

CITY OF LOCKPORT
COMMON COUNCIL PROCEEDINGS

Lockport Municipal Building

Regular Meeting
Official Record

October 23rd, 2024
6:00 P.M.

Mayor John Lombardi III called the meeting to order.

ROLL CALL

The following Common Council members answered the roll call:

Aldermen Craig, Fogle, Kirchberger, Lupo, Mullane

Absent: Devine

INVOCATION – Mayor Lombardi

ANNOUNCEMENTS

RECESS

Recess for public input.

102324.1

APPROVAL OF MINUTES

On motion of Alderman Fogle, seconded by Alderman Craig, the minutes of the Regular Meeting of October 9th, 2024 are hereby approved as printed in the Journal of Proceedings. Ayes 5. Carried.

PUBLIC HEARING

The Mayor announced a public hearing relative to the 2025 tax budget.

The Mayor asked the City Clerk if any petitions or communications relative to said to the proposed 2025 tax budget have been received.

Recess for public input.

The Mayor closed the public hearing.

PUBLIC HEARING

The Mayor announced a public hearing on confirming Refuse & Recycling Re-levy.

The Mayor asked the City Clerk if any petitions or communications relative to said Re-levy have been received.

Recess for public input.

The Mayor closed the public hearing.

PUBLIC HEARING

The Mayor announced a public hearing relative to adjusting water rents.

The Mayor asked the City Clerk if any petitions or communications relative to said proposed rent adjustments have been received.

Recess for public input.

The Mayor closed the public hearing.

PUBLIC HEARING

The Mayor announced a public hearing on a proposed local law to amend the City of Lockport, "Schedule of Sewer Rents and Other Charges."

The Mayor asked the City Clerk if any petitions or communications relative to said proposed local law have been received.

Recess for public input.

The Mayor closed the public hearing.

PUBLIC HEARING

The Mayor announced a public hearing on a request for a Special Use Permit to utilize the property for business offices for the Niagara County Health Department on the property at 55 Stevens Irving Street, Lockport, NY.

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

10/11/24 Jeff Tracy, Lockport Planning and Zoning - it was the determination of the Board to recommend the request to the Council.

Recess for public input.

PUBLIC HEARING

The Mayor announced a public hearing on a request for a Special Use Permit to utilize a portion of the building as retail space at 755 Market Street, Lockport, NY.

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

10/11/24 Jeff Tracy, Lockport Planning and Zoning - it was the determination of the Board to recommend the request to the Council with stipulations.

10/15/24 Megan Fetterhoff, 821 Willow Street, Lockport, NY – in support of granting the special use permit.

10/15/24 Caroline Lewandowski, 1149 Lincoln Avenue, Lockport, NY – in support of granting the special use permit.

10/15/24 Julie Schiavone, (no address given) - in support of granting the special use permit.

10/17/24 Anthony Molinaro, 12 Berkley Drive, Lockport, NY- in support of granting the special use permit.

10/18/24 Leanne McNall, (no address given) – in support of granting the special use permit.

10/23/24 Kristin Koehler, 272 Pine Street – Letter of support.

10/23/24 Charles and Susan Flynn, 705 Market Street– Letter of support.

10/23/24 Alan Benevento – 7 Alanview - Letter of support.

Recess for public input.

FROM THE MAYOR

Appointments:

Michele M. Gelnett has been appointed to Administrative Coordinator for the City of Lockport Police and Fire Departments for the city of Lockport effective October 16th, 2024. Said appointment is permanent and subject to the City of Lockport Municipal Civil Service Rules and Regulations.

Jeff Tracy of 5 Cherry St, Lockport has been reappointed to the City of Lockport Planning Board effective October 15th 2024 for a three year term to expire October 14th, 2027.

Marshall Roth of 110 Locust Street, Lockport has been reappointed to City of Lockport Planning Board effective October 15th 2024 for a three year term to expire October 14th, 2027.

Gina Pasceri of 532 Pine Street, Lockport, has been appointed to the City of Lockport Planning Board effective October 15th 2024 for a three year term to expire October 14th, 2027.

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)

10/18/2024 Mayor John Lombardi III would like to remind all city residents that the winter parking ban will be in effect starting November 1st and go through April 15th 2025.

10/16/2024 Matt Kahn from Big Ditch Brewing Company provided 30 day advanced notice to the City of their application to the NYS Liquor Authority.

10/16/2024 Emily Stoddard, City Clerk – notification of bids received on October 16th in response to RFP for Chemicals for Municipal Water Treatment Facility.

Contractor Name	Phone Number	Service	Bid amount
JCI Jones Chemical	585-538-2314	Chlorine	\$2810/ton
AMREX Chemical Company	607-772-8784	Clorine	\$373.5/cylinder
		Hydrofluorosilicic Acid	\$5.49/gallon
Slack Chemical Co.	800-479-0430	Hydrofluorosilicic Acid	\$6.998/gallon
Kemira Water Solutions	519-759-7570	Polyaluminum Chloride	\$2.535/gallon
Holland Company	413-743-1292	Polyaluminum Chloride	\$3.56/gallon
USALCO	410-354-0100	Polyaluminum Chloride	\$2.326/gallon
Univar Solutiona USA, Inc.	800-531-7106	Hydrofluorosilicic Acid	\$3.80/gallon

Notice of Complaint:

9/25/2024 David DiTullio, 99 O'Brien Drive - mailbox

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

Notice of Claim:

10/4/2024 From Wilber, on behalf of the Cincinnati Insurance Company.

Referred to the Corporation Counsel.

MOTIONS & RESOLUTIONS

102324.2

By Alderman Craig:

Resolved, that the Mayor and City Clerk be authorized to issue orders in favor of the claimants for payrolls, bills and services to be paid on October 24th 2024.

Seconded by Alderman Kirchberger and adopted. Ayes 5.

102324.3

By Alderman Fogle:

Whereas the City Common Council regularly meets on the 2nd and 4th Wednesday of each month which would be November 13th and 27th and December 11th and 25th, and;

Whereas it has been determined that changing the meeting dates will better serve the needs of the council and the community;

Now therefore, be it resolved, that the City Common Council hereby changes its meeting dates to the 1st and 3rd Wednesdays, November 6th and 20th and December 4th and 18th, effective immediately.

Be it further resolved, that the City Clerk is directed to notify all council members and to post this resolution in accordance with the Open Meetings Act.

Seconded by Alderman Lupo and adopted. Ayes 5.

102324.4

By Alderman Mullane:

Whereas Resolution 112420.8 established the IT Infrastructure Reserve Fund (H203) to be used for upkeep of systems, utility improvements, structures, and equipment, upon Council approval, and

Whereas the fund currently has \$79,496.55 in unused and unencumbered funds;

Whereas the Network Coordinator of IT has proposed that said funds be utilized for the purchase of a new VoIP phone system to be used throughout the City from the vendor Rel Comm, Inc. for a total of \$63,554.20; now, therefore, be it

Resolved that the City of Lockport Common Council hereby approves of the authorization of the funds in H203.

Seconded by Alderman Craig and adopted. Ayes 5.

102324.5

By Alderman Mullane:

Whereas the City Treasurer submitted to the Common Council all delinquent assessments, penalties, charges or fees and any other amounts to be added to taxes; and

Whereas the Common Council conducted a public hearing on October 23rd, 2024 at 6:00 P.M. in the Common Council Chambers, Lockport Municipal Building, One Locks Plaza, Lockport, New York in accordance with section 155-7 A (Solid Waste) of Chapter 158 of the City Code to confirm the delinquent accounts to re-levy; now, therefore, be it

Resolved that the following delinquent accounts totaling \$192,876.00 are hereby confirmed and shall be inserted in the annual tax rolls and be a part of the annual tax upon said parcels against which such amounts are charged and shall be subject to all the provisions of the City Charter.

<u>Account</u>	<u>Amount</u>
Refuse	\$177,981.00
Relevy Late Fees	\$ 14,895.00
 Total Relevy	 \$192,876.00

Seconded by Alderman Fogle and adopted. Ayes 5.

102324.6 WITHDRAWN

102324.7

By Alderman Craig:

Whereas the City of Lockport advertised for bid proposals for chemicals for municipal water treatment for the 2025 calendar year, and

Whereas the following bids were received and publicly opened by the City of Lockport on Wednesday October 16th at 11:00 am: JCI Jones Chemicals, Inc., \$2,810 per ton for chlorine; Slack Chemical Company, \$6.998/gallon of Hydrofluorisic Acid; Univar Solutions USA, Inc., \$3.80/gallon of Hydrofluorisic Acid; AMREX Chemical Company \$5.49/gallon Hydrofluorisic Acid; Kemira Water Solutions, \$2.535/gallon Polyaluminum Chloride, Holland Company, \$3.56/gallon Polyaluminum Chloride, USALCO \$2.326/gallon Polyaluminum Chloride.

Whereas the contracts will be awarded solely from the bids received; and

Whereas the Chief Water Treatment Plant Operator has reviewed the bids and recommends awarding the contract to each of the low bidders; now, therefore, be it

Resolved that the Mayor, subject to Corporation Counsel approval, is hereby authorized and directed to sign contracts with JCI Jones Chemicals, Inc. for chlorine, Usalco for polyaluminum chloride (PAC), and Univar Solutions USA, Inc. for hydrofluorosilicic acid (fluoride) for January 1, 2025 through December 31, 2025.

Seconded by Alderman Kirchberger and adopted. Ayes 5.

102324.8

By Alderman Craig:

Whereas the City of Lockport received \$307,783 of Temporary Municipal Assistance from New York State in August of 2024, which was recorded in revenue line A.0000.33089 – Other General Government State Aid; and

Whereas this funding was not anticipated in the 2024 budget; and

Whereas Resolution No. 082824.6 approved the purchase of a new ambulance for the City of Lockport Fire Department in 2025; and

Whereas a down payment was made in 2024 towards the purchase of said ambulance; and

Whereas the remaining balance for the new ambulance is **\$156,072.70**; and

Whereas the City of Lockport desires to use a portion of the Temporary Municipal Assistance to pay the remaining balance of the new ambulance in the 2024 fiscal year;

Now, therefore, be it resolved, that the City of Lockport hereby allocates **\$156,072.70** from the 2024 New York State "Other General Government State Aid" to pay the remaining balance for the purchase of the new ambulance as authorized by Resolution No. 082824.6; and

Be it further resolved, that the Mayor is able to enter into a purchasing agreement with Gorman Emergency Vehicles and that the FY 2024 General Fund budget is amended as follows:

Revenue

Increase

A.0000.33089

Other General Government State Aid

\$307,783

Expense

Increase

A.3410.52030

Motor Vehicle Equipment

\$158,522.70

Seconded by Alderman Mullane and adopted. Ayes 5.

102324.9

By Alderman Lupo:

Whereas resolution 092723.4 provided approval for local artist Austin Hinton to create a mural on Market Street to replace the existing faded mural, and

Whereas the efforts of Grigg Lewis, Big Ditch Brewing Company, Carla Speranza and the Niagara County Legislature for funding and the Artists Jessica Tomaino, Austin Hinton and Betsy Patterson for their time and talents for the beautiful mural. Thanks also go to Chris Landry and his crew for help with the wall preparation, and to Lisa Swanson-Gellerson for all of her efforts to get the mural accomplished.

Whereas their dedication and hard work have not gone unnoticed and deserve formal recognition;

Now, therefore, be it resolved that the Lockport Common Council extends its heartfelt gratitude to all for their exemplary efforts and contributions;

Seconded by Alderman Craig and adopted. Ayes 5.

102324.10

By Alderman Craig:

Whereas US Code of Federal Regulations 2CFR200.305 states that recipients of CDBG (Community Development Block Grant) funds must minimize the time elapsing between the transfer of funds into the Recipient's account and the disbursement of funds from the account, and

Whereas funds should be disbursed within five business days of the receipt of funds, and

Whereas the city of Lockport has received CDBG funding, and at the time of a previous program monitoring, the City's and Sub Recipient's (Greater Lockport Development Corporation's) records showed that this period was exceeded several times, ranging from one to six days over, and

Whereas to correct this problem, the city/GLDC agreed that for all future NYS CDBG funded activities, the City will pass a blanket resolution empowering fund disbursement when all disbursement criteria have been met, therefore eliminating the need to schedule each individual disbursement around Common Council meetings and resolution, and

Whereas this process will ensure compliance with 2CFR200.305 and NYS Office of Community Renewal guidelines by allowing for disbursement in four or fewer business days.

Now therefore let it be resolved, that the Council of the City of Lockport hereby approves and authorizes the Director of Finance and Treasurer's Office to disburse CDBG

funds immediately when all disbursement criteria have been met, without Common Council approval and resolution to ensure compliance.

Seconded by Alderman Lupo and adopted. Ayes 5.

102324.11

By Alderman Fogle:

Resolved that the request for a special use permit at 55 Stevens Street, requested by BMBM, LLC at 6427 Dysinger Road, Ste B, Lockport, 14094 is hereby approved, subject to the following provisions:

- No change in character of neighborhood.
- No excessive noise or disturbance of neighborhood.
- No appreciable change in traffic.
- No outside storage of materials.

The special permit shall go to the applicant only and shall terminate on the sale or transfer of the property if other than the applicant; and further it terminates if the use permitted is abandoned for more than one year, if any of the conditions enumerated herein have changed, and in the discretion of the Common Council make such use unsuitable.

Seconded by Alderman Kirchberger and adopted. Ayes 5.

102324.12

By Alderman Craig:

Resolved that the request for a special use permit at 755 Market Street, requested by Nicholas Pasceri, 39 Lindhurst Drive, Lockport, 14094 is hereby approved, subject to the following provisions:

1. Residential style windows be installed in the front of the building to match the remainder of the building.
2. Adequate landscaping be installed to screen the property from the neighboring properties.
3. No forward facing window displays shall be utilized.
4. No advertising signs may be utilized on the lawn.

The special permit shall go to the applicant only and shall terminate on the sale or transfer of the property if other than the applicant; and further it terminates if the use permitted is abandoned for more than one year, if any of the conditions enumerated herein have changed, and in the discretion of the Common Council make such use unsuitable.

The question of the adoption of the foregoing ordinance was duly put to a vote on roll call, which resulted as follows:

Alderman Kirchberger
Alderman Craig

VOTING
VOTING

YES
YES

Alderman Mullane
Alderman Fogle
Alderman Lupo

VOTING
VOTING
VOTING

NO
YES
YES

102324.13

ADJOURNMENT

At 7:04 P.M. Alderman Fogle moved the Common Council be adjourned until 6:00 P.M., Wednesday, November 6th 2024.

Seconded by Alderman Kirchgerber and adopted. Ayes 5.

EMILY STODDARD
City Clerk