

CITY OF LOCKPORT
COMMON COUNCIL PROCEEDINGS

Lockport Municipal Building

Regular Meeting
Official Record

November 20th, 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 – Pastor Steve

ANNOUNCEMENTS

RECESS

Recess for public input.

112024.1

APPROVAL OF MINUTES

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

FROM THE MAYOR

Announcements

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)

11/12/2024 Paul Siejak from the Navy Marine Club of Lockport notifying city officials of their Annual Pearl Harbor Remembrance ceremony on Saturday December 7th at 1:00pm on the big bridge overlooking the canal.

MOTIONS & RESOLUTIONS

112024.2

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 November 21st, 2024.

Seconded by Alderman Devine and adopted. Ayes 6.

112024.3 Authorization for execution of contractor agreement for Lockport Raw Water Pump Station Improvements – HVAC Contract

By Alderman Devine:

Whereas the City of Lockport (City) received a Federal American Rescue Plan (ARPA) Grant and has budgeted a portion of the funds to make improvements to the City Raw Water Pump Station (RWPS) located on River Road in North Tonawanda; and

Whereas the Project consists of General, HVAC, and Electrical improvements to support installation of an emergency power generator at the RWPS; and

Whereas the City issued a Notice to Bid for interested HVAC contractors for the Project and subsequently received and publicly opened and read bids at the Municipal Building on August 9, 2023 at 2 pm as follows;

CONTRACTOR	Greater Niagara Mechanical, Inc.	John W. Danforth Company	Quackenbush, Inc.
BASE BID AMOUNT	\$69,600.00	\$89,400.00	\$75,000.00
ALTERNATE BID AMOUNT	\$18,800.00	\$15,400.00	\$14,000.00

And

Whereas the City Engineering Consultant Nussbaumer & Clarke, Inc. (Nussbaumer) reviewed the contractor bids and has determined that Greater Niagara Mechanical, Inc. has submitted lowest complete and responsible HVAC CONTRACT bid and recommends that the City award the contract to Greater Niagara Mechanical, Inc., for a total amount of the BASE BID of \$69,600.00;

Now, therefore, be it resolved that the Mayor is authorized to execute an Agreement with Greater Niagara Mechanical, Inc., 7311 Ward Road, North Tonawanda, NY 14120, in the amount of \$69,600.00 contingent upon legal review.

Seconded by Alderman Mullane and adopted. Ayes 6.

112024.4 Authorization for execution of contractor agreement for Lockport Raw Water Pump Station Improvements – Electrical Contract (rebid)

By Alderman Devine:

Whereas the City of Lockport (City) received a Federal American Rescue Plan (ARPA) Grant and has budgeted a portion of the funds to make improvements to the City Raw Water Pump Station (RWPS) located on River Road in North Tonawanda; and

Whereas the Project consists of General, HVAC, and Electrical improvements to support installation of an emergency power generator at the RWPS; and

Whereas the City issued a Notice to Re-Bid for interested Electrical contractors for the Project and subsequently received and publicly opened and read bids at the Municipal Building on November 1, 2024 at 2 pm as follows;

CONTRACTOR	Resa Power, LLC.	Ferguson Electric, Inc.	Frey Electric Construction, Inc.
BASE BID AMOUNT	\$213,884.00	\$270,500.00	\$349,500.00
ALTERNATE BID E5 - Compressor	\$3,750.00	\$9,600.00	\$7,000.00
ALTERNATE BID E6 – Lighting	\$69,600.00	\$67,800.00	\$38,000.00
ALTERNATE BID E7 – LVP1 and Transformer	\$14,650.00	\$35,100.00	\$20,000.00
ALTERNATE BID E8 – SCADA Replacement	\$197,000.00	\$273,000.00	\$170,000.00
ALTERNATE BID E9 – Ductless Split HVAC	\$7,350.00	\$9,600.00	\$3,000.00
ALTERNATE BID E10 – Pump Area HVAC	\$8,750.00	\$24,300.00	\$13,000.00
ALTERNATE BID E11- Chlorine and Turbidity Monitor	\$5,870.00	\$42,900.00	\$26,000.00
ALTERNATE BID E12- Overhead Door	\$4,870.00	\$5,400.00	\$5,000.00

And

Whereas the City Engineering Consultant Nussbaumer & Clarke, Inc. (Nussbaumer) reviewed the contractor bids with City Staff and has determined that Resa Power, LLC. has submitted lowest complete and responsible ELECTRICAL CONTRACT rebid and recommends that the City award the contract to Resa Power, LLC., for a TOTAL CONTRACT amount of \$255,374.00 inclusive of the BASE BID amount of \$213,884.00 and ALTERNATE BID Items E7, E9, E10, E11 and E12 which total \$41,490.00;

Now, therefore, be it resolved that the Mayor is authorized to execute an Agreement with Resa Power, LLC., 4907 I.D.A. Park Drive, Lockport New York 14094, in the amount of \$255,374.00 contingent upon legal review.

Seconded by Alderman Mullane and adopted. Ayes 6.

112024.5 Harriet Tubman Underground Railroad Proposed Byway project

By Alderman Lupo:

Whereas the historic qualities of the Harriet Tubman Underground Railroad New York Scenic Byway, as described in the corridor management plan, and the surrounding areas have been appreciated and celebrated for over a century by the residents of New York State, as well as tourists, historians, artists, authors, and other visitors to the region; and it is this unique

combination of the journeys of Harriet Tubman and those Freedom Seekers who traveled on the Underground Railroad that create the special sense of place that is vital in telling the New York story of the human desire for freedom and the historic sites they utilized during their journey to emancipation; and

Whereas the Steering Committee of the Harriet Tubman Underground Railroad New York Scenic Byway, composed of representatives of 22 municipalities along the proposed scenic byway route, committed to working cooperatively to protect and promote the historic, scenic, recreational, and economic well-being of the 544-mile Corridor throughout the state and agreed to pursue the nomination of the Harriet Tubman Underground Railroad New York Scenic Byway; and

Whereas under the leadership of the Harriet Tubman Underground Railroad New York Scenic Byway Steering Committee, each of the 22 counties contributed to the development of this corridor management plan by encouraging public participation, confirming the vision and goals, and leading individual meetings of the Collaborative; and

Whereas the Steering Committee of the Harriet Tubman Underground Railroad New York Scenic Byway, consisting of relatives of Harriet Tubman, descendants of Freedom Seekers, Harriet Tubman and/or Underground Railroad historians, representatives from state and federal agencies, has strengthened the historic integrity, representation, and the principles of the corridor management plan; and

Whereas in the process of developing this corridor management plan, the Harriet Tubman Underground Railroad New York Scenic Byway Steering Committee has strengthened the bonds of inter-municipal cooperation, and the involved entities envision further benefit through scenic byway designation including sustained collaborative progress, increased funding opportunities for recommendations identified in the plan, enhanced partnerships with agencies responsible for the stewardship of resources along and adjacent to the byway route, and an improved visitor experience that interprets and promotes the corridor's intrinsic qualities and resources; and

Now, therefore, be it resolved, that the City of Lockport supports the designation of the Harriet Tubman Underground Railroad New York Scenic Byway which includes programs for stewardship and enhancement of the historic scenic byway and guidance to manage future activities along its corridor; and

Be it further resolved, that the City of Lockport confirms that they will not approve any requests for new off-premise outdoor advertising signs along the designated Harriet Tubman Underground Railroad New York Scenic Byway route; and

Be it further resolved, that the City of Lockport will work in partnership with the other municipalities along the Harriet Tubman Underground Railroad New York Scenic Byway and local and regional stakeholders in order to support future Byway programs, economic development, marketing, and collaborate with these interested entities to explore opportunities for cooperation to realize the Scenic Byway goals.

Seconded by Alderman Kirchberger and adopted. Ayes 6.

112024.6 Authorize Highway and Parks to Auction Vehicles

By Alderman Kirchberger:

Resolved that the Director of Highway and Parks is hereby authorized and directed to sell via online auction to the highest bidders, used vehicles and surplus equipment supplies, including a 1997 Spartan cab over, 2001 GMC dumptruck, 2003 Chevrolet dumptruck, 2002 Ford dumptruck, 2004 Sterling utility vehicle, 2004 Sterling dumptruck, 1990 GMC dumptruck, and a 2008 Ford sedan, miscellaneous old pumps, hydraulic valve turner and other outdated or replacement parts; and be it further

Resolved that the City Clerk is authorized and directed to advertise for same.

Seconded by Alderman Craig and adopted. Ayes 6.

112024.7 Authorization Nussbaumer & Clarke Amendment for Raw Water Pump Station Improvements

By Alderman Craig:

Whereas the City of Lockport (City) received a Federal American Rescue Plan (ARPA) Grant and has budgeted a portion of the funds to make improvements to the City Raw Water Pump Station (RWPS) located on River Road in North Tonawanda; and

Whereas the Project consists of General, HVAC, and Electrical improvements to support installation of an emergency power generator at the RWPS; and

Whereas City Resolution 111721.24 authorized Nussbaumer & Clarke, Inc. (Nussbaumer) to provide professional engineering services related the RWPS project for a fee of \$128,000.00; and

Whereas in order to facilitate schedule, the project was separated into a generator purchase specification and separate General, Electrical and HVAC bid documents of which the Electrical Contract was rescoped and rebid to ensure the project is executed within the ARPA project budget; and

Whereas the aforementioned required additional unanticipated Engineering effort for which Nussbaumer has requested a fee Amendment dated November 13, 2024 for \$12,000.00;

Now, therefore, be it resolved that the Mayor is authorized to execute Amendment #1 with Nussbaumer & Clarke, Inc. 80 Main St., Unit A, Lockport New York 14094, in the amount of \$12,000.00 contingent upon legal review.

Seconded by Alderman Craig and adopted. Ayes 6.

112024.8 Appropriate the General Fund Budget 2025

By Alderman Craig:

Whereas the City of Lockport FY 2025 Mayor's Recommended Budget was presented to the Common Council and public on October 2, 2024; and

Whereas the City of Lockport Common Council has had a public hearing on such budget and has considered alterations to be made to the Mayor's Recommended budget prior to appropriating funds; now, therefore, be it

Resolved that the City tax budget for fiscal year 2025, containing appropriations for operating City departments, be and the same is hereby amended and adopted as follows:

CITY OF LOCKPORT, NEW YORK
2025 GENERAL FUND BUDGET SUMMARY

Budget Appropriations:

Personal Services	\$13,584,491
Equipment	\$301,349
Contractual	\$4,685,013
Employee Benefits	\$11,757,320
Interfund Transfers	\$25,000
Debt Service	\$547,540
Total Appropriations:	\$30,900,713
Less: Estimated Revenues:	\$15,576,449
Estimated Fund Balance:	\$1,607,015
Amount to be raised through property taxation:	\$13,717,249
Assessed Valuation:	\$1,316,260,360

REAL PROPERTY TAX RATE: \$10.4214 per \$1,000 ASSESSED VALUATION

Seconded by Alderman Mullane and adopted. Ayes 6.

112024.9 Appropriate the Refuse and Recycling Fund Budget for 2025

By Alderman Craig:

Whereas the City of Lockport FY 2025 Mayor's Recommended Budget was presented to the Common Council and public on October 2, 2024; and

Whereas the City of Lockport Common Council has had a public hearing on such budget and has considered alterations to be made to the Mayor's Recommended budget prior to appropriating funds; now, therefore, be it

Resolved that the City of Lockport 2025 Budget containing appropriations for operating the City's Refuse & Recycling, be and the same is hereby adopted as follows:

CITY OF LOCKPORT, NEW YORK
2025 SPECIAL REVENUE FUND – RECYCLING & REFUSE SUMMARY

Appropriations:

Personal Services	\$0
Equipment	\$23,500
Contractual	\$1,428,391
Employee Benefits	\$0
Debt Service	\$0

Interfund Transfers	\$0
Total Appropriations:	\$1,451,891
Estimated Revenues:	\$1,451,891

Seconded by Alderman Fogle and adopted. Ayes 6.

112024.10 Appropriate the Water Fund Budget for FY 2025

By Alderman Devine:

Whereas the City of Lockport FY 2025 Mayor’s Recommended Budget was presented to the Common Council and public on October 2, 2024; and

Whereas the City of Lockport Common Council has had a public hearing on such budget and has considered alterations to be made to the Mayor’s Recommended budget prior to appropriating funds; now, therefore, be it

Resolved that the City of Lockport 2025 Water Fund Budget containing appropriations for operating the City’s Water Department, be and the same is hereby adopted as follows:

CITY OF LOCKPORT, NEW YORK
2025 WATER FUND BUDGET SUMMARY

Appropriations:	
Personal Services	\$1,570,365
Equipment	\$7,000
Contractual	\$1,226,616
Employee Benefit	\$1,338,860
Debt Services	\$340,336
Interfund Transfers	\$67,250
Total Appropriations:	\$4,550,427
Estimated Revenues:	\$4,438,091
Estimated Fund Balance	\$112,336

Seconded by Alderman Kirchberger and adopted. Ayes 6.

112024.11 Appropriate the Sewer Fund Budget for FY 2025

By Alderman Devine:

Whereas the City of Lockport FY 2025 Mayor’s Recommended Budget was presented to the Common Council and public on October 2, 2024; and

Whereas the City of Lockport Common Council has had a public hearing on such budget and has considered alterations to be made to the Mayor’s Recommended budget prior to appropriating funds; now, therefore, be it

Resolved that the City of Lockport 2025 Sewer Fund Budget containing appropriations for operating the City’s Wastewater Treatment and Compost Facility, be and the same is hereby amended and adopted as follows:

CITY OF LOCKPORT, NEW YORK
2025 SEWER FUND BUDGET SUMMARY

Appropriations:	
Personal Services	\$1,268,529
Equipment	\$26,000
Contractual	\$1,521,017
Employee Benefits	\$1,074,391
Debt Service	\$423,781
Interfund Transfers	\$67,250
Total Appropriations:	\$4,380,968
Estimated Revenues:	\$4,152,637
Estimated Fund Balance	\$228,331

Seconded by Alderman Kirchberger and adopted. Ayes 6.

By Alderman Mullane:

Resolved that the reading of the foregoing resolution be and the same is hereby waived.

Seconded by Kirchberger and adopted. Ayes 6.

112024.12 Amend Water Rates for FY 2025

By Alderman Devine:

Resolved that the following water rates for the City of Lockport shall be effective on all residential and commercial water consumption billed after January 1, 2025 and on all industrial water billed after January 1, 2025:

CITY OF LOCKPORT - WATER RATES
EFFECTIVE JANUARY 1, 2025

Each and every meter located in any building shall be classified as a separate meter account.

MONTHLY BILLS

Rates for all industrial users of water:

In addition to the currently billed rate for each meter in building per month (to be \$37.68), the following:

Minimum rate - \$16.64 per each one-month period or fraction thereof:

First 50,000 cu. ft.	\$4.16 per 100 cu. ft.
Next 100,000 cu. ft.	\$3.88 per 100 cu. ft.
Over 150,000 cu. ft.	\$3.56 per 100 cu. ft.

QUARTERLY BILLS

Rates for commercial users of water are:

Minimum rate – As per City of Lockport Meter Fee Schedule effective January 1, 2025, and, a usage commodity charge of \$3.93 per 100 cu. ft.

Rates for residential users of water are:

Minimum rate – As per City of Lockport Meter Fee Schedule effective January 1, 2025, and, a usage commodity charge of \$3.77 per 100 cu. ft.

RURAL BILLS

Rates for all non-resident users of water - quarterly rate plus 50%

BULK WATER

\$6.11 per 1,000 gallons

The following Meter Fee Schedule for all Residential and Commercial meters is as follows:

**CITY OF LOCKPORT METER FEE SCHEDULE
EFFECTIVE JANUARY 1, 2025**

COM/RES	Meter Size	WA	MR
	A 5/8"	\$45.77	
	B 3/4"	\$51.15	
	C 1"	\$56.53	
	D 1 1/2"	\$61.91	
	E 2"	\$67.31	
	F 3"	\$72.69	
	G 4"	\$78.07	
	H 6"	\$83.45	
IND		\$16.64	\$37.68
RES	WA	\$3.77	
COM	WA	\$3.93	

Seconded by Alderman Lupo and adopted. Ayes 6.

112024.13 WITHDRAWN

112024.14 Amend Minimum Wage

By Alderman Mullane:

Whereas the City of Lockport believes in the right of all of its employees to receive a living wage; and

Whereas State of New York has enacted the Minimum Wage Act (Article 19 of the New York State Labor Law); and

Resolved the City of Lockport Common Council hereby adopts, as the minimum wage for all its employees, the annual rate set by the New York State Minimum Wage Act, as the same may be adjusted from time to time.

Seconded by Alderman Lupo and adopted. Ayes 6.

112024.15 Authorize Year End Closing

By Alderman Craig:

Whereas the Finance Director, in coordination with the City Treasurer, is required to make a number of adjustments related to the closing of the 2024 fiscal year, including the amendment of under/over line items, closing of completed capital projects, and carry-forward of encumbrances for projects not completed or invoiced in FY 2024; now, therefore, be it

Resolved that the City is authorized to make said adjustments and report to the Common Council a listing of amended items, projects, and encumbrances by April of FY 2025.

Seconded by Alderman Devine and adopted. Ayes 6.

112024.16 Authorize sale of properties from In Rem Tax Foreclosure auction

By Alderman Fogle:

Whereas the City of Lockport held its annual in rem tax foreclosure auction online on November 1, 2024 to November 15, 2024; and

Whereas by public auction, the City of Lockport accepted bids on several parcels which were foreclosed upon by a Court ordered Judgement; and

Whereas pursuant to paragraph 3 of the Terms of the Sale approval of the governing body of the tax district is required;

Now therefore be it resolved, the City of Lockport does hereby approve and confirm by ratification the sale of the properties listed below.

PARCEL#	ADDRESS	PURCHASER	PURCHASE PRICE
2020-067	129 GLENWOOD AVE	JOSEPH HANSON	\$ 4,550.00
2020-120	36 SCOVELL ST	SANVEN LLC	\$ 540.00
2020-121	80 JACKSON ST	ANTHONY R LANPHERE	\$ 1,625.00
2020-133	52 POUND ST	ANTHONY GALIOTO	\$ 56,100.00
2020-170	134 STATE RD	BRIAN HARRINGTON	\$ 9,700.00
2020-174	73 RANSOM ST	COLD SPRING INVESTMENT GROUP LLC	\$ 67,800.00
2020-235	154 GOODING ST	HOO HU	\$ 320.00
2020-378	6 CAROLINA AVE	DEJA KEPPLER	\$ 3,600.00
2021-158	91 NICHOLLS ST	AMANDA SANDOLFINI	\$ 35,400.00

2021-224	131 GOODING ST	NJT UNLIMITED, LLC	\$ 41,100.00
2021-322	5 BLACKLEY CT	KEVIN L BELL	\$29,500.00
2021-396	21 EISENHOWER DR	FIVE STAR ACQUISITION	\$ 90,100.00
2018-216	118 VINE ST	BENNIE BASKIN	\$ 75,000.00
2018-192	225 GRAND ST	DEJA KEPPLER	\$ 4,300.00

TOTAL

\$419,635.00

Seconded by Alderman Lupo and adopted. Ayes 6.

112024.17

ADJOURNMENT

At 6:30PM Alderman Fogle moved the Common Council be adjourned until 6:00pm, Wednesday, December 4th, 2024.

Seconded by Alderman Devine and adopted. Ayes 6.

EMILY STODDARD
City Clerk