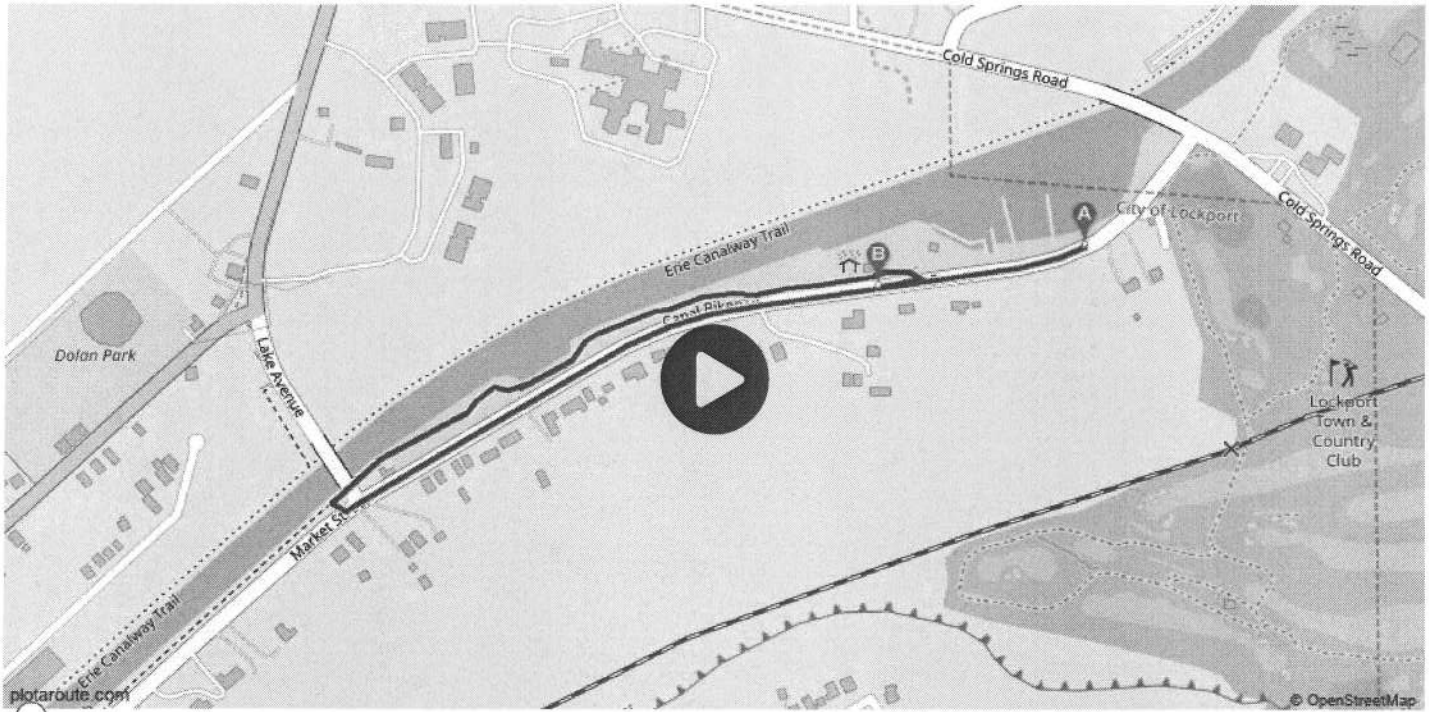
Active SSL Certificate
Encrypted By:
Expiration Date:

0.000 / 3.114 km miles

by



BORN BRAVE PROPOSED 1 MILE WALK ROUTE



0.000 / 1.000 km miles

[More Details >\(\)](#)

by

Website is Security Scanned

Security Scan Passed:

Scan Frequency:

No Malware Detected

Malware Scan Passed:

Scan Frequency:

Active SSL Certificate

Encrypted By:

Expiration Date:

PICKUP

open right up until the start of the race. Race day will take place at the park gazebo from 8:30am right up to 10am. Paper applications can be downloaded and mailed to the address shown. Participants who register by September 12, 2024 are guaranteed to receive a t-shirt. Extra shirts (if any) will be distributed on a first-come first-served basis.

- Adults (19 and older) \$50/\$35 on race day
- Youth (18 and younger) \$25 through race day

1 Mile Fun Walk Registration

- Adults (19 and older) \$25/\$30 on race day
- Youth (18 and younger) \$20 through race day

Mail-in Registration Option

If you prefer to mail in your registration, please download both the race waiver and appropriate USATF liability waiver below and mail to the address shown. You must mail to the address shown on the waiver along with your check by 9/12/24.



>Born Brave 5K Run & 1 Mile Fun Walk Application & Waiver (COMING SOON)

POST RACE CELEBRATION

Join us after the race for a post race celebration at the park including light food, snacks, and of course the awards ceremony!

PARKING

There will be plenty of free parking within walking distance of the start/finish line.

AGE GROUPS & AWARDS

Awards will be presented to the top 3 overall male and female runners.

Top 3 male and female runners will be recognized in the following age groups:

14 and under, 15-19, 20-29, 30-39, 40-49, 50-59, 60-69, 70 and older.

CONTACT / INFORMATION

[More Details >\(\)](#)

Sponsorship opportunities available, please contact markenna@gmail.com (markenna@gmail.com) of 716-471-2881.

Website is Security Scanned

Security Scan Passed:

Scan Frequency:

No Malware Detected

Malware Scan Passed:

Scan Frequency:

Active SSL Certificate

Encrypted By:

Expiration Date:

public safety concerns, or for any other reason deemed necessary. For example: state of emergency, shelter-in-place, limit on social gatherings. Please be aware that we reserve the right to reschedule the 5K race. There will be no refunds.

FINISH LINE SERVICES

Professional timing and finish line services using industry leading Jaguar Electronic RFID timing will be provided by Race Management Solutions (<http://www.racemanagementsolutions.com/>). Results are updated throughout the race in real time and can be accessed at any time after crossing the finish line using any one of the following options:

- FREE ITSYourRace Mobile App
- RMS Race Results Kiosk/Printer
- Scrolling Results TV Monitor(s)



om
entSolutions.com

City of Lockport - Resolution Request Form

Agenda Description: City Clerk Consulting Agreement							
Presented By: Daniel Cavallari	Date Submitted: 8/2/2024						
Topic Area (Select Most Applicable Option):							
Community Event Budget Amendment Contract Approval Donation Acceptance Grant Application / Award Fund Utilization Request	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr><td style="height: 15px;"></td></tr> <tr><td style="height: 15px;"></td></tr> <tr><td style="height: 15px; text-align: center;">✓</td></tr> <tr><td style="height: 15px;"></td></tr> <tr><td style="height: 15px;"></td></tr> <tr><td style="height: 15px;"></td></tr> </table>			✓			
✓							
Local Law Change Community Development Community Event Engineering Process Code and Planning Other	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr><td style="height: 15px;"></td></tr> <tr><td style="height: 15px;"></td></tr> <tr><td style="height: 15px;"></td></tr> <tr><td style="height: 15px;"></td></tr> <tr><td style="height: 15px;"></td></tr> <tr><td style="height: 15px;"></td></tr> </table>						
<i>Please provide to Clerk at least 9 calendar days prior to Council meeting. Otherwise request will go to following meeting.</i>							
Summary of Resolution: To engage Sarah Lanzo in a consulting agreement with the City during the transition period in the Clerks office.							
Explanation of Attachments: 1) Resolution 2)Contractors Agreement							
<small>Please 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: _____</small>							
Clerk/Legal/Finance Approval:							
Notes:							
Name:	Date of Approval:						

WHEREAS, the City Clerk of the City of Lockport, Sarah Lanzo, has submitted a resignation effective August 12, 2024; and

WHEREAS, Sarah Lanzo has provided invaluable service to the City of Lockport and has demonstrated extensive knowledge and expertise in the duties and responsibilities of the City Clerk's office; and

WHEREAS, the City Council has determined that retaining Sarah Lanzo as an independent contractor will ensure a smooth transition and continued efficient operation of the City Clerk's office; and

WHEREAS, Sarah Lanzo has agreed to continue providing services to the City of Lockport under a contractor's agreement;

NOW, THEREFORE, BE IT RESOLVED, that Corporation Counsel be and is hereby directed and authorized to draft a consulting agreement; and

Be it further resolved that the Mayor, subject to Corporation Counsel approval, be and the same is hereby authorized and directed to execute a contract with Sarah Lanzo, at a total cost not to exceed \$4,000.00 to be charged to account A.1420.54055.

CONSULTANT AGREEMENT

This Agreement is made this ___ day of August 2024, by and between Sarah K. Lanzo residing at 129 Beattie Avenue, Lockport, NY 14094 (hereinafter called "Consultant") and the CITY OF LOCKPORT, a municipal corporation organized and existing under the laws of the State of New York and having its principal offices at One Locks Plaza, Lockport, New York 14094 (hereinafter called "City").

WITNESSETH:

WHEREAS, the City desires to retain the services of the Consultant to perform the duties of the City Clerk on a part-time basis;

NOW, THEREFORE, the parties hereto do mutually agree as follows:

1. Duties

The Consultant shall provide the following professional services for the City of Lockport:

- Support the management of all official city records
- Records Access Officer – with respect to contracts and FOILS
- Support the completion of minutes for city council meetings.
- Ensure submission of information for City of Lockport Retiree's is completed and payments are processed
- Other duties typically associated with the City Clerk position, as directed by the City.

2. Remuneration

The Consultant shall be paid the sum of \$40 per hour, not to exceed \$4,000 for the term of this Agreement. The Consultant shall invoice by voucher form, payable upon regular City voucher dates upon review and approval of the City Treasurer and Mayor.

3. Independent Contractor

The Consultant agrees not to hold themselves out as, nor claim to be, an officer or employee of the City or its agents. Neither Consultant nor any of its officers or employees will, by reason thereof, make any claim, demand, or application to or for any right or privilege applicable to an officer or employee of the City.

Consultant acknowledges and agrees that neither they nor their agents, officers, or employees shall be covered by any Worker's Compensation Insurance policy or Disability Insurance policy maintained by the City and that they shall be solely responsible for maintaining such coverage as required by law.

4. Records

The City and any of its duly authorized representatives shall have access to any books, papers, documents, and records of the Consultant which are directly pertinent to this Agreement for audit, examination, excerpts, and transcriptions. The Consultant shall provide copies of any documents requested by the City.

Consultant shall retain all required records directly pertinent to this Agreement for three years after the City has made final payment under this Agreement and all other pending matters are closed.

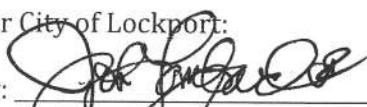
5. Term of Agreement

This Agreement shall become effective as of the date first above written and terminate on December 31, 2024. Either party may terminate this Agreement at any time upon 30 days prior notice without cause, to be effected by written notification.

Upon termination of this Agreement, all finished and unfinished materials prepared by Consultant under this Agreement shall become the property of the City.

AGREED AND ACCEPTED:

For City of Lockport:

By:  _____

John Lombardi III, Mayor

Date: 8/7/24

By:  _____

David E. Blackley, Corporation Counsel

Date: 8-7-24

Consultant:

By:  _____

Sarah K. Lanzo

Date: 8/7/2024

Authorized by Resolution No. _____

Deputy City Clerk

From: cityclerk@lockportny.gov
Sent: Friday, August 2, 2024 12:41 PM
To: Emily Stoddard
Subject: NYSLRS Annual Reporting - Agenda

Agenda item : NYSLRS Annual Reporting (NY State and Local Retirement System)

We need to add in Kathleen Kugler, Anthony Serianni and David Blackley

061423.5

By Alderman _____:

Whereas Title 315.4 of the New York Compilation of Codes, Rules and Regulations, entitled Regulations on Reporting for Elected or Appointed Officials requires the reporting of time for certain elected or appointed officials participating in the New York State Retirement System, and

Whereas Title 315.4 required that the Common Council establish by resolution a standard work day for each Elected or Appointed official serving the City of Lockport, and

Whereas elected or appointed offices must prepare and file a time record for the first 180 days of taking office which is good for a period of eight years, and

Whereas section 315.3 of Chapter VI, Title 2 of the New York Code of Rules and Regulations require the Common Council establish by resolution a standard work day for each elective or appointed official, and

Whereas none of the participants listed below are in Tier 1, and

Whereas all of the participants below have submitted their respective Record of Activities to the City Clerk.

Now therefore be it resolved that the City of Lockport, a municipal corporation located at One Locks Plaza, Lockport, New York 14094 hereby establishes the following standard workdays for these titles for the calendar year of 2024 and will report the officials to the New York State and Local Retirement System based on their record of activities:

<u>Title</u>	<u>Std. Work Day</u>	<u>Name</u>	<u>Term</u>	<u>Record</u>
		<u>Results</u>	<u>Activity</u>	
Deputy Corporation Counsel	7	1/1/2024-x/x/xxxx		11.97 12/31/2024

RECEIVED

AUG 05 2024

City of Lockport - Resolution Request Form

CITY CLERK OFFICE

Agenda Description: City Right of way garden permission

Presented By: Margaret Lepo

Date Submitted: 8/5/24

Topic Area (Select Most Applicable Option):

Community Event	<input type="checkbox"/>	Local Law Change	<input type="checkbox"/>
Budget Amendment	<input type="checkbox"/>	Community Development	<input type="checkbox"/>
Contract Approval	<input type="checkbox"/>	Highways and Parks	<input type="checkbox"/>
Donation Acceptance	<input type="checkbox"/>	Engineering	<input type="checkbox"/>
Grant Application / Award	<input type="checkbox"/>	Code and Planning	<input type="checkbox"/>
Fund Utilization Request	<input type="checkbox"/>	Other	<input checked="" type="checkbox"/>

Please provide to Clerk at least 9 calendar days prior to Council meeting. Otherwise request will go to following meeting.

Summary of Resolution:
 Courtney Dunlap of 230 East Avenue Lockport is requesting permission to keep her flower garden within the city right of way. She has spoken with building inspection and they are telling her this is the way to handle keeping her flower beds.

Explanation of Attachments:
 Home owners are not allowed to plant large gardens in the right away. Council resolution will allow the homeowner to keep her garden. It was planted to cover a tree stump.

Please include all backup correspondence, purchase order, quotes, meeting minutes, emails, etc... If any of this information is confidential and cannot be released publicly, please denote a check in this field: _____

Clerk/Legal/Finance Approval:

Notes:

Name:

Date of Approval:



The Place for businesses to grow in Lockport!

August 8, 2024

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

Greetings Sarah,

The purpose of this letter is to request that Harrison Place be permitted to close off the section of sidewalk on the north side of Walnut Street along the entire face of 210 Walnut Street, (known as Building 2 on the Harrison Place Campus. The closure request for the period of 8/10/2024 through 10/31/2024.

We would like to start the exterior restoration of Building 2's north façade. The equipment will be most likely blocking the entire sidewalk, and we need to keep pedestrians from accessing the sidewalk during the restoration process. There could be falling debris. We will completely close off the sidewalk with 6' high steel fencing and post signage on both the east and west ends of the fencing.

I have enclosed a copy of the Certificate of Insurance naming the City of Lockport as an additional insured.

Thank you.

Edla Collora
Site Coordinator
716-254-8447

210 Walnut Street, Lockport, NY 14094



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

08/07/2024

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER USI Insurance SVS LLC CL SC MSA Service Center PO Box 2006 Keene NH 03431		CONTACT NAME: MSA Service Center PHONE (A/C, No, Ext): (866) 800-1326 E-MAIL ADDRESS: servicecenter@msagroup.com FAX (A/C, No): (866) 332-4776	
INSURED Modern Surface Solutions Inc 7292 Akron Road Lockport NY 14094-6206		INSURER(S) AFFORDING COVERAGE INSURER A: Main Street America Assurance NAIC # 29939 INSURER B: INSURER C: INSURER D: INSURER E: INSURER F:	

COVERAGES

CERTIFICATE NUMBER: 24-25


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 PERTAIN, 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.

INSR LTR	TYPE OF INSURANCE	ADDL SUBR INSD WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:		MPJ3182E	08/18/2024	08/18/2025	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 500,000 MED EXP (Any one person) \$ 10,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY					COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
	<input type="checkbox"/> UMBRELLA LIAB <input type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED RETENTION \$					EACH OCCURRENCE \$ AGGREGATE \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N	N/A			PER STATUTE OTH-ER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$

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

CERTIFICATE HOLDER**CANCELLATION**

City of Lockport 1 Locks Plaza Lockport NY 14094	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE 
--	--

**Modern Surface Solutions Inc
7292 Akron Road
Lockport, NY 14094**

July 8, 2024

Harrison Place
210 Walnut Street, LLC
210 Walnut St.
Lockport, NY 14094

Building 2 Primary Scope of Demo, Concrete Restoration of Exterior, Painting of Façade Work:

Scope of work includes spauling concrete piers on the north side of the building from the roofline beam and above and the reverse side of both east and west corner piers at the same height. Also includes repairs on five piers that extend below the roofline and the header of one stairwell window.

Proposal includes – labor, tools, equipment and materials to execute the detail in the scope as stated above. Please note: Work will be done using the same materials and methods used for Trek restoration.

- Protective fencing and scaffolding
- Concrete columns, concrete headers, and caps that extend above the parapet
- Painting of the concrete and columns sides @ repaired areas only using Luxon primer and Super Paint -color to match

Total cost \$100,000 to be paid as follows:

Deposit	\$25,000
2 nd draw @50% completion	\$35,000
Final payment	\$40,000

Additional costs associated brick repair and coping caps:

- Unit price: brick repointing \$30 psf
- Unit price: brick veneer only \$97 psf
- Unit price: concrete coping, reinstall aluminum coping caps \$225 plf

EXCLUDES:

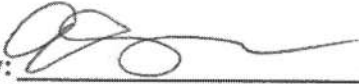
- Building permit
- Sales tax
- Any undisclosed findings beyond the primary scope of repair that need to be repaired will be treated as a "change order" and are subject to additional costs
- Heat and weather protection

Thank you.

Michael Greig
Modern Surface Solutions Inc

Please sign below to approve and execute this contract proposal.

Approval By: _____



210 Walnut Street, LLC

Date: _____

7/25/2024

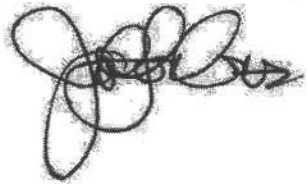
ATTACHMENT A
Project Support Letter

TO: Niagara County Façade Program 2.0 Committee
FROM: Mayor John Lombardi, III
DATE: 3/20/2024
RE: NIAGARA COUNTY FAÇADE PROGRAM 2.0

Please consider this letter as a sign of support for the proposed project located at
210 Walnut Street (Harrison Place - Building 2)

I have been provided an overview of this project and believe it aligns well with the Niagara
County Façade Program 2.0. The property is located within a vibrant corridor and the
proposed improvements will help support the overall revitalization of the area.

Sincerely,

A handwritten signature in black ink, appearing to read "John Lombardi", with a stylized flourish at the end.

CERTIFICATE OF INSURANCE

PRINT DATE: 8/8/2024

CERTIFICATE NUMBER: 202408081051074

AGENCY:

Edgewood Partners Insurance Center
5909 Peachtree Dunwoody Road, Suite 800
Atlanta, GA 30328
678-324-3300 (Phone), 678-324-3303 (Fax)

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.

NAMED INSURED:

USA Track & Field, Inc. Happily Running
130 East Washington Street, Suite 800
Indianapolis IN 46204

INSURERS AFFORDING COVERAGE:

INSURER A: Accredited Surety and Casualty Company, Inc. NAIC# 26379
INSURER B: Allied World National Assurance Company NAIC# 19489

EVENT INFORMATION:

Beast of Burden Summer (8/10/2024 - 8/11/2024)

POLICY/COVERAGE INFORMATION:

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 PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INS	TYPE OF INSURANCE:	POLICY NUMBER(S):	EFFECTIVE:	EXPIRES:	LIMITS:
A	GENERAL LIABILITY				
	<input checked="" type="checkbox"/> Occurrence	1-TRE-IN-17-01338542-01	11/1/2023 12:01 AM	11/1/2024 12:01 AM	GENERAL AGGREGATE (Per Event) \$4,000,000
	<input checked="" type="checkbox"/> Participant Legal Liability				EACH OCCURRENCE \$2,000,000
					DAMAGE TO RENTED PREMISES (Each Occ.) \$2,000,000
					MEDICAL EXPENSE (Any one person) EXCLUDED
					PERSONAL & ADV INJURY \$2,000,000
					PRODUCTS-COMP/OP AGG \$2,000,000
A	UMBRELLA/EXCESS LIABILITY				
	<input checked="" type="checkbox"/> Occurrence	1-TRE-IN-17-01338543-01	11/1/2023 12:01 AM	11/1/2024 12:01 AM	EACH OCCURRENCE \$3,000,000
					AGGREGATE \$3,000,000
B	OTHER				
	<input checked="" type="checkbox"/> EXCESS LIABILITY	0313-1301	11/1/2023 12:01 AM	11/1/2024 12:01 AM	EACH OCCURRENCE \$7,000,000
					AGGREGATE \$7,000,000

DESCRIPTION OF OPERATIONS/LOCATIONS/VEHICLES/EXCLUSIONS ADDED BY ENDORSEMENT/SPECIAL PROVISIONS:

Coverage applies to USA Track & Field sanctioned events and registered practices, including any directly related activities, such as event set-up and tear-down, participant check-in and award ceremonies.

The certificate holder is an additional insured per the following endorsement: Blanket Additional Insured (RSCG 03 03)

The General Liability policy is primary and non-contributory with respect to the negligence of the Named Insureds (Form CG 20 01)

The General Liability policy contains a blanket Waiver of Subrogation as required by contract per Waiver of Transfer of Rights of Recovery Against Others (Form CG 24 04).

Excess policy follows form of underlying General Liability.

CERTIFICATE HOLDER:

City of Lockport
1 LOCKS PLAZA
LOCKPORT NY 14094

NOTICE OF CANCELLATION:

Should any of the above described policies be cancelled before the expiration date thereof, notice will be delivered in accordance with the policy provisions.

AUTHORIZED REPRESENTATIVE:

