

CITY OF LOCKPORT
COMMON COUNCIL PROCEEDINGS

Lockport Municipal Building

Regular Meeting
Official Record

October 9th, 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.

100924.1

APPROVAL OF MINUTES

On motion of Alderman Fogle, seconded by Alderman Kirchberger, the minutes of the Regular Meeting of September 25th, 2024 are hereby approved as printed in the Journal of Proceedings. Ayes 6. Carried.

FROM THE MAYOR

Appointments:

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.

MOTIONS & RESOLUTIONS

100924.2

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 September 26th, 2024.

Seconded by Alderman Devine and adopted. Ayes 6.

100924.3 Call for Public Hearing – Refuse Relevy

By Alderman Fogle:

Whereas Section 155-7 A (Solid Waste) of Chapter 158 of the City Code states that unpaid residential and commercial user fees for collection of refuse and recycling shall be the personal liability of the owner, and

Whereas any delinquent assessment, penalty, charge or fee remaining unpaid by May 15 is added to the upcoming year's tax bill for the parcel of property against which it is a lien, and

Whereas the amount added to taxes shall include late payment charges accrued through June 30 plus an additional administrative charge equal to \$15 for each delinquent account, and

Whereas late payment charges shall not continue to accrue after June 30 against any assessment, penalty, charge or fee which is added to taxes, and

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

Whereas upon receipt of such delinquent amounts the Council must hold a public hearing, and

Whereas after making any amendments or corrections to the list of delinquent accounts the Common Council will by resolution confirm said amounts, and

Whereas upon confirmation of said amounts the City will insert the delinquent accounts in the annual tax rolls and which shall become a part of the annual tax upon the respective parcels against which such amounts are charged and shall be subject to all the provisions of the City Charter; now, therefore, be it

Resolved that the Corporation Counsel is hereby authorized and directed to prepare a resolution listing the re-levies and the dollar amount to be added to the tax rolls, and be it further

Resolved that a public hearing be held at the Common Council meeting on Wednesday, October 23, 2024, starting at approximately 6:00 P.M. relative to said resolution for re-levy, and be it further

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

Seconded by Alderman Lupo and adopted. Ayes 6.

100924.4 Authorize Mayor to execute Real Property agreement with Niagara County

By Alderman Mullane:

Whereas the City of Lockport has instituted an action In Rem for the foreclosure of certain tax liens against various parcels of real property within the City of Lockport, pursuant to the City of Lockport Charter and Article 11, title 3 of the Real Property Tax Law of the State New York, and

Whereas the County of Niagara has a claim for Niagara County tax liens against all or some of the parcels of real property which are the subject of said action, and

Whereas the provisions of the Real Property Tax Law authorize tax districts having an interest by way of tax lien in real property, such as the City of Lockport and County of Niagara, to enter into an agreement making provision for the sale of real property without public sale and for the sharing of the net proceeds of such sale between the City of Lockport and the County of Niagara, and

Whereas the City of Lockport has tendered to the County of Niagara such an agreement, which agreement, among other things, provides that the interests of said City and this County in each parcel and in the proceeds of any sale of such parcel shall be apportioned based on the fraction that the unpaid taxes, tax liens and other charges accessible against the parcel owed to or owned by the City and County respectively bear to the total City and County taxes, tax liens and other such charges, but without reference to the penalties or interest accrued on any unpaid tax or tax lien, and

Whereas the proposed agreement is fair and reasonable and allows the County to avoid the cost and expense of a separate In Rem foreclosure action against the same parcels, now, therefore, be it

Resolved that the City of Lockport Common Council finds and determines that the proposed agreement, a true copy of which is attached to the Clerk's file copy of this resolution, is fair and reasonable in all respects and advances the interests of the City of Lockport in its collection of taxes and tax liens on real property located within the City of Lockport, and it be further

Resolved that the Mayor is authorized and directed to execute and deliver said agreement in behalf of the City of Lockport.

2021 In Rem Action, Index No. E176714/2022

2022 In Rem Action, Index No. E178984/2023

Seconded by Alderman Kirchberger and adopted. Ayes 6.

100924.5 Call for Public Hearing – Special Use Permit – 55 Stevens St.

By Alderman Devine:

Resolved that a public hearing be held at the Common Council meeting on October 23rd, starting at 6:00PM in council chambers, Lockport Municipal Building, One Locks Plaza, Lockport, NY, relative to a request for a Special Use Permit by BMBM, LLC at 55 Stevens Street Lockport, NY 14094 to utilize the property for business offices for the Niagara County Health Department. And be it further

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

Seconded by Alderman Lupo and adopted. Ayes Lupo.

100924.6 Call for Public Hearing – Special Use Permit – 755 Market Street

By Alderman Craig:

Resolved that a public hearing be held at the Common Council meeting on October 23rd, starting at 6:00PM in council chambers, Lockport Municipal Building, One Locks Plaza, Lockport, NY, relative to a request for a Special Use Permit by Nicholas Pasceri at 755 Market

Street, Lockport, NY 14094 to utilize a portion of the property of the building as retail space. And be it further

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

Seconded by Alderman Fogle and adopted. Ayes 6.

100924.7 Authorize Purchase from Parks Revitalization Fund

By Alderman: Fogle

Whereas Resolution 040721.8 (FY 2021 Budget Supplement #1) established a Park Revitalization Program (H206) in the Capital Budget with \$275,000 in funding; and

Whereas the City wishes to purchase ten dog stations for the parks; now, therefore, be it

Resolved that the City of Lockport Common Council hereby approves of the Mayor to enter into a purchasing agreement with Dobmeier Janitor Supply, Inc for \$7,133.00 and utilize funds in the H206 capital project.

Seconded by Alderman Kirchberger and adopted. Ayes 6.

100924.8 WITHDRAWN

100924.9 Call for Public Hearing on FY 2025 Budget

By Alderman Craig:

Resolved that a public hearing be held at the Common Council Meeting of Wednesday, October 23rd, 2024 starting at 6:30 P.M. in the Common Council Chambers, Lockport Municipal Building, One Locks Plaza, Lockport, NY relative to the proposed 2025 budget, and be it further

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

Seconded by Alderman Mullane and adopted as amended on the floor. Ayes 6.

100924.10 Call for Public Hearing on Proposed Water Rates

By Alderman Devine:

Whereas pursuant to Section 452 of the General Municipal Law and Section 185-8 (Water) of the City of Lockport Code, the Common Council is authorized to adjust a schedule of water rents and other charges after a hearing upon five days' notice; now, therefore, be it

Resolved that a Public Hearing be held at the Common Council Meeting of Wednesday, October 23rd, 2024 starting at 6:00PM in the Common Council Chambers, Lockport Municipal Building, One Locks Plaza, Lockport, NY relative to adjusting water rents and other charges, and be it further,

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

Seconded by Alderman Lupo and adopted. Ayes 6.

100924.11 Call for Public Hearing on Proposed Sewer Rates

By Alderman Devine:

Resolved that the Corporation Counsel is hereby authorized to prepare a Local Law relative to amending the sewer rate schedule, and be it further

Resolved that a public hearing be held at the Common Council meeting of October 23rd, 2024 starting at 6:00PM in the Common Council Chambers, Lockport Municipal Building, One Locks Plaza, Lockport, NY relative to said local law, and be it further

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

Seconded by Alderman Lupo and adopted. Ayes 6.

100924.12 WITHDRAWN

100924.13

ADJOURNMENT

At 6:20PM Alderman Fogle moved the Common Council be adjourned until 6:00 P.M., Wednesday, October 23rd, 2024.

Seconded by Alderman Devine and adopted. Ayes 6.

EMILY STODDARD
City Clerk