

CITY OF LOCKPORT
COMMON COUNCIL PROCEEDINGS

Lockport Municipal Building

Regular Meeting
Official Record

July 9th, 2025
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 Fogle, Craig, Lupo, Mullane, Devine, Kirchberger

INVOCATION – Pastor Steve O’Mara

ANNOUNCEMENTS

RECESS

Recess for public input.

070925.1

APPROVAL OF MINUTES

On motion of Alderman Craig seconded by Alderman Lupo the minutes of the Regular meeting of June 25th are hereby approved as printed in the Journal of Proceedings. Ayes 6.

PUBLIC HEARING

The Mayor announced a public hearing related to the Community Development Block Grant (CDBG) project supporting Big Ditch Brewing Company at 1 East Avenue in the City of Lockport.

The Mayor asked the City Clerk if any petitions or communications relative to the CDBG grant project were received.

Recess for public input.

The Mayor closed the public hearing.

FROM THE MAYOR

Appointments:

6/23/2025 Larry Bouchard, 532 Pine Street, Lockport, NY 14094 has been appointed to the Planning Board effective June 23rd, 2025 for the completion of a 3 year term to expire December 31st, 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)

6/30/2025 Dawn and Kyle Lambalzer, "The Bloom Committee", requesting permission to hold this years' event on Friday July 11th – Sun July 13th.

MOTIONS & RESOLUTIONS

070925.2

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 July 10th, 2025.

Seconded by Alderman Devine and adopted. Ayes 6.

070925.3

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>
Matthew T. Vosler	10	Police Officer
Tanner C. Niezsgoda	5	Firefighter

Seconded by Alderman Mullane and adopted. Ayes 6.

070925.4

By Alderman Lupo:

Whereas, the City of Lockport (City) has received a Downtown Revitalization Initiative (DRI) Grant (Contract C1001608) managed by the New York Department of State (DOS) to fund streetscape enhancements to Pine Street (Project); and

Whereas, the initial phase of the project has been completed from South Street to the Erie Canal; and

Whereas, the City has until February 28, 2027 to complete construction of the next phase of the project at the Pine/Lock/Gooding Street intersection; and

Whereas, Nussbaumer & Clarke, Inc. (Nussbaumer) provided professional engineering services for the initial phase of the project and subsequently submitted a proposal dated April 18, 2025 to provide professional engineering services for the Pine/Lock/Gooding Street portion of the project; and

Whereas, DOS has reviewed Nussbaumer's proposal and qualifications and approved use of Nussbaumer on this project;

Now therefore, be it resolved, that the Mayor is hereby authorized to execute an agreement with Nussbaumer & Clarke, Inc., 80 Main Street Unit A, Lockport NY 14094 for a fee Not-to-Exceed of \$385,768.00, to be fully funded by the DRI Grant, inclusive of the Scope of Work included in their April 18, 2025 proposal to the City for consulting engineering services. Tasks 1 through 3 shall be approved to proceed immediately and Tasks 4 through 6 shall be approved contingent upon the project progressing to construction.

Seconded by Alderman Kirchberger and adopted. Ayes 6.

070925.5

By Alderman Craig:

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, 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 on behalf of the City of Lockport.

Seconded by Alderman Fogle and adopted. Ayes 6.

070925.6

By Alderman Craig:

Whereas, the Common Council previously authorized funding in support of the 2025 Summer Youth Programming at Willow Altro Park through a Memorandum of Agreement with The Kenan Center, YWCA of Niagara, and Niagara County Youth

Mentoring Services via resolution 052825.11; and

Whereas, the City has identified a portion of unutilized funds in A.8510.54510 (Community Beautification) that may be reallocated to support this initiative;

Now therefore be it resolved, that the FY 2025 budget be amended as follows.

Expenditures

Increase

A.7140.54055 Professional Services \$4550

Decrease

A.8510.54510 Program Expenses \$4550

Seconded by Alderman Fogle and adopted. Ayes 6.

070925.7

By Alderman Kirchberger:

Resolved, that pursuant to their request, the Lockport in Bloom committee is hereby granted permission to conduct their 22nd annual Lockport In Bloom "City Garden Tour 2025" event the weekend of Friday July 11th 6:00pm-10:00pm, Saturday July 12th 10:00am-4:00pm and Sunday, July 13th, 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 Mullane and adopted. Ayes 6.

070925.8

By Alderman Devine:

Resolve 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 Fall season which includes games on 9/6, 9/13, 9/20 and 9/27 from 9:30am – 1:00pm contingent upon them paying the fees established by the City and filing a certificate of insurance with the City Clerk naming the City of Lockport as additional insured and approval of the schedule by the Director of Highways, Parks and Water Distribution.

Seconded by Alderman Kirchberger and adopted. Ayes 6.

079025.9

By Alderman Kirchberger:

Whereas, the City of Lockport and the City of Lockport Department Head Association are parties to a collective bargaining agreement that remains in effect through December 31, 2026; and

Whereas, it was discovered that Department Head Association member Clayton Dimmick has accrued significant balances of unused vacation, personal, and sick leave; and

Whereas, the City and the Association have reviewed the matter and reached an agreement to resolve these issues in a manner that addresses Mr. Dimmick's accrued time and ensures adherence to City policy going forward; and

Whereas, the City and the Association wish to document their mutual understanding through a Memorandum of Agreement; now, therefore, be it

Resolved, that the City of Lockport hereby approves the attached Memorandum of Agreement with the Department Head Association regarding the accrued leave time and vacation buyback eligibility of Clayton Dimmick; and be it further

Resolved, that the Mayor and Corporation Counsel are authorized to execute the attached Memorandum of Agreement on behalf of the City; and be it further

Resolved, that the FY 2025 General Fund operating budget is amended as follows to reflect the associated vacation buyback expense:

Expenses

Increase:

A.1490.51010	Full-Time Wages	\$7,497
A.1490.58010	FICA	\$574
A.1490.58050	Retirement	\$1087

Decrease:

A.1900.54775	Contingency	\$9,158
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Seconded by Alderman Mullane and adopted. Ayes 6.

070925.10

By Alderman Craig:

Whereas, the Lockport Erie Canal Bicentennial Committee is organizing a series of celebratory events during the week of September 21, 2025, in honor of the 200th Anniversary of the completion of the Erie Canal; and

Whereas, as part of this commemoration, the replica canal boat *Seneca Chief* will arrive in the Lockport Locks on Wednesday, September 24th, 2025, marking Lockport as the first port of call on its historic re-creation of the 1825 cross-state journey; and

Whereas, the Committee has requested use of the Pine Street Bridge as a public viewing area from 5:00 PM to 8:00 PM for the boat's arrival, scheduled at approximately 6:00 PM, followed by a fireworks display at approximately 8:30 PM; and

Whereas, the Committee further requests the closure of Pine Street Bridge to vehicular traffic from 5:00 PM to 9:00 PM on that date to accommodate pedestrian traffic and ensure public safety; and

Whereas, local businesses, including Stooges and the Locktender, are in support of the temporary closure and the planned celebration; and

Whereas, the Lockport Erie Canal Bicentennial Committee will assume all costs associated with the fireworks display and has requested that the City of Lockport provide liability insurance coverage for the evening's activities; and

Whereas, the Committee has also requested an open-container provision be in effect during the public reception on the Pine Street Bridge;

Now, therefore, be it resolved that the Common Council of the City of Lockport hereby approves the following for Wednesday, September 24, 2025:

1. **Closure of the Pine Street Bridge** to vehicular traffic from 5:00 PM to 9:00 PM to allow for pedestrian use during the Erie Canal Bicentennial reception and arrival of the *Seneca Chief*;

2. **Permission for a public fireworks display** at approximately 8:30 PM, to be funded by the Lockport Erie Canal Bicentennial Committee;
3. **Provision of liability insurance coverage** for the event by the City of Lockport;
4. **Temporary open-container allowance** on the Pine Street Bridge from 5:00 PM to 9:00 PM for the duration of the event, subject to applicable state and local laws and public safety requirements;

Be it further resolved that the City of Lockport extends its support and gratitude to the Lockport Erie Canal Bicentennial Committee for its efforts in celebrating this significant historical milestone.

Seconded by Alderman Lupo and adopted. Ayes 6.

070925.11

ADJOURNMENT

At 6:23 pm Alderman Fogle moved the Common Council be adjourned until 6:00pm Wednesday, July 23rd, 2025.

Seconded by Alderman Devine and adopted. Ayes 5.

EMILY STODDARD
City Clerk