

CITY OF LOCKPORT
COMMON COUNCIL PROCEEDINGS

Lockport Municipal Building

Regular Meeting
Official Record

July 22nd, 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: Wyche, O'Malley, Fogle, Wiley and Kirchberger
Absent: Craig

INVOCATION

ANNOUNCEMENTS

RECESS

Recess for public input.

072226.1

APPROVAL OF MINUTES

On motion of Alderman Wyche seconded by Alderman Kirchberger the minutes of the Regular meeting of July 8th, 2026 are hereby approved as printed in the Journal of Proceedings. Ayes 5.

FROM THE MAYOR

Appointments:

7/10/2026 Frederick Eberhart Jr., has been appointed to Personnel Director for the City of Lockport Civil Service Department effective July 6th, 2026. Said position is permanent and subject to the City of Lockport Municipal Civil Service Rules and Regulations.

FROM THE CITY CLERK

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

Reviewed by the Finance Committee.

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

7/6/2026 Jennifer Hill, 892 Willow Street- tree complaint.

7/9/2026 Katherine D. Alexander, First Assistant County Attorney from Niagara County, sent in a Notice of Defect and Dangerous Condition regarding stairs at 111 Main Street.

MOTIONS & RESOLUTIONS

072226.2

By Alderman Craig:

Resolved, that the Mayor and City Clerk be authorized to issue orders in favor of the claimants for payrolls, bills and services to be paid on July 23rd, 2026.

Seconded by Alderman Fogle and adopted. Ayes 5.

072226.3

By Alderman O'Malley:

Resolution by the City of Lockport approving and endorsing its application to NYS Homes and Community Renewal for funding under the New York Main Street Program.

Whereas, the City of Lockport desires to apply for \$300,000.00 in financial assistance through the 2026 Consolidated Funding Application (CFA) under the New York Main Street Program; and

Whereas, the application proposes funding to assist property owners to complete building renovations to downtown "main street" buildings on the Main Street/East Ave corridor between Transit Road and Washburn Street; and

Whereas, the proposed funding will contribute to ongoing community revitalization efforts; and

Whereas, the grant application requires that the applicant obtain the approval and endorsement of the governing body of the municipality in which the project will be located.

Now, therefore, be it resolved, that the Common Council of the City of Lockport approves and endorses the 2026 New York Main Street Program for assistance prepared and to be submitted by Director of Planning and Development on behalf of the City of Lockport.

Seconded by Alderman Wyche and adopted. Ayes 5.

072226.4

By Alderman Fogle:

Authorization to Draft Local Law Amending the Zoning Code

Resolved, that Corporation Counsel is hereby authorized and directed to prepare a Local Law relative to Amending the Code of the City of Lockport to provide a change in zoning and classification of a parcel of land identified as 26 Market Street, Lockport, NY 14094, SBL No. 109.55-1-5, ("Property") from its existing classification of Mixed Light Industrial to Mixed Use – Downtown; and

Resolved, that a Public Hearing be held at the Common Council Meeting of Wednesday August 12th starting at 6:00pm in the Common Council Chambers relative to said proposed Local Law; and be it further

Resolved, that the City Clerk is hereby authorized and directed to advertise notice of said Public Hearing.

Seconded by Alderman Wyche and adopted. Ayes 5.

072226.5

By Alderman Wyche:

Resolution Authorizing Repairs to Pump Station pump #1

Whereas, the City of Lockport established Capital Project **H204 – Water Fund Improvements in 2021** to fund improvements to the City's water infrastructure; and

Whereas, the Chief Water Treatment Plant Operator has determined that repairs to Pump Station Pump #1 are necessary to maintain the reliable operation of the City's water system and has recommended Moley Industries to perform the work; and

Whereas, the Common Council finds that Moley Industries possesses specialized knowledge and familiarity with the City's existing pump station equipment, qualifying this procurement as a sole source procurement under the City's Procurement Policy;

Now, therefore, be it resolved, that the Common Council hereby authorizes the Mayor, Finance Director, and Chief Water Treatment Plant Operator to engage Moley Industries to complete the repairs to Pump Station Pump #1 in an amount **not to exceed \$32,000**, with funding to be paid from Capital Project **H204 – Water Fund Improvements**.

Seconded by Alderman Kirchberger and adopted. Ayes 5.

072226.6

By Alderman Wiley:

Resolution Authorizing a Budget Amendment for Insurance Recovery – Fire Hydrant Repairs

Whereas, the City of Lockport sustained damage to a fire hydrant on March 20, 2026, as the result of a motor vehicle accident, requiring repairs; and

Whereas, the insurance carrier for the at-fault party has reimbursed the City in the amount of \$10,000 for the damage to the fire hydrant; and

Whereas, it is necessary to amend the 2026 Water Fund Budget to recognize the insurance proceeds and appropriate the funds for the related repair expenses;

Now, therefore, be it resolved, that the 2026 Water Fund Budget is hereby amended as follows:

Revenue:

Increase:

FX.0000.32680	Insurance Recoveries	\$10,000
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Expense:

Increase:

FX.8340.54077	Const. & Maint. Supplies	\$10,000
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Seconded by Alderman Kirchberher and adopted. Ayes 5.

072226.7

By Alderman Kirchberger:

Resolution Authorizing a Budget Amendment For Insurance Recovery – Street Department Vehicle Repairs

Whereas, the City of Lockport Street Department's 2025 Chevrolet Silverado 3500 sustained damage in an accident on January 29, 2026, requiring repairs; and

Whereas, the City's insurance carrier assessed the damages and issued insurance proceeds in the amount of \$20,692.09, representing assessed repair cost less the City's \$1,000 deductible; and

Whereas, it is necessary to amend the 2026 General Fund Budget to recognize the insurance proceeds and appropriate the funds for the related repair expenses;

Now, therefore, be it resolved, that the 2026 General Fund Budget is hereby amended as follows:

Revenue:

Increase:

A.0000.32680	Insurance Recoveries	\$20,692.09
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Expense:

Increase:

A.1640.54300	Vehicle Maintenance & Repair	\$20,692.09
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Seconded by Alderman Wyche and adopted. Ayes 5.

072226.8

By Alderman Fogle:

Resolution Authorizing a Budget Amendment For NYSDOT Arterial Maintenance Revenue

Whereas, the City of Lockport has an Arterial Maintenance Agreement with the New York State Department of Transportation (NYSDOT), whereby the City performs routine maintenance on designated State highways within the City and receives reimbursement from NYSDOT for those maintenance activities; and

Whereas, the City will receive annual reimbursement under this agreement in the amount of \$92,515, which supports the costs associated with maintaining these State highways; and

Whereas, during preparation of the 2026 Adopted Budget, the anticipated reimbursement associated with the Arterial Maintenance Agreement was inadvertently omitted due to an administrative transition in departmental responsibilities, and therefore was not included in the adopted budget; and

Whereas, it is necessary to amend the 2026 Budget to recognize this revenue and appropriate the corresponding expenditures for the maintenance activities performed under the agreement;

Now, therefore, be it resolved, that the 2026 General Fund Budget is hereby amended as follows:

Revenue:

Increase:

A.5110.33510	Highway Maintenance State Aid	\$92,515
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Expense:

Increase:

A.5110.52030	Motor Vehicle Equipment	\$92,515
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Seconded by Alderman O'Malley and adopted. Ayes 5.

072226.9

By Alderman Kirchberger:

Resolution In Support Of Niagara River Greenway Application

Whereas, the City of Lockport is home of the famous Erie Canal Flight of Five Locks;
and

Whereas, the rehabilitation and operation of the Flight of Five is an integral component of the City of Lockport's economic development strategy and the revitalization of Lockport's historic waterfront;

Whereas, the City of Lockport and the Lockport Locks Heritage District Development Corporation have received grants from the New York State Consolidated Funding and the U.S. Congressional Community Project Funding programs totaling \$2.175 million of a total \$2.6 million Flight of Five Project; and

Whereas, the Lockport Locks Heritage District Corporation has prepared a grant request to the Niagara County Legislature for a \$375,000 appropriation for the Flight of Five Project; and

Whereas, the County of Niagara requires that municipalities submitting Greenway funding requests must provide assure of project completion and guarantee the future operation and maintenance on the subject project; now, therefore, be it

Resolved, that the City of Lockport expresses its support for the application to the County of Niagara for a \$375,000 allocation of Niagara River Greenway funding and furthermore the City of Lockport guarantees the successful completion of the proposed \$2.6 million Flight of Five Project and the ongoing operation and maintenance of the Flight of Five Project.

Seconded by Alderman Wyche and adopted. Ayes 5.

072226.10

By Alderman O'Malley:

Resolution for Authorization and Appropriation of Local Match For a Water Infrastructure Improvement Act Grant For Market St. Sewer Improvements:

Whereas, the City of Lockport (City) is seeking a grant for a Market Street Sewer Improvement Project and intends to submit via the New York State Environmental Facilities Corporation (NYSEFC) for funding to the New York Water Infrastructure Improvement Act (WIIA); and

Whereas, the City project cost estimate for the Market Street Sewer Improvement Project is \$11,206,000; and

Whereas, the WIIA, through NYSEFC, is authorized to fund up to \$2,801,500 (25%) if deemed eligible for an enhanced WIIA award, of the net eligible project costs.

Now, therefore, be it resolved that the City authorizes and appropriates \$8,404,500 (75%) local match as required by the Water Infrastructure Improvement Act grant program. The maximum local share appropriated, subject to and agreed by the Mayor, shall not exceed 75% of the net eligible project costs of \$11,206,000, subject to receipt of a WIIA grant and available funding. The total estimated maximum grant is \$2,801,500. The Mayor may increase this local match through the use of in-kind services without further approval from the City.

Seconded by Alderman Wyche and adopted. Ayes 5.

072226.11

By Alderman Wyche:

Resolution Authorization For as Representative To Sign Documents

Whereas, Nussbaumer & Clarke, Inc. is authorized to prepare a grant application on behalf of the City of Lockport (City) to the New York Water Infrastructure Improvement Act for the Market Street Sewer Improvement Project ; and

Whereas, the Mayor is required to sign the grant application on behalf of the City, as well as a Grant Agreement with the NYSEFC and any and all other contracts, documents, and instruments necessary to bring about the project if a grant is awarded.

Now, therefore, be it resolved, that the Mayor is authorized to sign a grant application on behalf of the City via the New York Water Infrastructure Improvement Act for the Market Street Sewer Improvement Project; and

Be it further resolved, that should a WIIA grant be awarded to the City, the Mayor is authorized to execute a Grant Agreement with the NYSEFC and any and all other contracts, documents, and instruments necessary to bring about the project and to fulfill the City's obligations under the Market Street Sewer Improvement Project grant program through the NYSEFC.

Seconded by Alderman O'Malley and adopted. Ayes 5.

072226.12

By Alderman Fogle:

Donation Acceptance Policy

Whereas, pursuant to New York General City Law §20(3), the City of Lockport is authorized to accept gifts, grants, bequests, and donations of money, personal property, real property, and services for lawful municipal purposes, and the Common Council finds it to be in the best interest of the City to establish formal policies and procedures for the review, acceptance, documentation, and administration of such donations in order to ensure transparency, accountability, compliance with applicable laws and ethics requirements, and sound financial management;

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

Guideline #1. Donations Covered: This policy applies to monetary donations, restricted monetary donations, in-kind donations (equipment, supplies, vehicles), real property/land, and donated services or professional assistance.

Guideline #2. General Acceptance Criteria: The City may accept donations only if they: (1) serve a legitimate municipal purpose; (2) do not create undue operating or maintenance costs; (3) do not create legal liability; (4) do not improperly influence procurement, contracting, or policy decisions; and (5) comply with all applicable laws, ethics rules, and City policies. The City reserves the right to decline any donation.

Guideline #3. Solicitation of Donations and Fundraising Activities

The City shall not engage in general fundraising activities or solicit donations, contributions, or gifts from private individuals, businesses, organizations, or other entities. City officers, employees, departments, boards, and commissions shall not independently solicit donations on behalf of the City. Unsolicited donations may be considered for acceptance in accordance with this policy. No donation shall be accepted or solicited in a manner that could reasonably be perceived as an attempt to influence City decisions, procurement activities, contracts, permits, approvals, regulatory actions, or other official business. Acceptance of a donation shall not create any obligation, expectation, or entitlement to favorable treatment by the City toward the donor.

Guideline #4. Prohibited Donations: The City will not accept donations that: require endorsement of a private business or product; interfere with City decision-making; create conflicts of interest; are tied to pending procurement, bids, or contract awards; or impose illegal or impractical restrictions.

Guideline #5. Approval Authority: All donations, whether monetary, in-kind, restricted, or unrestricted, regardless of value, shall be subject to acceptance by the Common Council through formal resolution. No donation shall be deemed accepted by the City until such resolution has been duly adopted. The Mayor, Treasurer, Director of Finance, and applicable department heads may review

proposed donations and provide recommendations to the Common Council prior to formal consideration.

Guideline #6. Documentation Required: Each donation shall include documentation of: donor name; donation amount or fair market value; donation type; intended use or restrictions; date accepted; and applicable Council resolution. (Refer to Appendix A-Donation Acceptance Form)

Guideline #7. Budget and Accounting: Monetary donations shall be receipted by the Treasury Department and recorded in appropriate revenue accounts. Budget amendments shall be made as necessary in accordance with City budget procedures.

Guideline #8. Recognition and Disclaimer: Acceptance of a donation does not imply endorsement by the City of the donor's products, services, business practices, or viewpoints.

Guideline #9. Exceptions: Exceptions to this policy require Common Council approval by resolution.

Appendix A – Donation Acceptance Form: Appendix A, attached hereto, is incorporated into this policy by reference and shall be used for all proposed donations submitted for City review

Seconded by Alderman O'Malley and adopted. Ayes 4. Nay 1 (Fogle).

072226.13

ADJOURNMENT

At 6:25pm Alderman O'Malley moved the Common Council be adjourned until 6:00pm Wednesday, August 12th, 2026.

Seconded by Alderman Fogle and adopted. Ayes 5.

EMILY STODDARD
City Clerk