

**CITY OF LOCKPORT**  
**COMMON COUNCIL PROCEEDINGS**

Lockport Municipal Building

Regular Meeting  
Official Record

January 28th, 2026  
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, Wyche, Fogle, O'Malley, Wiley and Kirchberger

**INVOCATION – Mayor John Lombardi**

**ANNOUNCEMENTS**

**RECESS**

Recess for public input.

**012826.1**

**APPROVAL OF MINUTES**

On motion of Alderman Wyche, seconded by Alderman Craig, the minutes of the Regular Meeting of January 14th, 2026 are hereby approved as printed in the Journal of Proceedings. Ayes 6. Carried.

**FROM THE MAYOR**

**Appointments:**

1/20/2026 Dennis Stachera, 20 Regent Street, Lockport, NY has been appointed to the City of Lockport's Zoning Board of Appeals. The term is effective January 20<sup>th</sup> for the remainder of a 3-year term to expire November 16<sup>th</sup>, 2026.

**For the term of one year beginning 1/1/2026 expiring on December 31, 2026**

President of Common Council  
Corporation Counsel  
Deputy Corporation Counsel

Rowland O'Malley  
David E. Blackley  
Damon Decastro

**2026 Common Council Standing Committees:**

**Finance Committee** - Alderman Craig, Chairman

Members: Mayor Lombardi, Alderman O'Malley, Fogle, Kirchberger, Wiley, Wyche, Sue Mawhiney, Dan Cavallari

**Public Health & Safety Committee** - Alderman Fogle, Chairman

Members: Fire Chief, Police Chief, and Chief Building Inspector, Aldermen Craig, O'Malley, Kirchberger, Wyche and Wiley.

**Highways & Parks Committee** - Alderman Kirchberger, Chairman

Members: Aldermen Craig, O'Malley, Fogle, Wyche and Wiley,  
City Engineer, Director of Streets and Parks

**Water & Sewer Committee** - Alderman Wyche, Chairman

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

**Youth Board** - Alderman Craig, Chairman; Members: Personnel Director, and mayor appointed community members

**Personnel Committee** - Alderman Wiley, Chairman, Members: Aldermen Craig, Wyche, Kirchberger, Wiley, Fogle, City Clerk, Corporation Counsel, Personnel Officer

**Washington Hunt Committee** - Chairman, Mayor Lombardi

Members: Alderman O'Malley, Alderman Fogle, Corporation Counsel David Blackley

**For their term of office:**

Police Board	Alderman Kevin Kirchberger
Fire Board	Alderman Jon Wiley
Community Cable Commission (LCTV)	Alderman Fogle
Traffic Advisory Committee	Alderman O'Malley

**Board of Estimate & Apportionment** – Director of Finance - Chair,

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

**Buildings & Grounds Accessibility Committee-(Ad-Hoc)** - Alderman Craig, Chairman

Members: City Clerk, Mayoral appointed community members

**Tree Advisory Committee-(Ad-Hoc)** – Alderman Fogle – Chairman

**License Revocation Board** - Alderman O'Malley- Chairman

Members - Chief Building Inspector, Mayoral appointed residents

Received and filed.

**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**

**012826.2**

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 29<sup>th</sup>, 2026

Seconded by Alderman O'Malley and adopted. Ayes 6.

**By Alderman Kirchberger:**

**Resolved that the reading of the foregoing resolution #3 is hereby waived.**

**Seconded by Alderman Wiley and adopted. Ayes 6.**

**012826.3**

By Alderman O'Malley:

Resolved, that the following Rules and Orders 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 fourth Wednesday of each month, except when otherwise directed by resolution of the Common Council. The hour of meeting shall be 5:30 P.M., 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).**
1. 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.

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.

**012826.4**

By Alderman Wyche:

**Whereas**, Section 53(4) of the New York State General Municipal Law authorizes municipalities to make purchases in the event of an emergency involving a threat to the health, safety, welfare, property, or taxpayers of the City of Lockport; and

**Whereas**, the City's Wastewater Treatment Department, in coordination with the Mayor's Office and the Department of Finance, was required to utilize emergency purchasing authorization due to an unexpected sewer main break at the intersection of State Road and Amelia Street on December 24, 2025, necessitating immediate repair services; and

**Whereas**, the City's Wastewater Treatment Department, in coordination with the Mayor's Office and the Department of Finance, was required to utilize emergency purchasing authorization due to an unexpected sewer main break on Oakhurst Street on December 13, 2025, necessitating immediate repair services; now, therefore, be it

**Resolved**, that the Common Council hereby acknowledges and ratifies the use of emergency authorization, to contract with R.I.C. Plumbing Inc. for emergency sewer main repairs associated with the sewer main breaks that occurred on December 13, 2025 in the amount of \$14,690, to be funded from Sewer Fund contingency, and December 24, 2025 in the amount of forty seven thousand, nine hundred twenty two dollars and 50 cents (\$47,922.50), to be funded from the City's sewer infrastructure capital project; and be it further

**Resolved**, that the FY 2025 Sewer Fund Budget is hereby amended as follows:

Expenditures

Decrease		
G.1900.54775	Contingency	\$14,690
Increase		
G.8120.54055	Professional Services	\$14,690

Seconded by Alderman Kirchberger and adopted. Ayes 6.

**By Alderman Fogle:**

***Resolved that the reading of the foregoing resolution #5 is hereby waived.***

***Seconded by Alderman Wyche and adopted. Ayes 6.***

**012826.5**

By Alderman Fogle:

- **Lockport Community Farmers Market (hereafter, LCFM):**
  - Saturdays, May 1st - November 1st from 6am to 4pm- Market hours are 9am to 2pm

- **Cycle the Erie Canal 2026 Lockport's Welcoming Reception:** Sunday, July 12th, 2026 between 7am and 3pm
- **Lockport Chalk Walk:** Saturday, July 18th, 2026 from 9am to 4pm OR (tentative rain date) Sunday, July 19th from 9am to 4pm on Canal St.
- **Lockport Food Fest:** Sunday, August 16th, 2026 from 11am to 4pm, on Main St.
- **Until the Wheels Fall Off:** Saturday, August 1st, 2026 from 12pm to 6pm at the Railyard Skate Park located in Outwater Park
- **Locktoberfest:** Saturday, October 3rd, 2026 from 10am to 5pm on Canal St.
- **Downtown Trick or Treating:** October 30<sup>th</sup>, 2026 from 5pm – 7pm on Main St.

**LMS requests the use of Canal Street, the pocket park, and the adjoining parking lot, the extent to be determined by the city, for the following dates and times:**

**Lockport Community Farmers Market (LCFM):** Saturdays, May 1st - November 1st from 6am to 4pm- Market hours are 9am to 2pm

- LMS requests 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 **beginning May 1st, 2026 through November 1st, 2026 for use in all LMS and LCFM events.**
- Permission for vendors and restaurants to set up in the parking lot of Canal Street and access electricity from the light post
- 4 Street barricades for closures on Saturday
- LMS requests to have the LCFM authorized to place yard signs in the city rights-of-way for May through October, and A-frame directional signage at the intersections of Main and Pine, Main and Cottage, Ontario and Church, and Ontario and Pine, during the open hours of the market
- LMS requests the placement of two Lockport Community Farmers Market banners to be hung on the gazebo on Canal Street beginning May 1st through October 25th and feather flag signs and/or yard signs on Ontario Street during the open hours of the market
- LMS requests to be allowed to sell concessions such as bottles of water and merchandise during all LMS and LCFM events on Canal Street beginning May 1st through November 1st

**Cycle the Erie:** Sunday, July 12th, 2026 between 7am and 3pm

- LMS requests permission to place portable sanitation units on Canal Street on Friday, July 10th 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 to hang and display signage, yard signs, and feather flags on Canal St. and the gazebo beginning July 10th 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

**LKPT Chalk Walk:** Saturday, July 18th, 2026 from 9am to 4pm OR (tentative rain date) Sunday, July 19th from 9am to 4pm on Canal St.

- 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 18th, 2026 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 Friday, July 10th for this event to be taken down on Monday, July 20th
- **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**

**LKPT Food Fest:** Sunday, August 16th, 2026 from 11am to 4pm, on Main St.

We are requesting the following in order to properly deliver a successful event:

- Temporary no parking on Main St between Cottage St. and Pine St. and Pine St. and Locust St. beginning Saturday, August 15th at 6:00pm, concluding at 8:00pm Sunday, August 16th.
- Closure of the city parking lot next to 51 Main St. for preliminary setup including portable sanitation units and trash cans (see attached map) beginning 6am on Sunday, August 16th and remaining closed until 8pm.
- Street closure on Main St between Cottage St. and Pine St. and Pine St. and Locust St beginning 6am on Sunday, August 16th 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
- Placement of the City Stage on Sunday, August 16th by 8am.
- 20 Street barricades for closures to be delivered.
- 14 Garbage barrels delivered to the Main St. parking lot for distribution throughout the event on Sunday.

- Permission for vendors, restaurants, and food trucks to set up on the above-closed streets
- Permission to distribute promotional event yard signs on City right of ways (excluding the center medians on Main St.) beginning July 21st and to be taken down by Monday, August 17th.
- Promotional signage displayed on the gazebo located on Canal Street beginning Saturday, July 25th through Monday, August 17th.
- **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, and allow Lock 34 to open their outside bar for patrons to access during the duration of the event.**

**Until the Wheels Fall Off:** Saturday, August 1st, 2026 from 12pm to 6pm

- LMS requests the use of the Railyard Skate Park on Saturday, August 1st, 2026 from 9am to 7pm to host the **Until the Wheels Fall Off** event.
- LMS requests the use of the **City Stage** for this event and requests it be delivered on Saturday, August 1st, 2025 by 9am.
- LMS requests the delivery of 5 garbage barrels to be delivered on Saturday, August 1st, 2025
- Permission for vendors, restaurants, and food trucks to set up in the Railyard Skate Park area of Outwater Park.
- LMS requests the use of 2 sets of city bleachers and 6 picnic tables to be delivered on Friday, July 31st, 2026. Please see map for placement.
- LMS requests the use of electrical outlets within the pool area to power the City Stage as well as other power needs.

**Locktoberfest:** Saturday, October 3rd, 2026 from 10am to 5pm on Canal St.

- 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 October 3rd, 2026 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, October 2nd and ending October 3rd at 8pm.
- LMS requests additional picnic tables and 12 city garbage cans be delivered to Canal Street for use during this event.
- 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 requests permission to place portable sanitation units on Canal Street beginning Friday, October 2nd for this event
- LMS requests the use of the city stage on October 3rd from 6am to 7pm. **LMS requests the City Stage to be placed on Friday, October 2nd.**

- Permission to distribute promotional event yard signs on City right of ways (excluding the center medians on Main St.) beginning September 1st and to be taken down by Monday, October 4th.
- Promotional signage displayed on the gazebo located on Canal Street beginning Saturday, October 1st through Monday, October 4th.
- **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 for this event.**

**Downtown Trick or Treat:** October 30th , 2026 from 5pm – 7pm on Main St.

- Permission to close Main Street be closed to through traffic from Transit to Locust (intersecting streets will remain open- see map) between 4pm and 7pm for setup, execution, and breakdown of the event on Friday, October 30th, 2026.
- Requests the Director of Highways and Parks to set up and take down of 28 City barricades on Thursday, October 30th to Main Street from North Transit to Locust Street (leaving intersecting streets open)
- 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 set up a Haunted House in City Hall and to begin to deliver equipment and to preset up beginning Thursday, October 29th and host the Haunted House on Friday, October 30th from 5pm to 8pm.
- Permission to close the City Hall parking lot between 4pm and 8:30pm on Friday, October 30th to accommodate the Haunted House.

**LMS will submit a certificate of insurance with the City clerk naming the City of Lockport as additional insured.**

**LMS requests that the Mayor has the authority to permit the use of the same space on other days in the event that an event is rescheduled or added to the calendar as long as LMS provides the City with the proper insurance paperwork.**

**LMS requests the Director of Streets and Parks to arrange to deliver refuse containers and barricades and other mentioned items to the area prior to the said dates.**

**LMS will adhere to any and all Executive Orders by the New York State Governor, and any and all Local Laws and Regulations, with regard to social distancing and COVID-19 regulations during the operation of these events.**

Seconded by Alderman Kirchberger and adopted. Ayes 6.

**012826.6**

By Alderman Craig:

**Resolved**, that pursuant to their request, Happily Running, LLC is hereby granted permission to use the rest room facilities and to rent the pavilion at Nelson C. Goehle Wide Waters Marina on the weekend of February 7<sup>th</sup> and 8<sup>th</sup>, 2026, for the annual Winter Beast of

Burden Ultra Marathon. Said permission is subject to Happily Running, LLC providing the City Clerk with required insurance documents. Permission is also contingent on Happily Running LLC connecting, and working along with the Lockport Homeless Alliance prior to said event; be it further

**Resolved**, that the Director of Streets and Parks 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 O'Malley and adopted. Ayes 6.

**012826.7**

By Alderman O'Malley:

**Resolved**, that pursuant to their request, permission is hereby granted to Niagara Region Disc Golf to conduct tournaments at Outwater Memorial Park on April 1<sup>st</sup>, April 8<sup>th</sup> and May 13<sup>th</sup>, 2026 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 Kirchberger and adopted. Ayes 6.

**012826.8**

By Alderman O'Malley:

**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 June 27<sup>th</sup>, 2026, from 8 am until 8 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 Kirchberger and adopted. Ayes 6.

**012826.9 WITHDRAWN**

**By Alderman Wyche:**

***Resolved that the reading of the foregoing resolution #10 is hereby waived.***

***Seconded by Alderman Fogle and adopted. Ayes 6.***

**012826.10**

By Alderman Craig:

**Whereas**, in compliance with the New York State Office of the Comptroller, all governmental entities are recommended to have and maintain a fund balance policy that identifies appropriate fund balance levels as they relate to our cash flow, annual budgets, and contingency; and

**Now therefore be it resolved**, that the City of Lockport does hereby adopt the following fund balance policies and procedures:

**Guideline #1 – Use of Fund Balance:** Fund balance is the accumulation of prior years' excess or deficit of all revenues and expense. For the purposes of the budget, revenue and expense activity includes bond proceeds and debt service. Available fund balances shall not be used for ongoing operating expenditures, unless a determination has been made that available balances are in excess of required guidelines and plans have been established to address any future operating budget shortfalls. Emphasis shall be placed on one-time uses that achieve future operating cost reductions and/or service level efficiencies.

**Guideline #2 – General Fund:** The City shall maintain a minimum unrestricted fund balance in the General Fund equal to 20% of the following year's General Fund budgeted expenditures. This minimum level shall be maintained to support cash flow needs, cover unanticipated expenditures of a non-recurring nature, meet unexpected increases in service delivery costs, and mitigate unforeseen revenue shortfalls. These funds are intended to avoid cash flow interruptions, generate interest income, and reduce or eliminate the need for short-term borrowing.

In addition to the minimum requirement, the City shall strive to maintain a target unrestricted fund balance of 25% to 30% of annual General Fund expenditures to further strengthen financial resilience, address revenue volatility, respond to emergency events, and support long-term financial stability.

Each year, the City shall budget an operating budget contingency of not less than 1.25% of total budgeted General Fund expenditures.

**Guideline #3 – Fund Balance Restoration**

If, at fiscal year-end, the City's unrestricted General Fund balance falls below the minimum level established in Guideline #2, the Director of Finance shall prepare a fund balance restoration plan.

The restoration plan shall be presented to the Common Council as part of the subsequent annual budget process and shall identify actions to restore the fund balance to the minimum level over a reasonable period of time, considering economic conditions, revenue trends, and expenditure requirements.

**Guideline #4 – Non-General Governmental Funds:** The appropriate balances shall be the amount needed to maintain positive cash balances throughout the year with exceptions made for those funds associated with economic development purposes which may be aggregated by fund type to maintain a positive balance. An adequate operating contingency expense shall be budgeted to provide for business interruption costs and other unanticipated or unbudgeted expenditures. Enterprise funds shall also maintain adequate reserves for emergency improvements relating to new regulations, or emergency needs for capital repair or replacement.

**Guideline #5 – Enterprise Funds:** The City shall maintain a minimum cash balance in its Enterprise Funds equal to three months of operating expense, or 25% of the funds' annual operating budget. This balance shall be maintained to ensure adequate maintenance reserves, operating cash flow requirements, debt service requirements and legal restrictions. Where cost-effective access to capital markets is available and debt financing is regularly used, replacement balances shall not be maintained in a manner which charges current consumers to pay for future facilities, with exceptions made for those funds associated with

economic development purposes. Balances in excess of three months of operating expense may be utilized for capital purchases and replacements in lieu of debt financing if doing so allows for continued maintenance of appropriate balances and funding plans. Alternatively, surplus cash reserves may be used for early debt retirement at the recommendation of the Finance Director and City Treasurer, and approval of the Common Council. Financing decisions shall consider the impact on user rates.

**Guideline #6 – Internal Service Funds:** To ensure adequate maintenance reserves, cash flow balancing requirements, and legal restrictions, the Self-Insurance Funds shall maintain a cash balance equal to the unpaid claim reserves payable amount on its balance sheet, as defined by the independent actuary plus 10% of the annual department operating budgets within the fund. Net position within the fund should not fall below zero.

**Guideline #7 – Annual Review:** An annual review of cash flow requirements and appropriate fund balances shall be undertaken to determine whether modifications are appropriate for the reserve policy.

Seconded by Alderman O'Malley and adopted. Ayes 6.

**By Alderman Fogle:**

***Resolved that the reading of the foregoing resolution #11 is hereby waived.***

***Seconded by Alderman Kirchberger and adopted. Ayes 6.***

**012826.11**

By Alderman Wyche:

**Whereas**, Section 104-b of the General Municipal Law (GML) requires every city to adopt internal policies and procedures governing all procurement of goods and services not subject to the bidding requirements of GML, Section 103 or any other law; and

**Now therefore be it resolved**, that the City of Lockport does hereby adopt the following procurement policies and procedures:

**Guideline #1:** Every prospective purchase of goods or services shall be evaluated to determine the applicability of GML Section 103. Every city officer, board, department head or other personnel with the requisite purchasing authority (hereinafter purchaser) shall estimate the cumulative amount of the items of supply or equipment needed in given fiscal year. That estimate shall include the canvass of other city departments and past history to determine the likely yearly value of the commodity to be acquired. The information gathered and conclusions reached shall be documented and kept with the file or other documentation supporting the purchase activity.

**Guideline #2:** All purchase contracts which will exceed \$20,000 in the fiscal year or public works contracts over \$35,000 shall be formal bid pursuant to GML Section 103.

**Guideline #3A:** For the Purchase of Commodities, Equipment, or Goods (Non-Public Works):

<b>Dollar Limit</b>	<b>Procedure</b>
---------------------	------------------

\$1 - \$2,999	At the discretion of the Department Head
\$3,000 - \$4,999	Documented oral/written/emailed quotes from at least three vendors
\$5,000 - \$19,999	Formal written/emailed quotes from at least three separate vendors
\$20,000 and up	Sealed bids in conformance with General Municipal Law, Section 53

**Guideline #3B:** For the Purchase of Public Works Projects/Contracts:

<b>Dollar Limit</b>	<b>Procedure</b>
\$1 - \$2,999	At the discretion of the Department Head
\$3,000 - \$4,999	Documented oral/written/emailed quotes from at least three vendors
\$5,000 - \$34,999	Formal written/emailed quotes from at least three separate vendors
\$35,000 and up	Sealed bids in conformance with General Municipal Law, Section 53

**Any written RFP shall describe the desired goods, quantity and the particulars of delivery. The purchaser shall compile a list of all vendors from whom written/fax/oral quotes have been requested and the written/fax/oral quotes offered. One quotation must be obtained from a local vendor, if possible. All information gathered in complying with the procedures of this guideline shall be preserved and filed with the documentation supporting the subsequent purchase order and provided to the Principle Account Clerk in the Finance Department.**

**Guideline #4:** The lowest responsible proposal or quote shall be awarded the purchase or public works contract unless the purchaser prepares a written justification providing reasons why it is in the best interest of the City and its taxpayers to make an award to other than the low bidder. Local vendors may be given a five percent (5%) price benefit for the contracts less than \$20,000 in determining lowest bid. If a bidder is not deemed responsible, facts supporting that judgment shall also be documented and filed with the record supporting the procurement.

**Guideline #5:** A good faith effort shall be made to obtain the required number of proposals or quotations. If the purchaser is unable to obtain the required number of proposals or quotations, the purchaser shall document the attempt made at obtaining the proposals. In no event shall the inability to obtain the proposals or quotes be a bar to the procurement.

**Guideline #6:** No solicitation of written proposals or quotations shall be required under the following circumstances (but must still be documented with the attached worksheet):

- Emergencies, as defined by General Municipal Law Section 53 (4)/ 103 (4);
- Sole source situations;
- Goods purchased from agencies for the blind or severely handicapped;
- Goods purchased from correctional facilities;

- Goods purchased from or through another governmental agency (such as Sourcewell);
- Goods purchased at auction;
- Goods purchased through a governmental (local/State/or Federal) contract (needs approval with a Council Resolution when substituting for the sealed bidding procedures).
- Professional services; defined as a service requiring special or technical skill, training, or expertise, to be chosen based on accountability, reliability, responsibility, skill, education and training, judgement, integrity, and moral worth.

**Guideline #6A – Piggybacking and Cooperative Purchasing**

The City may purchase goods or services through contracts awarded by another governmental entity (“piggybacking” or cooperative purchasing) in lieu of conducting its own competitive procurement, provided that the following conditions are met:

1. The original contract was awarded through a competitive process substantially complying with General Municipal Law §103.
2. The original contract expressly permits use by other governmental entities, or such use is otherwise authorized by law.
3. The goods or services to be purchased are the same or substantially similar to those covered under the original contract.

When piggybacking is used as a substitute for sealed bidding, Common Council approval by resolution shall be required. Documentation supporting the use of the cooperative contract shall be retained with the procurement file.

Piggybacking shall not be used to intentionally divide or structure purchases to avoid competitive bidding requirements. All piggybacked purchases must be approved prior to the issuance of a purchase order or execution of a contract.

**Guideline #7:** Departments are responsible for ensuring that procurement policy guidelines are withheld in their departments. Any other employee making purchases shall act subject to the direction of the department head responsible for purchasing.

**Guideline #8:** For federally funded projects or activities subject to Section 3 of 24 CFR Part 135 of the Housing and Urban Development Act of 1968, as amended, the City will, to the greatest extent feasible, facilitate participation of Section 3 residents and Section 3 businesses in the procurement of goods and services pursuant to its Section 3 Participation Plan. Solicitation may be undertaken via advertisements in local publications encouraging Section 3 participation, or direct outreach by letter or email to identified Section 3 businesses or individuals included on the Department of Housing and Urban Development’s Section 3 Businesses Registry. The City’s established purchase/ contracting thresholds will apply. The City will keep documentation of Section 3 solicitation in its records and any response(s) thereto.

**Guideline #9:** In an effort to affirmatively increase procurement and contracting opportunities for minority- and women-owned business enterprises, the City will solicit MBEs and/or WBEs as part of its procurement process, when appropriate. Solicitation may be undertaken via advertisements in minority publications or direct outreach by letter or email to identified State-certified M/WBEs, or by working with a clearinghouse such as the Syracuse Minority Business Development Center. The City’s established purchase/contracting thresholds will apply. For purposes of the above, the M/WBE must

be certified by Empire State Development (ESD) through the Division of Minority and Women Business Development (DMWBD). The City will keep documentation of M/WBE solicitation in its records and any responses thereto.

**Guideline #10:** This policy shall be reviewed annually by the City of Lockport Common Council.

Seconded by Alderman Craig and adopted. Ayes 6.

**By Alderman O'Malley:**

***Resolved that the reading of the foregoing resolution #12 is hereby waived.***

***Seconded by Alderman Wiley and adopted. Ayes 6.***

**012826.12**

By Alderman Kirchbeger:

**Whereas**, in compliance with the New York State Office of the Comptroller, all governmental entities are recommended to have and maintain an investment policy that identifies appropriate practices and regulation as they relate to City finances; and

**Now therefore be it resolved**, that the City of Lockport does hereby adopt the following investment policies and procedures:

**Guideline #1 - Scope:** This investment policy applies to all moneys and other financial resources available for investment on its own behalf or on behalf of any other entity or individual.

**Guideline #2 - Objectives:** The primary objectives of the local government's investment activities are, in priority order,

- to conform with all applicable federal, state and other legal requirements (legal);
- to adequately safeguard principal (safety);
- to provide sufficient liquidity to meet all operating requirements (liquidity); and
- to obtain the optimum rate of return (yield).

**Guideline #3 - Delegation of Authority:** The governing board's responsibility for administration of the investment program is delegated to the City Treasurer who shall establish written procedures for the operation of the investment program consistent with these investment guidelines. Such procedures shall include an adequate internal control structure to provide a satisfactory level of accountability based on a data base or records incorporating description and amounts of investments, transaction dates, and other relevant information and regulate the activities of subordinate employees.

**Guideline #4 - Prudence:** All participants in the investment process shall seek to act responsibly as custodians of the public trust and shall avoid any transaction that might impair public confidence in the City of Lockport to govern effectively. Investments shall be made with judgement and care, under circumstances then prevailing, which persons of prudence discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investments, considering the safety of the principal as well as the probable income to be derived. All participants involved in the investment process shall

refrain from personal business activity that could conflict with proper execution of the investment program, or which could impair their ability to make impartial investment decisions.

**Guideline #5 - Diversification:** It is the policy of the City of Lockport to diversify its deposits and investments by financial institution, and by maturity scheduling.

**Guideline #6 – Internal Controls:** It is the policy of the City of Lockport for all moneys collected by any officer or employee of the government to transfer those funds to the (chief fiscal officer) within 30 days of deposit, or within the time period specified in law, whichever is shorter. The City Treasurer is responsible for establishing and maintaining an internal control structure to provide reasonable, but not absolute, assurance that deposits and investments are safeguarded against loss from un-authorized use or disposition, that transactions are executed in accordance with management's authorization and recorded properly, and are managed in compliance with applicable laws and regulations.

**Guideline #7 – Designation of Depositories:** The banking institutions authorized for the deposit of monies are to be designated by Council resolution as required by City Charter, Section C-101.

**Guideline #8 – Collateralizing of Deposits:** In accordance with the provisions of General Municipal Law, #10, all deposits of the City of Lockport, including certificates of deposit and special time deposits, in excess of the amount insured under the provisions of the Federal Deposit Insurance Act shall be secured:

- By a pledge of "eligible securities" with and aggregate "market value" as provided by GML #10, equal to the aggregate amount of deposits from the categories designated in Guideline 13 of this policy.
- By an eligible "irrevocable letter of credit" issued by a qualified bank other than the bank with the deposits in favor of the government for a term not to exceed 90 days with an aggregate value equal to 140% of the aggregate amount of deposits and the agreed upon interest, if any. A qualified bank is one whose commercial paper and other unsecured short-term debt obligations are rated in one of the three highest rating categories by at least one nationally recognized statistical rating organizations or by a bank that is in compliance with applicable federal minimum risk-based capital requirements.
- By an eligible surety bond payable to the City of Lockport for an amount at least equal to 100% of the aggregate amount of deposits and agreed upon interest, if any, executed by an insurance company authorized to do business in New York State, and who has met with the requirements of the State Comptrollers office. (#3 added 01/04/95)

**Guideline #9 – Safekeeping and Collateralization:** Eligible securities used for collateralizing deposits shall be held by the depository and/or a third party bank or trust company subject to security and custodial agreements. The security agreement shall provide that eligible securities are being pledged to secure local government deposits together with agreed upon interest, if any, and any costs or expenses arising out of the collection of such deposits upon default. It shall also provide the conditions under which the securities may be sold, presented for payment, substituted or released and the events which will enable the local government to exercise its rights against the pledged securities. In the event that the

securities are not registered or inscribed in the name of the local government, such securities shall be delivered in a form suitable for transfer or with an assignment to the City of Lockport or its custodial bank.

The custodial agreement shall provide that securities held by the bank or trust company, or agent of and custodian for, the local government, will be kept separate and apart from the general assets of the custodial bank or trust company and will not, in any circumstances, be commingled with or become part of the backing for any other deposit or other liabilities. The agreement should also describe that the custodian shall confirm the receipt, substitution or release of the securities. The agreement shall provide for the frequency of revaluation of eligible securities and for the substitution of securities when a change in the rating of a security may cause ineligibility. Such agreement shall include all provisions necessary to provide the local government a perfected interest in the securities.

**Guideline #10 – Permitted Investments:** As authorized by General Municipal Law, #11, the City of Lockport authorizes the City Treasurer to invest moneys not required for immediate expenditure for terms not to exceed its projected cash flow needs in the following types of investments:

- Special time deposit accounts;
- Certificates of deposit;
- Obligations of the United States of America;
- Obligations guaranteed by agencies of the United States of America where the payment of principal and interest are guaranteed by the United State of America;
- Obligations of the State of New York;
- Obligations issued pursuant to LFL #24.00 or 25.00 (with approval of the State Comptroller) by any municipality, school district or district corporation other than the City of Lockport;
- Obligations of public authorities, public housing authorities, urban renewal agencies and industrial development agencies where the general State statutes governing such entities or whose specific enabling legislation authorizes such investments.
- Obligations of this local government, but only with any moneys in a reserve fund established pursuant to GML #6-c, 6-d, 6-e, 6-g, 6-h, 6-j, 6-k, 6-l, 6-m, or 6-n.

All investment obligations shall be payable or redeemable at the option of the City of Lockport within such times as the proceeds will be needed to meet expenditures for purposes for which the moneys were provided and, in the case of obligations purchased with the proceeds of bonds or notes, shall be payable or redeemable at the option of the City of Lockport within two years of the date of purchase.

**Guideline #11 – Authorized Financial Institutions and Dealer:** The financial institutions so designated by the Common Council as outlined in paragraph VII of this policy shall be the authorized institutions approved for investment purposes. All financial institutions with which the City of Treasurer conducts business must be credit worthy. Banks shall provide their most recent Consolidated Report of Condition (Call Report) at the request of the City of Lockport. Security dealers not affiliated with a bank shall be required to be classified as reporting dealers affiliated with the New York Federal Reserve Bank, as primary dealers. The City Treasurer is responsible for evaluating the financial position.

**Guideline #12 – Purchase of Investments:** The City Treasurer is authorized to contract for the purchase of investments:

- Directly, including through a repurchase agreement, from an authorized trading partner.
- By participation in a cooperative investment program with another authorized governmental entity pursuant to Article 5G of the General Municipal Law where such program meets all the requirements set forth in the Office of the State Comptroller Opinion No. 88-46, and the specific program has been authorized by the governing board.
- By utilizing an ongoing investment program with an authorized trading partner pursuant to a contract authorized by the governing board.

All purchased obligations, unless registered or inscribed in the name of the local government, shall be purchased through, delivered to and held in the custody of a bank or trust company. Such obligations shall be purchased, sold or presented for redemption or payment by such bank or trust company only in accordance with prior written authorization from the officer authorized to make the investment. All such transactions shall be confirmed in writing to the City of Lockport by the bank or trust company. Any obligation held in the custody of a bank or trust company shall be held pursuant to a written custodial agreement as described in General Municipal Law, #10.

The custodial agreement shall provide that securities held by the bank or trust company, as agent of and custodian for, the local government, will be kept separate and apart from the general assets of the custodial bank or trust company and will not, in any circumstances, be commingled with or become part of the backing for any other deposit or other liabilities. The agreement shall describe how the custodian shall confirm the receipt and release of the securities. Such agreement shall include all provisions necessary to provide the local government a perfected interest in the securities

**Guideline #13 – Schedule of Eligible Securities:**

- (i) Obligations issued, or fully insured or guaranteed as to the payment of principal and interest, by the United States of America, an agency thereof or a United States government sponsored corporation.
- (ii) Obligations partially insured or guaranteed by any agency of the United States of America, at a proportion of the market Value of the obligation that represents the amount of the insurance or guaranty.
- (iii) Obligations issued or fully insured or guaranteed by the State of New York, obligations issued by a municipal corporation, school district or district corporation of such State or obligations of any public benefit corporation which under a specific State statute may be accepted as security for deposit of public moneys.
- (iv) Obligations issued by states (other than the State of New York) of the United States rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization.
- (v) Obligations of counties, cities and other governmental entities of a state other than the State of New York having the power to levy taxes that are backed by the full faith and credit of such governmental entity and rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization.
- (vi) Obligations of domestic corporations rated in one of the two highest rating categories by at least one nationally recognized statistical rating organization.

- (vii) Any mortgage related securities, as defined in the Securities Exchange Act of 1934, as amended, which may be purchased by banks under the limitations established by bank regulatory agencies.
- (viii) Commercial paper and banker's acceptances issued by a bank, other than the Bank, rated in the highest short term category by at least one nationally recognized statistical rating organization and having maturities of not longer than 60 days from the date they are pledged.
- (ix) Zero coupon obligations of the United States government marketed as "Treasury strips".

**Guideline #14 – Annual Review:** An annual review of the investment policy should be undertaken to determine whether modifications are appropriate.

Seconded by Alderman Wyche and adopted. Ayes 6.

**By Alderman Fogle:**

***Resolved that the reading of the foregoing resolution #13 is hereby waived.***

***Seconded by Alderman O'Malley and adopted. Ayes 6.***

**012826.13**

By Alderman Craig:

**Whereas,** in compliance with the New York State Office of the Comptroller, all governmental entities are recommended to have and maintain a budget modification policy that identifies appropriate practices and regulation as they relate to City finances; and

**Now therefore be it resolved,** that the City of Lockport does hereby adopt the following budget modification policies and procedures:

**Guideline #1:** All budget amendments must be requested and approved prior to the expenditure being incurred. No department shall make a purchase, enter into a contract, or otherwise obligate City funds without sufficient budget appropriation and an approved purchase order. Expenditures incurred without prior approval shall not constitute justification for a budget amendment and may be denied.

**Guideline #2:** Department Heads, throughout the year, may encounter budget line items that require additional funding for operational costs. The first priority is to utilize unused excess funds within their department. If they can identify matching excess funds in their department to be reduced in the same amount of the requested increase, the Department Head may request an individual amendment amounting from **\$1 to \$10,000** within their budget, to be posted in New World by said Department's Account Clerk and subsequently reviewed, approved, and posted by the Director of Finance (without the need to fill out and submit the attached Budget Amendment Worksheet). In the event that the Department Head cannot identify excess funds in their department to cover the requested budgetary increase, they are to follow Guideline #4.

**Guideline #3:** For individual amendment amounts ranging from **\$10,001 to \$25,000** (in which the Department Head can identify excess funds to match the requested increase),

the Department Head will provide to the Director of Finance the attached Budget Amendment Worksheet. In this event, the Director of Finance shall have the authorization:

- To approve requests for the transfer of funds, not to exceed \$25,000, within and between the contractual, capital, and benefit expense items of a department budget, provided said administrative transfers do not exceed total appropriations for the departmental budget as adopted or amended by the City Council.
- To approve requests for the transfer of funds, not to exceed \$25,000, within the Personal Services account or from Personal Services to Equipment and Contractual, provided said authority is further limited to modifications for temporary, overtime and/or shift differential appropriations, which shall not result in the creation of permanent full time or part-time positions.

**Guideline #4:** For individual amendments ranging from **\$25,001 to \$50,000** (in which the Department Head can identify excess funds to match the requested increase), the Department Head will provide to the Director of Finance the attached Budget Amendment Worksheet. In this event, the Director of Finance in concurrence with the Mayor, shall have the authorization:

- To approve requests for the transfer of funds which exceed \$25,000 but are less than \$50,000 within and between the equipment and contractual areas of the department budget, provided said transfers do not exceed total appropriations for the departmental budget as adopted or amended by the City Council.
- To approve requests for the transfer of funds which exceed \$25,000 but are less than \$50,000 within the Personal Services account or from Personal Services to Equipment and Contractual, provided said authority is further limited to modifications for temporary, overtime and/or shift differential appropriations, which shall not result in the creation of permanent full time or part-time positions.

**Guideline #5:** In the event of a true emergency that poses an immediate risk to public health, safety, or the continued operation of essential City services, the Mayor, in consultation with the Director of Finance, may authorize a temporary budget modification or expenditure. Any such emergency action shall be documented in writing and submitted to the Common Council for ratification at the next regular Council meeting.

**Guideline #6:** Common Council approval shall be required for all other budget amendments, including requests that transfer funds from one department to another, as well as the use of contingency. In these events, the Department Head will provide to the Director of Finance the attached Budget Amendment Worksheet, which will then be reviewed by the Finance Director and submitted (in resolution format) to the Clerk's Office for the Common Council to vote on. Department Heads must provide this form to the Finance Director at least two weeks before the Common Council meeting they wish this amendment to be voted on.

**Guideline #7:** In all instances, there shall be no splitting of transfer amounts to avoid the next level of authorization.

**Guideline #8:** This policy shall be reviewed annually by the City of Lockport Common Council.

Seconded by Alderman Wyche and adopted. Ayes 6.

**012826.14**

By Alderman Kirchberger:

**Resolution for Streetscape Improvements, Phase 2 Seqr Negative Declaration**

**Whereas**, the City of Lockport (City) has received a grant from the New York Green Innovation Grant Program (GIGP) for Streetscape Improvements, Phase 2, Grant No. 2325 via the Environmental Facilities Corporation (EFC); and

**Whereas**, the project is generally to be constructed in the Pine, Lock, Gooding St. intersection; and

**Whereas**, the EFC has classified the project as a Treatment Works Project which requires completion of a Full Environmental Assessment Form (EAF) and completion of a Coordinated Review as part of the State Environmental Quality Review (SEQR) process; and

**Whereas**, the City completed Part 1 of the Full EAF and per Resolution 110525.4 declared its intention to be Lead Agency and conduct a coordinated review; and

**Whereas**, a coordinated review was conducted with responses due by January 15, 2025 with none being received; and

**Whereas**, Parts 1, 2 and 3 of the Full EAF have been completed and no significant adverse environmental impacts have been identified; now, therefore be it

**Resolved**, that City declares Lead Agency status for the project and will issue a SEQR Negative Declaration for the project.

Seconded by Alderman Craig and adopted. Ayes 6.

**012826.14A**

By Alderman Fogle:

**Whereas**, the City of Lockport supports community events that promote recreation, youth engagement, and civic pride; and

**Whereas**, organizers have requested permission to hold a Soapbox Derby race on June 13, 2026, utilizing both lanes of the park roadway and the lower parking lot at Outwater Park; and

**Whereas**, organizers further request authorization to install barricades beginning the evening of June 12, 2026, to allow for proper setup and public safety; and

**Whereas**, organizers request approval of June 14, 2026, as a rain date should weather conditions necessitate postponement;

**Now, therefore, be it resolved**, by the City Council of the City of Lockport that:

1. Permission is hereby granted to hold a Soapbox Derby event on **June 13, 2026**, utilizing both lanes of the park roadway and the lower parking lot.
2. Barricades and related traffic control devices may be installed beginning the evening of June 12, 2026, and shall be removed promptly following the conclusion of the event or rain date.
3. June 14, 2026, is approved as an alternate rain date if necessary.
4. The event organizers shall provide proof of insurance regulations followed as required by the City.

5. All activities associated with the event shall comply with applicable City ordinances, policies, safety requirements, and coordination with the Police Department, Public Works Department, and any other applicable City departments.

Seconded by Alderman Craig and adopted. Ayes 6.

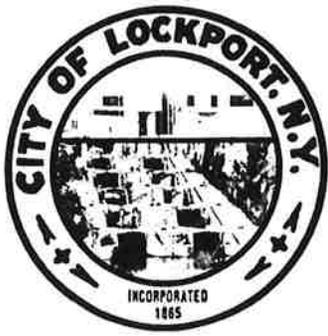
**012826.15**

**ADJOURNMENT**

At 6:16pm Alderman O'Malley moved the Common Council be adjourned until 6:00pm., Wednesday, February 11<sup>th</sup>, 2026.

Seconded by Alderman Wiley and adopted. Ayes 6.

Emily Stoddard  
City Clerk



## CITY OF LOCKPORT, NEW YORK

Lockport Municipal Building

One Locks Plaza

Lockport, NY 14094

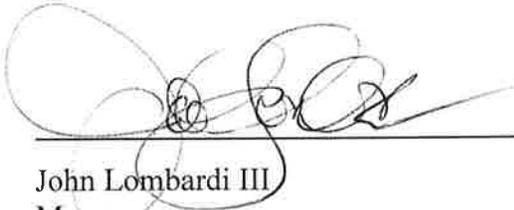
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January 20, 2026

TO: Common Council

Under and by virtue of the authority conferred on me by the charter of the City of Lockport, New York, I, John Lombardi III, Mayor of said City, do hereby appoint Dennis Stachera of 20 Regent Street, Lockport, NY 14094, to the City of Lockport Zoning Board of Appeals. The term is effective January 20, 2026 for the remainder of a 3-year term to expire on November 16, 2026.

Witness by hand and the Seal of the City of Lockport this 20<sup>th</sup> day of January, 2026.



---

John Lombardi III  
Mayor

Cc D. Stachera  
J. Dool  
City Clerk

## City Clerk

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**From:** Kristin Schubring <kschubring@lockportny.gov>  
**Sent:** Tuesday, January 27, 2026 1:42 PM  
**To:** deputyclerk@lockportny.gov  
**Cc:** cityclerk@lockportny.gov  
**Subject:** AP Fund Totals 1/15 spc run, 1/21/26 spc run, 1/28/26

Hello,

Invoices to be approved at the meeting on 1/28/26 are as follows:

### **2025**

Fund A General - \$57,306.76  
Fund CL Refuse & Recycling - \$109,680.98  
Fund FX Water - \$30,685.83  
Fund G Sewer - \$63,170.20  
**Total - \$260,843.77**

### **2026**

Fund A General - \$311,848.59  
Fund CD Community Development - \$21,583.00  
Fund FX Water - \$20,520.70  
Fund G Sewer - \$7,763.05  
Fund S Worker's Comp - \$2,805.00  
**Total - \$364,520.34**

Please let me know if you have any questions.  
Thanks!



Kristin Bernardi Schubring  
Principal Account Clerk  
Finance Department  
City of Lockport, NY  
716.439.6620

### City of Lockport - Resolution Request Form

<b>Agenda Description:</b> Emergency Declaration - Sewer Collapse			
<b>Presented By:</b> DPC	<b>Date Submitted:</b> 1/8/2026		
<b>Topic Area (Select Most Applicable Option):</b>			
Community Event	<input type="checkbox"/>	Local Law Change	<input type="checkbox"/>
Budget Amendment	<input checked="" type="checkbox"/>	Community Development	<input type="checkbox"/>
Contract Approval	<input type="checkbox"/>	Community Event	<input type="checkbox"/>
Donation Acceptance	<input type="checkbox"/>	Engineering Process	<input type="checkbox"/>
Grant Application / Award	<input type="checkbox"/>	Code and Planning	<input type="checkbox"/>
Fund Utilization Request	<input type="checkbox"/>	Other	<input type="checkbox"/>
<i>Please provide to Clerk at least 9 calendar days prior to Council meeting. Otherwise request will go to following meeting.</i>			
<b>Summary of Resolution:</b>			
To ratify emergency sewer repairs for two December 2025 breaks, approve payment to R.I.C. Plumbing Inc., and amend the FY 2025 Sewer Fund Budget, while explaining why emergency purchasing was needed instead of following the usual procurement rules.			
<b>Explanation of Attachments:</b>			
1) Resolution 2.) Emergency Declaration – Oakhurst 3) Oakhurst Invoice 4) Emergency Declaration – State St 5) Invoice – State St 6) Budget Performance Report – 8120 7) Budget Performance Report – H205			
<small>Please include all backup correspondence, purchase order, quotes, meeting minutes, emails, etc... If any of this information is confidential and cannot be released publically, please denote a check in this field: _____</small>			
<b>Clerk/Legal/Finance Approval:</b>			
<b>Notes:</b>			
<b>Name:</b>		<b>Date of Approval:</b>	

**WHEREAS**, Section 53(4) of the New York State General Municipal Law authorizes municipalities to make purchases in the event of an emergency involving a threat to the health, safety, welfare, property, or taxpayers of the City of Lockport; and

**WHEREAS**, the City's Wastewater Treatment Department, in coordination with the Mayor's Office and the Department of Finance, was required to utilize emergency purchasing authorization due to an unexpected sewer main break at the intersection of State Road and Amelia Street on December 24, 2025, necessitating immediate repair services; and

**WHEREAS**, the City's Wastewater Treatment Department, in coordination with the Mayor's Office and the Department of Finance, was required to utilize emergency purchasing authorization due to an unexpected sewer main break on Oakhurst Street on December 13, 2025, necessitating immediate repair services; now, therefore, be it

**RESOLVED**, that the Common Council hereby acknowledges and ratifies the use of emergency authorization, to contract with R.I.C. Plumbing Inc. for emergency sewer main repairs associated with the sewer main breaks that occurred on December 13, 2025 in the amount of \$14,690, to be funded from Sewer Fund contingency, and December 24, 2025 in the amount of \$47,922.50, to be funded from the City's sewer infrastructure capital project; and be it further

**RESOLVED**, that the FY 2025 Sewer Fund Budget is hereby amended as follows:

Expenditures

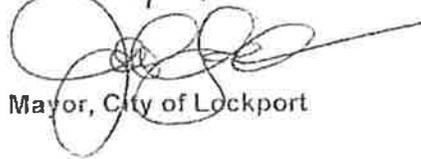
Decrease		
G.1900.54775	Contingency	\$14,690
Increase		
G.8120.54055	Professional Services	\$14,690

## MAYORAL EMERGENCY DECLARATION

On December 13, 2025, the City of Lockport experienced an unexpected water main break located on Oakhurst St. A call was placed to the city informing us of water seeping out of the road, ultimately flooding the septic system, basement, and yard of the homeowner located at 79 Oakhurst St., requiring immediate repair to protect public health and safety and maintain essential water service.

Due to the urgent nature of the situation, standard procurement procedures were not practical. I hereby declare this incident to be an emergency and authorize City staff to take all necessary actions to address the emergency, including engaging third-party contractors and approving emergency expenditures, in accordance with New York State General Municipal Law §103(4).

Dated: 1/7/26

A handwritten signature in black ink, consisting of several loops and a long horizontal stroke extending to the right.

Mayor, City of Lockport

R.I.C. Plumbing, Inc.  
5984 Dunnigan Rd  
Lockport, NY 14094 US  
+17166258200  
www.ricplumbing.com

## INVOICE

**BILL TO**

Clayton Dimmick  
City of Lockport  
Highway and Parks  
455 South Niagara St.  
Lockport, NY 14094

**SHIP TO**

Clayton Dimmick  
City of Lockport  
Highway and Parks  
455 South Niagara St.  
Lockport, NY 14094

**INVOICE # 3921****DATE 12/15/2025****DUE DATE 01/14/2026****TERMS Net 30****JOBSITE:**

Oakhurst and Michigan St.

DATE	ACTIVITY	QTY	RATE	AMOUNT
12/13/2025	<b>Excavation crew</b> Emergency call for water main repair. SK, CR, NF, NF, FL. 11:30 am to 6:30 PM RK- 2PM to 6 PM	39	185.00	7,215.00
12/13/2025	<b>Excavator</b> Mecalac Excavator	7	150.00	1,050.00
12/13/2025	<b>Trucking</b> Dump truck #2	7	135.00	945.00
12/13/2025	<b>Trucking</b> Dump Truck #3	7	135.00	945.00
12/13/2025	<b>Trucking</b> Dump Truck #5- Single Axle	7	110.00	770.00
12/13/2025	<b>Tool Van</b> Main Line Van	7	145.00	1,015.00
12/13/2025	<b>Material</b> 30 Ton of #1 Crusher	1	1,650.00	1,650.00
12/13/2025	<b>Material</b> Clamps for repair.	1	1,100.00	1,100.00

Client agrees that should Client default in any of the provisions of this Contract & should Contractor employ an attorney to enforce any provision hereof, including Client's failure to pay Contractor for services rendered & materials supplied, or to collect damages for breach of the Contract, Client agree to pay Contractor such reasonable attorneys' fees & Court costs Contractor may incur therein.

THANK YOU FOR YOUR BUSINESS

We accept check, cash, Visa , Discover and Master card. We do not accept American Express.

R.I.C. Plumbing, Inc is not responsible for marking of any private lines (e.g. dog fence, sprinkler system, etc)

Customer is responsible for final landscaping unless stated in estimate/invoice.

A 2% late fee will be added to the total each month if paid after 30 days of job completion date.

SUBTOTAL	14,690.00
TAX	0.00
TOTAL	14,690.00
BALANCE DUE	<b>\$14,690.00</b>

Client agrees that should Client default in any of the provisions of this Contract & should Contractor employ an attorney to enforce any provision hereof, including Client's failure to pay Contractor for services rendered & materials supplied, or to collect damages for breach of the Contract, Client agree to pay Contractor such reasonable attorneys' fees & Court costs Contractor may incur therein.

## MAYORAL EMERGENCY DECLARATION

On December 24, 2025, the City of Lockport experienced an unexpected sewer main break at the intersection of State Rd and Amelia St. Residents were experiencing sewage backing up into the basements of their homes, requiring immediate repair to protect public health and safety and maintain essential sewer service.

Due to the urgent nature of the situation, standard procurement procedures were not practical. I hereby declare this incident to be an emergency and authorize City staff to take all necessary actions to address the emergency, including engaging third-party contractors and approving emergency expenditures, in accordance with New York State General Municipal Law §103(4).

Dated: 1/7/24

  
Mayor, City of Lockport

R.I.C. Plumbing, Inc.  
 5984 Dunnigan Rd  
 Lockport, NY 14094 US  
 +17166258200  
 www.ricplumbing.com

# INVOICE

<b>BILL TO</b>	<b>SHIP TO</b>	<b>INVOICE #</b> 3954
Clayton Dimmick	Clayton Dimmick	<b>DATE</b> 01/06/2026
City of Lockport	City of Lockport	<b>DUE DATE</b> 02/05/2026
Highway and Parks	Highway and Parks	<b>TERMS</b> Net 30
455 South Niagara St.	455 South Niagara St.	
Lockport, NY 14094	Lockport, NY 14094	

**JOBSITE:**

State St. at W. High

DATE	ACTIVITY	QTY	RATE	AMOUNT
12/29/2025	<b>Vacuum truck service.</b> Emergency call for plugged/ possible collapsed main. Ran jetter in sewer main to flush out debris. Used vacuum truck to remove stone from sewer. Found main collapsed under new storm sewer installed in 2018. Went to upstream manhole and vacuumed full manhole down to keep basements from flooding.	1	0.00	0.00T
12/29/2025	<b>Vacuum truck service.</b> SK, ND, NF, NF 11am to 1:30 pm	10.50	185.00	1,942.50
12/29/2025	<b>Vacuum truck service.</b> Vactor truck.	2.50	575.00	1,437.50
12/29/2025	<b>Tool Van</b> Tool Van	2.50	145.00	362.50
12/30/2025	<b>Excavation crew</b> Returned with full crew to start digging where City left off. Spent the day digging and hauling away debris. Also started to install shoring box's in prep for repairing main.	1	0.00	0.00
12/30/2025	<b>Excavation crew</b>	68	185.00	12,580.00

Client agrees that should Client default in any of the provisions of this Contract & should Contractor employ an attorney to enforce any provision hereof, including Client's failure to pay Contractor for services rendered & materials supplied, or to collect damages for breach of the Contract, Client agree to pay Contractor such reasonable attorneys' fees & Court costs Contractor may incur therein.

DATE	ACTIVITY	QTY	RATE	AMOUNT
	SK, ND, BS, NF, NF, CR, FL, TR 7am to 3:30 pm.			
12/30/2025	<b>Tool Van</b> Main line tool van	8.50	145.00	1,232.50
12/30/2025	<b>Dump Truck</b> Used 3 Tandem dumps to haul out debris from excavation.	25.50	135.00	3,442.50
12/30/2025	<b>Excavator</b> Used Case cx 90 and Bobcat 60x for excavation	8.50	150.00	1,275.00
12/31/2025	<b>Excavation crew</b> Returned with crew to install last section of shoring and gain access to sewer main. Removed broken section of piping and replaced with new pvc pipe and fittings. Backfilled with stone and ran compactor in lifts to prevent settling. Finished with cold patch at surface. Note; some settling may occur as there was frozen stone used for backfill from quarry.	1	0.00	0.00T
12/31/2025	<b>Excavation crew</b> SK, ND, BS, NF, NF, CR, FL, TR 7am to 3:00 pm.	64	185.00	11,840.00
12/31/2025	<b>Dump Truck</b> Used 3 Tandem dumps to haul in stone for backfill.	24	135.00	3,240.00
12/31/2025	<b>Excavator</b> Used Case cx 90 and Bobcat 60x for excavation	16	150.00	2,400.00
12/31/2025	<b>Tool Van</b> Main line tool van.	8	145.00	1,160.00
12/31/2025	<b>Material</b> 48 Ton of #1 washed stone.	48	55.00	2,640.00
12/31/2025	<b>Material</b> 60 Ton of #2 crusher.	60	42.00	2,520.00
12/31/2025	<b>Material</b> Cold Patch	1	875.00	875.00
12/31/2025	<b>Material</b> Pipe, fittings and shielded couplings.	1	975.00	975.00

THANK YOU FOR YOUR BUSINESS

SUBTOTAL 47,922.50

We accept check, cash, Visa , Discover and Master card. We do not accept American Express.

TAX 0.00

TOTAL 47,922.50

R.I.C. Plumbing, Inc is not responsible for marking of any private lines (e.g. dog fence, sprinkler system, etc)

BALANCE DUE **\$47,922.50**

Customer is responsible for final landscaping unless

Client agrees that should Client default in any of the provisions of this Contract & should Contractor employ an attorney to enforce any provision hereof, including Client's failure to pay Contractor for services rendered & materials supplied, or to collect damages for breach of the Contract, Client agree to pay Contractor such reasonable attorneys' fees & Court costs Contractor may incur therein.

stated in estimate/invoice.

A 2% late fee will be added to the total each month if paid after 30 days of job completion date.

Client agrees that should Client default in any of the provisions of this Contract & should Contractor employ an attorney to enforce any provision hereof, including Client's failure to pay Contractor for services rendered & materials supplied, or to collect damages for breach of the Contract, Client agree to pay Contractor such reasonable attorneys' fees & Court costs Contractor may incur therein.

# Budget Performance Report

Life-to-Date to 12/31/25

Include Rollup Account and Rollup to Account

Account	Account Description	Adopted Budget	Budget Amendments	Amended Budget	Current Month Transactions	YTD Encumbrances	YTD Transactions	Budget - YTD Transactions	% Used/Rec'd
<b>Fund G - Sewer Fund</b>									
EXPENSE									
	Department: 8120 - Wastewater Systems								
54055	Professional Services	235,600.00	57,290.32	292,890.32	23,855.00	(6,659.70)	225,332.24	74,217.78	75%
	Department 8120 - Wastewater Systems Totals	235,600.00	57,290.32	292,890.32	23,855.00	(6,659.70)	225,332.24	74,217.78	75%
	EXPENSE TOTALS	235,600.00	57,290.32	292,890.32	23,855.00	(6,659.70)	225,332.24	74,217.78	75%
<b>Fund G - Sewer Fund Totals</b>									
	REVENUE TOTALS	.00	.00	.00	.00	.00	.00	.00	+++
	EXPENSE TOTALS	235,600.00	57,290.32	292,890.32	23,855.00	(6,659.70)	225,332.24	74,217.78	75%
	Fund G - Sewer Fund Totals	(235,600.00)	(57,290.32)	(292,890.32)	(23,855.00)	6,659.70	(225,332.24)	(74,217.78)	
<b>Grand Totals</b>									
	REVENUE TOTALS	.00	.00	.00	.00	.00	.00	.00	+++
	EXPENSE TOTALS	235,600.00	57,290.32	292,890.32	23,855.00	(6,659.70)	225,332.24	74,217.78	75%
	Grand Totals	(235,600.00)	(57,290.32)	(292,890.32)	(23,855.00)	6,659.70	(225,332.24)	(74,217.78)	

# Budget Performance Report

Life-to-Date to 12/31/25

Include Rollup Account and Rollup to Account

Account	Account Description	Adopted Budget	Budget Amendments	Amended Budget	Current Month Transactions	YTD Encumbrances	YTD Transactions	Budget - YTD Transactions	% Used/ Rec'd
Fund H205 - Active, G Infra. Improvements									
	REVENUE								
Department 8197 - Sewer Equipment & Cap Outlay									
32801	Interfund Revenue								
32801.A	Interfund Revenue From General Fund	.00	9,165.00	9,165.00	.00	.00	9,165.00	.00	100
32801.G	Interfund Revenue From Sewer Fund	.00	334,654.00	334,654.00	.00	.00	334,654.00	.00	100
	32801 - Interfund Revenue Totals	\$0.00	\$343,819.00	\$343,819.00	\$0.00	\$0.00	\$343,819.00	\$0.00	100%
Department 8197 - Sewer Equipment & Cap Outlay Totals		\$0.00	\$343,819.00	\$343,819.00	\$0.00	\$0.00	\$343,819.00	\$0.00	100%
	REVENUE TOTALS	\$0.00	\$343,819.00	\$343,819.00	\$0.00	\$0.00	\$343,819.00	\$0.00	100%
	EXPENSE								
Department 8197 - Sewer Equipment & Cap Outlay									
52481	Infrastructure-Sewer System	.00	343,819.00	343,819.00	47,922.50	.00	334,162.55	9,656.45	97
Department 8197 - Sewer Equipment & Cap Outlay Totals		\$0.00	\$343,819.00	\$343,819.00	\$47,922.50	\$0.00	\$334,162.55	\$9,656.45	97%
	EXPENSE TOTALS	\$0.00	\$343,819.00	\$343,819.00	\$47,922.50	\$0.00	\$334,162.55	\$9,656.45	97%
Fund H205 - Active, G Infra. Improvements Totals									
	REVENUE TOTALS	.00	343,819.00	343,819.00	.00	.00	343,819.00	.00	100%
	EXPENSE TOTALS	.00	343,819.00	343,819.00	47,922.50	.00	334,162.55	9,656.45	97%
Fund H205 - Active, G Infra. Improvements Totals		\$0.00	\$0.00	\$0.00	(\$47,922.50)	\$0.00	\$9,656.45	(\$9,656.45)	
	Grand Totals								
	REVENUE TOTALS	.00	343,819.00	343,819.00	.00	.00	343,819.00	.00	100%
	EXPENSE TOTALS	.00	343,819.00	343,819.00	47,922.50	.00	334,162.55	9,656.45	97%
	Grand Totals	\$0.00	\$0.00	\$0.00	(\$47,922.50)	\$0.00	\$9,656.45	(\$9,656.45)	

**From:** Vincent Cappadora <info@lockportny.gov>  
**Sent:** Tuesday, December 9, 2025 6:14 PM  
**To:** info@lockportny.gov  
**Subject:** [EXTERNAL] City Clerk Department question from Vincent Cappadora

**Name**

Vincent Cappadora

**Address**

829 Midline Rd  
Freeville, NY 13068  
United States  
[Map It](#)

**Phone**

(631) 334-5024

**Email**

[vinny@happilyrunning.com](mailto:vinny@happilyrunning.com)

**Select a department**

City Clerk

**Comments / Questions**

Hello - I sent this email last week to both cityclerk@lockportny.gov as well as mayor@lockportny.gov it was returned, so I wanted to send it here as well. I won't send it to the mayors office , I figured it can be forwarded from here.

Mr. Lombardi & Ms. Stoddard

We're looking at holding the Beast of Burden race this year again. Our proposed dates and times as of right now are below. Happy to make adjustments to those if it makes sense.

I know we've had some issues on our side last year. Though now that the trail is open fully from lockport to middleport we would like to at least hold the event one last year. If possible, continue working with Lockport and try to make the event bigger than it was.

Winter - 2/7 -8 FEB 7 &8  
Summer 8/15-16 AUG 15 & 16  
TIME LINE  
SETUP START 600  
RACE START 1000  
RACE END 1600  
TEARDOWN END 1800

First off we'd like to make sure the dates above will work. Like I said, we can shift them a little if need be.

Secondly, I know last we spoke we talked about the possibility of needing to shift to the pavilion. While we could do that, I'd like to discuss the cost of that, because if we don't have the marina building available, there will be added costs on our end, like heating, tents, and porta potties. The bathrooms and showers are something that a lot of runners look forward to, as it's rare to find at a race like this.

Finally I know there were two things when I was up there we spoke about

**City Clerk**

---

**From:** Vinny Capp <me@vinnycapp.com>  
**Sent:** Thursday, January 15, 2026 11:59 AM  
**To:** cityclerk@lockportny.gov  
**Subject:** [EXTERNAL] Resolution for Feb Race

Hey Emily... I know there was an issue with my company email, but I thought I'd fixed it on my end. I sent some of the below yesterday, but I wanted to make sure you received it. So I'm just sending it again from my personal email.

Mayor Lombardi asked me to connect with you so I can get you everything that's needed for the resolution... Can you let me know what's needed and I can get it over to you ASAP.

Previously, I believe we've just sent over a formal request on letterhead as well as a COI naming the city as additionally insured I reached out to our insurance to find out where that is, I'm sure I can get that in a couple of days -

Beast Of Burden Winter - 2/7 -2/8  
Beast Of Burden Summer - 8/15 -8/16

Day 1  
Set up start - 5am  
Participants arrive - 8am  
Race Start - 10am  
Day 2  
Race Finish 4pm  
Breakdown Complete 6pm

We would request the access to the WideWaters marina for use of bathrooms/showers  
As well as booking the pavilion

Thanks,  
Vinny Cappadora  
[HappilyRunning.com](http://HappilyRunning.com)  
o. 607.376.7223  
m. 631.334.5024

**City Clerk**

---

**From:** cedwards@lockportny.gov  
**Sent:** Friday, January 2, 2026 1:25 PM  
**To:** 'City Clerk'  
**Subject:** FW: [EXTERNAL] NRDG Events in 2026

**From:** James Carman <jamescarman1985@gmail.com>  
**Sent:** Thursday, January 1, 2026 11:17 AM  
**To:** Emily Stoddard <deputyclerk@lockportny.gov>  
**Cc:** NiagaraRegionDiscGolf <niagararegiondiscgolf@gmail.com>  
**Subject:** [EXTERNAL] NRDG Events in 2026

Hello,

We would like to use the disc golf course at Outwater park for our league. Our insurance is good until April, can send a new COI when we renew/receive then, but should be covered for the first two dates already.

- 1. *Who - Niagara Region Disc Golf*
- 2. *When - 4/1/26, 4/8/26, 5/13/26*
- 3. *What - 4pm - 8pm*
- 4. *Where – Outwater Memorial*
- 5. *Why – Disc Golf League*
- 6. *Submission of Certificate of Insurance naming the City of Lockport as additional insured - will provide shortly*

Thank you,  
James Carman

**City Clerk**

---

**From:** James Carman <jamescarman1985@gmail.com>  
**Sent:** Sunday, January 4, 2026 3:24 PM  
**To:** Emily Stoddard; City Clerk  
**Cc:** WesternNewYork DiscGol.  
**Subject:** [EXTERNAL] WNYDGC Event in 2026

Hello,

We would like to use the disc golf course at Outwater park for an event, there will likely be at least one more. I will send a COI once approved

- 1. *Who - Western New York Disc Golf Club*
- 2. *When - 6/27*
- 3. *What - 8pm - 8pm*
- 4. *Where – Outwater Memorial*
- 5. *Why – Disc Golf Tournament*
- 6. *Submission of Certificate of Insurance naming the City of Lockport as additional insured - will provide shortly*

*Thank you,  
James Carman  
315-380-5130*

## City of Lockport - Resolution Request Form

**Agenda Description:** Financial Policies 2026 Review

**Presented By:** DPC

**Date Submitted:** 1.23.2026

**Topic Area (Select Most Applicable Option):**

Community Event  
 Budget Amendment  
 Contract Approval  
 Donation Acceptance  
 Grant Application / Award  
 Fund Utilization Request


Local Law Change  
 Community Development  
 Community Event  
 Engineering Process  
 Code and Planning  
 Other

✓

*Please provide to Clerk at least 9 calendar days prior to Council meeting. Otherwise request will go to following meeting.*

**Summary of Resolution:**

The City has 4 primary financial policies in place. These policies should be up for review on an annual basis, last being reviewed in 2023. This annual review looks at the City's four financial policies - (1) Fund Balance, (2) Procurement, (3) Investment, and (4) Budget Amendment.

**Explanation of Attachments:**

1) Policy Update Worksheet 2) Copy of 4 Policies

Please include all backup correspondence, purchase order, quotes, meeting minutes, emails, etc... If any of this information is confidential and cannot be released publically, please denote a check in this field: \_\_\_\_\_

**Clerk/Legal/Finance Approval:**

**Notes:**

**Name:**

**Date of Approval:**

## **2026 POLICY UPDATES:**

### **PROCUREMENT POLICY:**

- **Add Guideline #6A:**

#### **“Guideline #6A – Piggybacking and Cooperative Purchasing**

The City may purchase goods or services through contracts awarded by another governmental entity (“piggybacking” or cooperative purchasing) in lieu of conducting its own competitive procurement, provided that the following conditions are met:

1. The original contract was awarded through a competitive process substantially complying with General Municipal Law §103.
2. The original contract expressly permits use by other governmental entities, or such use is otherwise authorized by law.
3. The goods or services to be purchased are the same or substantially similar to those covered under the original contract.

When piggybacking is used as a substitute for sealed bidding, Common Council approval by resolution shall be required. Documentation supporting the use of the cooperative contract shall be retained with the procurement file.

Piggybacking shall not be used to intentionally divide or structure purchases to avoid competitive bidding requirements. All piggybacked purchases must be approved prior to the issuance of a purchase order or execution of a contract.”

### **BUDGET AMENDMENT POLICY:**

- **Add guideline #1**

**Guideline #1:** All budget amendments must be requested and approved prior to the expenditure being incurred. No department shall make a purchase, enter into a contract, or otherwise obligate City funds without sufficient budget appropriation and an approved purchase order. Expenditures incurred without prior approval shall not constitute justification for a budget amendment and may be denied.

- **Add guideline #5**

**Guideline #5:** In the event of a true emergency that poses an immediate risk to public health, safety, or the continued operation of essential City services, the Mayor, in consultation with the Director of Finance, may authorize a temporary budget modification or expenditure. Any such emergency action shall be documented in writing and submitted to the Common Council for ratification at the next regular Council meeting.

## **FUND BALANCE POLICY:**

- **Update guideline #2**

**Guideline #2 – General Fund:** The City shall maintain a **minimum unrestricted fund balance** in the General Fund equal to **20% of the following year's General Fund budgeted expenditures**. This minimum level shall be maintained to support cash flow needs, cover unanticipated expenditures of a non-recurring nature, meet unexpected increases in service delivery costs, and mitigate unforeseen revenue shortfalls. These funds are intended to avoid cash flow interruptions, generate interest income, and reduce or eliminate the need for short-term borrowing.

In addition to the minimum requirement, the City shall strive to maintain a **target unrestricted fund balance of 25% to 30% of annual General Fund expenditures** to further strengthen financial resilience, address revenue volatility, respond to emergency events, and support long-term financial stability.

Each year, the City shall budget an operating budget contingency of **not less than 1.25% of total budgeted General Fund expenditures**.

- **Add Guideline #3**

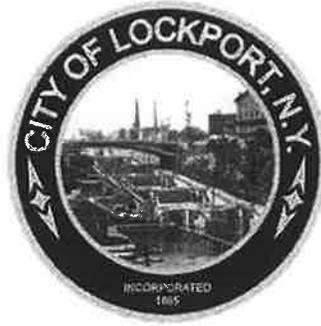
### **Guideline #3 – Fund Balance Restoration**

If, at fiscal year-end, the City's unrestricted General Fund balance falls below the minimum level established in Guideline #2, the City shall prepare a fund balance restoration plan.

The restoration plan shall be presented to the Common Council as part of the subsequent annual budget process and shall identify actions to restore the fund balance to the minimum level over a reasonable period of time, considering economic conditions, revenue trends, and expenditure requirements.

## **INVESTMENT POLICY:**

**NO CHANGE**



## City of Lockport

### Investment Policy

*WHEREAS, in compliance with the New York State Office of the Comptroller, all governmental entities are recommended to have and maintain an investment policy that identifies appropriate practices and regulation as they relate to City finances; and*

*NOW THEREFORE BE IT RESOLVED, that the City of Lockport does hereby adopt the following investment policies and procedures:*

**Guideline #1 - Scope:** This investment policy applies to all moneys and other financial resources available for investment on its own behalf or on behalf of any other entity or individual.

**Guideline #2 - Objectives:** The primary objectives of the local government's investment activities are, in priority order,

- to conform with all applicable federal, state and other legal requirements (legal);
- to adequately safeguard principal (safety);
- to provide sufficient liquidity to meet all operating requirements (liquidity); and
- to obtain the optimum rate of return (yield).

**Guideline #3 - Delegation of Authority:** The governing board's responsibility for administration of the investment program is delegated to the City Treasurer who shall establish written procedures for the operation of the investment program consistent with these investment guidelines. Such procedures shall include an adequate internal control structure to provide a satisfactory level of accountability based on a data base or records incorporating description and amounts of investments, transaction dates, and other relevant information and regulate the activities of subordinate employees.

**Guideline #4 - Prudence:** All participants in the investment process shall seek to act responsibly as custodians of the public trust and shall avoid any transaction that might impair public confidence in the City of Lockport to govern effectively. Investments shall be made with judgement and care, under circumstances then prevailing, which persons of prudence discretion

and intelligence exercise in the management of their own affairs, not for speculation, but for investments, considering the safety of the principal as well as the probable income to be derived. All participants involved in the investment process shall refrain from personal business activity that could conflict with proper execution of the investment program, or which could impair their ability to make impartial investment decisions.

**Guideline #5 - Diversification:** It is the policy of the City of Lockport to diversify its deposits and investments by financial institution, and by maturity scheduling.

**Guideline #6 – Internal Controls:** It is the policy of the City of Lockport for all moneys collected by any officer or employee of the government to transfer those funds to the (chief fiscal officer) within 30 days of deposit, or within the time period specified in law, whichever is shorter. The City Treasurer is responsible for establishing and maintaining an internal control structure to provide reasonable, but not absolute, assurance that deposits and investments are safeguarded against loss from un-authorized use or disposition, that transactions are executed in accordance with management's authorization and recorded properly, and are managed in compliance with applicable laws and regulations.

**Guideline #7 – Designation of Depositories:** The banking institutions authorized for the deposit of monies are to be designated by Council resolution as required by City Charter, Section C-101.

**Guideline #8 – Collateralizing of Deposits:** In accordance with the provisions of General Municipal Law, #10, all deposits of the City of Lockport, including certificates of deposit and special time deposits, in excess of the amount insured under the provisions of the Federal Deposit Insurance Act shall be secured:

- By a pledge of "eligible securities" with an aggregate "market value" as provided by GML #10, equal to the aggregate amount of deposits from the categories designated in Guideline 13 of this policy.
- By an eligible "irrevocable letter of credit" issued by a qualified bank other than the bank with the deposits in favor of the government for a term not to exceed 90 days with an aggregate value equal to 140% of the aggregate amount of deposits and the agreed upon interest, if any. A qualified bank is one whose commercial paper and other unsecured short-term debt obligations are rated in one of the three highest rating categories by at least one nationally recognized statistical rating organizations or by a bank that is in compliance with applicable federal minimum risk-based capital requirements.
- By an eligible surety bond payable to the City of Lockport for an amount at least equal to 100% of the aggregate amount of deposits and agreed upon interest, if any, executed by an insurance company authorized to do business in New York State, and who has met with the requirements of the State Comptrollers office. (#3 added 01/04/95)

**Guideline #9 – Safekeeping and Collateralization:** Eligible securities used for collateralizing deposits shall be held by the depository and/or a third party bank or trust company subject to security and custodial agreements. The security agreement shall provide that eligible securities are being pledged to secure local government deposits together with agreed upon interest, if any, and any costs or expenses arising out of the collection of such deposits upon default. It shall also provide the conditions under which the securities may be sold, presented for payment, substituted or released and the events which will enable the local government to exercise its rights against the pledged securities. In the event that the securities are not registered or inscribed in the name of the local government, such securities shall be delivered in a form suitable for transfer or with an assignment to the City of Lockport or its custodial bank.

The custodial agreement shall provide that securities held by the bank or trust company, or agent of and custodian for, the local government, will be kept separate and apart from the general assets of the custodial bank or trust company and will not, in any circumstances, be commingled with or become part of the backing for any other deposit or other liabilities. The agreement should also describe that the custodian shall confirm the receipt, substitution or release of the securities. The agreement shall provide for the frequency of revaluation of eligible securities and for the substitution of securities when a change in the rating of a security may cause ineligibility. Such agreement shall include all provisions necessary to provide the local government a perfected interest in the securities.

**Guideline #10 – Permitted Investments:** As authorized by General Municipal Law, #11, the City of Lockport authorizes the City Treasurer to invest moneys not required for immediate expenditure for terms not to exceed its projected cash flow needs in the following types of investments:

- Special time deposit accounts;
- Certificates of deposit;
- Obligations of the United States of America;
- Obligations guaranteed by agencies of the United States of America where the payment of principal and interest are guaranteed by the United State of America;
- Obligations of the State of New York;
- Obligations issued pursuant to LFL #24.00 or 25.00 (with approval of the State Comptroller) by any municipality, school district or district corporation other than the City of Lockport;
- Obligations of public authorities, public housing authorities, urban renewal agencies and industrial development agencies where the general State statutes governing such entities or whose specific enabling legislation authorizes such investments.
- Obligations of this local government, but only with any moneys in a reserve fund established pursuant to GML #6-c, 6-d, 6-e, 6-g, 6-h, 6-j, 6-k, 6-l, 6-m, or 6-n.

All investment obligations shall be payable or redeemable at the option of the City of Lockport within such times as the proceeds will be needed to meet expenditures for purposes for which the moneys were provided and, in the case of obligations purchased with the proceeds of bonds or notes, shall be payable or redeemable at the option of the City of Lockport within two years of the date of purchase.

**Guideline #11 – Authorized Financial Institutions and Dealer:** The financial institutions so designated by the Common Council as outlined in paragraph VII of this policy shall be the authorized institutions approved for investment purposes. All financial institutions with which the City of Treasurer conducts business must be credit worthy. Banks shall provide their most recent Consolidated Report of Condition (Call Report) at the request of the City of Lockport. Security dealers not affiliated with a bank shall be required to be classified as reporting dealers affiliated with the New York Federal Reserve Bank, as primary dealers. The City Treasurer is responsible for evaluating the financial position.

**Guideline #12 – Purchase of Investments:** The City Treasurer is authorized to contract for the purchase of investments:

- Directly, including through a repurchase agreement, from an authorized trading partner.
- By participation in a cooperative investment program with another authorized governmental entity pursuant to Article 5G of the General Municipal Law where such program meets all

the requirements set forth in the Office of the State Comptroller Opinion No. 88-46, and the specific program has been authorized by the governing board.

- By utilizing an ongoing investment program with an authorized trading partner pursuant to a contract authorized by the governing board.

All purchased obligations, unless registered or inscribed in the name of the local government, shall be purchased through, delivered to and held in the custody of a bank or trust company. Such obligations shall be purchased, sold or presented for redemption or payment by such bank or trust company only in accordance with prior written authorization from the officer authorized to make the investment. All such transactions shall be confirmed in writing to the City of Lockport by the bank or trust company. Any obligation held in the custody of a bank or trust company shall be held pursuant to a written custodial agreement as described in General Municipal Law, #10.

The custodial agreement shall provide that securities held by the bank or trust company, as agent of and custodian for, the local government, will be kept separate and apart from the general assets of the custodial bank or trust company and will not, in any circumstances, be commingled with or become part of the backing for any other deposit or other liabilities. The agreement shall describe how the custodian shall confirm the receipt and release of the securities. Such agreement shall include all provisions necessary to provide the local government a perfected interest in the securities

**Guideline #13 – Schedule of Eligible Securities:**

- (i) Obligations issued, or fully insured or guaranteed as to the payment of principal and interest, by the United States of America, an agency thereof or a United States government sponsored corporation.
- (ii) Obligations partially insured or guaranteed by any agency of the United States of America, at a proportion of the market Value of the obligation that represents the amount of the insurance or guaranty.
- (iii) Obligations issued or fully insured or guaranteed by the State of New York, obligations issued by a municipal corporation, school district or district corporation of such State or obligations of any public benefit corporation which under a specific State statute may be accepted as security for deposit of public moneys.
- (iv) Obligations issued by states (other than the State of New York) of the United States rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization.
- (v) Obligations of counties, cities and other governmental entities of a state other than the State of New York having the power to levy taxes that are backed by the full faith and credit of such governmental entity and rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization.
- (vi) Obligations of domestic corporations rated in one of the two highest rating categories by at least one nationally recognized statistical rating organization.
- (vii) Any mortgage related securities, as defined in the Securities Exchange Act of 1934, as amended, which may be purchased by banks under the limitations established by bank regulatory agencies.
- (viii) Commercial paper and banker's acceptances issued by a bank, other than the Bank, rated in the highest short term category by at least one nationally recognized statistical rating organization and having maturities of not longer than 60 days from the date they are pledged.
- (ix) Zero coupon obligations of the United States government marketed as "Treasury strips".

**Guideline #14 – Annual Review:** An annual review of the investment policy should be undertaken to determine whether modifications are appropriate.



## City of Lockport

### Procurement Policy

***WHEREAS, Section 104-b of the General Municipal Law (GML) requires every city to adopt internal policies and procedures governing all procurement of goods and services not subject to the bidding requirements of GML, Section 103 or any other law; and***

***NOW THEREFORE BE IT RESOLVED, that the City of Lockport does hereby adopt the following procurement policies and procedures:***

**Guideline #1:** Every prospective purchase of goods or services shall be evaluated to determine the applicability of GML Section 103. Every city officer, board, department head or other personnel with the requisite purchasing authority (hereinafter purchaser) shall estimate the cumulative amount of the items of supply or equipment needed in given fiscal year. That estimate shall include the canvass of other city departments and past history to determine the likely yearly value of the commodity to be acquired. The information gathered and conclusions reached shall be documented and kept with the file or other documentation supporting the purchase activity.

**Guideline #2:** All purchase contracts which will exceed \$20,000 in the fiscal year or public works contracts over \$35,000 shall be formal bid pursuant to GML Section 103.

**Guideline #3A:** For the Purchase of Commodities, Equipment, or Goods (Non-Public Works):

<b>Dollar Limit</b>	<b>Procedure</b>
\$1 - \$2,999	At the discretion of the Department Head
\$3,000 - \$4,999	Documented oral/written/emailed quotes from at least three vendors
\$5,000 - \$19,999	Formal written/emailed quotes from at least three separate vendors
\$20,000 and up	Sealed bids in conformance with General Municipal Law, Section 53

**Guideline #3B:** For the Purchase of Public Works Projects/Contracts:

<b>Dollar Limit</b>	<b>Procedure</b>
\$1 - \$2,999	At the discretion of the Department Head
\$3,000 - \$4,999	Documented oral/written/emailed quotes from at least three vendors
\$5,000 - \$34,999	Formal written/emailed quotes from at least three separate vendors
\$35,000 and up	Sealed bids in conformance with General Municipal Law, Section 53

*Any written RFP shall describe the desired goods, quantity and the particulars of delivery. The purchaser shall compile a list of all vendors from whom written/fax/oral quotes have been requested and the written/fax/oral quotes offered. One quotation must be obtained from a local vendor, if possible. All information gathered in complying with the procedures of this guideline shall be preserved and filed with the documentation supporting the subsequent purchase order and provided to the Principle Account Clerk in the Finance Department.*

**Guideline #4:** The lowest responsible proposal or quote shall be awarded the purchase or public works contract unless the purchaser prepares a written justification providing reasons why it is in the best interest of the City and its taxpayers to make an award to other than the low bidder. Local vendors may be given a five percent (5%) price benefit for the contracts less than \$20,000 in determining lowest bid. If a bidder is not deemed responsible, facts supporting that judgment shall also be documented and filed with the record supporting the procurement.

**Guideline #5:** A good faith effort shall be made to obtain the required number of proposals or quotations. If the purchaser is unable to obtain the required number of proposals or quotations, the purchaser shall document the attempt made at obtaining the proposals. In no event shall the inability to obtain the proposals or quotes be a bar to the procurement.

**Guideline #6:** No solicitation of written proposals or quotations shall be required under the following circumstances (but must still be documented with the attached worksheet):

- Emergencies, as defined by General Municipal Law Section 53 (4)/ 103 (4);
- Sole source situations;
- Goods purchased from agencies for the blind or severely handicapped;
- Goods purchased from correctional facilities;
- Goods purchased from or through another governmental agency (such as Sourcewell);
- Goods purchased at auction;
- Goods purchased through a governmental (local/State/or Federal) contract (needs approval with a Council Resolution when substituting for the sealed bidding procedures).
- Professional services; defined as a service requiring special or technical skill, training, or expertise, to be chosen based on accountability, reliability, responsibility, skill, education and training, judgement, integrity, and moral worth.

**Guideline #6A – Piggybacking and Cooperative Purchasing**

The City may purchase goods or services through contracts awarded by another governmental entity (“piggybacking” or cooperative purchasing) in lieu of conducting its own competitive procurement, provided that the following conditions are met:

1. The original contract was awarded through a competitive process substantially complying with General Municipal Law §103.

2. The original contract expressly permits use by other governmental entities, or such use is otherwise authorized by law.
3. The goods or services to be purchased are the same or substantially similar to those covered under the original contract.

When piggybacking is used as a substitute for sealed bidding, Common Council approval by resolution shall be required. Documentation supporting the use of the cooperative contract shall be retained with the procurement file.

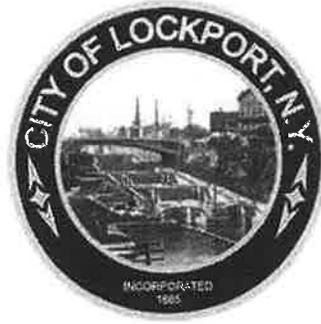
Piggybacking shall not be used to intentionally divide or structure purchases to avoid competitive bidding requirements. All piggybacked purchases must be approved prior to the issuance of a purchase order or execution of a contract.

**Guideline #7:** Departments are responsible for ensuring that procurement policy guidelines are withheld in their departments. Any other employee making purchases shall act subject to the direction of the department head responsible for purchasing.

**Guideline #8:** For federally funded projects or activities subject to Section 3 of 24 CFR Part 135 of the Housing and Urban Development Act of 1968, as amended, the City will, to the greatest extent feasible, facilitate participation of Section 3 residents and Section 3 businesses in the procurement of goods and services pursuant to its Section 3 Participation Plan. Solicitation may be undertaken via advertisements in local publications encouraging Section 3 participation, or direct outreach by letter or email to identified Section 3 businesses or individuals included on the Department of Housing and Urban Development's Section 3 Businesses Registry. The City's established purchase/ contracting thresholds will apply. The City will keep documentation of Section 3 solicitation in its records and any response(s) thereto.

**Guideline #9:** In an effort to affirmatively increase procurement and contracting opportunities for minority- and women-owned business enterprises, the City will solicit MBEs and/or WBEs as part of its procurement process, when appropriate. Solicitation may be undertaken via advertisements in minority publications or direct outreach by letter or email to identified State-certified M/WBEs, or by working with a clearinghouse such as the Syracuse Minority Business Development Center. The City's established purchase/contracting thresholds will apply. For purposes of the above, the M/WBE must be certified by Empire State Development (ESD) through the Division of Minority and Women Business Development (DMWBD). The City will keep documentation of M/WBE solicitation in its records and any responses thereto.

**Guideline #10:** This policy shall be reviewed annually by the City of Lockport Common Council.



## **City of Lockport**

### **Budget Amendment Policy**

***WHEREAS, in compliance with the New York State Office of the Comptroller, all governmental entities are recommended to have and maintain a budget modification policy that identifies appropriate practices and regulation as they relate to City finances; and***

***NOW THEREFORE BE IT RESOLVED, that the City of Lockport does hereby adopt the following budget modification policies and procedures:***

**Guideline #1:** All budget amendments must be requested and approved prior to the expenditure being incurred. No department shall make a purchase, enter into a contract, or otherwise obligate City funds without sufficient budget appropriation and an approved purchase order. Expenditures incurred without prior approval shall not constitute justification for a budget amendment and may be denied.

**Guideline #2:** Department Heads, throughout the year, may encounter budget line items that require additional funding for operational costs. The first priority is to utilize unused excess funds within their department. If they can identify matching excess funds in their department to be reduced in the same amount of the requested increase, the Department Head may request an individual amendment amounting from **\$1 to \$10,000** within their budget, to be posted in New World by said Department's Account Clerk and subsequently reviewed, approved, and posted by the Director of Finance (without the need to fill out and submit the attached Budget Amendment Worksheet). In the event that the Department Head cannot identify excess funds in their department to cover the requested budgetary increase, they are to follow Guideline #4.

**Guideline #3:** For individual amendment amounts ranging from **\$10,001 to \$25,000** (in which the Department Head can identify excess funds to match the requested increase), the Department Head will provide to the Director of Finance the attached Budget Amendment

Worksheet. In this event, the Director of Finance shall have the authorization:

- To approve requests for the transfer of funds, not to exceed \$25,000, within and between the contractual, capital, and benefit expense items of a department budget, provided said administrative transfers do not exceed total appropriations for the departmental budget as adopted or amended by the City Council.
- To approve requests for the transfer of funds, not to exceed \$25,000, within the Personal Services account or from Personal Services to Equipment and Contractual, provided said authority is further limited to modifications for temporary, overtime and/or shift differential appropriations, which shall not result in the creation of permanent full time or part-time positions.

**Guideline #4:** For individual amendments ranging from **\$25,001 to \$50,000** (in which the Department Head can identify excess funds to match the requested increase), the Department Head will provide to the Director of Finance the attached Budget Amendment Worksheet. In this event, the Director of Finance in concurrence with the Mayor, shall have the authorization:

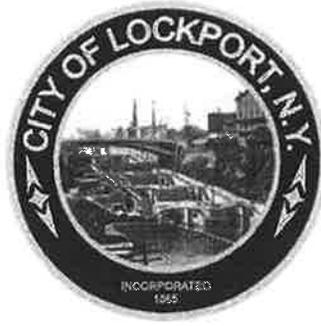
- To approve requests for the transfer of funds which exceed \$25,000 but are less than \$50,000 within and between the equipment and contractual areas of the department budget, provided said transfers do not exceed total appropriations for the departmental budget as adopted or amended by the City Council.
- To approve requests for the transfer of funds which exceed \$25,000 but are less than \$50,000 within the Personal Services account or from Personal Services to Equipment and Contractual, provided said authority is further limited to modifications for temporary, overtime and/or shift differential appropriations, which shall not result in the creation of permanent full time or part-time positions.

**Guideline #5:** In the event of a true emergency that poses an immediate risk to public health, safety, or the continued operation of essential City services, the Mayor, in consultation with the Director of Finance, may authorize a temporary budget modification or expenditure. Any such emergency action shall be documented in writing and submitted to the Common Council for ratification at the next regular Council meeting.

**Guideline #6:** Common Council approval shall be required for all other budget amendments, including requests that transfer funds from one department to another, as well as the use of contingency. In these events, the Department Head will provide to the Director of Finance the attached Budget Amendment Worksheet, which will then be reviewed by the Finance Director and submitted (in resolution format) to the Clerk's Office for the Common Council to vote on. Department Heads must provide this form to the Finance Director at least two weeks before the Common Council meeting they wish this amendment to be voted on.

**Guideline #7:** In all instances, there shall be no splitting of transfer amounts to avoid the next level of authorization.

**Guideline #8:** This policy shall be reviewed annually by the City of Lockport Common Council.



## City of Lockport

### Fund Balance Policy

***WHEREAS, in compliance with the New York State Office of the Comptroller, all governmental entities are recommended to have and maintain a fund balance policy that identifies appropriate fund balance levels as they relate to our cash flow, annual budgets, and contingency; and***

***NOW THEREFORE BE IT RESOLVED, that the City of Lockport does hereby adopt the following fund balance policies and procedures:***

**Guideline #1 – Use of Fund Balance:** Fund balance is the accumulation of prior years' excess or deficit of all revenues and expense. For the purposes of the budget, revenue and expense activity includes bond proceeds and debt service. Available fund balances shall not be used for ongoing operating expenditures, unless a determination has been made that available balances are in excess of required guidelines and plans have been established to address any future operating budget shortfalls. Emphasis shall be placed on one-time uses that achieve future operating cost reductions and/or service level efficiencies.

**Guideline #2 – General Fund:** The City shall maintain a minimum unrestricted fund balance in the General Fund equal to 20% of the following year's General Fund budgeted expenditures. This minimum level shall be maintained to support cash flow needs, cover unanticipated expenditures of a non-recurring nature, meet unexpected increases in service delivery costs, and mitigate unforeseen revenue shortfalls. These funds are intended to avoid cash flow interruptions, generate interest income, and reduce or eliminate the need for short-term borrowing.

In addition to the minimum requirement, the City shall strive to maintain a target unrestricted fund balance of 25% to 30% of annual General Fund expenditures to further strengthen financial resilience, address revenue volatility, respond to emergency events, and support long-term financial stability.

Each year, the City shall budget an operating budget contingency of not less than 1.25% of total budgeted General Fund expenditures.

**Guideline #3 – Fund Balance Restoration**

If, at fiscal year-end, the City's unrestricted General Fund balance falls below the minimum level established in Guideline #2, the Director of Finance shall prepare a fund balance restoration plan.

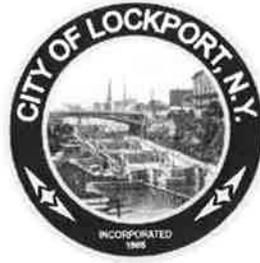
The restoration plan shall be presented to the Common Council as part of the subsequent annual budget process and shall identify actions to restore the fund balance to the minimum level over a reasonable period of time, considering economic conditions, revenue trends, and expenditure requirements.

**Guideline #4 – Non-General Governmental Funds:** The appropriate balances shall be the amount needed to maintain positive cash balances throughout the year with exceptions made for those funds associated with economic development purposes which may be aggregated by fund type to maintain a positive balance. An adequate operating contingency expense shall be budgeted to provide for business interruption costs and other unanticipated or unbudgeted expenditures. Enterprise funds shall also maintain adequate reserves for emergency improvements relating to new regulations, or emergency needs for capital repair or replacement.

**Guideline #5 – Enterprise Funds:** The City shall maintain a minimum cash balance in its Enterprise Funds equal to three months of operating expense, or 25% of the funds' annual operating budget. This balance shall be maintained to ensure adequate maintenance reserves, operating cash flow requirements, debt service requirements and legal restrictions. Where cost-effective access to capital markets is available and debt financing is regularly used, replacement balances shall not be maintained in a manner which charges current consumers to pay for future facilities, with exceptions made for those funds associated with economic development purposes. Balances in excess of three months of operating expense may be utilized for capital purchases and replacements in lieu of debt financing if doing so allows for continued maintenance of appropriate balances and funding plans. Alternatively, surplus cash reserves may be used for early debt retirement at the recommendation of the Finance Director and City Treasurer, and approval of the Common Council. Financing decisions shall consider the impact on user rates.

**Guideline #6 – Internal Service Funds:** To ensure adequate maintenance reserves, cash flow balancing requirements, and legal restrictions, the Self-Insurance Funds shall maintain a cash balance equal to the unpaid claim reserves payable amount on its balance sheet, as defined by the independent actuary plus 10% of the annual department operating budgets within the fund. Net position within the fund should not fall below zero.

**Guideline #7 – Annual Review:** An annual review of cash flow requirements and appropriate fund balances shall be undertaken to determine whether modifications are appropriate for the reserve policy.



**City of Lockport, New York**  
**SEQR LEAD AGENCY REQUEST**  
**City of Lockport, N.Y. Common Council**

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**DATE:** December 16, 2025

**PROJECT TYPE:** UNLISTED      **X**      TYPE I

**AGENCY RESPONSES DUE:** January 15, 2025

**PROJECT:** Lockport Streetscape Improvements – Phase 2  
City of Lockport, Niagara County, New York

Dear Interested/Involved Agency:

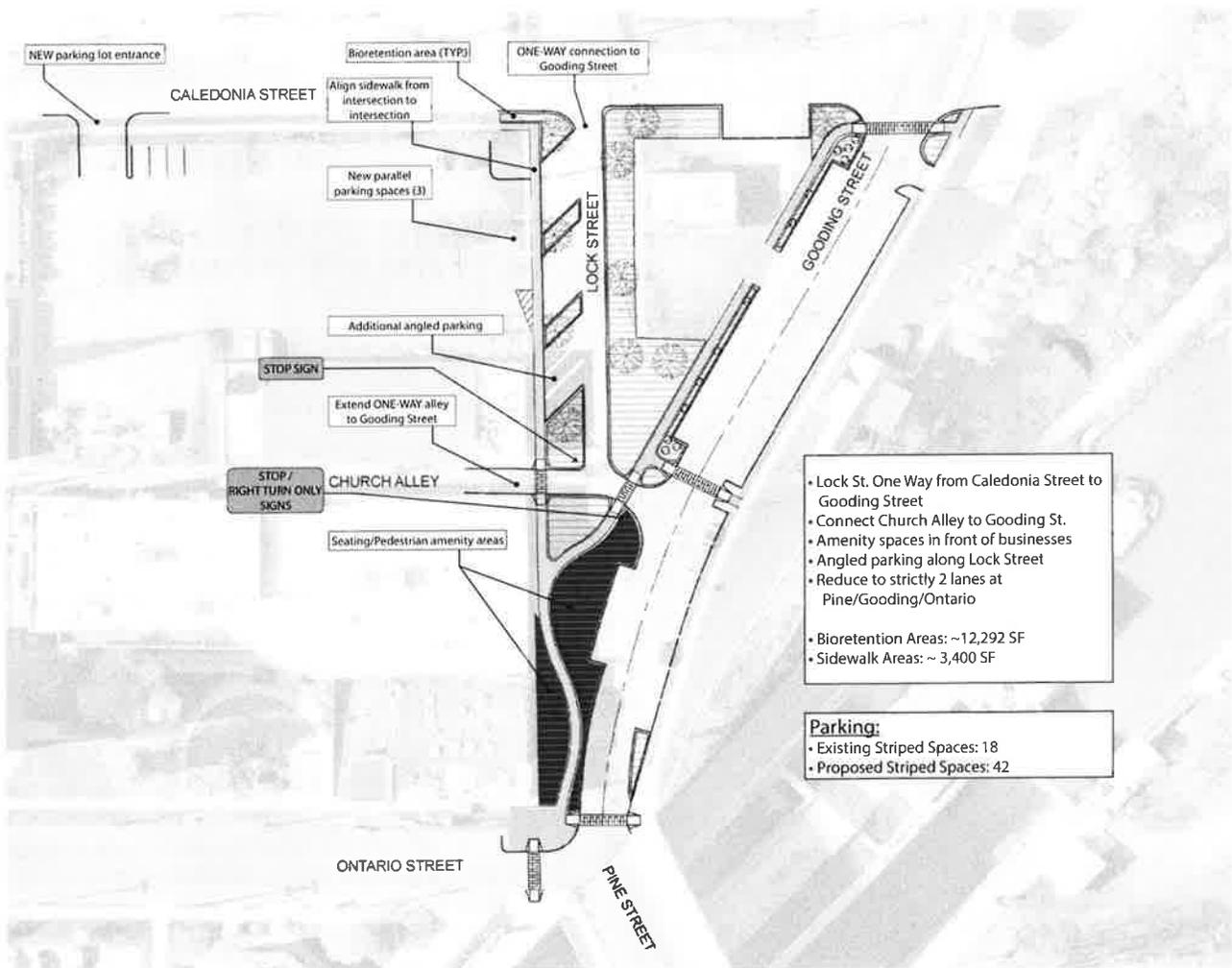
The City of Lockport intends to establish itself as the SEQR Lead Agency pursuant to section 617.6 (b) of the SEQR regulations. Please provide any comments and/or concerns your agency may have regarding this project to the contact person listed below by the response due date.

The subject project concept site plan and Part 1 of the Full Environmental Assessment Form (FEAF) are attached to this letter.

**CONTACT PERSON:** Caroline Bukowski, P.E., Senior Project Engineer  
[cbukowski@nusslcarke.com](mailto:cbukowski@nusslcarke.com)

**AGENCIES NOTIFIED:**

- New York State Department of Environmental Conservation (NYSDEC)
- Town of Lockport (Town)
- New York State Canal Corporation (NYS Canals)



Lockport Streetscape  
Improvements -  
Phase II

PREFERRED  
CONCEPT

Traffic Advisory  
Committee Meeting  
10/20/2025

- Lock St. One Way from Caledonia Street to Gooding Street
- Connect Church Alley to Gooding St.
- Amenity spaces in front of businesses
- Angled parking along Lock Street
- Reduce to strictly 2 lanes at Pine/Gooding/Ontario
- Bioretention Areas: ~12,292 SF
- Sidewalk Areas: ~ 3,400 SF

- Parking:**
- Existing Striped Spaces: 18
  - Proposed Striped Spaces: 42



**Full Environmental Assessment Form  
Part 1 - Project and Setting**

**Instructions for Completing Part 1**

**Part 1 is to be completed by the applicant or project sponsor.** Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification.

Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either "Yes" or "No". If the answer to the initial question is "Yes", complete the sub-questions that follow. If the answer to the initial question is "No", proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the applicant or project sponsor to verify that the information contained in Part 1 is accurate and complete.

**A. Project and Applicant/Sponsor Information.**

Name of Action or Project: Streetscape Improvements - Phase 2		
Project Location (describe, and attach a general location map): City of Lockport, Niagara County, New York (See Exhibits 1 & 2)		
Brief Description of Proposed Action (include purpose or need): Streetscape improvements at the Pine/Lock/Gooding Street intersection extend from Caledonia Street to the north, to Ontario Street to the south, excluding a commercial business which is in the center island. The Erie Barge Canal is located to the east of the project site. Proposed GI practices include bioretention areas and engineered tree pits. The purpose of the GI practices is to reduce impervious cover in the project area and direct stormwater to be treated and infiltrated in GI practices, thereby reducing the volume of stormwater runoff entering the combined sewer system, reducing the volume and frequency of combined sewer overflow (CSO) events, increasing groundwater recharge, and reducing pollutant loadings that are generated from the site.		
Name of Applicant/Sponsor: City of Lockport		Telephone: 716-439-6688 E-Mail: vasmith@lockportny.gov
Address: One Locks Plaza		
City/PO: Lockport	State: NY	Zip Code: 14094
Project Contact (if not same as sponsor; give name and title/role): Caroline Bukowski		Telephone: 716-827-8000 E-Mail: cbukowski@nussclarke.com
Address: 80 Main Street, Unit A		
City/PO: Lockport	State: NY	Zip Code: 14094
Property Owner (if not same as sponsor):		Telephone: E-Mail:
Address:		
City/PO:	State:	Zip Code:

**B. Government Approvals**

<b>B. Government Approvals, Funding, or Sponsorship.</b> ("Funding" includes grants, loans, tax relief, and any other forms of financial assistance.)		
<b>Government Entity</b>	<b>If Yes: Identify Agency and Approval(s) Required</b>	<b>Application Date (Actual or projected)</b>
a. City Counsel, Town Board, <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No or Village Board of Trustees	City of Lockport	
b. City, Town or Village <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Planning Board or Commission	City of Lockport	
c. City, Town or <input type="checkbox"/> Yes <input type="checkbox"/> No Village Zoning Board of Appeals		
d. Other local agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
e. County agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
f. Regional agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
g. State agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	NYSEFC	
h. Federal agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
i. Coastal Resources.		
i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
iii. Is the project site within a Coastal Erosion Hazard Area?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

**C. Planning and Zoning**

<b>C.1. Planning and zoning actions.</b>	
Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<ul style="list-style-type: none"> <li>• If Yes, complete sections C, F and G.</li> <li>• If No, proceed to question C.2 and complete all remaining sections and questions in Part 1</li> </ul>	
<b>C.2. Adopted land use plans.</b>	
a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway; Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If Yes, identify the plan(s): NYS Heritage Areas: West Erie Canal Corridor	
_____	
_____	
_____	
c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes, identify the plan(s):	
_____	
_____	
_____	

**C.3. Zoning**

a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance.  Yes  No  
 If Yes, what is the zoning classification(s) including any applicable overlay district?  
 The zoning classification for the proposed work area is business and industrial use. \_\_\_\_\_

b. Is the use permitted or allowed by a special or conditional use permit?  Yes  No

c. Is a zoning change requested as part of the proposed action?  Yes  No  
 If Yes,  
 i. What is the proposed new zoning for the site? \_\_\_\_\_

**C.4. Existing community services.**

a. In what school district is the project site located? Lockport City School District

b. What police or other public protection forces serve the project site?  
Lockport City Police Department

c. Which fire protection and emergency medical services serve the project site?  
Lockport Fire Department

d. What parks serve the project site?  
City of Lockport Highway & Parks Department

**D. Project Details**

**D.1. Proposed and Potential Development**

a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)? The general nature of the proposed action is to reduce the volume of stormwater directed to the combined sewer system in the project area through implementation of green infrastructure. The work includes installation of bioretention areas and tree pits within the City's right-of-way, with roadways and sidewalks graded to direct stormwater runoff to the bioretention areas and tree pits for capture, storage, and treatment.  
 \_\_\_\_\_

b. a. Total acreage of the site of the proposed action? \_\_\_\_\_ 0.84 acres  
 b. Total acreage to be physically disturbed? \_\_\_\_\_ 0.39 acres  
 c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? \_\_\_\_\_ 0.84 acres

c. Is the proposed action an expansion of an existing project or use?  Yes  No  
 i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % \_\_\_\_\_ Units: \_\_\_\_\_

d. Is the proposed action a subdivision, or does it include a subdivision?  Yes  No  
 If Yes,  
 i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types)  
 \_\_\_\_\_  
 ii. Is a cluster/conservation layout proposed?  Yes  No  
 iii. Number of lots proposed? \_\_\_\_\_  
 iv. Minimum and maximum proposed lot sizes? Minimum \_\_\_\_\_ Maximum \_\_\_\_\_

e. Will the proposed action be constructed in multiple phases?  Yes  No  
 i. If No, anticipated period of construction: \_\_\_\_\_ 6 months  
 ii. If Yes:  
 • Total number of phases anticipated \_\_\_\_\_  
 • Anticipated commencement date of phase 1 (including demolition) \_\_\_\_\_ month \_\_\_\_\_ year  
 • Anticipated completion date of final phase \_\_\_\_\_ month \_\_\_\_\_ year  
 • Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

f. Does the project include new residential uses?  Yes  No  
 If Yes, show numbers of units proposed.

	<u>One Family</u>	<u>Two Family</u>	<u>Three Family</u>	<u>Multiple Family (four or more)</u>
Initial Phase	_____	_____	_____	_____
At completion	_____	_____	_____	_____
of all phases	_____	_____	_____	_____

g. Does the proposed action include new non-residential construction (including expansions)?  Yes  No  
 If Yes,

i. Total number of structures \_\_\_\_\_

ii. Dimensions (in feet) of largest proposed structure: \_\_\_\_\_ height; \_\_\_\_\_ width; and \_\_\_\_\_ length

iii. Approximate extent of building space to be heated or cooled: \_\_\_\_\_ square feet

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage?  Yes  No  
 If Yes,

i. Purpose of the impoundment: \_\_\_\_\_

ii. If a water impoundment, the principal source of the water:  Ground water  Surface water streams  Other specify: \_\_\_\_\_

iii. If other than water, identify the type of impounded/contained liquids and their source. \_\_\_\_\_

iv. Approximate size of the proposed impoundment. Volume: \_\_\_\_\_ million gallons; surface area: \_\_\_\_\_ acres

v. Dimensions of the proposed dam or impounding structure: \_\_\_\_\_ height; \_\_\_\_\_ length

vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete): \_\_\_\_\_

**D.2. Project Operations**

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both?  Yes  No  
 (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite) Minor excavation will occur for installation of bioretention areas and tree pits; no mining, dredging, or large-scale offsite excavation is proposed.  
 If Yes:

i. What is the purpose of the excavation or dredging? \_\_\_\_\_

ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?

- Volume (specify tons or cubic yards): \_\_\_\_\_
- Over what duration of time? \_\_\_\_\_

iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them. \_\_\_\_\_

iv. Will there be onsite dewatering or processing of excavated materials?  Yes  No  
 If yes, describe. \_\_\_\_\_

v. What is the total area to be dredged or excavated? \_\_\_\_\_ acres

vi. What is the maximum area to be worked at any one time? \_\_\_\_\_ acres

vii. What would be the maximum depth of excavation or dredging? \_\_\_\_\_ feet

viii. Will the excavation require blasting?  Yes  No

ix. Summarize site reclamation goals and plan: \_\_\_\_\_

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area?  Yes  No  
 If Yes:

i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): \_\_\_\_\_

ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

iii. Will the proposed action cause or result in disturbance to bottom sediments?  Yes  No  
 If Yes, describe: \_\_\_\_\_

iv. Will the proposed action cause or result in the destruction or removal of aquatic vegetation?  Yes  No  
 If Yes:

- acres of aquatic vegetation proposed to be removed: \_\_\_\_\_
- expected acreage of aquatic vegetation remaining after project completion: \_\_\_\_\_
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): \_\_\_\_\_
- proposed method of plant removal: \_\_\_\_\_
- if chemical/herbicide treatment will be used, specify product(s): \_\_\_\_\_

v. Describe any proposed reclamation/mitigation following disturbance: \_\_\_\_\_

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c. Will the proposed action use, or create a new demand for water?  Yes  No  
 If Yes:

i. Total anticipated water usage/demand per day: \_\_\_\_\_ gallons/day

ii. Will the proposed action obtain water from an existing public water supply?  Yes  No  
 If Yes:

- Name of district or service area: \_\_\_\_\_
- Does the existing public water supply have capacity to serve the proposal?  Yes  No
- Is the project site in the existing district?  Yes  No
- Is expansion of the district needed?  Yes  No
- Do existing lines serve the project site?  Yes  No

iii. Will line extension within an existing district be necessary to supply the project?  Yes  No  
 If Yes:

- Describe extensions or capacity expansions proposed to serve this project: \_\_\_\_\_
- Source(s) of supply for the district: \_\_\_\_\_

iv. Is a new water supply district or service area proposed to be formed to serve the project site?  Yes  No  
 If, Yes:

- Applicant/sponsor for new district: \_\_\_\_\_
- Date application submitted or anticipated: \_\_\_\_\_
- Proposed source(s) of supply for new district: \_\_\_\_\_

v. If a public water supply will not be used, describe plans to provide water supply for the project: \_\_\_\_\_

vi. If water supply will be from wells (public or private), what is the maximum pumping capacity: \_\_\_\_\_ gallons/minute.

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d. Will the proposed action generate liquid wastes?  Yes  No  
 If Yes:

i. Total anticipated liquid waste generation per day: \_\_\_\_\_ gallons/day

ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each): \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

iii. Will the proposed action use any existing public wastewater treatment facilities?  Yes  No  
 If Yes:

- Name of wastewater treatment plant to be used: \_\_\_\_\_
- Name of district: \_\_\_\_\_
- Does the existing wastewater treatment plant have capacity to serve the project?  Yes  No
- Is the project site in the existing district?  Yes  No
- Is expansion of the district needed?  Yes  No

• Do existing sewer lines serve the project site?  Yes  No  
 • Will a line extension within an existing district be necessary to serve the project?  Yes  No  
 If Yes:  
 • Describe extensions or capacity expansions proposed to serve this project: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

iv. Will a new wastewater (sewage) treatment district be formed to serve the project site?  Yes  No  
 If Yes:  
 • Applicant/sponsor for new district: \_\_\_\_\_  
 • Date application submitted or anticipated: \_\_\_\_\_  
 • What is the receiving water for the wastewater discharge? \_\_\_\_\_

v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge or describe subsurface disposal plans):  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

vi. Describe any plans or designs to capture, recycle or reuse liquid waste: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction?  Yes  No  
 If Yes:  
 i. How much impervious surface will the project create in relation to total size of project parcel?  
 \_\_\_\_\_ Square feet or \_\_\_\_\_ acres (impervious surface)  
 \_\_\_\_\_ Square feet or \_\_\_\_\_ acres (parcel size)  
 ii. Describe types of new point sources. \_\_\_\_\_  
 \_\_\_\_\_

iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)?  
 \_\_\_\_\_  
 \_\_\_\_\_  
 • If to surface waters, identify receiving water bodies or wetlands: \_\_\_\_\_  
 \_\_\_\_\_  
 • Will stormwater runoff flow to adjacent properties?  Yes  No

iv. Does the proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater?  Yes  No

f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations?  Yes  No  
 If Yes, identify:  
 i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles)  
Heavy equipment; diesel exhaust  
 ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers)  
 NA  
 iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation)  
 NA

g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit?  Yes  No  
 If Yes:  
 i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year)  Yes  No  
 ii. In addition to emissions as calculated in the application, the project will generate:  
 • \_\_\_\_\_ Tons/year (short tons) of Carbon Dioxide (CO<sub>2</sub>)  
 • \_\_\_\_\_ Tons/year (short tons) of Nitrous Oxide (N<sub>2</sub>O)  
 • \_\_\_\_\_ Tons/year (short tons) of Perfluorocarbons (PFCs)  
 • \_\_\_\_\_ Tons/year (short tons) of Sulfur Hexafluoride (SF<sub>6</sub>)  
 • \_\_\_\_\_ Tons/year (short tons) of Carbon Dioxide equivalent of Hydrofluorocarbons (HFCs)  
 • \_\_\_\_\_ Tons/year (short tons) of Hazardous Air Pollutants (HAPs)

h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)?  Yes  No

If Yes:

- i. Estimate methane generation in tons/year (metric): \_\_\_\_\_
- ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): \_\_\_\_\_

i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations?  Yes  No

If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust): \_\_\_\_\_

j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services?  Yes  No

If Yes:

- i. When is the peak traffic expected (Check all that apply):  Morning  Evening  Weekend  
 Randomly between hours of \_\_\_\_\_ to \_\_\_\_\_.
- ii. For commercial activities only, projected number of truck trips/day and type (e.g., semi trailers and dump trucks): \_\_\_\_\_
- iii. Parking spaces: Existing \_\_\_\_\_ Proposed \_\_\_\_\_ Net increase/decrease \_\_\_\_\_
- iv. Does the proposed action include any shared use parking?  Yes  No
- v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe: \_\_\_\_\_
- vi. Are public/private transportation service(s) or facilities available within 1/2 mile of the proposed site?  Yes  No
- vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles?  Yes  No
- viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes?  Yes  No

k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy?  Yes  No

If Yes:

- i. Estimate annual electricity demand during operation of the proposed action: \_\_\_\_\_
- ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other): \_\_\_\_\_
- iii. Will the proposed action require a new, or an upgrade, to an existing substation?  Yes  No

l. Hours of operation. Answer all items which apply.

i. During Construction:

- Monday - Friday: \_\_\_\_\_ 7 AM - 7 PM \_\_\_\_\_
- Saturday: \_\_\_\_\_
- Sunday: \_\_\_\_\_
- Holidays: \_\_\_\_\_

ii. During Operations:

- Monday - Friday: \_\_\_\_\_ 24 hrs \_\_\_\_\_
- Saturday: \_\_\_\_\_ 24 hrs \_\_\_\_\_
- Sunday: \_\_\_\_\_ 24 hrs \_\_\_\_\_
- Holidays: \_\_\_\_\_ 24 hrs \_\_\_\_\_

m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both?  Yes  No  
 If yes:  
 i. Provide details including sources, time of day and duration:  
 Typical site construction equipment. Construction activity will be limited to hours between 7am and 7pm and/or within constraints of the City code. \_\_\_\_\_

ii. Will the proposed action remove existing natural barriers that could act as a noise barrier or screen?  Yes  No  
 Describe: \_\_\_\_\_

---

n. Will the proposed action have outdoor lighting?  Yes  No  
 If yes:  
 i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:  
 Street lighting will be installed to match surrounding streets and some potential pedestrian walkway lighting. \_\_\_\_\_

ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen?  Yes  No  
 Describe: \_\_\_\_\_

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o. Does the proposed action have the potential to produce odors for more than one hour per day?  Yes  No  
 If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures: \_\_\_\_\_

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p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage?  Yes  No  
 If Yes:  
 i. Product(s) to be stored \_\_\_\_\_  
 ii. Volume(s) \_\_\_\_\_ per unit time \_\_\_\_\_ (e.g., month, year)  
 iii. Generally, describe the proposed storage facilities: \_\_\_\_\_

---

q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation?  Yes  No  
 If Yes:  
 i. Describe proposed treatment(s):  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

ii. Will the proposed action use Integrated Pest Management Practices?  Yes  No

---

r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)?  Yes  No  
 If Yes:  
 i. Describe any solid waste(s) to be generated during construction or operation of the facility:  
 • Construction: \_\_\_\_\_ tons per \_\_\_\_\_ (unit of time)  
 • Operation : \_\_\_\_\_ tons per \_\_\_\_\_ (unit of time)  
 ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:  
 • Construction: \_\_\_\_\_  
 \_\_\_\_\_  
 • Operation: \_\_\_\_\_  
 \_\_\_\_\_

iii. Proposed disposal methods/facilities for solid waste generated on-site:  
 • Construction: \_\_\_\_\_  
 \_\_\_\_\_  
 • Operation: \_\_\_\_\_  
 \_\_\_\_\_

s. Does the proposed action include construction or modification of a solid waste management facility?  Yes  No

If Yes:

i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): \_\_\_\_\_

ii. Anticipated rate of disposal/processing:

- \_\_\_\_\_ Tons/month, if transfer or other non-combustion/thermal treatment, or
- \_\_\_\_\_ Tons/hour, if combustion or thermal treatment

iii. If landfill, anticipated site life: \_\_\_\_\_ years

---

t. Will the proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste?  Yes  No

If Yes:

i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: \_\_\_\_\_

\_\_\_\_\_

ii. Generally describe processes or activities involving hazardous wastes or constituents: \_\_\_\_\_

\_\_\_\_\_

iii. Specify amount to be handled or generated \_\_\_\_\_ tons/month

iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: \_\_\_\_\_

\_\_\_\_\_

v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility?  Yes  No

If Yes: provide name and location of facility: \_\_\_\_\_

\_\_\_\_\_

If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility: \_\_\_\_\_

\_\_\_\_\_

**E. Site and Setting of Proposed Action**

**E.1. Land uses on and surrounding the project site**

a. Existing land uses.

i. Check all uses that occur on, adjoining and near the project site.

Urban  Industrial  Commercial  Residential (suburban)  Rural (non-farm)

Forest  Agriculture  Aquatic  Other (specify): \_\_\_\_\_

ii. If mix of uses, generally describe:  
 The project site is predominantly composed of commercial use, including community services.

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b. Land uses and covertypes on the project site.

Land use or Covertypes	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces	1.26	1.04	0.22
• Forested			
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)			
• Agricultural (includes active orchards, field, greenhouse etc.)			
• Surface water features (lakes, ponds, streams, rivers, etc.)			
• Wetlands (freshwater or tidal)			
• Non-vegetated (bare rock, earth or fill)			
• Other Describe: _____			

c. Is the project site presently used by members of the community for public recreation?  Yes  No  
 i. If Yes: explain: \_\_\_\_\_

d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site?  Yes  No  
 If Yes,  
 i. Identify Facilities:  
 The Dale Association, located 33 Ontario Street, Lockport NY, 14094. The Dale Association is a non-profit human services organization that offers a range of programs and support for adults, seniors, and people with mental health needs.

e. Does the project site contain an existing dam?  Yes  No  
 If Yes:  
 i. Dimensions of the dam and impoundment:  
 • Dam height: \_\_\_\_\_ feet  
 • Dam length: \_\_\_\_\_ feet  
 • Surface area: \_\_\_\_\_ acres  
 • Volume impounded: \_\_\_\_\_ gallons OR acre-feet  
 ii. Dam's existing hazard classification: \_\_\_\_\_  
 iii. Provide date and summarize results of last inspection: \_\_\_\_\_

f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility?  Yes  No  
 If Yes:  
 i. Has the facility been formally closed?  Yes  No  
 • If yes, cite sources/documentation: \_\_\_\_\_  
 ii. Describe the location of the project site relative to the boundaries of the solid waste management facility: \_\_\_\_\_  
 iii. Describe any development constraints due to the prior solid waste activities: \_\_\_\_\_

g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste?  Yes  No  
 If Yes:  
 i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred: \_\_\_\_\_

h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site?  Yes  No  
 If Yes:  
 i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply:  Yes  No  
 Yes – Spills Incidents database Provide DEC ID number(s): 9875147, 9805389  
 Yes – Environmental Site Remediation database Provide DEC ID number(s): \_\_\_\_\_  
 Neither database  
 ii. If site has been subject of RCRA corrective activities, describe control measures: \_\_\_\_\_  
 NA

iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database?  Yes  No  
 If yes, provide DEC ID number(s): 932098, E932124, E932141, 932156, 932121, B00154, C932177  
 iv. If yes to (i), (ii) or (iii) above, describe current status of site(s): \_\_\_\_\_  
None of the listings associated with adjacent or nearby properties suggest a specific environmental concern at the project site

DEC ID	Database Listing	Address/Name	Status
932098	Environmental Site Remediation	Between LaGrange & Savton St./South Transit St. / NYSEG - Lockport Transit Street MGP	State Superfund Program - Classification Code: "A" Active. Remediation at the site is complete. Access to the site is restricted. This property is not a concern as it is located 1,600 ft from the project area.
E932124	Environmental Site Remediation	7 Niagara Street / Zimmie's Tire Store	Environmental Restoration Program - Classification Code: "N" No Further Action
E932141	Environmental Site Remediation	160 Washburn Street / Commerce Square	Environmental Restoration Program - Classification Code: "N" No Further Action. This property is not a concern as it is located 1,500 ft from the project area and separated by the Erie Canal.
932156	Environmental Site Remediation	Eighteenmile Creek	State Superfund Program - Registry of Inactive Hazardous Waste Disposal Sites - Class Code 02
932121	Environmental Site Remediation	82, 70, 196 & 300 Mill Street / Eighteenmile Creek Corridor	State Superfund Program - Registry of Inactive Hazardous Waste Disposal Sites - Class Code 02
B00154	Environmental Site Remediation	Canal, Church, and Niagara Streets / Richmond Avenue Project	Environmental Restoration Program - Classification Code: "C" Completed. Controlled Property - restricted commercial and industrial use.
C932177	Environmental Site Remediation	210 Walnut Street / Harrison Place	Brownfield Cleanup Program - Classification Code: "A" Active. This property is not a concern as it is located 1,500 ft from the project area and separated by the Erie Canal.
9875147	Spill Incidents	33 Ontario Street / Dale Association	The spill was classified as "closed" by the NYSDEC on July 28, 1999.
9805389	Spill Incidents	20 Lock Street / Licata Bros.	The spill was classified as "closed" by the NYSDEC on September 11, 1998.

v. Is the project site subject to an institutional control limiting property uses?  Yes  No

- If yes, DEC site ID number: \_\_\_\_\_
- Describe the type of institutional control (e.g., deed restriction or easement): \_\_\_\_\_
- Describe any use limitations: \_\_\_\_\_
- Describe any engineering controls: \_\_\_\_\_
- Will the project affect the institutional or engineering controls in place?  Yes  No
- Explain: \_\_\_\_\_

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**E.2. Natural Resources On or Near Project Site**

a. What is the average depth to bedrock on the project site? Approximately 4.0 feet

b. Are there bedrock outcroppings on the project site?  Yes  No  
 If Yes, what proportion of the site is comprised of bedrock outcroppings? \_\_\_\_\_ %

c. Predominant soil type(s) present on project site: Urban Land (UB) 100 %  
 \_\_\_\_\_ %  
 \_\_\_\_\_ %

d. What is the average depth to the water table on the project site? Average: >6.0 feet Groundwater not encountered during geotechnical investigation

e. Drainage status of project site soils:  Well Drained: \_\_\_\_\_ % of site  
 Moderately Well Drained: 100 % of site  
 Poorly Drained: \_\_\_\_\_ % of site  
It should be noted that the USDS Web Soil Survey indicates no digital data available for the project area.

f. Approximate proportion of proposed action site with slopes:  0-10%: 100 % of site  
 10-15%: \_\_\_\_\_ % of site  
 15% or greater: \_\_\_\_\_ % of site

g. Are there any unique geologic features on the project site?  Yes  No  
 If Yes, describe: \_\_\_\_\_

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**h. Surface water features.**

i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)?  Yes  No

ii. Do any wetlands or other waterbodies adjoin the project site?  Yes  No

If Yes to either *i* or *ii*, continue. If No, skip to E.2.i.

iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency?  Yes  No

iv. For each identified regulated wetland and waterbody on the project site, provide the following information:

- Streams: Name Erie Barge Canal Classification C
- Lakes or Ponds: Name \_\_\_\_\_ Classification \_\_\_\_\_
- Wetlands: Name \_\_\_\_\_ Approximate Size \_\_\_\_\_
- Wetland No. (if regulated by DEC) \_\_\_\_\_

v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies?  Yes  No  
 If yes, name of impaired water body/bodies and basis for listing as impaired: \_\_\_\_\_

---

i. Is the project site in a designated Floodway?  Yes  No

j. Is the project site in the 100-year Floodplain?  Yes  No

k. Is the project site in the 500-year Floodplain?  Yes  No

l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer?  Yes  No  
 If Yes:  
 i. Name of aquifer: \_\_\_\_\_

m. Identify the predominant wildlife species that occupy or use the project site: \_\_\_\_\_  
 Suburban animals such as birds, \_\_\_\_\_  
 squirrels, and rabbits. \_\_\_\_\_

n. Does the project site contain a designated significant natural community?  Yes  No  
 If Yes:  
 i. Describe the habitat/community (composition, function, and basis for designation): \_\_\_\_\_  
 ii. Source(s) of description or evaluation: \_\_\_\_\_  
 iii. Extent of community/habitat:  
 • Currently: \_\_\_\_\_ acres  
 • Following completion of project as proposed: \_\_\_\_\_ acres  
 • Gain or loss (indicate + or -): \_\_\_\_\_ acres

o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species?  Yes  No  
 If Yes:  
 i. Species and listing (endangered or threatened): \_\_\_\_\_  
 Peregrine Falcon

p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern?  Yes  No  
 If Yes:  
 i. Species and listing: \_\_\_\_\_

q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing?  Yes  No  
 If yes, give a brief description of how the proposed action may affect that use: \_\_\_\_\_

**E.3. Designated Public Resources On or Near Project Site**

a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304?  Yes  No  
 If Yes, provide county plus district name/number: \_\_\_\_\_

b. Are agricultural lands consisting of highly productive soils present?  Yes  No  
 i. If Yes: acreage(s) on project site? \_\_\_\_\_  
 ii. Source(s) of soil rating(s): \_\_\_\_\_

c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark?  Yes  No  
 If Yes:  
 i. Nature of the natural landmark:  Biological Community  Geological Feature  
 ii. Provide brief description of landmark, including values behind designation and approximate size/extent: \_\_\_\_\_

d. Is the project site located in or does it adjoin a state listed Critical Environmental Area?  Yes  No  
 If Yes:  
 i. CEA name: \_\_\_\_\_  
 ii. Basis for designation: \_\_\_\_\_  
 iii. Designating agency and date: \_\_\_\_\_

e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?  Yes  No

If Yes:

i. Nature of historic/archaeological resource:  Archaeological Site  Historic Building or District

ii. Name: Eligible property: Exchange Bank, Lockport Industrial District, Moore, Benjamin C., Mill (Lockport City Hall, New York...

iii. Brief description of attributes on which listing is based:

---

f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?  Yes  No

g. Have additional archaeological or historic site(s) or resources been identified on the project site?  Yes  No

If Yes:

i. Describe possible resource(s):

ii. Basis for identification:

---

h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource?  Yes  No

If Yes:

i. Identify resource:

ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.):

iii. Distance between project and resource: \_\_\_\_\_ miles.

i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666?  Yes  No

If Yes:

i. Identify the name of the river and its designation:

ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 666?  Yes  No

**F. Additional Information**

Attach any additional information which may be needed to clarify your project.

If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

**G. Verification**

I certify that the information provided is true to the best of my knowledge.

Applicant/Sponsor Name City of Lockport

Date 10/20/2025

Signature Yvonne A. Smith

Title Director of Planning + Development

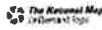
**PRINT FORM**



E.2.k. [500 Year Floodplain]	No
E.2.l. [Aquifers]	No
E.2.n. [Natural Communities]	No
E.2.o. [Endangered or Threatened Species]	Yes
E.2.o. [Endangered or Threatened Species - Name]	Peregrine Falcon
E.2.p. [Rare Plants or Animals]	No
E.3.a. [Agricultural District]	No
E.3.c. [National Natural Landmark]	No
E.3.d [Critical Environmental Area]	No
E.3.e. [National or State Register of Historic Places or State Eligible Sites]	Yes - Digital mapping data for archaeological site boundaries are not available. Refer to EAF Workbook.
E.3.e.ii [National or State Register of Historic Places or State Eligible Sites - Name]	Eligible property: Exchange Bank, Lockport Industrial District, Moore, Benjamin C., Mill (Lockport City Hall, New York State Barge Canal Historic District
E.3.f. [Archeological Sites]	Yes
E.3.i. [Designated River Corridor]	No



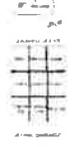
U.S. DEPARTMENT OF THE INTERIOR  
U.S. GEOLOGICAL SURVEY



LOCKPORT QUADRANGLE  
NEW YORK, NIAGARA  
7.5-MINUTE TOPO



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LOCKPORT, NY  
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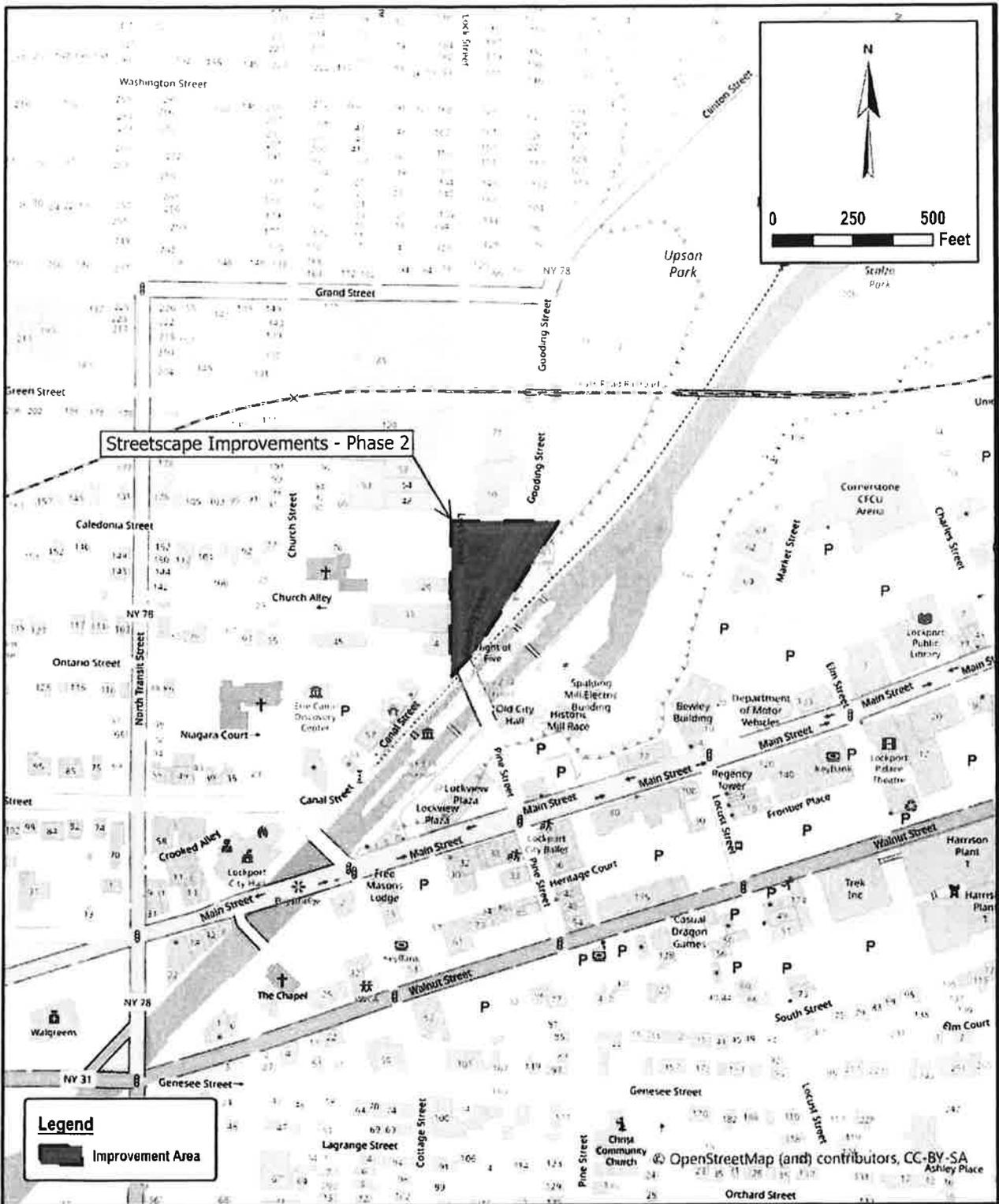


**USGS 7.5-MIN TOPO MAP  
STREETSCAPE IMPROVEMENTS - PHASE 2**

**CITY OF LOCKPORT  
NIAGARA COUNTY, NEW YORK**

**EXHIBIT  
1**

PROJECT NO. 25J1-009



**Legend**  
 Improvement Area



**NUSSBAUMER & CLARKE, INC.**  
 EST. 1933  
 ENGINEERS AND SURVEYORS  
 3556 Lake Shore Road, Suite 500  
 Buffalo, NY 14219  
 (716) 827-6000 | (716) 826-7958 fax  
 www.nussbaumer.com

**LOCATION MAP  
 STREETScape IMPROVEMENTS - PHASE 2**

**CITY OF LOCKPORT  
 NIAGARA COUNTY, NEW YORK**

**EXHIBIT**  
**2**  
 PROJECT NO. 25J1-0009

### City of Lockport - Resolution Request Form

Agenda Description: Lockport area Soapbox Local Race

Presented By: Brandy Martucci

Date Submitted: 1/28/26

Topic Area (Select Most Applicable Option):

- Community Event
- Budget Amendment
- Contract Approval
- Donation Acceptance
- Grant Application / Award
- Fund Utilization Request

<input checked="" type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>

- Local Law Change
- Community Development
- Community Event
- Engineering Process
- Code and Planning
- Other

<input type="checkbox"/>

Please provide to Clerk at least 9 calendar days prior to Council meeting. Otherwise request will go to following meeting.

Summary of Resolution:

On June 13<sup>th</sup> 2026 Lockport area Soapbox would like to hold a "Local" Race at Outwater Park. This event would need us to use both lanes of the park and the lower parking lot.

On June 12<sup>th</sup> we would like to use the park to set up closing the lanes for traffic.

We will bring all other items needed.

*please include a rain date of June 14<sup>th</sup>*

Explanation of Attachments:

Attached are the 501.23 bylaws

Please include all backup correspondence, purchase order, quotes, meeting minutes, emails, etc... If any of this information is confidential and cannot be released publicly, please denote a check in this field: \_\_\_\_\_

Clerk/Legal/Finance Approval:

Notes:

Name:

Date of Approval:



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## **LOCKPORT AREA SOAP BOX DERBY**

### **BYLAWS**

#### **Article I – Name**

The name of this organization shall be **Lockport Area Soap Box Derby** (the “Organization”).

---

#### **Article II – Purpose and Mission**

The Organization is organized exclusively for charitable and educational purposes within the meaning of Section 501(c)(3) of the Internal Revenue Code.

##### **Mission Statement:**

The mission of Lockport Area Soap Box Derby is to inspire creativity, teamwork, and a love of racing through the tradition of Soap Box Derby. The Organization provides youth and families with hands-on learning experiences; promotes STEM-based education, fosters community involvement, and hosts safe, inclusive gravity-powered racing events in the Lockport area.

---

#### **Article III – Nonprofit and Tax-Exempt Status**

1. The Organization shall operate exclusively for nonprofit purposes.
  2. No part of the net earnings shall inure to the benefit of, or be distributable to, any private individual.
  3. The Organization shall not participate in or intervene in any political campaign on behalf of or in opposition to any candidate for public office.
  4. The Organization shall comply with all requirements of Section 501(c)(3) of the Internal Revenue Code and applicable New York State law.
- 

#### **Article IV – Board of Directors**

### **Section 1. Authority**

The affairs of the Organization shall be governed by its Board of Directors.

### **Section 2. Composition**

The Board of Directors shall consist of **three (3) members**, as follows:

- **Brandy Martucci** – President and Race Director
- **Brian Hasson** – Treasurer
- **Corinne Rozewicz** – At-Large Board Member

No other directors or officer positions shall exist unless these bylaws are amended.

### **Section 3. Terms**

Directors shall serve without fixed terms and may continue to serve until resignation or removal.

### **Section 4. Vacancies and Removal**

Any director may resign at any time. Vacancies or removals may be enacted by a majority vote of the remaining Board members.

---

## **Article V – Officers and Duties**

### **Section 1. Officers**

The Organization shall have the following officers:

- **President and Race Director**
- **Treasurer**

No other officer positions are authorized.

### **Section 2. President and Race Director – Brandy Martucci**

The President and Race Director shall:

- Serve as the chief executive officer of the Organization
- Oversee all operations, programs, and events
- Act as Race Director for all Soap Box Derby events
- Preside over meetings of the Board

- Execute contracts and documents on behalf of the Organization
- Perform all administrative, operational, and managerial duties not otherwise assigned

### **Section 3. Treasurer – Brian Hasson**

The Treasurer shall:

- Manage and oversee all financial affairs of the Organization
- Maintain accurate financial records
- Receive and disburse funds in accordance with Board approval
- Prepare financial reports as required
- Assist with budgeting, tax filings, and financial compliance
- Perform all financial and record-keeping duties not otherwise assigned

### **Section 4. Shared Responsibilities**

All operational, administrative, financial, and organizational tasks of the Organization shall be carried out by **Brandy Martucci and Brian Hasson**, jointly or individually as appropriate.

---

### **Article VI – Meetings**

Meetings of the Board shall be held as needed. A majority of the Board shall constitute a quorum. Each director shall have one vote. Actions may be taken by majority vote.

---

### **Article VII – Committees**

The Board may establish committees as necessary. Committees shall serve in an advisory capacity unless otherwise authorized by the Board.

---

### **Article VIII – Conflict of Interest**

Directors must disclose any actual or potential conflict of interest and shall refrain from voting on matters in which they have a conflict.

---

**Article IX – Financial Administration**

All funds of the Organization shall be used exclusively to further the Organization’s mission. The fiscal year shall be determined by the Board of Directors.

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**Article X – Indemnification**

The Organization shall indemnify its directors and officers to the fullest extent permitted under the laws of the State of New York.

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**Article XI – Dissolution**

Upon dissolution of the Organization, all remaining assets shall be distributed to one or more organizations qualifying under Section 501(c)(3) of the Internal Revenue Code, preferably a Soap Box Derby or STEM-based nonprofit serving children.

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**Article XII – Amendments**

These bylaws may be amended by a majority vote of the Board of Directors.

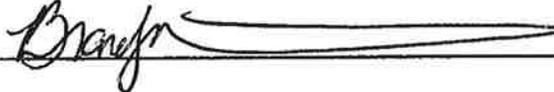
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Adopted on: 1/1/2026

**Secretary (if designated) or President Signature:**

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Brandy Martucci, President



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**BOARD RESOLUTION TO ADOPT BYLAWS**

**RESOLUTION OF THE BOARD OF DIRECTORS  
LOCKPORT AREA SOAP BOX DERBY**

The undersigned Directors hereby adopt the foregoing Bylaws as the governing bylaws of the Lockport Area Soap Box Derby.