

CITY OF LOCKPORT
CORPORATION PROCEEDINGS

Palace Theatre

Regular Meeting
Official Record

January 1, 2024
11:00 A.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

By Alderman Fogle:

Resolved, that the Rules & Orders governing Common Council meetings be and the same are hereby waived for this meeting.

Seconded by Alderman Kirchberger and adopted. Ayes 6.

INVOCATION – Rev Caleb Bell

OFFICIAL SWEARING IN CEREMONY
Conducted by Honorable Judge John Ottaviano

MAYOR’S UPDATE – Mayor’s Inaugural Address

010122.1

APPROVAL OF MINUTES

On motion of Alderman Fogle, seconded by Alderman Craig, the minutes of the Regular Meeting of December 20, 2023 are hereby approved as printed in the Journal of Proceedings. Ayes 6. Carried.

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. Referred to the Finance Committee.

010124.2

ADJOURNMENT

At 12:010 P.M. Alderman Fogle moved the Common Council be adjourned until 6:30 P.M., Wednesday, January 10, 2024.

Seconded by Alderman Kirchberger and adopted. Ayes 6.

SARAH K. LANZO
City Clerk

CITY OF LOCKPORT
CORPORATION PROCEEDINGS

Lockport Municipal Building

Regular Meeting
Official Record

January 10th, 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 O’Mara, Fig Tree Fellowship

RECESS

Recess for public input.

011024.1

APPROVAL OF MINUTES

On motion of Alderman Fogle, seconded by Alderman Kirchberger, the minutes of the Regular Meeting of January 1, 2024 are hereby approved as printed in the Journal of Proceedings. Ayes 6. Carried.

FROM THE MAYOR

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)

12/11/2023 From Mayor Roman, notification that Heather Peck is exempt from residency requirement listed in Section 45(1) of the City Charter.

1/2/2024 Sarah K. Lanzo, City Clerk, notification that the Lockport Municipal offices will be closed on Monday, January 15th in honor of the Martin Luther King Day.

MOTIONS & RESOLUTIONS

011024.2

By Alderman Fogle:

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>
Thomas M. LaSpada	25	Heavy Equipment Operator
Megan K. Brewer Officer	15	Inspection Data Officer / Zoning

Seconded by Alderman Craig and adopted. Ayes 6.

011024.3

By Alderman Mullane:

Resolved that pursuant to their request, permission is hereby granted to Lockport CARES, to conduct a fundraiser called “Coldest Night of the Year” which is a 2.5K walk and a 5K walk on Saturday, February 24, 2024 from 4 pm to 7 pm. The walk

will begin and end at Christ Community Church, 140 Genesee Street, subject to the approval of the walk route by the Police Chief, and filing a certificate of insurance with the City Clerk prior to the walk 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 delivery of barricades to the area prior to the event.

Seconded by Alderman Lupo and adopted. Ayes 6.

011024.4

By Alderman Fogle:

Whereas the City and CSEA union would like to amend the contract by increasing the grade associated to the Deputy City Clerk and Deputy Treasurer from grade 11 to grade 12; now therefore be it

Resolved that the attached MOA is authorized to be signed and that the FY 2024 General Fund is amended as follows:

Expenditures

Decrease

A.1900.54775	Contingency	\$2,898
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Increase

A.1410.51010	Full Time Wages	\$2,270
A.1410.58010	FICA	\$174
A.1410.58050	Retirement	\$454

Seconded by Alderman Craig and adopted. Ayes 6.

011024.4A WITHDRAWN (Budget Modification Corporation Counsel)

011024.4B

By Alderman Craig:

Whereas the City of Lockport Finance Director resigned effective January 4, 2024; and

Whereas the position is vital to the City of Lockport and is now vacant; and

Whereas Lumsden & McCormick recommended that the City consider funding part-time positions in the accounting department at least on a short-term basis, and

Whereas the objective of this assistance would be to allow the Treasurer's office to continue to stay abreast of current activity, while at the same time addressing needs

that remain outstanding from prior years along with the current year, including the Comptroller's recent letter and properly closing the books for the year ended December 31, 2023, and

Whereas these individuals will be able to continue to assist the Staff Accountant/Finance Department in the near future and would at least help to prevent the City from falling behind, and

Whereas the City desires to retain the services of the Consultants to assist with the above services.

Now therefore be it,

Resolved that Corporation Counsel be and is hereby directed and authorized to draft consulting agreements for the position of two Accounting Consultants; 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 Mary Smith and a contract with Roger Salmons, Account Consultants, at a total cost not to exceed \$45,000.00 to be charged to account A.1325.54055.

Seconded by Alderman Devine and adopted. Ayes 6.

011024.5

ADJOURNMENT

At 6:10 P.M. Alderman Fogle moved the Common Council be adjourned until 6:00 P.M., Wednesday, January 24th, 2024.

Seconded by Alderman Devine and adopted. Ayes 6.

SARAH K. LANZO
City Clerk

CITY OF LOCKPORT
CORPORATION PROCEEDINGS

Lockport Municipal Building

Regular Meeting
Official Record

January 24, 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, Fig Tree Fellowship

MAYORS UPDATE

RECESS

Recess for public input.

012424.1

APPROVAL OF MINUTES

On motion of Alderman Fogle, seconded by Alderman Mullane, the minutes of the Regular Meeting of January 10th, 2024 are hereby approved as printed in the Journal of Proceedings. Ayes 6. Carried.

FROM THE MAYOR

By Alderman Mullane:

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

Seconded by Alderman Lupo and adopted. Ayes 6.

Appointments:

For the term of one year beginning 1/1/2024 expiring on December 31, 2024.

President of Common Council

Kathryn Fogle

Corporation Counsel
Deputy Corporation Counsel
Deputy Corporation Counsel
Traffic Advisory Committee
Niagara Community Action Program

David E. Blackley
Kathleen Kugler
Anthony Serianni
Anita Mullane
John Lombardi III

2024 Common Council Standing Committees:

Finance Committee - Alderman Craig, Chairman

Members: Aldermen Devine, Fogle, Kirchberger, Lupo, Mullane
City Treasurer, Director of Finance

Public Health & Safety Committee - Alderman Lupo, Chairman

Members: Fire Chief, Police Chief, and Chief Building Inspector, Aldermen Craig, Devine, Fogle, Kirchberger, Mullane

Highways & Parks Committee - Alderman Kirchberger, Chairman

Members: Aldermen Craig, Devine, Fogle, Lupo, Mullane
City Engineer, Director of Streets and Parks

Water & Sewer Committee - Alderman Devine, Chairman

Members: Aldermen Craig, Fogle, Kirchberger, Lupo, Mullane
City Engineer, Sr. Building Inspector, Chief Operator/WWTP, Chief Operator Water, Director of Highways, Parks and Water Distribution

Youth Committee – Alderman Fogle, Chairman

Members: Aldermen Craig, Devine, Kirchberger, Lupo, Mullane

Personnel Committee - Alderman Fogle Chairman

Members: Aldermen Craig, Devine, Kirchberger, Lupo, Mullane
City Clerk, Personnel Officer

Washington Hunt Committee - Mayor Lombardi, Alderman Mullane, Chairman

Members: Alderman Devine, Corporation Counsel David Blackley

For their term of office:

Police Board

Alderman Kevin Kirchberger

Fire Board

Alderman John Craig

Community Cable Commission (LCTV)

Alderman Anita Mullane

Board of Estimate & Apportionment – Director of Finance- Chair, Members:

Treasurer, Mayor, Finance Committee Chair, Corporation Counsel, City Clerk

License Revocation Board - Alderman Lupo - Chairman

Members - Chief Building Inspector, Mayoral appointed residents

Buildings & Grounds Accessibility Committee-(Ad-Hoc) - Alderman Craig,
Chairman Members: City Clerk, Mayoral appointed community members

Tree Advisory Committee-(Ad-Hoc) – Alderman Mullane - Chairman

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)

12/28/2024 Ed Sandusky, on behalf of the Lockport Optimist Club of Lockport, requesting permission for the 48th Annual Lockport Optimist Outdoor Arts and Crafts Festival on June 29th and 30th 2024.

1/3/2023 Jeff Tracy, Race Director for the Historic Palace, requesting permission for the 52nd Annual Lockport Open 10 Road Race on February 10th, 2024.

1/10/2024 Allison Bolt, Special Events Coordinator for Niagara Hospice requesting permission for the Hospice Gran Fondo on Saturday August 10th, 2024.

1/11/2023 Brooke Chavanne, Director of Coaching for Soccer Shots Buffalo requesting permission for use of Altro/Willow Park for their 2024 season.

Notice of Complaint:

1/9/2024 83 Davison Road – tree.

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

Notice of Claim:

1/16/2024 289 Locust Street – tree.

Referred to the Corporation Counsel.

MOTIONS & RESOLUTIONS

012424.2

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 January 25th 2024.

Seconded by Alderman Kirchberger and adopted. Ayes 6.

012424.3

By Alderman Craig:

Resolved, that claims authorized for payment by the Director of Planning and Development, and subsequently paid from the Community Development Escrow Account, be and the same are hereby approved.

Seconded by Alderman Fogle and adopted. Ayes 6.

012424.4

By Alderman Fogle:

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>
Tricia K. Vosburgh	15	Police Detective
Adam Heiman	5	Public Works Equipment
Mechanic		

Seconded by Alderman Lupo and adopted. Ayes 6.

012424.5

By Alderman Mullane:

Resolved, that pursuant to their request, The Historic Palace, Inc. is hereby granted permission to conduct the 52nd Annual Lockport 10 Open Road Race on Saturday, February 10th, 2024. The race route will require closing East Avenue between Elm and Charles Streets; closing Elm Street for the finish of the race; and, disrupting traffic flow on Market Street from 8 am – 12:30 pm. Permission is granted subject to approval of the race route by the Police Chief and subject to The Historic Palace, Inc. 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 salting the streets in the City's portion of the race route if necessary, and to deliver barricades, cones, and "street closed" signs as required, and be it further

Resolved, that the Traffic Captain is hereby directed to arrange for police support for said event.

Seconded by Alderman Kirchberger and adopted. Ayes 6.

012424.6

By Alderman Craig:

Resolved, that pursuant to their request, permission is hereby granted to Niagara Hospice to conduct the 10th Annual Hospice Gran Fondo Bike Ride, on Saturday, August 10th, 2024 beginning at 7 a.m., subject to approval of the race route by the Police Chief; and be it further

Resolved, permission include the barricading of West Jackson Street to through traffic, from Plank Road to Niagara Street, from 7am until 1pm; and be it further

Resolved, that the Director of Highways, Parks and Water Distribution is hereby authorized and directed to arrange for delivery of barricades, cones and 'street closed' signs as required; and be it further

Resolved, that Niagara Hospice send a letter to affected residents informing them of the race and the closure of West Jackson to through traffic; and be it further

Resolved, that Niagara Hospice file a certificate of insurance with the City Clerk naming the City of Lockport as additional insured.

Seconded by Alderman Mullane and adopted. Ayes 6.

012424.7

By Alderman Fogle:

Whereas, on November 15, 2023, the City of Lockport Common Council adopted and approved resolution 111523.10, an Unrepresented Employees Policy, which provided for a salary structure and benefit package for certain City employees covered under the policy; and

Whereas, the offices of Corporation Counsel and Deputy Corporation Counsel are subject to the Unrepresented Employees Policy and the approved salary schedule in said policy; and

Whereas, the Corporation Counsel and Deputy Corporation Counsel are confidential positions appointed by the Mayor, and

Whereas, SEC 11(1) (C) of the Unrepresented Employee's Policy states that employees shall begin employment at Step 1 for the grade unless the Mayor determines the need for the services or the employee's experience requires that compensation be fixed at a higher step, and

Whereas, the salary schedule in the said policy contemplated that the Office of the Corporation Counsel would be staffed by an additional Deputy Corporation Counsel at the rates set forth in the approved salary schedule in the 2024 fiscal year; and

Whereas, the Corporation Counsel desires to return to the previous staffing level of one Corporation Counsel and two Deputy Corporation Counsel and reallocate the respective salaries set forth in the 2024 Corporation Counsel Budget, and

Whereas, the Office of the Corporation Counsel and its Deputies have multiple years of municipal law experience and intends to cease contracting with outside counsel for legal services previously performed in-house; and

Whereas, the Unrepresented Employees Policy may be modified by resolution of the Common Council;

Now, therefore, be it resolved, that SEC 11(1) (C) of the Unrepresented Employee's Policy be and is hereby amended to remove the Corporation Counsel and Deputy Corporation Counsel from the steps and salaries set forth in the Unrepresented Employees Policy and delegate the salaries of the Corporation and Deputy Corporation Counsel to the Mayor as the Mayor determines the need for the services or the employee's experience that requires that compensation , and be it further

Resolved, that the 2024 Budget of the Corporation Counsel be and is hereby amended to remove the position of third Deputy Corporation Counsel and reallocated the salaries of the Corporation Counsel and two Deputy Corporation Counsel be set as follows:

Corporation Counsel	\$75,000.00
First Deputy Corporation Counsel	\$43,000.00
Second Deputy Corporation Counsel	\$43,000.00

Seconded by Alderman Kirchberger and adopted.
Ayes 3. Alderman Craig, Fogle and Kirchberger voted yes.
Nays 3. Alderman Devine, Lupo and Mullane voted no.
Mayor Lombardi voted in the affirmative. Motion passed.

012424.8

By Alderman Kirchberger:

Resolved, that pursuant to their request, Soccer Shots Buffalo is hereby granted permission to conduct a Spring, Summer and Fall Soccer Program on Saturday's at Altro Park beginning April 20th, 2024 through November 2, 2024, subject to Soccer Shots Buffalo filing a certificate of insurance with the City Clerk naming the City of Lockport as additional insured.

Seconded by Alderman Mullane and adopted. Ayes 6.

012424.9

By Alderman Lupo:

Resolved, that permission is hereby granted the Optimist Club of Lockport to conduct their 48th Annual Lockport Optimists Arts and Crafts Festival on June 29th and 30th, 2024 from 10:00 A.M. until 5:00 P.M. (street closing from 8:00 A.M. until 7:00 P.M.) with the following provisions:

- (1) The Lockport Optimist Club shall issue exhibitor's permits to arts and crafts exhibitors, vendors and peddlers, and to insure public safety and order and to avoid overcrowding of the exhibit areas, no other exhibits, displays, vendors or peddlers shall be permitted within the show area, whether located on public or private property, and the Lockport Optimist Club shall enforce this ban with the cooperation of the Lockport Police Department.
- (2) The Lockport Optimist Club shall obtain the required operating permits for the mobile food vehicles
- (3) The Police Department is hereby directed to enforce the removal of all concessionaires, vendors, or peddlers from the show area not possessing an exhibitor's permit.
- (4) The show area shall include the blocks on Main Street from Washburn Street west to Saxton Street and Market Street from Main Street north to Chestnut Street.
- (5) The Lockport Optimist Club shall file a certificate of insurance with the City Clerk naming the City of Lockport as additional insured, and the approval of the Corporation Counsel, and be it further

Resolved, that the Director of Highways, Parks and Water Distribution is hereby authorized and directed to arrange for delivery and pick-up of City barricades and trash receptacles as needed, and be it further

Resolved, that permission is granted the Optimist Club to use the Police Garage for storage of a golf cart overnight on Friday and Saturday night, June 29th and 30th subject to the approval of the Chief of Police.

Seconded by Alderman Mullane and adopted. Ayes 6.

By Alderman Devine

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

Seconded by Alderman Mullane and adopted. Ayes 6.

012424.10

By Alderman Fogle:

Resolved, that the following Rules and Order of the Common Council are hereby adopted:

RULES AND ORDERS OF THE COMMON COUNCIL

1. **Roll Call** - At the hour appointed for the meeting of the Council, the Mayor shall take the chair and direct a call of the members of the Council, and the Clerk shall note the absentees. Upon the appearance of a quorum, the Mayor shall call the members to order. If a quorum be not present, they shall send for absent members. Following shall be the

ORDER OF BUSINESS

- a. Reading of minutes. Reading and approval of the minutes preceding meeting; but a majority of the members present may approve of, or dispense with, the reading of the minutes of any previous meeting.
- b. Communications from the Mayor.
- c. Communications and reports of officers of the corporation.
- d. Petitions and remonstrances.
- e. Reports of Standing Committees, in the order named in rule.
- f. Reports of Special Committees.
- g. Committee of the Whole.
- h. Executive business.
- i. Motions, resolutions and notices.
- j. Unfinished business.

DUTIES OF THE MAYOR AS PRESIDING OFFICER

2. **The Mayor, as presiding officer, shall possess the powers and perform the duties as herein prescribed:**
 - a. They shall preserve order and decorum.
 - b. Question of Order. They shall decide all questions of order, subject to appeal of the Council. On every appeal they shall have the right in his/her place to assign his/her reason for his/her decision; but any member may state the grounds for his/her appeal.
 - c. Appointment of Committees. He/she shall appoint all committees except where the council shall otherwise order.
 - d. Temporary Chairman. He/she may substitute any member to perform the duties of the chair, but such substitution shall not extend beyond the adjournment of the Council, except by special consent of the Council.
 - e. Committee of the Whole. When the Council shall be ready to go into Committee of the Whole, he/she shall name a chairman to preside therein.
 - f. Privileges of the floor. He/she shall have the right to invite to the floor of the Council such persons as he/she shall deem deserving of the privilege; but the right of admission under such invitation shall not extend beyond the day on which it shall be given.

3. **While a question is being put** - While the presiding officer is putting a question, no member shall walk across or out of the room; nor in such case, or when a member is speaking, shall entertain any private discourse, nor, while a member is speaking, shall pass between him and the chair.
4. **Speaking** - Every member, when he/she speaks, shall, from his/her chair, address the presiding officer as Mr. /Madam Mayor, or proper title and shall not proceed until recognized by the presiding officer; and no member shall speak more than twice to the same question, nor more than five minutes each time at the same meeting, without requesting and receiving the consent of a majority of the members present, by a roll call vote.
5. **Speaker recognized** - When two or more members request recognition simultaneously, the presiding officer shall name the member he wishes to speak first.
6. **Call to order** - Any member may be called to order; in which case the member so called to order shall immediately sit down. The point of order shall be stated at the request of the presiding officer, by the member raising the question of order, and shall be decided without debate, before proceeding to other business.
7. **Vote** - Every member shall vote when a question is stated from the chair, unless excused by the Council; and every member voting shall be in his/her place.
8. **Petitions, etc.** - Petitions and other papers may be presented by the presiding officer or any member, but when presented by a member, he/she shall first endorse on the petition or paper the substance thereof.
9. **Motions or Resolutions** - No motion or resolution shall be debated or put until seconded. No member shall make or second a motion or resolution except he/she request recognition from his/her chair for that purpose; and when seconded the motion or resolution shall be stated distinctly by the presiding officer, before being put or debated. No motion or resolution shall be presented for action, unless it has been reviewed by Corporation Council and submitted in writing to the Clerk by noon of the day of the Committee of the Whole work session, one week prior to the Common Council meeting, excluding the work session the day of the Common Council Meeting, or unless by prior authorizations of the Mayor, City Clerk, and City Attorney and then by consent of two-thirds of the whole number of the Council. Resolutions submitted for consideration may go to the appropriate committee prior to submission. A motion or resolution referred to any committee may be recalled from that committee at any subsequent Council meeting by vote of a majority of the whole number of the Council. If any motion or resolution referred to a committee shall not have been reported out within forty-five days of the time when it was referred, then the sponsor of the motion or resolution may have it brought out for Council consideration without any committee report. Any motion or resolution may be withdrawn at any time before decision, commitment or amendment by unanimous consent.
10. **Ayes and noes** - If any member require it, the ayes and noes upon any question shall be taken and entered upon the minutes of the Council. In taking the same, the names of members shall be taken alphabetically.

11. **Appointment of committees** - All committees shall be appointed by the presiding officer, unless otherwise specially directed by the Council, in which case they shall be appointed by ballot.

PRIVILEGED QUESTIONS

12. **Order of motions** - When a question is pending, no motion shall be received, except as hereinafter specified; which motion shall have preference in the order stated:
- a. For an adjournment of the Council.
 - b. A call of the Council.
 - c. To lay on the table.
 - d. For the previous question.
 - e. To postpone indefinitely.
 - f. To postpone to a day certain.
 - g. To refer to the Committee of the Whole.
 - h. To refer to a standing committee.
 - i. To refer to a special or select committee.
 - j. To amend.
13. **Non-debatable motions** - A motion to adjourn, lay on the table, or for the previous question, shall be decided without amendment or debate; and all questions of order, and all questions relating to the order of business, shall be decided without debate. The several motions to postpone or to refer, shall preclude all debate of the main question.
14. **Reconsideration** - A motion for reconsideration if lost, shall not again be repeated at the same meeting of the Council, nor shall any question be reconsidered more than once.
15. **Executive business** - Executive business shall be governed by Chapter 511 of the Laws of 1976.
16. **Concerning applicant for office** - All information, or any remarks by any member concerning the character or qualifications of any person whose name shall be before the council for an appointment to any office, shall be kept secret, and all proceedings and things of the Council, or any member thereof, in secret session, shall be kept secret until the Council shall remove all injunctions to secrecy.
17. **Divisions of questions** - If any question contains several distinct propositions, it may be divided by the chair.
18. **Reading of paper** - Any member may have any paper in possession of the council read, upon request, unless the same shall be objected to by some other member; and then the question shall be determined by a vote of a majority of the whole council, without debate.
19. **Speaking to question** - After the roll-call upon any question has commenced, no member shall speak to the question except to explain his/her vote, and then not to exceed five minutes; nor shall any motion be made until after the result is declared.

20. **Committee's Report** - No report shall be received from any committee unless the committee, or a quorum thereof, shall have met and considered the matter in a regular or special meeting of the committee.
21. **Robert's Rule of Order** - Whenever any question not covered by these rules shall arise, this council shall be governed by the parliamentary rules as laid down in Robert's Rule of Order. The Corporation Counsel shall preside as the Parliamentarian at all meetings. (Amended 4/2/14)
22. **Standing Committees** - The following standing committees shall be appointed by the Mayor at the commencement of the session, or as soon thereafter as may be practicable:

FINANCE COMMITTEE – to consist of Common Council members as appointed by the Mayor, and ex-officio members: City Treasurer and Director of Finance.

PUBLIC HEALTH & SAFETY – to consist of Common Council members as appointed by the Mayor and ex-officio members: Police Chief, Fire Chief, and Chief Building Inspector.

HIGHWAYS & PARKS - to consist of Common Council members as appointed by the Mayor and ex-officio members: Assistant City Engineer, Director of Streets and Parks, Public Works Supervisor

WATER & SEWER - to consist of Common Council members as appointed by the Mayor and ex-officio members: Assistant City Engineer, Sr. Building Inspector, Chief Operator/WWTP, Chief Water Treatment Plant Operator, Water Distribution Maintenance Supervisor

YOUTH – to consist of Common Council members as appointed by the Mayor and ex-officio members: Assistant City Engineer.

PERSONNEL – to consist of Common Council members as appointed by the Mayor and ex-officio member: City Clerk and Personnel Officer.

WASHINGTON HUNT - to consist of three members: Mayor and two aldermen as appointed by the Mayor.

The Common Council President shall be qualified to sit as a member of any standing committee whenever his/her presence will enable such committee to reach a quorum for the transaction of business.

23. **Changing of Rules** - No standing rule or order of the council shall be amended, repealed, rescinded, changed or superseded, except by a vote of two-thirds of the whole council, nor shall any new rule be added thereto, except by a like vote; but they may be suspended at any time by a two-thirds consent of the whole council.
24. **Regular Meetings:**
- a. The regular meeting of the Council shall be held on the second and forth Wednesday of each month, except when otherwise directed by resolution of the Common Council. The hour of meeting shall be 5:30 PM., and if a quorum shall not be present at 6 P.M.

the Common Council shall stand adjourned. The Committee of the Whole shall meet one hour prior to the start of the regularly scheduled Common Council meetings.

b. The Committee of the Whole work sessions if scheduled shall be held every Wednesday at 5 PM of each month or any other day and time if so directed by the President of the Common Council.

25. **Business of Special Meeting** - It shall not be in order at any special meeting to proceed to any other business than that for which the meeting was convened, unless by unanimous consent of all members present.
26. **Regular Committee Meetings** - The standing committees shall have regular meetings for the transaction of committee business.
27. **Report of Committees** - It shall be the duty of the committees to report on every subject referred to them, within two weeks from the time of such reference, unless the time shall have been extended by the council.
28. **General rules and regulations for the letting of contracts for materials, supplies, equipment or public works projects (including local public improvements).**

I. After any materials, supplies, equipment or public works project shall have been ordered, the Common Council shall, at the time of adopting the ordinance therefor, or at any time thereafter, give notice, or order and direct the same to be given, that proposals for the doing and completion of said work will be received.

2. All notices shall be given by the City Clerk by publishing same in the official paper of this city.

3. Notices for the receiving of proposals shall be of the following form - the blanks therein to be filled at the time of publication as necessities require: **NOTICE TO BIDDERS** City Clerk's Office, Lockport, New York Sealed proposals shall be received by the undersigned at his office, Lockport Municipal Building, One Locks Plaza, Lockport, NY until (day), (date), at (time) for in accordance with the specifications made therefor and obtainable at the (appropriate City office). Proposals must be for the amount in gross and include everything connected with the proposed materials, supplies, equipment or public works project being bid. Each proposal must be accompanied by a certified check or bid bond in an amount equal to ten percent of the bid. The Common Council hereby reserves the right to reject any or all proposals. By order of the Common Council of the City of Lockport, N.Y. _____ City Clerk

4. No proposal after time expires. After the time in said notice specified for the reception of proposals shall have expired no further proposals for the work specified therein shall be received; and each and every plan and specification therein published shall be particularly and strictly observed by all concerned.

5. Proposals to be guarded. The City Clerk shall receive all proposals at his office in this City, and shall carefully guard and preserve the same unopened; he shall not permit either or any of them to be taken from his custody until such time and in such manner as the Common Council may order and direct.

6. Clerk to open. The Clerk shall publicly open and read the bids on the date and at the time specified in the Notice to Bidders.
7. Clerk to report to Council. The City Clerk shall submit a summary of those bids received and opened to the Common Council at its first regular meeting thereafter, under the order of "unfinished business."
8. Recess to examine. The Mayor may thereupon declare a recess, stating the duration thereof, in order that the members of the Council may critically examine each proposal.
9. Action on proposals. Upon re-assembling, the Common Council shall consider said proposal, and shall without adjournment take some action in relation thereto, either by accepting the proposal of the lowest responsible bidder, or by rejecting all bids, or by referring the same to some proper committee.
10. To again advertise. In case all bids are rejected, the Common Council shall again direct the publication of a notice to bidders, similar in all respects to that first advertised, and shall so continue to advertise for, receive and consider proposals for said items until by a vote of a majority of the council, a contract is finally awarded, except, however, in cases where the Common Council shall reconsider its action requiring such work to be performed by contract.
11. Certified Check or Bid Bond. Each proposal shall be accompanied by a certified check or bid bond in a sum not less than ten percent of the amount of the proposal. In the event the successful bidder fails to enter into contract within five days after being notified by the City Clerk, the check will be forfeited.
12. The Common Council reserves the right to reject any or all proposals.
29. **Two-thirds vote to repeal** - No legislative ordinance, act or resolution passed during any previous meeting of the current term of this council, shall be amended, repealed, rescinded, changed or superseded, in whole or in part, except by two-thirds vote of the whole Council.
30. **Recess for public input** - Following roll call at the Common Council meetings, any speaker desiring to speak at the Common Council meetings may be heard regarding city business on the Agenda for a period not to exceed 3 minutes with a 1 minute warning to conclude his or her speaking. At the close of the Common Council meeting any speaker who desires to speak will be allowed to speak on matters concerning the General Welfare of the City for a period not to exceed 5 minutes with a 1 minute warning to conclude his or her speaking. No speaker shall be permitted to transfer their time to another speaker.

Seconded by Alderman Craig and adopted. Ayes 6.

012424.11

ADJOURNMENT

At 6:22 P.M. Alderman Fogle moved the Common Council be adjourned until 6:00 P.M., Wednesday February 14th, 2024.

Seconded by Alderman Kirchberger and adopted. Ayes 6.

SARAH K. LANZO
City Clerk

CITY OF LOCKPORT
CORPORATION PROCEEDINGS

Lockport Municipal Building

Regular Meeting
Official Record

February 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

MAYORS UPDATE

RECESS

Recess for public input.

021424.1

APPROVAL OF MINUTES

On motion of Alderman Fogle, seconded by Alderman Craig, the minutes of the Regular Meeting of January 24th, 2024 are hereby approved as printed in the Journal of Proceedings. Ayes 6. Carried.

FROM THE MAYOR

Appointments:

Robert Bragg, 536 Willow Street, appointed to the Planning Board for the City of Lockport effective January 1, 2024. Said term expires on December 31, 2026.

Terry Harmon, 57 Regent Street, appointed to the Planning Board for the City of Lockport to fill the unexpired term of Donald A. Stevens. Said term expires on October 14, 2025

Jennifer A. Diel, appointed to Senior Account Clerk, for the City of Lockport Building Inspection Department effective January 19, 2024. Said appointment is provisional and subject to the City of Lockport Municipal Civil Service Rules and Regulations.

Brittany A. Schuner, appointed to Senior Account Clerk for the City of Lockport Treasurers office effective January 17th, 2024. Said appointment is provisional 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)

1/29/2024 Notification from Matt Kahn, Big Ditch Brewing Company LLC, 1 East Avenue, Lockport, NY of his application to the New York State Liquor Authority for said license.

Notice of Complaint:

1/16/2024 Hardy Sandstrom, 263 Pine Street – tree.
1/25/2024 Michael Barclay, 171 Irving Street – tree.
1/26/2024 Nelson Hughes Jr, 65 Maple Street – tree
1/29/2024 Garth Wilson, 194 Church Street – tree

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

Notice of Claim:

1/26/2024 Carolyn Erick, 323 N. Adam Street.
1/29/2024 Paul Zapp and Margaret Wysochanski, 125 Irving Street

Referred to the Corporation Counsel.

MOTIONS & RESOLUTIONS

012424.2

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 February 15, 2024.

Seconded by Alderman Kirchberger and adopted. Ayes 6..

012424.3

By Alderman Craig:

Resolved that claims authorized for payment by the Director of Planning and Development, and subsequently paid from the Community Development Escrow Account, be and the same are hereby approved.

Seconded by Alderman Fogle and adopted. Ayes 6.

021424.4

By Alderman Fogle:

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>
Randy S. Szymanski	20	Municipal Worker
Nicholas P. Kalbfliesh	5	Fire Lieutenant
Paul D. Licata	5	Firefighter
James P. Pytlik	5	Fire Lieutenant

Seconded by Alderman Mullane and adopted. Ayes 6.

021424.5

By Alderman Craig:

Resolved that pursuant to their request, the Shamus Restaurant, is hereby granted permission to conduct their annual St. Patrick's Day Event on Saturday, March 16, 2024 from 12pm until 9pm, and be it further

Resolved that permission is hereby granted to barricade Hawley Street from Genesee Street to West Avenue on Saturday, March 16th for said event, and be it further

Resolved that permission is hereby granted to allow live music, vendors, food and alcoholic beverages during said event, and be it further

Resolved that permission to erect tents is subject to obtaining necessary permits from the City of Lockport Building Inspection, and be it further

Resolved that said permission is subject to The Shamus Restaurant 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 delivery of barricades, traffic cones, and street closed signs to the area prior to the event.

Seconded by Alderman Lupo and adopted. Ayes 6.

021424.6

By Alderman Fogle:

Resolved that pursuant to their request, the Juneteenth Celebration Committee is hereby granted permission to conduct a Juneteenth Parade in the City of Lockport on Saturday, June 22nd at 12 p.m. subject to approval of the parade route by the Police Chief and issuance of a parade permit by the City Clerk.

Seconded by Alderman Mullane and adopted. Ayes 6.

021424.7

By Alderman Devine:

Resolved that pursuant to their request, the Central Niagara Catholic Family is hereby granted permission to conduct a Eucharistic Procession in the City of Lockport on Sunday, June 2, 2024, starting at 12:30 p.m., subject to approval of the parade route by the Police Chief and issuance of a parade permit by the City Clerk and be it further

Resolved that the Director of Highways, Parks and Water Distribution be and the same is hereby authorized and directed to arrange for the delivery of barricades to the area prior to the event.

Seconded by Alderman Lupo and adopted. Ayes 6.

021424.8

By Alderman Devine:

Resolved that pursuant to their request, permission is hereby granted to Niagara Region Disc Golf to conduct a Tournament at Outwater Memorial Park on May 15, 2024 and August 21, 2024, from 4 pm until 8 pm, and be it further

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

Seconded by Alderman Craig and adopted. Ayes 6.

021424.9

By Alderman Kirchberger:

Resolved that pursuant to their request, permission is hereby granted to Western New York Disc Golf Club to conduct a Tournament at Outwater Memorial Park on April 20, 2024, from 8 am until 5 pm, and be it further

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

Seconded by Alderman Devine and adopted. Ayes 6.

021424.10

By Alderman Mullane:

Resolved that pursuant to their request, Lock City Circus is hereby granted permission to use city bleachers for the Lock City Circus charity performance to be held March 8 and 9, 2024, at the Kenan Center Arena. Said permission is subject to Lock City Circus 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 delivery of the bleachers.

Seconded by Alderman Kirchberger and adopted. Ayes 6.

By Alderman Devine:

Resolved, that the reading of the foregoing resolution be and the same are hereby waived/

Seconded by Alderman Lupo and adopted. Ayes 6.

021424.11

By Alderman Lupo:

Resolved that pursuant to their request, Lockport Main Street, Inc. (hereafter, 'LMS') is hereby granted permission to hold the following events on Canal Street, at the pocket park, and the adjoining parking lot, and Main Street including the upper parking lot near 51 Main Street, the extent to be determined by the city, for the following dates and times during the 2024 season:

- **Lockport Community Farmers Market (hereafter, LCFM):**
 - Saturdays, May 1st - November 1st from 6am to 4pm- Market hours are 9am to 2pm
 - Wednesdays: July 3rd - September 25th, 1 pm to 8 pm- Market hours are 3pm to 7pm
- **Cycle the Erie Canal 2024:** Sunday, July 7th between 7am and 2pm
- **Lockport Chalk Walk:** Saturday, July 20th, 2024 from 9am to 4pm OR (tentative rain date) Sunday, July 21st from 9am to 4pm on Canal St.
- **Lockport Food Fest:** Sunday, August 11th, 2024 from 11am to 4pm, on Main St.
- **Locktoberfest:** Saturday, September 28th, 2024 from 10am to 6pm on Canal St.
- **Downtown Trick or Treating:** October 25th, 2024 from 5pm – 7pm on Main St.

Resolved LMS is granted access to electricity at the light posts, in addition to the gazebo, and that the city will install outdoor extension cords at each junction box beginning May 1st, 2024 through October 31st, 2024, for use in all LMS events; and be it further

Resolved LMS and the LCFM are hereby granted permission to place yard signs in the city rights-of-way, May through October, 2 banners attached to the north and south facing side of the gazebo on Canal St., feather flags for the LCFM and LMS event days, and A-frame directional signage at the intersections of Main and Pine, Main and Cottage, Ontario and Church, and Ontario and Pine, for the open hours of the market on assigned days and during hours of LMS special events such as Locktoberfest, and Lockport Food Fest; and be it further

Resolved LMS is granted permission to sell concessions, including bottled drinks and merchandise, during all LMS and LCFM events on Canal Street and Main Street, May 1st through October 31st; and be it further

Resolved that LMS is hereby granted permission to host **Cycle the Erie Canal 2024:** Sunday, July 7th between 7am and 2pm requests the use of **Canal Street, the pocket park, and the adjoining parking lot, the extent to be determined by the city,**

- LMS requests permission to place portable sanitation units on Canal Street on Friday, July 5th for this event
- Permission to set up a large dining and rest tent on Canal Street on Sunday, July 7th and to be taken down Monday, July 8th

- Permission to have access to the electricity available at the light posts, in addition to the gazebo, and for the city to install the outdoor extension cords at each junction box
- Permission to hang and display signage, yard signs, and feather flags on Canal St. and the gazebo beginning July 5th for this event
- Permission to set up an information tent and signage in Upson Park and near the Exchange Street bridge for this event
- Permission to set up vendors, food trucks, and local restaurants on Canal Street for this event

Resolved that LMS is hereby granted permission to host **LKPT Chalk Walk** on Saturday, July 20th, 2024 from 9am to 4pm. This event will be co-hosted by WAHI Art Studio and LMS requests the use of **Canal Street, the pocket park, and the adjoining parking lot, the extent to be determined by the city.**:

- Canal Street, the pocket park, and the adjoining parking lot, the extent to be determined by the city (see a provided map of the event) to host LKPT Chalk Walk on Saturday, July 20th, 2024 from 9am to 4pm alongside the Lockport Community Farmers Market
- LMS requests street barricades for closures of Canal Street, the pocket park, and the adjoining parking lot, the extent to be determined by the city, to prepare and set up for this event
- Permission to have access to the electricity available at the light posts, in addition to the gazebo, and for the city to install the outdoor extension cords at each junction box
- Permission for vendors, restaurants, and food trucks to set up in the parking lot of Canal Street and permission for these vendors to use the electricity
- Permission to hang and display signage and yard signs on Canal St. and the gazebo beginning July 8th for this event to be taken down on Monday, July 22nd
- Requests permission to place portable sanitation units on Canal Street on Friday, July 19th for this event
- Request permission to create a temporary chalk artwork on the sidewalks located in the pocket parking lot between Steamworks and the 57 Canal Street building for this event

Resolved that LMS is hereby granted permission to host **Lockport Food Fest on Sunday, August 11th, 2024 from 11am to 4pm** on Main Street between Cottage and Locust, leaving Pine Street open for intersecting traffic and utilizing the parking lot located next to 51 Main Street, the extent to be determined by the city

- Temporary no parking on Main St between Cottage St. and Pine St. and Pine St. and Locust St. beginning Saturday, August 10th at 6:00pm, concluding at 8:00pm Sunday, August 11th.
- Closure of the city parking lot next to 51 Main St. for preliminary setup including portable sanitation units and trash cans (see attached map) and remain closed until 8pm Sunday, August 11th.
- Street closure on Main St between Cottage St. and Pine St. and Pine St. and Locust St (keeping these parking lots open-see attached map) beginning 6am on Sunday, August 11th through 8pm that same day.
- LMS requests to have access to the electricity available at the light posts located on Main Street between Cottage St. and Locust St. and in the parking lot of 51 Main Street and for the city to install the outdoor extension cords at each junction box to use during this event
- Permission for vendors and restaurants to set up in the parking lot of Canal Street and access electricity from the light post.
- Placement of the City Stage on Sunday, August 11th by 8am.
- 20 Street barricades for closures to be delivered on Saturday, August 10th.
- Permission for vendors, restaurants, and food trucks to set up on the above-closed streets
- 8 to 12 Garbage barrels delivered to the Main St. parking lot on Saturday for distribution throughout the event on Sunday.
- Permission to distribute promotional event yard signs on City right of ways (excluding the center medians on Main St.) beginning July 22nd and to be taken down by Monday, August 12th.
- Promotional signage displayed on the gazebo located on Canal Street beginning Saturday, July 27th through Monday, August 12th.
- Permission to lift the open-container law for the duration of this event to conduct the sale of alcoholic beverages from 2 enforced beer tents, which will include local breweries at the festival as part of fundraising for LMS and allowing Lock 34 to open their outside bar for patrons to access during the duration of the event.

Resolved that LMS is hereby granted permission to host **Locktoberfest** which will be held on **Saturday, September 28th, 2024 from 10am to 6pm** at 69 Canal Street, in the pocket park, and the adjoining parking lot, the extent to be determined by the city, and that said event include the following:

- Canal Street, the pocket park, and the adjoining parking lot, the extent to be determined by the city (see a provided map of the event) to host Locktoberfest on Saturday, September 30th between 6am to 8pm.
- LMS requests street barricades for closures of Canal Street, the pocket park, and the adjoining parking lot, the extent to be determined by the city, to prepare and

set up for Locktoberfest beginning Friday, September 27th and ending Sunday, September 29th at 9:00 am.

- LMS Permission for vendors, restaurants, and food trucks to set up on Canal Street and parking lots and access electricity from the light post.
- LMS requisition permission to place portable sanitation units on Canal Street beginning Friday, September 27th for this event
- LMS requests the use of the city stage on September 28th from 6am to 7pm. LMS requests the City Stage to be placed on Friday, September 27th
- Permission to distribute promotional event yard signs on City right of ways (excluding the center medians on Main St.) beginning September 9th and to be taken down by Monday, September 30th.
- Promotional signage displayed on the gazebo located on Canal Street beginning Saturday, September 14th through Monday, September 30th
- Permission to lift the open-container law for the duration of this event to conduct the sale of alcoholic beverages from 2 enforced beer tents, which will include local breweries at the festival as part of fundraising for LMS.

Resolved that LMS is hereby granted permission to host **Downtown Trick or Treat on Friday, October 25th from 5pm to 7pm.** To the extent to be determined by the city, and that said event include the following:

- Permission to close Main Street be closed to through traffic from Transit to Locust (intersecting streets will remain open- see map) between 4pm and 8pm for setup, execution, and breakdown of the event
- Requests the Director of Highways, Parks and Water Distribution is permit delivery and pick-up of 28 City barricades and 8 trash receptacles on Thursday, October 24th to Main Street
- LMS requests to have access to the electricity available at the light posts located on Main Street and for the city to install the outdoor extension cords at each junction box to use during this event
- Permission to use the City Stage on October 25th and place it in front of City Hall for this event
- Permission to set up a Haunted House in City Hall and to begin to deliver equipment and to preset up beginning Thursday, October 24th

Resolved that the Director of Highways, Parks and Water Distribution is authorized and directed to arrange for delivery of refuse containers and barricades to the area prior to the said dates; and be it further

Resolved that said permission is subject to LMS filing a certificate of insurance, covering all of said events, with the City clerk, naming the City of Lockport as additional insured; and be it further

Resolved the Mayor has the authority to permit the use of the same space on other days, should an event be rescheduled or added to the calendar, provided LMS supplies the City with proper insurance coverage.

Seconded by Alderman Mullane and adopted. Ayes 6.

021424.12

By Alderman Mullane:

Whereas a Resolution was brought on January 24, 2024, that requested that the new Corporation Counsel received a nearly 50% increase in his pay over the prior Corporation Counsel's salary, within a month of his employment; and

Whereas the Resolution also requested that the new Assistant Corporation Counsel likewise receive a 50% increase in his pay over the prior Assistant Corporation Counsel, also a month within a month of his employment; and

Whereas the Resolution was tied after a vote by the Council 3-3, but Mayor Lombardi broke the tie in favor of the significant increases in pay for the Corporation Counsel and the Assistant Corporation Counsel; and

Whereas the Corporation Counsel advised this Council that the salary increase was due to the fact that the new Corporation Counsel and his office would be doing all legal work in house, and not employing outside counsel; and

Whereas the Corporation Counsel has an outside budget that is now unnecessary, according to Corporation Counsel prior to receiving his salary increase; and

Whereas the City can now save significant money for the citizens by transferring the outside counsel budget to contingency; and
Now therefore be it

Resolved that the following adjustments shall be made to the budget:

INCREASE	A.1900.54775	\$50,000	Contingency
DECREASE	A.1420.54055	\$50,000	Professional
Services			

Seconded by Alderman Lupo and NOT adopted. Ayes ____.

Ayes 3. Alderman Devine, Lupo and Mullane voted yes
Nays 3. Alderman Craig, Fogle and Kirchberger voted no.
Mayor Lombardi voted in the negative. Motion does not pass.

021424.12A

By Alderman Craig:

Whereas the owner(s) of the development commonly known as Lockport Professional Park had challenged their property assessment against the City for successive years beginning in 2015 through 2020; and

Whereas the City appeared and answered the litigation and defended itself throughout multiple court appearances and motion practice; and

Whereas all parties reached a settlement in 2020, which said settlement became the subject of additional motion practice in New York State Supreme Court that resulted in a court order determining the precise amount of overpayments during the period of the 2015 through 2020 and the City issued a refund in 2023 pursuant to Resolution No. 072623.11 for that stated amount for those designated years; and

Whereas pursuant to the court order, assessments were frozen for the following three years 2022 through 2024 which resulted in a refund that is owed within forty-five days of the court order and payable to counsel for Lockport Professional Park;

Now be it Resolved that that the FY 2024 General Fund Budget is amended as follows:

Expenditures:

Decrease

A.1900.54775	Contingencies	\$91,659.74
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Increase

A.1900.54765	Judgment & Claims	\$91,659.74
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Contingent upon the review and approval by Corporation Counsel.

Seconded by Alderman Devine and adopted. Ayes 6.

021424.13

ADJOURNMENT

At 6:17 P.M. Alderman Fogle moved the Common Council be adjourned until 6:00 P.M., Wednesday February 28th, 2024.

Seconded by Alderman Lupo and adopted. Ayes 6.

SARAH K. LANZO
City Clerk

CITY OF LOCKPORT
CORPORATION PROCEEDINGS

Lockport Municipal Building

Regular Meeting
Official Record

February 28th, 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

MAYOR'S UPDATE

RECESS

Recess for public input.

022824.1

APPROVAL OF MINUTES

On motion of Alderman Fogle, seconded by Alderman Craig, the minutes of the Regular Meeting of February 14th 2024 are hereby approved as printed in the Journal of Proceedings. Ayes 6. Carried.

FROM THE MAYOR

Appointments:

Alexis T. Cacciatore, 9075 Chestnut Ridge Road is appointed to Heavy Equipment Operator for the City of Lockport Highway and Parks Department effective February 5th 2024. Said appointment is provisional and subject to the City of Lockport's Municipal Civil Service Rules and Regulations.

Thomas E. Machamer, 155 Park Avenue has been appointed to Heavy Equipment Operator for the City of Lockport's Highway and Parks Department effective February

5th 2024. Said appointment is provisional and subject to the City of Lockport's Municipal Civil Service Rules and Regulations.

Mark J Haenle II, 6538 Heather Drive has been appointed to Public Works Supervisor for the City of Lockport's Highway and Parks Department effective February 12th 2024. Said appointment is provisional and subject to the City of Lockport's Municipal Civil Service Rules and Regulations.

Joel P. Diel, 4535 County Line Road, Holley, NY has been appointed to Heavy Equipment Operator for the City of Lockport's Highway and Parks Department effective February 12th 2024. Said appointment is provisional and subject to the City of Lockport's Municipal Civil Service Rules and Regulations.

FROM THE CITY CLERK

The Clerk submitted payrolls, bills for services and expenses, and reported that the Department Heads submitted reports of labor performed in their departments. Reviewed by the Finance Committee.

Communications (which have been referred to the appropriate City officials)

2/14/2024 Sarah K. Lanzo, City Clerk – notification of bids received on February 14th, 2024 in response to the **RFP for Plow Truck**.

Basil Chevrolet	\$226,651.80
5111 Transit Road	\$75,550.60/each
Depew, NY 14043	

2/12/2024 Standard 30-day Advance Notice to the City of Lockport regarding the On-Premises Alcoholic Beverage License submitted by the Kenan Center, 433 Locust Street.

Notice of Complaint:

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

Notice of Claim:

Douglas Weaver, 503 Park Avenue, Apt 5, against the City of Lockport.

Referred to the Corporation Counsel.

MOTIONS & RESOLUTIONS

022824.2

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 February 29th, 2024.

Seconded by Alderman Devine and adopted. Ayes 6.

022824.3

By Alderman Craig:

Resolved, that claims authorized for payment by the Director of Planning and Development, and subsequently paid from the Community Development Escrow Account, be and the same are hereby approved.

Seconded by Alderman Kirchberger and adopted. Ayes 6.

022824.4

By Alderman Mullane:

Resolved that the Youth Board is hereby granted permission to conduct an Independence Day Parade on Wednesday, July 3, 2024, commencing at 7:00 PM at Lockport High School, north on Locust Street to Ulrich City Centre, subject to the approval of the Parade route by the Police Chief and issuance of a parade permit by the City Clerk.

Seconded by Alderman Fogle and adopted. Ayes 6.

022824.5

By Alderman Craig:

Whereas the Common Council desires to host the Independence Day fireworks downtown for 2024 Independence Day celebrations. NOW, THEREFORE, BE IT

Resolved that the Mayor be and is hereby authorized to enter into an agreement with a vendor to provide fireworks downtown July 4, 2024

Resolved that permission is hereby granted to use the City owned property located at 71 Gooding Street for said fireworks display subject to the approval of the Fire Chief, and be it further

Resolved that the Director of Highways Parks and Water Distribution is hereby authorized and directed to arrange for delivery of barricades, traffic cones, and street closed signs to the area prior to the event.

Seconded by Alderman Fogle and adopted.

Ayes 3; Alderman Craig, Fogle and Kirchberger voted yes.

Nays 3. Alderman Devine, Lupo and Mullane voted no.

Mayor Lombardi voted in the affirmative. Resolution adopted.

022824.6

By Alderman Craig:

Whereas General City Law 20(3) authorizes the City to accept donations from individuals or organizations, and to use said donations per the restrictions placed on them by the donor, regardless of minimum value; now, therefore, be it

Resolved that the Mayor and Common Council do hereby extend thanks and appreciation to the Redmen's Club, for a donation of \$5,000 to be used for _2024 Fireworks; and

Resolved that the FY 2024 General Fund budget be amended as follows:

Revenue

Increase

A.8510.32705	Gifts and Donation	\$5,000
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Expenditures

Increase

A.8510.54515	Special Supplies	\$5,000
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Seconded by Alderman Fogle and adopted. Ayes 5. Nays 1. Alderman Devine voted no.

022824.7 - WITHDRAWN (Wildcats)

022824.7A

By Alderman Lupo:

Whereas Severson Environmental Services is executing the 18-Mile Creek Super Fund work, which will require a temporary staging area consisting of five mobile office trailers and miscellaneous materials located at 225 Mill Street. The staging area will have a temporary six (6) foot high chain link fence around the property that will have portions that are located within the city right of way;

Whereas Severson Environmental Services has indicated that this fence is temporary, however the project is tentatively scheduled to take between two and three years to complete;

Whereas the Lockport Planning Board unanimously approved at the January 8th, 2024 meeting Severson Environmental Services' request to utilize the property as a temporary staging area for the 18 Mile Creek superfund project with the condition that the property be restored to its original state at the completion of the project;

Resolved that Severson Environmental Services is hereby granted permission to erect a six (6) foot high chain link fence around the area that will have portions that are located within the city right of way;

Resolved that said permission is subject to Severson Environmental filing a certificate of insurance with the City Clerk naming the City of Lockport as additional insured; and be it further

Resolved that Severson Environmental must restore the property to its original state at the completion of the project

Seconded by Alderman Mullane. Ayes 6.

022824.7B

By Alderman Craig:

Whereas, the City of Lockport has been involved in a negligence lawsuit brought by Michael K. Murphy, Sharon Murphy, and Lockport Locks & Canal Tours, Inc., regarding a retaining wall which collapsed as a result of heavy flooding on or about April 6, 2017; and

Whereas, after years of protracted litigation and negotiation, the parties have agreed to settle the matter in the amount of \$30,000.00, said amount was based on the Plaintiffs' cost to repair and replace the collapsed retaining wall and adjacent fencing; now therefore be it

Resolved, that the City is hereby directed to pay \$30,000.00 to settle this claim to: Richard A. Grimm, III, Esq., Magavern Magavern Grimm LLP, 1100 Rand Building, 14 Lafayette Square, Buffalo, NY 14203, as attorney for the Plaintiffs, Michael K. Murphy, Sharon Murphy, and Lockport Locks & Canal Tours, Inc, said funds to be held in escrow pending the City's receipt of a release of liability and a stipulation of discontinuance, signed by the Plaintiffs of this said lawsuit.

Decrease		
Contingency	A.1900.54775	\$30,000

Increase		
Judgement and Claims	A.1900.54765	\$30,000

Seconded by Alderman Mullane. Ayes 6.

022824.8

ADJOURNMENT

At 6:15 P.M. Alderman Fogle moved the Common Council be adjourned until 6:00 P.M., Wednesday, March 13th, 2024.

Seconded by Alderman Devine and adopted. Ayes 6.

SARAH K. LANZO

City Clerk

CITY OF LOCKPORT
CORPORATION PROCEEDINGS

Lockport Municipal Building

Regular Meeting
Official Record

March 13th, 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 – Reverend Eric

RECESS

Recess for public input.

031324.1

APPROVAL OF MINUTES

On motion of Alderman Fogle, seconded by Alderman Kirchberger, the minutes of the regular meeting of February 28th 2024 are hereby approved as printed in the Journal of Proceedings. Ayes 6. Carried.

FROM THE MAYOR

Appointments:

Andrew Nemi, 564 Willow Street is hereby appointed to Fire Board for the City of Lockport, effective February 21st 2024. Said term expires December 31st 2028.

Sommers Sherman, 6251 S. Transit Road, is hereby appointed to the City of Lockport Police Board effective February 21st, 2024. Said term expires December 31st 2028.

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)

3/7/2024 Sarah K. Lanzo, City Clerk – notification the Lockport Municipal Offices will be closed on Friday March 29th. There will be no change in the garbage pickup schedule.

Referred to the Media

2/26/2024 Notification of 30-Day Advance Notice from Amanda Sandolini of application to the NYS Liquor Authority for a second liquor license under the DBA M&M Beverage Services for a banquet facility located inside the Lockport Hotel at 515 South Transit Street.

2/29/2024 Notification of 30-Day Advance Notice from Twisted Locks Brewing, 13 W Main Street, Lockport to the NYS Liquor Authority.

3/1/2024 Sarah K. Lanzo, City Clerk – notification that the bid proposals for Water Meters received on March 1st 2024 are as follows:

Contractor Name	Service	Bid Amount
Moley	5/8" disc meter	\$90.06
	3/4" disc meter	\$143.64
	1" disc meter	\$286.14
	1 1/2" disc meter	\$633.84
	2" disc meter	\$942.21

3/1/2024 Sarah K. Lanzo, City Clerk – notification that the bid proposals for Best Use of Compost Plant received on March 1st 2024 are as follows:

Contractor Name	Phone Number	Service	Bid Amount
Solar Liberty	716-634-3780 ext.106 866-807-3639 ext.106	Solar	Annual Savings (Total credits/total PPA cost)
			\$131,900 year 1 \$14,319 year 20
			Total: \$1,517,522.00
Denali Water Solutions	585-358-4155	Solar	<u>Option 1:</u> Year 1 savings - \$26,888.00 Land lease - \$625,000.00
			<u>Option 2:</u>

			Year 1 Savings – \$26,888.00 Land Lease – \$150,000.00
			<u>Option 3:</u> Land Lease – \$1,375,000.00
			<u>Option 4:</u> Land Lease – \$487,000.00
		Compost	Requested meeting

3/11/2024 Sarah K. Lanzo, City Clerk – notification that the bid proposals for 2008 Ford E450 Motor rebuild:

S&S Fleet Solutions, Inc. \$21,735.67
801 Richfield Street
Lockport, NY 14094
716-438-3780

Notice of Complaint:

3/1/2024 Juan Quinones, 242 Hawley Street –tree damage to porch.

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

Notice of Claim:

3/1/2024 Law Offices of Robert Berkun, LLC, on behalf of Terry Cramer, 788 East High Street.

Referred to the Corporation Counsel.

Notice of Defect:

2/29/2024 Leonard G. Tilney on behalf of Lockport Town and Country Club.

Referred to Corporation Counsel.

MOTIONS & RESOLUTIONS

031324.2

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 March 14, 2024.

Seconded by Alderman Devine and adopted. Ayes 6.

031324.3

By Alderman Craig:

Resolved that claims authorized for payment by the Director of Planning and Development, and subsequently paid from the Community Development Escrow Account, be and the same are hereby approved.

Seconded by Alderman Devine and adopted. Ayes 6.

031324.4

By Alderman Fogle:

<u>Employee</u>	<u>Years of Service</u>	<u>Title</u>
Sandra E. Elliston	5	Water Billing and Service Coordinator
Laura K. Pino	15	Police Officer
Steven Tarnowski	15	Detective Lieutenant

Seconded by Alderman Mullane and adopted. Ayes 6.

031324.5

By Alderman Fogle:

Whereas the City of Lockport recognizes the importance of transparency and community engagement in matters concerning public infrastructure projects; and

Whereas the New York State Department of Transportation (NYSDOT) is currently in the preliminary phases of the Rehabilitation of NY Route 78 (Transit Road) Highway project, a federally funded transportation endeavor aimed at rehabilitating NY Route 78 between Millersport Highway and Summit Street; and

Whereas the proposed project aims to address various deficiencies along the route, including enhancements to roadway conditions, pedestrian facilities, and drainage systems; and

Whereas a significant aspect of the project involves the reconstruction of the existing sidewalk and the installation of a new ADA compliant curb ramp along the eastern side of NY Route 78 directly in front of the City of Lockport's Children's Memorial Park, which is situated between Lincoln Avenue and Lincoln Drive; and

Whereas it has been determined that the reconstruction of the sidewalk and installation of the curb ramp will require the permanent acquisition of 1997 square feet of Right-of-Way (ROW) from Children's Memorial Park, with assurance that the acquisition will not interfere with park activities; **Now, therefore, be it resolved:**

Resolved that a Public hearing be held at the Common Council Meeting of March 27, 2024, starting at approximately 6:00 PM in the Common Council Chambers, Lockport Municipal Building, One Locks Plaza, Lockport, NY 14094; relative to the Rehabilitation of NY Route 78 (Transit Road) Highway project, including the proposed improvements, the acquisition of Right-of-Way (ROW) from Children's Memorial Park, and any potential impacts on the community.

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

Seconded by Alderman Craig and adopted. Ayes 6.

031324.6

By Alderman Lupo:

Whereas the City of Lockport Common Council wishes to assess the advisability of submitting a Community Development Block Grant ("CDBG") application to the New York State Office of Community Renewal (the "OCR") for a grant to implement a microenterprise assistance program, and

Whereas the Lockport Common Council is required to hold a public hearing to provide information to the public and to consider citizen comments regarding community needs and the proposed microenterprise assistance program prior to submitting an application for CDBG funding, now, therefore, be it

Resolved that a public hearing be held on March 27, 2024 at 6:00 p.m. at City Hall, One Locks Plaza, Lockport, New York, before the Lockport Common Council, whereat all interested parties shall be heard regarding the CDBG program, the City's community development and economic development programs, and the proposed funding application, and be it further

Resolved that published notice of such hearing in the City's official paper and posted notice on the City website shall be given at least eight (8) days before the public hearing.

Seconded by Alderman Devine and adopted. Ayes 6.

031324.7

By Alderman Lupo:

Resolved that a public hearing be held at the Common Council meeting on April 10th, 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 Joshua Brege of 291 Prospect Street, Lockport, NY 14094 to harbor chickens on the property.

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. Ayes 6.

031324.8

By Alderman Fogle:

Resolved that pursuant to their request Lockport Main Street, (hereafter LMS) is hereby granted permission to host Fresh Air Friday, in collaboration with the P3 Center, on July 19th, 2024 from 1 pm to 3 pm on Canal Street in Lockport. Said event will provide family-friendly art activities **and be it further;**

Resolved that said permission is subject to LMS filing a certificate of insurance, covering all of said events, with the City Clerk, naming the City of Lockport as additional insured.

Seconded by Alderman Mullane and adopted. Ayes 6.

031324.9

By Alderman Devine:

Resolved that pursuant to their request, the Lockport Monday Night Cruise Optimist Club is hereby granted permission to conduct Monday night car cruises in Ida Fritz Park beginning May 6th through September 9th, 2024 from 5:30 p.m. to 8:30 p.m., (Memorial Day and Labor Day Super Cruise begin at 4:00 p.m.) and be it further

Resolved that said permission includes the following:

- (1) Vendors who have paid a fee to the Optimist Club will be allowed to sell during the cruises. No other exhibits, displays, vendors or peddlers shall be permitted within the show area, whether located on public or private property
- (2) The show area shall include Ida Fritz Park and the city rights of way on West Avenue, Hawley Street, and Park Avenue
- (3) Barricades on West Avenue and Park Avenue at Hawley Street to North Transit Street, and Hawley Street between Park Avenue and West Avenue

Resolved that said permission is subject to the Lockport Monday Night Cruise Optimist Club filing a certificate of insurance with the City Clerk naming the City of Lockport as additional insured, subject to the approval of the Corporation Counsel; and be it further

Resolved that the Director of Highways, Parks and Water Distribution is hereby authorized and directed to arrange for delivery of barricades, traffic cones, street closed signs and extra picnic tables to the area prior to the events; and be it further

Resolved that the City of Lockport hereby prohibits entry of all bicycles, skateboards, and dogs to Ida Fritz Park on Cruise Nights during the events due to the expected heavy pedestrian traffic.

Seconded by Alderman Kirchberger and adopted. Ayes 6.

031324.10

By Alderman Kirchberger:

Whereas on January 31th, 2024, the City published a Request for Proposals (RFP) for interested vendors and subsequently received and publicly opened and read bids at the Municipal Building on February 14th at 2:00 pm as follows;

CONTRACTOR	Basil Chevrolet
Price per Truck	\$75,550.60
TOTAL BID AMOUNT	\$226,651.80

And

Resolved that the Director of Highways, Parks, and Water Distribution reviewed the bid proposal received from Joe Basil Chevrolet, Inc., 5111 Transit Road – Depew, NY 14043, and determined that the purchase of three (3) plow trucks be accepted in the amount of \$226,651.80. The City reserves its rights to reject this award if the materials and equipment with each of the three (3) plow trucks do not meet specifications listed within the bid documents, and be it further

Resolved that the City of Lockport Common Council hereby approves of the Mayor to enter into a purchasing agreement with Joe Basil Chevrolet, Inc. for said equipment, contingent upon legal review, and to utilize funding in the Consolidated Local Street and Highway Improvement Program (CHIPS) fund H082.5112.52450.

Seconded by Alderman Mullane and adopted. Ayes 6.

031324.10A

By Alderman Mullane:

Whereas the City of Lockport is committed to ensuring the safety and well-being of its residents by providing timely and efficient emergency medical services; and

Whereas the City maintains a fleet of ambulances to meet the demands of responding to medical emergencies, ensuring the highest level of service to our community; and

Whereas the continued operation of the 2008 ambulance is no longer possible due to complex engine repairs; and

Whereas it is prudent and fiscally responsible for the City to repair this engine as soon as possible to ensure its continued and reliable operation, in order to maintain the highest standards of emergency medical services; and

Whereas the City of Lockport published a request for proposal for the engine rebuild work on March 1, 2024 and received one bid;

Now therefore be it resolved by the City of Lockport Common Council that funds are authorized to fulfill the estimate (6279) for said work by S & S Fleet Solutions for \$21,735.67; and

Now therefore be it resolved that the FY 2024 General Fund budget is amended as follows:
Expense

Decrease		
A.1900.54775	Contingency	\$21,735.67
Increase		
A.3410.54300	Vehicle Maintenance Repair	\$21,735.67

Seconded by Alderman Kirchberger and adopted. Ayes 6.

031324.10B – WITHDRAWN 2024 FEE SCHEDULE

031324.11

ADJOURNMENT

At 6:20 P.M. Alderman Fogle moved the Common Council be adjourned until 6:00 P.M., Wednesday, March 27th, 2024.

Seconded by Alderman Craig and adopted. Ayes 6.

SARAH K. LANZO
City Clerk

CITY OF LOCKPORT
CORPORATION PROCEEDINGS

Lockport Municipal Building

Regular Meeting
Official Record

March 27th, 2024
6:00 P.M.

Mayor John Lombardi III called the meeting to order.

ROLL CALL

The following Common Council members answered the roll call:

Aldermen Craig, Devine, Fogle, Kirchberger, Lupo, Mullane

INVOCATION

RECESS

Recess for public input.

032724.1

APPROVAL OF MINUTES

On motion of Alderman Fogle, seconded by Alderman Craig, the minutes of the Regular Meeting of March 13th 2024 are hereby approved as printed in the Journal of Proceedings. Ayes 5. Carried.

PUBLIC HEARING

The Mayor announced a public hearing on the NYS Department of Transportation – Route 78 Rehabilitation that will rehabilitate Transit Rd (Route 78) between Millersport Highway and Summit Street and the proposed improvements, the acquisition of Right-of-Way (ROW) from Children's Memorial Park, and any potential impacts on the community.

The Mayor asked the City Clerk if any petitions or communications relative to said NYS Department of Transportation – Route 78 Rehabilitation have been received.

Recess for public input.

The Mayor closed the public hearing.

PUBLIC HEARING

The Mayor announced a public hearing on the advisability of submitting a Community Development Block Grant ("CDBG") application relative to a grant to implement a microenterprise assistance program

The Mayor asked the City Clerk if any petitions or communications relative to said Community Development Block Grant (CDBG) application have been received.

Recess for public input.

The Mayor closed the public hearing.

FROM THE MAYOR

Appointments - Corrections:

Andrew Nemi, 564 Willow Street is hereby appointed to Fire Board for the City of Lockport, effective February 21st 2024. Said term expires December 31st ~~2028~~ 2027

Sommers Sherman, ~~6251 S. Transit Road~~, 770 East Avenue - is hereby appointed to the City of Lockport Police Board effective February 21st, 2024. Said term expires December 31st ~~2028~~ 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)
3/27/2024 Sarah K. Lanzo, City Clerk- Residential Trash and Recycling services will be pushed one day during the week of April 8th, due to the anticipated traffic volume and activities during the Solar Eclipse.

Notice of Claim:

3/8/2024 Randall Shellman, truck damage from tree.

Referred to the Corporation Counsel.

MOTIONS & RESOLUTIONS

032724.2

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 March 28th 2024.

Seconded by Alderman Devine and adopted. Ayes 5.

032724.3

By Alderman Craig:

Resolved that claims authorized for payment by the Director of Planning and Development, and subsequently paid from the Community Development Escrow Account, be and the same are hereby approved.

Seconded by Alderman Lupo and adopted. Ayes 5.

032724.4

By Alderman Craig:

Whereas the boat stewards of the WNY Partnership for Regional Invasive Species Management (PRISM) have performed voluntary boat inspections to remove visible aquatic plants and animals from all types of water craft, and

Whereas the removal of these plants and animals helps prevent the transport and spread of aquatic invasive species, and

Whereas WNY PRISM has conducted its boat steward program in Lockport for the past four years and wishes to do so again this summer, and

Whereas the stewards will also be responsible for public education and distribution of educational materials; now, therefore, be it

Resolved that pursuant to their request, WNY PRISM is hereby granted permission to have watercraft inspection stewards at launches at Nelson C. Goehle Wide Waters Marina during the upcoming season. Stewards will work Thursday through Sunday and holidays, 7am until 5:30pm, from Memorial Day weekend through Labor Day weekend. Said permission is subject to WNY PRISM filing a certificate of insurance with the City Clerk naming the City of Lockport as additional insured.

Seconded by Alderman Fogle and adopted. Ayes 5.

032724.5

By Alderman Devine:

Whereas the Chief Operator of the Wastewater Treatment Plant desires to add a Wastewater Treatment Operator Trainee position to the 2024 Sewer Fund Budget, and

Whereas the Lab Technician position in the 2024 Sewer Fund Budget is currently vacant, now therefore be it

Resolved that the position of Lab Technician be removed from the 2024 Sewer Fund Budget, and replaced with the position of Wastewater Treatment Operator Trainee.

Seconded by Alderman Kirchberger and adopted. Ayes 5.

032724.6 WITHDRAWN (Juneteenth)

032724.7

By Alderman Kirchberger:

Resolved that pursuant to their request, the VFW Post 2535, organizers for a Leprechaun 5K run and Leprechaun-in-training 1.5-mile walk are hereby granted permission to conduct the run and walk on Saturday, March 23, 2024 starting at 9:00 am. Said permission is subject to the VFW filing a certificate of insurance with the City Clerk naming the City of Lockport as additional insured, and subject to approval of the race route by the Police Chief, and be it further

Resolved that the Director of Streets, Parks and Water Distribution is hereby authorized and directed to arrange for delivery of barricades to said area prior to the event.

Seconded by Alderman Fogle and adopted. Ayes 5.

032724.8

By Alderman Kirchberger:

Whereas the City of Lockport has adopted a salary schedule for the position of Confidential Secretary to the Mayor; and

Whereas the City of Lockport adopted the updated Employment Policy Manual for Unrepresented Department Heads, Management Employees and Management Confidential Employees; now, therefore, be it

Resolved that the salary schedule for the position of Confidential Secretary to the Mayor is approved to follow the 2024 Step 1- Fiscal Year; and be it further

Resolved that the salary for the position of Confidential Assistant to the Mayor shall be set at \$42,000 for the year 2024.

Seconded by Alderman Devine and adopted. Ayes 5.

032724.9

By Alderman Craig:

Resolved that pursuant to their request, the YMCA of Buffalo Niagara is hereby granted permission to conduct the “Fitness in the Parks” program at Nelson C Goehle

Marina Park (Widewaters), Sundays and Thursday's and Outwater Park on Monday's; beginning June 3, 2024 until August 29, 2024. All classes free and open to members of the community. Said permission is subject to the YMCA of Buffalo Niagara filing a certificate of insurance with the City Clerk naming the City of Lockport as additional insured.

Seconded by Alderman Fogle and adopted. Ayes 5.

032724.10

By Alderman Fogle:

Whereas, the upcoming Eclipse on April 8th poses potential safety concerns for travel and outdoor activities; and

Whereas, ensuring public safety is of paramount importance to the municipality now **there for be it resolved that:**

1. All municipal offices shall be closed on April 8th to mitigate potential safety risks associated with travel and outdoor activities during the Eclipse.
2. Essential services and workers required for public safety, including emergency response and law enforcement, shall remain operational.
3. This closure aims to prioritize the well-being and safety of residents and municipal employees alike.

Seconded by Alderman Kirchberger and adopted. Ayes 5.

032724.11

ADJOURNMENT

At 6:28 PM Alderman Fogle moved the Common Council be adjourned until 6:00 P.M., Wednesday, April 10th, 2024.

Seconded by Alderman Craig and adopted. Ayes 5.

SARAH K. LANZO
City Clerk

CITY OF LOCKPORT
CORPORATION PROCEEDINGS

Lockport Municipal Building

Regular Meeting
Official Record

April 10th, 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

RECESS

Recess for public input.

041024.1

APPROVAL OF MINUTES

On motion of Alderman Fogle, seconded by Alderman _____, the minutes of the Regular Meeting of March 27th, 2024 are hereby approved as printed in the Journal of Proceedings. Ayes _____. Carried.

FROM THE MAYOR

Appointments:

4/3/2024 Mark Danna, Atty, 145 Autumnvale Drive, Lockport, NY 14094 appointed to Board of Assessment Review Committee effective April 3, 2024. Said term expires on September 30, 2029.

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)

3/19/2024 From David Kinyon, member, Lockport Rotary Club. Letter to request permission to hold Hike and Bike event on May 11th, 2024.

4/1/2024 Tamre Varallo, 7373 Rochester Road, Winery owner. Letter to request permission to hang banner in promotion of Father's Day Car Show on June 16th, 2024.

Notice of Complaint:

4/1/2024 Glenn P. Ferry, 307 Washburn Street, Lockport NY 14094 vs City of Lockport

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

Notice of Claim:

3/26/2024 Joel Calabro, 475 East Union Street.

3/26/2024 Cynthia Cole, 31 Butler Street.

3/26/2024 Todd Tinkham, 33 Butler Street.

Referred to the Corporation Counsel.

MOTIONS & RESOLUTIONS

041024.2

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 April 11, 2024.

Seconded by Alderman Devine and adopted. Ayes 6.

041024.3

By Alderman Craig:

Resolved that claims authorized for payment by the Director of Planning and Development, and subsequently paid from the Community Development Escrow Account, be and the same are hereby approved.

Seconded by Alderman Kirchberger and adopted. Ayes 6.

041024.4

By Alderman Fogle:

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>
Raymond M. Aldrich	5	Heavy Equipment Operator

Seconded by Alderman Lupo and adopted. Ayes 6.

By Alderman Devine:

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

Seconded by Alderman Kirchberger. Ayes 6.

041024.5

By Alderman Mullane:

Whereas the City of Lockport recognizes the importance of infrastructure improvement projects for the safety and well-being of its residents; and

Whereas the New York State Department of Transportation (NYSDOT) has initiated preliminary phases of the Rehabilitation of NY Route 78 (Transit Road) Highway project, a federally funded transportation endeavor aimed at rehabilitating NY Route 78 between Millersport Highway and Summit Street; and

Whereas the proposed project seeks to address various deficiencies along the route, including enhancements to roadway conditions, pedestrian facilities, and drainage systems; and

Whereas a crucial aspect of the project involves the reconstruction of the existing sidewalk and the installation of a new ADA compliant curb ramp along the eastern side of NY Route 78 directly in front of Children's Memorial Park, which is situated between Lincoln Avenue and Lincoln Drive; and

Whereas the City of Lockport recognizes the significance of ensuring accessibility and safety for all residents, including those with disabilities, and supports efforts to enhance ADA compliance within the community; and

Whereas it has been determined that the reconstruction of the sidewalk and installation of the curb ramp will require the permanent acquisition of 1997 square feet of Right-of-Way (ROW) from Children's Memorial Park, with assurance that the acquisition will not interfere with park activities;

Now, therefore, be it resolved:

1. The City of Lockport hereby expresses its full support for the Rehabilitation of NY Route 78 (Transit Rd) Highway project proposed by the New York State Department of Transportation.
2. The City of Lockport recognizes the necessity of addressing the deficiencies along NY Route 78 and acknowledges the benefits that the proposed improvements will bring to the roadway, pedestrian facilities, and drainage systems within the city.
3. The City of Lockport specifically endorses the reconstruction of the existing sidewalk and the installation of a new ADA compliant curb ramp along the eastern

side of NY Route 78 in front of Children's Memorial Park as vital components of the project.

4. The City of Lockport acknowledges and approves the permanent acquisition of 1997 square feet of Right-of-Way (ROW) from Children's Memorial Park, with the understanding that it will not interfere with park activities.
5. The Mayor of Lockport is hereby authorized to take all necessary actions to facilitate the implementation of the Rehabilitation of NY Route 78 (Transit Road) Highway project in accordance with applicable regulations and guidelines.
6. The City of Lockport has no objections to the de minimis determination of the proposed action (acquisition of approximately 1997 square feet of ROW) from Children's Memorial Park and that this action will not adversely impact the activities, features, and attributes that qualify this property (Children's Memorial Park) for protection under the Department of Transportation Act of 1966, Section 4(f).

Seconded by Alderman Fogle and adopted. Ayes 6.

041024.6

By Alderman Lupo:

Whereas the New York State Community Development Block Grant Program provides funding to communities under the Microenterprise Program to undertake activities that focus on community development needs such as creating or expanding job opportunities, and

Whereas the City of Lockport (the "City") desires to partner with The Greater Lockport Development Corporation ("GLDC") as a subrecipient to apply to the New York State Office of Community Renewal ("OCR") for \$300,000 for eligible Microenterprise activities which will provide grants to eligible businesses (including startup and existing) for working capital, equipment, etc., and

Whereas the City has held a public hearing to obtain citizens' views regarding the CDBG program as administered by OCR and regarding the proposed microenterprise program.

Now therefore be it resolved that the Mayor is hereby authorized to submit a grant application in the amount of \$300,000, such amount to be used to provide business grants and fund the costs of grant administration and program activities, and be it further

Resolved that the Mayor is hereby designated as the Environmental Certifying Officer for the purposes of complying with the applicable federal environmental review requirements for the OCR grant, and be it further

Resolved that the Mayor is hereby authorized to execute the OCR grant agreement and all related documents associated with the OCR grant, including

agreements with GLDC relating to the use and administration of the grant funds, subject to review and approval by the City Attorney.

Seconded by Alderman Craig and adopted. Ayes 6.

041024.7

By Alderman Kirchberger:

Resolved that pursuant to their request, permission is hereby granted to the Lockport Rotary Club to conduct a Hike and Bike Event on Saturday, May 11, 2024, from 10 am to 12 pm to celebrate their progress on the Market Rotary Pavilion and the other improvements that have been made on the Market Street Trail, and be it further

Resolved that traffic be blocked off at Market Street, from Chestnut to Exchange Street, and that cones be placed along the south side of Cold Springs Road Bridge

Resolved that permission is subject to Lockport Rotary Club filing a certificate of insurance with the City Clerk naming the City of Lockport as additional insured.

Resolved, that the Director of Highways, Parks and Water Distribution be and the same is hereby authorized and directed to arrange for delivery of barricades and trash cans to said area prior to said event.

Seconded by Alderman Devine and adopted. Ayes 6.

041024.8

WITHDRAWN (Juneteenth)

041024.9

By Alderman Lupo:

Resolved that a public hearing be held at the Common Council meeting on April 24th, 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 James E. Spry III, 54 Beattie Avenue, Lockport, NY 14094 to harbor hens on the property.

And be it further

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

Seconded by Alderman Devine and adopted. Ayes 6.

041024.10

By Alderman Devine:

Resolve that pursuant to their request, Thunderwolves Baseball, LLC is hereby granted permission to use the baseball field at Outwater Park for their 2024 Youth Baseball Tournaments, subject to approval of the schedule by the Highways & Parks Department, for games to be played between May 24th and July 28th, 2024,

And be it further

Resolved that Thunderwolves Baseball, LLC file a certificate of insurance with the City Clerk naming the City of Lockport as additional insured.

Seconded by Alderman Kirchberger and adopted. Ayes 6.

041024.11

By Alderman Mullane:

Resolved that pursuant to their request, Spring Lake Winery is hereby granted permission to erect a banner at least 17' from the ground across East Avenue at Davison Road to promote Father Day Car Show on June 16th. Banner is to be erected from May 27, 2024 thru June 16, 2024 based on a schedule approved by the City Clerk, and be it further

Resolved that said permission is subject to Spring Lake Winery filing a certificate of insurance with the City Clerk naming the City of Lockport as additional insured and subject to payment of \$50, and be it further

Resolved that the City Clerk is hereby authorized and directed to make arrangements with city forces to erect the banner.

Seconded by Alderman Lupo and adopted. Ayes 6.

041024.12

By Alderman Devine:

Resolved that pursuant to their request, Men's Senior Baseball League (MUNY MSBL) is hereby granted permission to use the baseball field at Outwater Park for their 2024 Travel Baseball Team, subject to approval of the schedule by the Highways & Parks Department, for the games played between May 29, 2024 and July 29, 2024, and be it further

Resolved that Men's Travel Baseball League (MUNY MSBL) file a certificate of insurance with the City Clerk naming the City of Lockport as additional insured.

Seconded by Alderman Kirchberger and adopted. Ayes 6.

041024.13

WITHDRAWN (Transport Transformer)

041024.14

By Alderman Devine:

Whereas City of Lockport (hereinafter the "City") desires to accept the New York State Environmental Facilities Corporation (NYS EFC) Engineering Planning Grant (EPG) #130135; and

Whereas the City proposes to conduct a Sanitary Sewer System Evaluation under NYS EFC EPG #130135; and

Whereas the City intends to work with Hunt Engineering, Architects, Land Surveyors & Landscape Architect D.P.C., Contact Tim Steed, 100 Hunt Center, Horseheads, NY 14845; and

Whereas the primary purpose of this grant will be to evaluate the City's Collection System Inflow and Infiltration (I&I) issues and excess flow experienced at the Wastewater Treatment Plant (WWTP) during intense storm events and seasonal thaw.

Now therefore based on such review and consideration be it resolved by the City of Lockport Common Council that the Mayor is hereby authorized to execute an EPG Agreement with the NYS EFC and any and all other contracts, documents, and/or instruments necessary to facilitate the EPG project referenced herein and to fulfill the City of Lockport's obligations thereunder.

Seconded by Alderman Craig and adopted. Ayes 6.

041024.15

By Alderman Devine:

Whereas City of Lockport (hereinafter the "City") proposes to conduct a Sanitary Sewer System Evaluation under New York State Environmental Facilities Corporation Engineering Planning Grant (NYS EPG) #130135; and

Whereas the NYS EPG requires a local match equal to 20 percent of the requested grant amount in cash and/or in-kind services; and

Now therefore based on such review and consideration be it resolved by the City's Common Council that the City hereby authorizes and appropriates a minimum 20% local match as required by the NYS EPG Program for the City's Sanitary Sewer System Evaluation in the amount of \$10,000 and based upon the total EPG Grant award of \$50,000.

Be it further resolved the source of the local match, and any amount in excess of the required match, shall be provided by the City's general fund and/or in-kind services as needed.

Seconded by Alderman Devine and adopted. Ayes 6.

041024.15A

By Alderman Fogle:

Whereas, there was a residential fire at 96 Locust Street, Lockport, NY that occurred on October 19, 2023; and

Whereas, the fire damage to the structure was deemed a total loss of the property by the Lockport Fire Department and the Building Inspector has rendered an opinion in his report dated October 23, 2023, that the building is unsafe and needs to be demolished; and

Whereas, the City Council passed resolution 121323.12A in December of 2023, sponsored by Alderman Fogle and seconded by Alderman Beakman, wherein the Council approved a contract between the City and Durable Demolition, LLC, Lockport; and

Whereas, said resolution approved the contract for Durable Demolition LLC, to be paid \$34,935.00; and

Whereas, the demolition at 96 Locust has taken place; now therefor it be

Resolved, that the Common Council hereby amend the General Fund budget to reflect this need:

Expenditure

Decrease

A.1900.54775	Contingency	\$34,935.00
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Increase

A.1900.54055	Professional Services	\$34,935.00
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Seconded by Alderman Lupo. Ayes 6.

041024.15B

By Alderman Craig:

Whereas, the City of Lockport recognizes the critical importance of maintaining fully operational emergency response equipment for the safety and well-being of its residents; and

Whereas, it has come to our attention that the City's only Aerial Ladder Truck, a 2001 Pierce, VIN #4P1CT02S81A001256, is in need of emergent repair due to a hydraulic system issue discovered during a routine repair; now therefore be it

Resolved, that the City Council authorizes the allocation of contingency funds in the amount of \$67,343.33 to cover the necessary repair expenses; and be it further,

Resolved, that the Common Council hereby amend the General Fund budget to reflect this need:

Expenditure

Decrease

A.1900.54775	Contingency	\$67,343.33
Increase		
A.3410.54300	Vehicle Maintenance Repair	\$67,343.33

Seconded by Alderman Mullane. Ayes 6.

041024.15C

By Alderman Fogle:

Whereas in January 2012, Richelle Pasceri was appointed by the Mayor of the City of Lockport to serve a five-year term as the Lockport City Clerk and in 2017, Ms. Pasceri was reappointed to a second five-year term, and

Whereas on January 24, 2018, the City of Lockport ("City") entered into a Collective Bargaining Agreement ("CBA") with the Lockport Department Head Association ("Union") for January 2013 through December 31, 2026, and

Whereas Ms. Pasceri's position of City Clerk is clearly and unequivocally is included in the Union,

Whereas the City never made a simple application to the Public Employment Relations Board ("PERB") to remove Ms. Pasceri's position as City Clerk from the Union and Union protection prior to the City's illegal termination of Ms. Pasceri, and

Whereas on April 1, 2020, the City issued a written Notice of Removal termination of Ms. Pasceri's employment effective April 10, 2020, ignoring her status as a Union member per the CBA which the City signed on to, and

Whereas on April 16, 2020, the Union filed three grievances against the City relating to Ms. Pasceri's termination, and

Whereas on June 16, 2020, the Union filed a demand to Arbitrate the grievances, and

Whereas on July 6, 2020, the City filed a Petition to Stay Arbitration arguing inexplicably that Ms. Pasceri as City Clerk was not a member of the Union and the CBA was inapplicable to Ms. Pasceri's position, and

Whereas on August 14, 2020, the Niagara County Supreme Court ordered that the CBA was applicable as Ms. Pasceri was a member of the Union as City Clerk, that the agreement was enforceable between the City and the Union and granted the Union's request to arbitrate, and

Whereas on October 16, 2020, the City filed a Notice of Appeal of the Supreme Court's decision and

Whereas during the pendency of the Appeal, the City inexplicably entered into a stipulation that neither the City nor the Union would appeal the results of the decision to a higher court, and

Whereas on December 23, 2022, the New York State Appellate Division confirmed the Supreme Court's initial decision that Ms. Pasceri was in fact a member of the Union entitling her to due process rights under the CBA, and

Whereas on May 17, 2022, the City and Pasceri participated in an arbitration hearing and on October 20, 2022, the arbitrator issued an 89-page opinion in favor of

Ms. Pasceri and the Union concluding that the City did not have just cause to terminate Ms. Pasceri and that Ms. Pasceri being in fact a member of the Union at the time of her termination and must be made whole through an award, and

Whereas on August 23, 2023, the City filed a motion to vacate or modify the Arbitration award,

Whereas and on October 25, 2023, and Supreme Court Judge Frank A. Sedita, III, issued an Order denying the City's motion to vacate or modify and confirmed the entire award to Ms. Pasceri holding that it is unclear how the City could even advance such a claim in good faith when there is already a Supreme Court decision and Order directing that the CBA was applicable to the position of City Clerk and that Ms. Pasceri was in the Union and that the very same decision and order was already upheld by the New York State Appellate Division, and

Whereas on January 24, 2024, the Niagara County Supreme Court issued an Order and Judgment awarding Ms. Pasceri the following relief:

Mitigated Earnings during loss period of \$50,247.39

Value of Vacation Days of \$16,081.06

Value of Personal Days of \$2,336.56

Value of Sick Days Buyout \$13,029.78

Value of Retirement Contribution of \$5,656.32

Value of HRA Contribution of \$1,000.00

Value of Longevity Pay of \$1,500.00

Value of Health Insurance Coverage Premium of \$48,834.78

That Ms. Pasceri's NYSLR ERS retirement credit be restored for the period of April 2020 to June 2022. If the City is unable to restore Ms. Pasceri's NYSLRS ERS retirement credit for the period of April 2020 to June 2022, it must pay Ms. Pasceri the additional monthly retirement benefits she would have gained if that retirement credit had been applied properly for the duration of her retirement period.

Ms. Pasceri receive health insurance coverage as provided for under the CBA when she reaches age 55 and files the papers for retirement with NYSLRS.

Pursuant to CPLR 5002, pre-judgment interest of 9% on the total award of \$138,685.89 from October 2022, of \$15,570.26, for a total amount due of \$154,256.15, and

Whereas the prior administration has expended over \$61,000.00 in costs for outside attorney fees and arbitration fees in this matter, and when combined with the award below the City will have spent over \$215,000.00, and the cost to further appeal this matter is estimated at over \$15,000.00 with minimal chance of success, and

Whereas in accordance with the latest Order by Niagara County Supreme Justice Frank A. Sedita, III, Corporation Counsel for the City of Lockport concurs with all

of the above rulings of the Arbitrator, Supreme Court and New York State Appellate Division and hereby advises against the filing of any further appeals in this matter, and

Whereas the Mayor hereby concurs with the advice and guidance of Corporation Counsel and request that the Common Council satisfy the above relief awarded to Ms. Pasceri.

Now, therefore be it resolved That the Mayor and Common Council direct that Funds in the amount of \$12,870.26 shall be transferred

From:
A.1900.54775 Contingency

To:
A.1900.54765 Judgement and Claims, and BE IT FURTHER

Resolved, that the Common Council hereby authorizes the payment of the following relief:

Mitigated Earnings during loss period of \$50,247.39
Value of Vacation Days of \$16,081.06
Value of Personal Days of \$2,336.56
Value of Sick Days Buyout \$13,029.78
Value of Retirement Contribution of \$5,656.32
Value of HRA Contribution of \$1,000.00
Value of Longevity Pay of \$1,500.00
Value of Health Insurance Coverage Premium of \$48,834.78

That Ms. Pasceri's NYSLR ERS retirement credit be restored for the period of April 2020 to June 2022. If the City is unable to restore Ms. Pasceri's NYSLRS ERS retirement credit for the period of April 2020 to June 2022, it must pay Ms. Pasceri the additional monthly retirement benefits she would have gained if that retirement credit had been applied properly for the duration of her retirement period.

Ms. Pasceri receive health insurance coverage as provided for under the CBA when she reaches age 55 and files the papers for retirement with NYSLRS.

Pursuant to CPLR 5002, pre-judgment interest of 9% on the total award of \$138,685.89 from October 2022, of \$15,570.26, for a total amount due of \$154,256.15, and

Said payment of \$154,256.15 shall be paid from accounts below as follows:

A.2688 -	Other Accrued Liabilities	\$141,385.89
A.1900.54765 –	Judgement & Claims	\$12,870.26

Seconded by Alderman Craig and adopted. Ayes 4 (Craig, Devine, Fogle, Kirchberger). Nays 2 (Lupo and Mullane).

041024.16

ADJOURNMENT

At 6:30 P.M. Alderman Fogle moved the Common Council be adjourned until 6:00 P.M., Wednesday, April 24th, 2024.

Seconded by Alderman Kirchberger and adopted. Ayes 6.

SARAH K. LANZO
City Clerk

CITY OF LOCKPORT
CORPORATION PROCEEDINGS

Lockport Municipal Building

Regular Meeting
Official Record

April 24th, 2024
6:00 P.M.

Mayor John Lombardi III called the meeting to order.

ROLL CALL

The following Common Council members answered the roll call:

Aldermen Craig, Devine, Fogle, Kirchberger, Lupo, Mullane

INVOCATION

RECESS

Recess for public input.

042424.1

APPROVAL OF MINUTES

On motion of Alderman Fogle, seconded by Alderman Devine, the minutes of the Regular Meeting of April 10th, 2024 are hereby approved as printed in the Journal of Proceedings. Ayes 6. Carried.

PUBLIC HEARING

The Mayor announced a public hearing on a request for a Special Use Permit to harbor hens on the property at 54 Beattie Avenue, Lockport, NY.

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

4/8/2024 Jeff Tracy, Lockport Planning and Zoning Board – the board does not recommend the request.

Recess for public input.

The Mayor closed the public hearing.

FROM THE MAYOR

Appointments:

4/9/2024 Daniel Cavallari, 407 East Avenue has been appointed to Director of Finance in the Accounting department effective April 9th, 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)

4/12/2024 Beth Ann Banks, on behalf of the Niagara Celtic Heritage Society, Inc., requesting permission to hang banner in promotion of event to be held 9/14 and 9/15 at the Niagara County Fairgrounds.

4/14/2024 Danielle and Matthew Warchoki and Dawn and Kyle Lambalzer on behalf of Lockport in Bloom, requesting permission to hold this years' event in July.

Notice of Complaint:

4/5/2024 Robert J. Shafer, Jr. against City of Lockport

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

Notice of Claim:

4/3/2024 Juan Quinones, 242 Hawley Street, Lockport NY.

Referred to the Corporation Counsel.

MOTIONS & RESOLUTIONS

042424.2

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 April 24th 2024.

Seconded by Alderman Lupo and adopted. Ayes 6.

042424.3

By Alderman Craig:

Resolved that claims authorized for payment by the Director of Planning and Development, and subsequently paid from the Community Development Escrow Account, be and the same are hereby approved.

Seconded by Alderman Kirchberger and adopted. Ayes 6.

042424.4

By Alderman Craig:

Whereas the existing contract with Municipal Solutions, Inc., dated May 8, 2022, is up for renewal for an additional 24 months with minimal contract changes (no alterations to fee schedules for Bond Anticipation Notes and Serial Bonds, and a hourly rate increase to \$160); now, therefore, be it

Resolved that Mayor Lombardi is hereby authorized to execute an agreement with Municipal Solutions, Inc., for an additional 24-month period, subject to Corporation Counsel review.

Seconded by Alderman Devine and adopted. Ayes 6.

042424.5

By Alderman Kirchberger:

Resolved that pursuant to their request, the Lockport In Bloom committee is hereby granted permission to conduct their 21st annual Lockport In Bloom "City Garden Tour 2024" event the weekend of Friday July 12th 6:00pm-10:00pm, Saturday July 13th 10:00am-4:00pm and Sunday, July 14th, 10:00am-4:00pm, and be it further

Resolved that permission is also granted to place signs advertising the event in 3 city parks, Children's Memorial Park on Transit Rd, Locust Street Park and Ida Fritz Park.

Seconded by Alderman Lupo and adopted. Ayes 6.

042424.6

By Alderman Devine:

Resolved that the Mayor, subject to Corporation Counsel approval, be and is hereby authorized to enter into an agreement with Lockport Wildcats (WC) to use Exchange Club Field for their football season under the following terms:

1. The term shall be for their season between the months of April 1, 2024 through December 1, 2024.
2. The fee shall be \$200.00 for each game. Payment must be received by the Tuesday prior to each game. If payment is not received, Lockport WC will not be permitted to use the field for their following game.
3. The City shall provide locker rooms at the Lockport Rotary Community Pool. Use of the pool is strictly prohibited. The locker rooms must be kept in a clean and

orderly condition after each use, and all debris removed and disposed of from the field and surroundings.

4. Lockport WC may set-up their own concessions at the field and may have a food truck for each event only.
5. Lockport WC must file a certificate of insurance naming the City of Lockport as additional insured.

Seconded by Alderman Mullane and adopted. Ayes 6.

042424.7

By Alderman Craig:

Resolved that pursuant to their request, the Niagara Celtic Heritage Society, Inc. is hereby granted permission to erect a banner at least 17' from the ground across East Avenue at Davison Road to promote the 2024 Niagara Celtic Heritage Festival & Highland Games held on September 14 and 15, 2024. Banner is to be erected from September 2 thru September 16, 2024 based on a schedule approved by the City Clerk, and be it further

Resolved that said permission is subject to the Niagara Celtic Heritage Society, Inc. filing a certificate of insurance with the City Clerk naming the City of Lockport as additional insured and subject to payment of \$50, and be it further

Resolved that the City Clerk is hereby authorized and directed to make arrangements with city forces to erect the banner.

Seconded by Alderman Mullane and adopted. Ayes 6.

042424.8

By Alderman Kirchberger:

Resolved that pursuant to their request, VFW Post No. 2535 is hereby granted permission to conduct a Memorial Day Parade in the City of Lockport on Sunday, May 26, 2024 subject to approval of the parade route by the Police Chief. Said parade will form at noon at Veteran's Park on East Avenue. At approximately 1:00 p.m. the parade units will proceed west on East Avenue/Main Street, over to Pine Street and terminate at the Canal Street where there will be an after party from 2 pm – 5 pm; and be it further

Resolved that the Director of Highways Parks and Water Distribution is hereby authorized and directed to arrange for delivery of barricades and no parking signs to keep the right side of Main Street clear where dividers occur, and be it further

Resolved that the City Clerk is hereby authorized and directed to issue a parade permit for said event.

Seconded by Alderman Fogle and adopted. Ayes 6.

042424.9

By Alderman Fogle:

Whereas it has been identified that additional funds are required for the Mayor's budget line to cover expenses and operational needs; and

Whereas maintaining sufficient funds in the Mayor's budget line is essential for the effective functioning of the office and fulfilling its responsibilities;

Therefore be it resolved, that the City Council authorizes the addition of \$2000 to the Mayor's budget line from the General Fund;

Expense

Decrease:

A.1900.54775	Contingency	\$2000
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Increase:

A.1210.54005	Office of the Mayor - Supplies	\$2000
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Seconded by Alderman Craig and adopted. Ayes 6.

042424.10 – Call for PH – Comprehensive Plan

By Alderman Mullane:

Whereas the City of Lockport Common Council wishes to discuss the implementation of the adoption of the January 17, 2024 draft of the Comprehensive Plan and Zoning Code, which is intended to serve as an update to the City's current 1998 Comprehensive Plan; and

Whereas the October 6, 2023, Draft Zoning Code and Map is intended to fully repeal and replace the City's existing Zoning Code (Chapter 190) of the City of Lockport Code and official zoning map; and

Whereas the Lockport Common Council is required to hold a public hearing to consider citizen comments regarding the Comprehensive Plan and Zoning Code, be it further

Resolved that a public hearing be held on May 15, 2024, at 5:00 p.m. at City Hall, One Locks Plaza, Lockport, New York, before the City of Lockport Common Council, whereat all interested parties shall be heard regarding the **Comprehensive Plan and Zoning Code**, 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.

042424.11

By Alderman Mullane:

Whereas the Lockport Common Council on April 25, 1979, adopted a resolution regarding the City's Fair Housing Plan, and

Whereas the City of Lockport is committed to prohibiting discrimination upon the basis of race, color, religion, sex, handicap, familial status and national origin in the sale, lease or rental, advertising and financing of housing; and

Whereas the Fair Housing Plan requires that the city appoint a Fair Housing Officer,

Now therefore be it resolved that the city of Lockport shall designate Tammy Kam, Program Administrator for the Department of Community Development, as its Fair Housing Officer.

Seconded by Alderman Fogle and adopted. Ayes 6.

042424.12

ADJOURNMENT

At 6:22 P.M. Alderman Fogle moved the Common Council be adjourned until 6:00 P.M. Wednesday May 8th, 2024.

Seconded by Alderman Devine and adopted. Ayes 6.

SARAH K. LANZO
City Clerk

CITY OF LOCKPORT
CORPORATION PROCEEDINGS

Lockport Municipal Building

Regular Meeting
Official Record

May 8th, 2024
6:00 P.M.

Mayor John Lombardi III called the meeting to order.

ROLL CALL

The following Common Council members answered the roll call:

Aldermen Craig, Devine, Fogle, Kirchberger, Lupo, Mullane

INVOCATION

RECESS

Recess for public input.

050824.1

APPROVAL OF MINUTES

On motion of Alderman Fogle, seconded by Alderman Mullane, the minutes of the Regular Meeting of April 24th 2024 are hereby approved as printed in the Journal of Proceedings. Ayes 6. Carried.

PUBLIC HEARING

The Mayor announced a public hearing on the 2024 Restore New York Communities Initiative Grant Application.

The Mayor asked the City Clerk if any petitions or communications relative to said grant application have been received.

Recess for public input.

The Mayor closed the public hearing.

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.

Communications (which have been referred to the appropriate City officials)

4/24/2024 Robert Heil, on behalf of The Lock Tender LLC (4 Lock Street) – notifying The City of Lockport that a waiver of the 30-day notification required by the NYS Liquor Authority has been requested.

4/30/2024 Notification from Alyssa Renko, 8806 Tonawanda Creek Rd, Clarence Center, to the City of Lockport, of her application to the NYS Office of Cannabis Management for an adult-use retail dispensary to be located at 320 S. Transit Road, Lockport, NY.

4/30/2024 Alex Cox, 33 Park Place requesting permission to host a block party on July 13th, 2024. They would like to barricade part of the road from 1:00pm – 8:00pm.

5/2/2024 Sarah K. Lanzo, City Clerk – notification of bids received on April 2nd, 2024 in response to the **RFP Dog Control-DCO**.

Contractor Name	Phone Number	Service	Bid Amount
Paws in the Falls	716-444-0093	Dog Sheltering Services	\$2800/month

5/3/2024 Sarah K. Lanzo, City Clerk - notification of bids received on May 3rd 2024 in response to the **RFP Housing and Maintenance Services – City Website and Social Media**

Contractor Name	Phone Number	Service	Bid Amount
Fitzgerald	716-807-8281	Social	\$150/hr
		Web	\$150/hr
		Housing	\$150/hr
North Shore Solutions	315-771-78743	Social	\$60/hr
		Web	\$60/hr
		Advanced Housing	\$650/yr

5/3/2024 Sarah K. Lanzo, City Clerk - notification of bids received on May 3rd 2024 in response to the **RFP Market Street, Elm Street & Chestnut Street Pavement Rehabilitation.**

Contractor Name	Phone Number	Total Bid Amount
Milherst Construction Inc.	716-688-9098	\$682,940.00
Occhino Corp	716-827-7000	\$624,000.00
Zoladz Construction Co. Inc.	716-937-6575	\$785,589.38
Edbauer Construction	716-883-0280	\$795,299.00
Amherst Paving	716-834-4961	\$530,198.00

5/6/2024 Sarah K. Lanzo, City Clerk– notification that the Lockport Municipal Offices will be closed on in observance of Memorial Day.

Monday May 27th

Garbage will be collected on the day following regularly scheduled collection that week.

Notice of Complaint:

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

Notice of Claim:

Referred to the Corporation Counsel.

MOTIONS & RESOLUTIONS

050824.2

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 March 28th 2024.

Seconded by Alderman Kirchberger and adopted. Ayes 6.

050824.3

By Alderman Mullane:

Resolved that the request for a special use permit by James E. Spry III at 54 Beattie Avenue to harbor four hens on the property, be and the same 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 Lupo and adopted. Ayes 6.

050824.4

By Alderman Kirchberger:

Whereas Market Street in the City of Lockport (City) is designated by the New York State Department of Transportation (NYSDOT) as a Touring Route; and

Whereas the City has determined that pavement restoration is needed on Market Street beginning from the north side of the intersection with Main Street / East Main Street, continuing north and east on Market Street, and ending at the east side of the intersection with Matt Murphy Way / Lake Avenue, and on Elm Street beginning from the north side of the intersection with Chestnut Street, continuing south, and ending at the north side of the intersection with Walnut Street and Chestnut Street beginning from the east side of the intersection with Market Street, continuing east, and ending at the east side of the intersection with Elm Street; and

Whereas the City has received funding from NYSDOT to make improvements to designated Touring Routes; and

Whereas the City issued a Notice to Bid for interested contractors for the Market Street, Elm Street & Chestnut Street Pavement Rehabilitation Project and subsequently received and publicly opened and read bids at the Municipal Building on May 3, 2024 at 2 pm as follows;

Contractor Name	Total Bid Amount
Amherst Paving	\$530,198.00
Occhino Corp	\$624,000.00
Milherst Construction Inc.	\$682,940.00
Zoladz Construction Co. Inc.	\$785,589.38
Edbauer Construction	\$795,299.00

And

Whereas the City's Retained Consulting Engineer, Nussbaumer & Clarke, Inc., has determined that Amherst Paving has submitted the lowest complete and responsible bid and recommends that the City award the contract to Amherst Paving, for a total amount of \$530,198.00 now, therefore, be it

Resolved that the Mayor is authorized to execute an Agreement with Amherst Paving in the amount of \$530,198.00 contingent upon legal review and availability of funding for the City project.

Seconded by Alderman Mullane and adopted. Ayes 6.

050824.5

By Alderman Lupo:

Whereas the Empire State Development Restore NY Communities Initiative (the "Program") provides funding to communities to support activities that focus on community development through the rehabilitation of vacant, abandoned, or underutilized structures, and

Whereas a proposed redevelopment project at 7 Ontario Street (the "Project") to renovate the 3,828 square foot vacant mixed-use structure has been determined to meet the Program guidelines and is consistent with the City's downtown revitalization initiative and downtown redevelopment plans, the proposed financing is appropriate for the Project, the Project is an effective and efficient use of existing and future public resource, the Project will promote economic development and preserve community resources, and

Whereas the City has held a public hearing to obtain citizens' views regarding the Program and the proposed Project.

Now therefore be it resolved, that the Mayor is hereby authorized to submit a grant application in the amount of up to \$500,000, such amount to be used to provide business grants and fund the costs of grant administration and program activities, and be it further

Resolved that the Mayor is hereby authorized to execute all related documents associated with the ESD grant, subject to review and approval by the City Attorney.

Seconded by Alderman Craig and adopted. Ayes 6.

050824.6

WITHDRAWN Juneteenth

050824.7

By Alderman Devine:

Resolved that the Mayor, subject to Corporation Counsel approval, be and the same is hereby authorized and directed to execute a contract with Lockport Little Loop Football for use of Exchange Field for their 2024 season.

Seconded by Alderman Fogle and adopted. Ayes 6.

050824.8

By Alderman Kirchberger:

Whereas the City of Lockport recognizes the importance of honoring and commemorating the sacrifices of our veterans on Memorial Day; and

Whereas the Veterans of Foreign Wars (VFW) plays a significant role in organizing and conducting Memorial Day ceremonies in our community; and

Whereas it is fitting and proper for the City to support the efforts of the VFW in organizing these ceremonies;

Therefore be it resolved, that the City Council authorizes the allocation of \$1000 from the City budget to the Veterans of Foreign Wars (VFW) for the purpose of conducting Memorial Day ceremonies in the City of Lockport and be it further

Resolved that the FY 2024 General Fund budget is amended as follows:

Expenditures:

Decrease

A.1900.54775	Contingency	\$1,000.00
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Increase

A.8510.54510	Program Expenses	\$1,000.00
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Seconded by Alderman Devine and adopted. Ayes 6.

050824.9

By Alderman Mullane:

Resolved that pursuant to their request, permission is hereby granted to the residents of Park Place to barricade Park Place from High Street to Orchard Street on July 13, 2024, from 12 PM to 9 PM for a block party, and be it further

Resolved that the Director of Highways, Parks and Water Distribution be and the same is hereby authorized and directed to arrange for delivery of barricades to said area prior to said event.

Seconded by Alderman Fogle and adopted. Ayes 6.

050824.10

ADJOURNMENT

At 6:20 P.M. Alderman Fogle moved the Common Council be adjourned until 6:00 P.M., Wednesday May 22nd, 2024.

Seconded by Alderman Devine and adopted. Ayes 6.

SARAH K. LANZO
City Clerk

CITY OF LOCKPORT
CORPORATION PROCEEDINGS

Lockport Municipal Building

Regular Meeting
Official Record

May 22nd, 2024
6:00 P.M.

Mayor John Lombardi III called the meeting to order.

ROLL CALL

The following Common Council members answered the roll call:

Aldermen Craig, Devine, Fogle, Kirchberger, Lupo, Mullane

INVOCATION

RECESS

Recess for public input.

052224.1

APPROVAL OF MINUTES

On motion of Alderman Fogle, seconded by Alderman Mullane, the minutes of the Regular Meeting of May 8th 2024 are hereby approved as printed in the Journal of Proceedings. Ayes 6. Carried.

FROM THE MAYOR

Appointments:

Robert C. Johnston, 1918 Langdon Road, Ransomville, NY 14131 has been appointed to Heavy Equipment Operator of the Highway and Parks Department effective February 5th, 2024. Said appointment is provisional 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)

5/3/2024 Justin Rogers, on behalf of Cornell Cooperative Extension, requesting permission to erect banner in promotion of the 2024 Niagara County Fair.

5/15/2024 Michael Peacock, on behalf of Freedom Church in Lockport, requesting permission to hold event at Imagine Community Garden, on the corner of Ontario and Hawley Street in Lockport, Wednesday, June 19th.

Notice of Claim:

4/19/2024 Dan Hasely, 4542 Main Street, Gasport, NY 14067.

5/14/2024 Priscila Sepulveda, 9901 Niagara Falls Blvd. Apt 33, Niagara Falls, NY vs City of Lockport.

5/15/2024 Krista Gorman, as proposed Administrator of the Estate of Ainsley Gorman, deceased vs City of Lockport, City of Lockport Fire Department and Niagara County Sheriff's Department.

Referred to the Corporation Counsel.

MOTIONS & RESOLUTIONS

052224.2

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 May 23rd 2024.

Seconded by Alderman Lupo and adopted. Ayes 6.

By Alderman Lupo:

Resolved, that the Rules & Orders governing Common Council meetings be and the same are hereby waived for this meeting.

Seconded by Alderman Mullane and adopted. Ayes 6.

052224.3

Alderman Craig, who moved its adoption, seconded by Alderman Devine, to-wit, offered the following ordinance:

BOND ORDINANCE DATED MAY 22, 2024.

AN ORDINANCE AUTHORIZING THE ISSUANCE OF AN ADDITIONAL \$1,362,000 BONDS OF THE CITY OF LOCKPORT, NIAGARA COUNTY, NEW YORK, TO PAY PART OF THE COST OF THE GULF INTERCEPTOR SEWER PROJECT, IN AND FOR SAID CITY.

Whereas the capital project hereinafter described has been determined to be a Type II Action pursuant to 6 NYCRR Part 617.5(c)(1) and (2) of the regulations of the

New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act, the implementation of which as proposed, such regulations provide, will not result in any significant adverse environmental impact; and

Whereas it is now desired to authorize additional bonds for the financing thereof,
Now, therefore,

Be it ordained, by the affirmative vote of not less than two-thirds of the total voting strength of the Common Council of the City of Lockport, Niagara County, New York, as follows:

Section 1. For the specific object or purpose of paying additional costs of the Gulf Sewer Interceptor Sewer Project, including original furnishings, equipment, apparatus, appurtenances, and incidental improvements and expenses in connection therewith, in and for the City of Lockport, Niagara County, New York, there are hereby authorized to be issued an additional \$1,362,000 bonds pursuant to the provisions of the Local Finance Law. Said specific object or purpose is hereby authorized at a revised maximum estimated cost of \$9,100,000.

Section 2. The plan for the financing of such \$9,100,000 maximum estimated cost is as follows:

- a) By the issuance of the \$7,738,000 bonds of said City heretofore authorized to be issued therefor pursuant to a bond ordinance dated and duly adopted November 17, 2021; and
- b) By the issuance of the additional \$1,362,000 bonds of said City herein authorized.

The amount of obligations authorized to be issued shall not be reduced by any State and/or Federal grants-in-aid to be received by said City for said purpose, and the bond ordinance dated and duly adopted November 17, 2021 is hereby amended accordingly.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is forty years, pursuant to subdivision 4 of paragraph a of Section 11.00 of the Local Finance Law, calculated from the date of issuance of the first obligations issued therefore.

Section 4. The faith and credit of said City of Lockport, Niagara County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such obligations as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year. There shall annually be levied on all the taxable real property of said City, a tax sufficient to pay the principal of and interest on such obligations as the same become due and payable.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the City Treasurer, the chief fiscal officer. Such notes shall be of such

terms, form and contents, and shall be sold in such manner, as may be prescribed by said City Treasurer, consistent with the provisions of the Local Finance Law.

Section 6. Such bonds shall be in fully registered form and shall be signed in the name of the City of Lockport, Niagara County, New York, by the manual or facsimile signature of the City Treasurer and a facsimile of its corporate seal shall be imprinted or impressed thereon and may be attested by the manual or facsimile signature of the City Clerk.

Section 7. The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the City Treasurer, who shall advertise such bonds for sale, conduct the sale, and award the bonds in such manner as the City Treasurer shall deem best for the interests of said City; provided, however, that in the exercise of these delegated powers, the City Treasurer shall comply fully with the provisions of the Local Finance Law and any order or rule of the State Comptroller applicable to the sale of municipal bonds. The receipt of the City Treasurer shall be a full acquittance to the purchaser of such bonds, who shall not be obliged to see to the application of the purchase money.

Section 8. All other matters, except as provided herein relating to such bonds herein authorized including date, denominations, maturities, interest payment dates, and whether said bonds shall be repaid in accordance with a schedule providing for substantially level or declining annual debt service, within the limitations prescribed herein and the manner of execution of the same and also including the consolidation with other issues, shall be determined by the City Treasurer, the chief fiscal officer of such City. Such bonds shall contain substantially the recital of validity clause provided for in section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals in addition to those required by section 52.00 of the Local Finance Law, as the City Treasurer shall determine consistent with the provisions of the Local Finance Law.

Section 9. This ordinance shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this ordinance, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 10. The City Treasurer is hereby further authorized, at her sole discretion, to execute a project finance and loan agreement, and any other agreements with the New York State Department of Environmental Conservation and/or the New York State Environmental Facilities Corporation, including amendments thereto, and including any instruments (or amendments thereto) in the effectuation thereof, in order to effect the financing or refinancing of the specific object or purpose described in Section 1 hereof, or a portion thereof, by a bond, and/or note issue of said City in the event of the sale of same to the New York State Environmental Facilities Corporation.

Section 11. The power to issue and sell notes for said specific object or purpose to the New York State Environmental Facilities Corporation pursuant to Section 169.00 of the Local Finance Law is hereby delegated to the City Treasurer. Such notes shall be of such terms, form and contents as may be prescribed by said City Treasurer consistent with the provisions of the Local Finance Law.

Section 12. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said City is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this ordinance are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 13. This ordinance, which takes effect immediately, shall be published in summary form in the official newspaper, together with a notice of the City Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

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

Alderman Craig	VOTING YES
Alderman Devine	VOTING YES
Alderman Fogle	VOTING YES
Alderman Kirchberger	VOTING YES
Alderman Lupo	VOTING YES
Alderman Mullane	VOTING YES

052224.4

By Alderman Craig:

Resolved that pursuant to their request, the Kenan Center, Inc. is hereby granted permission to erect a banner across Lake Avenue at Olcott Street, at least 17 feet from the ground to promote the 52nd Annual 100 American Craftsman event from May 24th through June 2nd 2024. Said permission is subject to the Kenan Center filing a certificate of insurance with the City Clerk naming the City of Lockport as additional insured.

Seconded by Alderman Kirchberger and adopted. Ayes 6.

052224.5

By Alderman Devine:

Resolved that a public hearing be held at the Common Council meeting on June 12, 2024 starting at 6:00 PM in council chambers, Lockport Municipal Building, One Locks Plaza, Lockport, NY, relative to a request for a Special Use Permit by Joshua Brege of 291 Prospect Street, Lockport, NY 14094 to harbor hens on the property.

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.

052224.6

By Alderman Devine:

Resolved that pursuant to their request, permission is hereby granted to WNY Disc Golf Club to conduct a Tournament at Outwater Memorial Park on July 28th, 2024 from 8 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 Kirchberger and adopted. Ayes 6.

052224.7

By Alderman Fogle, no second was offered.

Whereas the City of Lockport ("City") and the Civil Service Employees Association Local 1000 ("Union") are parties to a Collective Bargaining Agreement ("CBA") for the City of Lockport (CSEA) 7651 in Niagara County Local 832; and,

Whereas the CBA covers the period from January 1, 2015 to December 31, 2026; and,

Whereas the Union wishes to add the holiday of Juneteenth to its list of paid Holidays; and,

Whereas the addition of the Holiday is a point of collective bargaining; and

Whereas the Common Council ("Council") of the City of Lockport must approve any financial expenditures by the City;

Now therefore be it resolved that the City of Lockport Common Council hereby approves the addition of Juneteenth (June 19th) as an observed public holiday beginning in 2024 for the Union.

Seconded by Alderman _____ and adopted. Ayes _____.

052224.8 Withdrawn

052224.9

By Alderman Mullane:

Resolved that pursuant to their request, Cornell Cooperative Extension is hereby granted permission to erect a banner across East Avenue at Davison Road at least 17 feet from the ground to promote the Niagara County Fair to be held from July 24, 2024 through August 4, 2024. Said permission is subject to the Cornell Cooperative Extension filing a certificate of insurance with the City Clerk naming the City of Lockport as additional insured, and be it further

Resolved that the City Clerk is hereby authorized and directed to make arrangements to erect the banner.

Seconded by Alderman Lupo and adopted. Ayes 6.

052224.10

By Alderman Craig:

Whereas Lockport Main Street (LMS) in conjunction with Sterling Carrol (Spill Your Creativity) are planning to conduct, a community event titled "Until The Wheels Fall Off" at Outwater Park, now therefore be it

Resolved that pursuant to their request, Lockport Main Street, Inc is here by granted permission to hold event on August 17, 2024 from 8AM until 6 PM at Railyard Skate Park, subject to adherence to established rules and regulations for City Parks and be it further

Resolved that said permission is subject to LMS providing 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 delivery of the city stage, garbage cans, and to have the restroom facilities opened and the electricity turned on for said event.

Seconded by Alderman Devine and adopted. Ayes 6.

052225.11

By Alderman Devine:

Resolved that pursuant to their request, permission is hereby granted to Freedom Church to barricade a portion of Ontario Street, between Hawley and North

Transit Streets, in front of the Imagine Community Garden, Wednesday, June 19, 2024, for a Neighborhood Appreciation Picnic from 5 until 8 p.m., and be it further

Resolved that Freedom Church is granted permission to erect a bounce house during the event, subject to Freedom Church providing the City Clerk with a certificate of insurance naming the City of Lockport as additionally insured prior to the event, and be it further

Resolved that the Director of Highways, Parks and Water Distribution be and the same is hereby authorized and directed to arrange for delivery of barricades to said area prior to said event.

Seconded by Alderman Mullane and adopted. Ayes 6.

052224.12

By Alderman Kirchberger:

Resolved that the Mayor and the Common Council do hereby extend condolences to the family of Brian W. Wentland, a former City of Lockport Police Captain employed from February 6, 1998 through February 23, 2018, who recently passed away.

Seconded by Alderman Lupo and adopted. Ayes 6.

052224.13

ADJOURNMENT

At 6:30 P.M. Alderman Fogle moved the Common Council be adjourned until 6:00 P.M., Wednesday June 12th 2024.

Seconded by Alderman Devine and adopted. Ayes 6.

SARAH K. LANZO
City Clerk

CITY OF LOCKPORT
CORPORATION PROCEEDINGS

Lockport Municipal Building

Regular Meeting
Official Record

June 12th, 2024
6:00 P.M.

Mayor John Lombardi III called the meeting to order.

ROLL CALL

The following Common Council members answered the roll call:

Aldermen Craig, Fogle, Lupo, Mullane
Absent: Devine, Klirchberger

INVOCATION – Pastor Steve

RECESS

Recess for public input.

061224.1

APPROVAL OF MINUTES

On motion of Alderman Fogle, seconded by Alderman Lupo the minutes of the Regular Meeting of May 22nd, 2024 are hereby approved as printed in the Journal of Proceedings. Ayes 4. Carried.

PUBLIC HEARING

The Mayor announced a public hearing on a request for a Special Use Permit to harbor hens on the property at 291 Prospect Street, Lockport, NY.

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

5/7/2024 Jeff Tracy, Lockport Planning and Zoning Board – the board does not recommend the request.

Recess for public input.

The Mayor closed the public hearing.

FROM THE MAYOR

Appointments:

Susan E. Israel, 264 Crestwood Court E, Lockport, NY 14094, has been appointed to Assessor B in the Assessor Department. Said appointment is provisional and subject to the City of Lockport's Municipal Civil Service Rules and Regulations.

Connor J. McCarthy, 163 Monroe Street, Lockport, NY 14094, has been appointed to Building Inspector in the Building Inspection Department for the City of Lockport. Said appointment is permanent and subject to the City of Lockport's Municipal Civil Service Rules and Regulations.

Daniel J. Wojewoda, 345 High Street, Lockport, NY 14094, has been appointed to Building Inspector in the Building Inspection Department for the City of Lockport. Said appointment is permanent and subject to the City of Lockport's Municipal Civil Service Rules and Regulations.

David M. Craddock, 411 East Avenue, Lockport, NY 14094 has been appointed to Heavy Equipment Operator in the Highway and Parks Department for the City of Lockport. Said appointment is permanent and subject to the City of Lockport's Municipal Civil Service Rules and Regulations.

Kelsey M. Teeter, 404 N. Transit Street, Lockport, NY 14094 has been appointed to Senior Account Clerk in the Department of Assessment for the City of Lockport. Said appointment is provisional and subject to the City of Lockport's Municipal Civil Service Rules and Regulations.

FROM THE CITY CLERK

The Clerk submitted payrolls, bills for services and expenses, and reported that the Department Heads submitted reports of labor performed in their departments. Reviewed by the Finance Committee.

Communications (which have been referred to the appropriate City officials)

5/30/2024 Leisl Dukhedin-Lalla, PhD, President of Zeton US Properties, Inc. notifying the city that the storm sewer line on 115 Oakhurst Street requires immediate attention from the City of Lockport.

Notice of Complaint:

5/20/2024 Patricia A. George, 37 East Avenue, Lockport, NY 14094 expressing her concern due to the grading between the road and the sidewalk in front of her building.

5/22/2024 Paul Lamont, 49 Lakeview Parkway, Lockport, NY 14094 – tree.

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

Notice of Claim:

4/16/2024 Randy Bernardi, 12 Howard Avenue, Lockport, NY 14094 regarding damage by a large pothole located on Locust Street in front of Lockport High School.

Referred to the Corporation Counsel.

MOTIONS & RESOLUTIONS

061224.2

By Alderman Lupo:

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 June 13th, 2024.

Seconded by Alderman Mullane and adopted. Ayes 4.

061224.3

By Alderman Fogle:

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>
Daniel T. Cole	30	Tree Crew Leader

Seconded by Alderman Craig and adopted. Ayes 4.

061224.4

Local Law #1 - Curfew

By Alderman Lupo:

Whereas the Safety Committee has proposed an update to the local curfew law for residents under the age of 18, and

Resolved that Corporation Counsel is hereby authorized and directed to amend Chapter 81 – Curfew relative to updating the age;

Resolved that a public hearing be held at the Common Council Meeting on Wednesday, June 26, 2024, starting at 6 PM in the Common Council Chambers, Lockport Municipal Building, One Locks Plaza, Lockport, NY, relative to updating local law to reflect curfew for residents under the age of 18 years old, 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. Ayes 4.

061224.5 Navy Marine Club Picnic

By Alderman Craig:

Resolved that pursuant to their request, permission is hereby granted to the Lockport Navy Marine Club, 37 Park Avenue, Lockport, to barricade Park Avenue at the eastern end of Ida Fritz Park and at the corner of Park Avenue and Hawley Street on Saturday, August 24, 2024, for their annual picnic, and be it further

Resolved that the Director of Highways, Parks and Water Distribution be and the same is hereby authorized and directed to arrange for delivery to arrange for delivery of barricades to said area prior to said event.

Seconded by Alderman Mullane and adopted. Ayes 4.

061424.6 Authorization to Execute Grant Agreement – Sanitary Sewer System

By Alderman Fogle:

**AUTHORIZATION FOR REPRESENTATIVE TO EXECUTE GRANT AGREEMENT
CITY OF LOCKPORT
SANITARY SEWER SYSTEM EVALUATION (EPG#130135)**

Whereas City of Lockport (hereinafter the “City”) desires to accept the New York State Environmental Facilities Corporation (NYS EFC) Engineering Planning Grant (EPG) #130135; and

Whereas the City proposes to conduct a Sanitary Sewer System Evaluation under NYS EFC EPG #130135; and

Whereas the City intends to work with Hunt Engineering, Architects, Land Surveyors & Landscape Architect D.P.C., Contact Tim Steed, 100 Hunt Center, Horseheads, NY 14845; and

Whereas the primary purpose of this grant will be to evaluate the City’s Collection System Inflow and Infiltration (I&I) issues and excess flow experienced at the Wastewater Treatment Plan (WWTP) during intense storm events and seasonal thaw.

Now, therefore, based on such review and consideration, be it resolved by the City of Lockport Common Council that the Mayor is hereby authorized to execute an EPG Agreement with the NYS EFC and any and all other contracts, documents, and/or instruments necessary to facilitate the EPG project referenced herein and to fulfill the City of Lockport’s obligations thereunder.

Seconded by Alderman Craig and adopted. Ayes 4.

061424.7 LockFest 2024- July 28th

By Alderman Craig:

Resolved that pursuant to their request Lockport Main Street, (hereafter LMS) is hereby granted permission to host Lockfest – Music and Arts for the Whole Family, in collaboration with B & D Bagels on Sunday, July 28, 2023 from 12 pm – 7 pm at Lockview Plaza. Said event has a mission to provide the Lockport Community with a fun, music filled afternoon, with activities for kids young and old. There will be live music, food trucks, a car show, vendors and kid’s vendors in addition to children’s crafts and activities. The event will include the following:

- Closure of Main Street to through traffic from Cottage Street to Pine Street for the duration of the event
- LMS is granted access to electricity at the light posts along Main Street
- LMS is granted permission for vendors and restaurants to set up along and serve
- LMS is granted permission to place portable sanitation units on Main Street for this event

Resolved that the Director of Highways, Parks and Water Distribution is authorized and directed to arrange for delivery of refuse containers and barricades to the area prior to the said dates;

Resolved that the City stage be made available for the event, **And be it further**

Resolved that said permission is subject to LMS filing a certificate of insurance, covering all of said events, with the City Clerk, naming the City of Lockport as additional insured.

Seconded by Alderman Mullane and adopted. Ayes 4.

061424.8 Authorize Engineering Professional Service Support

By Alderman Fogle:

Whereas the City of Lockport (City) owns and operates a Public Water System (PWS), PWSID #NY3100564; and

Whereas the United States Environmental Protection Agency (USEPA) requires that all Public Water Systems furnish an inventory of their lead service lines to comply with recent and pending revisions to the Lead and Copper Rule (LCR); and

Whereas the Lead Service Line inventory is required to be submitted by October 16, 2024; and

Whereas the City authorized its consulting engineering firm Nussbaumer & Clarke, Inc (Nussbaumer) to apply for a grant to support preparation of a Lead Line Service Inventory ; and

Whereas on March 29, 2024 the City was notified by the NYS Department of Health (DOH) that the City is eligible for a Bipartisan Infrastructure Law grant of up to \$124,630 to prepare a lead service line inventory in accordance with the grant application; and

Whereas Nussbaumer assisted the City with the preparation of the successful grant application, is on the City's pre-qualified list of engineering service providers, and submitted a proposal dated June 3, 2024 to assist the City with preparation of the required lead service line inventory for a fee not-to-exceed \$110,000; Now, therefore, be it;

Resolved that the Mayor is authorized to execute an Agreement with Nussbaumer & Clarke, Inc., 80 Main St. Unit A, Lockport NY 14094 for a not-to-exceed fee of \$110,000 per their proposal dated June 3, 2024.

Seconded by Alderman Lupo and adopted. Ayes 4.

061424.9 Authorize – Local Match Sanitary Sewer System
By Alderman Fogle:

**AUTHORIZATION AND APPROPRIATION OF LOCAL MATCH
CITY OF LOCKPORT
SANITARY SEWER SYSTEM EVALUATION (EPG#130135)**

Whereas City of Lockport (hereinafter the "City") proposes to conduct a Sanitary Sewer System Evaluation under New York State Environmental Facilities Corporation Engineering Planning Grant (NYS EPG) #130135; and

Whereas the NYS EPG requires a local match equal to 20 percent of the requested grant amount in cash and/or in-kind services; and

Now, therefore, based on such review and consideration, be it resolved by the City's Common Council that the City hereby authorizes and appropriates a minimum 20% local match as required by the NYS EPG Program for the City's Sanitary Sewer System Evaluation in the amount of \$10,000 and based upon the total EPG Grant award of \$50,000.

Be it further resolved, the source of the local match, and any amount in excess of the required match, shall be provided by the City's general fund and/or in-kind services as needed.

Seconded by Alderman Mullane and adopted. Ayes 4.

061424.10 Accounting Consultants Payment
By Alderman Craig:

Whereas Resolution 011024.4B approved of the use of two Accounting Consultants, Mary Smith and Roger Salmons, in the absence of the Director of Finance position to aid the City in the 2023 financial year closeout, the 2023 audit, and other miscellaneous accounting projects and

Whereas the services of Mary Smith and Roger Salmons are not to exceed \$45,000 and

Whereas it has been determined that the necessary funds to pay these consultants will come from the Finance Director Full Time Wages account and be relocated to the Finance Department Professional Services account; and

Whereas the consultants have billed the City a total of \$39,500 to date; now therefore be it

Resolved that the FY 2024 General Fund Budget is amended as follows:

Expenditures:

Increase:

A.1310.54055	Professional Services	\$30,400
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Decrease:

A.1310.51010	Full Time Wages	\$30,400
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Seconded by Alderman Lupo and adopted. Ayes 4.

061424.11 Website Maintenance RFP

By Alderman Fogle:

Whereas the City published an RFP to collect bids for website maintenance, hosting and social media management on April 17, 2024 with a due date of May 2, 2024; and

Whereas the City Clerk in coordination with the City's Network Coordinator and Finance Director have reviewed said bid submissions and have recommended to pursue a contract with North Shore Solutions;

Whereas the General Fund FY 2024 Operating Budget appears to be appropriately funded to continue operations of the website; now therefore be it

Resolved that the Mayor is hereby authorized to enter into a contract with North Shore Solutions.

Seconded by Alderman Craig and adopted. Ayes 4.

061424.12 Article 7 – 104 Old Niagara

By Alderman Craig:

Whereas the owner(s) of 104 Niagara Rd (104 Old Niagara Rd LLC) had challenged their property assessment against the City for successive years beginning in 2022 through 2023; and

Whereas the City appeared and answered the suit and defended itself throughout multiple court appearances; and

Whereas all parties reached a settlement in 2024, that resulted in a court order determining the precise amount of overpayments during the period of the lawsuits; now be it

Resolved that the FY 2024 General Fund Budget is amended as follows:

Expenditures:

Decrease

A. 1900.54775	Contingencies	\$26,302.08
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Increase

A. 1900.54765	Judgement and Claims	\$26,302.08
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Contingent upon review and approved by Corporation Counsel.

Seconded by Alderman Lupo and adopted. Ayes 4.

061224.12A

Juneteenth

By Alderman Fogle:

Whereas the City of Lockport ("City") and the Civil Service Employees Association Local 1000 ("Union") are parties to a Collective Bargaining Agreement ("CBA") for the City of Lockport (CSEA) 7651 in Niagara County Local 832; and,

Whereas the CBA covers the period from January 1, 2015 to December 31, 2026; and,

Whereas the Union wishes to add the holiday of Juneteenth to its list of paid Holidays; and,

Whereas the addition of the Holiday is a point of collective bargaining; and

Whereas the Common Council ("Council") of the City of Lockport must approve any financial expenditures by the City;

Now therefore be it resolved that the City of Lockport Common Council hereby approves the addition of Juneteenth (June 19th) as an observed public holiday beginning in 2024 for the Union.

Seconded by Alderman Craig and not adopted. Ayes 2. Nays 2.

Alderman Lupo and Mullane voted no. Motion failed.

061224.12B

Lockport Little League – June 12th

By Alderman Fogle:

Resolved that pursuant to their request, Lockport Little League is hereby granted permission to use the baseball field at Outwater Park on Wednesday, June 12, 2024, subject to approval of the schedule by the Highways & Parks Department, and be it further

Resolved that Lockport Little League file a certificate of insurance with the City Clerk naming the City of Lockport as additional insured.

Seconded by Alderman Mullane and adopted. Ayes 4.

061224.12C AnJo – June 26th

By Alderman Craig:

Resolved that pursuant to their request, AnJo is hereby granted permission to use the softball field at Outwater Park on Wednesday, June 26, 2024, subject to approval of the schedule by the Highways & Parks Department, and be it further

Resolved that AnJo file a certificate of insurance with the City Clerk naming the City of Lockport as additional insured.

Seconded by Alderman Mullane and adopted. Ayes 4.

061224.13

ADJOURNMENT

At 6:26 P.M. Alderman Fogle moved the Common Council be adjourned until 6:00 P.M., Wednesday June 26th 2024.

Seconded by Alderman Lupo and adopted. Ayes 4.

SARAH K. LANZO
City Clerk

CITY OF LOCKPORT
CORPORATION PROCEEDINGS

Lockport Municipal Building

Regular Meeting
Official Record

June 26th, 2024
6:00 P.M.

Mayor John Lombardi III called the meeting to order.

ROLL CALL

The following Common Council members answered the roll call:

Aldermen Craig, Devine, Fogle, Kirchberger, Lupo, Mullane

INVOCATION

RECESS

Recess for public input.

062624.1

APPROVAL OF MINUTES

On motion of Alderman Fogle, seconded by Alderman Kirchberger, the minutes of the Regular Meeting of June 12th 2024 are hereby approved as printed in the Journal of Proceedings. Ayes 6. Carried.

FROM THE MAYOR

Appointments:

Kelsey M. Teeter, 404 N. Transit St., Lockport, NY 14094 has been appointed to Real Property Appraiser in the Assessor Department. Said appointment is provisional and subject to the City of Lockport Municipal Service Rules and Regulations.

Kevin Norris, 440 South Street, Lockport NY has been reappointed to the Civil Service Commission for a 6-year term. Said term expires May 31st 2030.

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)

6/4/2024 David L. Ulrich, 45 Main St., Lockport, NY 14094 sent a letter notifying city officials of concerns at 51 Main Street.

6/5/2024 Andrew Ciubotaru from Rezzonator Services on behalf of Hawley's Grove LLC, requesting a waiver of the 30-day notice of liquor license application.

6/5/2024 Robert Soemann from Bad Attitudes LLC at 616 West Avenue, Lockport, NY 14094 provided notice of their license renewal request to the New York State Liquor Authority.

Notice of Complaint:

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

Notice of Claim:

6/10/2024 Elrashid A. Elbanna vs. The City of Lockport

Referred to the Corporation Counsel.

MOTIONS & RESOLUTIONS

062624.2

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 June 27th 2024.

Seconded by Alderman Devine and adopted. Ayes 6.

062624.3 John Deere Loader Lease

By Alderman Kirchberger:

Whereas resolution 030922.12 approved a lease to own contract through the NYSOSG Contract PC-69403 for a John Deere Loader to be used for snow plowing, leaf pickup, and other departmental functions; and

Whereas the annual lease payments were to be made from the Consolidated Highway Aid (CHIPS) in the amount of \$62,804 over 5 years; and

Whereas due to supply chain delays, the delivery of the Loader did not occur until 2023; and

Whereas the price remained constant at \$287,283 plus \$40 lease fee, however interest rates increased from the original proposal of 3.0416% to 3.84% increasing the annual lease payments to \$64,374; therefore, be it

Resolved the City of Lockport Common Council hereby approves the increase to the 5 year lease agreement with Five Star/John Deere Financial to accommodate the increase to the interest rate.

Seconded by Alderman Mullane and adopted. Ayes 6.

062624.4 Special Use Permit 291 Prospect

By Alderman Devine:

Resolved that the request for a special use permit by Joshua Brege 291 Prospect Street to harbor chickens on the property, be and the same 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 _____ and adopted. Ayes _____.

062624.5 Budget Amendment for NYSDOT Funding

By Alderman Craig:

Whereas the NYSDOT has awarded the City of Lockport with program funding for CHIPS, PAVE NY, EWR, STR and POP for State Fiscal Year 2024-25 in the amount of \$ 2,416,954.37, now, therefore, be it

Resolved that the fiscal year 2024 Capital Fund budgets be amended to add the apportioned balances as follows:

Increase Revenue:

H082.5112.33501	Consolidated Highway Aid	\$1,243,936.79
H208.5112.33501	Consolidated Highway Aid	<u>\$1,173,017.58</u>
		\$2,416,954.37

Increase Appropriations:

H082.5112.52450	Infrastructure – Roads	\$1,243,936.79
H208.5112.52450	Infrastructure – Roads	<u>\$1,173,017.58</u>
		\$2,416,954.37

Seconded by Alderman Fogle and adopted. Ayes 6.

062624.6 Bridlewood Drive Block party

By Alderman Fogle:

Resolved that pursuant to their request, permission is hereby granted to the residents of Bridlewood Drive, to barricade said street at Transit Road and Bridlewood Drive on Sunday, July 28, 2024 from 11 am – 6 pm for a block party,

And be it further

Resolved that the Director of Highways, Parks and Water Distribution be and the same is hereby authorized and directed to arrange for delivery of barricades, to the area prior to said event.

Seconded by Alderman Kirchberger and adopted. Ayes 6_____.

062634.7 WITHDRAWN

062624.8 Juneteenth

By Alderman Fogle:

Whereas in August of 1619, an English ship transported some 20 Africans to Jamestown, Virginia Colony, beginning the barbaric era of slavery in our country; and

Whereas on January 1, 1863, President Abraham Lincoln issued the Emancipation Proclamation, which declared "that all persons held as slaves" within the Confederate states "are, and henceforward shall be free"; and

Whereas on June 19, 1865, two years after the Emancipation Proclamation was issued, Union troops led by Major General Gordon Granger arrived at Galveston, Texas, to deliver the news that the Civil War had ended and that enslaved Africans were now free; and

Whereas upon his arrival in Texas, Major General Granger issued General Order Number 3 which stated "[t]he people of Texas are informed that in accordance with a Proclamation from the Executive of the United States, all slaves are free. This

involves an absolute equality of rights and rights of property between former masters and slaves."; and

Whereas June 19, or Juneteenth, is the oldest nationally celebrated commemoration of the ending of slavery in the United States and celebrates African American freedom and achievement; and

Whereas the vestiges of slavery and racism still permeate throughout our nation; and

Whereas no one should have to live in the shadows of their oppressors; and

Whereas Juneteenth challenges us to reexamine our core values as a city, state, and nation, and to ensure freedom, liberation, and justice for all people; and

Whereas Juneteenth is a holiday that has become increasingly recognized in our community and it is necessary for our entire City to be aware of the importance of this holiday to our Black neighbors; and

Whereas Lockport has had a long history as part of the Underground Railroad, and a strong black community with business and civic leaders like Aaron Mossell; and

Whereas Juneteenth should be a holiday in the City of Lockport as a testament to freedom, liberation, and justice, and a day where Black life, Black history, and Black culture is honored and celebrated; and

Now, therefore, be it resolved that Juneteenth (June 19) shall be added as a holiday for all employees of the City of Lockport commencing in the calendar year 2025.

Seconded by Alderman Lupo and adopted. Ayes 6.

062624.9 DPW Truck Price Increase

By Alderman Craig:

Whereas the City issued a RFP for the purchase of a new Plow Truck in resolution 122023.3, and subsequently received and agreed to a quoted price of \$67,065 from Joe Basil Chevrolet, Inc.; and

Whereas the City identified a truck available on the lot for immediate delivery that exceeds the originally specified truck in terms of durability and utility due to its upgraded stainless steel bed and other miscellaneous upgrades; and

Whereas the additional cost of the truck, although higher than the originally agreed upon RFP price, is justified by the enhanced features and immediate availability that provide long-term benefits and operational savings for the City; and

Whereas the City has reviewed the budget and confirmed that the additional expenditure for the upgraded truck is feasible without compromising other budgetary commitments or financial stability;

Resolved the City of Lockport Common Council hereby approves the increase to the price of the vehicle, which in turn will be a more durable vehicle for the City.

Seconded by Alderman Mullane and adopted. Ayes 6.

062624.9A Authorize Force Main Sewer Lining RFP

By Alderman Mullane:

Whereas the City of Lockport (City) has identified the need to perform necessary improvements on an existing 8" diameter force main sewer associated with the Hoover Lift Station; and

Whereas the City has determined that the most cost effective way to perform the necessary improvements is to perform Cured-in-Place-Pipe (CIPP) lining, which will be accomplished by excavating access pits to perform lining of approximately 2,150 linear feet of force main; and

Resolved, that the Director of Engineering and/or the City's consulting engineering firm Nussbaumer & Clarke, Inc. (Nussbaumer) is authorized and directed to prepare and issue a Request for Proposal (RFP) for the CIPP lining for the existing 8" diameter force main sewer;

Resolved that upon receipt of said Request for Proposals (RFP), the City Clerk is hereby authorized and directed to advertise the same.

Seconded by Alderman Fogle and adopted. Ayes 6.

062624.9B Budget Amendment – Confidential Secretary

By Alderman Fogle:

Whereas on March 27, 2024, the City of Lockport ("City") adopted a salary schedule for the position of Confidential Secretary to the Mayor: and

Whereas the salary for said position was set at \$42,000.00 for the year 2024, according to the Employment Policy Manual for Unrepresented Department Heads, Management Employees and Management Confidential Employees; and

Whereas upon review of said compensation for Confidential Secretary for 2024, it has been determined that her actual pay rate should be \$23.9761 per hour thereby totaling a compensation of \$43,636.50 for 2024;

Resolved that the salary for the position of Confidential Secretary to the Mayor be amended to and set at \$43,636.50 for the year 2024.

Seconded by Alderman Devine and adopted. Ayes 6.

062624.9C AFSCME Collective Bargaining Agreement (CBA)

By Alderman Kirchberger:

Whereas the City of Lockport (“City”) entered into a Collective Bargaining Agreement (“CBA”) with the American Federation of State, County and Municipal Employees (“AFSCME”) Local 855 (“Union”) through December 31, 2026; and

Whereas similar to other state, county and municipal entities, the City has experienced difficulty in seeking out quality workers and the retaining them for long term employment; and

Whereas the compensation for said workers has dipped to the approximate level of minimum wage in many categories thus discouraging many applicants; and

Whereas the City has experienced a shortage of workers in many positions thereby delaying or preventing the execution of various jobs and assignments in the City; and

Whereas the situation has reached point where some action is required to allow the City to continue to function efficiently;

Therefore be it resolved that the Common Council directs that the Mayor, through Corporation Counsel, enter into an agreement with AFCSME Local 855 to change the following with the Union whereby:

The hourly pay rate for AFSCME members in the Union contract is increased \$2.00 per hour effective July 1, 2024; and

The hourly pay rate for AFSCME members in the Union contract is increased \$2.00 per hour effective January 1, 2025

Seconded by Alderman Kirchberger and adopted. Ayes 6.

062624.10 ADJOURNMENT

At 6:40 P.M. Alderman Fogle moved the Common Council be adjourned until 6:00 P.M., Wednesday July 10th 2024.

Seconded by Alderman Devine and adopted. Ayes 6.

SARAH K. LANZO
City Clerk

CITY OF LOCKPORT
CORPORATION PROCEEDINGS

Lockport Municipal Building

Regular Meeting
Official Record

July 10th, 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.

071024.1

APPROVAL OF MINUTES

On motion of Alderman Fogle, seconded by Alderman Mullane, the minutes of the Regular Meeting of June 26th 2024 are hereby approved as printed in the Journal of Proceedings. Ayes 6. Carried.

FROM THE MAYOR

Appointments:

Louis C. Raymond, 5434 Ernest Road, Lockport, NY 14094 has been appointed to WWTP Operator Trainee in the Waste Water Treatment Plant. This is a permanent position effective June 20, 2024. Said appointment is permanent and subject to the City of Lockport Municipal Civil Service Rules and Regulations.

Hehuanhuan G. Zhang, 6398 Main Road, Lockport, NY 14094 has been appointed to Heavy Equipment Operator in the Highway and Parks Department. This is a permanent position effective May 23, 2024. Said appointment is permanent and subject to the City of Lockport Municipal Civil Service Rules and Regulations.

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)

6/26/2024 Dalvan Robinson, 79 South Street, requesting permission to hold a block party on July 28th 2024.

6/27/2024 Sarah K. Lanzo, City Clerk – notification of bids received on June 27th, 2024 in response to **RFP Roof -Stand Pipe Roof Replacement at Outwater Park**

Contractor Name	Bid Amount
Progressive Roofing	\$18,981
Grove Roofing	\$21,466
Elmer W. Davis	\$29,514

Notice of Complaint:

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

Notice of Claim:

Referred to the Corporation Counsel.

Notice of Summons:

06/21/2024 Casey I. Dalhstrom vs Hydraulic Race Co., Inc. and the City of Lockport

MOTIONS & RESOLUTIONS

071024.2

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 July 11, 2024.

Seconded by Alderman Craig and adopted. Ayes 6.

071024.3

By Alderman Kirchberger:

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>
Saverio A. Pellicano	30	Firefighter
Nicholas A. Radlich	5	Firefighter

Seconded by Alderman Mullane and adopted. Ayes 6.

071024.4 Rochester Street Block party

By Alderman Lupo:

Resolved that pursuant to their request, permission is hereby granted to the residents of Rochester Street, to barricade said street from Massachusetts Ave to Harrison Ave on Saturday, August 10, 2024 from 1 pm - 9 pm for a block party,

And be it further

Resolved that the Director of Highways, Parks and Water Distribution be and the same is hereby authorized and directed to arrange for delivery of barricades, to the area prior to said event.

Seconded by Alderman Craig and adopted. Ayes 6.

071024.5 WNY Disc Golf Club - 8/2/2024

By Alderman Devine:

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 2, 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 Kirchberger. Ayes 6.

071024.6 Pro-Housing Communities Model Resolution

By Alderman Lupo:

Whereas the City of Lockport (hereinafter “local government”) believes that the lack of housing for New York residents of all ages and income levels negatively impacts the future of New York State’s economic growth and community well-being;

Whereas the housing crisis has negative effects at regional and local levels, we believe that every community must do their part to contribute to housing growth and benefit from the positive impacts a healthy housing market brings to communities;

Whereas we believe that supporting housing production of all kinds in our community will bring multiple benefits, including increasing housing access and choices for current and future residents, providing integrated accessible housing options that meet the needs of people with sensory and mobility disabilities, bringing economic opportunities and vitality to our communities, and allowing workers at all levels to improve their quality of life through living closer to their employment opportunities;

Whereas we believe that evidence showing that infill development that reduces sprawl and supports walkable communities has significant environmental and public health benefits; and

Whereas we believe that affirmatively furthering fair housing and reducing segregation is not only required by law, but is essential for keeping our community strong and vibrant;

Now, therefore, it is hereby resolved that City of Lockport, in order to take positive steps to alleviate the housing crisis, adopts the Pro Housing Communities pledge, which will have us endeavor to take the following important steps:

1. Streamlining permitting for multifamily housing, affordable housing, accessible housing, accessory dwelling units, and supportive housing.
2. Adopting policies that affirmatively further fair housing.
3. Incorporating regional housing needs into planning decisions.
4. Increasing development capacity for residential uses.
5. Enacting policies that encourage a broad range of housing development, including multifamily housing, affordable housing, accessible housing, accessory dwelling units, and supportive housing.

Seconded by Alderman Craig and adopted. Ayes 6.

071024.7 ~~Civil Service Commission – Water Reclamation Process and Control Admin and Project Manager~~ WITHDRAWN

071024.8 South Street – Street Closure

By Alderman Mullane:

Resolved that pursuant to their request, permission is hereby granted to the residents of 79 South Street, to barricade said street from Locust St to Elmwood Court from 11 am to 9 pm for a family gathering, and be it further

Resolved that the Director of Highways, Parks and Water Distribution be and the same is hereby authorized and directed to arrange for delivery of barricades, to the area prior to said event.

Seconded by Alderman Fogle and adopted. Ayes 6.

By Alderman Fogle:

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

Seconded by Alderman Devine and adopted. Ayes 6.

071024.9 GLDC's NYMS Grant Application

By Alderman Craig:

Whereas the Greater Lockport Development Corporation (GLDC), conducted a public "Request for Projects," from City of Lockport commercial property owners who are interested in pursuing a renovation project utilizing New York State grant funds; and

Whereas the purpose of which was to allow for an open, fair, and public project selection process, for consideration for such State-funded grant programs; and

Whereas, the GLDC received three eligible submissions on behalf of city property owners to develop a city-wide project list and prioritize potential projects to select from as various grant opportunities become available through the state; and

Whereas the NYS Office of Homes and Community Renewal is offering a New York Main Street Grant program through the State's Consolidated Funding Application, including a "Downtown Stabilization" grant used "to identify or mitigate risks associated with hazardous materials; or remove obstacles to future redevelopment; to assist with environmental remediation and associated construction costs; as well as other innovative approaches to stabilizing and developing downtown, mixed-use buildings; and

Whereas Tru Commercial Development submitted 58 Main Street for consideration of grant funding to pursue Phase I of a mixed-use redevelopment project; and

Whereas the Director of Planning and Development and GLDC staff have reviewed the New York Main Street "Downtown Stabilization" program and the submissions received and have determined that the proposed project for 58 Main Street

is the most applicable and competitive project the Lockport community can put forth to be awarded funded and are requesting to submit a CFA application to the NYS Office of Homes and Community Renewal for an approximately \$350,000 grant; and

Whereas Tru Commercial Development, if awarded funding, has committed to the 25% match requirement of approximately \$115,000 and to completing the project;

Now therefore let it be

Resolved that pursuant to their request, the Greater Lockport Development Corporation is hereby authorized to submit a New York Main Street grant through the 2024 NYS Consolidated Funding Application on behalf of a business and property owner in the City of Lockport, as identified by the GLDC, for the purpose of rehabilitation and renovation;

Resolved that the City of Lockport and the Common Council supports this grant application, and should funding be awarded, will offer advisory consultation as necessary; and

Resolved that the Mayor is hereby authorized and execute any documentation required for the implementation of the New York Main Street grant program.

Seconded by Alderman Mullane and adopted. Ayes 6.

071024.10 Law Enforcement Tech (LeTech) NYS Dept of Criminal Justice Services Grant

By Alderman Kirchberger:

Whereas the City of Lockport has been awarded a Law Enforcement Technology (LeTech) grant from the NYS Department of Criminal Justice Services (DCJS) in the amount of \$210,000; and

Whereas the LeTech grant funds are to be used for the purpose of enhancing law enforcement technology to improve the efficiency and effectiveness of the City of Lockport's law enforcement operations; and

Whereas the acceptance of these grant funds requires the adjustment of the City of Lockport budget to properly allocate the received funds; and

Resolved that the City of Lockport accepts the DCJS Grant Funds, and

Resolved that the FY 2023 General fund is amended as follows:

Revenue

Increase		
A.3120.33089	Other General Government State Aid	\$210,000
A.3120.52015	Technical Equipment	\$210,000

Seconded by Alderman Craig and adopted. Ayes 6.

071024.10A Permission for Candlelight Cabinetry to Hold an Employee Picnic and Fireworks Display at Outwater Park

By Alderman Devine:

Whereas Candlelight Cabinetry has requested permission to hold an employee picnic at Outwater Park, and

Whereas the City of Lockport supports community and employee events that foster camaraderie and community spirit,

Now, therefore, be it resolved, that Candlelight Cabinetry is granted permission to hold an employee picnic at Outwater Park on July 18th, 2024, from 5 PM to 10 PM, and

Be it further resolved, that Candlelight Cabinetry is granted permission to reserve the pavilion at Outwater Park South and utilize the restrooms and power at said location, and

Be it further resolved, that permission is hereby granted for a fireworks display, sponsored by Skylighters of New York, following NFPA Standards, contingent upon the submission of a Certificate of Insurance (COI) and the required fireworks permit, and

Be it further resolved, that Candlelight Cabinetry is granted permission to have a bounce house and food trucks at the event.

Be it further resolved, that said permission is subject to Candlelight Cabinetry filing a Certificate of Insurance with the City Clerk naming the City of Lockport as additional insured.

Seconded by Alderman Mullane. Ayes 6.

071024.11

ADJOURNMENT

At 6:20 P.M. Alderman Fogle moved the Common Council be adjourned until 6:00 P.M., Wednesday July 24th 2024.

Seconded by Alderman Devine and adopted. Ayes 6.

SARAH K. LANZO
City Clerk

CITY OF LOCKPORT
CORPORATION PROCEEDINGS

Lockport Municipal Building

Regular Meeting
Official Record

July 24th, 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.

072424.1

APPROVAL OF MINUTES

On motion of Alderman Fogle, seconded by Alderman Craig, the minutes of the Regular Meeting of July 10th 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.

Communications (which have been referred to the appropriate City officials)

Notice of Complaint:

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

Notice of Claim:

Referred to the Corporation Counsel.

MOTIONS & RESOLUTIONS

072424.2

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 March 28th 2024.

Seconded by Alderman Fogle. Ayes 6.

072424.3 Regent Street Block Party

By Alderman Mullane:

Resolved that pursuant to the request of Dennis Stachera, Regent Street, permission is hereby granted to the residents of Regent Street to barricade Regent at Washburn Street and Beattie Avenue on July 27th, 2024, from 12 pm – 8 pm for a block party, and be it further Resolved, that the Director of Highways, Parks and Water Distribution be and the same is hereby authorized and directed to arrange for delivery of barricades to said area prior to said event.

Seconded by Alderman Devine. Ayes 6.

By Alderman Devine:

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

Seconded by Alderman Fogle and adopted. Ayes 6.

072424.4 Budget Amendment – being prepared.

By Alderman Craig:

Whereas resolution 022223.7 adopted a Budget Amendment Policy in compliance with the New York State Office of the Comptroller; and

Whereas the policy requires Council approval for budget amendments for certain conditions as indicated below; and

Whereas the City of Lockport 2023 Budget requires budget amendments in accordance with this policy as of December 31, 2023; and

Therefore be it resolved that the following budget amendments be approved:

Within a departmental budget equal to or greater than \$50,000(within the personnel account classification, or between all other classifications):

From:	To:	Amount:
A.3120.51010 Full Time Wages	A.3120.1100 Overtime	\$ 71,301
A.3120.51010 Full Time Wages	A.3120.1130 Out of Grade	\$196,617
A.3120.51175 Ed & Training	A.3120.1100 Out of Grade	\$109,000
A.3120.58040 Hosp & Med Ins	A.3120.54065 Equip Rental/Lease	\$ 55,255
A.3410.51010 Full Time Wages	A.3410.1130 Out of Grade	\$ 31,615
A.3410.51175 Ed & Training	A.3410.1130 Out of Grade	\$179,422
A.1900.54775 Contingency	A.1900.54765 Judgements & Claims	\$180,045
A.9000.58010 FICA	A.9000.51010 Full Time Wages	\$ 9,099

Budget transfers within the same departmental budget into any personnel accounts from non-personnel classifications (i.e.: equipment/capital outlay, contractual or benefit budgets).

From:	To:	Amount:
A.1210.54510 Program Expense	A.1210.51010 Full Time Wages	\$ 362
A.1355.58050 Retirement	A.1355.51010 Full Time Wages	\$ 1,332
A.1490.58040 Hosp & Med Ins	A.1490.51100 Overtime	\$ 957
A.1490.58040 Hosp & Med Ins	A.1490.51170 Add'l & Other Comp	\$ 463
A.1490.58040 Hosp & Med Ins	A.1490.51010 Full Time Wages	\$ 2,199
A.1640.54300 Vehicle Maint	A.1640.51100 Overtime	\$ 4,026
A.1640.58040 Hosp & Med Ins	A.1640.51100 Overtime	\$ 215
A.5110.54560 Salt	A.5110.51100 Overtime	\$ 14,023
A.5110.58040 Hosp & Med Ins	A.5110.51130 Out of Grade	\$ 3,295
A.7185.54050 Equip Maint/Repair	A.7185.51170 Add'l & Other Comp	\$ 25
A.7185.54077 Const&Maint Supplies	A.7185.51170 Add'l & Other Comp	\$ 51
A.7185.54078 Gas, Oil, Diesel Fuel	A.7185.51170 Add'l & Other Comp	\$ 1,023
A.7185.54515 Special Supplies	A.7185.51170 Add'l & Other Comp	\$ 91

Budget transfers that cannot be covered within a departmental budget and must be transferred from other budgets within the same fund:

From:	To:	Amount:
A.1310.51100 Overtime	A.1210.51010 Full Time Wages	\$ 36
A.1310.51100 Overtime	A.1010.51040 Part Time Wages	\$ 227
A.1310.54005 Office Supplies	A.1010.54003 Office Furniture	\$ 253
A.1310.54005 Office Supplies	A.1430.54005 Office Supplies	\$ 4
A.1900.54510 Program Exp	A.1430.54510 Program Exp	\$ 259
A.1410.51010 Full Time Wages	A.1490.51010 Full Time Wages	\$ 7,784
A.1900.54775 Contingency	A.1620.51010 Full Time Wages	\$ 19,154
A.1900.54775 Contingency	A.1620.51100 Overtime	\$ 6,994
A.1900.54775 Contingency	A.1620.51130 Out of Grade	\$ 3,168

A.9000.58010 FICA	A.1620.58040 Hosp & Med Ins	\$ 11,595
A.9000.58010 FICA	A.1620.58050 Retirement	\$ 325
A.1900.54775 Contingency	A.1640.51100 Overtime	\$ 6,293
A.3620.54075 Service Contracts	A.3510.54055 Professional Serv	\$ 2,395
A.3620.58020 Workers Comp	A.3510.58020 Workers Comp	\$ 1,004
A.1900.54623 Utilities-Elec	A.5182.54623 Utilities-Elec	\$ 23,568
A.1900.54620 Utilities-Nat Gas	A.5182.54623 Utilities-Elec	\$ 27,848
A.7110.54110 Landscape Materials	A.7140.54065 Equip Rental/Lease	\$ 164
A.7110.54110 Landscape Materials	A.7140.54510 Program Exp	\$ 1,796
A.7110.58050 Retirement	A.7140.58050 Retirement	\$ 3,709
A.7110.51010 Full Time Wages	A.7180.51010 Full Time Wages	\$ 52
A.7110.51060 Temp/Seasonal	A.7180.51060 Temp/Seasonal	\$ 3,227
A.7110.54110 Landscape Materials	A.7180.54510 Program Exp	\$ 955
A.7110.58010 FICA	A.7180.58010 FICA	\$ 1,016
A.7110.51100 Overtime	A.7185.51170 Add'l & Other Comp	\$ 982

Seconded by Alderman Kirchberger. Ayes 6.

072424.5 Bills Elvis Charity Foundation Community Tailgate

By Alderman Kirchberger:

Whereas a tailgate fundraiser has been organized by Lockport Main Street, in conjunction with Bills Elvis Charity Foundation (John Lange), Lock 34 Bar & Grill, and Gonzos, to benefit Challenger Sports of WNY, Irish Angels & the Devin Waring Foundation; now, therefore, be it

Resolved that pursuant to their request, Lockport Main Street, Inc. is hereby granted permission to hold a tailgate fundraiser on Main Street on Thursday, September 12, 2024, from 4:00 pm until 7:30 pm, and be it further

Resolved that permission to waive the open-container law for the duration of the event, to conduct the sale of alcoholic beverages and be it further

Resolved that Main Street be closed to through traffic from Cottage to Pine St and Pine St to Locust for the duration of the event, and be it further

Resolved that the Director of Highways, Parks and Water Distribution is hereby authorized and directed to arrange for delivery and pick-up of City barricades and trash receptacles as needed, and be it further

Resolved that the fundraiser will include music, food, games, raffles and beer tents, with said permission subject to Lockport Main Street, Inc. filing a certificate of insurance with the City Clerk naming the City of Lockport as additional insured.

Seconded by Alderman Fogle. Ayes 6.

072424.6 Niagara Classic

By Alderman Devine:

Resolved that pursuant to their request, permission is hereby granted to DiscGolf716 to conduct Niagara Classic, sponsored by West Herr to conduct a disc gold tournament at Outwater Park on September 7th, 2024 and be it further

Resolved that said permission is subject to DiscGolf716 filing a certificate of insurance with the City Clerk naming the City of Lockport as additionally insured.

Seconded by Alderman Mullane. Ayes 6.

072424.7 International Overdose Awareness Day 8/31

By Alderman Lupo:

Whereas August 31st has been recognized as International Overdose Awareness Day since 2001, and is the world's largest annual campaign to end overdose; and

Whereas an Overdose Awareness Rally in Lockport is planned, offering outreach for agencies, programs and/or services that support people with substance use disorder/addiction as well as NARCAN training; and

Whereas speakers will be attending to share their experiences working with people who have overdosed; now, therefore, be it

Resolved that pursuant to their request, the organizers of the Overdose Awareness Rally are hereby granted permission to hold said event at Veterans Memorial Park on East Avenue in Lockport on Saturday, August 31st, 2024 from 5pm until 8pm and be it further

Resolved that said permission is subject to WNYIL filing a certificate of insurance with the City Clerk naming the City of Lockport as additional insured.

Seconded by Alderman Mullane and adopted. Ayes 6.

072424.8 Increased Audit Fees

By Alderman Craig:

Whereas resolution 082323.12 entered into a contract with Lumsden McCormick LLP to provide annual auditing services to the City through fiscal year 2025; and

Whereas the professional services provided by our auditors, Lumsden McCormick, have resulted in increased expenses due to additional work performed outside of their normal contractual scope for GASB 87 compliance, ambulance services activity, and unreconciled account activity; and

Whereas the current professional services budget does not adequately cover these increased expenses; and

Whereas it is essential to maintain accurate and compliant financial records and audit reports to ensure the financial health and transparency of our organization; and

Whereas, there are sufficient funds available in the Contingency Account to cover these additional expenses;

Resolved that the FY 2024 General Fund budget is amended as follows:

Expense

Decrease

A.1900.54775	Contingency	\$8,752
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Increase

A.1010.54055	Professional Services	\$8,752
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Seconded by Alderman Kirchberger. Ayes 6.

072424.9 Roof Replacement RFP

By Alderman Devine:

Whereas the City published an RFP to collect bids for a Roof-Stand Pipe Roof Replacement Outwater Park on June 18, 2024 with a due date of June 27, 2024;

Whereas the City Clerk, in coordination with the City's Water Department Maintenance Supervisor and Finance Director, have reviewed said bid submissions and have recommended to pursue a contract with Progressive Roofing;

Whereas the Capital Projects H204 Fund Operating Budget appears to be appropriately funded to cover this project;

Now therefore be it resolved that the Mayor is hereby authorized to enter into a contract with Progressive Roofing.

Seconded by Alderman Mullane. Ayes 6.

072424.10 Lockport Locks Heritage District Corporation's Grant Application

By Alderman Lupo:

Whereas The Lockport Locks Heritage District Corporation (LHDC) is a 501c3 not-for-profit organization with a mission to rehabilitate the Erie Canal Flight of Five Locks and to encourage and support the transformation of the Locks Heritage District into a vibrant heritage tourism destination; and

Whereas the vision of the LHDC is a vibrant, robust Locks Heritage District, annually welcoming tens of thousands of visitors throughout the year, anchored by a fully rehabilitated and functional Flight of Five Locks, representing an historic site of national significance, and serving as a catalyst for economic development and jobs within and around the Locks Heritage District; and

Whereas the LHDC has developed a "Phase III - City of Lockport's Erie Canal Flight of Five Locks Rehabilitation" project that celebrates the bicentennial of the completion of construction of the Erie Canal (1825-2025), including further rehabilitation of the historic Erie Canal Flight of Five Locks, and the promotion of the Erie Canal, Flight of Five, and City of Lockport as a world class heritage destination; and

Whereas the LHDC is applying to the New York State Office of Parks, Recreation and Historic Preservation (OPRHP) for a grant under Title 9 of the Environmental Protection Act of 1993 for a park project to be located at the historic Erie Canal Flight of Five Locks, part of the Erie Canal National Heritage Corridor, a site located within the territorial jurisdiction of this Council; and

Whereas the LHDC is additionally applying for funding through other state agencies and programs, including but not limited to: Empire State Development, Market NY, and the Canal Corporation; and

Whereas as a requirement under the rules of this program, said not-for-profit corporation must obtain the "approval/endorsement of the governing body of the municipality in which the project will be located";

Now therefore let it be resolved, that the Council of the City of Lockport hereby approves and endorses the application of the LHDC for a grant under Title 9 of the Environmental Protection Act of 1993, and for all funding being pursued by the LHDC, for a project known as the "Phase III - City of Lockport's Erie Canal Flight of Five Locks Rehabilitation" and located within the City of Lockport.

Seconded by Alderman Craig. Ayes 6.

072424.11 ~~Ambulance Purchase—being prepared.~~ WITHDRAWN

072424.11A Authorize Purchase from Parks Revitalization Fund

By Alderman Lupo:

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 metal trash bins 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 Integrity Machining and Fabrication for \$15,082.20 and utilize funds in the H206 capital project.

Seconded by Alderman Kirchberger. Ayes 6.

072424.11B Block Party on Union Street

By Alderman Craig:

Resolved that pursuant to their request, permission is hereby granted to the residents to barricade Union Street from Chapel to North Adam on August 11th, 2024, from 1 PM to 8 PM for a block party, and be it further

Resolved that the Director of Highways, Parks and Water Distribution be and the same is hereby authorized and directed to arrange for delivery of barricades to said area prior to said event.

Seconded by Alderman Kirchberger. Ayes 6__.

072424.12

ADJOURNMENT

At 6:20 P.M. Alderman Fogle moved the Common Council be adjourned until 6:00 P.M., Wednesday August 14th 2024.

Seconded by Alderman Devine and adopted. Ayes 6.

SARAH K. LANZO
City Clerk

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, Kirchberger and Lupo.
Alderwomen Fogle and Mullane were absent.

INVOCATION

ANNOUNCEMENTS

RECESS

Recess for public input.

081424.1

APPROVAL OF MINUTES

On motion of Alderman Craig, seconded by Alderman Devine, the minutes of the Regular Meeting of July 24th 2024 are hereby approved as printed in the Journal of Proceedings. Ayes 4. 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 Jackson 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 Kirchberger:

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 Lupo and adopted. Ayes 4.

081424.3

By Alderman Craig:

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 Lupo and adopted. Ayes 4.

081424.4 WNYDGC event 8/31

By Alderman Devine:

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 Kirchberger and adopted. Ayes 4.

081424.5 Civil Service Commission Approve Title: Water Reclamation

By Alderman Devine:

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 Craig. Ayes 3. Nos: 1- Lupo. Motion failed.

081424.6 Civil Service Commission Approve Title: Project Manager

By Alderman Kirchberger:

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 Craig. Ayes 2. Nos: Alderman Lupo and Devine. Motion failed.

081424.7 Born Brave 5k 9/15

By Alderman Craig:

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 Lupo and adopted. Ayes 4.

081424.8 City Clerk Consulting Agreement

By Alderman Lupo:

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 Devine and adopted. Ayes 4.

By Alderman Devine:

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

Seconded by Alderman Kirchberger and adopted. Ayes 4.

081424.9 NYSLRS Annual Reporting

By Alderman Craig:

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.</u> <u>Work Day</u>	<u>Name</u>	<u>Term</u>	<u>Record</u> <u>Activity</u>
<u>Results</u>				
Corporation Counsel	7	David Blackley	1/1/2024-12/31/2025	11.47
Deputy Corporation Counsel	7	Kathleen Kugler	1/1/2024-12/31/2025	11.47
Deputy Corporation Counsel	7	Anthony Serianni	1/1/2024-12/31/2025	11.47

Seconded by Alderman Devine and adopted as amended on the floor. Ayes 4.

081424.10 City Right of Way Garden

By Alderman Lupo:

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 Kirchberger and adopted. Ayes 4.

081424.11 Harrison Place Construction

By Alderman Craig:

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 Kirchberger and adopted. Ayes 4.

081424.12 Beast of Burden

By Alderman Kirchberger:

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 Devine and adopted. Ayes 4.

081424.13

ADJOURNMENT

At 6:17 P.M. Alderman Craig moved the Common Council be adjourned until 6:00 P.M., Wednesday August 28th 2024.

Seconded by Alderman Devine and adopted. Ayes 4_.

EMILY STODDARD
Deputy City Clerk

CITY OF LOCKPORT
COMMON COUNCIL PROCEEDINGS

Lockport Municipal Building

Regular Meeting
Official Record

August 28th, 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.

082824.1

APPROVAL OF MINUTES

On motion of Alderman Craig, seconded by Alderman Lupo, the minutes of the Regular Meeting of August 14th 2024 are hereby approved as printed in the Journal of Proceedings. Ayes 6. Carried.

FROM THE MAYOR

Appointments:

Emily Stoddard has been appointed to City Clerk to fill the unexpired term of Paul Oates, effective August 19th, 2024. Said appointment is permanent and subject to the City of Lockport Municipal Civil Services Rules and Regulations. Said term expires June 30th, 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)
8/9/2024 Sarah K. Lanzo, City Clerk at time of communication – notification of bids received on August 9th, 2024, in response to the RFP for Lockport Raw Water Pump Station Improvements.

Name	Phone Number	General Contract	General Contract Alternate	HVAC Contract	HVAC Contract Alternate	Electrical Contract
Ace Great Lakes	716-796-4067	\$190,600	\$45,000			
Ferguson Electric	716-852-2010					\$2,220,000
Frey Electric Construction	716-874-1710					\$1,240,000
Greater Niagara Mechanical	716-695-3600			\$69,600	\$18,800	
John W, Danforth Co.	716-829-1385			\$89,400	\$15,400	
NFP and Sons, Inc.	716-695-2926	\$88,000	\$49,500			
Resa Electric	716-819-6600					\$1,050,000
Quackenbush				\$75,000	\$14,000	

Notice of Complaint:

Jeffrey A. Seekins, 77 Coolidge Avenue – fire hydrant

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

Notice of Claim:

Kristen Brolinski vs. City of Lockport and Lockport Cave and Underground Boat Ride

Daniel and Melissa Morrisette vs. City of Lockport and Lockport Cave and Underground Boat Ride.

Referred to the Corporation Counsel.

MOTIONS & RESOLUTIONS

082824.2

By Alderman Mullane:

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 29th, 2024.

Seconded by Alderman Craig and adopted. Ayes 6.

082824.3 Lockport Little Loop Donation

By Alderman Devine:

Whereas General City Law 20(3) authorizes the City to accept donations from individuals or organizations, and to use said donations per the restrictions placed on them by the donor, regardless of minimum value; now, therefore, be it

Resolved that the Mayor and Common Council do hereby extend thanks and appreciation to the Lockport Little Loop Football for a donation of \$1,863.83 to be used for repairs to park facilities; and

Resolved that the FY 2024 General Fund budget be amended as follows:

Revenue

Increase

A.7110.32705.AP	Gifts and Donation	\$1,863.83
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Expenditures

Increase

A.7110.54077	Const. & Maint. Supplies	\$1,863.83
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Seconded by Alderman _____ and adopted. Ayes _____.

082824.4 Street Paver Repair Resolution

By Alderman Kirchberger:

Whereas the City of Lockport owns and operates a single paver machine, which is essential for the maintenance and repair of city streets; and

Whereas the city's paver machine broke down on August 13, 2024, rendering it inoperable and in need of immediate repair; and

Whereas the cost to repair the paver has been estimated at ~~\$30,400~~ \$30,500; and

Whereas the vendor selected to perform the repairs is a sole-source provider, as they are the only vendor capable of performing the necessary repairs in a timely manner; and

Whereas there are insufficient funds in the current department budget to cover the cost of the repair, and it is necessary to transfer funds from the contingency fund to cover this expense;

Now therefore be it resolved that the FY 2024 General Fund Operating Budget is amended as follows:

Expense:

Decrease

A.1900.54775

Contingency

\$30,500

Increase:

A.5110.54050

Equipment Maintenance/Repair \$30,500

Seconded by Alderman Devine and adopted. Ayes 6.

(Motion approved as amended on the floor)

082824.5 Aaron Mossell Park Committee

By Alderman Lupo:

Whereas the city of Lockport was awarded a \$450,000 grant in 2017 through NYS Office of Parks, Recreation and Historic Preservation's Park Development Program to be used for the development of a park and playground at 50 Elmwood (109.64-1-17); and

Whereas a South Street Neighborhood Needs Assessment was completed and identified a thirty-block area within the City that is underserved by parks and similar active recreational facilities; and

Whereas it is the City's intention to establish a park and playground at that site the community will be proud of, and

Whereas the City intends to name the playground to commemorate a great historic citizen – Aaron Albert Mossell, who was a Lockport resident and business owner, and

Whereas environmental remediation has now been completed at the site, and

Whereas in March of 2018, the Greater Lockport Development Corporation (GLDC) authorized the transfer of 50 Elmwood from 210 Walnut Street, LLC to the city of Lockport for the purpose of transforming the site into a park and playground, and

Whereas in an effort to move this project forward, a volunteer committee has been appointed, hereby known as the Aaron Mossell Park Committee; and

Whereas the committee is made up of community members, city officials and staff (including the Mayor, Community Development Director and Common Council President), representatives of the GLDC, representatives from the Harrison Studio, and representatives from Nussbaumer and Clarke,

Now therefore let it be resolved, that the Council of the City of Lockport hereby approves and authorizes the Aaron Mossell Park Committee to make the necessary decisions to move the project forward including, but not limited to: procurement and hiring of appropriate consultants and contractors, conducting public engagement activities, developing a final design for the park, obtaining cost assessments, and identifying and applying for additional funding, as necessary.

Seconded by Alderman Fogle and adopted. Ayes 6.

082824.6 Resolution Authorizing the Purchase of a New Ambulance

By Alderman Mullane:

Whereas the City of Lockport is committed to ensuring the safety and well-being of its residents by providing timely and efficient emergency medical services; and

Whereas the City maintains a fleet of ambulances to meet the demands of responding to medical emergencies, ensuring the highest level of reliable service to our community; and

Whereas the continued operation of the aging 1999 Ford Braun ambulance poses a reliability risk to both the patients and emergency personnel riding in it; and

Whereas it is prudent and fiscally responsible for the City to replace the older ambulance with a new, reliable, and efficient vehicle to maintain the highest standards of emergency medical services; and

Whereas the City of Lockport is able to tag-on to a NYS OGS Vehicle Marketplace Mini-Bid #13448 with the City of Jamestown for said new ambulance with an anticipated delivery date of Early 2025;

Whereas the City of Lockport wishes to secure the vehicle by paying a 10% down payment upon authorization and plans to pay the remaining balance in the fiscal year 2025;

Whereas the 2025 FY Budget will reflect this decision to fulfill this contract with Gorman Emergency Vehicles

Now, therefore, be it resolved by the City of Lockport Common Council that the Mayor is authorized to enter into a purchasing agreement with Gorman Emergency Vehicles in Elma NY for the purchase of 2024 Medix RP-90 Ambulance on a Chevrolet G3500 chassis; and

Be it further resolved, that the City of Lockport is authorized to make a 10% down payment for the new ambulance upon the execution of the purchase agreement; and

Be it further resolved, that the remaining balance for the purchase of the ambulance shall be paid in the fiscal year 2025; and

Now, therefore, be it resolved that the FY 2023 2024 General Fund budget is amended as follows

Expense

Decrease

A.3410.51010	Full Time Wages	\$17,730.30
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Increase

A.3410.52030	Motor Vehicle Equipment	\$17,730.30
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Seconded by Alderman Craig and adopted. Ayes 6.
(Motion approved as amended on the floor)

082824.7

ADJOURNMENT

At 6:19 P.M. Alderman Fogle moved the Common Council be adjourned until 6:00 P.M., Wednesday September 11th 2024.

Seconded by Alderman Devine and adopted. Ayes 6.

Emily Stoddard
City Clerk

CITY OF LOCKPORT
COMMON COUNCIL PROCEEDINGS

Lockport Municipal Building

Regular Meeting
Official Record

September 11th, 2024
6:00 P.M.

Common Council President Kathryn Fogle called the meeting to order.

PLEDGE OF ALLEGIANCE

MOMENT OF SILENCE IN REMEMBRANCE OF 9/11

ROLL CALL

The following Common Council members answered the roll call:

Aldermen Craig, Devine, Fogle, Kirchberger, Lupo, Mullane

INVOCATION – Pastor Dent

ANNOUNCEMENTS

RECESS

Recess for public input.

091124.1

APPROVAL OF MINUTES

On motion of Alderman Craig, seconded by Alderman Kerchberger, the minutes of the Regular Meeting of August 28th 2024 are hereby approved as printed in the Journal of Proceedings. Ayes 5. Carried.

FROM THE MAYOR

Appointments:

Carol M. Edwards, 320 Church Street, Lockport, has been appointed as Deputy City Clerk for the City of Lockport as of 9/3/2024. Said appointment is provisional and subject to the City of Lockport Municipal Civil Services Rules and Regulations.

FROM THE CITY CLERK

The Clerk submitted bills for services and expenses, payrolls, 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)

8/29/2024 Steven Pawlak, Niagara Orleans District Order of the Eastern Star, requesting permission to use the city parking lot next to the Masonic building for a chicken barbeque fundraiser on Wednesday October 2nd, 2024.

9/5/2024 Emily Stoddard, City Clerk – Notification that the Lockport Municipal Offices will be closed on Monday October 14th, 2024 in honor of Columbus Day and Indigenous Peoples' Day.

Notice of Complaint:

8/28/2024 Lauren Putnam, 127 Vine Street – tree.

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

MOTIONS & RESOLUTIONS

091124.2

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 12th, 2024.

Seconded by Alderman Devine and adopted. Ayes 5.

091124.3 Employee Anniversaries

By Alderman Lupo:

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>
Robert A. Haley	25	Assistant Fire Chief
Coulton N. LaRoach	5	Municipal Worker
Gregory W. Qualiana	5	Building Maintenance
Mechanic		

Seconded by Alderman Devine and adopted. Ayes 5.

091124.4 Eastern Star Barbecue

By Alderman Mullane:

Resolved that pursuant to their request, permission is hereby granted to the Niagara Orleans District Order of the Eastern Star to conduct a Chicken BBQ fundraiser in the City parking lot next to the Masonic Hall on Wednesday, October 2nd, 2024 from 4 p.m. to 6 p.m., and be it further

Resolved that permission is hereby granted to barricade the first row of parking spaces east of the Masonic Hall in the City owned lot for said event, and be it further

Resolved that the Director of Streets and Parks be and the same is hereby authorized and directed to arrange for delivery of barricades to said area prior to said event.

Seconded by Alderman Devine and adopted. Ayes 5.

091124.5 Big Ditch Brewing dumpster and signage

By Alderman Mullane:

Whereas Iskalo Development Corporation on behalf of Iskalo 1 East Avenue LLC, owner of the Historic Post Office, located at 1 East Avenue, has invested millions of dollars to renovate this historic property in the city of Lockport,

And whereas Big Ditch Brewing Company is set to open a tap room and microbrewery in the Historic Post Office, located at 1 East Avenue,

And whereas the City of Lockport Planning Board, at its meeting on September 9th, 2024, conditionally approved an application submitted by Iskalo Development Corp. on behalf of Iskalo 1 East Avenue LLC seeking to erect a dumpster enclosure and a sign within the municipal parking lot located at 35 Chestnut Street, now therefore be it

Resolved that pursuant to their request, that Iskalo Development Corporation on behalf of Iskalo 1 East Avenue LLC, is hereby granted permission to install and maintain a dumpster enclosure in the southwest corner of the city owned parking lot located at 35 Chestnut Street (109.14-1-1.1); and erect a new sign over the arching stairway connecting the municipal parking lot located at 35 Chestnut Street to Bellah Alley and the property at 1 East Avenue under the following provisions:

-Filing a certificate of insurance with the City Clerk naming the City of Lockport as additional insured, leaving the City free and clear of all liability in connection therewith,

-A fence must be installed and maintained to conceal the dumpster,

-Iskalo Development Corporation on behalf of Iskalo 1 East Avenue LLC will maintain all responsibility for unauthorized dumping in the area of the dumpster,

-Per 190-124 E. of the City of Lockport Zoning Code - Signs advertising or identifying a business which is no longer operating: Any sign accessory or incidental to a business shall be removed (or de-identified) within 30 days after the business ceases to operate.

Seconded by Alderman Craig and adopted. Ayes 5.

091124.6 SEQR Negative Declaration for the proposed Aaron Mossell Playground at 50 Elmwood

By Alderman Lupo:

Whereas the City of Lockport (City) was awarded a grant in 2017 through NYS Office of Parks, Recreation and Historic Preservation's Park Development Program to be used for the development of a space for recreation and a playground at 50 Elmwood (109.64-1-17); and

Whereas the City intends to name the playground to commemorate historic Lockport citizen Aaron Mossell; and

Whereas per Title 6 NYCRR Part 617, commonly known as State Environmental Quality Review Act, or "SEQRA," requires the City to determine the level of environmental review required for the proposed project; and

Whereas the City has completed Parts 1, 2, and 3 of the New York State Environmental Assessment Form (EAF);

Now therefore, be it resolved that the City does hereby determine that the Project is an Unlisted Action as defined under SEQRA, and that based upon review of the EAF it has been determined that the project will not result in any significant adverse environmental impacts.

Seconded by Alderman Mullane and adopted. Ayes 5.

091124.7 Lockport Heritage Harbor Project

By Alderman Lupo:

Whereas the Lockport Heritage Harbor Project has been identified as a project that would be transformative for the city of Lockport, providing boater access to the Downtown Lockport Business District and bringing a much needed market segment to the Central Business District; and

Whereas the Lockport Harbor Project was ranked as the number one project by members of the community and key stakeholders as part of the City of Lockport's Downtown Revitalization Initiative's public engagement process in 2019, which informed what projects would be recommended by the city for DRI funding in the DRI Strategic Investment Plan; and

Whereas the proposed site for the project is the site of the former West Genesee Street Terminal, which is owned by the NYS Canal Corporation, and is an ideal site for the Marina, given its proximity to the intersection of NY Routes 31 and 78, the Empire State Trail and Lockport's Central Business District; and

Whereas the city was notified that this project would be funded in part through the Reimagine the Canals Initiative Program through the New York State Power Authority (NYPA); and

Whereas the city has recently been informed that NYPA is pausing its planning for the Lockport Heritage Harbor Project;

Now therefore let it be resolved, that the Council of the City of Lockport hereby urges the New York Power Authority to resume the engineering and design phase for the Lockport Heritage Harbor Project.

Seconded by Alderman Craig and adopted. Ayes 5.

091124.8

ADJOURNMENT

At 6:28 PM Alderman Craig moved the Common Council be adjourned until 6:00 P.M., Wednesday September 25th 2024.

Seconded by Alderman Devine and adopted. Ayes 5.

Emily Stoddard
City Clerk

CITY OF LOCKPORT
COMMON COUNCIL PROCEEDINGS

Lockport Municipal Building

Regular Meeting
Official Record

September 25th, 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.

092524.1

APPROVAL OF MINUTES

On motion of Alderman Fogle, seconded by Alderman Mullane, the minutes of the Regular Meeting of September 11th, 2024 are hereby approved as printed in the Journal of Proceedings. Ayes 6. Carried.

FROM THE MAYOR

Appointments:

Clayton C. Dimmick, 12 Grosvenor St, Lockport, is hereby appointed to Director of Streets, Parks and Water Distribution for the City of Lockport effective September 13th, 2024. Said appointment is permanent and subject to the City of Lockport Municipal Civil Service Rules and regulations.

Rodney J. Livergood, 5338 Ernest Road, Lockport, is hereby appointed to Public Works Supervisor of the Highway and Parks Department for the City of Lockport effective September 13th, 2024. Said appointment is permanent and subject to the City of Lockport Municipal Civil Service Rules and regulations.

Jeffrey B. White, 40 Gaffney Road, Lockport, has been appointed to Heavy Equipment Operator for the Highway and Parks Department for the City of Lockport effective September 13th, 2024. Said appointment is provisional and subject to the City of Lockport Municipal Civil Service Rules and regulations.

Jeffrey S. Dunn, 18 Harrison Ave, Lockport has been appointed to Tree Trimmer for the Highway and Parks Department for the City of Lockport effective September 13th, 2024. Said appointment is provisional and subject to the City of Lockport Municipal Civil Service Rules and regulations.

FROM THE CITY CLERK

Communications (which have been referred to the appropriate City officials)

9/13/2024 Anthony Molinaro, Assistant Principal at Lockport City School District requesting permission to hold the Homecoming parade on Saturday October 5th 2024.

9/13/2024 Emily Stoddard, City Clerk - notification of bids for Wastewater Treatment Plant Sludge Hauling and Disposal received on September 13th, 2024

Contractor Name	Phone Number	Bid Amount
Casella	518-410-1687	3yr contract at \$1,093,556

Notice of Claim:

9/9/2024 Roger Donovan vs. City of Lockport

Referred to the Corporation Counsel.

Notice of Complaint and Jury Demand:

9/18/2024 Hydraulic Race Co. Inc, Hydraulic Race Co. LTD and Niagara Zipper, LLC vs City of Lockport, Jason Dool, Michelle Roman, Steven Abbott, Luca Quagliano, Steven Tarnowski, Paul Beakman, Megan Brewer, Richelle Pasceri and John Doe(s) individually and in their official capacities.

Referred to the Corporation Counsel.

MOTIONS & RESOLUTIONS

092524.2 Halloween

By Alderman Fogle:

Resolved that Thursday, October 31, 2024 is hereby designated as Halloween Day in the City of Lockport, with the hours for trick or treating scheduled from 4 pm to 7 pm.

Seconded by Alderman Mullane and adopted. Ayes 6.

092524.3 Outwater Park Roof Asbestos Abatement

By Alderman Devine:

Whereas the City of Lockport previously authorized a contract with Progressive Roofing for the Roof-Stand Pipe Roof Replacement at Outwater Park through Resolution No. 072424.9; and

Whereas during the commencement of the roofing project, Progressive Roofing identified the presence of asbestos, requiring immediate abatement to ensure safety and compliance with environmental regulations; and

Whereas the cost of the asbestos abatement has been estimated at an additional \$10,000; and

Whereas the necessary funds for this asbestos abatement are available in the H204 Capital Project Fund;

Now therefore be it resolved, that the City of Lockport hereby authorizes an additional expenditure of \$10,000 for asbestos abatement in connection with the Roof-Stand Pipe Roof Replacement Project at Outwater Park, with said funds to be drawn from the H204 Capital Project Fund; and be it

Further resolved that the Council of the City is hereby authorized to execute any necessary amendments to the contract with Progressive Roofing to include the asbestos abatement work.

Seconded by Alderman Craig and adopted. Ayes 6.

092524.4 Homecoming Parade

By Alderman Lupo:

Resolved that pursuant to their request, Lockport High School is hereby granted permission to conduct a Homecoming Parade in the City of Lockport on Saturday, October 5th, 2024 starting at 11 am, subject to approval of the parade route by the Police Chief and issuance of a parade permit by the City Clerk.

Seconded by Alderman Kirchberger and adopted. Ayes 6.

092524.5 Award Lockport Raw Water Pump Station Improvements GENERAL 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, Mechanical, 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 GENERAL 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	Ace Great Lakes, Inc.	NFP and Sons, Inc.
BASE BID AMOUNT	\$190,000.00	\$88,000.00
ALTERNATE BID AMOUNT	\$45,000.00	\$49,500.00

And

Whereas the City Engineering Consultant Nussbaumer & Clarke, Inc. (Nussbaumer) reviewed the contractor bids and has determined that NFP and Sons, Inc. has submitted lowest complete and responsible GENERAL CONTRACT bid and recommends that the City award the contract to NFP and Sons, Inc., for a total amount of the BASE BID of \$88,000.00;

Now, therefore, be it resolved that the Mayor is authorized to execute an Agreement with NFP & Sons, Inc., 7311 Ward Road, North Tonawanda, NY 14120, in the amount of \$88,000.00 contingent upon legal review.

Seconded by Alderman Mullane and adopted. Ayes 6.

092524.6 Lockport Elks Veteran's Run 5K

By Alderman Craig:

Resolved that pursuant to their request, organizers at Elks Lodge #41 are hereby granted permission to conduct a 5K run on November 10, 2024, where proceeds help sponsor a service dog for a local Veteran through Pawsitive for WNY Heroes,

subject to Elks Lodge #41 organizers filing a certificate of insurance with the City Clerk naming the City of Lockport as additional insured and subject to approval of the race route by the Police Chief, and be it further

Resolved that the Director of Streets and Parks is hereby authorized and directed to arrange for delivery of barricades to said area prior to the event.

Seconded by Alderman Kirchberger and adopted. Ayes 6.

092524.8

ADJOURNMENT

At 6:12 P.M. Alderman Fogle moved the Common Council be adjourned until 6:00 P.M., Wednesday, October 9th, 2024.

Seconded by Alderman Devine and adopted. Ayes 6.

EMILY STODDARD
City Clerk

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, 2023 starting at 6:30 P.M. in the Common Council Chambers, Lockport Municipal Building, One Locks Plaza, Lockport, NY relative to the proposed 2024 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. 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

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	Chlorine	\$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 Solutions 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 Hydrofluorisisic Acid; Univar Solutions USA, Inc., \$3.80/gallon of Hydrofluorisisic Acid; AMREX Chemical Company \$5.49/gallon Hydrofluorisisic 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

\$307,783

Other General Government State Aid

Expense

Increase

A.3410.52030

\$158,522.70

Motor Vehicle Equipment

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	VOTING	YES
Alderman Craig	VOTING	YES
Alderman Mullane	VOTING	NO
Alderman Fogle	VOTING	YES
Alderman Lupo	VOTING	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

CITY OF LOCKPORT
COMMON COUNCIL PROCEEDINGS

Lockport Municipal Building

Regular Meeting
Official Record

November 6th, 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 – Mayor Lombardi

ANNOUNCEMENTS

RECESS

Recess for public input.

110624.1

APPROVAL OF MINUTES

On motion of Alderman Fogle, seconded by Alderman Kirchberger, the minutes of the Regular Meeting of October 23rd, 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)

10/31/2024 Carol A. Spedding, of the Zonta Club of Lockport, requesting a resolution to allow club to display temporary lawn signs in the city parks from 11/25/2024 – 12/10/2024 to raise awareness, and increase actions to end violence against women.

11/1/2024 Emily Stoddard, City Clerk – notification of bids received on November 1st 2024 in response to the Lockport Raw Water Pump Station Improvements Contract E-Rebid.

Contractor Name	Phone Number	Service	Bid Amount
Ferguson Electric	716-852-2010	Base	\$270,500
		Alternate	\$467,700
Resa Power	315-699-5563	Base	\$213,884
		Alternate	\$311,840
Frey Electric	716-874-1710	Base	\$349,500
		Alternate	\$282,000

MOTIONS & RESOLUTIONS

110624.2

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 7th, 2024.

Seconded by Alderman Devine and adopted. Ayes 6.

110624.3

By Alderman Fogle:

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>
Jeffrey S. Dunn	5	Heavy Equipment Operator
Rodney J. Livergood	30	Supervisor for Highway and Parks Dept.
Steven K. Abbott	5	Chief of Police

Seconded by Alderman Mullane and adopted. Ayes 6.

110624.4

By Alderman Lupo:

Whereas 1 Locks Plaza has served as a vital gathering space for the city of Lockport since its establishment; and

Whereas over the past 50 years, 1 Locks Plaza has hosted countless events, meetings, and activities that have fostered community engagement, cultural exchange, and civic pride; and

Whereas this landmark has been a site of important discussions, celebrations, and milestones that have shaped our community's history; and

Whereas the 50th anniversary provides an opportunity to reflect on the contributions of 1 Locks Plaza and to recognize the individuals and organizations that have supported its mission over the years;

Now, therefore, be it resolved by the Common Council of the City of Lockport officially recognizes and honors this milestone 50th anniversary.

Seconded by Alderman Craig and adopted. Ayes 6.

110624.5

By Alderman Kirchberger:

Resolved that pursuant to their request, 'Light Up Lockport' is hereby granted permission to use the City's right-of-way to conduct the following event on Saturday, November 30th, 2024:

Light Up Lockport Parade commencing at 6:00pm at Ida Fritz Park, will take place East on Main Street to Charles Street.

Resolved that said permissions are subject to approval of the routes by the Police Chief;

And be it further resolved that the Director of Highways, Parks and Water Distribution is hereby authorized and directed to arrange for delivery of barricades and temporary 'no parking' signs for the entire length of the south side of Main Street prior to said events.

Seconded by Alderman Mullane and adopted. Ayes 6.

110624.6

By Alderman Fogle:

Whereas the Zonta Club of Lockport has requested permission to install temporary lawn signs in various City rights of way, from November 25, 2024 through December 10, 2024, to raise awareness and increase actions to end Violence Against Women, and

Whereas the 'Zonta Says NO' campaign is an international effort to raise awareness of, and increase actions to end violence against women and girls around the world through service and advocacy, now, therefore, be it

Resolved that permission is hereby granted to place the signs at Veteran's Memorial Park on East Avenue, Ida Fritz Park on West Avenue, Children's Memorial

Park on S. Transit Street, and at the Washburn and Locust Streets garden, which is maintained by the Zonta Club of Lockport.

Seconded by Alderman Craig and adopted. Ayes 6.

110624.7

By Alderman Mullane:

Whereas the Salvation Army provides warm shelter for the homeless or persons without heat when the temperature falls below 32 degrees Fahrenheit calling for a “Code Blue”; and

Whereas in order to provide the “Code Blue” Warming Center to City residents, the Salvation Army is dependent upon financing from multiple sources, including municipalities whose residents it services; and

Whereas the Common Council of the City of Lockport desires to provide funding to the Salvation Army in the amount of \$2500.00 to provide “Code Blue” Warming Shelter services from November through April; now therefore, be it

Resolved, that the Mayor is authorized and directed to execute a contract with the Salvation Army to operate the Code Blue Warming Shelter for City residents from November 6th, 2024 through April 15, 2025, and be it further

Resolved payment to the Salvation Army shall not exceed \$2500.00 for the operation of the Code Blue Warming Shelter from November 2024 through April 15, 2025, and said funds shall be expended from the A.8510.54075 Service Contracts and be it further

Resolved that the Mayor is hereby authorized to declare a “Code Blue” when the weather conditions indicate the temperature will fall below 32 degrees Fahrenheit overnight and shall notify the Salvation Army to open the Code Blue Warming Shelter, and that this resolution shall take effect immediately.

Seconded by Alderman Kirchberger and adopted. Ayes 6.

110624.8

ADJOURNMENT

At 6:12pm Alderman Fogle moved the Common Council be adjourned until 6:00pm, Wednesday, November 20th 2024.

Seconded by Alderman Devine and adopted. Ayes 6.

EMILY STODDARD
City Clerk

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 rescope 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.

CITY OF LOCKPORT
COMMON COUNCIL PROCEEDINGS

Lockport Municipal Building

Regular Meeting
Official Record

December 4, 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 – Mayor Lombardi

ANNOUNCEMENTS

RECESS

Recess for public input.

120424.1

APPROVAL OF MINUTES

On motion of Alderman Fogle, seconded by Alderman Kirchberger, the minutes of the Regular Meeting of November 20th, 2024 are hereby approved as printed in the Journal of Proceedings. Ayes 6. Carried.

FROM THE MAYOR

Appointments:

Simon M. Chavers, 196 Park Ave., Lockport, NY has been appointed Tree Trimmer for the Highway and Parks Department effective November 21st, 2024. Said appointment is provisional and subject to the City of Lockport Municipal Civil Service Rules and Regulations.

Ashley C. Bretherton, 172 Erie Street, Lockport, NY has been appointed to Payroll and Benefits Coordinator of the Accounting Department for the City of Lockport. 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:

Lauren Putnam of 127 Vine Street – tree.

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

MOTIONS & RESOLUTIONS

120424.2

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 December 5th, 2024.

Seconded by Alderman Devine and adopted. Ayes 6.

By Alderman Lupo:

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

Seconded by Alderman Mullane and adopted. Ayes 6.

120424.3

By Alderman Devine:

Resolved that the following local law be and the same is hereby adopted:

**City of Lockport
Local Law No. 1 of the year 2024**

A local law to amend the City of Lockport “Schedule of Sewer Rents and Other Charges.”

Be it enacted by the Common Council of the City of Lockport as follows:

SEWER RATES

The following sewer rental charges shall be effective on all residential, commercial, and industrial water consumption billed as follows:
after January 1, 2025

\$17.30 per month service charge for both domestic and industrial users plus a commodity charge of \$2.65 per 100 cu. ft. of water billed, plus a standard surcharge for industrial users for excess strength of sewage as stated in all existing Industrial sewer contracts.

INDUSTRIAL	\$17.91
COMMERCIAL & RESIDENTIAL	\$44.76 (billed quarterly)

The standard surcharge for all industrial users for excess strength of sewage as stated in all existing industrial service contracts be as follows:

Type	Fee
Discharging wastewater, per 100 cubic feet:	
Effective 01 January 2025.....	\$1.24
Discharging excess total suspended solids in excess of 350 mg per liter per one hundred pounds per day:	
Effective 1/1/2025.....	\$3.75
Discharging excess BOD in excess of 250 mg liter per, per one hundred pounds per day:	
Effective 1/1/2025.....	\$3.34
Discharging wastewater through the use of a waste hauler per one thousand gallons:	
Effective 1/1/2025.....	\$19.67
Annual waste hauler disposal permit authorizing the use of City of Lockport wastewater treatment plant to a specific waste hauler:	
Effective 1/1/2025... ..	\$415.93
Annual amount charged for an effective City of Lockport wastewater discharge permit issued to City of Lockport industries identified as POTW significant industrial users (SIU's):	
Effective 1/1/2025	\$449.19
RV Waste Disposal, City Resident, per occurrence	
Effective 1/1/2025	\$0.00

RV Waste Disposal, Non-City Resident, per occurrence

Effective 1/1/2025.....\$20.00

Effective 1/1/2025, laboratory analysis at City of Lockport wastewater treatment plant laboratory are as follows:

<u>Analyte</u>	<u>Rate</u>
pH.....	\$11.92
Settleable solids	\$11.92
Total suspended solids.....	\$35.83
Total solids	\$17.91
BOD 5.....	\$47.75
Dissolved oxygen	\$23.90
Fecal coliform	\$41.81

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	SW	MR
	A 5/8"	\$44.76	
	B 3/4"	\$44.76	
	C 1"	\$44.76	
	D 1 1/2"	\$44.76	
	E 2"	\$44.76	
	F 3"	\$44.76	
	G 4"	\$44.76	
	H 6"	\$44.76	
IND		\$17.91	\$37.68
RES	SW	<u>2.74</u>	
COM	SW	<u>2.74</u>	

Seconded by Alderman Fogle and adopted. Ayes 6.

Alderman Kirchberger: yes

Alderman Craig: yes

Alderman Mullane: yes

Alderman Devine: yes

Alderman Fogle: yes

Alderman Lupo: yes

120424.4

By Alderman Mullane:

Whereas until 2024, cities, villages, and towns had not received an increase in unrestricted state aid (AIM funding) in 15 years, significantly impacting their ability to provide essential services to their residents; and

Whereas after a prolonged period without financial support, local governments finally received an increase of \$50 million in unrestricted state aid; and

Whereas local officials express their gratitude for the \$50 million increase in unrestricted state aid, recognizing it as a positive step towards addressing longstanding funding challenges; and

Whereas the State has referred to this new aid as Temporary Municipal Assistance, suggesting that such an increase may not continue, jeopardizing the sustainability of crucial municipal programs and services; and

Whereas the property tax cap further limits the ability of local governments to properly fund the programs and services their residents need; and

Whereas increased and ongoing state aid for local governments is vital for maintaining infrastructure, public safety, housing, and other municipal services; and

Whereas the challenges of inflation, the increasing costs of labor and supplies, and the end of extraordinary federal aid only accentuate the need for consistent and predictable funding to effectively plan for the future and meet the growing needs of their residents;

Now therefore be it resolved, that the City of Lockport calls upon the Governor and the State Legislature to commit to continuing the additional \$50 million in unrestricted state aid in the 2025-26 State Budget and beyond, and

Be it further resolved, that the City of Lockport urges state officials to recognize the need for a long-term plan that ensures consistent and predictable increases in financial support for local governments that keep pace with inflation.

Seconded by Alderman Kirchberger and adopted. Ayes 6.

120424.5

By Alderman Kirchberger:

Whereas Resolutions 081821.4 and 041223.8 previously authorized the purchase of a 12-ton truck from Kenworth and Viking under the Onondaga County pricing agreement #8996 for a total price of \$217,281, to be funded through Federal ARPA Coronavirus Local Fiscal Recovery Funds under account H212.5110.52420; and

Whereas after consultation with the City Insurance Representative, it was determined that additional necessary upgrades and expenses totaling \$6,528 were required to ensure the truck meets insurance compliance standards and reduces potential liability for the City; and

Whereas the City intends to cover the increased cost through a budget adjustment utilizing funds from account A.1900.54055;

Now therefore be it resolved, that the Common Council hereby authorizes the additional expenditure of \$6,528 for the purchase of the 12-ton truck, increasing the total cost of the purchase to \$223,809; and

Be it further resolved, that the FY 2024 General and Capital Fund budgets are amended as follows:

Revenue:

Increase

H212.5110.32801.A	Interfund from General	\$6528
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Expenditures

Increase

A.9901.5900H	Interfund Transfer	\$6528
H212.5110.52420	Machinery & Equipment	\$6528

Decrease

A.1900.54055	Professional Services	\$6528
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Seconded by Alderman Fogle and adopted. Ayes 6.

120424.6

By Alderman Kirchberger:

Whereas Resolution No. 053123.12 previously authorized the purchase of a 12-ton truck from Kenworth and Viking under the Onondaga County pricing agreement #8996 for a total price of \$217,281, with the purchase to be funded using CHIPS funds from account H082.5112.52450; and

Whereas after consultation with the City Insurance Representative, it was determined that additional necessary upgrades and expenses totaling \$6,528 were required to ensure the truck meets insurance compliance standards and reduces potential liability for the City; and

Whereas the City intends to use available CHIPS funds under account H082.5112.52450 to cover the increased costs associated with the truck purchase;

Now therefore be it resolved, that the Common Council hereby authorizes the additional expenditure of \$6,528 for the purchase of the 12-ton truck from Kenworth, to be funded through CHIPS funding allocated under account H082.5112.52450

Seconded by Alderman Fogle and adopted. Ayes 6.

120424.7

By Alderman Kirchberger:

Whereas the City of Lockport Police Department maintains a DEA Asset Forfeiture bank account which has accumulated funds; and

Whereas the City of Lockport Police Chief has confirmed that these funds can be used appropriately for Police Department upgrades and equipment; and

Whereas the City must amend its 2024 budget to accurately reflect the use of these funds; and

Whereas, the Police Department has identified a need to purchase six (6) Body Armor Vests;

Now therefore be it Resolved, that the 2024 General Fund Budget is hereby amended as follows:

Increase:

Revenue: A3120.34389 - Other Federal Public Safety: \$16,648.80

Expense: A3120.52070 - Public Safety Equipment: \$16,648.80

Seconded by Alderman Craig and adopted. Ayes 6.

120424.8

ADJOURNMENT

At 6:14pm Alderman Fogle moved the Common Council be adjourned until 6:00 PM, Wednesday, December 18th, 2024.

Seconded by Alderman Devine and adopted. Ayes 6.

EMILY STODDARD
City Clerk

CITY OF LOCKPORT
COMMON COUNCIL PROCEEDINGS

Lockport Municipal Building

Regular Meeting
Official Record

December 18th, 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, Kirchberger, Lupo, Mullane
Absent: President Fogle

INVOCATION – Pastor Steve

ANNOUNCEMENTS

RECESS

Recess for public input.

120424.1

APPROVAL OF MINUTES

On motion of Alderman Craig, seconded by Alderman Kirchberger, the minutes of the Regular Meeting of December 4th, 2024 are hereby approved as printed in the Journal of Proceedings. Ayes 5. Carried.

FROM THE MAYOR

Appointments:

Frank R. Masic Jr., 7315 Colonial Drive Ext., Niagara Falls, NY, has been appointed to Heavy Equipment Operator for the Highway and Parks Department for the City of Lockport effective December 3rd 2024. Said position is permanent and subject to the City of Lockport Municipal Civil Service Rules and Regulations.

Rohan G. Purville, 409 Pine Street, Lockport, NY has been appointed to Heavy Equipment Operator of the Waste Water Treatment Plant for the City of Lockport effective December 16th 2024.. Said appointment is permanent and subject to the City of Lockport Municipal Civil Service Rules and Regulations.

Commissssioner of Deeds: For the term of two years expiring December 31, 2026

John Johnston	1610 Lockport Rd., Youngstown, NY 14174
Patrick Weidel	4804 Sebastian Drive, Lockport, NY 14094
Andrew Rosenberg	268 Genesee Street, Lockport, NY 14094
Richard Abbott	93 Lewis Street, Lockport, NY 14094
Paula Halladay Travis	28 Spruce Street, Lockport, NY 14094
Michael Carney	407 Bennett Street, North Tonawanda, NY 14120
Joseph Oates	342 Union Street, Lockport, NY 14094
Delaina Lombardi	249 Davison Road Apt 5, Lockport, NY 14094
Ross Annable	3135 Johnson Creek Rd., Middleport NY 14105
Kevin Clark	76 Hi Point Drive, Lockport, NY 14094
Larry Kensinger	2025 Lasalle Avenue, Niagara Falls, NY 14094
Emily Serianni	773 Walnut Street, Lockport, NY 14094
Andrew Nemi	564 Willow Street, Lockport, NY 14094
Irene Myers	2426 Youngstown-Lockport Rd, Ransomville NY 14131
John Craig	31 Lakeview Parkway, Lockport, NY 14094
Kevin Kirchberger	670 Walnut Street, Lockport, NY 14094
Dennis Stachera	20 Regent Street, Lockport, NY 14094
Cristopher Wronski	389 Walnut Street, Lockport, NY 14094
Ann Boci	41 Grant Street, Lockport, NY 14094
James Rook	6833 Tonawanda Creek Road, NY 14094

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 Summons:

Daniel Warmus vs. City of Lockport, Lieutenant Steven Tarnowski, Carol Edwards, Sarah Lanzo, Jennifer Wochna, Emily Stoddard and John Doe.

Referred to Corporation Counsel

MOTIONS & RESOLUTIONS

121824.2

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 December 19th, 2024.

Seconded by Alderman Lupo and adopted. Ayes 5.

121824.3 WITHDRAWN

121824.4

By Alderman Criag:

Whereas on or about February 14, 2023, the City of Lockport (the "City") resumed providing ambulance and transport services for City residents, and

Whereas as a result of reinstituting ambulance services, the Lockport Professional Firefighters Association, Local 963 (the "Union"), requested negotiations with the City concerning the impact of such services on Union members, and

Whereas the City and the Union have reached a tentative agreement to resolve such impact negotiations, now therefore be it

Resolved that the City directs the Mayor, through Corporation Counsel, enter into an agreement with the Union to modify the terms of the Collective Bargaining Agreement as follows:

Effective February 14, 2023, Emergency Service Personnel rates shall be modified as follows:

EMT from 4% to 5% of base pay
AEMT from 5% to 6% of base pay
Critical Care from 6% to 7% of base pay
Paramedic from 7% to 8% of base pay

Said modification shall be fully retroactive

Effective January 1, 2024, rates shall be increased by 1% for all certifications, fully retroactive.

Effective January 1, 2025, rates shall be increased by 1% for all certifications.

Effective January 1, 2026, rates shall be increased by 1% for all certifications.

and be it further

Resolved that the sum total of all retroactive payments as referenced herein shall be paid in three equal installments payable on January 1st, 2025, July 1st, 2025 and January 1st 2026.

Seconded by Alderman Mullane and adopted. Ayes 4.

Alderman Devine abstained due to his son being one of the Firefighters.

121824.5

By Alderman Lupo:

Resolved that pursuant to their request, The Lock Tender, 4 Lock Street, is granted permission to use the parking lot behind 57 Canal Street on Saturday January 18th, 2025 host a street hockey tournament, from 12-4pm in hopes of bringing new customers to area businesses during a relatively slow time of year.

Resolved that the Highway and Parks Department is hereby authorized and directed to close the city parking lot behind 57 Canal Street on January 18th from 8am- 5pm, with enough time for set-up and take down of temporary rink

constructed of hay bails, and deliver barricades and street closed signs, no parking signs and trash receptacles to the area prior to the set-up of the event. Said permission is subject to The Lock Tender filing a certificate of insurance naming the City of Lockport as additional insured with the City Clerk naming the City of Lockport as additionally insured.

Seconded by Alderman Devine and adopted. Ayes 5.

121824.6

By Alderman Lupo:

Whereas the City of Lockport entered into an agreement with Lockport Community Services, Inc. via Resolution 120220.8 to support the fund development plan for the Railyard Skatepark Project as part of the Built to Play Initiative funded by the Wilson Foundation and the Skatepark Project; and

Whereas this agreement included a commitment of \$12,000.00 from the City to support signage as part of the Niagara County-based Greenway Commission grant, which served as a cash equivalent match requirement for the \$300,000.00 grant to construct the skatepark; and

Whereas the City has not yet fulfilled its original commitment of \$12,000.00; and

Whereas an additional \$3,000.00 is required to cover remaining costs and finalize the project budget; and

Whereas funds for this expenditure are available in the City's Parks Revitalization Program (H206), established in 2021;

Now therefore be it resolved that the City of Lockport is hereby authorized to disburse \$15,000.00, consisting of the original \$12,000.00 commitment and an additional \$3,000.00, from the H206 Capital Project Fund to Lockport Community Services, Inc., to support the completion of the Railyard Skatepark Project.

Seconded by Alderman Mullane and adopted. Ayes 4.

Alderman Craig abstained due to being on the grant Committee prior to being an Alderman.

121824.7

ADJOURNMENT

At 6:09pm Alderman Craig moved the Common Council be adjourned until 6:00pm Wednesday, January 8th, 2025.

Seconded by Alderman Devine and adopted. Ayes 5.

EMILY STODDARD
City Clerk